

**VILLAGE OF TARRYTOWN
BOARD OF TRUSTEES
WORK SESSION 6:00 P.M.
WEDNESDAY, APRIL 15, 2015
Tarrytown Village Hall
One Depot Plaza, Tarrytown, New York**

6 p.m. PUBLIC HEARING – TENTATIVE BUDGET FISCAL YEAR 2015-1016

Board of Trustees Concerns

Open Session

1. "Good Samaritan" Legislation
2. Volunteer Fire Department Service Award Program
3. Eastview Pump Station Stabilization
4. SEQRA - Loh Park Flood Mitigation Project
5. IMA with Sleepy Hollow re Reverend Sykes Park
6. Agreement – Lake Savers (Upper Tarrytown Lake Nutrient Loading)
7. Lease Agreement – Greenburgh Drug and Alcohol Task Force

Executive Session

- 1A. Legal Services – Article 78



P E R M A

Public Employer Risk Management Association, Inc.

9 Cornell Road, Latham, NY 12110

Toll Free in US (888) 737-6269

www.perma.org

Managed by Northeast Association Management, Inc.

RECEIVED

MAR 26 2015

TARRYTOWN VILLAGE CLERK

March 20, 2015

Re: New VFBL/VAWBL "Good Samaritan" legislation

Dear PERMA Member,

On December 17, 2014, Governor Cuomo signed into law amendments to the General Municipal Law and the Volunteer Ambulance Workers' Benefits Law to provide coverage for volunteer firefighters and ambulance workers when they volunteer at an out-of-district accident scene before an officer in charge accepts their services. The governing body of the assisting volunteer must pass a resolution in order to make the coverage available. Once a resolution is passed, if a volunteer is injured, his/her coverage would be provided under his/her own company's VFBL or VAWBL. **This law will go into effect on June 15.**

The new law's intention is to provide coverage when an out-of-district volunteer assists before a jurisdictional officer arrives. Currently, a volunteer acting as a "good Samaritan" has no coverage if injured before the officer in charge accepts the volunteer's assistance. It is important to note that when a jurisdictional officer arrives at the scene, an assisting volunteer's services must be accepted or the volunteer must cease assistance.

In order to protect volunteer firefighters and ambulance workers who render assistance prior to a jurisdictional officer arriving on the scene, their governing body must pass a resolution. **A suggested resolution follows** (form is for VFBL; VAWBL verbiage is *italicized*):

It is the intent of this Resolution to make available the coverage provided by General Municipal Law Section 209-i1-b (*Volunteer Ambulance Workers' Benefit Law Section 5-1*).

Whenever a volunteer firefighter (*ambulance worker*) of the _____ Fire District (*Ambulance Corps*) provides services under General Municipal Law Section 209-I (*Volunteer Ambulance Workers' Benefit Law Section 5*) when there is no jurisdictional officer in command present, such volunteer firefighter (*ambulance worker*) shall be entitled to coverage under the VFBL (*VAWBL*) coverage provided by the _____ Fire District (*Ambulance Corps*) for the provision of such services. Upon the arrival of a jurisdictional officer in command, such volunteer firefighter (*ambulance worker*) shall report to such officer and offer his/her services to assist such fire (*ambulance*) company or fire (*ambulance*) department. If such offer of assistance is not accepted, then the volunteer firefighter (*ambulance worker*) of the _____ Fire District (*Ambulance Corps*) must immediately cease providing any additional service at the scene of the emergency.

Enclosed is a copy of the legislative amendment for further review. **If you have any questions, please contact the PERMA underwriting department at 888-737-6269.**

STATE OF NEW YORK

8991

IN ASSEMBLY

March 6, 2014

Introduced by M. of A. MAGNARELLI -- read once and referred to the
Committee on Local Governments

AN ACT to amend the general municipal law and the volunteer ambulance
workers' benefit law, in relation to coverage for volunteer firefight-
ers and volunteer ambulance workers performing emergency services

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Section 209-i of the general municipal law is amended by
2 adding a new subdivision 1-b to read as follows:

3 1-B. . IN THE EVENT THAT AN ACTIVE VOLUNTEER FIREFIGHTER PROVIDES
4 SERVICES UNDER SUBDIVISION ONE OF THIS SECTION WHEN THERE IS NO JURIS-
5 DICTIONAL OFFICER IN COMMAND PRESENT, SUCH VOLUNTEER FIREFIGHTER SHALL
6 BE ENTITLED TO COVERAGE UNDER THE VOLUNTEER FIREFIGHTERS' BENEFIT LAW
7 PROVIDED THE FIRE COMPANY OR MUNICIPALITY THE VOLUNTEER SERVES ADOPTS A
8 RESOLUTION GRANTING COVERAGE FOR THE PROVISION OF SUCH SERVICES. UPON
9 ARRIVAL OF A JURISDICTIONAL OFFICER IN COMMAND, SUCH VOLUNTEER SHALL BE
10 ENTITLED TO BENEFITS IN THE MANNER SET FORTH IN SUBDIVISION ONE OF THIS
11 SECTION.

12 S 2. Subdivision 1 of section 5 of the volunteer ambulance workers'
13 benefit law is amended by adding a new paragraph 1 to read as follows:

14 1. WHILE, WITHIN THE STATE, PERFORMING DUTIES IN AN AREA OTHER THAN
15 HIS OR HER OWN RELATED TO THE DELIVERY OF EMERGENCY HEALTH CARE PRIOR TO
16 THE ARRIVAL OF THE AMBULANCE DEPARTMENT, AMBULANCE COMPANY, OR ANY UNIT
17 THEREOF THAT IS RESPONSIBLE FOR THE PROVISION OF SUCH CARE IN THAT AREA,
18 PROVIDED THAT THE VOLUNTEER AMBULANCE WORKERS' MUNICIPALITY, AMBULANCE
19 DEPARTMENT, AMBULANCE COMPANY, OR ANY UNIT THEREOF, ADOPTS A RESOLUTION
20 GRANTING COVERAGE FOR SUCH DUTIES. UPON THE ARRIVAL OF THE AMBULANCE
21 DEPARTMENT, AMBULANCE COMPANY, OR ANY UNIT THEREOF RESPONSIBLE FOR EMER-
22 GENCY HEALTH CARE IN THE AREA, SUCH VOLUNTEER AMBULANCE WORKER SHALL BE
23 ENTITLED TO BENEFITS IN THE MANNER SET FORTH IN PARAGRAPH B OF THIS
24 SUBDIVISION.

25 S 3. This act shall take effect on the one hundred eightieth day after
26 it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD14055-01-4

**VILLAGE OF TARRYTOWN
VILLAGE ADMINISTRATOR'S OFFICE
MEMORANDUM**

TO: Mayor Fixell and the Board of Trustees
FROM: Michael Blau, Village Administrator
RE: Eastview Pump Station
DATE: April 8, 2015

Please be advised that I met with three members of the Lakes Committee to discuss the marketing of the Eastview Pump Station. The members at the meeting were Cathy Ruhland, Mark Fry and Paul Keppler. The members present were aware that the Board had authorized the marketing of the property and they wanted to convey to the Board that they believe that it is the best interest of the Village to complete the stabilization and mothballing of the building prior to marketing the structure. They conveyed their belief that the amount that the Village would receive in a lease or sale would far exceed, in the long term, the cost that the Village would incur in the stabilization/mothballing of the structure. The basis for their contention is the elimination of risk factors for a lessee or purchaser, because they will be leasing or purchasing a building where the said work has been completed versus an "as is" structure where they do not know the extent of the stabilization/mothballing work necessary.

The three committee members also noted to me that they would be attempting to create a Friends group called the Friends of the Tarrytown Lakes. Their thought would be that the Friends would ultimately pay back the Village for the funds paid for the stabilization/mothballing. Essentially, they called the funds to be expended by the Village a loan to the Friends organization. The committee members also suggested that the Village may want to have the structure appraised, with appraisal values established "as is" and stabilized and clean. The cost estimate provided by Ferguson Architecture to stabilize and mothball the pump station was \$461,029.

The concept of obtaining an appraisal may prove to be a valuable piece of information to the Village Board in regards to moving forward with the pump station project. As I have noted to the Board, the lack of parking and the distance to the closest sanitary sewer will have an impact upon any use of the building and the appraisal would give the Board a handle on what you might anticipate through the marketing process.

I also wanted to share with you the proposed uses for the structure as suggested by the Lakes Committee. The proposed uses were included in the adaptive reuse study completed by Ferguson Architecture and came with a price tag of \$6.6 million. Reviewing the proposed listing of uses received from the committee members, there appear to be a significant number of Village/community uses and a lesser number of commercial uses that would generate interest from an outside source to utilize the structure.

I would like to discuss with the Board how you would like to proceed with this matter.

Currently Proposed Uses for East View Pumping Station, per Ferguson Feasibility Study and Lakes Committee

Education

◆◆ 1. classrooms

◆◆ 2. labs for study for the natural studies of the lake and surrounding areas (one lab for younger students and one for high school)

Community

1. major open space that can be subdivided with rolling partitions

◆◆◆◆◆ a. space for community organizations to meet

◆◆◆◆◆ b. local artists gallery

◆◆◆◆◆ c. entire open space for community events ex. Holiday party

◆◆ 2. Open space can be used by individuals◆◆ - weddings etc.

Recreation - Hub for activities

◆◆ 1. kayaking/boating - launch point

◆◆ 2. biking

◆◆ 3. hiking -trail head

◆◆ 4. fishing - can sell licenses her and provide "security" for the lake

◆◆ 5. public bathrooms

Commercial

◆◆ 1. cafe◆◆ - to serve all who use the lake

◆◆ 2. caterer - for weddings, parties in open space

◆◆ 3. bike, boating fishing equipment rentals.

**Full Environmental Assessment Form
Part 1 - Project and Setting**

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

Name of Action or Project: Loh Park Flood Mitigation Project		
Project Location (describe, and attach a general location map): Loh Avenue, Leroy Avenue, South Broadway and ravine behind Church Street		
Brief Description of Proposed Action (include purpose or need): The project is a multi-phased project. Phase 1. Check integrity of storm drain system. Phase 2. Install new 1,500 linear feet of 48 inch drainage piping from the top of Loh Avenue to existing pond on west side of South Broadway. Project also includes also the 1,500 linear feet the installation of new catch basins, a 36" x 72" box culvert, raising and rebuilding of two bridges, enclosing 60 feet of open channel stream and stream restoration.		
Name of Applicant/Sponsor: Village of Tarrytown	Telephone: 914-631-1785	
	E-Mail: mblau@tarrytowngov.com	
Address: One Depot Plaza		
City/PO: Tarrytown	State: New York	Zip Code: 10591
Project Contact (if not same as sponsor, give name and title/role): Michael Blau, Village Administrator	Telephone: 914-631-1785	
	E-Mail: mblau@tarrytowngov.com	
Address: One Depot Plaza		
City/PO: Tarrytown	State: New York	Zip Code: 10591
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Board of Trustees	April 20, 2009
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Westchester County Board of Legislators	February 17, 2010
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<ul style="list-style-type: none"> If Yes, complete sections C, F and G. If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	
<hr/> <hr/> <hr/>	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>R-7.5, One-Family Residence - 7,500 sf; M2, Multi-Family Residence (up to 2 families); M3, Multi-Family Residence (up to 3 families)</u>	
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, i. What is the proposed new zoning for the site? _____	
C.4. Existing community services.	
a. In what school district is the project site located?	<u>Union Free School District of the Tarrytowns</u>
b. What police or other public protection forces serve the project site?	<u>Village of Tarrytown</u>
c. Which fire protection and emergency medical services serve the project site?	<u>Village of Tarrytown</u>
d. What parks serve the project site?	<u>Village of Tarrytown</u>

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Piping of open drainage area to mitigate flooding	

b. a. Total acreage of the site of the proposed action?	_____ NA acres
b. Total acreage to be physically disturbed?	_____ .15 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	_____ .10 acres
c. Is the proposed action an expansion of an existing project or use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % <u>20</u> Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will proposed action be constructed in multiple phases?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. If No, anticipated period of construction: _____ 6 months	
ii. If Yes:	
<ul style="list-style-type: none"> • Total number of phases anticipated _____ • Anticipated commencement date of phase I (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____ 	

f. Does the project include new residential uses? ☐ Yes ☒ No
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion				
of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☒ No
 If Yes,

- Total number of structures _____
- Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
- Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☒ No
 If Yes,

- Purpose of the impoundment: _____
- If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____
- If other than water, identify the type of impounded/contained liquids and their source. _____
- Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
- Dimensions of the proposed dam or impounding structure: _____ height; _____ length
- Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☒ Yes ☐ No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

- What is the purpose of the excavation or dredging? Excavation necessary for installation of 48" pipe
- How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 - Volume (specify tons or cubic yards): _____
 - Over what duration of time? _____
- Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
Soils excavated will be reused on the project, with the exception of approximately 250 yards which will be reused or disposed of by contractor
- Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☒ No
 If yes, describe. _____
- What is the total area to be dredged or excavated? _____ .15 acres
- What is the maximum area to be worked at any one time? _____ .05 acres
- What would be the maximum depth of excavation or dredging? _____ 8 feet
- Will the excavation require blasting? ☐ Yes ☒ No
- Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☒ No
 If Yes:

- Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☒ No
If Yes, describe: _____

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☒ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☒ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☒ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☒ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☒ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> • Do existing sewer lines serve the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No • Will line extension within an existing district be necessary to serve the project? <input type="checkbox"/> Yes <input type="checkbox"/> No <p>If Yes:</p> <ul style="list-style-type: none"> • Describe extensions or capacity expansions proposed to serve this project: _____ 	
<p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <ul style="list-style-type: none"> • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____ 	
<p>v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):</p> <p>_____</p> <p>_____</p>	
<p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>	
<p>e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p>	
<p>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> • If to surface waters, identify receiving water bodies or wetlands: _____ <p>_____</p> <ul style="list-style-type: none"> • Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input type="checkbox"/> No 	
<p>iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p style="padding-left: 40px;">Construction equipment including dump trucks and loaders</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p>	
<p>g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs) 	

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____</p> <p>ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p>			
<p>vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade to, an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 8 am to 6 pm • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ NA • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 8 am to 6 pm • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ NA • Saturday: _____ • Sunday: _____ • Holidays: _____
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 8 am to 6 pm • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ NA • Saturday: _____ • Sunday: _____ • Holidays: _____ 		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☒ Yes ☐ No
If yes:
i. Provide details including sources, time of day and duration:
During construction hours (Monday through Friday 8:00 am to 6:00 pm, construction equipment will be operational which will exceed ambient noise levels)

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☒ No
Describe: _____

n. Will the proposed action have outdoor lighting? ☐ Yes ☒ No
If yes:
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No
If Yes:
i. Product(s) to be stored _____
ii. Volume(s) _____ per unit time _____ (e.g., month, year)
iii. Generally describe proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☒ No
If Yes:
i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☒ No
If Yes:
i. Describe any solid waste(s) to be generated during construction or operation of the facility:
• Construction: _____ tons per _____ (unit of time)
• Operation: _____ tons per _____ (unit of time)
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
• Construction: _____
• Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:
• Construction: _____
• Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☒ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☒ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	.125	.125	0
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	.25	.25	0
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☒ Yes ☐ No
i. If Yes: explain: There is an open space where the Loh Park Brook flows which is surrounded by a small open space area

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐ Yes ☒ No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No
If Yes:
i. Has the facility been formally closed? ☐ Yes ☐ No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☒ No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No
☐ Yes – Spills Incidents database Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☒ No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

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<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>Area is a residential neighborhood _____ Squirrels, birds, raccoons, etc. _____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>_____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p>E.3. Designated Public Resources On or Near Project Site</p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: i. Identify resource: <u>Hudson River and Old Croton Aqueduct</u> ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Route 9 overlooking river and views of river part of scenic roadway; OCA is a state park</u> iii. Distance between project and resource: <u>River - .5 mile, OCA - .01 miles.</u>	
i. Is the project site located within a designated river corridor under the WHd, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Village of Tarrytown Date March 8, 2015

Signature  Title Village Administrator

PRINT FORM

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

	Agency Use Only (If applicable)
Project :	Loh Park Flood Mitigation Project
Date :	March 6, 2015

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency and the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i> <div style="text-align: right;"> <input checked="checked" type="checkbox"/> NO <input type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

2. Impact on Geological Features The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

3. Impacts on Surface Water The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air

The proposed action may include a state regulated air emission source.

(See Part 1. D.2.f., D.2.h, D.2.g)

If "Yes", answer questions a - f. If "No", move on to Section 7.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochlorofluorocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

If "Yes", answer questions a - j. If "No", move on to Section 8.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES If "Yes", answer questions a - h. If "No", move on to Section 9.			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2c, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - g. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

16. Impact on Human Health The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part I.D.2.q., E.1. d. f. g. and h.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1b	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) If "Yes", answer questions a - h. If "No", go to Section 18. <div style="text-align: right;"> <input checked="checked" type="checkbox"/> NO <input type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) If "Yes", answer questions a - g. If "No", proceed to Part 3. <div style="text-align: right;"> <input checked="checked" type="checkbox"/> NO <input type="checkbox"/> YES </div>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

PRINT FULL FORM

THIS INTERMUNICIPAL AGREEMENT MADE this day of April, 2015 by and between

THE VILLAGE OF SLEEPY HOLLOW, a municipal corporation of the State of New York, having an office and principal place of business located at 28 Beekman Avenue, Sleepy Hollow, New York 10591 (hereinafter referred to as "VSH") and

THE VILLAGE OF TARRYTOWN, a municipal corporation of the State of New York, having an office and principal place of business located at One Depot Plaza, Tarrytown, New York 10591 (hereinafter referred to as "VTT").

W I T N E S S E T H

WHEREAS, VSH has applied for and has been awarded a grant from the State of New York (hereinafter referred to as the "State") to make certain improvements to Reverend Sykes Park (hereinafter referred to as the "Park"); and

WHEREAS, the Park is located within the corporate boundaries of VSH and VTT; and

WHEREAS, VTT currently owns a large portion of the land wherein the Park is located; and

WHEREAS, in order to award grant monies to VSH to make said improvements to the Park the State requires all parties with an ownership interest in the property to sign the State's project agreement and to apply long-term protections to the property; and

WHEREAS, VTT has agreed to deed the portion of the Park which it owns to VSH; and

WHEREAS, in consideration for VTT agreeing to deed the Park land to VSH, VSH has agreed to continue to use and maintain the land as a recreational and playground facility in perpetuity;

NOW, THEREFORE, in consideration for the terms and conditions herein contained VTT and VSH hereby agree to the following:

- 1) Subject to the terms and conditions of this Agreement, VTT hereby agrees to transfer by deed the property it owns which is known as Reverend Sykes Park to VSH in form acceptable to counsel for VSH and VTT.
- 2) VSH agrees to continue to use and maintain the Park, at its sole cost and expense, as a municipal recreational and playground facility in perpetuity.
- 3) VSH agrees that residents of VTT will be permitted to use the Park for its permitted purposes in perpetuity and that VTT residents shall have the same rights and privileges related to use of the Park as are from time to time granted to residents of VSH.
- 4) VSH's use of the Property shall be in conformity with safe practices and shall at all times be in compliance with all local, State, and Federal laws, statutes, rules, and regulations pertaining thereto. Furthermore, VSH shall comply with the provisions of all applicable local, state and federal laws, rules and regulations, including, but not limited to, those promulgated or enforced by the EPA, DEP, NYSDOH or applicable to VSH as an employer of labor. VSH shall further comply, at its sole expense, with applicable rules, regulations and licensing requirements pertaining to their professional status and that of their employees, partners, associates, consultants and others employed to render any work hereunder.
- 5) VSH shall defend, indemnify, protect, and save harmless VTT, its officers, agents, employees, sub-licensees or invitees, successors and assigns from and against any and all claims, actions, suits, damages, liabilities, costs, and expenses, including, without limitation, reasonable attorneys' fees and disbursements, for any claims that may have arisen up to and including the date of transfer of the Park from VTT to VSH for actions related to the use of the Park.
- 6) VSH hereby releases, settles, cancels, discharges and acknowledges to be fully satisfied, any and all claims demands, damages, debts, liabilities, obligations, costs,

expenses, liens, actions, and cause of action of every kind and nature whatsoever, whether under federal, state or common law, whether known or unknown, foreseen or unforeseen, suspected or unsuspected, which VSH or anyone claiming by, through or under VSH may, now or hereafter, have against VTT relating to the land and/or the transfer of the land herein.

- 7) This Agreement may be executed in multiple counterparts, each of which shall be an original, but all of which shall constitute one and the same Agreement.
- 8) All notices or other communications provided for under this Agreement shall be in writing, signed by the party giving the same, and shall be deemed properly given and received (i) when actually delivered and received, if personally delivered; or (ii) three (3) business days after being mailed, if sent by certified mail, postage prepaid, return receipt requested; or (iii) one (1) business day after being sent by a nationally recognized overnight delivery service, all to the following addresses:

If to VSH: Village Administrator
 Village of Sleepy Hollow
 28 Beekman Avenue
 Sleepy Hollow, New York 10591

If to VTT: Village Administrator
 Village of Tarrytown
 One Depot Plaza
 Tarrytown, New York 10591

IN WITNESS WHEREOF, the parties hereto have signed this Agreement as of the date first written above.

VILLAGE OF SLEEPY HOLLOW

By: _____

Kenneth G. Wray, Mayor

VILLAGE OF TARRYTOWN

By: _____

Michael Blau, Village Administrator

Mike Blau

From: Fiona Hodgson <fhodgson@villageofsleepyhollow.org>
Sent: Monday, March 30, 2015 1:04 PM
To: Mike Blau
Subject: FW: Rev Sykes Park
Attachments: Rev Sykes Tarrytown Deed Reference map showing 2 parcels owned by TT.pdf;
Tarrytown-owned Parcel 1 metes and bounds.pdf; Tarrytown-owned Parcel 2 metes and
bounds.pdf

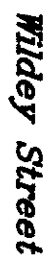
Hi Mike

As just discussed, attached are the documents you need for Tarrytown to gift ownership of their sections of Rev. Sykes Park to Sleepy Hollow. There are two non-contiguous parcels currently owned by Tarrytown – see the attached ownership map. Each of these two parcels has a separate metes and bounds description – both attached.

Let me know if you need anything else. And please keep me in the loop re your process. I am working to find the draft IMA.

Fiona

Valley Street



Tarrytown Parcel 1 Description

All that certain plot, piece or parcel of land situate, lying and being in the Village of Sleepy Hollow and the Village of Tarrytown, County of Westchester, State of New York bounded and described as follows:

Commencing at a point on the westerly side of Valley Street, which is intersected by the southeasterly corner of lands now or formerly of SH Affordable Housing Development Fund Company, Inc. (control number 48280273), and the northeasterly corner of the parcel herein described, thence along Valley Street South 05°39'57" West a distance of 64.99 feet to the Point of Beginning;

Thence along Valley Street South 05°39'57" West a distance of 7.18 feet to a point, thence on a curve to the right, having a radius of 15.00 feet and an arc length of 25.00 feet to a point on the northerly side of Wildey Street, thence along Wildey Street North 78°51'23" West a distance of 172.17 feet to a point;

Thence leaving Wildey Street North 50°05'27" East a distance of 23.23 feet to a point, thence South 69°56'13" East a distance of 28.00 feet to a point, thence North 18°23'57" East a distance of 33.18 feet to a point, thence North 17°04'27" East a distance of 26.82 feet to a point, thence South 70°01'53" East a distance of 31.67 feet to a point, thence South 10°08'37" West a distance of 2.10 feet, thence North 88°44'27" East a distance of 81.78 feet to a point, thence South 11°12'07" West a distance of 56.05 feet to a point, and thence South 69°30'13" East a distance of 26.40 feet to the Point of Beginning.

Containing 9,720 square feet or 0.223 acres.

Tarrytown Parcel 2 Description

All that certain plot, piece or parcel of land situate, lying and being in the Village of Tarrytown, County of Westchester, State of New York bounded and described as follows:

Beginning at a point on the easterly side of Cortlandt Street, which is intersected by the boundary line between the Village of Sleepy Hollow and the Village of Tarrytown, thence along said boundary line South $48^{\circ}40'13''$ East a distance of 56.04 feet to a point on the northerly side of Wildey Street;

Thence along Wildey Street North $78^{\circ}51'23''$ West a distance of 29.18 feet to a point, thence on a curve turning to the right and having a radius of 20.00 feet and an arc length of 33.49 feet to a point on the easterly side of Cortlandt Street, thence along Cortlandt Street North $16^{\circ}44'48''$ East a distance of 6.14 feet to the Point of Beginning.

Containing 615 square feet.

AGREEMENT

This is an Agreement for services to mitigate nutrient loading to the Upper Tarrytown Lake dated this _____ day of _____, 2015, by and between the Village of Tarrytown, One Depot Plaza, Tarrytown, New York 10591 (the "Village") and Lake Savers, LLC, 6543 Whitney Woods, Richland, Michigan, 49083 (the "Contractor").

Article 1. Scope of Work

Contractor agrees to perform all work set forth in and in accordance with the Contractor's proposal dated April 8, 2015, which is annexed to and made a part of this Agreement as Exhibit A (the "Services").

Article 2. Performance of Work

In performing the Work, Contractor shall assign qualified personnel and perform said Work in accordance with skill, diligence and quality control/quality assurance measures. Contractor shall at all times comply with all applicable laws, ordinances, statutes, rules and regulations.

Article 3. Contractor's Representations

Contractor represents that it is fully experienced and properly qualified to perform the work as provided under this Agreement and that it is properly permitted, equipped, organized and financed to perform such Work. The Contractor shall be responsible for any permits associated with the Work.

Article 4. Compensation and Payment

For satisfactory performance of the Work, the Village agrees to compensate Contractor in accordance with Exhibit A. Payment shall be made by the Village within thirty (30) days of receipt of an invoice. Should there be a question or dispute regarding the invoice submitted, the Village shall make payment within thirty (30) days after receipt of acceptable answers to the questions posed or after resolution of the dispute.

Article 5. Insurance

Contractor shall maintain, or cause to be maintained, in full force and effect during the term of this Agreement, at its expense, Workers' Compensation Insurance, public liability insurance covering personal injury and property damage, and other insurance with minimum coverages as listed below. Such policies are to be in the broad form available on usual commercial terms and shall be written by insurers of recognized financial standing satisfactory to the Village who have been fully informed as to the nature of the Work to be performed. Except for Workers' Compensation and professional liability, the Village shall be named as an additional insured on all such policies with the understanding that any obligations imposed upon the insured (including,

without limitation, the liability to pay premiums) shall be the sole obligations of Contractor and not those of the Village. Notwithstanding anything to the contrary in this Agreement, Contractor irrevocably waives all claims against the Village for all losses, damages, claims or expenses resulting from risks commercially insurable under the insurance described in this Article 6. The provisions of insurance by Contractor shall not in any way limit Contractor's liability under this Agreement.

<u>Type of Coverage</u>	<u>Limits of Coverage</u>
Workers' Compensation	Statutory
Employer's Liability or similar insurance	\$1,000,000 each occurrence
Automobile Liability	\$1,000,000 aggregate
Bodily Injury	\$1,000,000 each occurrence
Property Damage	\$1,000,000 each occurrence
Comprehensive General Liability, including broad form contractual liability, bodily injury, and property damage	\$1,000,000 aggregate \$1,000,000 each occurrence

Contractor shall deliver simultaneously with the execution of this Agreement, certificates of insurance evidencing Contractor's compliance with these requirements.

Each policy of insurance shall contain clauses to the effect that (i) such insurance (except professional liability) shall be primary without right of contribution of any other insurance carried by or on behalf of the Village with respect to its interests, (ii) it shall not be cancelled, including without limitation, for non-payment of premium, or materially changed or not renewed without ten (10) days prior written notice to the Village, and the Village shall have the option to pay any necessary premiums and charge the cost back to Contractor.

Article 6. Indemnification

Contractor agrees to indemnify and hold harmless the Village, and its officials, employees, agents, reviewing boards and members of such boards, against claims, losses, damages, liabilities, costs or expenses (including reasonable attorney's fees and costs of litigation and/or settlement, whether incurred as a result of a claim by a third party or an indemnitee hereunder) arising out of (i) the performance of the Services by or on behalf of Contractor pursuant to this Agreement and (ii) the Services themselves if negligently prepared.

Article 7. Survival of Obligation; Responsibility to Correct Deficiencies/Warranty

Contractor's obligations, and those of Contractor's employees, agents, successors and assignees assumed pursuant to Article 6 (Indemnification), and this Article (Responsibility to Correct Deficiencies) shall survive not only completion of Work, and expiration or termination of this Agreement, but also final payment under this Agreement.

It shall be Contractor's responsibility to correct, in a timely fashion and at Contractor's sole expense, any deficiencies in its Work provided such deficiencies are reported to Contractor prior to two (2) Years.

Article 8. Waiver and Severability

The failure of either party to enforce, at any time, the provisions of this Agreement does not constitute a waiver of such provisions in any way or waive the right of either party at any time to avail itself of such remedies as it may have for any breach or breaches of such provisions. None of the conditions of this Agreement shall be considered waived by either party unless such waiver is explicitly given in writing by the waiving party. No such waiver shall be a waiver of any past or future default, breach or modification of any of the terms or conditions of this Agreement unless expressly stipulated in such waiver.

The invalidity of one provision, or invalid application thereof, of this Agreement shall not affect the validity of any other provision or any other application of any provision of the Agreement.

Article 9. Miscellaneous

A. All notices hereunder shall be deemed to be duly given if in writing, signed by the party or the representative of the party giving the notice, and sent to the other party at the addresses set forth herein by certified mail, return receipt requested, or by Federal Express or similar overnight courier or by facsimile transmittal with confirmation by regular first class mail.

B. This Agreement was negotiated between parties of equal bargaining power and is not to be construed against either party by virtue of such party's attorney having drafted it.

C. The Contractor or any of its subcontractors are hereby prohibited from engaging in discriminatory hiring practices, or assuming any engagements during the term of this Agreement which might be in conflict with the Contractor's responsibilities under this Agreement.

Article 10. Entire Agreement

The rights and obligations of the parties, and their respective agents, successors and assigns, hereunder shall be subject to and governed by this Agreement, including Exhibit A, which supersedes any other understandings or writings between the parties. No changes, amendments or

modifications of any of the terms and conditions of this Agreement shall be valid unless reduced to writing and signed by the party to be bound.

Any discrepancies between this Agreement form of 10 Articles and Exhibit A, whether or not specifically identified herein, shall be resolved in favor of this Agreement form.

Village of Tarrytown

By:

Michael S. Blau, Village Administrator

Lake Savers, LLC

By:

John Tucci, President

Proposal

*Renewing Lakes Naturally***April 8 2015**

Prepared For: Mr. Michael Blau, Village Administrator
Village of Tarrytown, New York

Prepared By: John Tucci
President, Lake Savers, LLC.

Project: REVISED Nutrient Filtration and Treatment for Tarrytown
Upper Reservoir

This document will provide a design and proposal for the implementation of leading edge technologies for the mitigation of nutrient loading to Tarrytown Upper Reservoir from the inlet entering the Lake East of the Skate House.

We are REVISING our original proposal based on the emergence of new technologies that should enable us to solve the problem **without** having to put a large barrier or additional aeration into the lake.

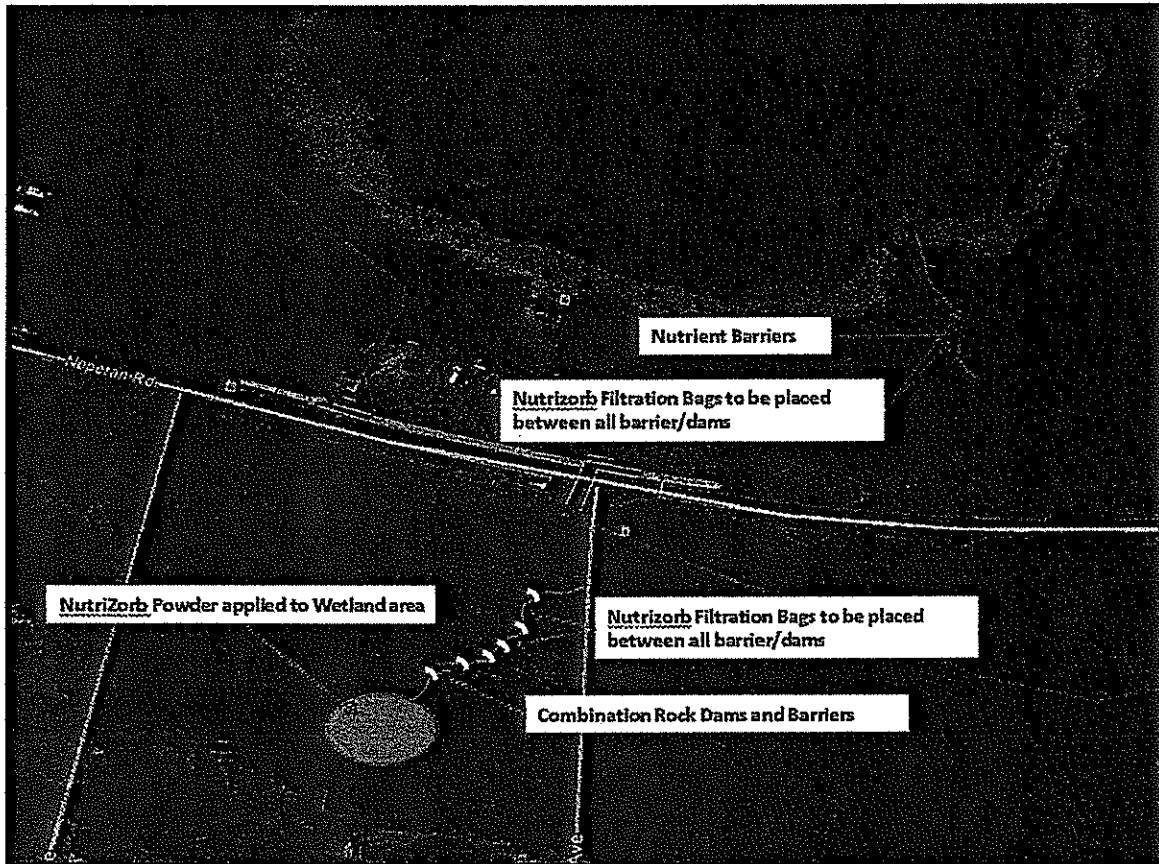
Executive Summary

- We will use the barrier technology combined with new techniques in the open drain that runs from the failed wetland along Sunnyside to the storm water drain. These new techniques include:
 - NutriZorb™ Bags that will filter Nitrogen and Phosphorus from the water as it passes through the drain.
 - NutriZorb™ Powder applied directly to the failed wetland area to reduce nutrient loads coming from the wetland.
 - Natural rock “dams” that will reduce sediment loading and help keep the barriers secure during heavy rain events.
- We will also use the same techniques below Neparan where the inlet drains to the lake. In this area the “rock dams” will not be needed.
- This plan will cost less than **half** of the original proposal. In addition, should it not completely solve the problem, the lake barrier project can still be implemented with a MUCH smaller area to accomplish the same result as the original proposal. The total cost if this needed to be added in the future would not exceed the original proposal cost.
- Lake Savers is willing to “put skin in the game” that this new approach will work. Lake Savers will cut the cost of the Aeration System Lease Payment by 50% for EACH season that we are not delivering significant improvement in the Upper Reservoir starting with the first full season after implementation

- If we implement this Fall, we can start this discount program next season.

Plan and Materials

Diagram of Project Plan



- NutriZorb bags would be placed between each of the barriers in the plan.
- The NutriZorb material is a combination of an Activated Carbon material and mineral Zeolite. Both ingredients are non-toxic, inorganic materials that will not break down over time and are currently be used in both waste water treatment and drinking water filtration applications. MSDS on the material can be provided.
- The combination of ingredients in NutriZorb has proven to be effective at reducing both Phosphorus and Ammonia Nitrogen which are the root causes of the weed and algae issues in the lake.

Cost Breakdown

▶ Nutrient Barriers for upper section along Sunnyside	\$3,350
▶ Nutrient Barriers for lower section below Neparan	\$4,550
▶ River Rock/Cobble (Estimated Cost, perhaps the Village has a source for this material)	\$4,000
▶ 220 NutriZorb Bags. Approximately 8lbs material per bag	\$7,700
▶ 400 lbs of NutriZorb Powder	\$4,000
▶ Installation	\$5,350
Total Project Cost	\$28,950

Thank you again for the opportunity to work with the Village. I am confident we can get the Upper Reservoir restored and meet the goals that we have all had for this project from the beginning.

Submitted by,

John Tucci
President
Lake Savers, LLC

www.lake-savers.com