

Warren County Board of Supervisors

RESOLUTION NO. 456 OF 2012

Resolution introduced by Supervisors Bentley, Merlino, Monroe, Conover, Wood, Taylor, Frasier, Dickinson and Mason

**RESOLUTION AMENDING RESOLUTION NO. 196 OF 2012 -
AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE
VILLAGE OF LAKE GEORGE FOR OPERATION OF COUNTY
OWNED BEACH ROAD PARKING LOT**

WHEREAS, by Resolution No. 196 of 2012, the Warren County Board of Supervisors authorized the County to enter into an Intermunicipal Agreement with the Village of Lake George (“Village”) for the operation of the County owned Beach Road parking lot upon four (4) enumerated conditions with the second condition reading, “The Village will remit twenty-five percent (25%) of the annual gross proceeds to Warren County as required and specified by the Intermunicipal Agreement”, and

WHEREAS, as a result of discussions between the County and representatives for the Village, it has been determined that condition number 2 as set forth in Resolution No. 196 of 2012 requires modification; specifically, that the Village will remit twenty-five percent (25%) of the annual net proceeds of the parking revenues to Warren County and the Village shall retain seventy-five percent (75%) of the net proceeds of the parking revenues on an annual basis with the term “net proceeds” to be defined in the Intermunicipal Agreement between the County and the Village as the gross revenues received in cash and/or credit card from the parking meters only, less third-party contractual credit card processing fees charged to the Village, and

WHEREAS, the County and the Village have identified an additional condition which should be added to the Resolution and in the Intermunicipal Agreement concerning retention by the Village of fines and penalties collected by the Village for violations of local laws, rules and regulations at the Beach Road parking lot, now, therefore, be it

RESOLVED, that condition number 2 of Resolution No. 196 of 2012 is modified to read as follows:

RESOLUTION NO. 456 OF 2012

PAGE 2 OF 2

- “2) The Village will remit twenty-five percent (25%) of the annual net proceeds to Warren County and the Village shall retain seventy-five percent (75%) of the annual net proceeds for its services in operating and maintaining the Beach Road parking lot as required and specified by the Intermunicipal Agreement with the term “net proceeds” to be defined in the Intermunicipal Agreement as the gross revenues received in cash and/or credit card from the parking meters only, less third-party contractual credit card processing fees charged to the Village.”

and be it further

RESOLVED, that a new condition “five” is included in the Resolution as follows:

- “5) The Village may in entirety retain all fines and penalties that have been collected by the Village for violations of local laws, rules and regulations enforced by the Village at the Beach Road Parking Lot.”

and be it further

RESOLVED, that beginning in 2013 and continuing thereafter for the balance of the agreement term, in addition to the twenty-five percent (25%) of the annual net proceeds to be remitted by the Village to the County as identified in condition number 2 above, the Village shall remit to the County twenty-five percent (25%) of all non-metered revenue from parking lot which shall include, but not be limited to, revenue generated from special events, leases and non-metered parking fees with the Village retaining seventy-five percent (75%) of such revenue on an annual basis, and be it further

RESOLVED, that other than as modified herein, Resolution No. 196 of 2012 shall remain as is and in full force and effect.