

Warren County Board of Supervisors

RESOLUTION No. 81 OF 2022

RESOLUTION INTRODUCED BY SUPERVISORS CONOVER, HOGAN, DICKINSON, THOMAS, BRUNO, MERLINO AND STROUGH

**AUTHORIZING RAILROAD RIGHT-OF-WAY PRIVATE USE
LICENSING AGREEMENT WITH DENIS NOVOSELOV AND ANASTASIA IVANOVA
FOR LAND USE AND PRIVATE GRADE CROSSING;
RESCINDING THE PRIOR AUTHORIZATION GRANTED TO TERESA IACONELLI**

WHEREAS, Resolution No. 404 of 2006 authorized the County to enter into a private use licensing agreement with Teresa Iaconelli to allow private grade crossing use, as well as private right-of-way land use at property located at or near Mile Post NC 1.65 in North Creek, and

WHEREAS, since that time, Teresa Iaconelli has sold said property to Denis Novoselov and Anastasia Ivanova (“Licensee”), 6 Lamring Drive, Fair Lawn, New Jersey 07410, who now desires to enter into a similar railroad right-of-way private use licensing agreement with the County, and

WHEREAS, a Short Environmental Assessment Form was previously prepared by the Director of the Warren County Parks, Recreation & Railroad Division for the action, and in Resolution No. 202 of 2005 the Warren County Board of Supervisors resolved that the action be considered an unlisted action under SEQRA, and that the action will not result in any adverse environmental impacts, and a copy of the same remains on file with the Clerk of the Board of Supervisors, now, therefore, be it

RESOLVED, that Warren County grant a Revocable License to the Licensee, for a term commencing upon execution by both parties and terminating February 18, 2023, for a lump sum amount of Two Hundred Fifty Dollars (\$250), for the purpose of Railroad Right-of-Way Private Use and Private Grade Crossing Use at or near Mile Post NC 1.65 in North Creek, provided that: (1) the license requires the general liability coverage in limits not less than One Million Dollars (\$1,000,000) per occurrence, and said insurance coverage shall name Warren County as an additional insured; (2) the License requires Licensee to defend, indemnify and hold harmless the County of Warren, its representatives and employees from claims, suits,

RESOLUTION No. 81 OF 2022

PAGE 2 OF 2

actions, damages and costs of every kind and description, arising out of or resulting from the use; (3) when the Railroad Right-of-Way Private Use Licensing Agreement is terminated or revoked by either party, the property shall be returned to its original condition; (4) the License is in the form approved by the County Attorney; (5) there is no cost or expense to the County of Warren for said use and/or termination of use; and (6) the Licensee submit plans for uses to the Director of the Parks, Recreation & Railroad Division for review, and be it further

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute any agreements and/or permits that may be necessary to effectuate the grant of the Railroad Right-of-Way Private Use and Private Grade Crossing License, as authorized herein, and be it further

RESOLVED, that Warren County hereby rescinds the authorization granted by Resolution No. 404 of 2006 for the County to enter into a private licensing agreement with Teresa Iaconelli, the former owner of the above described property.