

Warren County Board of Supervisors

RESOLUTION NO. 524 OF 2021

**RESOLUTION INTRODUCED BY SUPERVISORS MAGOWAN, BRUNO, WILD, SHEPLER AND STROUGH
AUTHORIZING RETROACTIVE AGREEMENT WITH ADIRONDACK HOT AIR BALLOON
FESTIVAL, INC. FOR USE OF THE WARREN COUNTY (FLOYD BENNETT)
MEMORIAL AIRPORT FOR THE ADIRONDACK HOT AIR BALLOON FESTIVAL**

WHEREAS, Adirondack Hot Air Balloon Festival, Inc. held their 2021 Adirondack Hot Air Balloon Festival Event at the Warren County (Floyd Bennett) Memorial Airport on September 24, 2021 and terminating September 26, 2021, and

WHEREAS, the Superintendent of Public Works has requested, and the County Facilities Committee has approved, a retroactive agreement with the Adirondack Hot Air Balloon Festival, Inc. for use of the Warren County (Floyd Bennett) Memorial Airport during their 2021 Event held on September 24, 2021 - September 26, 2021, which agreement shall be subject to automatic renewals for future years, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute a retroactive agreement with Adirondack Hot Air Balloon Festival, Inc., 202 Ridge Street, P. O. Box 883, Glens Falls, New York 12801, for their 2021 event held on September 24, 2021 - September 26, 2021, which agreement shall provide that: (1) use of the Airport will not be on an exclusive basis; (2) all participating balloonists and participating organizations and vendors shall indemnify and hold the County harmless from and against any and all liability for claims for damage or injury arising out of the Festival activity relating to their participation; (3) insurance policy endorsements naming the County as an additional insured shall be delivered to the County Attorney's Office by Adirondack Hot Air Balloon Festival, Inc. no later than Tuesday prior to the event; (4) Adirondack Hot Air Balloon Festival, Inc. shall supply its own employees, workers and agents to do any work required on the premises for the conduct of the Festival; (5) Adirondack Hot Air Balloon Festival, Inc. shall, at its own costs and expense, repair any

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damage caused to County property and restore the same to the condition as it existed prior to the damage; (6) the County shall be responsible for the removal of all garbage, refuse and debris deposited on County property and resulting from the use and occupancy of the Warren County (Floyd Bennett) Memorial Airport property by the visitors only to the Festival (not by the vendors or other activities sponsored by the Balloon Festival who are to remove their own garbage); (7) no pets shall be allowed on the premises; (8) Warren County Department of Public Works will incur overtime and other costs for County employees and County volunteers working at the Balloon Festival; (9) Adirondack Hot Air Balloon Festival Inc. shall pay to the County any and all money collected by the Adirondack Hot Air Balloon Festival, Inc. from airfield parking; (10) the County shall reimburse Adirondack Hot Air Balloon Festival, Inc. for their approved administrative expenses from the revenue collected; (11) the Warren County Superintendent of Public Works shall have complete discretion to approve or disapprove the payment of Adirondack Hot Air Balloon Festival, Inc. administrative expenses; (12) if a charitable organization assists in collecting parking and other fees at the Balloon Festival then the County shall pay to the charitable organization fifteen percent (15%) of the gross revenue collected for airfield parking; and (13) such other terms and conditions as may be required by the County Attorney, and such agreement shall be in a form approved by the County Attorney, and be it further

RESOLVED, that this agreement may be extended annually without the need for further resolution upon mutual agreement of the parties and provided that the terms and conditions contained herein remain unchanged.