Highway Superintendent

From: tharvey@renniadesign.com
Sent: Tuesday, March 3, 2026 11:55 AM
To: Deputy Town Clerk; Highway Superintendent; Town Supervisor; paul@kellarjaiven.com
Subject: RE: Bond Reduction

External (tharvey@renniadesign.com)

Safe Spam Phish More...

Thank You Nicole.

Based on my review of this shared bond document, I found the reduced amount consistent with our recommendation, so as long as the format of the bond is acceptable to the attorney for the town, we would recommend that the town board approve the reduced bond.

Let me know if there are any questions/comments.

Best Regards,

Thomas Harvey
Project Engineer
RENNIA ENGINEERING DESIGN, PLLC.
6 Dover Village Plaza, Suite 5
PO Box 400
Dover Plains, NY 12522
Tel: (845)-877-0555 ext. 111

From: Deputy Town Clerk <deputyclerk@townofgardinerny.gov>
Sent: Tuesday, March 3, 2026 10:17 AM
To: Highway Superintendent <highwaysuper@townofgardinerny.gov>; Town Supervisor <supervisor@townofgardinerny.gov>; tharvey@renniadesign.com; paul@kellarjaiven.com
Subject: Bond Reduction

Nicole Bendel

Deputy Town Clerk

(845) 255-9675 ext. 103

ACE AMERICAN INSURANCE COMPANY
436 Walnut Street, Philadelphia, PA 19106

Bond Rider

To be attached to and made a part of Bond Number K41998635 issued by ACE American Insurance Company, as Surety, on behalf of Hudson Creekside, LLC, 89 Mason Circle #114, Beacon, NY, 12508, as Principal, in favor of Town of Gardiner, 2340 State Route 44, Garinder, NY 12525, as Obligee (the "Bond")

In consideration of the mutual agreements herein contained, the Principal, Surety, and Obligee hereby consent to the following changes to the Bond.

Bond Amount is reduced from $1,270,727.00 to the new amount of $279,020.00, effective February 19, 2026

All other terms and conditions of the Bond shall remain unchanged.

Signed, sealed, and dated this 13th day of February, 2026.

Principal:

Hudson Creekside, LLC

By: _____
[Print Name], [Print Title]
Its Duly Authorized Representative

Surety:

ACE American Insurance Company

By: _____
Sharon Dean, Attorney-in-Fact
Its Duly Authorized Representative

Obligee:

Town of Gardiner

By: _____
[Print Name], [Print Title]
Its Duly Authorized Representative

CHUBB

SUBDIVISON BOND

Bond Number: K41998635

KNOW ALL MEN BY THESE PRESENTS, that we Hudson Creekside, LLC as Principal, whose address is 89 Mason Circle #114, Beacon, NY 12508 and ACE American Insurance Company, a corporation authorized to do business in the State of New York, as Surety, are held and firmly bound unto Town of Gardiner, 2340 State Route 44, Gardiner, NY 12525 as Obligee, in the penal sum of One Million Two Hundred Seventy Thousand Seven Hundred Twenty-Seven and 00/100 ($1,270,727.00) Dollars, lawful money of the United State of America, for the payment of which well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, Hudson Creekside, LLC has agreed to construct at Scenic Meadow Estates (NYS Route 32), Town of Gardiner, Ulster County, as Location Name, in the State of New York, the following improvements:
a new Town Road (to be known as Scenic Meadow Road), a bridge and associated stormwater and erosion control infrastructure and related measures, which improvements are more fully detailed in the performance bond estimate prepared by Hudson Land Design dated July 18, 2023 and last revised, November 12, 2024, for an eleven (11) lot subdivision on the Scenic Meadow Estates property, which property is more fully shown on the subdivision Plat that was filed in the Ulster County Clerk's Office on January 18, 2008, as Filed Map No. 80-8AF.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal shall construct, or have constructed, the improvements herein described and shall save the Obligee harmless from any loss, cost or damage by reason of its failure to complete said work, then this obligation shall be null and void; otherwise to remain in full force and effect.

Signed, sealed and dated this 19th day of February 2025.

Hudson Creekside, LLC
Principal

By: _____

ACE American Insurance Company
Surety

By: Sharon Dean
Sharon Dean, Attorney-In-Fact

CHUBB

Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company
Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that **FEDERAL INSURANCE COMPANY**, an Indiana corporation, **VIGILANT INSURANCE COMPANY**, a New York corporation, **PACIFIC INDEMNITY COMPANY**, a Wisconsin corporation, **WESTCHESTER FIRE INSURANCE COMPANY** and **ACE AMERICAN INSURANCE COMPANY** corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint Donna Barchman, Frances Bonner, Karen Brandt, Sharon Dean, Barbara Duggan, Rashidah Hasan, Craig Gortner, Alexis Miller, Maria Siu, Rupert Swindells and Lindsay Ward of Philadelphia, Pennsylvania ----------

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY** and **ACE AMERICAN INSURANCE COMPANY** have each executed and attested these presents and affixed their corporate seals on this 7th day of **May, 2024.**

Rupert HD Swindells, Assistant Secretary

Warren Eichhorn, Vice President

STATE OF NEW JERSEY
County of Hunterdon ss.

On this 7th day of **May, 2024** before me, a Notary Public of New Jersey, personally came Rupert HD Swindells and Warren Eichhorn, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Rupert HD Swindells and Warren Eichhorn, being by me duly sworn, severally and each for himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal

Albert Contursi
NOTARY PUBLIC OF NEW JERSEY
No 50202369
Commission Expires August 22,2027

Notary Public

CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

(1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.

(2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.

(3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

(4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

(5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Rupert HD Swindells, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

(i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
(ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this 19th day of February, 2025

Rupert HD Swindells, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:
Telephone (908) 903-3493 Fax (908) 903-3656 e-mail: surety@chubb.com

State of New York

DEPARTMENT OF FINANCIAL SERVICES

WHEREAS IT APPEARS THAT

Westchester Fire Insurance Company

Home Office Address Philadelphia, Pennsylvania

Organized under the Laws of Pennsylvania

has complied with the necessary requirements of or pursuant to law, it is hereby

licensed to do within this State the business of

accident and health, fire, miscellaneous property, water damage, burglary and theft, glass, boiler and machinery, elevator, animal, collision, personal injury liability, property damage liability, workers' compensation and employers' liability, fidelity and surety, credit, motor vehicle and aircraft physical damage, marine and inland marine, marine protection and indemnity , residual value, gap, service contract reimbursement and legal services insurance, as specified in paragraph(s) 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 26(A)(B)(C)(D), 28 and 29 of Section 1113(a) of the New York Insurance Law and also such workers' compensation insurance as may be incident to coverages contemplated under paragraphs 20 and 21 of Section 1113(a), including insurances described in the Longshoremen's and Harbor Workers' Compensation Act (Public Law No. 803, 69 Cong. as amended; 33 USC Section 901 et seq. as amended) , and as authorized by Section 4102(c), insurance of every kind or description outside of the United States and reinsurance of every kind or description to the extent permitted by certified copy of its charter document on file in this Department until July 1, 2025.

NEW YORK STATE * DEPARTMENT OF FINANCIAL SERVICES *

In Witness Whereof, I have hereunto set my hand and affixed the official seal of this Department at the City of Albany, New York, this 1st day of July, 2024

Adrienne A. Harris
Superintendent

By 

Rawle Lewis
Special Deputy Superintendent

Original on Watermarked Paper

STATE OF NEW YORK
DEPARTMENT OF FINANCIAL SERVICES

CERTIFICATE OF SOLVENCY UNDER SECTION 1111 OF THE NEW YORK INSURANCE LAW

It is hereby certified that

Westchester Fire Insurance Company
of Philadelphia, Pennsylvania

a corporation organized under the laws of Pennsylvania and duly authorized to transact the business of insurance in this State, is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guaranties, and other obligations required or permitted by law; and that the said corporation is possessed of a capital and surplus including gross paid-in and contributed surplus and unassigned funds (surplus) aggregating the sum of $54,353,786. (Capital $5,000,100), as is shown by its sworn financial statement for the quarter ending, December 31, 2023, on file in this Department, prior to audit.

The said corporation cannot lawfully expose itself to loss on any one risk or hazard to an amount exceeding 10% of its surplus to policyholders, unless it shall be protected in excess of that amount in the manner provided in Section 4118 of the Insurance Law of this State.

In Witness Whereof, I have hereunto set my hand and affixed the official seal of this Department at the City of Albany, this 25th day of March 2024.

Adrienne A. Harris
Superintendent

By 

Rawle Lewis
Special Deputy Superintendent

WESTCHESTER FIRE INSURANCE COMPANY

STATEMENT OF ASSETS, LIABILITIES AND SURPLUS TO POLICYHOLDERS

Statutory Basis

December 31, 2023

(in thousands)

ASSETS		*LIABILITIES AND SURPLUS TO POLICYHOLDERS*	
Cash, Cash Equivalents, and ST Investments	$ 6,918	Outstanding Losses and Loss Expenses	$ -
United States Government, State and Municipal Bonds	55,420	Reinsurance Payable on Losses and Expenses	-
Other Bonds	7,550	Unearned Premiums	-
Stocks	-	Ceded Reinsurance Premiums Payable	-
Other Invested Assets	4,092	Other Liabilities	204,011
TOTAL INVESTMENTS	73,978	TOTAL LIABILITIES	204,011
Investments in Affiliates	-	Capital Stock	5,000
Premiums Receivable	-	Paid-In Surplus	40,960
Other Assets	184,387	Unassigned Funds	8,394
		SURPLUS TO POLICYHOLDERS	54,354
TOTAL ADMITTED ASSETS	$ 258,365	TOTAL LIABILITIES AND SURPLUS TO POLICYHOLDERS	$ 258,365

Investments are valued in accordance with requirements of the National Association of Insurance Commissioners. At December 31, 2023, investments with a carrying value of $11,811,787 were deposited with government authorities as required by law.

STATE OF PENNSYLVANIA

COUNTY OF PHILADELPHIA

John Taylor, being duly sworn, says that he is Senior Vice President of Westchester Fire Insurance Company and that to the best of his knowledge and belief the foregoing is a true and correct statement of the said Company's financial condition as of the 31 st day of December 2023.

Sworn before me this March 11, 2024

Senior Vice President

Notary Public

August 8, 2027
My commission expires

Commonwealth of Pennsylvania - Notary Seal
Diane Wright, Notary Public
Philadelphia County
My commission expires August 8, 2027
Commission number 1235745
Member, Pennsylvania Association of Notaries