

VILLAGE OF ALTAMONT
REGULAR BOARD MEETING
September 04, 2013

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

Patty Blackwood, Clerk
Robert White, Altamont Fire Chief
Todd Pucci, Altamont Police Chief
Allyson Phillips, Legal Counsel

Attending: Tom McDonald and Brad Grant, Barton & Loguidice

General Public: 8

7:00 p.m.

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

Mayor Gaughan reported the long awaited reconditioning, of the Route 156 road from Altamont Oaks to Stewarts, is scheduled to begin on September 30th.

Robert White, Chief Altamont Fire Dept., reported 5 calls for the month of August. Altamont Fire Dept. Ladies Auxiliary will be holding Brooks Barbeque fundraiser on Friday, September 6th. Tuesday, September 11th the Altamont Fire Dept. will be commemorating the 12th anniversary of the attacks on this country with a memorial service at the Altamont Fire Department at 8:30 a.m. Trustee Aylward reported he attended Fire Chief's meeting in July at the Fire Training Center and stated it is important to keep the training center going.

Todd Pucci, Chief Altamont Police Dept., reported regrettably Officer Gerardo Conti has resigned from the Altamont Police Dept. Officer Conti was hired as a full-time police officer with SUNY Purchase College. Chief Pucci stated the Altamont Police Department made it through the month of August with all the Village events. Chief Pucci reported a local radio station has made some derogatory statements against the Altamont Police Dept. in reference to Freedompalooza that was held at the Altamont Fair. The allegation made by the radio station is that the Altamont Police Dept. was patting people down at Freedompalooza. Chief Pucci stated this wasn't true. There was a private security company hired for the event that was at the gates and they were patting people down per the agreement made with the promoter. It had nothing to do with the Altamont Police Dept. One hundred people attended the Freedompalooza event.

Trustee Aylward made a motion seconded by Trustee Dineen to approve the Treasurer's report; #5, #6, #7 as submitted. **Roll Call: All in favor**

Public Comment:

Trustee Aylward stated he was impressed by the Altamont 5K at Bozenkill Park on August 24th that was put on by Phil Carducci.

Trustee Aylward made a motion seconded by Trustee Whalen to approve authorizing Mayor Gaughan to sign Stephen Miller General Construction Change Order No. 7, for Contact 1A, regarding Wastewater Treatment Plant Improvements. Change Order No. 7 revised the Contract Documents to include: (1) Modifications to the 6-inch SBR WAS

discharge piping (SBR's 1 thru 4) to include a siphon break and air release piping. The total cost of Change Order No. 7 is \$14,738.07. The total contract amount for Contract 1A prior to Change Order No. 7 was \$2,477,435.21 with a \$0.00 contingency allowance. The revised total contract amount for Contract 1A after Change Order No. 7 is \$2,492,173.28 with \$0.00 contingency allowance remaining. **Roll Call: All in favor**

Public hearing at 7:15 p.m.

Mayor Gaughan opened public hearing at 7:15 p.m. to consider expending \$17,000 from the Water Reserve Fund for a Hazard Classification Study of the Altamont Reservoir Dams to be conducted by Barton & Loguidice.

Trustee Aylward stated resolution calls for \$17,000 for Dams Study but the backup material states the Classification Study would reduce the cost of the subsequent Engineering Assessment but not by \$17,000. More likely, the cost would be reduced by \$7,000 to a cost of \$10,000.

Trustee Marshall stated backup material was prepared in-house. Due to change in NYS DEC regulations the Village is now required to have an engineering assessment done of the dams. The price of the engineering assessment would be \$40,000 for the two dams. This classification study is a different thing. It's not the engineering assessment that NYS DEC is requiring. It's a study that the Board hopes will result in changing the classification of the dams to lower classifications so that one or both may not require an engineering assessment study. There are different classes of dams and the lowest ones don't require this expensive engineering assessment. Both the dams are now a classification that would require the engineering assessment. There is a provision in NYS DEC's regulations to allow a municipality to try to decrease the classification of their dams. Currently, one of the dams is a Class B and the other dam is a Class C. If Village is able to reclassify both of the dams to Class A, Village wouldn't need an engineering assessment. If only one of the dams is reclassified, the Village would still need an engineering assessment of the other dam. That's where the price of reducing the cost of the engineering assessment and study come from.

Brad Grant, Barton & Loguidice engineer, stated execution of the Hazard Classification Study includes hydrology and hydraulics which would be needed in the engineering assessment if Village needed to do an engineering assessment. A lot of the effort in the study would be part of the assessment. By doing that work up front Village may forego having to do it for perhaps one dam, two dams may be a stretch but would certainly try. Study of the runoff and a dam breach model to see the severity would be conducted. Trustee Aylward inquired about the safety of the reservoirs. Mr. Grant stated it's about safety and also how the dams would perform under an extreme event and in the case of the B dam that would be based on 150% of the 100 year storm. Study would portray the result if the dam failed. The study would be a report that would have engineering background, engineering computations, mapping and essentially an inundation map of what downstream would be affected and to what extent. Study would take a few months and would be presented to Village Board and NYS DEC.

No comments from the public

Trustee Aylward made a motion seconded by Trustee Whalen to close public hearing at 7:23 p.m. **Roll Call: All in favor**

Trustee Dineen made a motion seconded by Trustee Marshall to approve, subject to permissive referendum, to expend \$17,000 from the Water Reserve Fund for a Hazard Classification Study of the Altamont Reservoir Dams to be conducted by Barton & Loguidice. **Roll Call: All in favor**

Allyson Phillips, Legal Counsel, reported Village is proposing Local Law No. 1 of 2013, a means to amend the current sewer use law and fee schedule to provide a means of increasing revenue to support Wastewater Treatment Plant project. The project involved \$3.575 million project in order to make those improvements which were required under NYS DEC under the consent order. As a result the Village had to incur indebtedness. As part of that plan, Village had to provide for a means to increase revenue through sewer rents so Village could pay for increased debt service associated with these improvements. Sewer Committee has taken the time and done an in-depth analysis as to what the amount of indebtedness means for each individual unit essentially coming to a figure where you would take the amount of money that has to be paid back and project that out for the length of the loan and look to see what is actual cost per unit on a yearly basis. Village Board is proposing to amend the law to change the way the sewer charge is calculated. Currently the sewer service charge is a charge that is based on the proportion of the sewage that is sent by an individual user to the system. It's a rate that is established taking into account the amount of water taken in which corresponds with the amount of sewage being sent out by an individual user. That will remain unchanged. Village Board is proposing to add a new component to the sewer service charge which is a semi-annual charge that is equally distributed amongst all of the users of the Village systems. Local Law No. 1 of 2013 would amend sewer use law; Chapter 300 of the Village Code; first change to be made is amendment to Section 300-84 which defines what the normal sewer service charges are. Currently it states the sewer service charge is proportional to the liquid volume of waste so deposited. This will remain in the law. New component to be added to local law called a user fee will be applied to everyone equally and added to the semi-annual bill as a flat fee. The recommendation of the Sewer Committee is a \$45 semi-annual charge applied equally to users inside and outside the Village. That's the primary amendment that is covered under Local Law No. 1 of 2013. Village is also going to clarify the Village Code to make it easier to follow by taking sewer service charges, located in Appendix of the Village Code in Chapter A405 in the Village Fee Schedule, and move the sewer service charges and put them in the law. The law looks at sewer service charges differently and sewer rents are governed by a different procedure. Sewer charges should be stated within the sewer use law and kept separate and apart from other fees that are not regulated in the same way as a sewer charge. Now that the project is well underway, Village is coming to a point where it needs to start implementing this new user fee so additional money can be brought in to start paying the debt service on the loan.

Mayor Gaughan reported that for the past two and a half years the Village has reported on the Wastewater Treatment Plant project at every meeting, in two Village newsletters and have placed articles in the newspaper. The last step is the Public Hearing on September 17th before Local Law No. 1 of 2013 can be passed.

Trustee Dineen made a motion seconded by Trustee Aylward to approve resolution to set public hearing for September 17, 2013 at 7:00 p.m. on proposed Local Law #1 of 2013, A Local Law Amending Chapter 300 and Chapter A405 of the Code of the Village of Altamont and Adopting a New Sewer Service Charge. **Roll Call: All in favor**

Trustee Whalen made a motion seconded by Trustee Marshall to table, until September 17, 2013, resolution to sign Inter-Municipal Agreement, commencing on September 1, 2013, with Town of Guilderland Fire Districts for purpose of repair and maintenance of the Fire Training Center Tower for annual fee of \$2,000.

Roll Call:

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

Motion Carried 4/1

Trustee Dineen made a motion seconded by Trustee Aylward to approve resignation, with regret, of Gerardo Conti, part-time police officer, effective August 24th per letter of resignation. **Roll Call: All in favor**

Trustee Aylward made a motion seconded by Trustee Whalen to approve appointment of Shawn Noxon to part-time police officer position, not to exceed 20 hours per week, effective September 4, 2013 at a salary of \$15.00 per hour per recommendation of Chief Todd Pucci. Position is probationary for a period of up to one year. After successful completion of probation, salary will be increased to \$16.00 per hour.

Roll Call: All in favor

Trustee Dineen made a motion seconded by Trustee Marshall to approve authorization to sell following surplus equipment: 2003 Ford Explorer Vehicle at minimum sale of \$2,500 per recommendation of Todd Pucci, Police Chief. **Roll Call: All in favor**

Trustee Aylward made a motion seconded by Trustee Whalen to approve Altamont Fire Department's participation in Schoharie Fire Department's "Battle of the Bands" fundraiser in Schoharie on Saturday, September 21, 2013. **Roll Call: All in favor**

Trustee Aylward made a motion seconded by Trustee Dineen to approve Proclamation to recognize October 2013 as Anti-Bullying Awareness Month. **Roll Call: All in favor**

Trustee Whalen made a motion seconded by Trustee Dineen to approve of Board Minutes for July 16, 2013. **All in favor**

Trustee Whalen made a motion seconded by Trustee Dineen to adjourn at 7:47 p.m.

All in favor

Respectfully Submitted,

Patty Blackwood
Clerk