

Warren County Board of Supervisors

RESOLUTION No. 212 OF 2025

RESOLUTION INTRODUCED BY SUPERVISORS DRISCOLL, BRUNO, PATCHETT, TURNER, WILD, STRAINER AND RUNYON

INTRODUCING PROPOSED LOCAL LAW NO. 2 OF 2025, ENTITLED “A LOCAL LAW SUPERCEDING COUNTY LAW SECTIONS 215(3) AND 215(6) AND AUTHORIZING THE LEASE OF A PORTION OR ALL OF CERTAIN WARREN COUNTY OWNED PROPERTY, COMMONLY KNOWN AS BUILDING #11, 48 OR 50 GURNEY LANE IN THE TOWN OF QUEENSBURY (HEREAFTER, “PROPERTY”) WITHOUT PUBLIC ADVERTISEMENT OR AUCTION,” AND AUTHORIZING PUBLIC HEARING THEREON

RESOLUTION AMENDED FROM THE FLOOR

RESOLVED, that proposed Local Law No. 2 of 2025 entitled “A Local Law Superceding County Law Sections 215(3) and 215(6) and Authorizing the Lease of a Portion or All of Certain Warren County Owned Property, Commonly Known as Building #11, 48 or 50 Gurney Lane in the Town of Queensbury (hereafter, “Property”) without Public Advertisement or Auction”, attached hereto and made a part hereof, be, and the same hereby is, introduced before the Warren County Board of Supervisors, and in order to give interested members of the public the opportunity to be heard thereon, the Board of Supervisors shall hold a public hearing at the Supervisors’ Rooms in the Warren County Municipal Center on the 18th day of July, 2025 at 10:00 a.m., on the matter of the adoption of said proposed Local Law No. 2 of 2025, and be it further

RESOLVED, that the Clerk of the Board of Supervisors be, and hereby is, authorized and directed to give notice of such public hearing in the manner provided by law.

**COUNTY OF WARREN
PROPOSED LOCAL LAW NO. 2 OF 2025**

**A LOCAL LAW SUPERCEDING COUNTY LAW SECTIONS 215(3) AND 215(6) AND
AUTHORIZING THE LEASE OF A PORTION OR ALL OF CERTAIN WARREN COUNTY
OWNED PROPERTY, COMMONLY KNOWN AS BUILDING #11, 48 OR 50 GURNEY LANE
IN THE TOWN OF QUEENSBURY (HEREAFTER, “PROPERTY”) WITHOUT PUBLIC
ADVERTISEMENT OR AUCTION**

BE IT ENACTED, by the Board of Supervisors of the County of Warren, New York, as follows:

SECTION 1. Legislation Intent and Purpose. This Local Law is enacted to supercede County Law Sections 215(3) and 215(6) and authorize the Warren County Board of Supervisors (“Board of Supervisors”), in the name of and on behalf of the County of Warren, to enter into a lease of the Property identified in Section 3 hereof and thereby obtain a reasonable return on Property not needed for County purposes. The purpose of superceding County Law Sections 215(3) and 215(6) is to avoid the need to advertise and lease a portion or all of the Property identified in Section 3 hereof to the highest bidder following public auction and leasing real property for terms which exceed five years. This Local Law will provide the Board of Supervisors, for the benefit of the County, authority to lease the Property identified in Section 3 hereof to WAIT House. WAIT House intends to utilize the leased property to operate a homeless family shelter on behalf of the Warren County Department of Social Services.

SECTION 2. County Law Sections 215(3) and 215(6) Amended and/or Superceded. It is the intent of this Local Law to supercede County Law Section 215(3) which provides that the Board of Supervisors may “...also lease for county purposes real property for terms not exceeding five years...” and 215(6) which provides that property no longer necessary for public use “...may be sold or leased only to the highest responsible bidder after public advertisement.” It is desired to provide authority for a lease of certain County property, more specifically described in Section 3, hereof under the circumstances set forth in this Local Law and without public advertisement or auction.

SECTION 3. Description of County Owned Real Property Affected by Local Law. The property which is the subject of this Local Law is described as follows: One Thousand Three Hundred (1,300) plus/minus square feet of space located at 48 or 50 Gurney Lane, Queensbury, Warren County, New York, otherwise known as (Building #11). The lease of the property may be subject to any terms or conditions deemed advisable by the Board of Supervisors.

SECTION 4. Authorization to Lease Certain County Property in the Town of Queensbury. The Board of Supervisors is hereby authorized and empowered, without public advertisement or auction and in

PAGE 3 OF 4

the name of and on behalf of the County, to enter into a lease agreement with WAIT House for One Thousand Three Hundred (1,300) plus/minus square feet of space at 48 or 50 Gurney Lane (Building #11) described in Section 3 hereof together with such other reasonably related property rights as the Board of Supervisors may deem appropriate, provided that: (A) the annual or monthly rental is in an amount determined by the Board of Supervisors to represent a reasonable return; (B) the lease is for a term up to but no longer than thirty (30) years; (C) the use of the property be limited to operate a family homeless shelter; (D) the Lessee provides to the County insurance and agrees to defend, indemnify and hold harmless the County, its Board, officers, employees and agents to the extent to be determined by the Board of Supervisors; and (E) the lease agreement may contain such other and further terms and conditions as may be deemed advisable by the Board of Supervisors and be generally in a form approved by the County Attorney.

SECTION 5. Nature and Extent of Authority. Determination that the County property is not needed. The authority provided in Section 4 hereof is optional and the Board of Supervisors shall at all times have the option of authorizing or not authorizing the lease of the property as allowed herein by this Local Law or State Statute. Further, this Local Law shall not be deemed to require the Board of Supervisors to authorize a lease of the property to WAIT House or any other entity or individual if the Board of Supervisors is unable to obtain an agreement upon terms agreeable to the Board of Supervisors, or if the Board of Supervisors should determine, at any time including after the date this Local Law shall become effective, that it is in Warren County's best interest, for whatever reason, not to complete the transaction authorized by this Local Law. Finally, the Board of Supervisors shall, by resolution adopted by majority vote and before authorizing any lease agreement, make a determination as to whether the property to be leased is needed for County purposes.

SECTION 6. Local Law Subject to Referendum on Petition. This Local Law shall not take effect until at least forty-five (45) days after its adoption nor until approved by the affirmative vote of a majority of the qualified electors of Warren County voting on a proposition for its approval if, within forty-five (45) days after adoption, there shall be filed with the Clerk a petition protesting against such Local Law, signed and authenticated as required by the Municipal Home Rule Law of the State of New York. The Clerk shall publish this Local Law or abstract thereof and take such further action as may be required by the Municipal Home Rule Law concerning this Local Law.

SECTION 7. Severability. If any clause, sentence, paragraph, subdivision, section or part of this Local law or the application thereof to any person, individual, corporation, firm, partnership, entity or

RESOLUTION NO. 212 OF 2025

PAGE 4 OF 4

circumstance shall be adjudged by any Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law, or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

SECTION 8. Effective Date. This Local Law is subject to referendum on petition as provided by subdivision 2(h) of Section 24 of the Municipal Home Rule Law. This Local Law shall become effective 45 days after its adoption and upon filing in the Office of the Secretary of State, except that this Local Law shall not be effective until approved by affirmative vote of qualified electors, if a petition requesting a referendum is filed as provided under the Municipal Home Rule Law.