Sept 16
1980

STATE OF NEW YORK DEPARTMENT OF ENVIRONMENTAL CONSERVATION

The Matter of the
Application of Pyramid Crossgates Company
for Permits Pursuant to

Environmental Conservation Law Article 15 (Protection of Waters) and 6 NYCRR Part 608 (Use and Protection of Waters);

Environmental Conservation Law Article 17 (State Pollutant Discharge Elimination System) and 6 NYCRR Part 750 (SPDES);

Environmental Conservation Law Article 19 (Air Pollution Control) and 6 NYCRR Part 203 (Indirect Source of Air Contamination);

Environmental Conservation Law Article 24 (Freshwater Wetlands) and 6 NYCRR Part 662 (Freshwater Wetlands -- Interim Permits)

Closing Memorandum on behalf of the McKownville Improvement Association

--and--

The Matter of the

Approval of a Final Environmental Impact Statement

of the Pyramid Crossgates Company Pursuant to

Environmental Conservation Law Article 8 (Environmental Quality Review) and 6 NYCRR Part 617 (State Environmental Quality Review)

For the Purpose of the Construction of a Regional Shopping Mall in the Town of Guilderland, County of Albany, on a Site of 167 acres of Open Space Known as the Albany Pine Barrens or Pine Bush and on 42 acres of Access Roads.

D.E.C. Project no. 401-09-S002

Introduction

The regional shopping mall proposed by the Pyramid Crossgates Company ("Applicant") appears -- from what we can learn from the Applicant -- to be

nothing more than an arcade of banal shops which will be engulfed by traffic congestion. The construction of this mall does not justify the destruction of more than 200 acres of unique pine barrens with its unusual plant forms and wildlife. Most important is that there is strong opposition to the project from citizens, environmental groups and government officials. The applications for the various permits should be denied and the Department of Environmental Conservation ("ENCON") should find that that the environmental concerns and benefits under SEQR far outweigh any alleged economic benefits from this project and there should be no approval under SEQR.

The Permits

(1). Freshwater Wetlands

The project, as proposed, requires the destruction of 16 acres of regulated freshwater wetlands and the further destruction of 5 acres of other wetlands. The wetlands are unique in their location in an urban environment. Once destroyed the wetland cannot be restored. The public policy of the State of New York is to preserve wetlands from destruction unless there is a compelling reason for destruction:

> It is declared to be the public policy of the State to preserve, protect and conserve freshwater weltands and the benefits derived therefrom, to prevent the despoliation and destruction of freshwater wetlands, and to regulate use and development of such wetlands to secure the natural benefits of freshwater wetlands, consistent with the general welfare and beneficial economic, social and agricultural development of the state. ECL 24-0103

The declared policy of ENCON toward wetlands is

> a balancing process which emphasizes preservation of the socio-environmental benefits of freshwater wetlands while acknowledging the necessity for maintenance of consistency with beneficial socio-economic development of the State. Assistance in determining the latter factor is derived from examination of whether the project is reasonable and necessary and whether non-wetland sites are reasonably available to accommodate beneficial development.
>
> Pyramid Systems, Inc.
> Encon Decision, March 17, 1978, page 1.

Indeed, the regulations mandate that a wetlands permit shall be issued only if the proposed project is "reasonable and necessary," and there is "no reasonable alternative on a site which is not a freshwater wetland" (6 NYCRR 662.8 (c) (3) and (4). The project is not reasonable and necessary for the proposed site. There are reasonable alternatives on sites which don't have wetlands.

It is clear from the testimony of Richard Carreaga (February 22, 1980) that thorough consideration to the requirement to locate a reasonable alternative on a site which does not contain wetlands was not done. Carreaga first concerned himself with the proposed site (#11), and after learning of the wetlands on the site, mechanically performed an "analysis" of examining the 10 alternative sites and then perfunctorily rejecting them. Throughout the examination of alternative sites, Carreaga testified, as did the principals Robert Sproul and Bruce Kenan, that "business judgment," rather than social or environmental concerns, was, and continues to be, the prime factor for the Applicant's choice for its regional mall. The testimony of Marshall Dennis and Martin Michener on the value of the wetlands on the proposed site is not credible (April 10, 1980). Dennis, under cross-examination by Marc Pellegrino, admitted that he had made mistakes on asserting that the on-site wetlands were not significant and that he had not used the Golet analysis properly but had adapted it in favor of the Applicant. Of course, Golet only addressed one (wildlife habitat) of the nine benefits of freshwater wetlands of Article 24. Lindsay Childs, a professor of statistics, exposed the Applicant's deliberate attempt to downgrade the importance of the wetlands by a perversion of the statistical process.

Edward Miller, ENCON's coordinator for this project, testified (June 4, 1980) about the infirmities of Carreaga's work. Miller testified, and Carreaga had earlier conceded, that a complete environmental analysis of each of the

alternative sites had not been done. Miller explained that 6 NYCRR 617.14 (d) (5) requires a discussion of alternative sites for each of the permits requested. The Applicant failed to meet this requirement with respect to any of the other permits and did a mediocre analysis with respect to the wetlands permit. There are reasonable alternatives to the proposed site. Miller identified three other sites, without wetlands and without the Karner Blue, which ENCON found to be satisfactory for the construction of the mall: two located off the Northway in Latham (Sites 1 and 2) and one off I-90 near Everett Road in Colonie (Site 10). Sites 1 and 2 are properly zoned and have few residences. They will generate, if the Applicant is correct in its expectation, as much in taxes as the Crossgates location, Site 11, will. Sites 1 and 2 are closer to the geographic triangle of the Capital District and much closer to Colonie Center, the target whose shopping dollars the Applicant seeks to capture. Sites 1 and 2 will also be favored by the new Alternate Route 7 and the Collar City Bridge over the Hudson River at Troy, which will open a new market which is not readily available to the Applicant at Site 11.

Further, the Applicant has failed to replace the wetlands which it proposes to destroy, Detention basins, despite the legerdemain of the witnesses for the Applicant, do not provide all the benefits of freshwater wetlands. Notwithstanding the gallimaufry of claims of the Keyes group for its earthen embankments, which they want ENCON to believe are really wetlands in a different shape, detention basins, at the very minimum do not offer the "education and scientific research by providing readily accessible outdoor biophysical laboratories, living classrooms and vast training and education resources" (ECL 24-0105 (7) (g); cf. testimony of Margaret Stewart and Maynard Vance (May 20 and 21, 1980). Detention basins do not offer "open space and aesthetic appreciation" as do wetlands (ECL 24-0105 (7) (h). ENCON's policy

is that even an applicant's offer of a new wetland -- which detention basins are not --

> could only be considered compatible with the intent of the (Freshwater Wetlands) Act if in every significant respect the new wetland would perform all the functions of the existing wetland in and for the affected area: equivalent flora and fauna habitat, wetland stability, flood control, groundwater protection, pollution treatment, erosion control and the related matters set forth in ECL Section 24-0105.
>
> Pyramid Systems, Inc.
> ENCON Decision, March 17, 1978, page 3

These 21+ acres of wetlands provide a habitat for a diverse and abundant population of wildlife that is especially rare in an urban setting and even rare, in the case of some of the species, in the State of New York.

Failure to Give Notice of Destruction of Wetlands

This proceeding commenced by a "Public Hearing Notice and Notice of Pre-Hearing Conference" in the Albany Times-Union newspaper, dated July 12, 1979, and re-published July 19, 1979, and a notice in the Environmental Notice Bulletin, dated July 11, 1979. The notices became Exhibits 1 and 2 in the proceeding on August 13, 1979. The notices stated that a "public hearing upon the application (and DEIS) will be held . . . on August 13, 1979, at 10:00 a.m. to be continued from day to day, if necessary" with a pre-hearing conference on August 10, 1979. It is clear that August, 1979, began the hearing because the pagination started from page one then and continued sequentially through July, 1980. The hearing was adjourned at the Applicant's request. Any question with respect to when the hearing began was resolved when the Hearing Officer, upon an objection by the McKownville Improvement Association over the adequacy of the SEQR notice, ruled (January 30, 1980, p. 147) that it was cured by the "original notice of hearing last year." ECL, in effect at the start of the hearing, required the Applicant to notify by certified mail not less than 15 days before the hearing "all

owners of record of the adjacent land" to the wetlands proposed for destruction and "the local governments." It is true that the Laws of 1979, Chapter 233, subsequently deleted this requirement of notice when ENCON was the lead agency, however, the amendment did not become effective until September 1, 1979, after this hearing commenced. Legislation, of course, is prospective in nature, unless there is a specific direction that it shall be retrospective as well. This is no such provision provided in Chapter 233. Requests were made of the Applicant for proof of notice by certified Mail (on February 19, 1980, and April 15, 1980) and none was forthcoming. Accordingly no consideration at all should be given to the application to destroy the wetlands because the Applicant failed to comply with the mandatory requirement of notice imposed by statute.*

(2) SPDES Permit

George Hansen and Walter Loveridge testified that a SPDES permit is required for this project. We agree. The regulations of the Department of Health, 10 NYCRR 100.17, protect the McKownville Reservoir from any contamination or pollution. Contrary to the testimony of Carlton Noyes, (March 12, 1980), all acts of contamination or pollution are strictly prohibited by the regulations, not just those massive doses of contaminants which would change the classification of the water. Even if the Reservoir is not presently used, there is the possibility that it may be needed and used in the future (Exhibits 35 and 137).

However, it should be noted that the SPDES permit concerns itself with the contamination of the Reservoir after construction. The Applicant admits that the construction process will cause the acceleration of the eutrophication

*All other objections to the failure to give proper notice on all the permits and SEQR which were raised at the hearing are herein raised again by incorporation by reference to the transcript.

of the McKownville Reservoir. Construction cannot proceed at all within 150 feet of the Reservoir, the Krumkill or the wetlands which are part of the protected watershed. See 10 NYCRR 100.17 (k), e.g. In short, the project, as proposed, cannot be built because of these regulations. The Applicant, at the very minimum, must revise the plans in order to not affect the wetlands or the Krumkill. Only after that, may it then apply for the SPDES permit.

(3) Protection of Waters

These permits cannot be granted because the project would permanently alter the headwaters of the Krumkill, replace watercourses with storm sewers, open channels and detention basins, and pollute its waters with debris from construction. As mentioned above, 10 NYCRR 100.17 absolutely prohibits all acts which adversely affect the watercourses and watershed of the McKownville Reservoir. Furthermore, the Applicant has not demonstrated that the construction of the regional shopping center is "reasonable and necessary." The issuance of the stream protection permits would be in clear violation of 6 NYCRR 608.6.

(4) Indirect Source

The Applicant proposes to phase in the construction and operation of the regional mall until it becomes fully operational in the year 1985 or 1986. ENCON proposed (Exhibit 31) that full operation begin in 1986. The applicable regulation, 6 NYCRR 203.9, in part, reads:

> (b) For purposes of this section, the applicable ambient air quality standards for:
>
> (1) construction of highway sections which will produce an annual average of daily traffic volume of 50,000 or more vehicles within 10 years of completion of construction:
> (2) modification of a highway section which will increase the annual average of daily traffic volume by 25,000 vehicles or more within 10 years after com-

pletion of modification; and
(3) airports
shall mean the standards for carbon monoxide, photochemical oxidants and nitrogen dioxide adopted pursuant to the act. For all other indirect sources, the applicable ambient air quality standard shall mean the standard for carbon monoxide adopted pursuant to the act. Determination of whether a violation of such standards will be caused or whether, in the case of an existing violation, ambient concentrations will be increased will be based on anticipated ambient concentrations as of the time of completion of the proposed construction or modification or any phase thereof and during a reasonable time thereafter. In the case of highway sections and airports such time shall be a 10 year period following such completion.

The Applicant has not placed on this record any evidence that it has complied with the 10 year requirement that it will not violate the applicable ambient air quality standards for the years 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996 and 1997. There are five alternatives proposed for highway sections: 1, 1A, 2, 3, and 4. Each alternative should have had a 10 year study done in order that the Hearing Officer could make an intelligent assessment of the particular highway section that would best comply with the ambient air quality standards. The Applicant has done not even one such study.

The Applicant cavalierly speculates compliance with future air quality standards based upon the reckless assumption that emission controls will be improved and will be installed in automobiles in the years following 1985. This concept is common to the desperate and known as the "doctrine of progressive amelioration," or that, in time, things have to improve because they cannot get worse. However, the fact of the matter is that not everyone will own a new car with improved emission controls. Indeed, since the preparation of the DEIS, the national policy has shifted to emphasize competition with foreign cars and to do so, in part, to relax the stringency of emission controls on domestic automobiles. The failure of the Applicant to perform

these 10 year studies, with a reasonable degree of scientific certainty, is fatal to its application for an indirect source permit.

Kenneth Mackiewicz relies upon the amorphous theory of "shoppers credit" in order to explain how the Applicant can meet the air quality standards. Curiously, Mackiewicz was unable to provide data or back-up for his claim. He could not specifically provide the names of authors or articles to support his contentions. Under cross-examination, he shifted in his seat, hesitated and apologetically responded that he had no supportive data. Mackiewicz's opinion on shoppers credit is worthless. It is elementary that a conclusion from a witness, expert or otherwise, has no probative value and must be discarded if there is no factual foundation to support the conclusion. In sum, the indirect source permit must also be denied because there has been no credible evidence that the highway sections proposed by the Applicant will not violate the ambient air quality standards.

State Environmental Quality Review (SEQR)

The purpose of SEQR is to protect the natural community resources and to help the people of the community to understand the local ecological systems which are essential to human existence. ECL 8-0101 states that SEQR is the

> state policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and enhance human and community resources; and to enrich the understanding of the ecological systems, natural, human and community resources important to the people of the state.

The essence of the confrontation between the citizens and the developer of the proposed Crossgates regional shopping mall is the battle over the retention of a jewel of open space of unique pine barrens with its rare wildlife and flora and fauna in an urban setting versus the supposed economic benefits which allegedly accrue to a shopping center. In a recent court case involving

ENCON, the Appellate Division, Fourth Department, stated that "environmental amenities will often be in conflict with economic and technical considerations. To consider the former along with the latter must involve a balancing process. In some instances, environmental costs may outweigh economic and technical benefits (emphasis added) while in others they may not; but SEQRA mandates a rather finely tuned and systematic balancing analysis in every instance." Matter of the Town of Henrietta and Miracle Mile Associates v. Department of Environmental Conservation, et. al., Slip opinion, at page 9, July 10, 1980. That the Albany Pine Bush is unique is undisputed in this proceeding. Commissioner Flacke recently described it as a "natural area unique for its geology and history, its flora and fauna, as well as for its close proximity to a major urban concentration" (Attachment A). Robert Whittaker testified that the proposed Crossgates site in the Albany Pine Bush is a "treasure that should not be sacrificed" (July 18, 1980). Professor Whittaker and his wife effectively exposed the Applicant's attempt to trivialize the importance of the biology and ecology of the site.

Recent SEQR proceedings, where the various applications were approved by ENCON, were the Miracle Mile Associates case, decided December 6, 1979, and the Pyramid Company of Utica case, decided June 22, 1979. Neither case involved pine barrens, which are due to a unique geological process which is rare in the State of New York and rarer in Upstate New York. Neither site had rare or endangered species on the site or near the site like the proposed site of the Crossgates Mall in the Albany Pine Barrens (see Miracle Mile, Hearing Officer's report, point 29 at page 27, for a specific finding of fact; also see Pyramid Company of Utica, Hearing Officer's report, finding of fact, point 105, page 36, where a variety of wildlife was found but no rare or endangered species.) In the Utica hearing, the Hearing Officer found "no feasible alternate sites which do not contain freshwater wetlands" (page 3).

For the Crossgates site, where "business judgment" was the prime consideration. there are at least three (3) excellent alternate sites which do not contain freshwater wetlands (Sites 1, 2 & 10). In the Utica case, Commissioner Flacke adopted the finding with respect to the economics of the market place for that area, and he decided that there was "a clear demonstration of economic factors establishing a definable need and benefit." Here, the Applicant failed to provide such a "clear demonstration of economic factors establishing a definable need." Instead, it tendered a fanciful theory of "outshopping" for the Capital District, a theory based upon speculation and without factual data to sustain the theory and presented by witnesses without the credentials in order to convince us to "make a leap of faith" and join them in believing that there really is a market for a proposed line of shoppers' goods that we still don't know what's being offered. The conclusion by the Applicant that spendable income was leaving the local area because of a lack of a regional shopping mall is not supported by this record. Professors Kalish and Reeb of the Economics Department of SUNYA and Edward Fogarty, a remarkable citizen, demonstrated the errors in the presentation of Messrs. Barss and Casey. The Capital District has less spendable income for shoppers' goods in comparison with other SMSA's, because, inter alia, of higher food costs, higher heating bills and higher educational costs. It is interesting to note that the Applicant failed to recall Messrs. Barss and Casey to refute these opinions and conclusions of professional economists. Quite simply, the Applicant knew that it could not.*

*It necessarily follows that since there is no outshopping, as alleged by the Applicant, there is no certainty of success for the project and any alleged road benefits, as described by Bruce Podwal, and any alleged socio-economic benefits, as described by Harbridge House, are speculative, if not erroneous, at best because the mall may be a failure.

While it is true that as a general policy, ENCON "will not intrude its judgment in matters which involve open competition in the free enterprise system" (Miracle Mile decision, dated December 6, 1979) the Appellate Division, Fourth Department, ruled in a subsequent challenge to the authority of ENCON under SEQR, that the Commissioner has a statutory duty to balance the competing interests between the economics of a project and the environmental considerations: "environmental costs may well outweigh economic and technical benefits" (Matter of Town of Henrietta, supra, page 9). Here, certainly, the environmental benefits of the Albany Pine Barrens far outweigh speculative economic gains which flow from a discredited theory of outshopping. (N.B. sales tax receipts and construction jobs remain the same if the project is built at any of the alternate sites in Albany County.)

During the course of the hearings, it was obvious that the Applicant had only guessed at the market need and shopping habits of prospective customers in the Capital District. Shockingly, only after the hearings concluded did the Applicant attempt to survey consumer opinion. In the words of a spokesman for the Applicant, "it was a market research type of poll, and went into shopping, buying and driving." (See Attachment B). Such a survey, at this point in time, further supports the contention that even the Applicant itself never had a firm understanding of the types of stores or line of goods that it could or should provide to the Capital District. In sum, the Applicant, at least upon the testimony and exhibits presented at this proceeding totally failed to demonstrate that there was a need for the regional mall. Pine barrens and wetlands should not be arbitrarily and capriciously destroyed because of "business judgment" when the judgment is clearly erroneous and reasonable alternate sites exist.

Conclusion

The Applicant proposes to destroy, without any demonstrated compensation to the People of the State of New York, a unique and rare environment solely upon the caprice of a theory of outshopping. Once destroyed, the Pine Barrens cannot be recreated. If the Applicant is still guessing at what the market need is for a regional mall, under SEQR, ENCON does not have the authority to indulge such speculation. ENCON has a statutory duty, as the steward of the environment, to grant permits only when an Applicant has met the burden of proof for each permit and prevailed at the balancing test under SEQR. This Applicant has not done so. Accordingly, the applications for permits should be denied in all respects. Further, the project, as proposed, is not consistent with social, economic and other essential considerations from among the reasonable alternatives. The Crossgates regional mall, as proposed, does not minimize or avoid adverse environmental effects to the maximum extent practicable.

Respectfully submitted,

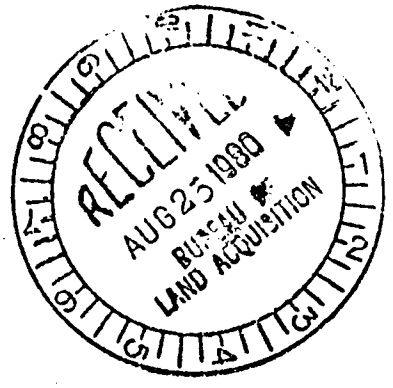
JOHN E. SHEA
P.O. BOX 843
ALBANY, NEW YORK 12201

Dated: September 16, 1980

To: William J. Dickerson
Administrative Law Judge
NYS Department of Environmental Conservation
50 Wolf Road
Albany, New York 12233

Service List

ATTACHMENT A



AUG 25 1980

Dear Mr. Lyman:

Thank you for your recent letter concerning our proposed acquisition of a portion of Great Lot 55. I am happy to present you with information concerning this acquisition and its importance to the overall Pine Bush Unique Area project.

In 1970, the State Nature and Historical Preserve Act provided for the identification and protection of areas of great natural beauty, wilderness character and geological, historical or ecological significance. Following the passage of the Environmental Quality Bond Act of 1972, funds became available for the acquisition and preservation of "unique areas" of New York.

The open land area that lies between the cities of Albany and Schenectady, locally known as the Pine Bush or Albany Pine Barrens because of its dominant pitch pine, scrub oak vegetation and well-drained sand soils, represents a natural area unique for its geology and history, its flora and fauna, as well as for its close proximity to a major urban concentration of New York State. Ownership of a portion of the Pine Bush by the State of New York will provide a means to conserve this unique ecological entity. Preservation of the ecological, geological and historical characteristics, a primary goal of ownership, will aid in guaranteeing that present and future generations will have the opportunity to derive benefits from the outstanding resources recognized as making the Pine Bush unique.

The objectives of the draft management plan for the parcel acquired by the State are:

(1) preserve the ecological characteristics of this Pine Bush site;

(2) provide recreational opportunity consistent with the ecology of the site;

(3) utilize its unique flora and fauna, geology and history for educational purposes;

(4) remove man's developments as much as is practical to restore the site to a natural state;

(5) protect a major aquifer recharge area to safeguard the future water supplies of those living and working in the Capital District.

This Draft Management Plan will be closely coordinated with the report of the intermunicipal Pine Bush Steering Committee in order to best implement overall Pine Bush strategy in the public interest. The parcel owned by Albany County is a crucial element in completing this project. This acquisition will make our management of the entire property more efficacious, protecting in particular our planned use of Willow Street. Albany County's donation of this parcel would be a major gesture of environmental concern which would significantly assist in the protection of this vital resource. This step would make the County an active partner in the project, joining this Department, the City of Albany, the Town of Guilderland and the U.S. Interior Department.

Enclosed you will find the legal description of the parcel which you requested. Maps showing Albany County's parcel in detail as well as its relationship to the overall project are also enclosed.

I sincerely appreciate your cooperation and assistance in this matter. Please feel free to contact me if there is any further assistance which you desire.

Sincerely,

Robert F. Flacke

Enclosures

Robert G. Lynch, Esq.
Albany County Attorney
County Court House
Albany, New York 12207

TWP/fh

ATTACHMENT B

Crossgates developer surveys shoppers

By SHARON GAZIN
Knickerbocker News Reporter

GUILDERLAND — The Pyramid Crossgates Co., developer of the proposed $85 million Crossgates Mall, has commissioned a "shoppers survey" of the town that includes questions on political figures and events.

Pyramid spokesman James Vlasto said the telephone survey, taken by Penn & Schoen Associates, a New York City public opinion polling firm, is part of "a mostly market research survey that we have been taking all along."

Vlasto said the survey, which was done over a 10-day period, might have been completed last week. He said the survey was intended to "try to find the shopping habits and needs of the area, and what is lacking in shopping facilities."

One of the women quizzed in the survey, Eileen Keating of Guilderland, said that although the approximately 115-question survey included such questions as, "About how many times a week do you shop?" it also sought political viewpoints.

Miss Keating said some of the questions included: How do you think the United States is going? How do you think New York State is going? What do you think is the main problem in the town of Guilderland?

Miss Keating said that when she told the interviewer the Crossgates Shopping Mall is the main problem in town, she was told the mall was the main topic of the survey.

Other questions included which town political figures are most influential, what groups are most influential in the town and what political party the person interviewed belongs to.

Miss Keating's mother, Kay Keating, said she was concerned that the poll should be impartial.

She said the interviewers had expressed bias concerning several political issues. For instance, on the question of the McKownville Reservoir, she said the interviewer asked her daughter, "Are you aware that the McKownville Reservoir has not been used?"

Opponents of the proposed mall have questioned the developer's plans to allow runoff water from the mall to enter the unused reservoir.

More recently, controversy centered around the reservoir, unused since 1972, when the Town Board proposed to consolidate the Westmere and McKownville Water Districts. Opponents of consolidation said they fear consolidation would lead to declassification of the reservoir and aid Crossgates' efforts to construct the mall in the reservoir's watershed.

Opponents said consolidation would have no effect on the reservoir. Residents voted to consolidate the two districts last week.

Mrs. Keating said she was also concerned because of other questions in the survey, including: "Do you think land should be set aside for butterflies?"

That question refers to the developer's proposal to set aside a portion of the grounds surrounding the mall for the Karner blue butterfly, which is on the state list of endangered species.

Vlasto said the purpose of the poll is not to ascertain whether residents favor the Crossgates project.

"It was a market research type of poll, and went into shopping, buying and driving," he said.

He said questions about a person's political party might be asked "for profiles of people. We are trying to get a profile of the type of person in the community."

Another resident who was surveyed, Louis Pasquini, said that although he favors development of the shopping center, he hung up on the interviewer after the first five questions.

He said questions were asked about his political affiliation, whether he was satisfied with things in the nation and in the town, and what steps could be taken to improve the town of Guilderland.

"I fail to see what you're enrolled as and the affairs of the nation have to do with Crossgates," Pasquini said.