

**VILLAGE OF RED HOOK
WORKSHOP MEETING
SEPTEMBER 17, 2015**

Present: Mayor Blundell, Deputy Mayor Kovalchik, Trustee Norris, Trustee Zacharzuk and Clerk Cole.

CVS - Present Village Attorney Victoria Polidoro, CVS Attorney Anthony Morando. Mayor Blundell opened the discussion stated a map was submitted on 9-2-15 regarding two easements - Storm Water easement and Water Main easement and another for Termination of an old easement regarding the new CVS site on North Broadway.

RESOLUTION 15-2015 – TERMINATION of EASEMENT

A workshop meeting of the Village of Red Hook was convened in public session at the Village Hall, 7467 South Broadway, Red Hook, and New York on September 17, 2015. The meeting was called to order by Mayor Blundell and, upon roll being called, the following were present:

PRESENT:

ABSENT:

The following Resolution was offered by _____, seconded by _____, to wit:

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A TERMINATION OF
EASEMENT**

WHEREAS, on February 12, 2015, the Village of Red Hook Planning Board granted TMC Northeast 2, LLC (the “developer”), site plan, special use permit and demolition permit approval to replace an existing 23,400 sq. ft. structure with a new 13,745 sq. ft. structure and make associated site improvements on two parcels of land comprised of 2.3 acres located in the GB District identified as tax parcel nos. 6272-06-490816 & 6272-07-514806 (the “site”); and

WHEREAS, the site is burdened in favor of the Village by a water main easement, as set forth in an Indenture dated August 11, 2015 between Oakleigh T. Cookingham and Clara E. Cookingham, his wife, and Oakleigh T. Cookingham, Jr., and the Village, recorded in the Dutchess County Clerk’s Office on August 16, 1951, in Liber 782, page 45 (the “Easement”); and

WHEREAS, the Village no longer needs the Easement as it has previously installed a water main through another portion of the site; and

WHEREAS, the site owner has provided the Village with a Termination of Easement, a copy of which is on file with the Village Clerk; and

WHEREAS, pursuant to 6 NYCRR § 617.5(c) (20), routine or continuing agency administration and management is a Type II SEQRA action.

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees that Mayor Ed Blundell, or in his absence, the Deputy Mayor, is hereby authorized and directed to execute and record a Termination of Easement on substantially the same terms and conditions as the Termination of Easement on file with the Village Clerk, subject to the following conditions:

1. Approval by the Attorney to the Village as to form, substance and manner of execution; and
2. Confirmation from the Village Engineer that Schedule B of the Termination of Easement is consistent with the legal description in the Easement.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

DM Kovalchik read resolution 15-2015 and made the motion to adopt.

Roll call Mayor Blundell yes
 DM Kovalchik yes
 Trustee Norris yes
 Trustee Zacharzuk yes
 Trustee Trapp - absent

It is noted and contingent that counsel and engineer will review the map involved in the termination to be sure boundaries are correctly noted and it is a condition of the approval that will be followed up on by CT Male.

RESOLUTION 16-2015

Easement for Stormwater and Water Main

A workshop meeting of the Village of Red Hook was convened in public session at the Village Hall, 7467 South Broadway, Red Hook, and New York on September 17, 2015. The meeting was called to order by Mayor Blundell and, upon roll being called, the following were present:

PRESENT:

ABSENT:

The following Resolution was offered by _____, seconded by _____, to wit:

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A WATER MAIN
EASEMENT & STORMWATER EASEMENT

WHEREAS, on February 12, 2015, the Village of Red Hook Planning Board granted TMC Northeast 2, LLC (the “developer”), site plan, special use permit and demolition permit approval to replace an existing 23,400 sq. ft. structure with a new 13,745 sq. ft. structure and make associated site improvements on two parcels of land comprised of 2.3 acres located in the GB District identified as tax parcel nos. 6272-06-490816 & 6272-07-514806 (the “site”); and

WHEREAS, the site is owned by C.V.S. Albany, L.L.C. (the “site owner”); and

WHEREAS, the Village has previously installed a water main and stormwater drainpipe within the site; and

WHEREAS, as a condition of approval the Planning Board required the site owner to grant an easement to the Village of Red Hook for the existing water main located within the site (the Water Main Easement); and

WHEREAS, the site owner desires to grant the Village of Red Hook a formal easement for the existing stormwater drainpipe located within the site (the “Stormwater Easement”); and

WHEREAS, pursuant to 6 NYCRR § 617.5(c) (20), routine or continuing agency administration and management is a Type II SEQRA action.

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees that Mayor Ed Blundell, or in his absence, the Deputy Mayor, is hereby authorized and directed to execute and record the Water Main Easement and Stormwater Easement on substantially the same terms and conditions as the Water Main Easement and Stormwater Easement on file with the Village Clerk, subject to the following conditions:

3. Approval by the Attorney to the Village as to form, substance and manner of execution; and
4. Issuance of a policy of title insurance, or a commitment therefore with policy to be delivered at the time of acceptance, with the respect to the interest of the Town in the proposed conveyance, subject only to such exceptions as shall be approved by the Attorney to the Village.

The question of the adoption of the foregoing Resolution was duly put to a vote which resulted as follows:

As per Victoria Polidoro, Title Insurance is usually recommended which insures that the Village has more protections but in these easement cases we are not taking ownership. Mayor Blundell and DM Kovalchik both agree it is not necessary.

DM Kovalchik read paragraph 1 & 2 of resolution 16-2015. DM Kovalchik made a motion to approve resolution 16-2015 but removing # 2. Trustee Norris seconded this motion. All were in favor.

Roll call	Mayor Blundell yes
	DM Kovalchik yes
	Trustee Norris yes
	Trustee Zacharzuk yes
	Trustee Trapp absent

Anthony Morando submitted 4 sets of stamped maps, which were given to Robert Flores.

8:00 Mayor Blundell made a motion to enter into executive session to discuss Attorney Client privileges. DM Kovalchik seconded this motion. All were in favor.

8:25 Mayor Blundell made a motion to reconvene from executive session. All were in favor.

In the course of construction and easement work it is noted that several customers north of the IGA, now CVS, property are being provided water but possibly not off the main that was built. They may be getting water off a 2" service that ran to IGA and then goes under a building extension at the next building north. This is not an acceptable condition.

DM Kovalchik and the board are concerned with pipes that go under and through adjoining building.

Mayor Blundell made a motion to have counsel and our engineer cooperate on a method to begin to fix this situation. CT Male will sit with the adjoin owner and confirm any facts about the line under his building. Counsel will examine legal situation and draft a letter, for us to review, to 5 residents in accordance with the 1995 agreement on water mains next to the new CVS site. Robert Flores will compile a backup plan for an emergency plan for water. DM Kovalchik stated he wanted to wait to respond to the CVS Attorney until more information is available.

RESOLUTION 14-2015

Key Bank parking lot purchase for \$ 60,000.00.

Mayor Blundell stated the Village has completed all the DASNY paperwork and is assured we will receive the grant (DASNY) proceeds for \$60,000.00 for the purchase of said parking lot. Additional costs for upgrades and improvements will be estimated and submitted to DASNY once we take ownership. The Property Sale Agreement contract has been extended by agreement with Key Bank until 10-10-15. DASNY counsel says funds from the grant will not be released until or about 12-31-15 or possibly a bit later. Governor has to sign voucher after it is posted in Legislature, as part of process but money is budgeted in NYS. Rather than ask Key Bank for another extension and risk any changes in stance, the Mayor seeks use of the Salisbury Bank line of credit to fund the \$60,000 purchase until the DASNY payment arrives.

KEY BANK PARKING LOT PURCHASE – CAPITAL GRANTS PROJECT CP-6545 FUNDING STATEMENT AND RESOLUTION

Whereas the Village of Red Hook has been awarded the capital project grant for \$125,000 from NY state sources which is a 100% re-imbursement type grant;

Whereas the required paperwork has been filed by the Village of Red Hook with NYS Dormitory Authority (DASNY), the governing agency/funding source, and we await word to proceed with the closing by DASNY;

Whereas the Property Sales Agreement with Key Bank has been extended to October 10, 2015 with the sales price of \$60,000;

Whereas DASNY is processing the paperwork and confirms that the Village of Red Hook has complied with requirements but that the calendar schedule for their reviews will take us past the October 10, 2015 contractual deadline;

Whereas there is a need to close on the property purchase without further extensions and reduce the impact on the General Fund by exercising the line of credit for the \$60,000, less \$5000 down payment, by the village and await reimbursement by the grantor;

Whereas Salisbury Bank has a line of credit and offers that to the Village of Red Hook at 1.35% interest;

Therefore, be it resolved the village Mayor can exercise the line of credit up to the amount of the purchase contract, if needed, and set the closing for a date prior to 10/10/2015.

Mayor Blundell made a motion to approve resolution 14-2015 to use Salisbury Bank Line of Credit for 1.35 % to purchase the parking lot until grant funds become available. Trustee Zacharzuk seconded this motion. All were in favor.

DM Kovalchik made a motion to adjourn the meeting at 9:00. Trustee Norris seconded this motion. All were in favor.

Submitted by,

Cynthia Cole
Clerk/Treasurer