

**VILLAGE OF BUCHANAN
RESOLUTION ADOPTING NEGATIVE DECLARATION IN CONNECTION
WITH FOURTH STREET SEWAGE PUMP STATION IMPROVEMENTS PROJECT**

Introduced by: _____
Seconded by: _____
Dated: _____

WHEREAS, the Village Board of Trustees is entertaining the approval of the Fourth Street Sewage Pump Station Improvements Project (the "Project" or "Proposed Action"); and

WHEREAS, this Project essentially consists of:

1. Constructing a wet well, a valve chamber and a small, one story approximately 168-square foot control building at the existing Fourth Street Pump Station site;
2. Removing existing pumps and a dry well; maintaining bypass pumps; installing new pumps, controls and appurtenances; and preparing, restoring and cleaning the Project area; and
3. The bonding of approximately \$1,000,000 for the purpose of financing this Project; and

WHEREAS, the Village Board has determined that the Proposed Action is an Unlisted action pursuant to Article 8 of the Environmental Conservation Law, Part 617 NYCRR (commonly known as SEQRA); and

WHEREAS, Frederick P. Clark Associates, Inc., the Village's Planning Consultant has prepared an Environmental Assessment Form (EAF) regarding the Proposed Action;

NOW THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby adopts the attached Negative Declaration, for the reasons stated therein, thereby finding that the Proposed Action will have no significant adverse impact upon the environment, and thereby ending the SEQRA process with respect to said action.

Upon Roll Call Vote:

Mayor Theresa Knickerbocker _____

Trustee Richard Funchion _____

Trustee Duane Jackson _____

Trustee Cesare Pasquale _____

Trustee Nicolas Zachary _____

Vote: Resolution _____.

STATE OF NEW YORK)
COUNTY OF WESTCHESTER)

I, CYNTHIA KEMPTER, Village Clerk of the Village of Buchanan, do hereby certify that the above is a true and exact copy of a Resolution adopted by the Village Board of the Village of Buchanan at a meeting of said Board held on December 17, 2019.

Cynthia Kempter, Village Clerk

Attachment: Negative Declaration

**ATTACHMENT TO
PART 3 OF EAF (NEGATIVE DECLARATION)
FOURTH STREET SEWAGE PUMP STATION IMPROVEMENTS PROJECT**

The Fourth Street Sewage Pump Station Improvements Project (the "Project" or "Proposed Action") essentially consists of:

1. Constructing a wet well, a valve chamber and a small, one story approximately 168-square foot control building at the existing Fourth Street Pump Station site (the "Site" or "Subject Property");
2. Removing existing pumps and a dry well; maintaining bypass pumps; installing new pumps, controls and appurtenances; and preparing, restoring and cleaning the Project area; and
3. The bonding of approximately \$900,000 for the purpose of financing this Project; and

Based upon the Project materials including but not necessarily limited to Project plan(s), narrative(s), Environmental Assessment Form and other materials, the Village Board of Trustees finds that the Proposed Action will not have a significant adverse impact on the environment and adopts this Negative Declaration for the following reasons:

1. The Proposed Action will not have a significant adverse environmental impact with respect to the construction on, or physical alteration of, the land surface of any properties. Stormwater management requirements, and soil erosion and sediment control plans and measures will be implemented during construction of this Project. Further, all construction will take place in accordance with best management practices.
2. The Proposed Action will not have a significant adverse environmental impact with respect to any unique or unusual landforms. There are no unique or unusual landforms present on the Site, and the Subject Property is not adjacent to any geological feature listed as a registered National Natural Landmark.
3. The Proposed Action will not have a significant adverse environmental impact on any wetlands or other surface water bodies. There are no wetlands or other surface water bodies present or adjacent to Subject Property. Further, stormwater management requirements, and soil erosion and sediment control plans and measures will be implemented during construction of the Project.
4. The Proposed Action will not have a significant adverse environmental impact with respect to new or additional use of ground water, and will not have a significant adverse environmental impact with respect to the introduction of contaminants to ground water or an aquifer. The Project is an upgrading of a component of the Village's public sewer system which will have a positive effect upon the disposal of effluent in the Village. All stormwater will be directed into a drainage management system. Stormwater management

requirements, and soil erosion and sediment control plans and measures will be implemented.

5. The Proposed Action will not have a significant adverse environmental impact with respect to the development of lands subject to flooding. The Project site is located within a 100-year floodplain. However, the Project is an upgrading of a component of the Village's public sewer system which will have a positive effect upon the disposal of effluent in the Village. All stormwater will be directed into a drainage management system. Stormwater management requirements, and soil erosion and sediment control plans and measures will be implemented.
6. The Proposed Action will not have a significant adverse environmental impact on any State regulated air emission source. There is no State-regulated air emission source associated with the Proposed Action. The Project does not require Federal or State air emission permits and will not emit one or more greenhouse gases at or above the following levels:
 - a. More than 1,000 tons/year of carbon dioxide (CO₂)
 - b. More than 3.5 tons/year of nitrous oxide (N₂O)
 - c. More than 1,000 tons/year of carbon equivalent of perfluorocarbons (PFCs)
 - d. More than 0.045 tons/year of sulfur hexafluoride (SF₆)
 - e. More than 1,000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions
 - f. More than 43 tons/year or more of methane (CH₄)

The Proposed Action will not 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, or reach 50% of any of these thresholds. The Proposed Action will not require a State air registration, or produce an emissions rate of total contaminants that exceed 5 lbs. per hour, or include a heat source capable of producing more than 10 million BTUs per hour, or reach 50% of any of these thresholds. Also, the Proposed Action will not result in the combustion or thermal treatment of more than one ton of refuse per hour.

7. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of flora or fauna. There are no records of rare or State-listed animals or plants, or significant natural communities on the Subject Property. The Project Site is not registered as a National Natural Landmark. The Project will not result in the removal of, or ground disturbance in, any portion of a designated significant natural community. The Proposed Action does not require the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat.
8. The Proposed Action will not have a significant adverse environmental impact on agricultural resources. There are not agricultural resources on the Subject Property.

9. The Proposed Action will not have a significant adverse environmental impact on any scenic or aesthetic resources. The Proposed Action will not result in the obstruction, elimination or screening of significant scenic views.
10. The Proposed Action will not have a significant adverse environmental impact on any historic or archaeological resources. There are no records of any historic or archaeological resources on the Subject Property.
11. The Proposed Action will not have a significant adverse environmental impact with respect to the loss of recreational opportunities or with respect to a reduction of an open space resource as designated in any adopted municipal open space plan. The Subject Property is not designated as open space by the Village. The Proposed Action will not result in the loss of a current or future recreational resource, eliminate significant open space, or result in the loss of an area now used by the community as an open space resource.
12. The Proposed Action will not have a significant adverse environmental impact on a Critical Environmental Area (CEA). The Site is in the Hudson River CEA designated by Westchester County. However, there will only be benefits and positive impacts from the improvement of the Village's sewage disposal system.
13. The Proposed Action will not have a significant adverse environmental impact on existing transportation systems. The proposed sewer system improvements will not generate any new traffic in the subject area.
14. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in the use of any form of energy. The existing energy infrastructure will continue to serve the Project area and the Proposed Action does not require a new, or an upgrade to any existing electrical substation.
15. The Proposed Action will not have a significant adverse environmental impact as a result of an increase in noise, odors or outdoor lighting. Noise impacts associated with the proposed Project will be limited to temporary impacts generated during construction. These impacts will be mitigated by limiting construction activities to the hours allowed by the Village Code. The construction of the Project will be subject to compliance with the Village's noise regulations. There is no blasting expected with construction of the Project. In addition, there are no significant noise impacts anticipated post-construction. The Proposed Action is not anticipated to generate any noxious odors. Any lighting will conform to Village requirements.
16. The Proposed Action will not have a significant adverse environmental impact on human health from exposure to new or existing sources of contaminants. The Subject Property is

free of any known existing contamination, is not undergoing remediation, and there are no new contamination sources or hazardous waste associated with the Proposed Action.

17. The Proposed Action will not have a significant adverse environmental impact as a result of being inconsistent with adopted land use plans. The Project complies with the zoning for the Subject Property.
18. The Proposed Action will not have a significant adverse environmental impact as a result of being inconsistent with the existing community character. The proposed Project is compatible with the character of the surrounding neighborhood.
19. The Proposed Action will not have a significant adverse environmental impact on the supply of housing in the Village. The Proposed Action does not involve the reduction of housing.

Based upon this information, the Project plan(s), narrative(s), Environmental Assessment Form and other materials, the Village Board of Trustees finds that the Proposed Action will not have any significant adverse impacts upon the environment. This Negative Declaration indicates that no environmental impact statement need be prepared and that the SEQRA process is complete.

**ENVIRONMENTAL COMPLIANCE RESOLUTION TO MAKE FINDINGS
AND DETERMINATIONS**

WHEREAS, James J. Hahn Engineering, PC, a qualified engineer and/or architect, duly licensed by the State of New York, has at the instance of the Board of Trustees of the Village of Buchanan (the "Village"), a municipality of the State of New York, located in the County of Westchester, prepared architectural and engineering studies for the reconstruction of the Fourth Street Sewer Pump Station within the Village sewerage system, including, without limitation, the construction and acquisition of machinery, equipment, appurtenances, land and rights-in-land (the "Project") at a total cost not to exceed \$1,000,000, all in accordance with the Local Finance Law; and said qualified architectural and engineering studies have been filed in the office of the Village Clerk and are on file for public inspection; and

WHEREAS, the Village has determined that upon the examination of an environmental assessment form ("EAF") prepared by Frederick P. Clark, Associates, a qualified environmental consultant, the Project is an "unlisted action", as that term is defined in 6 NYCRR §617.2, and therefore the Board of Trustees caused the EAF to be prepared and promptly filed with the Village Clerk; and

WHEREAS, it is proposed that the maximum amount estimated to be expended for the Project is \$1,000,000 and that the costs of the Project, in whole or in part, as authorized by the Board of Trustees of the Village, are to be financed by the issuance of serial bonds of the Village pursuant to the Local Finance Law and, if deemed advisable, by the issuance of bond anticipation notes in anticipation of the issuance of said bonds in the amount of \$1,000,000; and

WHEREAS, it is proposed that the costs of the Project, as aforesaid, are to be paid in part from a tax levied upon all the taxable property in the Village in annual installments determined by the Board of Trustees of the Village;

NOW THEREFORE, pursuant to proceedings prescribed in 6 NYCRR at §617 of the State Environmental Quality Review Act (“SEQRA”) regulations, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF BUCHANAN, NEW YORK, as follows:

Section 1. The Village, by and through its Board of Trustees, has declared and designated itself to be the “lead agency” as that term is defined in 6 NYCRR §617.2(v), with respect to the environmental review of the Project.

Section 2. The Board of Trustees hereby adopts the negative declaration attached to and made a part of Part 3 of the EAF. It is hereby determined that the Project is an “unlisted action,” as that term is defined in 6 NYCRR §617.2(al).

Section 3. No other agency other than the Village is involved in said environmental review and no coordinated review of the Project is necessary or required.

Section 4. No hearing as set forth in 6 NYCRR §617.9(a)(4) is required in making the determinations contained herein with respect to the costs of the Project.

Section 5. Taking into account the criteria set forth in 6 NYCRR §617.7(c) upon review of all pertinent information, including taking a hard look at all the facts and circumstances, it is determined that the Project (i) does not require segmentation for adequate environmental compliance analysis, (ii) will not have a significant effect on (a) the environment, (b) the climate, or (c) climate change, (iii) includes no unanticipated or unidentified adverse effects which should be anticipated with respect thereto, and (iv) requires no environmental impact study to be prepared. Accordingly, it is hereby determined that the environmental review process under SEQRA is

complete and the Project is precluded from further review under the Environmental Conservation Law.

Section 6. It is hereby determined that for purposes of the SEQRA regulations the bond resolution to be adopted under the Local Finance Law to finance the Project shall not be or be deemed to be an “action,” as that term is defined in 6 NYCRR §617.2(b), until its effectiveness following the estoppel period prescribed in §82.00 of the Local Finance Law.

Section 8. The Village shall include a true copy of this resolution containing the EAF in the file maintained, readily accessible to the public, in the office of the Village Clerk.

Section 9. This resolution shall take effect immediately upon its adoption by the Board Trustees of the Village.