

VILLAGE OF ALTAMONT
REGULAR BOARD MEETING
October 3, 2023

Mayor Kerry Dineen
Trustee Nicholas Fahrenkopf
Trustee Michelle Ganance, Absent
Trustee Tresa Matulewicz
Trustee John Scally

Patty Blackwood, Clerk
Stacy Tanner, Treasurer, Absent
Jeffrey Moller, Supt. of Public Works
Paul Miller, Fire Chief
Todd Pucci, Police Chief
Kristin Pratt, Legal Counsel

General Public: 14

7:00 p.m.

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

Paul Miller, Chief Altamont Fire Department: The department will be in Orsini Park on Halloween handing out candy and the new fire truck is here and available to be viewed this evening. Chief Miller submitted the Chief's report for September. Copy of report included with Official Minutes.

Jeffrey Moller, Supt. of Public Works: Hydrant flushing began this week. Half of the lead and copper inspections have been completed. Been working on the Leaf Vac and set to begin mid-October. Been working on getting plows and sanders ready. Summer staff completed a lot of painting this year and did a great job and hopefully they want to come back next year.

Public Comment:

Laura Shore, Altamont Community Tradition President: Winterfest 2023 will be held on Sunday, December 10th in various locations in the Village from 12:00 p.m. – 4:00 p.m. Ms. Shore stated that the electricity in Orsini Park wasn't sufficient for their Fall Festival. Mayor Dineen, Ms. Shore and Jeffrey Moller will have a discussion regarding the electricity. Mayor Dineen stated the Fall Festival was wonderful.

Trustee Scally made a motion seconded by Trustee Matulewicz to approve of Treasurer's Abstracts #7, and #8, and transfer of funds as submitted. **Roll Call: All in favor**

Kristin Pratt, Legal Counsel: The public hearing notice was submitted to the Altamont Enterprise and unfortunately it wasn't printed. The paper had indicated it would be published, but it wasn't published at least five days in advance of this hearing. The Board is going to go ahead and continue this public hearing and reissue that notice and publish it. I just wanted to mention that so you didn't miss anything if you didn't see it published in the newspaper.

Public Hearing at 7:09 p.m.

Kristin Pratt, Legal Counsel, opened the public hearing with reading of the Legal Notice to consider Local Law No. 1 of 2023 to Permit the Keeping of Chickens in the Village of Altamont.

Mayor Dineen: The legal notice is on the website as well. In September there was a meeting where we talked and people came and we wanted to know if they supported drafting this legislation for the keeping of chickens. It was overwhelmingly yes. We went ahead and

used the old, something we had drafted prior that a committee came up with. We amended some of the things on there, based on some of the past feedback we had. The draft local law has been published online, or you could have gotten it at the office as well for the last month. This public hearing is on the contents of that draft. If you have a comment, you are welcome to come to the microphone and give us any information you have.

Megan Reese, Non-Resident: I am from Knox, just outside of Altamont. I show my chickens in Altamont. I am in both the Knox Westero FFA Group as well as a 4H group where we focus on the benefits of chickens quite a lot. I also have six wonderful girls of my own who are just essentially feathered puppies. There are very many benefits to keeping chickens. Like they teach responsibility in younger handlers. They're also very good at self-correcting your mistakes. If their coop is too dirty, they'll get sick or they'll complain to you. They're pretty clean animals. They take baths in dust, but it's still a bath. They're also not even slightly loud. Even the roosters, when I had a Cockerel temporarily, he was less loud than the neighbor's dogs. If a chicken gets out, it typically wants to go right back into its run or its coop because they do not like feeling like a hawk can get them. Chickens teach responsibility in many ways. You need to get up early and go to bed early to let your birds out. You need to feed them and water them. However, you can usually just use a hanging feeder or a hanging water. They're also relatively good for the economy with chicken shows and eggs. Even if you don't sell the eggs, it would still save money on buying eggs. They generally tend to make an area look prettier and livelier. Chicken showmanship can have big money, even if it's just in the Altamont Fair. You can make upwards of a hundred dollars. You can also sell the birds or move on to bigger shows. Chicken shows can bring in large groups of people from many places. because chickens are interesting birds. That's all I have today. Thank you for listening to me.

Ms. Reese, Non-Resident: Parent of Megan Reese. The only thing I would like to add from the legal side would be to suggest that there be a carve out that makes sure that these regulations do not apply to the fairgrounds. I was more worried about the containment protocols because the kids do carry their chickens across the fairgrounds. They do have chicken pet petting events during the Fair.

Kristin Pratt, Legal Counsel: The zoning wouldn't really apply to the Fair, which is a temporary.

Maurice McCormick, Resident: I am in favor of chickens. I have chickens. Not in the Village, but I have them somewhere. I'm kind of wondering, are we here to talk about if want chickens or we don't want chickens?

Mayor Dineen: No, it's about the draft law. Tonight is the public hearing on the draft local law. We had that meeting where people indicated they were in favor and this is why we drafted the law.

Maurice McCormick, Resident: What I was hoping to see is a copy of that law on the back table so everyone would be able to look at it and if they have questions.

Mayor Dineen: I can tell you it's been available for a month now, as you know, as we were supposed to do. It was ready right after that meeting. As soon as we set the public hearing, the law was ready.

Maurice McCormick, Resident: Yeah. I was kind of like so that means they're accepting it. I guess, I didn't understand that.

Mayor Dineen: I feel like you weren't at that meeting. You may have missed one.

Trustee Fahrenkopf: This topic actually went back to August.

Mayor Dineen: It did go back to August and in September we set the public hearing and we had the draft local law ready.

Maurice McCormick, Resident: So now we're here tonight to talk about the policy, the parameters for keeping chickens in the Village. Because we've already decided you can have chickens in the Village.

Mayor Dineen: We still have to adopt a resolution for it.

Maurice McCormick: Right. Here are some questions I have then. By having chickens and getting the permit, do you have a cost?

Mayor Dineen: A permit is, the first year is \$150 and the renewable is \$50.

Maurice McCormick, Resident: I seen in there, if you get a permit to have chickens, you are allowing 24/7 access for the building inspector to come onto your property and take a look around. It's in there. That's why I was hoping to see there'd be something back there. Anybody recall that?

Mayor Dineen: We don't have anyone that works 24/7. We don't have that. Our building inspector works six hours a week.

Maurice McCormick, Resident: Do you know what those hours are? If it's not 24/7.

Trustee Fahrenkopf: It's not 24/7. It says during any reasonable time during daylight hours to inspect the pen or enclosure.

Maurice McCormick, Resident: Right.

Mayor Dineen: As he does now with whether it's a roof or a building, he makes time on his way to his other job, to do inspections during the day when he needs to do that.

Maurice McCormick, Resident: Wouldn't there be a requirement for him to show up at your house to look at something?

Trustee Matulewicz: If someone is applying, that's the requirement. It says all applicants for a permit.

Maurice McCormick, Resident: Right. He would be able to. But further down, I think there's like a two-line sentence that says that if I had, I would, I was going to print it out.

Mayor Dineen: You must have seen it then.

Maurice McCormick, Resident: I did see it. Because it's kind of was like, okay, so now I'm giving up a right of, somebody can have access at any time in order to have chickens.

Trustee Fahrenkopf: It's reasonable daylight hours.

Mayor Dineen: One thing to keep in mind, the five of us did not make up rules for chickens. Just to give everyone a background. The original group that put together the 2019 draft was a Planning Board member, Zoning Board member, and residents that got together and thought let's draft this law because people have interest. Unfortunately, the people from the public that had interest in chickens never showed up for it but we drafted something, based on models from many surrounding municipalities. We are very similar to what is around us in the Capital District. All of this is not unique to Altamont just so you know, to just get the full picture of how it came together.

Trustee Scally: I was on that committee and we pulled a lot of those ideas from Guilderland.

Mayor Dineen: Guilderland, Voorheesville, New Scotland, and Rotterdam.

Maurice McCormick, Resident: That was one of my questions. Where did the input come from? Where did these ideas or these laws come from?

Mayor Dineen: That committee at the time researched other municipalities. This time we took that and with some of the feedback we got where people were apprehensive about this law, we amended some of the things and to mitigate this issue or that issue. Again, based on other municipalities. That's where it came from.

Maurice McCormick, Resident: Yeah. Just about every surrounding municipality has chickens. Then just to clarify, are you saying the building inspector, obviously you fill out a permit, he's going to come take a look, check out your coop, or whatever you got? After that, he's really not showing up unless there's a complaint.

Mayor Dineen: Unless there is an issue. That's like that with any zoning topic.

Maurice McCormick, Resident: Well, that's what I was thinking.

Mayor Dineen: He's going to check out the situation and make sure everything's like it should be. Maybe that takes two visits. It might take a couple times for him to do that. It could be a lot of extra work for him in some regards, but we've talked to him and he reviewed the law as well.

Trustee Matulewicz: It sounds like you're concerned that there's just going to be some arbitrary code enforcement that can just show up whenever they want at any time to check it out and tell you to take it down.

Maurice McCormick, Resident: That is my concern.

Trustee Matulewicz: I think that's completely unreasonable. That's not going to happen. There has to be cause or reason or there would have to be some concern that he would have for the animals or something like that.

Maurice McCormick, Resident: Okay, you know this is recorded, right?

Mayor Dineen: We do.

Maurice McCormick, Resident: The other thing I'm worried about is that you are going to require the chicken coop to be insulated.

Mayor Dineen: It has to be insulated for the weather here. It has to have something to protect the chickens from the cold temperatures. We didn't go into specifics. It's not on there.

Maurice McCormick, Resident: If it is windproof, if there's windows in it.

Mayor Dineen: I'm imagining. The building inspector does know what it would be to protect, to insulate something windproof. They have to be protected from the environment.

Maurice McCormick, Resident: Correct. I was just wondering if when it said that it should be insulated, I automatically go to fiberglass rolled out insulation inside the chicken coop, which that's insulated to me, but I would not insulate my chicken coop.

Trustee Matulewicz: Fiberglass is a type of insulation. It's not the only kind. You can discuss with Gary what your thoughts are to protect your chickens, I would think. If he says that's sufficient, then you're good to go.

Maurice McCormick, Resident: Okay. You don't want to insulate because you're going to end up with too much humidity. You're going to end up with condensation.

Trustee Matulewicz: It also says proper ventilation. There's a whole bunch of parameters that will ensure the chickens are happy and healthy and that your building isn't going to rot.

Maurice McCormick, Resident: Okay.

Trustee Matulewicz: Gary knows what he is doing.

Maurice McCormick, Resident: Gary and I are going to chat. I don't think I have anything else except for I've been here, I'm in favor of chickens.

Megan Reese, Non-Resident: Hello. I'm back here with a few more facts about chickens. Chickens are actually incredible at self-insulating. Mine will walk outside perfectly fine in three-degree weather. I spoil them. They have a heat lamp and their coop is insulated. However, my other farmer friends that I know, the only real insulation that the chicken needs are walls, windows and each other. Chickens are very self-sufficient as they've basically survived running around on farms for eons. I think the biggest concern should be proper ventilation and making sure the moisture gets out. Moisture in chicken coop breeds insane amounts of parasites and co acidosis. It also has the potential to have things like salmonella if the manure isn't taken care of. Which the biggest concern should be drainage of moisture. A dry chicken coop is more important than a warm chicken coop for the birds at least. Then I feel like another important thing to consider would be to give a bird a roost. This helps greatly. The chickens need that so they don't sleep in their own poop. A suggested thing is to clean out the manure once a week during the spring and summer, and then once every two weeks during winter because the dirty manure helps comfort the chickens, which makes them less prone to getting chills. It does keep them warm. It's also way harder to clean out a coop in winter, but in winter you don't have the problem of it being warm and wet. It's usually neither.

John Polk, Resident: Thank you for putting this together. I think this is great. It's good to have. I'm really happy that we're moving forward and hopefully we'll soon have a law allowing chickens. I have some concerns about the draft that I think could speak to some of the issues that were raised already in a couple of different places. I don't know if I have the absolute most current version of it, but in the version that I'm looking at, it was section 3.4 where it talks about the minimum standards and conditions of the hen house and enclosure in section B. It talks about scattering chicken food and feed on the ground being prohibited. How is that going to be assessed if someone is doing that?

Mayor Dineen: We have regulations, it's like any zoning thing. We're going to hope people follow the rules with the concerns we had earlier about food being scattered on the ground and attracting other animals and things like that. Looking at other municipalities that required the troughs, it seemed like the better way to go. Now can we actually 24/7 babysit everybody, we can't do that, but we put it in there because that's our intent to try to mitigate the things people brought to us.

John Polk, Resident: Sure. I guess my suggestion might be to say, okay, you do have a line here that's saying hens shall be fed from a trough or container, and that makes sense to include. I think it would be difficult to actually prohibit scattering of food or feed on the ground. Chickens do naturally go around and pick stuff up off the ground. I think you may consider changing that to a recommendation rather than a prohibition. You've already said that they shall be fed from a trough or a container. That's where their food should be placed, will be placed. The other line I think may be redundant or not actually necessary. In Section 3.4C and in Section 3.4D, there's repetitive language, both of which say cleaning of the enclosure and run must be done on a daily basis.

Mayor Dineen: That's not the new version. It's on a regular basis.

John Polk, Resident: Okay, very good.

Mayor Dineen: I think that was the first draft that somebody shared with you.

John Polk, Resident: Yes, they did.

Mayor Dineen: That was a couple of drafts earlier.

John Polk, Resident: Okay. I wasn't sure if I was grabbing the most recent one. One other one, there was an extra word. I like to read things and edit things. In Section 4.1, talking about the storage of any chicken manure being discouraged. Third sentence starts off sanitary, capitalized, and then capitalized if the presence of chicken manure shall lead to unsanitary conditions, that sanitarily can be removed, you may consider that. Or at least change your capitalization of your next word. Other than that, looks great.

Megan Reese, Non-resident: I'm back. Did you miss me? There is one problem with banning the food on the ground. Chickens need grit. There are small pebbles you can buy them at Agway, but they're typically a bunch of tiny stones that are not going to be found on the ground, especially if they're going to be kept in a run. There are also tons of enrichment feeds that are beneficial for their health, that can't just be stored in a trough all the time. What I think might be a good idea would be to say they have to have a trough in their coop to put the general use food in, or the food that's going to be there. However, they should be allowed to throw the occasional handful of food in there. It's beneficial for

the chicken's enrichment and their health, which are very important things concerning the animals. Thank you for your time once again.

Kate Provencher, Resident: I want to thank you for doing this work. I'm just thinking you've learned more about chickens than you ever wanted to know. Thinking about how much it would be helpful to have that kind of information for some of our other regulations. However, I'm not going to do that. I want to thank you all. I want to recognize the Board. This is a third time this has come up. I greatly appreciate it. I think it's something we ought to be doing. I've spoken on that before in terms of this, and I want to say that I was one of the original committee members that worked on it. And also review this draft and make suggestions. Thank you for that. I appreciated the Board making sure that Zone 10 is included in this. I do think that the distance of the coop having to be 50 feet from a neighboring residence is just long. I think that neighboring communities have 25 feet.

Mayor Dineen: Some. I have my list of all of them. We're not the only ones with 50. And actually, when I was looking at other places, some are from 50 to 300 feet, depending on the communities across the United States that you look at. I think when we were putting this together, our thought was we are really legislating for something that will work with a very dense, close residential neighborhood. Some of us would be fine because we're going to have the room, but some people aren't. You have to respect their neighbors who maybe don't want to have dogs that are going to be even 20 feet when I look at 20 feet, maybe their dogs would be barking at the chickens. When I talked to Gary about that, we felt looking at others had the same. It seemed to make sense when I measured it out and looked at it. Just trying to respect the density of the inner part of the Village and how it could affect neighbors.

Kate Provencher, Resident: I hear that. I think it's going to make it a little hard for some Zone 10 folks.

Mayor Dineen: It won't fit everybody but it will fit the majority.

Kate Provencher, Resident: Because the other thing is the coop has to be 10 feet from the back. I'm thinking most people are going to put it against their back lot line. It has to be 10 feet from there too. So, I would argue for 25 or 30 feet. But other than that, I appreciate this and I appreciate the work that's gone into it. Thank you.

Mayor Dineen: Thank you for helping us.

Trustee Fahrenkopf: As one of the only people that hasn't been on the Planning or Zoning Board. If somebody wanted to build a chicken coop but only had 40 feet to the nearest property, is there a mechanism where they can apply for a variance?

Mayor Dineen: Yes, that's what the mechanisms are for. Anybody else have anything? I'm not seeing movement, so we're not closing the public hearing because we are going to continue and do the SEQRA for this on October 19th at six o'clock. We didn't want to wait until November. We did not expect this to happen. We did not know the notice wasn't printed in the paper. It was unfortunate. We also have another timeline for an engineering project we want to talk about sooner than November. So, it kind of worked out that if we can meet on the 19th, it's a Thursday night at six o'clock and we will take any new comments at that time. People may write to us by then as well. I think a couple came in at four, which we don't have time to look at. It was the end of the day. Those will

be included in our packets. We will then listen, close the public hearing that evening, and then we'll do the SEQRA part of this. So, it is a couple more weeks, but I thank you for coming out and speaking tonight.

Trustee Fahrenkopf: To be clear, people don't have to feel obligated to come again.

Mayor Dineen: Oh, absolutely. Yes. Thank you for saying that. You don't need to, if you spoke tonight, you are on the record for the public comments. You don't have to come back and reiterate them again unless you really want to, but you don't have to do that.

John Polk, Resident: I was just on my phone looking on the website. The most recent version, I couldn't find it.

Patty Blackwood, Clerk: It's posted on the website with the agenda.

Cathy Glass, Resident: Thank you, thank you, thank you for taking the time and going through the effort to make this ordinance possible. A lot of the concerns that I've heard addressed from everybody, I did talk to Mayor Dineen a number of times. A lot of my information came from the New York State Ag and Markets Field Vet, Dr. Amy Wilsey. She's the one who talked to me about the necessity of having a covered run to prevent the avian bird flu from the migrating birds. The necessity of ventilation is to keep the humidity out of the coop, especially in the wintertime, very important, but also protecting the birds from our climate. I know personally a number of people that have had frostbitten birds, their combs turned black. My sister, who lives in Vermont, had one of her roosters, his feet turned black and she had to have him euthanized. We live in the northeast. It's common-sense what extent the coop has to be protected, whether it's just protection from the wind or it is some form of insulation that, again, would be up to the building inspector. I think a lot of this is common sense. Yes, they do need scratch feed. That's their instinct to scratch around for food. But Amy Wilsey did say to prevent vermin and rats, you pick the food up at night. You don't put scratch down at five o'clock in the afternoon and think your birds are going to eat all of it immediately. You do it in the morning. There's a lot of common sense, but if anybody has any questions, Dr. Wilsey is phenomenal and she is very, very accommodating to questions and phone calls and she really guided me tremendously. Just an idea.

Ms. Reese, Non-Resident: One thing I want to point out about insulation, chickens are peckers. They will attack a wall. If you have a mandatory insulation requirement, chickens will eat the insulation and it can kill them.

Trustee Matulewicz: I think the term insulation is being taken differently.

Ms. Reese, Non-Resident: Maybe you want to change that to proper weatherization instead of insulation.

Trustee Matulewicz: That may be a better term to use. I think the intent was just to say insulated, but not dictating using insulation.

Ms. Reese, Non-Resident: Our coop is, we're on Knox, on the side of the hill in the wind, and our coop is a single piece of wood.

Trustee Matulewicz: Which means they're insulated from wind. I think that's all that term was meant to say.

Ms. Reese, Non-Resident: As evidenced by what everybody else here has thought that word meant, it's what my company calls a blinking word, which is anybody who reads it can attach their own meaning to it. Maybe you want to be more specific that weatherization is what you're going for here.

Trustee Matulewicz made a motion seconded by Trustee Fahrenkopf to approve authorizing Mayor Dineen to sign Nationalgrid Letter of Agreement for Provision of Maps and Records for an estimated cost of \$1,000. **Roll Call: All in favor**

Trustee Scally made a motion seconded by Trustee Fahrenkopf to approve authorizing to expend \$24,900 from the Repair Reserve Fund, subject to permissive referendum, to pay for replacement of HVAC Systems for Community Room and Altamont Fire Department's member's room, per request of Jeffrey Moller, Supt. of Public Works. **Roll Call: All in favor**

Trustee Fahrenkopf made a motion seconded by Trustee Matulewicz to approve authorizing Jeffrey Moller, Supt. of Public Works, to solicit bids for the following items: 2004 Dodge Ram 2500 Pickup w/plow for minimum bid of \$2,000; Toro Groundmaster 327 Mower for minimum bid of \$300; Kabota F3680 mower/snowblower with cab for minimum bid of \$400; and 2012 F-450, 6.7 Power Stroke Dump Truck for minimum bid of \$30,000. Bids will be opened on October 25th at 10:00 a.m. **Roll Call: All in favor**

Trustee Scally made a motion seconded by Trustee Fahrenkopf to approve authorizing Jeffrey Moller, Supt. of Public Works, to move forward with termination of water service on October 10, 2023, if payment is not received from the following delinquent non-residents: Estate of Beatrice Rucinski, 111 Western Avenue; Todd Clark, 721 Route 146; Scott McGovern, 15 Agawam Lane; Jason Frazier, 37 Armstrong Circle; and Scott and Jodie Rutledge, 1129 Berne Altamont Road. **Roll Call: All in favor**

Trustee Matulewicz made a motion seconded by Trustee Scally to approve request of Altamont Community Tradition to hold Winterfest on December 10, 2023 from 12:00 p.m. to 4:00 p.m. **Roll Call: All in favor**

Trustee Fahrenkopf made a motion seconded by Trustee Matulewicz to approve request of Altamont Fire Department to participate in the following events: Fire Prevention Open House on October 7th, and Comedy Night on November 4th, per request of Paul Miller, Chief. **Roll Call: All in favor**

Trustee Scally made a motion seconded by Trustee Fahrenkopf to approve holding a Village Board meeting on October 19th at 6:00 p.m. **Roll Call: All in favor**

Trustee Matulewicz made a motion seconded by Trustee Fahrenkopf to approve changing time of Board Meeting on November 8, 2023 from 7:00 p.m. to 6:00 p.m. **Roll Call: All in favor**

Trustee Fahrenkopf made a motion seconded by Trustee Scally to approve of Board Minutes for September 05, 2023. **All in favor**

Trustee Fahrenkopf: Open house for the Altamont Fire Department is Saturday from 10:00 a.m. to 2:00 p.m.

Trustee Fahrenkopf made a motion seconded by Trustee Matulewicz to adjourn at 7:47 p.m.
All in favor

Respectfully Submitted,

Patty Blackwood
Clerk