

Warren County Board of Supervisors

RESOLUTION NO. 493 OF 2012

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

**APPROVING AND AUTHORIZING FOURTH AMENDMENT TO COUNTY OF WARREN,
TOWN OF CORINTH, AND SARATOGA AND NORTH CREEK RAILWAY, LLC
RAILROAD LICENSING AND OPERATING AGREEMENT**

WHEREAS, by Resolution No. 247 of 2011, and amended by Resolution Nos. 447 of 2011, 520 of 2011 and 283 of 2012, the Warren County Board of Supervisors authorized and approved a Railroad Licensing and Operating Agreement between Warren County, the Town of Corinth, and the Saratoga and North Creek Railway, LLC (“Railway”), and on June 10, 2011, said agreement was executed by the parties and is hereinafter referred to as the “Operating Agreement”, and

WHEREAS, the Railway has proposed eliminating the Day Out with Thomas event in favor of two other events, for 2012; one being a Theodore Roosevelt in North Creek themed historical event and the other an autumn event to include pumpkin patches, corn mazes, hay rides, pumpkin decorating, etc., and

WHEREAS, Warren County and the Town of Corinth agree that the elimination of the Day Out with Thomas event in favor of the aforesaid two events for 2012, will benefit Warren County and the Town of Corinth, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby approves the fourth amendment to the Operating Agreement to eliminate the Day Out with Thomas event and include two (2) events for 2012, one being a Theodore Roosevelt in North Creek themed historical event and the other an autumn event to include pumpkin patches, corn mazes, hay rides, pumpkin decorating, etc., and be it further

RESOLVED, that the fourth amendment to the Operating Agreement shall provide that in future years, in lieu of the Day Out with Thomas event or the two (2) aforesaid special events approved for 2012, the Railway may propose other special events which shall be subject to approval by Warren County and the Town of Corinth by resolution and without the need for further amendment to the Operating Agreement, and

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be it further

RESOLVED, that the Chairman of the Board of Supervisors is hereby authorized to execute the aforementioned fourth amendment to the Operating Agreement which shall be subject to review and approval by the County Attorney, and the Chairman of the Board of Supervisors is hereby further authorized to execute such other and further documents as may be necessary to carry out the terms and provisions of the fourth amendment to the Operating Agreement and any other documents that may be related thereto, all in a form approved by the County Attorney, and be it further

RESOLVED, that this Resolution is subject to a concurring resolution issued by the Town of Corinth Town Board authorizing the same.