

Warren County Board of Supervisors

RESOLUTION NO. 764 OF 2011

Resolution introduced by Supervisors Belden, Bentley, Merlino, Champagne, Monroe, McCoy, Conover, Wood and Taylor

**AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS
IN EXECUTING A LETTER OF INTENT RELATIVE TO THE PROPOSED
COMMERCIAL DEVELOPMENT OF PROPERTY LOCATED ADJACENT
TO THE FLOYD BENNETT MEMORIAL AIRPORT**

WHEREAS, the Superintendent of the Department of Public Works is requesting the County execute a Letter of Intent with Forest Management Enterprises, Inc., relative to the proposed commercial development of property located adjacent to the Floyd Bennett Memorial Airport which establishes a framework for future negotiations and allows the proposed development to proceed thru the planning process that will, be non-binding, but shall include, among other things, the following:

- 1) the County intends to grant access across County property from the proposed development site to Queensbury Avenue;
- 2) expenses related to the construction of the access road would be the responsibility of the developer;
- 3) the new access road would be constructed to municipal standards and become a municipal roadway;
- 4) the access road would be contingent on both parties agreeing to the terms related to an aviation easement over the proposed development that would address Runway Protection Zone and Part 77 Flight Surfaces for the future one thousand (1,000) foot extension of the main runway, and
- 5) that neither party will have any obligation under the Letter of Intent to further the intentions of the Letter of Intent unless the parties reach a mutual agreement as to the value of all easements to be granted or exchanged,

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and

WHEREAS, the County Attorney is in the process of negotiating the final terms and conditions of the Letter of Intent and will present the same to the Public Works Committee with the understanding that certain reviews, revisions and clarifications may be necessary, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute the Letter of Intent upon finalization of the terms and conditions by the County Attorney and approval of the Public Works Committee in a form approved by the County Attorney.