



## **MINUTES**

### **NEW YORK STATE CANAL CORPORATION**

#### **BOARD MEETING NO. CC-151**

**February 20, 2008**

**Minutes of a meeting of the New York State Canal Corporation, held in the Board Room at Administrative Headquarters, 200 Southern Boulevard, Albany, New York, 12209.**

**The meeting began at 10:30 a.m.**

**There were present:**

**John L. Buono, Chairman  
E. Virgil Conway, Board Member, via video conference  
Erin M. Crotty, Board Member  
Frederick M. Howard, Board Member  
Jeffrey D. Williams, Board Member, via video conference  
Kevin J. Plunkett, Board Member, via video conference**

**Constituting all of the members of the Canal Corporation Board.**

**In addition, there were present the following staff personnel:**

**Michael R. Fleischer, Executive Director  
Katherine McCartney, Deputy Counsel  
Christopher Waite, Chief Engineer  
Jill Warner, Secretary and Board Administrator**

**William Rinaldi, Director, Albany Division**  
**Tom Pericak, Division Director, Buffalo Division**  
**Ramesh Mehta, Division Director, New York Division**  
**Richard Garrabrant, Division Director, Syracuse Division**  
**Michael Sikule, Director, Office of Investments and Asset Management**  
**Tracie Sandell, Assistant Counsel**  
**Kevin Allen, Acting Director, Audit and Management Services, via video conference**  
**Joanne Riddett, Director, Information Technology**  
**John Barr, Director, Administrative Services**  
**Donald Bell, Director, Operations and Maintenance**  
**Carmella Mantello, Director of Canal Corporation**  
**Betsy Graham, Acting Director, Office of Public Affairs**  
**Ken Flood, Director, Office of Real Property Management**  
**First Sergeant Marc Tryon, Troop T**  
**Daniel Gilbert, Chief of Staff**  
**Wendy Allen, Deputy Chief of Staff**  
**Also in Attendance:**  
**Stanley Kramer, Bond Counsel, Hawkins Delafield & Wood, LLP, via video conference**  
**Scott Fein, Partner, Whiteman, Osterman & Hanna**  
**Cathy Woodruff, Reporter, *Albany Times Union***  
**Bob Connor, Reporter, *Daily Gazette***  
**Karl Diehl, Production Coordinator, NYN**

Chairman Buono noted that he, Mr. Conway, Mr. Howard, Mr. Plunkett, Mr. Williams and Ms. Crotty had received and reviewed the Agenda submitted for consideration at this meeting and were prepared to act on each of the items.

Ms. Warner recorded the minutes as contained herein.  
Public notice of the meeting had been given, Ms. Warner said.

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**Item 1 by Ms. Warner (Appendix A)**  
**Minutes of Meeting No. CC-150**

On the motion of Mr. Howard, seconded by Mr. Conway, without any objections, the Board approved the minutes of Meeting No. CC-150 held on December 19, 2007 which were made available to the Board Members as part of the Agenda.



**Item 2 by Ms. Mantello and Mr. Bryan (Appendix B)**  
**Report by Carmella Mantello and John Bryan - (Resolution Adoption) – Authorizing the Abandonment of Real Property Reference No. AC060015, Approximately 19.43 Acres of Canal Land Located in the Town of Halfmoon, County of Saratoga; and Authorizing its Sale to Gail Krause**

Ms. Mantello advised the Board that a public auction was conducted and sealed bids were accepted for this property. Ms. Gail Krause was the sole bidder. Prior to the auction the property was appraised at \$305,000, and Ms. Krause's bid of \$307,000 was accepted. Ms. Crotty asked if the Office of Parks request for a covenant to run with the land for archeological purposes was factored into the appraisal. Mr. Flood answered affirmatively. Mr. Howard questioned where the money from the sale of the property will go. Ms. Mantello advised that it will be added to the Canal Development Fund.

After full discussion, on the motion of Mr. Williams, seconded by Mr. Conway, without any objections, the Board adopted the following resolution:

**RESOLUTION NO. 443**

**AUTHORIZING THE ABANDONMENT OF REAL PROPERTY REFERENCE NO. AC060015, APPROXIMATELY 19.43 ACRES OF CANAL LAND LOCATED IN THE TOWN OF HALFMOON, COUNTY OF SARATOGA; AND AUTHORIZING ITS SALE TO GAIL KRAUSE**

**RESOLVED**, that approximately 19.43 acres of Canal land identified as Real Property Reference No. AC060015, located in the Town of Halfmoon, County of Saratoga are no longer useful or necessary as part of the Barge Canal System, as an aid to navigation thereon, or for Barge Canal purposes, and be it further

**RESOLVED**, that the sale of said 19.43 acres of Canal land by quitclaim deed to Gail Krause for \$307,000, and consistent with the terms of this agenda item, be, and hereby is, approved, and be it further

**RESOLVED**, that the Executive Director, or his designee, be, and the same hereby is, authorized to execute an Agreement for Sale of Real Property with Gail Krause



**Item 2 by Ms. Mantello and Mr. Bryan (Appendix B)**  
**Authorizing the Abandonment of Real Property Reference No. AC060015,**  
**Approximately 19.43 Acres of Canal Land Located in the Town of Halfmoon, County of**  
**Saratoga; and Authorizing its Sale to Gail Krause (Continued)**

and any amendments and/or conforming changes thereto consistent with the terms of this agenda item, along with all other documents necessary to effectuate the conveyance of the Property, in accordance with the terms authorized during this meeting, and be it further

**RESOLVED**, that the Office of Canal Maintenance and Operations shall prepare an Official Order abandoning the land for Canal purposes, together with a map and description of such lands for review and execution by the Executive Director, and be it further

**RESOLVED**, that the Executive Director, or his designee, be, and he hereby is, authorized to execute such order of abandonment, and be it further

**RESOLVED**, that such sale shall be conditioned upon the payment by the purchaser of certain costs incidental to the transfer of real property, including, but not limited to, the cost of appraisals, and be it further

**RESOLVED**, that the recommendation for issuance of a Negative Declaration based on an environmental assessment of the proposed action completed in accordance with the provisions of the State Environmental Quality Review Act (SEQRA) be and hereby is approved, and be it further

**RESOLVED**, the Chief Engineer, or his designee, be, and he hereby is, authorized to sign the SEQRA Environmental Assessment and issue the Negative Declaration, and to distribute any required notices on behalf of the Canal Corporation Board with relation to this action, and be it further



**Item 2 by Ms. Mantello and Mr. Bryan (Appendix B)**  
**Authorizing the Abandonment of Real Property Reference No. AC060015,**  
**Approximately 19.43 Acres of Canal Land Located in the Town of Halfmoon, County of**  
**Saratoga; and Authorizing its Sale to Gail Krause (Continued)**

RESOLVED, that the Executive Director, the Director of Canals, the Chief Financial Officer, and the General Counsel be, and the same hereby are, authorized to take all actions necessary to effectuate closing of title and implement this Board Item, and be it further

RESOLVED, that the Corporation's Contracting Officer determined that a sale of the Property on the terms recommended in the agenda item comply with all applicable provisions of law, including Title 9, Title 5-A of the Public Authorities Law, and with the Canal Real Property Management Policy, and be it further

RESOLVED, that this resolution be incorporated in the minutes of this meeting

**Adjournment**

There being no further business to come before the Board, on the motion of Mr. Plunkett, seconded by Mr. Howard, without any objections, the meeting was adjourned.

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Jill B. Warner  
Secretary

