

Warren County Board of Supervisors

RESOLUTION NO. 295 OF 2011

Resolution introduced by Supervisors Thomas, Taylor, Goodspeed, Belden, Monroe, VanNess, Kenny, Merlino and Conover

AUTHORIZING AN AGREEMENT WITH THORP, REED & ARMSTRONG, LLP FOR PROFESSIONAL SERVICES REGARDING COMMON CARRIER RULES AND STB FILINGS IN CONNECTION WITH THE RAILROAD

WHEREAS, the County Administrator/Attorney advised that approval of the Federal Government Surface Transportation Board (“STB”) is required regarding the transfer of freight rights and common carrier responsibilities with regard to the proposed Railroad Operator Agreement with Saratoga and North Creek Railroad, LLC, and

WHEREAS, the County Administrator/Attorney further advised that as a result of discussions with the attorneys for the Town of Corinth, he is recommending that the County join with the Town to hire an attorney, Mr. Eric M. Hocky of Thorp, Reed and Armstrong, LLP, who practices law in matters relating to STB filings and railroad regulations, to review the Railroad Operator Agreement and STB filings, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the retention of Thorp, Reed & Armstrong, LLP, Eric M. Hocky, Of Counsel, to review, research, advise and represent the County with regard to filings with STB and to review and advise with regard to the Operator Agreement and such other documents as the County Attorney may recommend, for an amount not to exceed Two Thousand Dollars (\$2,000), unless otherwise authorized by the Board, and ratifies the cost of all services provided since approval by the Finance Committee, with the retainer agreement to be in a form approved by the County Attorney, and be it further

RESOLVED, that the funding for the services authorized shall be from Budget Code A.1010 440 Legislative Board - Legal/Transcription Fees (to be funded by separate resolution from the contingent fund).