

RESOLUTION NO. 39 FOR THE YEAR 2023

**RESOLUTION DETERMINING THAT ACTION TO UNDERTAKE
VARIOUS CAPITAL IMPROVEMENT PROJECTS TO VARIOUS CITY
FACILITIES WILL NOT HAVE A SIGNIFICANT EFFECT ON THE
ENVIRONMENT**

WHEREAS, the City desires to undertake various capital improvement projects to various City facilities (collectively, hereinafter referred to as the "Project"), including, but not limited to the following:

(A) Acquisition of the premises known as the Cohoes Saving Bank Building located at 75 Remsen Street, Cohoes, New York (hereinafter referred to as the "Building Acquisition Project").

(B) Undertaking of various capital improvements to City parks playground facilities, including but not limited to, the improvement and embellishment to such facilities, including any necessary site work and the acquisition and installation of equipment, machinery and apparatus related thereto (hereinafter referred to as the "Playground Equipment Project"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended (the "SEQR Act"), and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, being 6 NYCRR Part 617, as amended (the "Regulations"), the City desires to determine whether the Project may have a "significant effect on the environment" (as said quoted term is defined in the SEQR Act and the Regulations) and therefore require the preparation of an environmental impact statement; and

WHEREAS, to aid the City in determining whether the Building Acquisition Project may have a significant effect upon the environment, the City Planner has prepared and submitted to the City the following materials:

(A) an environmental assessment form (the "EAF"), and

(B) a memorandum prepared by the City Planner making certain recommendations regarding the potential environmental impacts of the Building Acquisition Project (the "Building Project Memo"),

copies of each were presented to and reviewed by the City at this meeting and copies of which are on file at the office of the City; and

WHEREAS, to aid the City in determining whether the Playground Equipment Project may have a significant effect upon the environment, the City Planner has prepared and submitted to the City a memorandum making certain recommendations regarding the potential environmental impacts of the Playground Equipment Project (the "Playground Equipment Memo"), a copy of which was presented to and reviewed by the City at this meeting and copies of which are on file at the office of the City; and

WHEREAS, pursuant to the Regulations, the City has examined the following:

(A) the EAF and the Building Project Memo in order to make an initial determination as to the potential environmental significance of the Building Acquisition Project, and

(B) the Playground Equipment Memo in order to make an initial determination as to the potential environmental significance of the Playground Equipment Project; and

WHEREAS, the Building Acquisition Project does not appear to constitute a "Type I Action" (as said quoted term is defined in the Regulations), and therefore coordinated review and notification is optional with respect to the actions contemplated by the City with respect to the Building Acquisition Project; and

WHEREAS, the Playground Equipment Project appears to constitute a "Type II action" (as said quoted is defined in the Regulations), and therefore it appears that no further determination or procedure under SEQRA is required with respect to the Playground Equipment Project; and

WHEREAS, the City desires to make its initial determination of significance with respect to the Project and has determined not to undertake coordinated review and notification procedures with respect to the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE COMMON COUNCIL AS FOLLOWS:

(1) Based upon an examination of the EAF, the Building Project Memo and the Playground Equipment Memo, the recommendations of the City Planner, and based further upon the City's knowledge of the area surrounding the Project and such further investigation of the Project and its environmental effects as the City and the City Planner have deemed appropriate, the City makes the following findings with respect to the Project:

(A)(1) The Building Acquisition Project consists of the acquisition of the Cohoes Saving Bank building to be converted to the Cohoes Public Library, including any necessary site work and the acquisition and installation of equipment, machinery and apparatus related thereto; and

(2) No potentially significant impacts on the environment are noted in the EAF and the Building Project Memo, none were described or noted by the City Planner and none are known to the City; and

(B)(1) The Playground Equipment Project consists of the undertaking of various capital improvements to City Parks, including but not limited to, the improvement and embellishment to such parks, including any necessary site work and the acquisition and installation of equipment, machinery and apparatus related thereto; and

(2) No potentially significant impacts on the environment are noted in the Playground Equipment Memo, none were described or noted by the City Planner and none are known to the City.

(2) Based upon the foregoing investigation of the potential environmental impacts of the Project and considering both the magnitude and importance of each environmental impact therein indicated, the City makes the following findings and determinations with respect to the Project:

(A)(1) The Building Acquisition Project constitutes an "unlisted action" (as said quoted term is defined in the Regulations) and therefore coordinated review and notification of other involved agencies is strictly optional. The City has determined not to seek lead agency status with respect to the Building Acquisition Project or to undertake coordinated review and notification procedures with respect to the Building Acquisition Project; and

(2) The Building Acquisition Project will result in no major impacts and, therefore, is one which will not cause significant damage to the environment. Therefore, the City hereby determines that the Building Acquisition Project will not have a significant effect on the environment, and the City will not require the preparation of an environmental impact statement with respect to the Building Acquisition Project; and

(3) As a consequence of the foregoing, the City has decided to prepare a negative declaration with respect to the Building Acquisition Project.

(B) The Playground Equipment Project constitutes a "Type II action" (as said quoted term is defined in the Regulations) pursuant to 6 NYCRR 617.5(c), and therefore that, pursuant to 6 NYCRR 617.6(a)(1)(i), the City has no further responsibilities under SEQRA with respect to the Playground Equipment Project.

(3) The City Clerk is hereby directed to file a copy of the negative declaration with respect to the Building Acquisition Project in City Hall.

(4) This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

William McCarthy	VOTING	_____
Justin Alesio	VOTING	_____
Adam Biggs	VOTING	_____
Christopher Briggs	VOTING	_____
Donald Russell	VOTING	_____
William Smith	VOTING	_____

The foregoing resolution was thereupon declared duly adopted.

STATE OF NEW YORK)
) SS.:
COUNTY OF ALBANY)

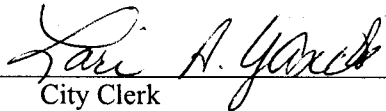
I, the undersigned Clerk of the City of Cohoes, Albany County, New York (the "City"), DO HEREBY CERTIFY that I have compared the foregoing annexed extract of the minutes of the meeting of the members of the Common Council, including the Resolution contained therein, held on July 25, 2023 with the original thereof on file in my office, and that the same is a true and correct copy of said original and of such Resolution contained therein and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that (A) all members of the Common Council had due notice of said meeting; (B) said meeting was in all respects duly held; (C) pursuant to Article 7 of the Public Officers Law (the "Open Meetings Law"), said meeting was open to the general public, and due notice of the time and place of said meeting was duly given in accordance with such Open Meetings Law; and (D) there was a quorum of the members of the Common Council present throughout said meeting.

I FURTHER CERTIFY that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.


IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this ____ day of July, 2023.

(SEAL)



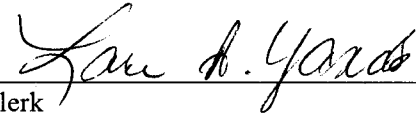
City Clerk

Approved as to form this 25th day of July, 2023.

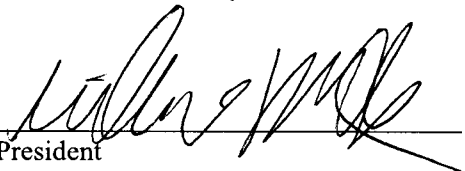


Brian S. Kremer
Corporation Counsel

Engrossed and signed by the President of the Common Council and attested by the Clerk of the Common Council this 25 day of July, 2023.

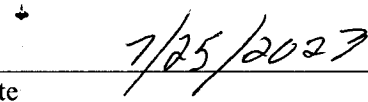


Clerk

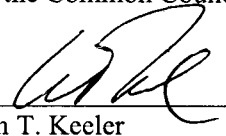


President

I hereby approve the foregoing Resolution of the Common Council.



Date



William T. Keeler
Mayor of the City of Cohoes