

# Warren County Board of Supervisors

## RESOLUTION NO. 436 OF 2018

**RESOLUTION INTRODUCED BY SUPERVISORS DIAMOND, BEATY, LEGGETT, LOEB, GERAGHTY, STROUGH, SIMPSON, FRASIER, WILD, MCDEVITT AND SOKOL**

**PROPOSING A LEASE AGREEMENT WITH SCHERMERHORN AVIATION II, INC. (“RICH AIR”) TO PROVIDE FULL AND LIMITED FIXED BASE OPERATOR SERVICES (WC 02-18) FOR THE FLOYD BENNETT MEMORIAL AIRPORT AND SETTING A PUBLIC HEARING FOR SAME**

WHEREAS, the Purchasing Agent solicited Request for Proposals (RFP) - Full and Limited Fixed Base Operator Services (WC 02-18) for the Floyd Bennett Memorial Airport, Warren County, New York, and

WHEREAS, the County Facilities Committee has recommended acceptance of the proposal submitted by Schermerhorn Aviation II, Inc. (“Rich Air”) for Full and Limited Fixed Base Operator (FBO) Services, effective January 1, 2019, and has further recommended entering into an FBO Lease Agreement (hereinafter referred to as the “Lease Agreement”), and

WHEREAS, a proposed Lease Agreement with Schermerhorn Aviation II, Inc. (“Rich Air”) for full and limited fixed base operator services has been drafted and placed on file with the Clerk of the Board of Supervisors, said Lease Agreement addresses a number of issues generally, including, but not limited to leased and/or licensed premises, privileges, uses, rights and interest, rental payments, taxes/utilities, services by Lessee, future construction by Lessee, non-exclusive rights, reservations, default by Lessee, cancellation by Lessor, cancellation by Lessee, suspension and abatement/substantial casualty or loss, indemnity and insurance, surrender of possession, rules and regulations, inspection by Lessor/books, records and audits, right to close Airport facilities, assignment/sublease, non-discrimination, anti-drug program notices, and a provision for an initial term of ten (10) years, commencing January 1, 2019 and a subsequent renewal option of ten (10) years, upon certain terms and conditions, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby determines that it would be

***RESOLUTION No.436 OF 2018***

***PAGE 2 OF 2***

appropriate to consider a proposed Fixed Base Operator Lease Agreement with Schermerhorn Aviation II, Inc. (“Rich Air”) for a term commencing January 1, 2019, as described in the preambles of this Resolution, and be it further

RESOLVED, that a public hearing will be held on December 21, 2018 at 10:00 a.m., with regard to the proposed Lease Agreement, with at least ten (10) days notice published in two (2) newspapers having general circulation in Warren County, and be it further

RESOLVED, that the proposed final draft of the Lease Agreement with Schermerhorn Aviation II, Inc. (“Rich Air”) will be presented to the Warren County Board of Supervisors for consideration and such other and further action deemed appropriate by the Warren County Board of Supervisors, with the understanding that Warren County shall not be bound by such Lease Agreement, and the same shall be subject to further revision by the Board of Supervisors and shall not be effective until approved by the Warren County Board of Supervisors after the Public Hearing thereon.