

MINUTES BOOKTOWN OF COEYMANS
June 11, 2020 –Town Board Workshop – 7:00pm**

A Town Board Workshop was held Thursday, June 11th, 2020 at 7:00pm at Town Hall, 18 Russell Avenue, Ravena, New York.

PRESENT: George D. McHugh, Supervisor
Daniel D. Baker, Councilman
Kenneth C. Burns, Councilman
Zachary S. Collins, Councilman
Brandon L. LeFevre, Councilman

ALSO PRESENT: Cindy L. Rowzee, Town Clerk
James Peluso, Attorney to the Town
John Cashin, Code Enforcement Officer
Sante DeBacco, Code Enforcement Officer
Daniel Contento, Chief of Police
William Bruno, Civil Defense Director
Mark Deyo, Coeymans Fire Chief
Jody Burrows, Coeymans Hollow Fire 1st Assistant Chief

Supervisor McHugh opened the meeting and led the Pledge of Allegiance. He stated that all Town Board members were present.

Public Announcements

Town Hall Opening, June 15th – Supervisor McHugh stated that Town Hall would be opening to the public on June 15th with limited access. He stated that there are doorbells on each door and you would need to ring the doorbell to enter. The person's temperature would be taken; they must wear a mask and will be given hand sanitizer. They will then be escorted to the department they are at Town Hall to visit. He then stated that the June 25th Public Hearing would be open to the public on a limited basis so that people would be able to come and voice their opinions on the proposed local laws.

New Business

Coeymans Recycling Center PILOT and Resolution – Mr. Nick Laraway of Coeymans Recycling, LLC was present to ask the Town Board to approve a PILOT agreement on two buildings for their tenant, Apalachee Marine. He stated that Apalachee Marine had faced issues because of the size of their piles of salt and because of some discharge into Coeymans Creek and the Hudson River. They have also faced scrutiny from their municipal clients because of the moisture content in the salt. Storing it indoors has worked to reduce the moisture content for the salt so that customers are not deducting for moisture. They are asking for a 5 year PILOT agreement where they would pay 50% of the tax for 5 years and then the tax amount would return to 100% in year 6. They currently pay \$3600 on this parcel and estimate the full tax on the new buildings will be \$200,000. Even with 50% PILOT that is a considerable increase.

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There was discussion relating to the large piles of salt. It was stated that this would keep it from leaking into the creek and buildings would look better than the large piles. It was also mentioned that the two large piles may not go completely away, as winter weather and how much salt is needed is a factor, but as much would go into the storage as possible. A pad will be left on the Port side for the overflow and some would likely be outside but probably not like it is.

Supervisor McHugh asked how many people Apalachee Marine employs at the Port. Mr. Laraway stated that they employ 6 or 7 but that Carver Companies handles some of the work process down there and that would bring the number involved in the supply chain to more than 70 people.

Supervisor McHugh stated that it was his understanding that both Albany County IDA and the School Board were in favor of this and that the IDA had scheduled a public hearing for June 25th.

William Bruno asked if the Special Districts would remain at 100%. It was stated that they would.

The following resolution was then offered:

Resolution #121-20 – Approve Terms and Conditions of PILOT with Coeymans Recycling

On motion of Councilman Collins, seconded by Supervisor Burns, the following resolution was: APPROVED – VOTE – AYES 4 – NAYS 0 – ABSTAIN 1 (LeFevre) – ABSENT – SO MOVED

RESOLUTION APPROVING THE TERMS AND CONDITIONS OF A CERTAIN PILOT AGREEMENT TO BE ENTERED INTO BETWEEN ALBANY COUNTY INDUSTRIAL DEVELOPMENT AGENCY AND COEYMANS RECYCLING CENTER, LLC IN CONNECTION WITH THE COEYMANS RECYCLING CENTER, LLC PROJECT.

WHEREAS, Coeymans Recycling Center, LLC, a New York State limited liability company (the “Company”), has presented an application (the “Application”) to the Agency, a copy of which Application is on file at the office of the Agency, requesting that the Agency consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in two parcels of land located at Coeymans Industrial Park Lane in the Town of Coeymans, Albany County, New York (Tax Map # 156.-4-6.15) and east of New York State Thruway in the Town of Coeymans, Albany County, New York (Tax Map # 156.-4-5), containing in the aggregate approximately 18 acres (collectively, the “Land”), (2) the construction on the Land of approximately two (2) new buildings to contain approximately 430,000 square feet of warehouse space (collectively, the “Facility”), and (3) the acquisition and installation therein and thereon of certain machinery and equipment (the “Equipment”) (the Land, the Facility and the Equipment hereinafter collectively referred to as the “Project Facility”), all of the foregoing to be owned and operated by the Company and to constitute a bulk salt storage facility and other directly and indirectly related activities; (B) the granting of certain “financial assistance” (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales and use taxes, real property taxes, real estate transfer taxes and mortgage

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recording taxes (collectively, the “Financial Assistance”); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, in connection with the undertaking of the Project, the Company will execute and deliver a certain payment in lieu of tax agreement (the “PILOT Agreement”) by and between the Agency and the Company pursuant to which the Company will agree to pay certain payments in lieu of taxes with respect to the Project Facility; and

WHEREAS, the Agency desires that the Town, as an affected taxing jurisdiction under the PILOT Agreement, approve the terms and conditions to be formalized in the PILOT Agreement (the “PILOT Request”);

NOW, THEREFORE, BE IT RESOLVED by the Town Board as follows:

Section 1. The Town hereby approves the PILOT Request, including but not limited to the payment terms to be contained in the PILOT Agreement which are substantially described in Schedule A attached hereto.

Section 2. The Town Supervisor of the Town (the “Supervisor”) is hereby authorized, on behalf of the Town, to consent to the terms of the PILOT Agreement as substantially described in Schedule A attached hereto, with such changes, variations, omissions and insertions as the Supervisor shall approve.

Section 3. The officers, employees and agents of the Town are hereby authorized and directed for and in the name and on behalf of the Town to do all acts and things required or provided for by the applicable provisions of the General Municipal Law of the State of New York in order to ensure compliance with such provisions as they relate to the execution and delivery of the PILOT Agreement, and to execute and deliver all such additional certificates, instruments and documents, and to do all such further 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.

Section 4. This resolution shall take effect immediately.

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

George D. McHugh	VOTING	<u> Aye </u>
Brandon L. LeFevre	VOTING	<u> Abstain </u>
Zachary S. Collins	VOTING	<u> Aye </u>
Daniel D. Baker	VOTING	<u> Yes </u>
Kenneth A. Burns	VOTING	<u> Aye </u>

Overview of Proposed Local Laws – Supervisor McHugh stated that the five proposed local laws were to deal with some of the issues going on in town. Three of them had been taken virtually verbatim from the Village Code. All of them had been reviewed and changed by several people and would likely be changed again through this process. He stated that these laws were being proposed to assist the police and code enforcement officials and for the public safety,

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health and welfare of the residents of Coeymans. They are not to harass or annoy anyone but are to help take care of properties that we have had to endure for years. These laws, as proposed, are a start, the final result will be a well thought out piece of legislation.

There was discussion about the proposed local law dealing with outdoor fires and fire pits that William Bruno, Chief Deyo and 1st Assistant Chief Burrows participated in.

- There was discussion regarding the proposed permit for controlled burns versus just calling and notifying that a controlled burn would be happening. Most spoke in favor of removing the permit requirement.
- There was discussion about having to follow DEC guidelines about what residents could burn.
- John Cashin recommended that they consider adding that residents could burn brush that was generated on the property so that people weren't bringing it in from work sites.
- There was discussion regarding if the limit on how close the fire was to the house was fine for the whole Town as the places out in the Hollow had plenty of space to put the fire.
- Chief Deyo stated that he didn't think this was a lot to ask of the people in the Hamlet to use an appropriate appliance or pit.
- There was discussion regarding DEC jurisdiction and enforcement. William Bruno stated that the key is to give the local Police the authority to enforce the local law.
- There was discussion about Chapter 5 of the State Code on Fires and who could enforce it. It was stated that this would be enforced by John Cashin or State Fire.

Discussion then moved on to trimming trees and the possibility of the Town taking them down if they were in the Town right of way. It was decided that there would be a discussion with Scott Searles regarding this.

The Town Board decided to remove the section on expectorating on the sidewalk, obscene language and unnecessary congregation.

The discussion then moved on to the proposed section on noise.

- There was discussion about dog barking. It was decided to take this out. This would be a nuisance dog and is covered in the Town Law.
- There was discussion about the decibel level and Supervisor McHugh stated that the State sets the decibel level at 75-90 and the Port is usually between 60-70. The Town Board and Mr. Cashin spoke about measuring noise level and Mr. Cashin stated that you have to be trained and the meters have to be certified.

The Town Board took a 5 minute recess.

- There was discussion about who would determine what is unreasonable.
- The Town Board also discussed whether there should be a time attached to it.

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- It was stated that it is easier for the Police to enforce disturbing the peace. Chief Contento stated that the police will usually go and ask the people to lower the noise. The Town Board decided to take out part B of the proposed law regarding noise.

Supervisor McHugh's office prepared a presentation on some of the run-down local buildings, tires, sofas and garbage receptacles in Town. It was stated that this was not about giving violations or making money but about cleaning up the Town and taking pride in our property. There was discussion about going after the property owners who walk away from the property and the process to get some of these unsafe buildings torn down.

- There was discussion about a law to remove garbage receptacles from sidewalks.
- There was discussion about the rights of the Town in regards to vacant and abandoned properties.
- John Cashin mentioned a Zombie Property Law that he had tried using a couple of years before to go after a property that was not being maintained but it had not worked well. He stated that he recently saw an article that a Bank had received a substantial fine for neglecting to take care of a place in Gloversville. He feels it may be worth looking into again.

The Unsafe Buildings proposed law was discussed. Sante DeBacco spoke about what constitutes an unsafe building. There was discussion relating to properties that go into foreclosure and who the Town would serve if there was no mortgage on a property. Mr. DeBacco stated that the Town could take emergency measures to have a building torn down if it were in imminent danger of collapsing on the sidewalk. Supervisor McHugh stated that this proposed law has more in it, in order to proceed in case of an emergency.

There was discussion on the proposed local law amending the Garbage Law. Supervisor McHugh stated that the permits that were proposed would be free and that this law was not to make money. The Town Board discussed adding "roll-off" to the definitions, adding an addendum that for 30 days or less no permit is necessary and adding clarification that the permits are free.

A proposed local law on Abandoned Vehicles was discussed. There was discussion on whether property owners should be able to cover their junk cars with a fitted car cover or tarp. Some Town Board members were in favor of allowing this. Supervisor McHugh recommended that they look into RV's at a later time. He was in favor of allowing them on properties but not allowing people to live in them.

There was mention of a festival that was proposed on private property before the pandemic and whether something of that size could be regulated. Sante DeBacco stated that there is fire code language that regulates mass gatherings.

Upcoming Meetings

- Village of Ravena Board Meeting June 16th @6pm

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- PB/ZBA Meeting June 24th @ 7pm
- AC IDA Public Hearing – CRC Pilot June 25th @6:00pm
- Public Hearing Regarding Local Laws June 25th @6:30pm – the public hearing will have limited access, we will be open to the public.
- Town of Coeymans Board Meeting June 25th @ 7pm

Supervisor McHugh asked for a motion to adjourn to executive session for attorney consultation.

Motion to Adjourn to Executive Session

On motion of Councilman Collins, seconded by Councilman LeFevre, the Town Board meeting was adjourned to Executive Session.

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

Time – 8:51pm

Motion to Adjourn

On motion of Councilman Collins, seconded by Councilman LeFevre, the Town Board meeting was adjourned.

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

Time – 9:00pm

Respectfully Submitted,



Cindy L. Rowzee, Town Clerk