

MINUTES BOOKTOWN OF COEYMANS**
January 10, 2019 – Town Board Meeting – 7:00pm

A Town Board Meeting was held Thursday, January 10th, 2019 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York

PRESENT: Philip Crandall, Supervisor
Daniel D. Baker, Councilman
Kenneth C. Burns, Councilman
Thomas E. Dolan, Councilman
James C. Youmans, Councilman

ALSO PRESENT: Cindy L. Rowzee, Town Clerk
Scott Searles, Highway Superintendent
Paul Pastore, Attorney to the Town

Audience (30+)

Supervisor Crandall opened the meeting and led the Pledge of Allegiance.

Councilman Youmans stated that the Town had lost an employee on the job this week. One of the men who worked at the Highway had passed away while at work. He asked for a moment of silence for Rick Southwick and his family.

After the moment of silence Supervisor Crandall stated that a full Board was present. As there were no presentations or public announcements he moved on to the Public Comment portion of the meeting.

Public Comment

Ms. Barbara Tanner of Ravena stood and asked where the Town was at with looking into recycling. Councilman Dolan stated that they were scheduling it in the spring and there would be more information later.

Mr. Terry Gray, President of TAG Resource Recovery in Houston, Texas, gave his background and stated his Ivy League chemical education. He spoke about Tire Derived Fuel and its importance as fuel. He stated that it is a proven technology that has been used in Europe, Japan and the US for over 30 years, including in states that are known for rigorous standards, including California, Idaho, Oregon, Washington and Florida. There are no significant negative emissions in air emissions when TDF is partially substituted for coal in cement kilns. He also stated that there has been no increase in levels and the net impact is normally positive or remains the same. In some situations there has been a decrease. Mr. Gray stated that the carbon content in tires is lower and creates less greenhouse gas. The use of tires decreases the fossil fuel footprint, also, using the tires is better than putting them in the land fill. He stated that good decisions are based on data and facts, not emotions and stated his willingness to talk to the board in order to help them make a fully informed decision.

MINUTES BOOKTOWN OF COEYMANS**
January 10, 2019 – Town Board Meeting – 7:00pm

Shelby Hundley of Lafarge-Holcim from Chicago, stated that Lafarge is committed to being a good environmentally responsible corporate citizen. She spoke about some of the changes in the law that Lafarge had proposed. She also stated that that using TDF has been proven and is accepted by the EPA. She spoke about the contained gaseous materials and wanted to add that such material must be discarded in order to be considered a waste. Ms. Hundley wanted fuel quality tires to be excluded from the definition of waste along with materials that are used as raw ingredients in cement. They also wanted to prohibit the burning of hazardous or medical waste and to prohibit the disposal of cement kiln dust as a hazardous waste. Cement kiln dust has not been classified as a hazardous waste by the EPA since 1980.

Mr. Chris Ricciardi of Selkirk, stood and spoke. He is a 23 year employee of Lafarge and asked the Board to please work with Lafarge to come up with a solution. There is a huge problem with used tires. He also asked them to look at all of the facts and information and to take all of this into consideration.

Mr. Kevin Bretz of Allentown, Pennsylvania stood and wanted to provide clarity regarding the expired permit. He stated that in 2006 Lafarge had been issued three permits. Of those, one is not active and it was a beneficial use permit. Regulations were changed earlier this year and so this permit does not apply to the operations anymore and they no longer need the beneficial use determination to burn TDF at their facility.

Mr. Dave Fletcher of Glenmont, Lafarge Plant Manager, stood and spoke regarding some of the outstanding questions. He spoke of clarity regarding a few issues and was wondering if the information that Lafarge had provided to the Board had answered that. He mentioned the issue regarding the expired permit and hoped that Mr. Bretz had answered that. He also hoped that the information that Lafarge had provided regarding the emissions of 19 compounds when TDF was used was helpful to the Board.

Mr. Ten Eyck Powell III of Coeymans, stood and stated that he has lived directly downwind of Lafarge for over 50 years. He can see their wharf operation from his property and they run a good show. He stated that he didn't know anything about burning tires but in the past when tests have been done the area was negative for mercury. He stated that Lafarge has been an ideal neighbor. He mentioned when his family used to make bricks and burn soft coal. He mentioned that Lafarge's current operations were a far cry from that and that he is in awe of their new facility. He asked the Board to take all of these things into consideration and to consider letting Lafarge burn tires.

Ms. Grace Nichols of Albany, stood and stated that she has raised kids in the area. She also stated that a coalition of environmental groups and individuals that have a lot of hopes for this law especially since it is near a watershed. She mentioned that in Germany they have burning of tires but have spent billions of dollars for this and that they recycle about 98% of their waste. She proceeded to read a letter from local environmental groups in support of this law.

MINUTES BOOKTOWN OF COEYMANS**
January 10, 2019 – Town Board Meeting – 7:00pm

Councilman Youmans asked about the age of the cement plant in Pennsylvania. A Lafarge representative in the audience stated that it was similar to the Lafarge Plant here before the modernization.

Ms. Patricia Sibia of Cohoes was here representing the League of Women Voters of Albany County. She stated that they endorsed the local law and have adopted advocacy positions on it. She was glad to see the Times Union article stating the facts. She also stated that pollution does not end at political boundaries and asked that Albany County and surrounding counties pass a similar law. She stated that she understands the decision is not an easy one.

Mr. Jim Travers of Ravena stood and spoke regarding Lafarge's history of environmental violations. He stated that we only hear the good from them and not the bad. He also said that the management has all completely changed due to negligence. He feels that since they have a new facility they should have to get a new permit for the new kiln. Mr. Travers recommends recycling tires rather than burning them. He hopes the Board gives this great consideration and that if we can't enjoy the environment then what is the point.

Mr. Jody Lisa of Ravena stood and spoke in support of Lafarge. He stated that he has lived 500 feet from the plant since he was born. He stated that he does not work for Lafarge. He stated that recycling tires is not working that there are mountains of tires that are not diminishing. He stated that there have been fires in these mountains of tires and this is a better solution. He said that the scrubbers will do their jobs. Mr. Lisa stated that he is not intimate with Lafarge's operations but that they do a fine job.

Councilman Baker asked Mr. Lisa if he had witnessed 3 dustouts since the new plant has started up. He stated that one went all the way to Miller Rd., another to the Port of Coeymans and another to the High School. He asked if there were incomplete combustion with the tires and they had to shut down, would that go to the high school, to Miller Rd.?

Mr. Lisa said that the data is there for what comes out of the stack. He encouraged the Board to meet with Lafarge to discuss these issues.

Councilman Burns stated that he would like to see data in writing about what will come out of the kiln if they did burn tires. He stated that he wants the plant to flourish but he wants to be careful. Councilman Burns stated that this law should not hurt them, they should be able to burn tires as long as they burn clean and environmentally safe.

Mr. Lisa asked if the law was not prohibiting the burning of tires. Councilman Burns said that if they can prove it is coming out clean and it is monitored they can do this.

Ms. Mary Driscoll of Coeymans stood and spoke on her history here in the community and questioned the Board on several topics and gave them suggestions on other ways to spend the money. She spoke in support of Lafarge.

MINUTES BOOKTOWN OF COEYMANS
January 10, 2019 – Town Board Meeting – 7:00pm**

There were questions and comments from the audience as Supervisor Crandall asked that they move on to the next part of the meeting.

Approval of Minutes

Motion to Approve Minutes

Councilman Dolan made a motion to accept the minutes as presented from the December 27, 2018 Town Board Meeting, seconded by Councilman Youmans.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Motion to Approve Minutes

Councilman Dolan made a motion to accept the minutes as presented from the January 1, 2019 Organizational Meeting, seconded by Councilman Youmans.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

New Business

Council 82 Union Negotiations – Supervisor Crandall stated that they were going to begin negotiations with the Council 82 Union and he would like to set some dates for meetings. He asked that they Board do a motion to authorize him to begin this process.

Motion – Authorization to Begin Council 82 Negotiations

Councilman Youmans made a motion to authorize the Supervisor to begin negotiations with the Council 82 Union on the new contract, seconded by Councilman Dolan, the motion was:

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Resolutions

Resolution #041-19 – Amend Resolution #023-19

On motion of Councilman Dolan, seconded by Councilman Burns, the following resolution was:

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, the Town Board of the Town of Coeymans has passed resolution #023 at the January 1, 2019 Organizational Meeting; and

WHEREAS, resolution #023 is in need of amending to reflect the correct one year term expiration date.

BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby amend resolution #023 to read as follows: reappoint Stephen Schmitt Chairman of the Zoning Board of Appeals for a one year term to expire December 31, 2019.

Resolution #042-19 – Appoint PT Police Officer - Bressette

On motion of Councilman Burns, seconded by Councilman Baker, the following resolution was:

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

MINUTES BOOKTOWN OF COEYMANS
January 10, 2019 – Town Board Meeting – 7:00pm**

WHEREAS, the Town of Coeymans Police Department has a need to fill part-time positions as Police Officer in the Police Department; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Jeff Bressette to the position of Probationary Part-Time Police Officer effective January 10, 2019. Appointment is contingent upon paperwork being filed with the Human Resource Clerk. The officer will be compensated at the rate designated in the current Collective Bargaining Agreement.

Resolution #043-19 – Appoint PT Police Officer - Hazelton

On motion of Councilman Baker, seconded by Councilman Youmans, the following resolution was:

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, the Town of Coeymans Police Department has a need to fill part-time positions as Police Officer in the Police Department; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby appoint Alexander S. Hazelton to the position of Probationary Part-Time Police Officer effective January 16, 2019. Appointment is contingent upon paperwork being filed with the Human Resource Clerk. The officer will be compensated at the rate designated in the current Collective Bargaining Agreement.

Resolution #044-19 – Authorize 2018 Budget Transfers

On motion of Councilman Youmans, seconded by Councilman Baker, the following resolution was:

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, the following accounts have been depleted due to unforeseen expenditures; and

WHEREAS, the Chief Fiscal Officer is desirous of transferring funds to these accounts for Budget year 2018 as follows.

General Fund (A)

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$23,066.38	(A)3120.11 Law Enforcement Chief Salary	(A)3120.1 Law Enforcement Personal Serv.
\$.16	(A)1990.4 Contingency	(A)1010.1 Town Board Personal Services
\$ 739.52	(A)1990.4 Contingency	(A)1220.1 Supervisor Personal Services
\$ 1,931.50	(A)1990.4 Contingency	(A)1355.4 Assessor Contractual
\$ 517.83	(A)1990.4 Contingency	(A)1430.4 Human Resources Contractual
\$ 1.00	(A)1990.4 Contingency	(A)5010.1 Highway Sup. Personal Services
\$ 87.68	(A)1990.4 Contingency	(A)7110.4 Parks Contractual
\$ 369.16	(A)1990.4 Contingency	(A)8090.4 Environmental Control Contr.
\$ 3,915.72	(A)1990.4 Contingency	(A)8510.4 Community Beautification Contr.
\$ 42,260.88	(A)1990.4 Contingency	(A)9010.8 NYS Retirement
\$ 279.54	(A)1990.4 Contingency	(A)9045.8 Life Insurance

Part Town (B)

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
---------------	---------------------	-------------------

MINUTES BOOKTOWN OF COEYMANS
January 10, 2019 – Town Board Meeting – 7:00pm**

\$2,923.25	(B)8140.4 Storm Water	(B)9010.8 NYS Retirement
\$ 20.80	(B)8140.4 Storm Water	(B)9045.8 Life Insurance
\$ 353.60	(B)8140.4 Storm Water	(B)9060.8 Health Insurance

Highway (DA)

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$1,015.00	(DA)5110.4 General Repairs Contractual	(DA)5130.4 Machinery Contractual

Highway (DB)

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$10,709.00	(DB)5112.4 Permanent Improvements Contr.	(DB)9010.8 NYS Retirement
\$ 100.93	(DB)5112.4 Permanent Improvements Contr.	(DB)9045.8 Life Insurance

Sewer (SS)

<u>Amount</u>	<u>From Account</u>	<u>To Account</u>
\$ 2,147.77	(SS)9120.8 Collection System Employee Benefit	(SS)9010.8 NYS Retirement
\$ 4,320.48	(SS)9040.8 Worker’s Compensation	(SS)9010.8 NYS Retirement
\$ 35.85	(SS)9120.8 Collection System Employee Benefit	(SS)9045.8 Life Insurance

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Philip A. Crandall to transfer the following funds for Budget year 2018.

Resolution #045-19 – Authorize Supervisor to Submit Local Law for Review

On motion of Councilman Dolan, seconded by Councilman Youmans, the following resolution was:

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, Pursuant to a motion made by the Town Board on July 26, 2018, the Town Clerk was authorized to publish a Notice of a Public Hearing to be held on August 23, 2018 at 6pm for the consideration of a proposed Local Law 1 of 2019 known as the Clean Air Law; and

WHEREAS, the Town Board of the Town of Coeymans after due deliberation, finds it in the best interest of said Town to refer the proposed Local Law to the Albany County Planning Board pursuant to NY General Municipal Law Sections 239-1, 239-m and 239-n for review and consideration.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Supervisor Philip A. Crandall to refer Local Law No. 1 of 2019 known as the Clean Air Law to the Albany County Planning Board for review and consideration.

Resolution #046-19 – Assume Lead Agency for Local Law under SEQRA

On motion of Councilman Burns, seconded by Councilman Baker, the following resolution was: APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, proposed Local Law 1 of 2019 known as the Clean Air Law has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law and Town Law; and

MINUTES BOOKTOWN OF COEYMANS
January 10, 2019 – Town Board Meeting – 7:00pm**

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible the involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Coeymans, such that Town of Coeymans, NY regular Board Meeting January 10, 2019; and

WHEREAS, there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the proposed enactment of said Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby assume lead agency status for purposes of environmental review of the proposed Local Law 1 of 2019 known as the Clean Air Law under SEQRA.

Resolution #047-19 – Set Date for Annual Audit and Authorize to Advertise

On motion of Councilman Baker, seconded by Councilman Youmans, the following resolution was:

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

WHEREAS, the Town Board must complete an Annual Audit for 2018; and

WHEREAS, the Annual Audit must be in accordance with Town Law, Section 123; and

WHEREAS, the Town Board is desirous of holding the Audit Meeting on Saturday, February 2, 2019, at 9:00 AM, at the Town Hall, 18 Russell Avenue, Ravena, New York;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Coeymans does hereby authorize Town Clerk Rowzee to advertise in the Ravena News Herald for the Annual Audit Meeting.

Upcoming Meetings

Zoning Board of Appeals – January 23rd at 7pm

Town Board Meeting – January 24th at 7pm

Additional Comments

Councilman Youmans stated that it had been said that we were not able to find money for the Rescue Squad but that we did just sign a contract with the Rescue Squad. He wanted to thank those that had worked on the agreement as it had saved the Town money. He also emphasized that no one here is anti-Lafarge and that they recognize their contributions to the community. He has a friend who has cancer but does not blame it on the cement plant. The Town Board just wants to do their due diligence and would like to err on the side of caution. He thanked everyone who had come and for sharing their opinions.

MINUTES BOOKTOWN OF COEYMANS**
January 10, 2019 – Town Board Meeting – 7:00pm

Motion to Adjourn

On motion of Councilman Youmans, seconded by Councilman Dolan, the Town Board Meeting was adjourned.

APPROVED – VOTE – AYES 5 – NAYS 0 – ABSENT – SO MOVED

Time – 8:11pm

Respectfully Submitted,



Cindy L. Rowzee, Town Clerk