

**VILLAGE OF ALTAMONT  
REGULAR BOARD MEETING  
October 7, 2008**

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

Michael Moore, Attorney  
Jean La Crosse  
Donald F. Cropsey, Jr.  
Anthony Salerno, Commissioner  
Paul Miller, Chief AFD

Tim McIntyre  
  
  
  
12 guests

7:30 pm

Mayor Gaughan introduced Jo Ann Mulligan winner of Altamont Free Library's Summer Reading Program "2008 Mayor for the Day" Initiative". Mayor Mulligan opened the meeting by leading the Pledge of Allegiance. Mayor Mulligan asked the Board to consider a three step plan for the coming year that includes: 1) Free passes to Bozenkill Park for Altamont Elementary School students who live outside the Village; 2) Guest Librarian Day for the runner up of the Summer Reading Program 2009, and 3) Interactive day between the Village Board and the Library. Jo Ann Mulligan received a book signed by the Board of Trustees as well as 2 guest exhibitor passes to the New York State Library Conference being held in Saratoga, NY.

Mayor Gaughan commented on the proposed contract with Troy Archival Consultant, James S. Corsaro. Trustee Whalen has agreed to head an internal committee to look at the Crouse House property for a proposed community use and to provide an outline of the committee's findings to the Board of Trustees.

Donald F. Cropsey, Jr. reported that Brandle Meadows, LLC is ready for occupancy and will issued Certificates of Occupancy from the Town of Guilderland for selected condos within the next few days.

Tim McIntyre reported that the DPW will conduct water main flushing over the following two weeks. Bag and brush collection will begin this week and continue through November.

Trustee Aylward made a motion seconded by Trustee Whalen to approve the Treasurer's Report, Abstract # 7 and # 8 as submitted. **Roll call: All in favor.**

Norman Bauman commented on the Altamont Pedestrian and Bicycle Plan meeting held in the Community Room on October 6, 2008.

Robert Rabbin, Main Street, asked the Mayor to comment on the proposed grant related to the construction of a pedestrian bridge across the creek to connect Sand Street and the Altamont Elementary School grounds. Included in the proposal is a controversial sidewalk that Sand Street residents oppose because of a claim that the construction would disrupt their properties and create other unfavorable issues.

Mayor Gaughan was approached by Mr. Rabbin at last night's Pedestrian and Bicycle Master Plan public meeting. The Mayor agrees to communicate with Sand Street residents for any planned activity in their area.

Former Trustee Harvey Vlahos asked for information on the agenda item pertaining to a contract related to the Village historical archives and artifacts. The Mayor read the proposed contract.

Trustee Aylward made a motion seconded by Trustee Marshall to adopt Local Law No. 3-2008 Village of Altamont Sewers and Sewage Disposal. **Roll Call: All in favor**

Trustee Dineen made a motion seconded by Trustee Marshall to enter into contract with James S. Corsaro, Troy Archival Consulting, in the amount of \$975 to perform a general survey of the historical archives and artifacts found in the Village Museum, Village Clerk and other government offices, Altamont Village Library and a brief examination of the Crouse House. Details as outlined in proposal. **Roll Call: All in favor**

Trustee Whalen made a motion seconded by Trustee Marshall to approve the Altamont Justice Court Record's annual audit performed by Catherine Hasbrouck, Village Treasurer. **Roll Call: All in favor**

Trustee Aylward made a motion seconded by Trustee Dineen to approve an amendment to the Village Personnel Policies to include a new section providing for a leave donation program (sick leave bank) **Roll Call: All in favor**

Trustee Whalen made a motion seconded by Trustee Marshall to approve a realignment of \$2,000 in wages paid to Jeffrey Moller, Assistant Superintendent of Public Works, from health insurance buy-back adjustment to annual salary. **Roll Call: All in favor**

Trustee Aylward made a motion seconded by Trustee Whalen to accept Edmund Makowski, Danvers Road ; Kelly Best, Altamont Blvd.; William R. Vinson, Western Ave.; Katey Huggins, Dunnsville Road , and Timothy McIntyre, East Berne as candidates for membership to the Altamont Fire Department per request of Paul Miller, Chief. **Roll Call: All in favor**

Trustee Aylward made a motion seconded by Trustee Dineen to advertise for sealed bids on the following surplus equipment: 1998 Ford F700 Dump Truck. Minimum bid is \$8,500. **Roll Call: All in favor.**

Trustee Dineen made a motion seconded by Trustee Aylward to hold the traditional Altamont Fire and Police Department Halloween Parade and Party commencing at 6 pm from Orsini Park to the Village Community Room on Friday, October 31, 2008. **Roll Call: All in favor**

Trustee Marshall made a motion seconded by Trustee Dineen to dispose of the following records after a review by the Museum Personnel for any historical significance per Schedule MU: I am requesting destruction of the following records after appraisal of all records by Museum and Archives staff for historical significance prior to disposition.

**Accounting:**

**Vouchers / Claims** – fiscal year - June 2000 to May 2001, June 2001 to May 2002 per Schedule MU-1, Fiscal, Claims and Warrants, 1.[275], page 64 (Tim's Office)

**General Ledgers** – Fiscal year – 2000-2002 per Schedule MU-1, General Accounting and Miscellaneous, 1.[245], page 65

**Water and Sewer Accounting:**

**Water and Sewer Journals** – fiscal years – 1990-2001 per Schedule MU-1, General Accounting and Miscellaneous, 3.[247], page 65 (1999-2001 Vault)

**Water and Sewer Receipts** – fiscal years – 1994-2001 per Schedule MU-1, General Accounting and Miscellaneous, 17.[282], page 67 (1999-2001 Vault)

**Water Meter Cards** with final recording pre 1/2002 (1985 thru 2001) – per Schedule MU-1, General Accounting and Miscellaneous, 12.[256], 6 years, page 66

**Property Taxation and Assessment:**

**Property Tax Search** - Calendar years 1995, 1996, 1997, 1998, 1999, 2000 and 2001 per Schedule MU-1, Taxation and Assessment, Section 4.[605] Tax Search Record, 6 years, pg 176 (Vault)

**Real Property Transfer Reports** – Calendar years 1981 through 2001 per Schedule MU-1, Taxation and Assessment, Miscellaneous, Section 1. [602], b., 1 year after subsequent assessment roll finalized by town and county, pg 175 (Vault)

**Bozenkill Park Development :**

Vouchers – Calendar year 1996-1997 per Schedule MU-1, Public Property and Equipment, Capital Construction or public improvement project file, Section 4.[478] b & c & d, page 125; Official plans, maps, designs, architectural drawings, and photographs, Section 5.[479], d, page 126; Draft or intermediary plans, maps, designs sketches or architectural drawings, Section 6.[480], page 127.

**Roll Call: All in favor**

Trustee Aylward made a motion seconded by Trustee Dineen to enter into Executive Session.

**All in favor**

Trustee Aylward made a motion seconded by Trustee Dineen to exit Executive Session. **All in favor**

Trustee Aylward made a motion seconded by Trustee Whalen to enter into Regular Session.

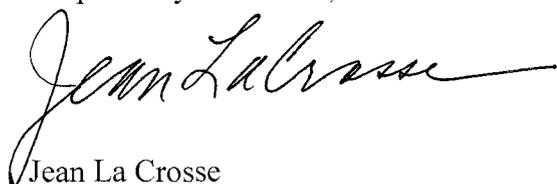
**All in favor**

Trustee Whalen made a motion seconded by Trustee Marshall to approve the request of Brandle Meadows, LLC, in a letter dated October 7, 2008 from Donald Zee, P.C., for the Village of Altamont to accept the deeds (2) of dedication transferring Title for the Pump Station and Water Meter properties at the Brandle Meadows project. All documents are to be filed with the State of New York and are signed by Jeffrey Thomas on behalf of Brandle Meadows, LLC. The Village of Altamont declines the request to waive the production of a title report and title insurance on these parcels, and requests these documents be delivered by week end, as promised in Mr. Zee's letter. The deeds from Brandle Meadows to the Village are Warranty Deeds. **The motion passed. Vote 5/0**

Trustee Aylward made a motion seconded by Trustee Marshall to: acknowledge the Town of Guilderland Building Inspector's issuance of the first two Certificates of Occupancy for Brandle Meadows LLC; reserves the Village's right to withhold its consent to the issuance of any further Certificates of Occupancy for the Project until items 1 – 6, 8 and 9 in the memo dated October 7, 2008 from Michal J. Moore, Esq. (Village Attorney) to Paul Wein, Esq. (Developer Attorney) are completed to the satisfaction of Village officials and/or consultants. These items relate to: telemetry system; roofing on backboard of telemetry system; trees at pump station; lawn repairs along Brandle Road; installation of emergency generator at Brandle Road pump station; final escrow payments for legal and engineering services; final telemetry submittal; and various fees discussed and agreed upon that are due the Village of Altamont. **The motion passed. Vote 5/0**

Trustee Aylward made a motion seconded by Trustee Dineen to adjourn at 9:00 pm.

Respectfully Submitted,



Jean La Crosse  
Clerk

Troy Archival Consulting

122 Maple Avenue

Troy, NY 12180

**Proposal to Altamont Village Concerning the Preservation and Access to Historical Artifacts and Archives:**

The Altamont Village has a long history and many of its residents have been conscientious concerning the preservation of the artifacts and archives documenting that history. Much of this historical documentation is housed at the History Museum in the Village Hall. Other historical records and artifacts are stored in the Village Clerk's Office, the Altamont Village Library and perhaps in other government offices in the village. In addition, the village has a substantial stock of historic architecture including the Dr. Frederick Crouse House. Significantly, the village has a Village Historian of long standing, a mayor and council and many citizens with a strong interest in preserving the village's history. These factors all bode well for a fine program for preserving the history of the village. Some steps have been taken to preserve and make the village's historical materials accessible, while much remains to be done. A program for the management of this history is needed. The following proposal is submitted as a starting point.

A general survey of the historical archives and artifacts found in the Village Museum, Village Clerk and other government offices, and Altamont Village Library will be made. A brief examination of the Crouse House, current Village Library, plans for the new library building and Village Museum will also be conducted to determine space available for current historical collections as well as for potential additions to the collections. The survey of building spaces will also investigate current environmental and security conditions for the storage of valuable historical materials. The space allotted for collections storage, collections processing, research access and exhibitry will be evaluated. Current management practices for the historical materials will also be noted. A report will be prepared for the Mayor and Council that will include:

A statement of findings about the size and condition of the historical collections and their current storage and access conditions. The statement will also note current staffing and management of the collections.

A statement of options for the development of a program to manage the historical artifacts and archives of the Village of Altamont. Criteria for a decision-making process for the development of the program will be noted.

Recommendations for best practices for preservation and access for historical archives.

The project will require three days, including 1.5-2 days surveying the historical collections in Altamont. Cooperation with the project by the Village Museum, Village Clerk, Village Library and Village Historian will be necessary for its successful completion. The project shall be completed with three months from the date of the attached contract.

The fee for the project will be \$975.

Contract

Village of Altamont, NY and Troy Archival Consulting

October 2008

This contract between the Village of Altamont, NY and Troy Archival Consulting (aka James Corsaro) is to fulfill the proposal submitted to and approved by the Village of Altamont, NY. Troy Archival Consulting (aka James Corsaro) Archivist will be responsible for completing the following tasks:

A general survey of the historical archives and artifacts found in the Village Museum, Village Clerk and other government offices, and Altamont Village Library will be made. A brief examination of the Crouse House, current Village Library, plans for the new library building and Village Museum will also be conducted to determine space available for current historical collections as well as for potential additions to the collections. The survey of building spaces will also investigate current environmental and security conditions for the storage of valuable historical materials. The space allotted for collections storage, collections processing, research access and exhibitry will be evaluated. Current management practices for the historical materials will also be noted. A report will be prepared for the Mayor and Council that will include:

A statement of findings about the size and condition of the historical collections and their current storage and access conditions. The statement will also note current staffing and management of the collections.

A statement of options for the development of a program to manage the historical artifacts and archives of the Village of Altamont. Criteria for a decision-making process for the development of the program will be noted.

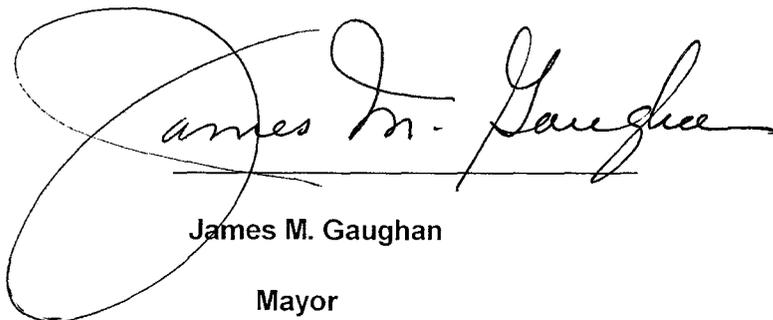
Recommendations for best practices for preservation and access for historical archives.

Project to be completed within three months of date of this contract.

Fee for project shall be \$975.

10/8/08

Date

  
James M. Gaughan  
Mayor

10/23/08

Date

  
James Corsaro  
Archivist  
Troy Archival Consulting

## **XX. Leave Donation Policy**

Full-time employees and part-time annual salaried employees are eligible to participate in the leave donation program. The intent of the leave donation program is to provide a means to assist employees, who because of a serious and long-term illness/medical condition, have exhausted all their leave benefits and would otherwise be subject to a severe loss of income during a continuing absence from work. Employees eligible for worker's compensation for their illness/medical condition are not eligible to use the leave donation program.

### **Donation of Credits**

Only vacation credits can be donated to the leave donation program. Donations may be made in hour increments. There is no maximum number of hours or number of times a donor may make donations to an eligible recipient. Employees may not donate vacation credits that would otherwise be forfeited. An employee who has submitted his/her resignation or retirement or who received notice of termination of employment can only donate credits for which he/she can receive a lump sum payment upon separation.

### **Eligibility to Receive Donations**

Approval for an employee to receive leave donation credits is discretionary. An employee must meet the following criteria in order to receive donated leave credits:

- Be eligible to earn vacation leave credits
- Have completed at least two years of Village service
- Be absent due to a non-occupational personal illness or injury which is serious and long-term
- Submitted satisfactory medical documentation describing the illness/medical condition
- Have exhausted all their leave credits
- Be expected to continue to be absent for at least two bi-weekly periods following exhaustion of leave credits.

### **Requesting Leave Donation Credits**

A request for the use of leave donation credits must be made by an employee to the Village Clerk. All requests must be accompanied by a physician's statement that includes the beginning date of the condition, a description of the illness or injury, and an estimated date of return. If the request for use of the leave donation credits is approved, the other Village employees eligible to participate in the program will be informed of the need by a memorandum.

## **Processing Donations**

The Village Clerk is responsible for reviewing the eligibility of recipient and donor employees. Donor forms will be date stamped upon receipt. This will determine the order in which leave will be deducted from the donor's vacation leave balances where there are multiple donors for a single individual. Payment of the donated leave will be based on the recipient's rate of pay. The Village Clerk will verify donor eligibility upon receipt of the donation form, and ensure the donated time is deducted from the donor's time records.

If the recipient employee is separated from service or returns to work, the Village will return unused time to any donor whose donation was not fully utilized. A form to use by employees who wish to donate vacation leave credits is available in the Village Clerk's office.

## **Status of Recipients**

Recipient employees are deemed to be in leave without pay status for attendance and leave purposes while charging donated leave credits. They cannot earn leave accruals or observe holidays while in this status. While charging donated credits, the employee continues to have health insurance premiums, retirement contributions and other payroll deductions withheld from his/her paycheck.

JEAN:

10/7/08

PLEASE ASK THE VILLAGE BOARD TO APPROVE THE FOLLOWING  
ABSTRACTS FOR OCTOBER 2008:

**ABSTRACT #7 – September Handwritten checks**

GENERAL	\$12,955.85
WATER	43,014.12
SEWER	<u>8,392.38</u>
TOTAL	64,362.35

**ABSTRACT #8 – October**

GENERAL	\$54,162.76
WATER	6771.92
SEWER	<u>62606.48</u>
TOTAL	\$123,541.16

# YOUNG, SOMMER ... LLC

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MICHAEL J. MOORE  
J. MICHAEL NAUGHTON  
KENNETH S. RITZENBERG  
DEAN S. SOMMER  
DOUGLAS H. WARD  
KEVIN M. YOUNG

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YOUNG, SOMMER, WARD, RITZENBERG, BAKER & MOORE, LLC

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October 24, 2008

## Via Fax and Electronic Mail

James M. Gaughan, Mayor  
Village of Altamont  
115 Main Street – PO Box 643  
Altamont, New York 12009

RE: Amended Proposal for Legal Services, Village of Altamont

Dear Jim:

Young, Sommer, Ward, Ritzenberg, Baker & Moore, LLC ("YS") is pleased to provide this amended proposal for legal services to the Village of Altamont. This proposal is an amendment to YS's December 14, 2007 proposal. YS proposes that this amendment take effect beginning January 1, 2009.

## Fees

YS will provide the Village all professional legal services on the "Attorney Services" list that formed the basis of our existing agreement (and other services reasonably encompassed by that list), for a fee of \$14,400 annually (billed at \$1,200/month). A copy of the "Attorney Services" list is enclosed. I will be primarily responsible for providing these services. In the event of scheduling conflicts that may prevent me from occasionally attending Village Board or other meetings, we will provide qualified alternate counsel to appear in my place, as necessary.

As we have discussed, these services will include attendance by YS at up to six (6) meetings annually of the Village Planning Board and/or Zoning Board of Appeals. Attendance by YS at Planning Board or Zoning Board of Appeals meetings beyond these six will be billed to the Village at the rate of \$180/hour.

We have proposed to the Village that YS can provide litigation services to the Village, as needed (ie., eminent domain, zoning code enforcement, zoning related Article 78 litigation), at the discounted municipal rate of \$180/hour. This proposal will be further discussed should the need arise, and it is understood that the Village has not at this time committed to retaining YS for such litigation services.

We understand that the Village has retained or will retain outside bond counsel.

Finally, all other terms of the December 2007 Agreement would remain the same. This arrangement will be reviewed by YS and the Village in December 2009. The rates proposed in this amendment will not change during 2009.

**Disbursement Charges**

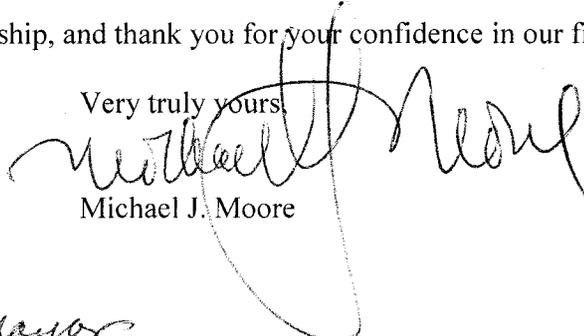
Photocopying	\$0.10/page
Telefax	no charge
Mail/Postage	as incurred
Telephone	as incurred
Messenger Service	as incurred
Computerized Research and other legal research	as incurred
Travel	no mileage charge for local travel.

This proposal is an increase of \$275/month in our basic fees, and \$5/hour for the "special" services (extra zoning hearings, litigation). Our original agreement called for a review and evaluation of its terms in September 2008 based on experience; this proposal is based on that experience.

Through September 2008, I have devoted over 113 hours of time to the Village. At the rates provided in the existing agreement (paid and billed), YS is working for an hourly rate of approximately \$83. This is less than half our standard hourly rate for municipalities of \$195. I have endeavored to provide legal services of the highest quality to the Village. I trust that you and the Board would agree, and that our work has been more than satisfactory. The increased rates are proposed in order to move the compensation to YS to a level that more nearly reflects the value of services provided. Apart from that issue, a "cost of living" increase in rates, given today's economic climate, would be appropriate.

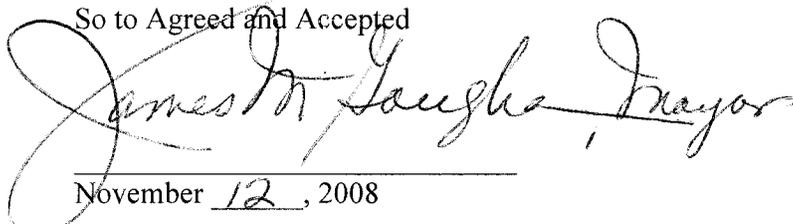
We look forward to a continued relationship, and thank you for your confidence in our firm.

Very truly yours,



Michael J. Moore

So to Agreed and Accepted



November 12, 2008