

# Warren County Board of Supervisors

## RESOLUTION NO. 218 OF 2018

**RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, MERLINO, FRASIER, DICKINSON, DIAMOND, LOEB, HYDE, MAGOWAN AND WILD**

**AUTHORIZING AN AGREEMENT WITH NIXON PEABODY, LLC TO PROVIDE LEGAL COUNSEL WITH REGARD TO LITIGATION WITH THE SARATOGA AND NORTH CREEK RAILWAY, LLC**

WHEREAS, the County Attorney has requested approval to enter into an agreement with Nixon Peabody, LLC to provide legal counsel with regard to litigation with the Saratoga and North Creek Railway, LLC, and

WHEREAS, the Support Services Committee has considered and approved the request to enter into an agreement with Nixon Peabody, LLC, 40 Fountain Plaza, Suite 500, Buffalo, New York 14202-2224 for legal counsel with regard to litigation with the Saratoga and North Creek Railway, LLC at an hourly rate of Three Hundred Ninety-Five Dollars (\$395) per hour plus travel and court appearances for a total amount not to exceed Forty Thousand Dollars (\$40,000) with a commencement date to be determined and continuing until terminated by either party upon thirty days written notice, now, therefore, be it

RESOLVED, that the Chairman of the Board of Supervisors be, and hereby is authorized to execute an agreement with Nixon Peabody, LLC to provide legal counsel with regard to litigation with the Saratoga and North Creek Railway, LLC, as outlined above, in a form approved by the County Attorney, and be it further

RESOLVED, that the funds for the agreement shall be expended from Budget Code A.1420 440 Law (County Attorney), Legal/Transcript Fees.