

**VILLAGE OF ALTAMONT**  
**REGULAR BOARD MEETING**  
October 1, 2019

Mayor Kerry Dineen  
Trustee Nicholas Fahrenkopf  
Trustee Michelle Ganance  
Trustee John Scally  
Trustee Dean Whalen

Patty Blackwood, Clerk, Absent  
Catherine Hasbrouck, Treasurer  
Jeffrey Moller, Supt. of Public Works  
Paul Miller, Altamont Fire Chief  
Todd Pucci, Altamont Police Chief  
John Hartzell, Legal Counsel

General Public: 43

6:30 p.m.

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

Mayor Dineen stated she wanted to thank Department of Public Works. They finished Sunset Drive and it looks fabulous. They brought someone in but they did all the prep work for the road.

Judi Dineen, Altamont Museum Volunteer, stated on Columbus Day weekend the Village will be celebrating Founders Days around the Village.

Jeffrey Moller, Supt. of Public Works, stated meter readings were completed last week. Department started hydro flushing today and will continue throughout the month. Mr. Moller recommended the public check the water prior to doing their laundry. Department is getting caught up on their hydrant painting. Loose leaf pickup will begin on October 14<sup>th</sup>. Emergency repair took place on one of the pump houses at the wastewater plant. Salt house roof was repaired on another pump house.

Trustee Scally made a motion seconded by Trustee Whalen to approve the Treasurer's report; Abstract #8, and #9.

**Roll Call:**

Trustee Whalen	In favor
Trustee Ganance	In favor
Trustee Fahrenkopf	Absent
Trustee Scally	In favor
Mayor Dineen	In favor

**Motion Carried: 4 In favor/1 Absent**

**Public Comment:**

See Stenographic Minutes by Nancy L. Strang pages 1-6.

Trustee Fahrenkopf arrived at 6:39 p.m.

Katy Vescio, Municipal Electric and Gas Alliance (MEGA), gave a presentation on establishing a Community Choice Aggregation Program which allows a municipal government to aggregate the energy supply needs of its residents and small businesses, and to negotiate and enter into energy supply contracts with Energy Service Companies on behalf of these citizens to obtain competitively priced energy, often at a fixed or

predictable cost, as well as environmental benefits, and opportunities to pursue community-based energy initiatives.

Bill Biscone, Boulder Point Solar, and John Mancini, Blue Wave Solar, gave a presentation on a potential solar project they are proposing to the Village that would be located on the Village's reservoir property located in Knox. Boulder Point Solar would lease 50 to 80 acres of the Village's property. Village Board and Counsel agreed to review the documents submitted to the Board and get back to Mr. Biscone and Mr. Mancini.

Mayor Dineen stated the Village has been working with neighboring municipalities on a lighting aggregation project. It's been talked about for about two years now. Village has been working with NYPA who has been facilitating. One of the things Village wanted from them was to make sure the Village had example lights to show the residents, not the style but the brightness. Recently this week the Village got some lights sent from NYPA. One is 2900 Kelvin and the other is 4100. Those are the two examples. Department of Public Works have put them both up on the building for at least a week. Mayor Dineen asked the residents to email her with their opinions between the two lights.

Village Board; and John Hartzell, Village Counsel, discussed the SEQRA review on proposed Local Law No. 2 of 2019 of the Village of Altamont Repealing Local Law No. 1 of 2018 and Amending the Official Zoning Map. See Stenographic Minutes by Nancy L. Strang pages 1-12. Village Board tabled the SEQRA until the November Board meeting.

Trustee Whalen made a motion seconded by Trustee Scally to approve authorizing Jeffrey Moller, Supt. of Public Works, to move forward with termination of water service on October 8, 2019, if payment is not received from the following delinquent non-resident: Theodore Danz, 241 Brandle Road. **Roll Call: All in favor**

Trustee Scally made a motion seconded by Trustee Fahrenkopf to approve resignation, with regret, of Timothy Wilford, Planning Board Chairperson, effective September 3, 2019. **Roll Call: All in favor**

Mayor Dineen thanked Timothy Wilford for all of his hard work with the Planning Board.

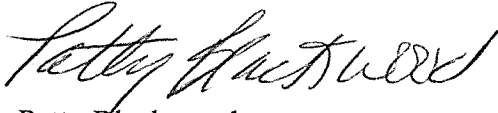
Trustee Whalen made a motion seconded by Trustee Fahrenkopf to approve resolution to affirm Mayor Dineen's appointment of Deborah Hext to Planning Board Chairperson. Position was vacated by Timothy Wilford and has a five-year term which expires April 2023. **Roll Call: All in favor**

Trustee Scally made a motion seconded by Trustee Whalen to approve resignation of Anne Best, Gardener, effective September 6, 2019. **Roll Call: All in favor**

Trustee Whalen made a motion seconded by Trustee Ganance to approve rescheduling the November 6<sup>th</sup> Village Board meeting to Tuesday, November 19<sup>th</sup> at 7:00 p.m. **Roll Call: All in favor**

Trustee Fahrenkopf made a motion seconded by Trustee Scally to adjourn at 8:01 p.m.  
**All in favor**

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Patty Blackwood".

Patty Blackwood  
Clerk

VILLAGE BOARD

COUNTY OF ALBANY

VILLAGE OF ALTAMONT

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PUBLIC COMMENT

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THE STENOGRAPHIC MINUTES of the above entitled matter  
by NANCY L. STRANG, a Shorthand Reporter commencing on  
October 1, 2019 at 6:40 p.m. at 115 Main Street,  
Altamont, New York

PRESENT:

BOARD MEMBERS:

KERRY DINEEN, MAYOR  
NICHOLAS FAHRENKOPF, TRUSTEE  
MICHELLE GANANCE, TRUSTEE  
JOHN SCALLY, TRUSTEE  
DEAN WHALEN, TRUSTEE

ALSO PRESENT:

JOHN HARTZELL, ESQ.  
HARVEY VLAHOS  
JULIAN ROSENBERG

1                   MAYOR DINEEN: We will move to the public  
2                   comment portion of our meeting tonight. If you have  
3                   something you would like to share with us, I will ask  
4                   you to step up to the microphone and face the Board and  
5                   tell us who you are and where you live - or what you  
6                   want to tell us or ask us questions.

7                   MR. VLAHOS: Harvey Vlahos, Main Street,  
8                   Altamont.

9                   Friday, I guess, I gave Patty an email and  
10                  she forwarded it to - it was my understanding she  
11                  forwarded it to all of the Trustees and so forth to  
12                  read.

13                 When I did was take - I guess it was a  
14                 15-page document that Nan Stoltzenburg written up. We  
15                 asserted - highlighted text in terms of the points  
16                 that we thought were really very pertinent about this.  
17                 I guess the summary is that we would like to have the  
18                 Board or the Trustees articulate a compelling reason  
19                 of what the Village gets out of this in exchange for  
20                 basically and unalterably changing the center of the  
21                 central business district - pretty much for  
22                 generations or something like that because of the  
23                 scale of the project.

24                 Within those points that Nan made, that's  
25                 really an issue of it being compatible. We are only

1 going to pick up one or two parking spaces. It's  
2 really more asphalt. I don't know what kind of  
3 increase in sales revenue it's going to be. Stewart's  
4 indicated that maybe it might get half a job in  
5 perhaps the peak season or something like that. I'd  
6 like to hear from the Board in terms of what the  
7 compelling reason is to go through with this.

8 MAYOR DINEEN: I will say at least from my  
9 point of view that tonight that's not going to be the  
10 time for us to do that. We will be giving our reasons  
11 when we do vote on this application; whether that be  
12 tonight or another time, we will be giving those reasons  
13 then. That's the best way that we can do that.

14 MR. VLAHOS: As long as there is an  
15 articulation of them -- thank you.

16 MAYOR DINEEN: Sure.

17 MR. ROSENBERG: Julian Rosenberg, I live just  
18 outside the Village on 146. I also want to share my  
19 observations on the Stewart's proposal and community  
20 character.

21 Over the weekend I found a Times Union  
22 article from April 2018 that is entitled A True Sense  
23 of Community in Altamont. I would just read the  
24 opening sentences.

25 Altamont looks like a Christmas card or a

1 Norman Rockwell painting. Altamont is the Village we  
2 all wish that we had grown up in. It is our idealized  
3 version of how a hometown should look. One would seem  
4 unable to re-create in our new suburbs.

5 If Stewart's expands its footprint, that  
6 commercial lot would take up three quarters of the  
7 block, leaving only one remaining residential use on  
8 the block. Nan Stoltenburg's analysis mentions this  
9 and states that she is "not sure how that might affect  
10 community character".

11 It is human nature to be concerned with the  
12 here and now and where to grab breakfast and how easy  
13 will it be to find parking, but 30 years from now  
14 assuming that Stewart's is permitted to expand, the  
15 homeowner at 111 Helderberg may decide that they are  
16 no longer interested in living next to a gas station.  
17 The house could be sold and perhaps demolished. Is it  
18 possible that the entire block could eventually become  
19 commercially zoned? Erosion is a slow process. What  
20 will our Village look like in 100 years? The decisions  
21 that are made today obviously shaped the community  
22 character of Altamont, perhaps more than we realize.

23 The SEQRA question that specifically relates  
24 to community character asked: Will the proposed action  
25 impair the character or quality of the existing

1 community?".

2 The Board should recognize that a moderate  
3 impact on community character could be expected.

4 Thank you for your service to our community.

5 MAYOR DINEEN: Thank you.

6 Anyone else?

7 (There was no response.)

8 Okay, I don't see any other movement at this  
9 time.

10 (Where is the above entitled proceeding was  
11 concluded at 6:46 p.m.)

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## CERTIFICATION

I, NANCY L. STRANG, Shorthand Reporter and  
Notary Public in and for the State of New York, hereby  
CERTIFY that the record taken by me at the time and  
place noted in the heading hereof is a true and  
accurate transcript of same, to the best of my ability  
and belief.

Dated: \_\_\_\_\_

NANCY L. STRANG

LEGAL TRANSCRIPTION

2420 TROY SCHENECTADY RD.

NISKAYUNA, NY 12309

VILLAGE BOARD

COUNTY OF ALBANY

VILLAGE OF ALTAMONT

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CONSIDERATION OF THE SEQRA REVIEW OF THE PROPOSED  
LOCAL LAW 2 OF 2019 OF THE VILLAGE OF ALTAMONT  
REPEALING LOCAL LAW 1 OF 2018 AND AMENDING  
THE OFFICIAL ZONING MAP

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THE STENOGRAPHIC MINUTES of the above entitled matter  
by NANCY L. STRANG, a Shorthand Reporter commencing on  
October 1, 2019 at 7:35 p.m. at 115 Main Street,  
Altamont, New York

PRESENT:

BOARD MEMBERS:

KERRY DINEEN, MAYOR  
NICHOLAS FAHRENKOPF, TRUSTEE  
MICHELLE GANANCE, TRUSTEE  
JOHN SCALLY, TRUSTEE  
DEAN WHALEN, TRUSTEE

ALSO PRESENT:

JOHN HARTZELL, ESQ.

1           MAYOR DINEEN: We are now going to item number  
2           one which is consider the SEQRA review of the proposed  
3           Local Law 2 of 2019 of the Village of Altamont,  
4           repealing Local Law 1 of 2018 and amending the official  
5           zoning map.

6           So, last we left everyone in September, we  
7           had worked through the environmental assessment form.  
8           We weren't completely finished as far as we looked  
9           through 1 through 11. I would just give a summary and  
10          if you want to add something, please do.

11          1. Will the proposed action create a material  
12          conflict for the adopted land use plan or zoning  
13          regulations? We indicated moderate to large impact may  
14          occur.

15          2. Will the proposed action result in a  
16          change in the intensity of use of land? We indicated  
17          large to moderate impact for that, as well.

18          When it came to 3 - will the proposed action  
19          impair the character or quality of existing community?  
20          We haven't decided that. We had thoughts on both  
21          sides. I did a lot of research from everything that we  
22          have had. That we received and everything we have  
23          read and comments we received that night. So, I am  
24          okay. I don't know how everybody else feels with  
25          considering that moderate to large impact, as well.

1 Because of some of the comments we received,  
2 especially. Again, I will go with what your thoughts  
3 are.

4 I know Dean felt that way. He thought that it  
5 should be a moderate to large.

6 MR. WHALEN: Yes.

7 MAYOR DINEEN: I'm just going to review the  
8 rest quickly so you know what we have talked about.

9 Will the proposed action have an impact on  
10 environmental characteristics that cause the  
11 establishments of critical environmental areas? We had  
12 indicated no.

13 5. Will the proposed action result in an  
14 adverse change in the existing levels of traffic or  
15 existing infrastructure for mass transit, or walkway?  
16 We had indicated no for that.

17 6. Will the proposed action cause an increase  
18 in the use of energy and fails to incorporate  
19 reasonably available energy, conservation or renewable  
20 energy opportunities? We indicated no for that.

21 7. Will the proposed action impact existing  
22 public or private water supplies or wastewater  
23 treatment utilities? We indicated no to both of those.

24 8. Will the proposed action impair the  
25 character quality of important historic,

1 archaeological, architectural or aestehic resources?

2 We indicated no for that.

3 9. Will the proposed action result in an  
4 adverse change to natural resources, wetlands, water  
5 bodies, groundwater, air quality, flora or fauna? We  
6 indicated no for that.

7 10. Will the proposed action result in an  
8 increase in the potential for erosion, flooding or  
9 drainage problems? We had indicated no for that.

10 Our last question is: Will the proposed  
11 action create a hazard to environmental resources or  
12 human health? We had considered no for that.

13 MR. WHALEN: In my notes I actually had small.

14 MAYOR DINEEN: I'm sorry. I should say small or  
15 no impact. So, it is still that no box. I guess I'm just  
16 reading the box. So, the first box is no or small impact  
17 and the second is moderate to large impact.

18 So, our job is to review everything that had  
19 been turned into us. We looked at anything sent to us  
20 from the community, we listened to people during  
21 public comments and we closed public comment.

22 We had a planner that we used for different  
23 projects - we had her review the project application,  
24 as well. We heard from Stewart's on the application.  
25 We did traffic studies and so our job at this point is

1 to make a determination of significance specifically  
2 at one, two and three. So, we agree that there are  
3 moderate to large impacts in those areas. Then, the  
4 rest would be really small.

5 So, looking at it as a Board we have to  
6 decide a couple of things. Do we feel that these  
7 moderate to large impacts could be mitigated with  
8 processes that we have in place - the zoning that we  
9 have in place or other ways? If we think there is  
10 enough of that, do we make a determination for a  
11 negative declarations? Then, we would have to draft a  
12 Part III that would support that reasoning that were  
13 talking about and just referred to.

14 If a majority thinks that can't be mitigated,  
15 then it would have to be something else.

16 I know I sent thoughts around. I know Dave  
17 sent some thoughts around. The supporting part - the  
18 Part III will take drafting a narrative. We don't want  
19 to sit here and draft that in front of you. I do want  
20 to take a current poll, more or less, about what  
21 direction because our counsel needs to draft that,  
22 knowing the direction that we want him to go. Does  
23 that make sense?

24 MR. HARTZEL: He wrapped up Part II, which is  
25 the environmental assessment. Subsequent to your last

1 meeting, you did receive submissions from Stewart's. One  
2 question now is for you on Part II, do you need anything  
3 further to finalize the part to process and complete  
4 Part III? There was some suggestions that you might want  
5 to ask for. I have heard no one on the Village Board say  
6 they want those things.

7 MAYOR DINEEN: I did send that out - asking if  
8 anybody had anything. I wanted to give the opportunity  
9 whether it be today or very soon to prepare something. I  
10 didn't hear from anybody that you wanted anything more  
11 than what we have already received. So, it comes down to  
12 that.

13 MR. FAHRENKOPF: They were my comments which  
14 were - Stewart's did offer some backup in our process  
15 last month. They didn't address all of the items and  
16 believe it or not I'm saying this - but I don't think  
17 some of the things that were listed are appropriate at  
18 this stage. We are starting to step on the Planning  
19 Board's toes or the Zoning Board or the ZBA process. So,  
20 I did not ask for anything further. I did make some  
21 other comments.

22 MAYOR DINEEN: We did discuss that at the last  
23 meeting. There are some people that are under the  
24 misconception of what long versus short really means.  
25 It's easy to say oh, you should have done this, you're

1 not doing that. That's absolutely not what we have done.  
2 The short form was appropriate. We talked about that at  
3 the last meeting and that the long form would not give  
4 us any more information than we already have coming in  
5 on the short form which is the appropriate form for this  
6 unlisted action.

7 The DEC website is wonderful. It does tell  
8 you - you can look right at the long versus the short  
9 of each item so you can see that. It does not mean  
10 that we did not take information on the long form and  
11 weigh it against this. We did decide that last time.  
12 So, I thought that was the appropriate - - personally,  
13 I thought that was the appropriate way.

14 MS. GANANCE: Also, there were things that  
15 weren't appropriate on the long form.

16 MAYOR DINEEN: Absolutely. So, I'm thinking  
17 that there is nothing else that we need from Stewart's  
18 that they haven't sent us.

19 MR. HARTZEL: So, Part III is called the  
20 determination of significance. In the Part III process  
21 it can do two things; one -- and I would encourage you  
22 to do this - you can explain some of your rationale with  
23 respect to findings of small impacts articulated in Part  
24 III, although it is not required. Then, you can list  
25 the items that you found moderate to large impact and



1           you can speak to whether you have a finding of  
2           significance or no significance with respect to those  
3           impact areas. Given that the matter is in litigation,  
4           you have a lot of material that was submitted to you. I  
5           encourage you to go through each of the 11 items in Part  
6           III and address what your reasoning is with respect to  
7           findings. I'm happy to send out - and as the Mayor  
8           pointed out - - you know, SEQRA has been around since  
9           1988. So, it's pretty well documented process. DEC has  
10          very good guidance on determining significance and the  
11          factors that you should consider. I can circulate to you  
12          or propose a draft of part three based on what I've  
13          heard as a working document.

14                   MAYOR DINEEN: Don't you need direction from us  
15          to do that?

16                   MR. HARTZEL: I can do it partly based on the  
17          comments that I have heard. It is hard to draft by  
18          committee. Even the folks that drafted the Constitution,  
19          I think, had to send Thomas Jefferson off for a few  
20          nights to actually put something together. It's  
21          difficult to draft by committee and I can give you a  
22          beginning document that you can mark up and take it or  
23          leave it. Based on what I think I've heard, I have had  
24          some communication to the Mayor with her view on things.  
25          I have heard her discussion. I have heard by way of

1 review of the action from the first go-around. So, I  
2 have a lot of background. So, I can provide you with a  
3 working document to start with and if the Board wants to  
4 expand on that and go in one direction or the other -

5 MAYOR DINEEN: So, we can work on that from  
6 tonight on and you can send us a draft and we can then  
7 get that in review that.

8 MR. WHALEN: If that's an acceptable process, I  
9 would prefer to do that because I would like to see a  
10 draft first.

11 MR. HARTZEL: When you make your negative  
12 declaration, you want to come to an agreement about what  
13 your reasoning is.

14 MR. WHALEN: It's a consensus between the  
15 Board -

16 MAYOR DINEEN: Are you guys good with that?

17 (All Board Members agreed.)

18 I think we want to look at a draft of Part  
19 III, the narrative, before our meeting and then make a  
20 final determination at the time.

21 MR. HARTZEL: By way of reminder, we have an  
22 adjournment in our litigation with the neighbors and the  
23 individuals to the 22nd, I think, of November. So, if  
24 you are in a position to act at your November meeting  
25 which would be -

1           MAYOR DINEEN: Well, that's going to be an  
2 additional agenda item this evening, so it will be  
3 before then.

4           MR. HARTZEL: If you feel comfortable, you  
5 could potentially act to decide - make a determination  
6 on SEQRA and -

7           MAYOR DINEEN: Okay, so we are going to go away  
8 from here tonight waiting on a draft from you?

9           MR. HARTZEL: Yes.

10          MAYOR DINEEN: Okay, is everybody else good  
11 with that?

12          (All Board Members agreed.)

13          MR. FAHRENKOPF: Yes, I think that I would much  
14 prefer to see a draft.

15          MAYOR DINEEN: That was one of the things we  
16 talked about. So, we're going to go away from here  
17 tonight waiting for a draft from you and then we will  
18 come back.

19          MR. HARTZEL: It will be to you shortly.

20          MAYOR DINEEN: That's fine

21          MR. HARTZEL: Taken the comments that have  
22 gotten everything and see. Please, I don't want anybody  
23 on the board-- uses are the deciders. Respect very much.  
24 So, if I have gone off in left field on an issue, don't  
25 worry about hurting my feelings. I'm just going to try

1 to provide you with a working document that will allow  
2 you to get started.

3 MAYOR DINEEN: Sounds good. So, this is to be  
4 continued. This is the best way for us and you to hear  
5 how it will be recent out - exactly what we are asking  
6 from the very beginning of this meeting - the SEQRA part  
7 of this. The we will take, after the SEQRA is complete.

8 (Whereas the above entitled proceeding was  
9 concluded at 7:52 p.m.)  
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## CERTIFICATION

I, NANCY L. STRANG, Shorthand Reporter and  
Notary Public in and for the State of New York, hereby  
CERTIFY that the record taken by me at the time and  
place noted in the heading hereof is a true and  
accurate transcript of same, to the best of my ability  
and belief.

Dated: \_\_\_\_\_

NANCY L. STRANG

LEGAL TRANSCRIPTION

2420 TROY SCHENECTADY RD.

NISKAYUNA, NY 12309