

MINUTES BOOKTOWN OF COEYMAN**

July 23, 2020 –Public Hearing – 6:30pm

A Public Hearing was held Thursday, July 23rd, 2020 at 6:30pm at Town Hall, 18 Russell Avenue, Ravena, New York.

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

PRESENT BY CONFERENCE CALL:
Zachary S. Collins, Councilman

ALSO PRESENT: Cindy L. Rowzee, Town Clerk
James Peluso, Attorney to the Town

Supervisor McHugh opened the meeting and led the Pledge of Allegiance. He stated that all Town Board members were present with Councilman Collins being present through a conference call.

Supervisor McHugh stated that the first order of business was a public hearing on proposed laws Peace and Good Order, amendments to Chapter 102-Garbage, amendments to Chapter 165 – Zoning and amendments to Chapter 138 – Solid Waste. He then asked the Town Clerk to read the notices.

**NOTICE OF
PUBLIC HEARING
ON PROPOSED LOCAL LAWS**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans will hold a Public Hearing on July 23, 2020 at 6:30pm at Town Hall, 18 Russell Avenue, Ravena, NY.

Proposed Local Law – Amend Section 102 – Garbage
Proposed Local Law – Peace and Good Order

The purpose of the proposed laws is to foster a healthy environment for residents and property owners and to support economic development, social order and stability. The proposed local laws are available for public inspection at the Town Clerk's office at 18 Russell Avenue, Ravena, NY 12143, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday and on the website. At the above date, time and place all interested persons are welcome to attend and will be heard. Due to limited space the Town Board encourages you to submit your comments on this matter beforehand by submitting a letter, email or telephone call to the Town Clerk's Office at townclerk@coeymans.org or 518-756-6006, Ext. 3 until 4:00pm the date of the meeting.

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**By Order of the Town Board
of the Town of Coeymans
Cindy L. Rowzee
Town Clerk**

**NOTICE
OF
PUBLIC HEARING
ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans will hold a Public Hearing on July 23, 2020 at 6:30pm at Town Hall, 18 Russell Avenue, RAVENA, NY to assess the environmental significance and amendment of Section 138 – Solid Waste of the Town Code. The hearing will take place at the Town Hall located at 18 Russell Avenue, RAVENA, NY. The purpose of the proposed law is to amend the definition of Recycle/Transfer Stations in related sections. The proposed local law and environmental assessment form (EAF) are available for public inspection at the Town Clerk's office at 18 Russell Avenue, RAVENA, NY 12143, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday and on the website. At the above date, time and place all interested persons are welcome to attend and will be heard. Due to limited space the Town Board encourages you to submit your comments on this matter beforehand by submitting a letter, email or telephone call to the Town Clerk's Office at townclerk@coeymans.org or 518-756-6006, Ext. 3 until 4:00pm the date of the meeting.

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**NOTICE
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ON PROPOSED LOCAL LAW**

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Coeymans will hold a Public Hearing on July 23, 2020 at 6:30pm at Town Hall, 18 Russell Avenue, RAVENA, NY to assess the environmental significance and amendment of Section 165-3 (“Definitions”) of the Town Zoning Code. The hearing will take place at the Town Hall located at 18 Russell Avenue, RAVENA, NY. The proposed amendment adds the following definitions to the Zoning Code: (i) TRANSFER STATION - a site where recyclables, solid waste, and refuse are collected and sorted in preparation for processing, transfer or landfill; and (ii) TRANSPORTATION TERMINAL - a railway terminal, freight station, container terminal or yard, multipurpose cargo terminal, port, transfer station, or any similar receiving point. The proposed local law and

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environmental assessment form (EAF) are available for public inspection at the Town Clerk's office at 18 Russell Avenue, RAVENA, NY 12143, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday. At the above date, time and place all interested persons are welcome to attend and will be heard. Due to limited space the Town Board encourages you to submit your comments on this matter beforehand by submitting a letter, email or telephone call to the Town Clerk's Office at townclerk@coeymans.org or 518-756-6006, Ext. 3 until 4:00pm the date of the meeting.

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Supervisor McHugh stated that there had been a public hearing on June 25th and July 9th on two of these local laws and there were several edits to the proposed Peace and Good Order law the proposed amendment to Chapter 102-Garbage. This was the first public hearing for the proposed amendments to Chapter 138 – Solid Waste and Chapter 165 – Zoning.

Supervisor McHugh went over the protocols for the meeting and encouraged people to call in to Town Hall for comments. He then opened the meeting to Public Comments.

Public Comments

Ms. Barbara Heinzen of New Baltimore, was present and read a letter that she submitted to the Town Board:

The public hearing tonight concerns two amendments to local laws. One concerns Local Law 138 - Solid Waste, and the other concerns the definitions used in Section 165-3 of the Zoning Code. If passed, these two proposals will serve to make Coeymans the dumping ground of the Northeast.

Coeymans as the dumping ground of the Northeast

Proposed changes to the Solid Waste Law would create a major Recycling/Transfer Center for managing garbage and solid waste of all kinds from across New York State and beyond.

The current Solid Waste Law contains provisions for a local Recycling Center to take in and sell household recyclable materials from local residents only. The proposed law would allow both recyclable and non-recycling materials to be imported from outside the Town so long as it is sent to a site approved by the Town Board. Changes in the zoning code, would allow this waste to come into Coeymans via road, rail or river.

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In the 1990s, the residents of Coeymans, and their Town Board, defeated a proposal to become a dump for the City of Albany. The 2006 Comp Plan said the greatest asset for all residents of the Town is the Hudson River waterfront and all agreed they want keep Coeymans' small town rural character. In 2019, most residents backed the Town Board when they passed the Clean Air Law which the current board has promised to keep.

Are these ambitions for a healthy small town life consistent with a major waste handling business on the shores of the Hudson River? Who will benefit from these new laws? Do residents really want to make the Town a dump for the Northeast, if not more widely?

Questions for the Town Board

1. Why are you passing these laws before the Comprehensive Plan has been updated?
2. Why have you decided in the Environmental Assessment Forms that none of these amendments will have an environmental impact? Are you seriously suggesting that becoming a dumping site for the region will not bring more pollution, more traffic and more noise, as well as dirtier water, air and soils?
3. Whose interests are you serving on this board? The interests of Town residents, especially in the Hamlet of Coeymans and Ravana? Or the interests of a few business people who stand to benefit from these proposed new laws?
4. Why are you hiding your proposal for an industrial scale transfer station in a law designed for a small town and its residents? If you want to create a transfer station for garbage, please use a separate law and apply industrial-scale fines for any violations.

At this point she stated that currently the fines are set from \$50-\$250 which is what you would charge for a homeowner who violates a garbage law. She then continued with the rest of her written comments.

I have very little confidence that you, as a Board, will change your minds on these amendments. However, I am making this statement so that the residents of Coeymans know that you are happy to put business interests ahead of their health, safety and quality of life.

Thank you for the opportunity to comment.

At this point there were no others to comment. Supervisor McHugh mentioned an e-mail that was received from Christine Primomo and Ray Kottke of Tracey Road. He stated that he was not going to read their e-mail as the comments were a little redundant to those shared by Ms. Heinzen.

There was discussion about transfer stations among the Board members stating that both Bethlehem and Coxsackie have one.

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Mr. Josh Geers of Schoharie, stood and spoke. He stated that he runs a transfer station for Billy Biers at the Port of Albany. He reassured the Town Board that it is a safe and effective place. He stated that they recycle what they can and the rest goes on a rail car and is shipped to Ohio. He stated that they take strictly C&D and household goods.

Supervisor McHugh stated that this would allow the transfer station to be privatized so we don't have to run it and it will be on the tax rolls.

Mr. Geers stated that the cost of disposing of C&D has gone up a lot and so places like this help to keep the costs down. Supervisor McHugh asked Mr. Geers if this is permitted by DEC. He stated that they do have to get a permit and it is checked by DEC often. He spoke of the records that they keep on all of the materials that are brought in to the transfer station.

Councilman Collins stated that the last administration had asked his family to look into a transfer station. When they were doing their research Bethlehem's biggest advice was to privatize it as it was going to cost the Town money to run one. Councilman Burns stated that Westerlo had said the same thing.

Mr. William Biers of Coeymans stood and stated that he is trying to do something for the community, not just for their wallets. He stated that it is getting more expensive to dispose of C&D and garbage. He reiterated that there would not be a landfill. He stated that at his Albany site DEC only permits for about 1,000 tons a day. They will only permit a site for what it can handle and will monitor it. He stated that his site in Albany has run for several years without a violation. Anything collected goes out of state and does not stay in New York. Mr. Biers stated that the facility they are looking at building would allow for even more recycling. He stated that this is a two year plan and that we need to think ahead.

Supervisor McHugh stated that the key is that this is recycling, not landfilling and nothing stays in Coeymans.

Mr. Tom Mufale of RAVENA called in and spoke about his concerns that by including the word waste in the definition, this Town Board or future Boards could permit any type of waste they wanted to be brought into Coeymans.

There was discussion with the Board about what was permitted. Mr. Mufale stated that with this amendment to the law waste would be able to come in from outside of the Town. Supervisor McHugh agreed that it would be able to.

Mr. Mufale stated his concern that the transfer station owner could get a permit for a large amount of waste. Supervisor McHugh stated that the transfer station owner also has to get a permit from the Town Board and so the Board could limit the amount as well.

Mr. Mufale stated his concern about what damage could be done by future Boards with this law. He also spoke about his concern with the amount of truck traffic and barges that could result from this law.

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Supervisor McHugh stated that there is a transfer station in Coxsackie and Bethlehem that take from other areas too. Mr. Mufale stated that the transfer station in Coxsackie is very small. He then asked if we know how many trucks a day are coming to this facility. Supervisor McHugh stated that we did not and we did not know where the facility was going to be yet.

Mr. Mufale stated his concern over the increased truck traffic from everything that is happening at the Port of Coeymans and stated that everything that happens down there affects the Village of Ravana.

Mr. Mike Stott of North Coeymans called and voiced his concern over this Local Law. He agreed with Mr. Mufale and stated that this is a slippery slope. He voiced his concern over the increased traffic this would create on Route 144. He stated that the truck traffic along there was already out of control. He stated that the people on 144 are the ones that have to deal with the consequences from the increased truck traffic and they will be the ones paying the price. He stated it is not a quiet little area any more. He also stated that if there is an increase in trains from this plan it is also the people on 144 who will bear that burden as they can hear the trains from their house.

There were no other public comments at this point. Supervisor McHugh stated that this plan would not necessarily increase truck traffic. He stated that people could build in the industrial areas across from the Port and that would increase truck traffic as well. He stated that these were just amendments to already existing laws to allow someone other than the Town to run a recycle center. It has to do with privatizing what in our law allows for the Town to do. There was discussion about DEC and DOT being part of the process as interested agencies. Councilman Baker stated that some of the concern was what is it going to lead to and Supervisor McHugh stated that who could project what another Town Board was going to do.

Motion to Close Public Hearing

On motion of Supervisor McHugh, seconded by Councilman Burns, the Public Hearing was closed.

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

Time – 7:08pm

Respectfully Submitted,



Cindy L. Rowzee, Town Clerk