

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
ENVIRONMENTAL RESTORATION PROJECTS-TITLE 5

**CHECKLIST FOR APPLICATION COMPLETENESS REVIEW**

MUNICIPALITY: Village of Haverstraw SITE NAME: Warren Court Restoration

PROJECT TYPE: Investigation X Remediation     

1. Applicant is a municipality -a local public authority or public benefit corporation, a county, city, town, village, school district, supervisory district, district corporation, improvement district within a county, city, town or village, or Indian nation or tribe recognized by the state or the United States with a reservation wholly or partly within the boundaries of NYS, or any combination thereof. YES X NO
2. Municipality currently owns the property. YES X NO       
If yes, is proof of ownership included with application? Yes X No
3. Project's purpose is to investigate or remediate hazardous substances located on the property. YES X NO
4. Application form certification is signed (original signature) and dated. YES X NO
5. Includes acceptable Resolution/Authorization and Certificate of Recording Officer with original signatures. YES X NO
6. Property is not listed as a Class 1 or 2 site on the Registry of Inactive Hazardous Waste Sites (need property's latitude and longitude from application). YES X NO
7. Proposed schedule shows field work will begin within 12 months of application approval. YES X NO
8. Estimated project cost is included. YES X NO
9. Complete project description is included: ☐ Purpose and Scope YES X NO       
☐ Environmental History  
☐ Future Use  
☐ Project Cost  
☐ Other Funding  
☐ How Project Satisfies Criteria

**For Remediation applications:**

11. Part 2 of application is complete. YES      NO
12. Record of Decision (ROD) has been issued. YES      NO
13. SEQR Findings Statement or Negative Declaration included YES      NO
14. Priority Ranking Score

DATE RECEIVED:                      DATE COMPLETE:                      REVIEWER:                     

Comments:

**PROJECT DESCRIPTION**  
**Village of Haverstraw**  
**Application for Warren Court as an**  
**Environmental Restoration Project**

**Purpose and Scope of Project**

The Village of Haverstraw proposes to remediate and redevelop the vacant 3.5 acre site known as Warren Court located in the Village of Haverstraw for recreational purposes featuring a lighted ball field, batting cages, snack bar, restrooms and a parking area. The project forms a substantial part of plans for public and recreational spaces proposed as part of the revitalization of the Village's waterfront and business district. The Village and the developer who will construct approximately 850 new units of housing and waterfront amenities have developed the plans for the Warren Court site, a defunct subdivision constructed on a former landfill and razed and capped in 1996, which the Village acquired in 1999. The environmental history of the site (see below) and the fact that the New York State Department of Environmental Conservation has declared the site a landfill qualifies it as a brownfields site. The design concept calls for the site to be reconfigured into a park to be known as the Warren Avenue Park. (Please see design concept drawing attached.)

The site, adjacent to McKenzie Avenue on the north and Broadway on the east, consists of the 30 former building lots and two streets created for the original subdivision. (Please see site map and tax map attached to this application.) The site is fenced and there is no public access currently.

The Village of Haverstraw requests funding from the New York State Department of Environmental Conservation Environmental Restoration Investigation Program (Brownfields) to underwrite some of the costs to perform environmental studies prior to remediation of the site. The proposed studies will consist of Phase I and Phase II investigations, the development of a Citizens Participation Plan and the implementation of same, and the development of a Remedial Alternatives Report. The purpose of the site investigations is to determine the nature and extent of contamination at the Warren Court site and to gather all necessary data to support the Remedial Alternatives Report. The Village will engage the services of an environmental engineering firm with experience in Brownfields investigation work and which is on the DEC-approved vendor list for this activity to conduct the investigation and prepare the Remedial Alternative Report. Upon completion by the consultant of studies and the development of potential remedial action alternatives that may be used to clean up the site, the Village and the consultant will meet with NYSDEC to discuss the alternatives which should be developed and evaluated in the Remedial Alternative Report.

Upon notification of project award by the NYSDEC, the Village will invite qualified remedial consultants to respond to a RFP for services that the Village has prepared. The site has been extensively studied because of environmental problems and resulting legal

actions that caused the subdivision to be razed and capped, and the Rockland County Department of Health continues to require monitoring of the site. The wealth of information available on environmental factors will expedite the investigation, and the Village anticipates that the studies and the development of a Remediation Alternatives Report will require approximately six to eight months to complete. The scope of the project will include the following:

- Site preparation by the Village of Haverstraw for the field work activities that will be performed by the environmental consultant – clearing of debris and undergrowth for borings. All debris will be stored on site for testing before disposal
- Field work by the environmental consultant that will include, but not be limited to, test borings, water samples, air samples, soil samples, and related assessments
- Development of a SIRAR Work Plan
- Development of a Citizens Participation Plan
- Preparation of a Remedial Alternatives Report and Action Plan
- Preparation of a Responsiveness Summary
- Project close-out and related documentation

Upon completion of the investigation work, and approval by the public and by the NYSDEC of the proposed remediation plan, the Village intends to remediate the site as the first stage of construction for the Warren Avenue Park.

### **Summary of Environmental History of the Site**

The Warren Court site was filled with gypsum board waste product in the late 1950's and 60's. In the mid-1980's the site was subdivided into single-family housing constructed on the landfill, known as the Warren Court subdivision. Because of hydrogen sulfide emissions from the buried gypsum, the owners of the housing sued the property owners, and included the Village and the County of Rockland in the suit. In June, 1995 the New York State Supreme Court issued a stipulation and consent order in which the property owners received reimbursement for their homes, and released the Village from any liability. The homes were subsequently razed and the property capped. In April 1999 the Village acquired the lots for back taxes. The property has remained vacant pending full environmental studies.

### **Proposed Future Use of the Property**

As noted above, and outlined on the concept design drawing attached, the site will be redeveloped as a public park with recreational facilities. The Warren Avenue Park will consist of ball fields and related amenities. The development of a recreational facility of

this magnitude will contribute significantly to the revitalization of the Village. The project has been a keystone in the planning for the public amenities in the comprehensive plan for the revitalization of the Village undertaken by the developer and the Village in recent years.

### **Estimated Project Cost**

The major items for the Village of Haverstraw's Investigation Project for the Warren Court site are estimated as follows:

1. **Site Prep** - Clearing of debris and vegetation for borings and related testing  
Village Force Account: \$5,000
2. **Environmental Engineering** – Development of Work Plan; Field Work; Assistance with Public Participation Plan and Implementation; Development of Remedial Alternatives Report; Development of Design and Cost Estimates; SEQR and Permitting, as required  
Consulting Contract: \$80,000
3. **Engineering Review, Implementation of Citizen Participation Plan, Other Direct Project Costs** – Village Engineer @ \$100/hour for 40 hrs = \$4,000  
Village staff to coordinate project team meetings, keep records of meetings, coordinate and schedule public meetings, etc. @0.10FTE for 2 staff for 6 months, including 30% fringe = \$4,875  
Project accounting and audit = \$4,500

**Total Project Costs = \$98,375**

<b>NYSDEC</b>	<b>= \$73,781</b>
<b>Village</b>	<b>= \$24,594</b>

### **Other Funding Sources**

The Village will fund 25% of the project from operating revenues, and has already committed resources for site prep prior to testing. Funding for the balance of the tasks will be available upon notification of project award. The Village inquired whether its USEPA Brownfields Pilot Project grant monies could be made available for this project, but EPA determined these funds could not be used for the Warren Court site.

### **Satisfaction of Criteria in ECL56-0505**

The proposed Brownfields Investigation project for the Warren Court site in the Village of Haverstraw meets the criteria set by ECL56-0505 as follows:

1.
  - a. Benefit to the environment: The investigation and remediation of the site will restore and improve a former landfill that continues to emit noxious odors from the decomposition of the buried gypsum board, and its littered, vacant condition constitutes a visual eyesore in a prime area of the Village
  - b. Economic benefit to the state: With the completion of the investigation, the Village will be able to move ahead on remediating the site and constructing the proposed recreational facilities, which are crucial to overall revitalization plans for the Village. A revitalized Haverstraw will attract tourists, new businesses to the area and become a force for economic development locally and regionally. The creation of the public park will provide significant recreational and scenic resources for the Village, attracting both visitors and residents and bringing increased business to local merchants.
  - c. Potential for public recreational use: The proposed redevelopment of the site with ball fields, sitting areas, and concession will add a significant recreational resource to the Village and the North Rockland area.
  - d. Fund resources: The Village has no other recourse than to fund the project out of operating funds
2. The site is not listed by the State on its Registry of Sites under Section 27-1305.
3. The investigation and remediation of the site will be planned and supervised by environmental engineers, and will meet the standards for remedial actions pursuant to Section 27-1313 of this chapter.
4. The Village will not dispose of the site, and will designate it a public park in perpetuity.
5. The Village understands that it must meet the remediation objective within the time called for in the State Assistance Contract.

# ATTACHMENTS

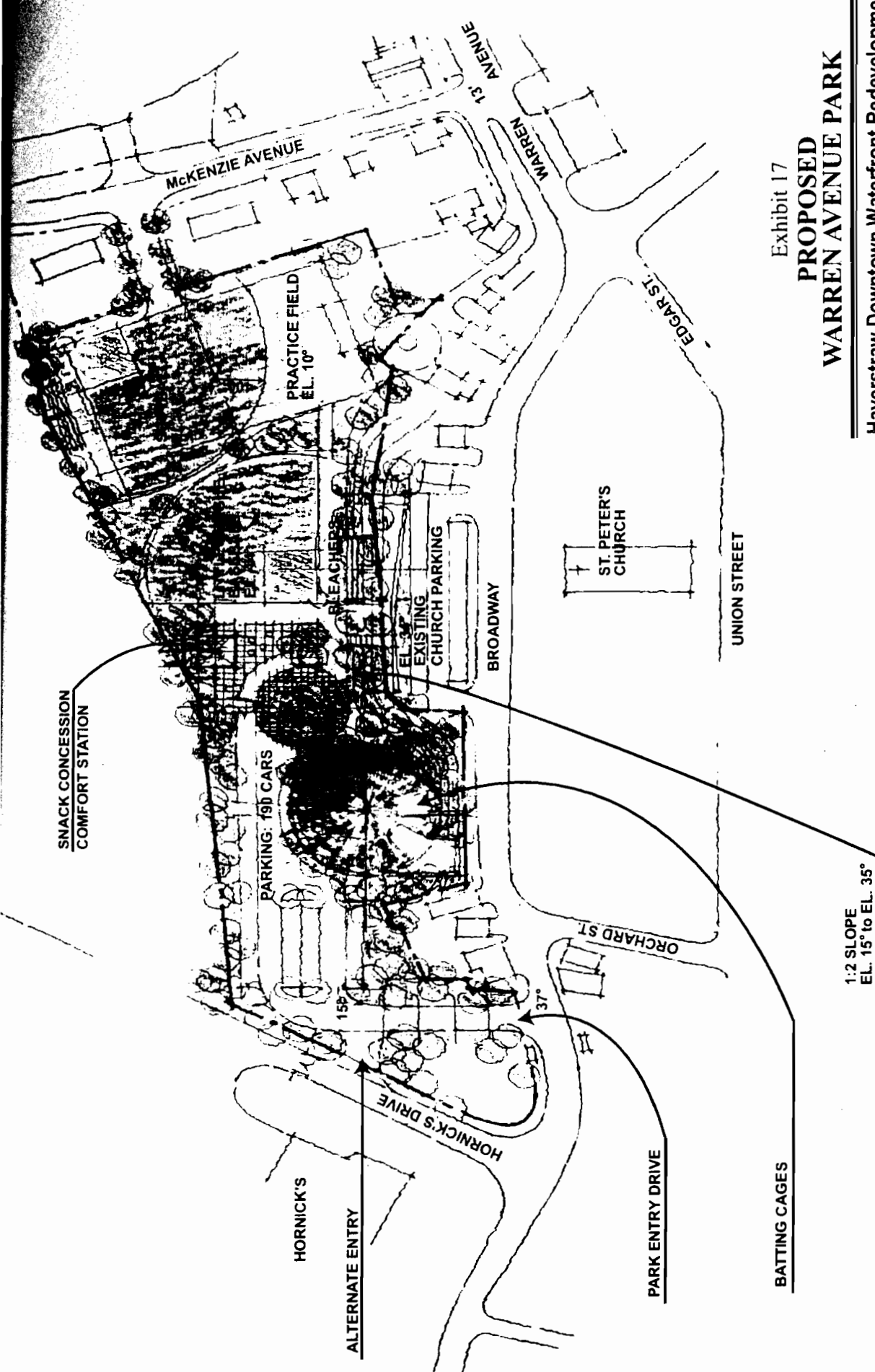


Exhibit 17

## PROPOSED WARREN AVENUE PARK

Haverstraw Downtown Waterfront Redevelopment  
Village of Haverstraw, New York

*Saccardi & Schiff, Inc. - Planning & Development Consultants*

SOURCE: James F. Balsley Associates



Photos by Morris J. Kennedy/The Journal News

Seph Miller operates a bucket loader on the site of a proposed softball field off McKenzie Avenue in Haverstraw. The work on the site, which started yesterday, is expected to be completed in spring 2005.

## From landfill to ballpark

Haverstraw clears debris from future softball field

By Laura Incalcaterra  
Journal News

**Haverstraw** — The village began clearing debris yesterday from a defunct landfill in preparation for the construction of a ballpark.

But one trustee said the village was only cleaning up a mess it shouldn't have made and that a new field remained years from completion.

Trustee Angelo Cintron also criticized Mayor Francis "Bud" Wassmer for telling village residents that construction of a field was under way.

"All that happened is that we got permission from the (state) to clean up the mess," Cintron said. "Fine. But don't tell us we're building it. It's going to take time for it's ready."

Wassmer, however, said removing the debris was the first step in beginning the construction phase.

"The first thing is to get our stuff off of there," Wassmer said. "Simultaneous with that, we're submitting an application to the state for grant money to help pay for closing and capping the site."

Trustees Francisco Batista, Nancy Brennan and Ricky Sanchez could not be reached yesterday.

The Warren Court landfill leaked noxious fumes in the early 1990s and led residents to leave their homes. The village became the site's owner in the late 1990s.

When the village cleared trees and deposited fill there in the winter of 2001, someone called the state Department of Environmental Conservation to investigate it. The agency ordered all work stopped and now wants the village to close the landfill according to specific procedures.

The village will qualify for grants to help

Please see **LANDFILL, 2B**



Haverstraw Mayor Francis "Bud" Wassmer, left, and George White, foreman of the village's Department of Public Works, walk at the proposed ballpark site.



# Village takes step to build ballpark

LANDFILL, from 1B

pay for about 75 percent of the cost of closing and capping the site. That cost is still being determined, but the village expects to apply for about \$600,000 in state assistance, the mayor said yesterday.

The village probably will have to pay about \$200,000, Wassmer said. The village board recently approved a resolution to apply for state funding.

Wassmer said yesterday that he would ask board members to request closure and capping proposals from engineering firms when they meet Monday.

The board wants to construct recreational amenities for residents as part of a \$200 million waterfront and business district redevelopment project.

The village and Westchester County-based developer Martin Ginsburg have been working on a plan that would bring about 850 housing units, along with public parks and piers to Haverstraw's Hudson River shore.

The amenity wish list includes a lighted ball field with batting cages, bleachers, snack bar, restrooms and a parking area.

Wassmer wants to borrow \$1 million for the field's construction and possibly other amenities, then use some of the estimated \$500,000 in new annual tax revenues from the first phase of development to repay the loan. The village would pay \$50,000 per year for 20 years. Ginsburg has offered to make the payments until the new tax revenue materializes.

Wassmer has said the plan will mean new residents, not those al-

ready living in the village, will pay for the field and other amenities. A portion of the \$1 million would be used to close the landfill.

Brennan and Batista have said they support the financing structure.

Cintron said yesterday that he was uncertain that village residents would support borrowing the \$1 million. He said the field was still part of the continuing negotiations with Ginsburg, which could produce the contract that allows the project to come to fruition.

The contract would spell out what the village and the developer would give and receive in regard to the project.

Sanchez opposes the financing plan, saying Ginsburg should pay for the field's construction and other amenities because he is gaining financially through the overall project. Ginsburg already was responsible for obtaining a \$500,000 grant for the village to use toward the field's construction.

Wassmer said it would take the village Department of Public Works about three weeks to complete the landfill debris removal. He also reiterated his commitment to the field's construction.

"We want this to be state-of-the-art — the place to play softball in Rockland County," Wassmer said. "I expect the field to open in the spring of 2005. That's what the DEC suggested was a reasonable time frame for when we could play ball."

Reach Laura Incalcaterra at [lincalca@thejournalnews.com](mailto:lincalca@thejournalnews.com) or 845-578-2486.

ANIALS

Incorporated  
*Village Of Haverstraw*

**DEPUTY MAYOR**

ANGELO CINTRON

**MAYOR**

FRANCIS J. WASSMER, JR.

**CLERK**

EMMA L. VELEZ

**TRUSTEES**

NANCY BRENNAN

RICARDO SANCHEZ

FRANCISCO BATISTA

Municipal Building

40 New Main Street

Haverstraw, New York 10927

**TREASURER**

PATRICIA A. ZIPPILLI

**VILLAGE ATTORNEY**

J. NELSON HOOD

Tele: (845) 429-0300 Fax: (845) 429-0353

**RESOLUTION #295-2002**

Introduced by: Trustee Angelo Cintron

Seconded by: Trustee Francisco Batista

BE IT RESOLVED, WHEREAS the Village of Haverstraw, herein called the municipality, after thorough consideration of the various aspects of the problem and study of available data, does hereby determine that certain work as described in the application and attachments, herein called the project, is described as in the public interest and is required in order to implement the project; and

WHEREAS Article 56 of the Environmental Conservation Law authorizes state assistance to municipalities for environmental restoration projects by means of a contract when the municipality deems it to be in the public interest and benefit under this law to enter into a contract herewith.

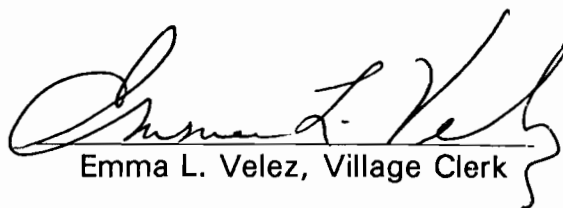
NOW, THEREFORE, BE IT RESOLVED by the Village of Haverstraw that the Mayor is the representative authorized to act on behalf of the municipality in all matters relating to state assistance under ELC Article 56, Title 5. The representative is also authorized to make application, execute the State Assistance Contract, submit project documentation and otherwise act for the municipality's government body in all matters relating to the project and to state assistance. That the municipality agrees that it will fund its portion of the cost of the project and the funds will be available to initiate the projects field work within twelve (12) months of written approval of the application by the Department of Environmental Conservation, that one certified copy of this authorization be prepared and sent to the Albany office, New York State DEC together with the application for state assistance, that this authorization take effect immediately.

Motion passes: 4 – Yes

1 – Absent

I, Emma L. Velez, Clerk of the Village of Haverstraw, New York, do hereby certify that the above resolution was adopted at a regular meeting of the Board of Trustees held on December 16<sup>th</sup>, 2002 and is on file and that said resolution has not been altered, amended or revoked and is in full force and effect.

Dated: June 11, 2003  
Haverstraw, New York

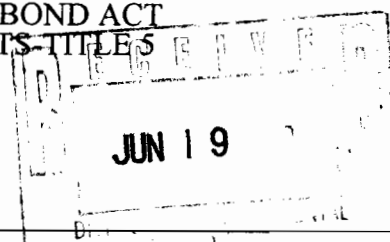


Emma L. Velez, Village Clerk

SEAL OF MUNICIPALITY

## APPLICATION

## ATTACHMENT 1

NYSDEC-1996 CLEAN WATER / CLEAN AIR BOND ACT  
ENVIRONMENTAL RESTORATION PROJECTS-TITLE 5**Part 1**NAME OF APPLICANT (Municipality): VILLAGE OF HAVERSTRAWTYPE OF ENVIRONMENTAL RESTORATION PROJECT: (Check one) Investigation ☒ Remediation ☐PROJECT NAME: WARREN COURT RESTORATIONPROJECT LOCATION: STREET ADDRESS: ANTHONY J. MORINA, JOHN P. SULLIVAN COURT (21 Lots)CITY/TOWN: HAVERSTRAW, N.Y. ZIP CODE: 10927 COUNTY: ROCKLANDPROPERTY SIZE (acres): 3.5 LATITUDE: 041-12'-3".N LONGITUDE: 073-57'-59".WAPPLICANT CURRENTLY OWNS PROPERTY: YES ☒ NO ☐ (If yes, include proof of ownership with application)PROPERTY IS LISTED ON NYS REGISTRY OF INACTIVE HAZARDOUS WASTE SITES: YES ☐ NO ☒  
(If yes, fill in current registry site number and classification)

REGISTRY SITE NUMBER \_\_\_\_\_ CLASSIFICATION \_\_\_\_\_

TYPE OF KNOWN OR SUSPECTED CONTAMINATION: Petroleum ☐ Other Hazardous Substances ☒PROJECT DESCRIPTION: Please attach a description of the project which includes the following components:  
(Refer to Environmental Restoration Projects Procedures Handbook for detailed instructions)

- Purpose and Scope of the Project;
- Environmental History of the Property;
- Proposed Future Use of the Property;
- Estimated Project Cost;
- Other Actual or Potential Funding Sources for the Project;
- How the Project Would Satisfy the Criteria of ECL 56-0505; and
- Site Maps (USGS quad map and a property tax map)

SCHEDULE: Field work will commence within 1 month of Department approval of the application.**Part 2** (To be completed for Remediation applications only)

1. The DEC has issued a Record of Decision for the property? ☐ Yes ☐ No
2. Groundwater or a surface water body has been contaminated above standards. ☐ Yes ☐ No  
If yes, answer a, b or c below:
  - ☐ a. The influent to a public or private water supply has been contaminated or threatened.
  - ☐ b. A class A or AA surface water body, primary or principal aquifer has been contaminated without affecting an existing water supply.
  - ☐ c. Groundwater has been contaminated above standards or a surface water has been impacted.
3. A health advisory has been issued by a New York state or local health agency due to releases from the site. ☐ Yes ☐ No
4. Endangered, threatened or rare species, State protected streams or State regulated wetlands have been impacted by releases from the site. ☐ Yes ☐ No
5. Site contaminants are present in soils/waste at levels that exceed DEC Division of Environmental Remediation guidance values (DHWR TAGM 4046 or STARS Memo #1). ☐ Yes ☐ No
6. Property is located in a designated economic development zone or zone equivalent area. ☐ Yes ☐ No
7. All or part of the Property has been idle or abandoned for more than one year. ☐ Yes ☐ No  
If yes, indicate the percent of the total property that applies \_\_\_\_\_%
8. Municipality has a signed agreement with a private party to reuse the property once it is restored. ☐ Yes ☐ No  
If yes, attach a copy of the agreement.

[OVER]

9. Municipality has legally committed to a specific new public or recreational use of all or part of the property. (Public use includes, but is not limited to, public housing, daycare, education, government offices, environmental centers, and museums. Recreational use includes, but is not limited to, parks, playgrounds, sports and cultural centers, and scenic vistas.) If yes, attach documentation of the legal commitment and indicate below the intended use and the percent of the total property area that will be devoted for that use. ☐ Yes ☐ No  
Intended Use: \_\_\_\_\_ (0-100%) \_\_\_\_\_
10. Municipality is aware of other funding sources for remediating the property. ☐ Yes ☐ No  
If yes, provide source(s) and dollar amount(s) in the attached project description.
11. Municipality has complied with State Environmental Quality Review Act (SEQR) regarding this action. If yes, include the determination (negative declaration or findings statement) in the attached project description and identify all involved agencies in the coordinated review. ☐ Yes ☐ No

### Part 3

INDIVIDUAL AUTHORIZED TO SIGN APPLICATION: (Please Print)

NAME FRANCIS J. WASSMER, JR. TITLE MAYOR  
MAILING ADDRESS 40 NEW MAIN STREET  
HAVERSTRAW, NEW YORK 10927  
PHONE NUMBER: 845-429-0300 FAX NUMBER: 845-429-0353

CERTIFICATION: The undersigned on behalf of the applicant municipality does hereby certify that:

The Applicant has not generated, transported or disposed of, arranged for, or caused the generation, transportation or disposal of hazardous substance on that Property, and has not undertaken, and will not undertake, any indemnification obligation respecting a party responsible under law for the remediation of the Property; and

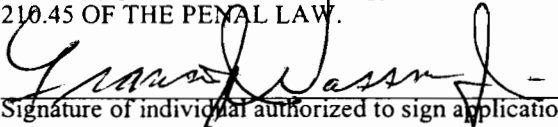
if the applicant leased such property to another party that generated, transported or disposed of, or that arranged for or caused the generation, transportation or disposal of hazardous substances on such property, the applicant did not know that such other party generated, transported or disposed of, arranged for or caused the generation, transportation or disposal of such hazardous substances, or so knew and took action to remediate or cause the remediation of such hazardous substances.

No other funding sources currently exist to undertake the project except the applicant's and those other sources identified in this application;

All statements made for the purpose of obtaining State assistance for the proposed project either are set out in full in this application, or are set out in full in exhibits attached to this application and incorporated by this reference;

The individual whose signature appears hereon is authorized to sign this application for the applicant.

A FALSE STATEMENT MADE HEREIN IS PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

  
Signature of individual authorized to sign application

6/18/03  
Date

FOR STATE USE ONLY:

DATE RECEIVED 6-19-03

PROJECT NO. 800203-3

DATE COMPLETE \_\_\_\_\_

DATE APPROVED \_\_\_\_\_

### ATTACHMENT 3

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION  
1996 CLEAN WATER/ CLEAN AIR BOND ACT  
ENVIRONMENTAL RESTORATION PROJECTS-TITLE 5

#### Authorization Format

Resolution (or other authorizing document) authorizing the items listed below pursuant to the Clean Water / Clean Air Bond Act of 1996.

WHEREAS, VILLAGE OF HAVERSTRAW  
(Legal Name of Municipality)

herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED BY the Board of Trustees, Village of Haverstraw  
(Municipal Authority)

1. That Mayor, Francis J. Wassmer, Jr.  
(Title of Designated Authorized Representative)

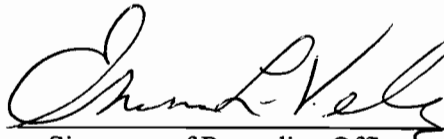
is the representative authorized to act in behalf of the Municipality in all matters related to State assistance under ECL Article 56, Title 5. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;

2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Authorization be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance;
4. That this Authorization take effect immediately.

CERTIFICATE OF RECORDING OFFICER  
(If authorization is in the form of a municipal resolution)

That the attached Resolution is a true and correct copy of the Resolution, as regularly  
adopted at a legally convened meeting of the Board of Trustees, Village of Haverstraw  
(Name of Governing Body of Applicant)  
duly held on the 16th day of December, 2002; and further that such Resolution  
has been fully recorded in the Minutes of 12/16/02 #295-2002 in my office.  
(Title of Record Book)

In witness thereof, I have hereunto set my hand this 12th day of  
June, 2003.

  
Signature of Recording Officer

If the Applicant has an Official Seal, Impress here.

Village Clerk  
Title of Recording Officer

Rev. December 16, 1997  
resoluti.ir