

# **DRAFT**

Warren County Board of Supervisors

## **RESOLUTION No. 614 OF 2012**

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

**AUTHORIZING INTERMUNICIPAL AGREEMENT WITH THE  
TOWN OF QUEENSBURY FOR THE RUSH POND TRAIL  
LOCATED ALONG WEST MOUNTAIN ROAD (CR 58)**

WHEREAS, the Superintendent of the Department of Public Works is requesting that the County enter into an Intermunicipal Agreement with the Town of Queensbury for the Rush Pond Trail which is a multi-use trail proposed for construction within portions of the County right-of-way extending along West Mountain Road (CR 58), and

WHEREAS, pursuant to the Superintendent of the Department of Public Works discussions with Town of Queensbury Councilman John Strough it was determined the primary use of the County right-of-way would be at the northern end of West Mountain Road (CR 58) which is currently being used as a parking lot, and

WHEREAS, the Superintendent of the Department of Public Works is requesting that the Intermunicipal Agreement with the Town of Queensbury include the following basic terms:

1. The Town of Queensbury, or its agents, would be authorized to construct, upgrade, maintain and use the path within portions of the County right-of-way.
2. The Town of Queensbury shall indemnify and hold harmless Warren County from any claims related to the construction, maintenance or public use of the path.
3. Construction details and any future modifications of the path shall be approved by the Superintendent of the Department of Public Works.
4. Actual construction and maintenance work within the County right-of-way shall be by separate permit issued by the Superintendent of the Department of Public Works.
5. The term of the agreement shall be until it is revoked by either party, with or without cause.
6. The final form and details of the agreement shall be subject to approval by the Warren County Attorney.

now, therefore, be it

RESOLVED, that the Vice Chairman of the Board of Supervisors be, and hereby is, authorized to execute an Intermunicipal Agreement upon finalization of the terms and conditions by the County Attorney and in a form approved by the County Attorney.