

VILLAGE OF ALTAMONT
REGULAR BOARD MEETING
May 6, 2008

Mayor James M. Gaughan
Trustee William F. Aylward
Trustee Kerry Dineen
Trustee Christine Marshall
Trustee Dean Whalen

Michael Moore, Attorney
Jean La Crosse, Clerk
Catherine Hasbrouck, Treasurer
Anthony Salerno, Commissioner
Tim McIntyre, Supt. DPW

Attending: Donald F. Cropsey, Jr.; Paul Miller, Chief AFD; Robert White, Assistant Chief;
Officer Patrick Thomas; 40 guests

Mayor Gaughan called the meeting to order with the Pledge of Allegiance.

Keith Lee presented a written Parks Report to the Board of Trustees and thanked the Altamont Community Tradition's volunteers for their organization and participation in the annual Green and Clean Day held on April 26, 2008.

Trustee Aylward thanked Mr. Lee for his interest and hours of labor in the Village parks.

Mayor Gaughan reported to the Board that a draft of the amended Personnel Policies will be reviewed by Michael Moore, Attorney and made available for the Board's review and consideration at the June Board Meeting. Trustee Marshall worked with the Mayor and Village Clerk on the project. Mayor Gaughan reported that Jill Agnew, Police Department Intern, sent a thank you note to the Commissioner and the Village for her experience with the Department. Marijo Doherty, former Interim Director of the NY University and Hyde Museum, has agreed to provide volunteer services to examine and assess all records objects and artifacts in the Altamont Museum. The Museum will be temporarily closed June 1 – September 1, 2008. Requests for information or an appointment during this time should be directed to Alice Begley, Historian. The Committee, chosen to work on the Altamont Bicycle/Pedestrian Master Plan through a \$27,000 CDTC, plans to perform a review and make recommendations. The Mayor contacted the NYSDOT regarding the deteriorating conditions on Route 156 (Altamont/Voorheesville Road) and continuing past the Funeral Home into the Town of Knox. Plans are underway for the Farmer's Market to open in June.

Donald F. Cropsey, Jr. reminded individuals that individual house numbers should be clearly visible from the road for emergency identification. The new Village Zoning Law includes retroactive code enforcements related to business lighting, unlicensed vehicles and storage of boats and trailers. The law specifies "no unlicensed vehicles". Boats and trailers are allowed in back yards. The Village will be citing those who are in violation of the Zoning Law.

Tim McIntyre, Supt. Public Works, reported that the annual Quality Drinking Water report has been mailed. Following the one year completion of Phase I of the Water Project, the plans were to look at the situation with regard to capacity and consumption. Currently the production capacity is 600,000 gallons daily. The daily usage is 200,000 gallons to 300,000 in summer. This information is beneficial in granting additional requests for water such as anticipated developments and consideration for Camp Wildwood. Supt. McIntyre reminded residents to bag and bundle yard waste for collection.

The Altamont Police Department in cooperation with the Altamont Rescue Squad and Altamont Fire Department will hold a Bike Rodeo on Safety Day, June 7.

7:45 pm

Michael Moore, Attorney, read the Legal Notice for the Public Hearing pursuant to Section 62-(D) of the Village Zoning Law on the following proposition: Application of John Donato for an Amendment to the Zoning Law, Change of District Classification from "B" General Business to "R-10M" Residential multi-family, 10,000 square foot minimum. For property owned by John Donato situated as follows: 996 Altamont Blvd., Altamont, NY 12009 Tax Map # 48.06-3-2; Zoned: "B".

Mayor Gaughan read a letter in record from Brian Thornton, Physical Therapist, Maple Avenue, supports the business community but feels it is appropriate for Mr. Donato to seek Amendment to the Zoning law.

Paul Wein, Attorney representing John Donato, approached the Board and offered an apology for any recent behavior, described as "out of frustration", of his client that may have offended the community. Mr. Wein complimented the Board on the newly adopted Comprehensive Plan but suggested that the document is not fallible. Mr. Wein states that the request before the Board does not set precedence nor does it constitute "spot zoning" but is a continuation of a residential neighborhood. While it is understandable for the Board to want business, the owner has tried to market the property for 7 years and there is no commercial interest in the site.

Troy Miller, Realtor, states that he has been involved in the marketing process of the property and over the past year has shown the property approximately 8 times. The 4000 sq. ft. building is very reasonable priced at under \$50.00 per sq. ft. The current rentals do not support the building. Mr. Miller states that the market price and potential conversion costs are prohibitive to a developer.

Paul Wein says that there is an existing tough market on commercial properties. The only viable solution is rentals.

Steve Parachini, Chairman of the Village Planning Board, urges the Board to deny the request. The Village Comprehensive Plan supports maintaining and enhancing the Business Community. The recent adoption of a new Zoning Law, following extensive meetings, planning and Public Hearings does not support Mr. Donato's request for a Change of Zone.

Gerald Larghe favors Mr. Donato's request for a Change of Zone.

Lois Ginsburg agrees with Mr. Parachini and believes this would constitute "spot zoning". The request does not reflect the character of the homes in the area.

Rosemary McGowan supports the 10-M request and says that there are nice people in the area looking for affordable housing. Other spots are out-priced for seniors.

Dorothy Taber, Altamont Blvd., says that there is not one business on Altamont Blvd. In 6 hours over a two day period, Mrs. Tabor circulated and collected a petition of 50 signatures to support Mr. Donato's request for converting the building into apartments. Further, his buildings and apartments are beautiful and he is at the beck & call of the tenants.

George Pratt, Dunnsville Road, owns a duplex on Altamont Blvd. Mr. Pratt states that Mr. Donato's building is alienated – a loser and will rot and deteriorate. He has plenty of parking.

Jack Pollard, Leesome Lane and an owner of Altamont businesses, states that business in Altamont is a joke and his Altamont businesses are supported by apartment rentals. Mr. Pollard says there is no

business in Altamont. The bulk of the residents do not support local businesses. There is nothing to preserve. We need to change with the times.

Harvey Vlahos, Main Street, says as a former Trustee he served on the Master Plan Committee and there was a rationale for preserving the business community. However, the bowling alley building is not making it and the Board should not cut Mr. Donato loose and say you are on your own. Have there been any efforts to help the business community?

Mayor Gaughan says that for the Village Board's concentration has been on priorities as set forth in the Comprehensive Plan. With the \$1.9 million dollar annual budget, there is a concentrated effort on beautification of parks, connectivity of outlying areas through linkage and bike paths, updating 30 year old Zoning Regulations, meetings with Legislators to ask for support, Green Space initiatives, tax credits for eligible residents and other important issues. Mr. Donato has not chosen to go for a Variance or to provide prove that he can't make a successful business or market the property. Mayor Gaughan asks if Mr. Vlahos is for or against Mr. Donato's request.

Harvey Vlahos states that he agrees with the Master Plan that supports retaining the business community if the Board has a plan to help the business owner with the vacant property.

Janet Nopper, Maple Avenue, is Mr. Donato's tenant and supports the apartment proposal.

Tom Gessick, Altamont Blvd., considers the views of the experts when considering the request and the Master Plan does not support the request. John is a good guy. As a CPA, Mr. Gessick says that commercial rents are higher. Mr. Pollard has doubled his business, the Spinning Shop was recently sold to a new owner, and the Flower Shop has doubled in size. The Zoning Law is passed based on a well thought out comprehensive Plan.

Karen Giles, Altamont Blvd., says she has a disadvantage by coming to the meeting late. Mr. Miller did market the building but to what extent and to who? We have newly constructed senior housing in Altamont as well as 15 new employees expected at the proposed construction of a SEFCU at Gun Club Road and Route 146 that can support local businesses.

Norman Bauman, Maple Avenue, has lived here for 4 years. He takes offense at the comment that "people do not support businesses". The planners spent hundreds of hours on this plan with a professional planner and it is much bigger than the individual. If you ignore the plan we are in big trouble. The future for Altamont business is very desirable. With gas and energy cost there is more need for business.

Judy Dineen doesn't like to see the Board talked down to. We should work together. Ms. Dineen previously owned a business and raised a family in Altamont. A business can make it in Altamont.

Jim Gaige, Prospect Terrace, says he owned a business for 15 years and it is very difficult to run a business in Altamont. Mr. Gaige supports Mr. Donato's request.

Robert Haines, a business owner in Altamont, says that a very small part of his business comes from Village residents. Those who think a business will work in John's building should all get together, buy the building and take all the time they need to develop it.

Bradley Grant, Sand Street, says that John Donato is a fine person who has taken good care of his properties. Mr. Grant, who is employed for an engineering firm says the bowling alley building is suitable for apartments as opposed to having another derelict building such as the industrial property further down on Altamont Blvd.

Gloria White, Maple Avenue, asks Mr. Miller if he is afraid that John Donato will take some of his tenants.

Paul Wein says that Mr. Miller is the third realtor. Although there are applicable standards for a Variance, it is much better to have a re-zone. Everything over that side of the creek is residential. Price is not an issue. The current zoning does not fit.

Karen Giles has a different perception than Mr. Wein. She says that John Donato had every opportunity to come during the planning and didn't. The Village does not need to take responsibility for John's bad business deals.

Joyce Donato, Sand Street, says that those who think John should not get the re-zone request should sit at the business day after day with no customers.

David Graves, 20 year resident of Altamont Blvd, says that John Donato made a lot of improvement to the bowling alley business. Today, investing to renovate and make the building a functioning bowling alley again is not viable and would be cost prohibitive. Mr. Graves supports Mr. Donato's request.

Trustee Aylward made motion seconded by Trustee Dineen and carried to close the Public Hearing.
All in favor.

The Board discussed at length the request for Change of Zone:

Trustee Dineen spoke of the extensive process of Public Hearings and workshops in adopting the Zoning Law when this request was not brought before the committee or Board of Trustees. The Village exceeds other communities in available apartments and multi-family housing. Business in Altamont is not dead. Mr. Donato's building is too valuable to the business community.

Trustee Aylward states that in consideration of the request the Board should determine what is reasonable. Is this a reasonable request? Mr. Donato's building is not well located for a commercial property in the center of the Village. The property has not seen activity for sometime. There are supporters here tonight and by a petition. There are good compelling reasons to grant the zone change and put people in the building that will do business in the Village. This would not damage our strong Comprehensive Plan.

Trustee Whalen agrees with Trustee Dineen's points and he believes that things have and can change. There could be a rebirth and the Board should not take away from this potential. Trustee Whalen says this would be an inappropriate change.

Trustee Marshall thanks everyone for participating in the Public Hearing. Many spoke in favor of Mr. Donato's proposal but this is not a personal thing with Mr. Donato and should not be a basis for the decision. The welfare of the whole community is the consideration and it is not clear that it would do so. A Variance is more appropriate. Trustee Marshall is uncomfortable in rezoning at this point.

Mayor Gaughan relies on the advice of the professionals and the committee that formed the Comprehensive Plan. The Village Planning Board did not recommend the Zone Change. A decision to rezone would be an advantage to an individual and there are not sufficient facts to support the request.

Doris Orsini asked to speak and recalled two or three businesses that tried to survive in the Donato building such as a gift and card shop, a beauty shop and a tanning salon. There was not enough support.

Mayor Gaughan made a motion that the Board in its discretion decline to take action on the application of John Donato for an Amendment to the Zoning Law, Change of District Classification from "B" General Business to "R-10M" Residential multi-family, 10,000 square foot minimum. For property owned by John Donato situated as follows: 996 Altamont Blvd., Altamont, NY 12009 Tax Map # 48.06-3-2; Zoned: "B". Trustee Aylward seconded the motion.

The vote:

Trustee Whalen	In favor
Trustee Marshall	In favor
Trustee Aylward	Opposed
Trustee Dineen	In favor
Mayor Gaughan	In favor

Motion carried 4/1

Trustee Aylward made a motion seconded by Trustee Whalen authorizing Mayor Gaughan to submit an application for Federal Funding on behalf of the Altamont Free Library to the New York State Department of Transportation. Resolution as follows:

VILLAGE OF ALTAMONT
RESOLUTION
May 6, 2008

RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION FOR FEDERAL FUNDING ON BEHALF OF THE ALTAMONT FREE LIBRARY TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION

WHEREAS, the Village Board is supportive of the plan to convert the old train station to function as a public library;

WHEREAS, the Village Board will be the project sponsors and the Altamont Free Library will be the project applicant;

WHEREAS, if the project is selected to receive federal funds, the Altamont Free Library will fund all non-federal share project cost and provide staffing as needed to progress the project, including the use of professional firms and contractors;

WHEREAS, this project would significantly improve accessibility to the library, especially for the elderly and disabled;

WHEREAS, this project is consistent with the Village's long range plan to improve accessibility to community centers;

WHEREAS, in accordance with the "Safe, Accountable, Flexible, Efficient Transportation Equity Act, known as SAFETEA-LU, this project falls under the Transportation Enhancement Program funding eligibility;

WHEREAS, the New York State Department of Transportation is seeking proposals from municipalities throughout the State for projects to be partially funded under the Transportation Enhancement Program;

NOW, THEREFORE, BE IT RESOLVED that the Village Board fully supports this project and the Mayor is hereby authorized and directed to submit an application as the sponsor for this project under the SAFETEA-LU Transportation Enhancement Program.

The foregoing Resolution is offered by Trustee Dean Whalen and seconded by Trustee Harvey Vlahos, was duly put to a roll call vote as follows:

Board Members:	AYE	NAY
James Gaughan, Mayor	X	
William F. Aylward, Trustee	X	
Kerry Dineen, Trustee	X	
Christine Marshall, Trustee	X	
Dean Whalen, Trustee	X	

Motion carried 5/0

Trustee Whalen made a motion seconded by Trustee Marshall and carried to accept sealed bid offers for the following items from the Crouse House:

1960 International Scout with plow – Brian Blizzard - \$1,000.00	
1970 International Travelall - Kevin Delligan - \$ 100.00	
1986 Ford Crown Victoria - Kevin Delligan - \$ 100.00	

Roll Call: All in favor

Trustee Aylward made a motion seconded by Trustee Dineen and carried approving request of Paul Miller, AFD Chief, Mark Wertman, Asst. Chief; Robert White, Asst. Chief and Mark Huggins, Captain for approval to attend Fire Chiefs Show 2008 in Harrisburg, Pa. on May 15, 16 and 17.

Roll Call: All in favor

Trustee Aylward made a motion seconded by Trustee Whalen and carried to approve Village and AFD participation in Annual Memorial Day Parade on May 18, 2008 at 2 pm at the request of Boyd Hilton VFW Post 7062 & Helderberg American Legion 977. Parade assembles at the Park Street entrance to the fairgrounds at 1 pm. **Roll Call: All in favor**

Trustee Marshall made a motion seconded by Trustee Whalen to hire Germaine Rexford, Gun Club Road, as part-time seasonal laborer for Bozenkill Park up to 20 hrs. per week mid-May – mid September at an hourly wage of \$12.00 per recommendation of Jean La Crosse, Clerk.

Roll Call: All in favor.

Trustee Whalen made a motion seconded by Trustee Marshall and carried to hire Max Batchner, Berne, NY as part-time seasonal DPW laborer, May – August, @ \$8.50 per hour per recommendation of Tim McIntyre, Supt. of Public Works. **Roll Call: All in favor**

Trustee Aylward made a motion seconded by Trustee Dineen to support Altamont Community Tradition's Community Picnic on July 20, 2008 from 10 am- 6 pm. The Village will provide free parking, swimming and entertainment by J. Ernie McHale, Magician and Balloon Artist, 2 – 4 pm at a cost of \$185.00. **Roll Call: All in favor**

Trustee Whalen made a motion seconded by Trustee Marshall and carried for approval to solicit bids for Wastewater Treatment Dechlorination System per request of Tim McIntyre, Supt. Public Works.

Roll Call: All in favor

Trustee Aylward made a motion seconded by Trustee Whalen and carried to accept proposal from Weakley Enterprises Commercial Cleaning, Pattersonville, NY, for one time strip and wax of

Community Room floor in the amount of \$840; and, for once-a-month floor maintenance @ \$200 per month per recommendation of Timothy McIntyre. Conditions of proposal will be reviewed in 1 year. Certificate of insurance is filed by Weakley Enterprises Commercial Cleaning. **Roll Call: All in favor**

Trustee Dineen made a motion seconded by Trustee Marshall and carried to approve the minutes of April 1, 2008 Annual Organizational Meeting and Board minutes as submitted. **All in favor**

Trustee Aylward made a motion seconded by Trustee Whalen and carried to adjourn at 9:20 p.m. **All in favor.**

Respectfully Submitted



Jean La Crosse
Clerk

Next scheduled meeting: June 3, 2008.

VILLAGE OF ALTAMONT
PLANNING BOARD

NOTIFICATION

RECOMMENDATION DATE: March 24, 2008

James M. Gaughan, Mayor
Board of Trustees
Village of Altamont
PO Box 643
Altamont, New York 12009

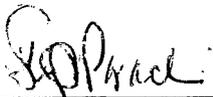
Case Number: 01-08
Applicant: John Donato
Address: 986 Altamont Blvd.
PO Box 540
Altamont, New York 12009
Project Location: SBL 48.06-3-2
Project Description: Change of Zone Request "B" to "R-10 M"
Parcel Size: 154.42 x 198
Zoning: Business
Referring Agency: Village of Altamont Board of Trustees
Considerations: Business loss – Alleged difficulty in marketing

NEIGHBORHOOD DESCRIPTION:

Zoning classification of all adjoining parcels:

<u>North: CBD</u>	<u>East: CBD</u>	<u>South R-10</u>	<u>West: R-10</u>
Tec Northeast	Altamont Corners	Residential (2 fam)	Residential (single)

PLANNING BOARD Recommendations: Request is not supported by Vision Statement and "Community Goal 3" of the recently the recently adopted (November 2006) Village Comprehensive Plan that support a strong and diverse business community in the downtown area. A decision to re-zone at this time would diminish the goals and objectives as well as set an inappropriate precedence, so soon after the adoption of the new Village Zoning Law. The vote was unanimous.



CHAIRMAN, PLANNING BOARD



VILLAGE CLERK

Cc: Donald F. Cropsey
Michael Moore, Attorney
Planning Board Members

May 7, 2008

Dear Jean:

Please ask the Village Board to approve the following abstracts

Abstract #22

GENERAL FUND	\$12,774.43
WATER FUND	5,641.52
SEWER FUND	<u>13,283.25</u>
TOTAL	\$31,699.20

ABSTRACT #23

GENERAL FUND	\$61,860.45
WATER FUND	4,718.39
SEWER FUND	<u>34,118.32</u>
TOTAL	\$100,697.16 <i>942.16</i>

Also, please approve the following transfers:

AMOUNT	FROM	TO
GENERAL FUND		
\$1,600	A5142.100 Snow Removal P.S.	A1620.100 Shared Serv. P.S.
230	A5142.100 Snow Removal P.S.	A5010.120 Street Admin. PS
4,000	A1620.400 Street Main. Exp.	A1620.401 Shared Serv. El
2,000	A5142.100 Snow Removal PS	A5142.420 Salt Delivery
150	A5142.100 Snow Removal PS	A5142.430 Snow Rem. Main.
150	A5142.100 Snow Removal PS	A5142.440 Snow Rem. Fuel
100	A1110.400 Justice Expense	A1210.400 Mayor Expense
150	A3120.413 Police Supplies	A3120.402 Phone
1,200	A3120.413 Police Supplies	A3120.410 Gas/Fuel
400	A3120.413 Police Supplies	A3120.412 Office Supplies
400	A3120.413 Police Supplies	A3120.411 Vehicle Maint.
400	A3410.450 Fire Dept. Misc.	A3410.402 F.D. Telephone
50	A3410.450 Fire Dept. Misc.	A3410.420 F.D. Gas/Fuel
2,500	A5010.200 Street Admin. Equip	A5010.410 Street Main
272	A7140.430 Park REc. Misc.	A7140.410 Certification
4,600	A9010.800 Retirement	A9015.800 Police Retirement
WATER FUND		
\$630	F8310.410 ADMIN. Water Billing	F8310.400 ADMIN. Cont.
170	F8330.100 FILTER PL. PS	F8330.120 F.P. Overtime
250	F8340.200 TRANS./DIST. EQUIP	F8320.401 Power/Agawam
1550	F8340.200 TRANS./DIST./EQUIP	F8320.404 Power/new well

WATER FUND

\$2200	F8340.200 TRANS/DIST/ EQUIP	F8320.404 Power new well
200	F8340.200 TRANS/DIST/EQUIP	F8330.401 Power Agawam
1100	F8340.200 TRANS/DIST/EQUIP	F8330.402 Propane
200	F8340.200 TRANS/DIST/ EQUIP	F8340.430 DOH Sampling
1,000	F8340.200 TRANS/DIST/EQUIP	F8330.420 Filter Plant
60	F8340.200 TRANS/DIST/EQUIP	F8340.401 Upper Reservoir

SEWER FUND

\$5,350	G8120.410 REHABILITATION	G1440.400 ENG. SERVICES
250	G8120.410 REHABILITATION	G8110.410 SEWER BILL
1,100	G8120.410 REHABILITATION	G8110.420 MISC.
1,650	G8120.410 REHABILITATION	G8130.402 FUEL/SEWER
850	G8120.410 REHABILITATION	G8130.410 SLUDGE REM
850	G8120.410 REHABILITATION	G8130.430 SAMPLES
150	G8130.100 TREATMENT/DIST	G8120.100 SAN. SEWERS
70	G8130.100 TREATMENT/DIST	G8110.401 TELEPHONE
7,000	G8130.420 EQUIP. REPAIR	G8130.401 ELECTRIC