

Warren County Board of Supervisors

RESOLUTION NO. 518 OF 2012

Resolution introduced by Supervisors Girard, Thomas, Loeb, Westcott and Mason

**AUTHORIZING LEASE AGREEMENT WITH D & G RECYCLING, LLC
TO LEASE A PORTION OF THE COUNTY OWNED PROPERTY
(FORMERLY KNOWN AS THE CIBA GEIGY PROPERTY) LOCATED
IN THE TOWN OF QUEENSBURY**

WHEREAS, pursuant to Local Law No. 8 of 2012, Warren County is authorized to enter into a lease agreement with D & G Recycling, LLC to lease all or a portion of certain County owned property (formerly known as the Ciba Geigy property), located in the Town of Queensbury in accordance with requirements of said Local Law and for the purpose of conducting a recycling business thereon, and

WHEREAS, the County Administrator is proposing a Lease Agreement with D & G Recycling, LLC to lease a portion of the aforesaid County property more particularly described as the east side of the approximately 25,000 square foot Recycling Building and the fixtures contained therein including the bailor and lands immediately adjacent to the recycling building with permission to use access roads all for the purpose for operating a recycling business (the “proposed leased premises”), for the rental sum of Four Thousand Dollars (\$4,000) per month, for a term commencing September 5, 2012 and terminating September 4, 2013, with the right to renew the lease agreement for four (4) additional consecutive one (1) year terms, and

WHEREAS, the Lease Agreement will include a trial term whereby provided the first month’s rent of Four Thousand Dollars (\$4,000) has been paid at the commencement of the lease term, and provided all liability insurance is in place and all other terms and requirements of the lease agreement are complied with, D & G Recycling, LLC may utilize the proposed leased premises for a recycling business on a trial basis for an initial fourteen (14) days to determine whether the equipment within the proposed leased premises is of sufficient operational capacity and working condition to meet the needs of D & G Recycling, LLC, with the right of D & G Recycling, LLC to cancel the lease with full refund during the trial fourteen (14) day period

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if D & G Recycling, LLC determines that the equipment is not of sufficient operational capacity and provided the proposed leased premises are vacated in a clean and same condition as the leased premises were at the commencement of the trial period, and

WHEREAS, the Warren County Board of Supervisors has determined that the proposed leased premises is not needed for County purposes and that rent of \$4,000 per month represents a reasonable return on the proposed leased premises, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute a lease agreement and such other documents as may be necessary with D & G Recycling, LLC as described in the preambles of this resolution, and all in a form approved by the County Attorney, and be it further

RESOLVED, that this resolution shall not take effect until September 4, 2012, upon expiration of the referendum on petition, as provided for in Section 6 of Local Law No. 8 of 2012.