

**VILLAGE OF ALTAMONT**  
**REGULAR BOARD MEETING AGENDA**  
7:00 PM September 05, 2023

Pledge of Allegiance

**Staff Reports**

Altamont Fire Dept  
Police Department  
Public Works

**Public Comment**

1. Consider approval of Treasurer's Abstracts #3, #4, #5 and #6 and transfer of funds as submitted.
2. Consider authorizing partial payment to AJS Masonry in response to their termination cost proposal for the amount of \$2,565 which is an adjustment to Pay Application #7.
3. Consider authorizing Mayor Dineen to sign Barton and Loguidice Change Order No. 1 regarding Fairview Avenue Sidewalk Project. Change Order Number 1 is for the following items: Extra stone parking area (stabilize drainage between sidewalk/street); Embankment material installation (replace unsuitable material); ADA frame and grate installation (safety/slope); and Cast-iron tactile upgrade—handicapped ramps; for an additional cost of \$4,003.34 to Callanan Industries, Inc.
4. Consider authorizing Mayor Dineen to sign Barton and Loguidice's letter regarding Fairview Avenue Sidewalk Improvements Project. The approval will supplement \$3,100 for engineering services which will be within the grant amount of the \$125,000 and total engineering services will be \$11,100.
5. Consider request for Village water and sewer on single family dwelling at 145A Bozenkill Road, Altamont, Tax Map #37.09-1-5.12, per request VAMR Development. Capital charge for new service connection to water and sewer is \$7,500. Jeffrey Moller, Supt. of Public Works, has reviewed the application and recommended the connection.
6. Consider authorization to expend up to \$9,540 from the Sewer District Public Works Equipment Reserve, subject to permissive referendum, to pay for replacement of the pump at the Brandle Road Lift Station that was 32 years old.
7. Consider authorization to expend up to \$7,975 from the Repair Reserve, subject to permissive referendum, to pay for replacement of HVAC System for Altamont Police Department.
8. Consider authorizing Mayor Dineen to sign quote of \$646 from NY Power Authority on behalf of EJ Electric to install arm assembly, cobra head fixture, control node, and applicable wiring at Park St Pole\_3, Altamont, NY.
9. Consider approval to begin using Application for Permit to Open Street or Pavement, as requested by Jeffrey Moller, Supt. of Public Works. This will allow applicants to seek authorization from Department of Public Works to perform construction work within the Village of Altamont public roadways.
10. Consider approval of Municipal Cooperation Resolution to allow the Village of Altamont to invest portions of its available investment funds in cooperation with other corporations and/or districts pursuant to the NYCLASS Municipal Cooperation Agreement.
11. Consider authorizing Altamont Fire Department to list 2001 Pierce Engine Fire Truck for sale for initial asking price of \$100,000 with Firetec Apparatus Sales, per request of Paul Miller, Chief. FireTec Apparatus Sales takes 10% commission from the sale of the truck and Village Board may accept, reject, or counter any offer made.
12. Consider authorizing Mayor Dineen to sign RBC Wealth Management letter authorizing RBC Wealth Management to issue 2022 Service Award one-time payments of \$700 to David Cowan, Joseph Dover, William Ernest, Mark Huggins, and Thomas Person, Altamont Fire Department members.

13. Consider resignation of Jason McCanney, Police Officer, effective August 31, 2023.
14. Consider approval of Resolution Scheduling a Public Hearing on Proposed Local Law No. 1 of 2023 to permit the keeping of chickens within the Village of Altamont. Public Hearing to be held on October 3, 2023 at 7:00 p.m.
15. Consider request of Altamont Community Tradition to hold Altamont Fall Festival on September 23, 2023 from 12:00 pm – 4:00 pm.
16. Consider request of Phil Carducci to hold Fall Craft Fair on October 7, 2023 from 10:00 a.m. to 4:00 p.m.
17. Consider request of Phil Carducci to hold Mid-Fall Classic 5K on October 8, 2023 from 9:00 a.m. to 12:00 p.m.
18. Consider request of Phil Carducci to hold 15<sup>th</sup> Annual Run-Off that Turkey Trot 5K on November 25, 2023 from 9:00 a.m. to 1:00 p.m.
19. Consider approval of Board Minutes for July 18, 2023.
20. Consider entering into Executive Session to discuss contract negotiations and to receive privileged advice and legal counsel from the Village attorney that's outside the scope of the Open Meetings Law.
21. Consider motion to adjourn.

Next scheduled meeting: October 3, 2023 at 7:00 p.m.

## VILLAGE OF ALTAMONT

115 Main Street PO Box 643 Altamont, New York 12009  
Phone (518) 861-8554 Fax (518) 861-5379

### Mayor

**Kerry A. Dineen**  
Patty Blackwood, Clerk  
Stacy Tanner, Treasurer

Nicholas Fahrenkopf, Trustee  
Michelle Ganance, Trustee  
Tresa Matulewicz, Trustee  
John Scally, Trustee

Good evening,

For the month of July we had 5 calls

3 False alarms

- 2 On Western Ave
- 1 On Dutchman

1 Hazardous materials call on Lainhart Rd

1 Hazardous condition on Gardner Rd

Other activities last month were....

- 10th Was Pump operation and extrication
- 17th Was Removing equipment from E17 and truck and station night
- 26th Was Mutual aid water shuttle drill with Ft Hunter
- 31st Was team building skills

Activities planned for August are,

- 10 Is a clean up of the home town heroes building in the fairgrounds
- 14th Will be a walk thru and preplan of the fairgrounds
- 20th Will be at the fairgrounds for the demolition derby
- 21st Will be truck and station night
- 28th Will be hazardous materials

Have a great night  
Paul Miller  
Chief Altamont Fire

**From:** [REDACTED]  
**Sent:** Monday, September 04, 2023 7:04 PM  
**To:** Patty Blackwood  
**Subject:** August Chiefs report

Good evening all,

10 Calls for the month,

- 8 False alarms
  - 1 On Main St
  - 1 On Dutchman Ln
  - 1 On Altamont Voorheesville Rd
  - 1 On Maple Ave
  - 2 On RT 146
  - 1 On School Rd
  - 1 On Van Buren Blvd
- 1 Pump out on Euclid Ave
- 1 Mutual Aid structure fire on Siver Rd

Other activities last month were,

- 1st Was National night out
- 14th Was a walk through of the fair grounds
- 20th Was stand by at the fair for the demolition derby
- 21st Was Truck and station night
- 25th Was movies in the park actually moved to the firehouse due to the weather
- 26th Was Hose and ladder testing
- 28th Was Extrication and pump operations

Activities planned for September are,

- The 11th is the 9/11 memorial here in the morning and in Knox in the evening
- The 18th is truck and station night
- The 20th Is the Albany co Firefighters Assoc. dinner
- The 25th search and rescue at the tower
- The new E17 will be back this week so E18 will be shifted back down to the sewer treatment plant .
- Training on the new engine will begin as soon as possible.

Have a great night  
Paul Miller  
Chief Altamont Fire Dept

**August 15, 2023**

PATTY:

PLEASE ASK THE BOARD TO ACCEPT THE FOLLOW ABSTRACTS FOR PAYMENT:

**ABSTRACT #3: Vouchers 83-96 – August 15, 2023**

<b>GENERAL</b>	<b>\$57,499.49</b>
<b>WATER</b>	<b>11,693.83</b>
<b>SEWER</b>	<b><u>9,278.49</u></b>
<b>TOTAL</b>	<b>\$78,471.81</b>

**ABSTRACT #4: Vouchers 97 - 142 – August 15, 2023**

<b>GENERAL</b>	<b>\$37,872.94</b>
<b>WATER</b>	<b>8,541.17</b>
<b>SEWER</b>	<b><u>14,092.17</u></b>
	<b>\$60,506.28</b>

Also, the following transfers are needed:

**GENERAL FUND**

<b>Amount</b>	<b>From</b>	<b>To</b>
\$110	A3120.402 Police Phone	A3120.411 Vehicle maintenance
\$3943	A3410.457 Fire consumables	A3410.460 – Annual Testing/meetings \$4779.67
\$836.67	A3410.456 Fire Equip M/R	
\$465	A3620.100 Safety personnel	A3620.400 Safety Contractual Expense
\$3809	A7110.100 Parks Personal services	
\$1983	A5142.200 Snow removal OT	A7140.200 Parks equipment \$5792

**WATER FUND**

<b>Amount</b>	<b>From</b>	<b>To</b>
\$1137	F8320.401 power/Agawam	F8320.404 Power/New well house
\$.02	F9060.800 Health Insurance	F9710.700 Serial Bond Int

**SEWER FUND**

<b>Amount</b>	<b>From</b>	<b>To</b>
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**September 5, 2023**

PATTY:

PLEASE ASK THE BOARD TO ACCEPT THE FOLLOW ABSTRACTS FOR PAYMENT:

**ABSTRACT #5: Vouchers 97-111 – September 5, 2023**

<b>GENERAL</b>	<b>\$7,060.69</b>
<b>WATER</b>	<b>450.16</b>
<b>SEWER</b>	<b><u>2,490.11</u></b>
<b>TOTAL</b>	<b>\$10,000.96</b>

**ABSTRACT #6: Vouchers 112-158 – September 5, 2023**

<b>GENERAL</b>	<b>\$354,371.80</b>
<b>WATER</b>	<b>994.38</b>
<b>SEWER</b>	<b><u>21,026.38</u></b>
	<b>\$376,392.56</b>

Also, the following transfers are needed:

**GENERAL FUND**

<b>Amount</b>	<b>From</b>	<b>To</b>
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**WATER FUND**

<b>Amount</b>	<b>From</b>	<b>To</b>
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**SEWER FUND**

<b>Amount</b>	<b>From</b>	<b>To</b>
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## **The Keeping of Chickens**

### **Local Law No. 1 of 2023 for The Village of Altamont**

#### **Keeping of Chickens and Regulation & Responsibilities of Homeowners**

BE IT ENACTED by The Village Board of the Village of Altamont as follows:

#### **1. Authority**

This local law is adopted pursuant to section 10 of the Municipal Home Rule Law.

#### **2. Purpose**

This local law is intended to permit the raising of chickens within the Village of Altamont under specific conditions. Chicken hens shall be kept for personal, noncommercial use only. Breeding of chickens, and the sale other chicken products, and the production of fertilizer are prohibited.

#### **3. Requirements Applicable to the Keeping and Raising of Chickens**

##### **3.1 Permit required; fee.**

The keeping and raising of chickens within the Village shall be authorized only upon obtaining a permit from the Village Building Department. Said permit shall be made upon an application form authorized by the Village Board of Trustees; and upon satisfactory inspection(s) by the Village Code Enforcement Officer to verify compliance with the requirements of this local law. The permit shall be valid for one year only, and an annual permit fee, to be set by the Village Board of Trustees, shall be assessed and paid by each successful applicant. Renewal permit fees should be paid by the last day of the month in October each year. No chickens shall be kept, and no yard or pen for the keeping of chickens shall be constructed or maintained, without such a permit.

##### **3.2 Zoning Exclusion**

- (a) The minimum lot size for the raising of chickens is 10,000 sq ft.
- (b) Only applicants residing in a **single family, owner occupied dwelling** within the Village shall be authorized to apply for a permit to keep and raise chickens. The keeping and raising of chickens in a multifamily apartment setting shall be expressly prohibited.

### 3.3 Structure Design & Area Requirements.

- (a) A henhouse and chicken run shall be required for the housing of chickens. Only one henhouse and enclosure shall be permitted on any property. The henhouse or enclosure must be located at least **ten (10)** feet from the side and rear property lines of a property and at least **fifty (50) feet** from any neighboring residence. No pen or enclosure shall be permitted in any front or side yard. On a corner lot, the applicant must locate the pen to the rear of the rear wall of the applicant's home.
- (b) The location and design of the henhouse and enclosure must be approved by the Code Enforcement Officer before the applicant shall be permitted to keep chickens on the premises. If the applicant's lot is insufficient in area or layout to meet the setback requirements of this local law, the applicant shall not be entitled to keep chickens on the premises.

### 3.4 Minimum Standards; Condition of Henhouse and Enclosure (Run)

- (a) It shall be unlawful to cause, permit or allow chickens to be kept in such a manner as to constitute a nuisance or to create a hazard to public health; or in any manner which disturbs, injures or endangers the comfort, repose, health, peace or safety of the public. A chicken henhouse and enclosure/run shall be provided and adequately screened from view from neighboring properties.
- (b) No more than six (6) chickens may be housed or kept on any property at any time. **No roosters shall be permitted.** The henhouse and pen/enclosure must be regularly cleaned and serviced so as to keep it sanitary, clean, dry and odor free at all times. Chickens shall be provided with access to feed and clean water at all times. All feed of chickens must be kept within a secure, metal, rodent-proof container, and may not be stored outside. Hens shall be fed from a trough or container. Scattering of chicken feed and food on the ground is prohibited.
- (c) The Henhouse shall:
  1. Provide a minimum of **four (4) square feet** per chicken hen.
  2. Not exceed eight (8) feet in height.
  3. Be enclosed on all sides and have a roof and doors.
  4. Provide sun, shade, ventilation, and be insulated for colder temperatures.
  5. Be impermeable to rodents and predators.
  6. Provide one nesting box for every four (4) birds
  7. Provide 8-10 inches of roosting space per chicken.
  8. Have access doors that will be shut and secured at night. Windows and vents shall be covered with predator and bird proof wire of less than 1 inch openings.
  9. Be cleaned on a regular basis to prevent odors and attraction of rodents and pests.



(d) The Chicken Enclosure /Run shall:

1. Provide a minimum area of **10 square feet** per chicken hen. Height of structure may not exceed six (6) feet.
2. Consist of wire fencing and shall be covered with wire fencing or solid predator proof roofing.
3. Cleaning of enclosure/run must be done on a regular basis to prevent offensive odors and attraction of rodents and pests.

#### **4. General Provisions**

4.1 Storage of any chicken manure is discouraged, unless such waste is properly and sanitarily composted. No chicken manure shall be permitted closer than twenty-five **(25) feet** from any property line, and must be located to the rear wall of the applicant's dwelling. Sanitarily If the presence of chicken manure shall lead to unsanitary conditions such as the attraction of pests, insects or rodents, such condition must be rectified to the reasonable satisfaction of the Code Enforcement officer or the permit to keep chickens may be revoked.

4.2 The total area of all henhouses and enclosures shall not exceed 150 sq.ft. for up to 6 hens.

4.3. Chickens shall be kept in an enclosure at all times. During daylight hours, chickens may be allowed outside their enclosure in a secure fenced in area not beyond the property boundaries. During non-daylight hours, chickens shall be secured in their henhouse.

4.4 Only fully shielded lighting shall be used to light the exterior of the henhouse. Lighting must conform to Section 355-18 of Village Zoning Regulations.

4.5 Slaughtering of chickens on the property is prohibited.

4.6 Upon discontinuance of the accessory use of raising chicken hens, the permit holder shall notify the enforcement official, whereupon the enforcement official shall inspect the property and the permit shall be terminated.

#### **5. Inspection of Chicken Pen or Enclosure by Code Enforcement Officer**

All applicants for a permit to authorize the keeping of chickens within the Village shall agree, as an incident of the application process, to allow the Village Code Enforcement Officer to enter upon the premises of the applicant at any reasonable time during daylight hours to inspect the pen or enclosure and verify compliance with the requirements of this local law. It is specifically understood, and a condition of the application, that the applicant shall allow such inspection without the necessity of prior notice.

## **6. Penalties.**

**6.1 Enforcement:** Upon receipt of a complaint of a violation(s) of this local law or a permit, the Code Enforcement Officer shall inspect, investigate and verify such violation. Should a violation be found:

- a. The code enforcement officer will issue an order to remedy; permit holders shall have five (5) days to remedy the violation.
- b. A second notice shall be issued to the permit holder should the violation(s) not be addressed. This order will include an order to revoke the permit should the violation not be remedied within the timeline issued by the Code enforcement officer.
- c. If a permit holder has failed to remediate the violation, the permit shall be revoked upon five days written notice to the permit holder.

**6.2** A permit to keep chickens shall be revoked by the Code Enforcement Officer, upon five days written notice to the permit holder, in the event that two (2) substantiated violations of this local law shall occur.

**6.3** Revocation of a permit to raise or keep chickens, for any cause, shall result in a of a disallowance new or renewal permit by that party for at least one year.

**6.4** In the event that a permit holder does not comply once a permit is revoked, the Code Enforcement Officer or Village Attorney may issue an appearance ticket to the Village of Altamont Justice Court. Any person found guilty of violating this Local law is punishable by a fine of not more than \$250.00 for each offense calculating from the first order. Each day's continuation of the offense shall be considered a separate offense.

## **7.0 Miscellaneous Provisions**

### **7.1 Conflicting Law.**

- a. In the event that any conflicting State or County law, regulation or similar legislation shall address the keeping of chickens in a Village setting, the requirements of this local law shall supersede such legislation unless such legislation is more restrictive, in which case the State or County law or regulation shall apply.
- b. The Village of Altamont Zoning Law, Chapter 355, Attachment 1 (Use Schedule) shall be amended as follows:

- i. Delete the term “Agriculture, not including the keeping of fowel or farm animals” and replace with the term “Agriculture, not including the keeping of farm animals or fowel other than chickens kept in accordance with Village law”.
- ii. Delete the term “Agriculture, including the keeping of fowel or farm animals” and replace with the term “Agriculture, including the keeping of farm animals or fowel other than chickens kept in accordance with Village law”.

## **7.2 Severability**

Should any section or provision of this local law be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the local law as a whole, or any part thereof, other than the part so explicitly declared to be invalid.

## **8.0. Effective Date**

This local law shall take effect immediately upon its filing in the Office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.