

Warren County Board of Supervisors

RESOLUTION NO. 342 OF 2013

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

AUTHORIZING INTERMUNICIPAL AGREEMENT WITH REVOCABLE LICENSE OVER A PORTION OF WARREN COUNTY OWNED PROPERTY FOR USE AS A PLANTING AREA WITH THE VILLAGE OF LAKE GEORGE

WHEREAS, the Superintendent of the Department of Public Works is requesting an Intermunicipal Agreement with Revocable License over a portion of Warren County owned property for use as a planting area with the Village of Lake George (“Village”) and the Village is proposing to plant, landscape and maintain a certain area at the intersection of Beach Road and Canada Street in the Village of Lake George (“Planting Area”) located directly in front of the Village Visitors Center in the County right-of-way which extends along Beach Road (CR 51/6), and

WHEREAS, by virtue of discussions between representatives of the parties hereto, it has been determined that the precise area of the County right-of-way required by the Village for the Planting Area is located at the intersection of Beach Road and Canada Street, subject to the following conditions:

- a) the Village or through its authorized agents, contractors or sub-contractors shall plant, landscape and maintain the Planting Area, excluding the sidewalk area located immediately adjacent to the Planting Area which the Village is or will be responsible separately to maintain;
- b) the planting plans and any future modifications thereof of the Planting Area located within the license area shall be subject to the prior written approval of the Warren County Superintendent of the Department of Public Works and upon approval the Superintendent of the Department of Public Works shall issue correspondence to the Village of his approval;
- c) the County shall acquire title and ownership to any and all improvements made by

RESOLUTION NO. 342 OF 2013

PAGE 2 OF 2

- the Village or its agents, contractors or sub-contractors in the license area;
- d) the Village will provide the necessary insurance certificates as deemed necessary by the County Attorney and will indemnify and hold harmless Warren County for any claims, lawsuits, losses and causes of action;
 - e) the Intermunicipal Agreement shall take effect on the effective date as provided for in the Intermunicipal Agreement and may be revoked by either party at any time in the event of material breach by the other party or by either party upon six (6) months written notice to the other party. The Village shall have the option to be heard before the Warren County Board of Supervisors before the Intermunicipal Agreement shall terminate. Otherwise, the Intermunicipal Agreement shall automatically renew on a year-to-year basis;

now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is, authorized to execute an Intermunicipal Agreement with Revocable License over a portion of Warren County owned property with the Village of Lake George for the use as a planting area in a form approved by the County Attorney.