

SPECIAL SESSION  
WEDNESDAY, DECEMBER 3, 2008  
AT 5:30 P.M., E.S.T.

Board called to order by Chairman Hargrave for the purpose of adopting Local Law 5-08.

Roll call was taken. PRESENT – Patricia Southworth, Alan Grattidge, Philip C. Barrett, Anita Daly, Richard Lucia, Mary Ann Johnson, Jean Raymond, George J. Hargrave, Arthur M. Wright, Mindy Wormuth, Paul Sausville, Thomas Richardson, Frank Thompson, Preston L. Jenkins, Jr., Willard H. Peck, Richard C. Hunter, Sr., Thomas N. Wood, III, Matthew E. Veitch, Joanne Dittes Yepsen, Shawn P. Connelly, John Lawler, Arthur J. Johnson – 22. ABSENT - Richard Rowland – 1.

On a motion by Ms. Daly, seconded by Ms. Raymond, the special meeting was ratified by a unanimous vote.

Ms. Daly, Chairman of the Economic Development Committee, said what we are doing is about the same as we did before, and this time, we are much more passionate. Our sincerity and support for this project has grown stronger, she said. You all have worked from not only your heart but your head, she stated. Thank you on behalf of the Economic Development Committee, the Zone Administrative Board and the Saratoga County Water Authority, she said. She also thanked the Committee for the support they have shown here this past year.

On a motion by Ms. Southworth, seconded by Mr. Connelly, Resolution No. 229 was adopted by a unanimous vote.

RESOLUTION 229 - 08

Introduced by Supervisors Daly, Connelly, A. Johnson, Peck, Richardson, Veitch and Wormuth

ADOPTING A LOCAL LAW IDENTIFIED AS INTRODUCTORY NO. 4, PRINT NO. 1 TO APPROVE THE ALLOCATION OF ZONE LANDS FOR THE PROPOSED EXPANSION OF AMD FAB TECHNOLOGIES US, INC. MANUFACTURING PROJECT AS A REGIONALLY SIGNIFICANT PROJECT OF THE SARATOGA COUNTY EMPIRE ZONE

WHEREAS, Resolution 212 - 08 introduced and presented proposed Introductory No. 4, Print No. 1 of 2008 to this Board of Supervisors and scheduled a public hearing thereon for December 3 at 5:00 P.M. in the Meeting Room of the Saratoga County Board of Supervisors, 40 McMaster Street, Ballston Spa, New York; and

WHEREAS, notice of that public hearing was duly published and posted as required by law; and

WHEREAS, the scheduled public hearing was held and all persons appearing or desiring to be heard have been heard by this Board; and

WHEREAS, the Town of Malta Town Board as lead agency in the SEQRA process for the review of the AMD proposal has reviewed and approved a DSEIS, FSEIS and Findings Statement; and

WHEREAS, on November 18, 2008 by resolution 212-08 the County Board of Supervisors declared itself lead agency to conduct environmental impact review under the State Environmental Quality Review Act, and subsequent to that date learned that the Town of Malta was in fact the lead agency in the matter; and

WHEREAS, the Saratoga County Board of Supervisors has become an involved agency in the review of the AMD proposal necessitated by AMD's recently announced creation of AMD Fab Technologies US and the need to transfer applicable Empire Zone benefits to AMD Fab Technologies US; and

WHEREAS, the Saratoga County Board of Supervisors, as a SEQRA involved agency, has reviewed the FSEIS and the Town of Malta SEQRA Findings Statement and agrees with the findings and conclusions set forth SEQRA Findings adopted by the Town of Malta, now, therefore, be it

RESOLVED, that the Saratoga County Board of Supervisors accepts the conclusions and findings of the Town of Malta Town Board SEQRA Findings Statement and hereby incorporates it by reference,

determining, as an involved agency, that it is appropriate for the Board of Supervisors to adopt that SEQRA Findings Statement as its own and hereby certifies that:

- a) the requirements of 6 NYCRR Part 617 have been met; and
- b) consistent with social, economic and other essential considerations from among the reasonable alternatives available, the proposed action is one that avoids or minimizes adverse environment impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures that were identified as practicable; and be it further

RESOLVED, that this Board of Supervisors, on this 3<sup>rd</sup> day of December, 2008 hereby adopts a Local Law identified as Introductory No. 4, Print No. 1 as set forth in annexed Schedule A.

BUDGET IMPACT STATEMENT: No budget impact.

COUNTY OF SARATOGA COUNTY  
LOCAL LAW 5 - 2008

A LOCAL LAW approving the allocation of zone lands for the proposed expansion of AMD Fab Technologies US, Inc. manufacturing project as a regionally significant project of the Saratoga County Empire Zone.

BE IT ENACTED, by the Board of Supervisors of the County of Saratoga as follows:

Section 1.

WHEREAS, AMD Fab Technologies US, Inc. will build a semiconductor manufacturer facility (Fab) which will produce semiconductor devices; and

WHEREAS, AMD Fab Technologies US, Inc. plans to create at least 50 new positions within the next five years; and

WHEREAS, the project is not within the boundaries of the Saratoga County Empire Zone; and

WHEREAS, the Commissioner of Economic Development has determined that the proposed location of AMD Fab Technologies US, Inc. manufacturing project is eligible for Empire Zone benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law; and

WHEREAS, the Saratoga County Empire Zone Administrative Board has determined that the proposed expansion is eligible for Empire Zones benefits as a regionally significant project under Section 957(d)(i) of the General Municipal Law

NOW THEREFORE BE IT RESOLVED that the Saratoga County Board of Supervisors approve the allocation of zone lands for the proposed expansion of the AMD Fab Technologies US, Inc. manufacturing project for a regionally significant project as determined by the Zone Administrative Board and the Commissioner of the New York State Department of Economic Development.

BE IT FURTHER RESOLVED, said zone lands to include the following property descriptions for areas in the Town of Malta and the Town of Stillwater:

Town of Malta - AMD Fab Technologies US, Inc. Empire Zone

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the Town of Malta, County of Saratoga, State of New York, lying generally north and east of Hermes Road, Malta, and being more particularly described as follows:

Being an irregular shaped parcel identified on the 2007 tax maps of the Town of Malta as and containing the following Tax Map Parcels: 230.00-1-72 and 230.00-1-71.

Town of Stillwater - AMD Fab Technologies US, Inc. Empire Zone

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE in the Town of Stillwater, County of Saratoga, State of New York, lying generally north and east of Hermes Road, Malta, and being more particularly described as follows:

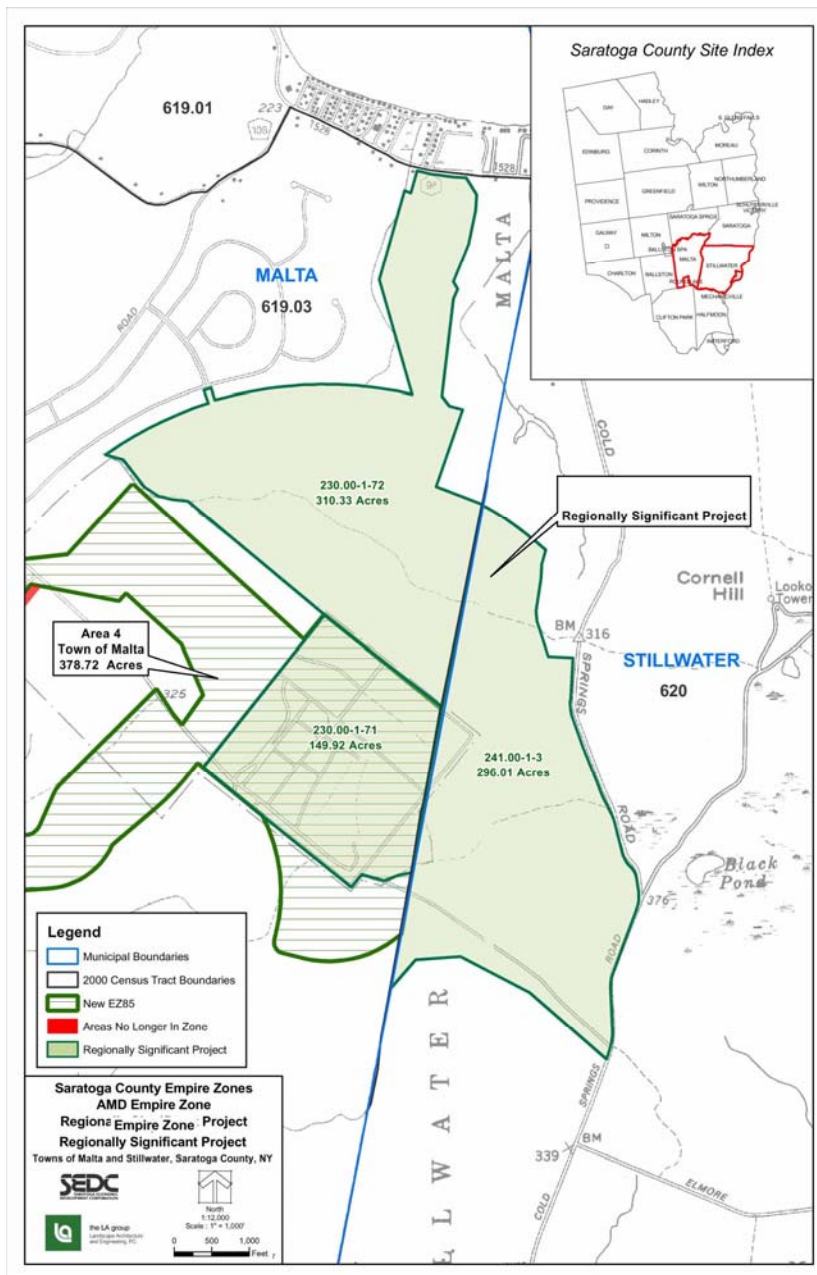
Being an irregular shaped parcel identified on the 2007 tax maps of the Town of Stillwater as and containing the following Tax Map Parcel: 241.00-1-3.

Section 2.

The Saratoga County Board of Supervisors requests that the New York State Commissioner of Economic Development approve this addition to the Saratoga County Empire Zone as described in Section 1.

Section 3.

This local law shall take effect immediately.



On a motion by Mr. Thompson, seconded by Mrs. Wormuth, the meeting adjourned to December 10, 2008 at 4:45 p.m.

Barbara J. Plummer, Clerk