

AGENDA 4/13/2020

6:00 p.m. Public Hearing 2020-2021 Village Budget (Tentative Budget is posted at www.villageofhudsonfalls.com)

GENERAL PUBLIC COMMENT

OLD BUSINESS

NEW BUSINESS

Minutes of the regular meeting of 3/9/20 to be approved as read.

Resolution SEQRA regulations regarding CDBG-2019

Resolution designating Clerk Brayman as Certifying Officer and authorizing the Mayor to inform OCR regarding CDBG-2019.

Approve Chief Bover's recommendation for officers: C.J. Knapp, Assistance Chief; Matt Bain, Assistant Chief.

Award bids on Paris Park Parking Lot Project to lower bidders:

Edward & Thomas O'Connor Inc. with a bid of \$674,500 – Construction
Brownell Electric with a bid of \$47,400 - Electrical

RFQ Landscape Architecture/Engineering Service regarding Derby Park Project.

Budget Appropriations:

	<u>Debit</u>	<u>Credit</u>
E-9410.9 Interfund Transfer	\$6,000.00	
E-1620.4 Buildings		\$6,000.00
E-1620.2 Buildings	\$2,550.00	
E-1910.4 Insurance		\$2,550.00
A-5110.1.000 Street Mainten	\$11,000.00	
A-8560.1.000 Shade Trees		\$11,000.00
F-8320.4 Source & Supply	\$17,500.00	
F-8310.1 Water Admin		\$17,500.00 Due to retirement
F-599 Fund Balance	\$20,000.00	
F-8340.4 Trans & Distrib		\$20,000.00 Due to Meter Installs

Monthly Reports
Vouchers

MAYOR'S COMMENT

BOARD COMMENT

GENERAL PUBLIC COMMENT

Executive Session – if necessary

Next Meeting – May 13, 2020 at 6:00 pm

Announcement – CDBG 2018 Infrastructure Project on School, Union and Clark Streets has begun.

RESOLUTION

Determination that the Village of Hudson Falls Maple Street Water Main Replacement Program is a Type II Action under SEQR Regulations

Upon motion made by _____, seconded by _____

WHEREAS, the Village of Hudson Falls has received a grant from the NYS Office of Community Renewal (CDBG Project Number: 559PW187-19) to assist (1) in the replacement of deteriorated water mains on Maple Street and (2) with the replacement of a limited number of private water laterals; and

WHEREAS, the grant award requires that the Village meet applicable requirements for a review of the project under SEQR; and

WHEREAS, the project is considered to be a Type II action under Section 617.5 (c) (2) of the SEQR regulations and is therefore not subject to review under the SEQR regulations; and

NOW THEREFORE BE IT RESOLVED; that the Hudson Falls Village Board hereby determines that the replacement of water mains and private water laterals within the Village is a Type II action under SEQR regulations, and therefore is not an action subject to review under SEQR.

RESOLUTION

Designating an Environmental Review Certifying Officer

Upon motion made by _____, seconded by _____

WHEREAS, the Village of Hudson Falls has been awarded a grant from the Office of Community Renewal (OCR) re CDBG "Project Number" to replace water mains and private water laterals in the Maple Street Neighborhood; and,

WHEREAS, as a grant recipient the Village is required to undertake and complete an environmental review process for the project; and,

WHEREAS, the Office of Community Renewal requires that the Village designate an Environmental Review Certifying Officer; and,

NOW THEREFORE BE IT RESOLVED; that the Village board hereby designates Ellen Brayman as the Village's Certifying Officer and authorizes the Mayor to inform OCR of such designation.

**Form 2-5 Statutory Checklist
Environmental Review for Activity/Project that is
Categorically Excluded Subject to Section 58.5
Pursuant to 24 CFR 58.35(a)**

Project Information

Project Name & CDBG No.: Maple Street Neighborhood Water Main Replacement (CDBG No. XXXXXXXXX)

Responsible Entity: Village of Hudson Falls

Grant Recipient: Village of Hudson Falls

State/Local Identifier: NY

Preparer: Jordyn Conway, The Chazen Companies

Certifying Officer Name and Title: Ellen Brayman, Village Clerk

Consultant (if applicable): The Chazen Companies

Direct Comments to: Jordyn Conway, The Chazen Companies

Project Location:

The project involves the replacement 1,955 linear feet of old water mains along Maple Street (from the intersection of Oak Street to just past the intersection of Juckett Drive) in the Maple Street neighborhood of the Village of Hudson Falls, Washington County.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The proposed water supply system improvements would include replacing approximately 1,955 LF of water mains located within the project area with new 8-inch C900 PVC water mains (note that 135 LF of the water main will be 8-inch HDPE for the directional drill under the canal). All existing gate valves and fire hydrants would be replaced in accordance with state regulations. Also, new service laterals would be installed within the road right-of-way extending from the new water main to a new curb stop at the Village ROW line. The existing water laterals would be connected to the new curb stop. Associated roadway, sidewalk and curb rehabilitation will also occur throughout the project area as part of the waterline reconstruction in areas disturbed by project activities.

Level of Environmental Review Determination:

Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5:
Historic Preservation

Funding Information

Grant Number	Federal/State/Other Program	Funding Amount
559PW187-19	CDBG	\$750,000.00
N/A	Local match	\$50,000.00

Estimated Total HUD Funded Amount: \$750,000.00

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$800,000.00

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	There no civil or military service airports within or near the project area. See attached NPIAS documents.
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	There are no coastal barrier resources areas in the project area (refer to attached map).
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed project does not involve a home purchase or residential rehabilitation assistance.
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed project work is not of a size or scope that would contribute to air pollution.
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project area is not located in a Coastal Zone (refer to attached map).
Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed project would not involve the handling or disposal of hazardous waste.
Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed project would not impact rare, threatened, or endangered species. See attached correspondence.
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes <input type="checkbox"/> No <input type="checkbox"/>	The proposed project would not involve any of the uses identified in Part 51, Subpart C.
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project area is in a built-up urban location with no potential to convert farmland to nonagricultural uses
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project area is not located within the 100-year or 500-year floodplain (refer to attached map).
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes <input type="checkbox"/> No <input type="checkbox"/>	See "No Effect" letter from the New York State Office of Parks and Recreation (NYSOPRHP), attached.

Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed project does not involve substantial rehabilitation or new construction.
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project area is not located in a sole source aquifer.
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project area is not located in a wetlands area (refer to attached map).
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed project does not involve any activities with the potential to impact resources identified in this section. See attached list.
ENVIRONMENTAL JUSTICE		
Environmental Justice Executive Order 12898	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Project would not have adverse human health or environmental effects on minority or low-income populations.

STATE OR LOCAL STATUTES (to be added by Responsible Entity)		
State Historic Preservation Office (SHPO) Section 14.09 of the New York State Historic Preservation Act	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	See "No Effect" letter from the New York State Office of Parks and Recreation (NYSOPRHP), attached.
State Environmental Quality Review Act (SEQRA) 6 NYCRR Part 617	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The proposed project was determined by the Village of Hudson Falls to be a Type II action.
Coastal Zone Management Act (CZMA) 19NYCRR Part 600	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	The project area is not located in a coastal zone (refer to attached map).
	Yes <input type="checkbox"/> No <input type="checkbox"/>	

Field Inspection (Date and completed by): Robert E. Murray, The Chazen Companies _____

Summary of Findings and Conclusions:

The project will result in a net benefit to the residents in the affected neighborhood through improved environmental quality due with the replacement of deteriorated water infrastructure. Care will be taken during construction to minimize disturbance to the residents and surrounding area.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
N/A	N/A

Determination:

This categorically excluded activity/project converts to **EXEMPT** per Section 58.34(a)(12), because it does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license; **Funds may be committed and drawn down after certification of this part** for this (now) EXEMPT project;

OR

This categorically excluded activity/project cannot convert to Exempt status because one or more statutes or authorities listed at Section 58.5 requires formal consultation or mitigation. Complete consultation/mitigation protocol requirements, **publish NOI/RROF and obtain "Authority to Use Grant Funds"** (HUD 7015.16) per Section 58.70 and 58.71 before committing or drawing down any funds;

OR

This project is not categorically excluded OR, if originally categorically excluded, is now subject to a full Environmental Assessment according to Part 58 Subpart E due to extraordinary circumstances (Section 58.35(c)).

Preparer Signature: _____ Date: _____

Name/Title/Organization: Jordyn Conway, The Chazen Companies

Responsible Entity Agency Official Signature:

_____ Date: _____

Name/Title: John E. Barton, Mayor

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).

Form 2-4
NEPA Classification Checklist

CDBG Project Number: 559PW187-19 Date 02/27/2020

Name and Title of Certifying Officer: Ellen Brayman Title Village Clerk/Treasurer

Name of Responsible Entity: Village of Hudson Falls

Address (e.g., Street No. or P.O. Box): 220 Main Street

Co/C/T/V, State, Zip Code+4: Hudson Falls NY 12839-1855

Telephone Number of Responsible Entity: (518) 747-5426

Exempt Activities (24CFR58.34)
Select only one or more of the following that apply:

- Environmental and other studies, resource identification and development of plans and strategies [58.34(a)(1)].
- Information and financial services [58.34(a)(2)].
- Administration and management activities [58.34(a)(3)].
- Public services that will not have a physical impact or result in physical changes, such as services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs [58.34(a)(4)].
- Inspections and testing of properties for hazards or defects [58.34(a)(5)].
- Purchase of insurance [58.34(a)(6)].
- Purchase of tools [58.34(a)(7)].
- Engineering or design costs [58.34(a)(8)].
- Technical assistance and training [58.34(a)(9)].
- Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair or restoration activities necessary only to control or arrest the effects from physical disasters, imminent threats or physical deterioration [58.34(a)(10)].
- Payment of principal and interest on loans made or obligations guaranteed by HUD [58.34(a)(11)].
- Any of the categorical exclusions listed in 58.35(a), provided that there are no circumstances which require compliance with any other federal laws and authorities cited in 58.5 [58.34(a)(12)].

Signature of Certifying Officer

Form 2-4
NEPA Classification Checklist

CATEGORICALLY EXCLUDED ACTIVITIES [24 CFR 58.35(a)]

Activities in this section require compliance with related laws and authorities at 24 CFR 58.5 and 58.6

Select only one of the following:

- Acquisition, repair, construction, reconstruction, rehabilitation or installation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent. Examples of this type of activity include replacement of water and sewer lines, reconstruction of curbs and sidewalks, street paving [58.35(a)(1)].
- Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons [58.35(a)(2)].
- Rehabilitation of buildings and improvements for residential use (with one to four units), where the density is not increased beyond four units, the land use is not changed, and the footprint of the building isn't increased in a floodplain or in a wetland [58.35(a)(3)(i)].
- Rehabilitation of multifamily residential buildings (with five or more units), when the following conditions are met: a) unit density is not changed more than 20 percent, b) the project does not involve changes in land use from residential to non-residential; and c) the estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation [58.35(a)(3)(ii)].
- Rehabilitation of non-residential structures, including commercial, industrial, and public buildings when the following conditions are met: a) the facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent, and b) the activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial or from one industrial use to another [58.35(a)(3)(iii)].
- An individual action on up to four dwelling units [not including rehabilitation (see 58.35(a)(3)(i) above)] where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between [58.35(a)(4)(i)].
- Acquisition (including leasing) or disposition of an existing structure, equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed or disposed of will be retained for the same use [58.35(a)(5)].
- Any combination of the above activities [58.35(a)(6)].

Signature of Certifying Officer

Form 2-4
NEPA Classification Checklist

CATEGORICALLY EXCLUDED ACTIVITIES [24 CFR 58.35(b)]

*Activities in this section require compliance with related laws and authorities at 24 CFR 58.6 only**

Select only one of the following:

- Tenant-based rental assistance [58.35(b)(1)].
- Supportive services including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, state and federal government benefits and services [58.35(b)(2)].
- Operating costs including maintenance, equipment, supplies, staff training, staff recruitment, security, operation, utilities, furnishings and other incidental costs [58.35(b)(3)].
- Economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations [58.35(b)(4)].
- Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction**, including closing costs and down payment assistance, interest buy downs, and similar activities that result in the transfer of title [58.35(b)(5)].
- Affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact [58.35(b)(6)].
- Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental finding is not required under 58.47 [58.35(b)(7)].

*If a responsible entity determines that an activity or project identified above, because of extraordinary circumstances or conditions at or affecting the location of the activity or project may have a significant environmental effect, an environmental assessment must be prepared and a determination of significance made.

**This exclusion applies only to financial assistance for purchase of existing for-sale homes or homes under construction. Homebuyer assistance for units not under construction is classified as Categorically Excluded. In all cases, for this exclusion to apply, the prospective buyer must have discretion regarding selection of properties within the target area.

Signature of Certifying Officer

FORM 2-3

CERTIFICATION OF NEPA CLASSIFICATION

CDBG Project Number: 559PW187-19 Date 02/27/2020

Name and Title of Certifying Officer: Ellen Brayman Title Village Clerk/Treasurer

Name of Responsible Entity: Village of Hudson Falls

Address (e.g., Street No. or P.O. Box): 220 Main Street

Co/C/T/V, State, Zip Code+4: Hudson Falls NY 12839-1855

Telephone Number of Responsible Entity: (518) 747-5426

It is the finding of the Village of Hudson Falls that the activity(ies) proposed in its 2019 NYS CDBG
Name of CDBG Grant Recipient *Funding Year*

project, Maple Street Water Main Replacement are:
Project Name

Check the applicable classification:

- Exempt as defined in 24 CFR 58.34 (a).
- Categorically Excluded as defined in 24 CFR 58.35(b).
- Categorically Excluded as defined in 24 CFR 58.35(a) and no activities are affected by federal environmental statutes and executive orders [i.e., exempt under 58.34(a)(12)].
- Categorically Excluded as defined in 24 CFR 58.35(a) and some activities are affected by federal environmental statutes and executive orders.

If neither exempt (24 CFR 58.34(a) nor categorically excluded (24 CFR 58.35(a) and (b) can be checked,
Form 2-6 Environmental Assessment will be required.

- Part or all of the project is located in an area identified as a floodplain or wetland.
For projects located in a floodplain or wetland, evidence of compliance with Executive Orders 11988 and/or 11990 is required.
 - Affidavit of publication for Early Notice and Public Review of Proposed Activity Located in the 100 Year Floodplain attached
 - Affidavit of publication for Final Notice and Public Explanation of Proposed Activity Located in the 100 Year Floodplain attached

Signature of Certifying Officer

FORM 2-3A
CERTIFICATION OF SEQRA CLASSIFICATION

CDBG Project Number: 559PW187-19 Date 02/27/2020

Name and Title of Certifying Officer: Ellen Brayman Title Village Clerk/Treasurer

Name of Responsible Entity: Village of Hudson Falls

Address (e.g., Street No. or P.O. Box): 220 Main Street

Co/C/T/V, State, Zip Code+4: Hudson Falls NY 12839-1855

Telephone Number of Responsible Entity: (518) 747-5426

It is the finding of the Village of Hudson Falls that the activity(ies) proposed in its 2019 NYS CDBG
Name of CDBG Grant Recipient *Funding Year*

project, Maple Street Water Main Replacement are:
Project Name

Check the applicable classification:

- Type I Action (6NYCRR Section 617.4)
 - Identify the Lead Agency _____
 - Evidence of Lead Agency Declaration and Consent attached
 - Copy of Environmental Notices Bulletin attached
- Type II Action (6NYCRR Section 617.5)
- Unlisted Action (not Type I or Type II Action)
 - Identify the Lead Agency _____
 - Evidence of Lead Agency Declaration and Consent attached

Check if applicable:

- Environmental Impact Statement (EIS) Prepared
 - Draft EIS
 - Final EIS

Signature of Certifying Officer

**DESIGNATION OF CERTIFYING OFFICER AND
ENVIRONMENTAL RESPONSIBILITY CERTIFICATION**

02/27/2019

(Date)

Ben Mattison

(Name of OCR Community/Economic Developer)

Office of Community Renewal

Hampton Plaza

38-40 State Street, 4th Floor

Albany, New York 12207

RE: CDBG Project Number: 559PW187-19

Dear Mr. Mattison :

I, Mayor John Barton, the authorized signatory for
(Name of Chief Elected Official)
Village of Hudson Falls do attest that:
(Name of CDBG Recipient)

- I understand that any projects that include CDBG funds must be assessed in accordance with the National Environmental Policy Act of 1969 (NEPA) and the related authorities listed at 24 CFR Part 58.
- I understand that, except for actions involving activities determined to be Exempt (per 24 CFR 58.34 and NYS Office of Community Renewal procedures), *no physical alteration to individual sites can occur nor can funds for those activities be committed or expended until receipt of an environmental clearance letter* from the Housing Trust Fund Corporation and, for any subsequently identified specific sites, site-specific reviews are completed for which the Certifying Officer determines that there are no unanticipated impacts nor impacts not adequately addressed in the program review related to the environmental clearance letter and said Officer certifies such determination.
- I understand that should any part of a project site be physically altered, funds be committed, or funds be expended prior to receiving the appropriate environmental clearances, that the site will not be eligible for CDBG funding and the Village of Hudson Falls may be responsible for any costs incurred except under the following circumstance: in the case of Exempt activities, concurrence from the NYS Office of Community Renewal that the particular action is Exempt prior to any physical alterations unless that action is taken to address an emergency situation in which case concurrence must be obtained no later than the first regular business day following such an event,
- I also notify you that Ellen Brayman, Village Clerk/Treasurer, is
(Name of Certifying Officer) (Title)
designated as the *Certifying Officer* responsible for all activities associated with the environmental review process to be completed in conjunction with NYS CDBG project number 559PW187-19 awarded to Village of Hudson Falls.
(CDBG Project Number) (Name of CDBG Recipient)

Sincerely,

Signature of Chief Elected Official

John Barton, Mayor

Typed Name and Title