

TOW Conservation Commission

Meeting Notes

Meeting of 04/11/05

Begin

7:35 pm

Attending

- Salvatore LaBruna
- Claude Braithwaite – Not attending
- Patricia Owen
- Jon Paul Heurich – Not attending
- Kevin Sumner
- Mike Leary
- Kate Fox

Review of Previous Meeting Notes

- Minutes were handed out and read individually. Nominated for approval by Kevin. Seconded by Kate.

Official Business

Mr. Harry Ross presents

- History of Revere Smelting and Refining (RSR)
 - Opened in the late 60s to early 70s
 - Originally a battery production plant
 - Significantly quantity of lead dumped at the site
 - Still significant amount even after years of mediation
 - Workers tested for contamination (mostly negative), but not community.
 - Applied for permission to release used battery cases to town dump.
 - The Town was willing to accept the cases.
 - The town asked county health dept. if the cases were acceptable by the dump.
 - The county health dept. said they didn't know, ask experts from field.
 - The town received a letter from an "expert" who later turned out to be from parent company of RSR.
 - The expert said it was OK to accept the cases as long as they were in the "dry" portion.
 - Dump is a swamp, there is no dry portion.
 - The town used the battery cases to build roads into dump because they don't absorb water.
 - RSR is currently working on cleaning / remediating their site

- Harry thinks it is more related to lead prices and/or potential sale of plant than to concerns over the environment
- Public hearings of the plant's environmental problems
 - The hearings led to:
 - Creation of an oversight committee
 - More stringent permit requirements
 - Use of the "Kodak model". Kodak gave money to the community to hire experts so the community would feel comfortable.
 - RSR would never give "TAG" (Technical Assistant Grant) money.
 - Also tried "Oxlips"??? Similar to Kodak, but different mechanism.
 - Citizen review of remediation plans.
- Remediation begun with Superfund money
 - Not enough money in Superfund so RSR petitioned the DEC to perform the remediation themselves.
 - No longer have air pollution issues.
 - Changed the production process.
 - Added better scrubbers with calcium carbonate.
 - Very clean air at this point.
 - Remediation not finished.
 - Ran out of money.
 - Waiting for more Superfund money.
- Lead in blood test for local residents.
 - RSR paid for.
 - Found one person in the community with high lead levels.
 - But traced to person's hobby (stained glass).
- Lead in soil test.
 - RSR paid for.
 - Nothing was found in any off-site soils.
- RSR actually volunteered to do some things.
 - Created an 800 number for people to call if they notice bad smells.
 - Removed a lot of contaminated soil from front area, cleaned it and sent it to a landfill.
 - However, the back of the site has never been cleaned.
 - The back of the site also contains "Lead Lake".
 - Large (maybe 45 foot deep) hole filled with water.
 - RSR added "slurry wall" protection for ToW well fields.
 - Roughly 30 foot deep wall to make water "go around" the well field.
- Topped the lead discharge list for the state
 - Last estimate was 16 tons per annum
- Other sites
 - Cadmium from Ford plant by Maybrook

- Pat – Questions on safety of dump by here house (Tarbell Banky?)
 - Harry reply
 - Pony that had eaten grass from landfill for years
 - Samples of pony sent to be analyzed
 - Nothing extraordinary in results.
- Pat - Water testing requirements near dump. Supposed to be tested yearly?
 - Harry thinks it is part of “closure”
 - Last test showed that water was “undrinkable” without filtering
- Pat – Development at Brown Road and Goshen Turnpike
 - Developers have no intent to inform people buying property.
 - Harry
 - We could inform the buyers ourselves.
 - We could post notices on Pat’s property.
- Harry has applied for open seat on the Planning Board
 - Seat has been opened over a year.
 - Planning Board has requested the Town Board to fill the seat.
 - Harry thinks he has the support he needs.
- The town’s reaction to gambling in Sullivan County could be a critical issue for us.
 - Traffic implications for Wallkill
 - Adding 3rd lane has been proposed.
 - Harry thinks it won’t help. Just bring more traffic.
 - Thinks adding rail service would be better plan.
 - 31 million gamblers per year.
 - 9 of 10 will cross through OC.
 - 6 of 10 will use the Quickway, rest will use “local” roads.
 - 17k will probably be worse than 17.
 - Wallkill is at the “intersection” and could have massive growth.
 - Could also create water runoff issues.
 - Lawns instead of woods, paved driveways.
- General advice to us
 - We have more power to instigate change than individuals.
 - Ask the “expensive” questions.
 - Ones that require the potential polluter to do studies.
 - People who move here are running away from overgrowth and pollution so they may be easier to get involved.
 - Probably can’t depend upon the DEC to investigate issues on their own.
 - Is currently understaffed, and getting worse.
 - Tried a method of “ganging” experts instead of having a single expert at each site.
 - Didn’t work well because the experts are so overworked that they don’t want to travel to meetings and such.
 - We should have inventories of toxics from sites like RSR.
 - Available from the Feds, but harder to get anymore because Homeland Security doesn’t want anyone to know where toxic storage sites are.

- Create general citizen's interest committee for town.
 - Better than single issue committees like the RSR committee.

Wetlands Law status update from Sal

- Sal met with Gary Lake and town engineer
 - Both appeared to be receptive to the law.
 - They will pass the law on to the Planning Board for their review.
 - They will pass on to the Town Board once we get comments back from the Planning Board.
- Sal has already given a copy to the town attorney also.
 - Same law office as guy who wrote the law for New Paltz so it should help with his approval.
- Gary question - New way of determining what is a wetlands? Sal - No. Same standards as DEC, just applied to smaller areas than DEC currently applies to.
- Sal stressed that the inspector key to having an effective law.
 - Gary - How many sites would require the inspector? Sal - Maybe half. Engineer agrees.
- Gary - Does a stream have to be delineated on a map? Sal - No. Observation is sufficient. Important reason for having the inspector.
- Sal – Further discussion of concerns over impact on small landowners.

4 plans that needs review are listed in the Agenda notes for this date

- See Agenda notes.
- Mike will review new Golden Triangle FEIS.
- Sal will get maps of other areas.

First contact from a member of the public asking for our help with project concerns.

- Andrea Carey.
- Sal has copy of the site plans.
- The proposed development snakes around the wetlands.
- See Sal's wetlands e-mail
- The development has already been approved
- Is the site responsible for new stormwater regulations?
 - Kevin doesn't think it will comply based upon the plan maps we have, but plans may not be current.
- Invite residents to a future meeting.

Kate – Grants research.

- Kodak Greenways grants.
 - Seemed to be giving money for projects very similar to things that we want to do.
 - However, due by April 29th.
- Do we need resolution from Town Board?
 - Kevin's office will sponsor if Town Board won't or we can't receive permission in time.

- Kate will pursue
- Kate - Planners update
- They were contracted for limited period of time.
 - They have been realistic about what is capable.
 - Kate is happy with the planners.
 - Conservation ordinance.
 - Fewer uses allowed in “concern” areas.
 - Mandate preservations of wetlands and steep slopes.
 - Leave lot size requirements at 2 acres, but by limiting wetlands and steep slopes will effectively increase to 4 acre lots.
 - Kate thinks is better than just changing lot sizes.
 - More responsive to the reality of the lot.
 - Soil based zoning still in favor.
 - Utilize professional landscape architect.
 - “Community” sewage and water systems for larger developments in areas not serviced by town sewer and water.
 - Have discussed, but the concern is who operates it.
 - The ideal situation would be for the developer to build, but the town operates.

Adjourned

Motion to adjourn by Mike. Seconded by Sal. 9:40.

Copies:

- Mike – 7 copies of 2 page meeting notes
- Sal – 7 copies of 1 page agenda and other documents.