

Meeting Date: 04/18/2016  
Resolution #: 04/08/2016

## RESOLUTION AUTHORIZING NEGOTIATION OF FILL LICENSE

The meeting of the Directors of the Sleepy Hollow Local Development Corporation was convened on April 18, 2016, at 7:00 p.m.

The following resolution was duly offered and seconded, to wit:

**WHEREAS**, Sleepy Hollow Local Development Corporation (“Corporation”) is owner of property commonly known as the East Parcel (Section 115.11, Block 1, Lot 2 and Section 115.11, Block 1, Lot 85, generally the terminus of Continental Street); and

**WHEREAS**, the East Parcel currently consists of bituminous pavement and concrete parking surfaces, vegetated strips and hillsides between pavement and the property lines, a closed bituminous ramp and viaduct bridge, vegetated open and closed drainage ditch system, and rail sidings within gravel bedding with bituminous and concrete access strips; and

**WHEREAS**, the East Parcel is subject to a Site Management Plan prepared as an element of the remedial program under the New York State Brownfield Cleanup Program administered by New York State Department of Environmental Conservation dated December 2013 (“NYSDEC Site Management Plan”); and

**WHEREAS**, the NYSDEC Site Management Plan requires final barrier cap system throughout the East Parcel consisting of either or a combination of two foot thick soil cover for landscaped or naturally vegetated areas, pavement (or similar hard surfaces) over non-vegetated areas, and/or permanent buildings or similar structures; and

**WHEREAS**, on or about April 7, 2016, the Village of Sleepy Hollow Planning Board issued to the Corporation a First Amended and Restated Filling Operations and Site Preparation Permit & Flood Plain Development Permit pursuant among other things to Sleepy Hollow Village Code Chapter 190, Excavation, Filling and Topsoil Removal (“Fill Permit”), to import approximately 100,000 cubic yards of fill onto the East Parcel and make certain improvements in connection therewith; and

**WHEREAS**, Sentrale Construction Corporation has approached the Corporation with a possible offer of approximately 40,000+ cubic yards of rock, sand, and dirt that Sentrale will be excavating for the Village’s water tank and/or from demolition of New York State’s Tappan Zee Bridge law enforcement station and would deliver to the Corporation at the East Parcel at no cost to the Corporation; and

**WHEREAS**, the Directors have reviewed the Sentrale proposal;

**NOW THEREFORE**, be it:

**RESOLVED**, that the Chairman and Executive Director of the Corporation each is authorized and directed to negotiate further terms of a license agreement with Sentrale Construction Corporation for Sentrale's delivery at the East Parcel at no cost to the Corporation of approximately 40,000+ cubic yards of rock, sand, and dirt excavated for the Village's water tank, **PROVIDED**, however, that any such license agreement shall be subject to approval by the Corporation's counsel and environmental consultant and with respect to any testing protocols and fill quality standards, the New York State Department of Environmental Conservation; and be it further

**RESOLVED**, that the officers, employees, and agents of the Corporation are hereby authorized and directed for and in the name and on behalf of the Corporation to do all acts and things as may be necessary or, in the opinion of the officer, employee, or agent acting, desirable and proper to effect the purposes of the foregoing Resolution; and be it further

**RESOLVED**, that these Resolution shall take effect immediately upon adoption.

On motion duly made by Director Wray and seconded by Director Oeste-Villavieja, the forgoing resolution was placed before the Board of Directors of the Corporation and voted:

	Aye	Nay	Abstain	Absent
David Schroedel	X			
Kenneth Wray	X			
Anthony Scarpati				X
Michael Dawley	X			
Teresa Oeste-Villavieja	X			

Motion was carried 4-0.

STATE OF NEW YORK )  
VILLAGE OF SLEEPY HOLLOW ) SS:

I, the undersigned Joan Bucci, Acting Secretary of the Sleepy Hollow Local Development Corporation, DO HEREBY CERTIFY:

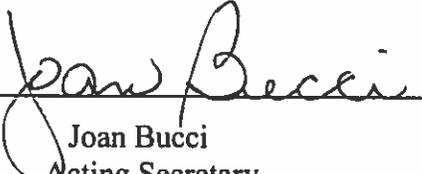
That I have compared the annexed extract of minutes of the meeting of the Sleepy Hollow Local Development Corporation (the "Corporation"), including the resolution contained therein, held on April 25, 2016, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Corporation and of such resolution set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY, that all members of said Corporation had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with such Article 7.

I FURTHER CERTIFY, that there was a quorum of the members of the Corporation 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 modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation this 25th day of April, 2016.

  
Joan Bucci  
Acting Secretary

[SEAL]