

Town of Andes

Regular Monthly Meeting @ Town Hall

January 10, 2012 at 1:00 P.M.

Present:

Councilman Daniel Grommeck

Councilman Martin Liddle

Councilman Thomas Hall

Councilman Wayland Gladstone

Supervisor Martin A. Donnelly

Town Clerk Kimberly A. Tosi

Highway Superintendent Michael McAdams

Deputy Town Clerk Jesse Tosi

Assessor Tina Moshier

Others:

Nick Burton

Jane Berghammer

Bill Elwood

Fred Berghammer

Marge Merzig

Shayne Moshier

Alex Bene

Debbie Wagner

Bill Wagner

Bill Palmer

Joseph Altbacker

Fred Cubero

Jason Mondore

Michael Possafiume

Bob Lidsky

Sharon Drew

Mark Pezzati

Peg Ellsworth

Alex White

Bill Feldman

Peter Manning

Carol O'Brien

Nelson Bradley-Delaware County Times

Tom Coddington- Walton Reporter

Pauline Liu-Catskill Mountain News

Call to Order

The meeting was called to order at 1:00 P.M. by Supervisor Donnelly.

Pledge

The pledge was led by Councilman Grommeck.

Highway Report

Councilman Liddle read the Highway Report.

Highway Superintendent McAdams added that he just signed the P4's for the bridge on Close Hollow Project now he is just waiting for approval from Albany to begin the work. The project totaled over \$300,000. He also submitted another project for brush removal during the 2010 flood totaling \$25,000. The work has been completed we are just being reimbursed for work done.

Prior to the board meeting, it came to McAdams' attention that someone broke into the old highway garage and siphoned the fuel out of the grater. So he is going to put new padlocks on the building. Also he will be reporting the incident to the State Police.

Councilman Gladstone asked what the plan was to fix the leak in the salt building. He stated that there was quite a leak and it should be addressed before it gets worse. Councilman Liddle asked McAdams to get three quotes.

Town of Andes Highway Report

Michael R. McAdams, Highway Superintendent

January 10, 2012

Equipment:

2009 Int. 4x4 – Tightened brake canister

2009 6x6 – Installed new brake can, new air valve, new windshield (warranted for life of vehicle)

John Deere Loader – greased

Trucks have all been washed

Other:

December 2010 we used 2148 yards of sand, in December 2011 we used 589 yards of sand, because of the mild winter we have been saving money.

We will be getting 2 new radios @ 400. each for the new trucks.

Councilman Wayland Gladstone came down to the Highway Department on January 9, 2012 and looked at the roof on the salt building that is leaking. We also went to Close Hollow Road to look at the bridge from the 2010 flood. The bid to fix the bridge is \$268,975. We are still awaiting approval from FEMA to fix the bridge.

I have an estimate attached for putting a base in for our radios. This has to be completed before 2013.

The quarterly report for FEMA has been turned in.

Bradley Darling will be the working foreman for the Highway Department.

Welcome to our new board members and our new Town Clerk. I look forward to working with you.

Respectfully Submitted;

Michael R. McAdams

PROPOSAL

Page No. of Pages



K.J.B.L. ELECTRONICS, INC.

P.O. Box 157
3127 State Route 52
WHITE SULPHUR SPRINGS, NY 12787
(845) 292-7830 FAX (845) 292-7849

PROPOSAL SUBMITTED TO TOWN OF ALBES	PHONE	DATE 5-18-11
STREET HURLEY	JOB NAME	
CITY, STATE and ZIP CODE	JOB LOCATION	
ARCHITECT	DATE OF PLANS	JOB PHONE

We hereby submit specifications and estimates to:

NYS CONTRACT # 62491

**1- REPLACE REPEATER AT CLUG HILL
TO BE NARROWBAND COMPLIANT 1314.⁰⁰**

**1- REPLACE MOST MOBILE RADIO
TO BE NARROWBAND COMPLIANT 403.⁰⁰**

**1- HIGHBAND MOBILE RADIO TO CONNECT
WITH OTHER LOCAL HIGHWAY DEPTS &
FIRE DEPARTMENTS WITH ANTENNA
INSTALLED 511.⁰⁰**

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of

Payment to be made as follows

dollars \$

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any variation or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature

NOTE: This proposal may be withdrawn by us if not accepted within

90 days

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature

Date of Acceptance

Signature

Privilege of the Floor

-Joseph Altbacker – his questions were answered

-Carol O'Brien – speaking about the proposed Scenic Byway. Provided an updated Resolution, concerning the signage which has been a concern for many municipalities.

Peter Manning informed the Town Board about a meeting on January 19, 2012 at the Shandaken Town Hall. They will be discussing how to advertise businesses on a Scenic Byway, sign issues, etc.

Carol also spoke in concern to Belleayre Mountain Ski Center and the lack of funding. She said that because they don't have the money to advertise they aren't getting the same number of people to the ski center. This is affecting local business.

Jason Mondore gave his Animal Control Officer report. He needs a dog pole and crate in order to do the job. He may be able to use Bovina's. The supplies he needs are over the \$150 budget that he is provided if he can't get the pole from Bovina. He has a crate but it is not big enough.

**Resolution for Catskill Mountains Scenic Byway Nomination
and Corridor Management Plan Adoption**

WHEREAS, the scenic qualities of New York State Routes 28, 28A, 214, and 42, as described in the plan, and the surrounding mountains, valleys, and hamlets have been appreciated and celebrated for over a century by the residents of the Central Catskills, as well as tourists, artists, authors, poets and other visitors to the region; and it is this unique combination of mountain scenery, pristine waterways, historic hamlets that create the special sense of place that is vital to the economic health of the Central Catskills;

WHEREAS, the Central Catskills Collaborative, comprised of representatives of the seven municipalities along the proposed scenic byway route, committed to work cooperatively to protect and promote the scenic, cultural, historic, and economic well being of the Route 28 Corridor and the Central Catskills and agreed to pursue the nomination of the Catskill Mountains Scenic Byway;

WHEREAS, under the leadership of the Central Catskills Collaborative, each of the seven communities contributed to the development of this corridor management plan by forming local byway groups, encouraging public participation and leading individual meetings of the Collaborative;

WHEREAS, the advisory committee of the Central Catskills Collaborative, consisting of representatives from state, county, and city agencies, tourism organizations, the regional chamber of commerce, and an outdoor recreation organization has strengthened partnership and the development of the corridor management plan;

WHEREAS, in the process of developing this corridor management plan, the Central Catskills Collaborative has strengthened the bonds of intermunicipal cooperation and the involved communities envision further benefit through scenic byway designation including sustained collaborative progress, increased funding opportunities for recommendations identified in the plan, enhanced partnerships with agencies responsible for the stewardship of resources along and adjacent to the byway route, and an improved transportation experience that preserves, interprets, and promotes the corridor's intrinsic qualities and resources;

NOW, THEREFORE, BE IT RESOLVED, that the **[Town/ Village of _____]** supports the designation of the Catskill Mountains Scenic Byway as defined above and in the Catskill Mountains Scenic Byway Corridor Management Plan and adopts said plan which includes programs for stewardship and enhancement of the scenic byway and guidance to manage future activities along its corridor;

BE IT FURTHER RESOLVED, that the **[Town/ Village of _____]** confirms that they will not issue building permits or any other permits or other permission to construct new off-premise outdoor advertising signs along the designated Byway route; that off-

premise tourism oriented directional signage on state highways will be in compliance with the NYS Department of Transportation's Tourist Oriented Destination Sign (TODS) program, and that off-premise directional signage on any County and local roads along the designated Byway route will be consistent with the state TODS program; and

BE IT FURTHER RESOLVED, that the **[Town/ Village of _____]** will work in partnership with the six other municipalities of the Central Catskills Collaborative and local and regional stakeholders in order to support future Byway program development and collaborate with these interested entities to explore opportunities for cooperation and methods to advance the Scenic Byway;

I, **[_____, Town/Village]** Clerk of the **[Town/ Village of _____]**, Greene County, certify that this resolution was adopted by the **[Town/ Village of _____]** Board on the meeting of **[DATE]**.

_____, **[Town/ Village]** Clerk

****TOWN OF ANDES ****

MONTHLY DOG CONTROL OFFICER REPORT

Jan 2012
Report

DATE FROM COMPLAINT RESULT MILEAGE

1/2/12	Laura Resident on Highland Drive.	Abandoned dog @ her residence.	Owner was contacted Dog went missing, The owner went and picked up dog.	
	Brown	6 month old	pit-pull	was Licensed & had all shots
1/4/12	Name unclear Random passer-by	Dog out in cold weather @ Judy Taits.	Called Judy and was @ Judy's earlier that day, dog is able to go in garage to a bed of hay food & water.	
	Pete Rosenast?		was not taken care of and was eventually	
			↳ Dog is Licensed	

Supervisor Donnelly stated that starting next month if you don't have privilege of the floor you can speak at the end of the meeting or call a member to take care of an issue. But there cannot be comment going back and forth when the Board is trying to take care of board business.

Letter from the Catskill Center in regards to the proposed scenic byway. Supervisor Donnelly suggested that they turn it over to the Town Planning Board and County Planning Board. The committee has worked very hard on this. There is a problem with the signage. The new resolution may address this issue. Supervisor Donnelly stated that he doesn't think that we would want to give up our jurisdiction, home rule, unless it is to our advantage. Right now his understanding is that 4 of the 7 towns are not in agreement with the proposed requirements.

Andes Town Board
December 13, 2011

Page 2

I look forward to the opportunity to address the board at its January 2nd meeting. Please contact me if you have any questions.

Sincerely,



Peter Manning
Regional Planner

CC: Carol O'Beirne, Chairman, Central Catskills Collaborative

Enc:

Draft Corridor Management Plan for the proposed Catskill Mountains Scenic Byway (5)
Nominating Resolution

Letter from FEMA to Mike McAdams dated 12/9/2011 requesting a Quarterly progress report on all large projects that have not been completed or paid for.

This has been turned in.



NEW YORK STATE
DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES



STATE OFFICE OF EMERGENCY MANAGEMENT

Andrew M. Cuomo, Governor

Steven Kuhr, Director

December 9, 2011

Read

My Copy

Read gave a copy of this to Mike

Michael Mc Adams
Andes (Town)
POB 125
Andes, N.Y. 13731

RE: FEMA 1650 DR NY
P.A. ID # 025-02132-00
PW#(s) 1572, 3515, 3693, 4100, 4384
Quarterly Report

Dear Michael Mc Adams:

The Federal disaster assistance program regulations require that the State and local applicants submit a quarterly progress report on the status of all large projects which have not been reported as completed and for which a final payment has not been made. The report must also outline any problems or circumstances which might result in noncompliance with program requirements or which might otherwise contribute to a delay in the completion of work. To accomplish this requirement, we have instituted a formal quarterly report mechanism for disaster applicants.

Enclosed is a copy of the Quarterly Progress Report form that will be sent quarterly to applicants who must provide an update on progress made toward project completion.

The 4th quarter report covering the period up to and including December 31, 2011 is due to this office by **January 10, 2012**. Reports are due 10 days after the end of each quarter of the calendar year.

Please be sure to notify this office when your projects are complete by sending in the corresponding Project Completion and Certification Report (P.4) found in your blue folder. These reports must include the actual date completed and the amount claimed by applicant fields filled in and the last page signed and dated.

Should you have any questions, you may contact me at (518) 292-2374. If you wish to fax the form, please fax to (518) 322-4984.

Sincerely,

Erin Stanley
Disaster Assistance Officer

Enclosure

Motion to add to the low bidder's scope of work to include the removal of snow at the Town Hall and at the records building. The bidder is Bill Drew. Motion was made by Councilman Gladstone, Seconded by Councilman Liddle. All in Favor, motioned carried.

Letter from Risk Assessment, Mapping, and Planning Partners, a FEMA organization. They are going to be re-mapping the flood areas along the West Branch of the Delaware River. No action needed. If there are questions they can be addressed to Supervisor Donnelly.



*Read at 11/01/12
meeting*

November 23, 2011

Re: Field Surveys for FEMA Flood Studies in Delaware County, New York.

Dear Property Owner:

The Federal Emergency Management Agency (FEMA) is preparing new flood studies for Delaware County within the East Branch Delaware River and the West Branch Delaware River watersheds/basins. The engineering firm Risk Assessment Mapping and Planning Partners (RAMPP), a joint venture between Dewberry, URS and ESP, along with ESP's subcontractor (TY LIN International/Medina), are performing land surveys for these new studies.

While performing the field surveys, employees from TY LIN International/Medina will make every effort to stay on public land and right-of-ways; however, it may be necessary from time to time for the surveyors to enter upon privately owned property for short periods of time to gather survey information on designated stream channels, bridges, culverts and dams. Should this occur in your area, an employee from TY LIN International/Medina will make every attempt possible to contact the homeowner in advance and seek permission to enter onto their property. The survey crews will be in and around the aforementioned counties between late December 2011 and June 2012, and the fieldwork may be performed Monday through Sunday between the hours of 7 am and 8 pm depending on daylight availability. The surveyors will respect the homeowner's property and will not interfere with their use of it. Upon request, the surveyors will identify themselves by driver's license and this letter of introduction.

If you have any questions, concerns or comments, please contact the FEMA Region II Regional Project Officer - Paul Weberg at (212) 680-3638 or myself, the RAMPP Task Order Manager, at (703) 849-0660. Thank you for your cooperation.

Sincerely,

Z. John Licsko, PE, CFM
RAMPP Task Order Manager
RAMPP

cc: Paul Weberg, PE, FEMA Region II

RAMPP
8401 Arlington Blvd.
Fairfax, Virginia 22031
Phone: 703.849.0100
FAX: 703.849.0648

Notice from the Association of Towns announcing their annual meeting in New York City February 19-22, 2012. As was stated at the organizational meeting anyone who would like to go may, however there is no money in the budget for it.

At this time Councilman Gladstone stated that Town Clerk Kimberly Tosi was going to the Association of Town's Newly Elected Officials training school in Albany.

Motion was made to allow Kimberly Tosi to attend the training and to transfer \$430 from contingency to the Town Clerk's expense account to cover the cost of attending, by Councilman Gladstone, Seconded by Councilman Hall. All in favor, motion carried.



read

Association of Towns
of the State of New York

G. JEFFREY HABER
EXECUTIVE DIRECTOR

WWW.NYTOWNS.ORG

LORI MITHEN DEMASI
COUNSEL

December 2010

Dear Town Clerk:

PLEASE READ AT FIRST 2012 TOWN BOARD MEETING
Contains Dated Material to be Returned

The 2012 Training School and Annual Meeting of this Association will be held at the Hilton New York & Towers, New York City, February 19-22, 2012. This is a training session for town officials. The following is a brief outline of events:

INFORMATIONAL HEARING from 3:00-5:00 p.m., Sunday Afternoon,
February 19 - Beekman Parlor. See over page.

GENERAL OPENING SESSION for all town officers, 8:45 a.m., Monday
Morning, February 20 - Grand Ballroom.

GROUP SESSIONS for various categories of town officers and special programs
follow the Opening Session as will be set forth in the printed program:

- | | |
|---------------------------------------|------------------------|
| Town Board Members | Fiscal Officers |
| Building Officials | Public Works & Highway |
| Planning & Zoning Officials | Town Clerks |
| Town Justices Generally | Town Court Clerks |
| Town Justices (Advanced, Accredited)* | Town Attorneys |
| Tax Collecting Officers | |

BREAKFAST WITH THE ASSOCIATION 8:00 a.m., Tuesday Morning,
February 21 - Grand Ballroom

ANNUAL BUSINESS SESSION (Official Delegates) at 9:00 a.m., Wednesday
Morning, February 22 - Beekman & Sutton (N) Parlors

***PLEASE NOTE CHANGE: *All Justice and
Court Clerk Classes will be held at the
Hilton New York!***

Letter from the NYC DEP and the Coalition of Towns suggesting that the Town Board enter into an agreement to allow land trusts to purchase land in the Town of Andes. This would allow a land trust to purchase any property with a structure on it that NYC can't purchase and then to sell it to NYC at a later date. We have discussed this in the past; it is not in the best interest of Andes. Supervisor Donnelly stated that it is about 7000 acres. It goes against the Memorandum of Agreement.

Motion was made to reject the proposal from the NYC DEP and the Coalition of Watershed Towns, therefore not allowing land trusts to purchase land in the Town of Andes by Councilman Liddle, Seconded by Councilman Grommeck. All in Favor, Councilman Gladstone abstained, motion carried.



**Environmental
Protection**

November 2, 2011

Martin A. Donnelly, Supervisor
Town of Andes
134 Damgaard Road
P.O. Box 525
Andes, NY 13731

Re: New York City Water Supply Permit, Special Condition
33 (Enhanced land Trust Program)

Dear Supervisor Donnelly:

The Department of Environmental Protection (DEP) of New York City and the Coalition of Watershed Towns (CWT) are writing you together to remind you of an upcoming opportunity under the 2010 Water Supply Permit (WSP) issued to DEP by NYS DEC. The Enhanced Land Trust Program (ELTP) was designed to allow certain landowners – those with large holdings that include dwellings, and who are unable or unwilling to subdivide and retain their residence – to sell their entire property to a land trust. The land trust would then subdivide the property and sell the vacant land to DEP and the residential parcel to a private buyer on the open market, thereby assisting both the seller and the City. The attached process memo describes in considerable detail the terms of this program, which were negotiated over the last two years between the DEP, the CWT, the Catskill Watershed Corp., various environmental groups and several area land trusts. The 2010 WSP originally set June 2011 as the deadline for towns to participate in the ELTP, but due to the time it took for the stakeholders to reach agreement on the terms of the Process Memorandum, DEC extended the deadline to December 19, 2011.

Please note that the ELTP requires all property taxes to be paid during periods of land trust ownership, and does not allow DEP to go beyond the acreage acquisition cap stated in the 2010 WSP. Except for the purchase of habitable residences which are to be re-sold on the open market by the land trust, all of the restrictions and procedures applicable to DEP acquisitions also apply to the ELTP.

This program will only be active in your town if your town board agrees to participate. To do so, your Town must “opt-in” (see attached model resolution) to the ELTP via formal

*Carter H. Strickland, Jr.
Commissioner*

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

71 Smith Avenue
Kingston, NY 12401
T: (845) 340-7800
F: (845) 334-7175

*Kevin
Copy P182
for the
Town Board
Read*

Coalition of Watershed Towns

PO Box 996, Tannersville, NY 12485

Phone: 518-589-6871

Fax: 518-589-6974

*Executive
Committee*

Dennis Lucas
Town of Hunter
Supervisor
518-589-6151 x 312

Bill Layton
Town of Tompkins
Supervisor
607-865-6310

Peter Bracci
Town of Delhi
Supervisor
607-746-9882

Bryan Delaney
Town of Neversink
Councilman
845-985-7185

Henry Rank
Town of Olive
Councilman
845-657-2927

Robert Stanley
Town of Shandaken
Supervisor
845-688-5754

Carl Stuendel
Town of Tompkins
Councilmen
607-865-7780

Anthony Van Glad
Town of Gilboa
Supervisor
607-652-7590

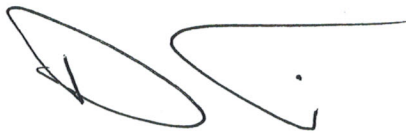
Stephan Walker
Town of Windham
Supervisor
518-734-4170

town resolution by December 19, 2011 . By passing such a resolution your Town agrees to allow one or more of the participating land trusts (your Town has the right to specify a particular land trust(s) from the attached list) to solicit a defined group of landowners in your town (see last page of the Process Memo for the list of properties) in regard to this program.


It should be stressed that Towns are under no obligation to participate in the ELTP and can decide to take no action at all to effect that outcome. If your Town does not actively opt-in to the program by December 19th, there will be an opportunity to engage in the program approximately every five years on dates that will coincide with reevaluation periods in the WSP for hamlet designation. The next time period to decide to opt-in or withdraw from the ELTP will be in June 2016.

We would be happy to discuss the program further or answer any questions you may have before December 19th (or after, for that matter). Please feel free to call either of us at the numbers listed below.

Kind Regards,



Dave Tobias, Director
Land Acquisition Program
NYC DEP
845-340-7837
dtobias@dep.nyc.gov



Jeff Baker, Esq.
Young/Sommer, LLC
Counsel
Coalition of Watershed Towns
518-438-9907
jbaker@youngsommer.com

Resolution #2-2012 Speed Limit within the dissolved Village of Andes

WHEREAS, it has recently come to light that when the Village of Andes was dissolved and was taken over by the Town of Andes, that the Village speed limits were never revised to Town speed limits to be in accordance with the New York State Vehicle and Traffic Law, and

WHEREAS, the New York State Department of Transportation is now aware of the situation and has asked for resolutions to correct the discrepancy and to be in conformance with the Vehicle and Traffic Law,

NOW, THEREFORE, BE IT RESOLVED, that the Village ordinance for the speed limit is hereby repealed, and

BE IT FURTHER RESOLVED, to request that the New York State Department of Transportation establish a Town Area Speed Limit of 30 miles per hour with the following boundaries: Beginning at a point in the center of New York State Route 28 at the intersection of Gladstone Hollow Road being on the former Village line; thence in a direct line to the north end of County Route 1 at the former Village line; thence along the former Village line to the east end of County Route 2; thence in a direct line to a point in the center of State Route 28, said point being 2000 feet north, measured along the centerline of New York State Route 28, of the intersection of State Route 28 and Lower Main Street, thence easterly to the place of beginning , and

BE IT FURTHER RESOLVED, that the request be forwarded to the County Superintendent of Highways for his concurrence and then to the New York State Department of Transportation for official action.

Motion by: Councilman Liddle Seconded By Councilman Gladstone

Roll Call:

Councilman Grommeck- Aye

Councilman Liddle- Aye

Councilman Hall- Aye

Councilman Gladstone-Aye

Supervisor Donnelly-Aye

Vote: All Aye, so carried.



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
REGION NINE
44 HAWLEY STREET
BINGHAMTON, NEW YORK 13901-3200
WWW.DOT.NY.GOV

JOHN R. WILLIAMS, P.E.
REGIONAL DIRECTOR

JOAN McDONALD
COMMISSIONER

November 22, 2011

Mr. Martin A. Donnelly
Supervisor, Town of Andes
115 Delaware Avenue
Andes, New York 13731

File ✓

*For
Jan. 2012
Town Bd. meeting*

Dear Mr. Donnelly:

Re: **SPEED LIMITS WITHIN THE DISOLVED VILLAGE OF ANDES
TOWN OF ANDES, DELAWARE COUNTY**

We were made aware that although the Village of Andes was dissolved some time back, the speed limits within the old Village limits were never revised from Village speed limits to Town speed limits. As such, we need to correct this discrepancy. The Town of Andes will need to pass a resolution to repeal the Village speed limit and pass another resolution(s) to enact their intended speed limits.

Prior to dissolution, all roadways within the Village were covered with a Village Speed Limit of 30 MPH. This can be changed to an Area Speed Limit of 30 MPH by a Town resolution for the same boundaries of the Village. If limits other than 30 are desired, then individual resolutions for each roadway will be needed.

Signs will need to be replaced if they cite "Village Speed Limit 30". You may be able to sell off or donate the "Village Speed Limit 30" signs to another village to recoup some of the costs.

We will look to act on your resolution(s) after it gets Delaware County concurrence. If you have any questions about these recommendations, please do not hesitate to contact Pamela Gendron, PE at (607) 721 - 8072.

Sincerely,

Tony Signorelli, P.E.
Acting Regional Traffic Safety & Mobility Engineer

Motion to give Supervisor Donnelly permission to sign the new County Planning Board Agreement for 2012, made by Councilman Gladstone, seconded by Councilman Hall. All in Favor, motion carried.

Letter from the CWC that advises us that the DEP has increased from \$20,000 to \$30,000 a year, that a watershed town may access in reviewing a proposed land purchase in Andes. This is currently done by our planning board and the county planning board. The letter is dated 12/14/2011.

Motion to give Supervisor Donnelly permission to sign the agreement made by Councilman Liddle, Seconded by Councilman Grommeck. All in favor, motion carried.



DELAWARE COUNTY PLANNING DEPARTMENT

Highway Department Building • P.O. Box 367 • Delhi, New York 13753
Phone (607) 746-2944 • Fax (607) 746-8479 • Email: pln@co.delaware.ny.us

December 2, 2012

Town of Andes
PO Box 125
Andes, NY 13731

RE: Town Planning Advisory Service Contract – 2012

Dear Supervisor and Town Council:

Please find enclosed two signed copies of the 2012 Town Planning Advisory Service (TPAS) contract along with an invoice. The contract amount of \$3,500.00 will include attendance by Planning Department Staff at board meetings and technical assistance as needed. Additional services may be provided for an additional fee. I have enclosed a copy of the TPAS Fees and Services for your review.

If you desire additional services and would like to amend the enclosed contracts please contact me as soon as possible. New contracts will be drafted for your signature.

Please return one copy of the contracts with an original signature and retain the second copy for your records. It would be greatly appreciated if you could return the signed contracts by January 31, 2012.

If you have any questions about services provided by the Delaware County Planning Department, please do not hesitate to call. Thank you for your attention to this matter.

Sincerely,

Jessica Ulmer
Administrative Assistant

Enclosures

Catskill Watershed Corporation
PO Box 569, 905 Main Street
Margaretville, NY 12455



T.B.FY-I.
Read

Tel.: (845) 586-1400
Fax: (845) 586-1401
Toll Free: (877) WAT-SHED
Website: www.cwconline.org

December 14, 2011

Martin A. Donnelly, Supervisor
Town of Andes
P.O. Box 205
Andes, NY 13731

Re: Local Consultation on NYCDEP Land Acquisition Contract

Dear ^{*Mark*} Supervisor Donnelly:

Please find enclosed two copies of a change order to the above referenced contract for review by your Town as well as a proposed resolution.

As you may be aware, the Catskill Watershed Corporation (CWC) administers the Local Consultation on Land Acquisition Program. This program generally provides reimbursement to your town for costs associated with reviewing and commenting upon proposed land acquisitions by the New York City Department of Environmental Protection (NYCDEP). As a condition of the 2007 Filtration Avoidance Determination, the total funds available for each Town and Village was increased to Thirty Thousand Dollars (\$30,000). This program can also reimburse town costs associated with review of proposed expansion of hamlet areas.

Under the current contract, your agreement expires on January 12, 2012. The proposed Change Order extends the agreement to August 24, 2026, the termination date of the new Land Acquisition permit.

If your town determines that it will continue in this program, please return both copies of the executed change order. A fully executed change order will be mailed to you.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Timothy E. Cox
Corporate Counsel

Enc.

Letter from Tax Collector Margaret Moshier dated (12/14/2011) to the Catskill Mountain News was read by Councilman Liddle.

At this time Councilman Gladstone asked if the tax collector could collect taxes directly out of the town hall instead of paying rent at another location. Supervisor Donnelly stated that there is no room in the town hall at this time. However Margaret has the option to collect taxes from wherever she chooses. Supervisor Donnelly stated that it was agreement that was previously made, but if the board decides to change it, then they may move to do so. Councilman Liddle stated that there would be a cost to move the office, including the phone and computers. Supervisor Donnelly suggested that it be moved down to the court building, however if it is it will have to be moved again when the court moves to the Waste Water Treatment Facility. It will then have to be moved twice and paid for twice. The cost to move is not known. It will still be up to the tax collector to decide where she will collect taxes from. Councilman Grommeck stated that if she isn't agreeable to collecting taxes from the new building there is no sense and creating a space for her there because that will cost money too. Councilman Gladstone stated that another option is to create a combined position with the town clerk and tax collector like other towns. Councilman Grommeck advised that it should be left as is until the new building is complete, but there is no time frame on this.

Motion was made to abandon the lease after May 2012 with Romo Machine for Margaret Moshier to collect taxes from this space, by Councilman Gladstone, seconded by Councilman Liddle. Councilman Gladstone, Councilman Liddle, and Councilman Hall – Aye, Councilman Grommeck and Supervisor Donnelly- Nay. Motion Carried.

Catskill Mountain News
43414 St. Hwy. 28
Arkville, N. Y. 12406

Read

Read Copy for the T.B.
12/14/11

Mr. Richard Sanford
Owner / Editor

I always purchase the "News", but I really do not know why. You print half truths or outright untruths too often. I think I need to break this habit, but I do not think the "Reporter" is much better. Maybe it is the caliber of reporters you all hire. No one listens to the words stated and/or does not then print what was said. At least this is my belief since the 2011 election season began. I believe you have always printed more words and ideas against Andes than you have ever printed for us.

I am asking for a FRONT PAGE Correction of the mistakes you printed this week in a story by Pauline Liu. My Son, Shayne Moshier, does own a building in Andes, and runs multiple businesses from said building. He has allowed me as Tax Collector for Andes to maintain an office in this building at NO COST to the Town of Andes and/or its taxpayers. I have had this office for four years enabling people to come to this site to pay their taxes, instead of driving all the way out to my home. I am there from 8 to 4 daily and 8:30 to 11 on Saturdays Jan. through April. I use the telephone, computer, etc. to answer requests from lawyers and banks, as well as individuals all year long.

The fee that was approved yesterday for the use and maintenance of said office is entirely new. I asked for it because I felt the office is beneficiary to Andes citizens. I think you and Ms. Liu owe Shayne and ROMO Machine LLC a public apology and your correction should state that at no time in the past has Town of Andes paid them for an office. This is a new fee with a new starting time in 2012. My son has been a councilman for many years now and enjoyed trying to do his best to serve Andes. My daughter-in-law has been assessor for Andes for several years and does an outstanding job. I took tax collector when no-one else wanted the job and I was reelected this last month. I do try to do a good and thorough job. We all are honest and caring long time residents, born and bred (as they say) in Andes.

Sincerely,

Margaret Moshier

Margaret Moshier
Tax Collector

Letter from the Department of State dated (12/15/2011) advising us of two new grants.



STATE OF NEW YORK
DEPARTMENT OF STATE
 ONE COMMERCE PLAZA
 99 WASHINGTON AVENUE
 ALBANY, NY 12231-0001

Read @ 1/10/12 meeting

ANDREW M. CUOMO
 GOVERNOR

CESAR A. PERALES
 SECRETARY OF STATE

December 15, 2011

Dear Colleague,

Since 2005 the Department of State has been working with local government leaders to help with efforts aimed at reducing local expenditures while maintaining high quality services. In total, the Department has awarded more than \$51 million to 324 grant recipients. The anticipated savings to local budgets as a result of these grants is greater than \$560 million over a ten year period.

Today, I am pleased to announce that the Department of State will once again be able to make these funds available to our local government partners. Funds are available for the following two grants:

- **The Local Government Citizens Re-Organization Empowerment Grant:** A noncompetitive grant that provides funding to study, plan for and/or implement the restructuring of local governments pursuant to General Municipal Law Article 17-A. Villages, towns and special districts will be eligible for up to \$35 million in funds for activities related to Local Government Re-Organization. This appropriation includes funds available under the Citizen Empowerment Tax Credit that will provide a direct incentive to local governments that have voted to consolidate. Under this program, residents of a consolidated municipality will receive a direct property tax credit based upon the combined tax levy of the consolidated municipalities.
- **Local Government Efficiency Grant:** Competitive grants to local governments to study, plan and implement projects that produce new opportunities for financial savings and operational efficiencies. Up to \$4 million is available for this program.

The Local Government Citizens Re-Organization Empowerment Grant has a rolling deadline; the deadlines are 4:00 p.m. on first Wednesday of each month except for January, where the deadline is the first Thursday. The submission deadline for the Local Government Efficiency Grant program is 4:00 p.m. on March 21, 2012. Local Government Efficiency (LGE) Grant Program applications are available on the Department of State website at <http://www.dos.ny.gov/funding/> or by calling 518-473-3355 or 1-800-367-8488.

Sincerely,

Cesar A. Perales

Cesar A. Perales
 Secretary of State

Letter from Marge Merzig to Linda Moreno dated 12/16/11 of FEMA requesting an appeal of their rejection of our PW#79 read by Supervisor Donnelly.

Letter to Senator Bonacic requesting his assistance to get SEMO to approve the projects in Holiday Brook and Close Hollow read by Supervisor Donnelly.

P.O. Box 246 - 115 Delaware Avenue, Andes, NY

1-845-676-4781

TDD -1-800-662-1220

December 16, 2011

Linda Moreno
Disaster Assistance Officer
State Emergency Management Office
State Office Campus, Bldg. #22
Albany, NY 12226-2251

**Re: FEMA 1710 - DR - NY
Appeal of denial of mitigation activities PW#79**

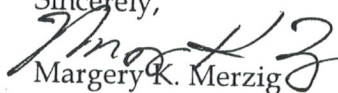
Dear Ms. Moreno,

Having met with Judy Stone, I am writing to your agency to officially appeal the decision by FEMA to deny the mitigation activities outlined in P4 #79. I include in my appeal the following facts:

1. The denial of the work came after the deadline for project completion by your agency. On the strength of the communication with your agency, the work was commenced and completed. In addition the notification from FEMA/SEMO was never sent to the Town of Andes, but only to the Town of Colchester. Therefore the Town of Andes work should not be denied.
2. The mitigation activities were required by NYS DEC Fish and Wildlife Division and transmitted to both you and FEMA in November of 2007.
3. The Town was in constant communication with your agency, specifically PAL Judy Stone, throughout 2009 and 2010 regarding plans and design of this project. No caveat was issued by your agency in regard to delaying this project any further based on FEMA's lack of decision. Never were we cautioned that this project was not certain; in fact you will note from the emails that we were encouraged to go ahead.
4. The mix-up of project numbers on this project should not have been allowed by your agency, especially since the descriptors in all of our documents clearly stated that this was a culvert project coordinated through Colchester.

The Town of Andes has acted in good faith throughout this project and has keep your agency fully informed. The Town should therefore not be penalized for doing what it was required to do. Under a separate submittal, I have captured some of the costs of this project under the appropriate large project. The remainder of the cost is \$278,485.38. It is those costs we are officially appealing. You can contact the Highway Superintendent, Michael McAdams at townhwy1@catskill.net and at the above address to facilitate a meeting with FEMA on this matter.

Sincerely,



Margery K. Merzig
Andes FEMA Co-Administrator

Cc: Andes Town Board
Honorable Charles Schumer, US Senate
Honorable Kirsten Gillibrand, US Senate
Honorable Chris Gibson, US House of Representatives
Honorable John Bonacic, NYS Senate
Honorable Clifford Crouch, NYS Assembly

Town of Andes

Andes, NY 13731-0246

P.O. Box 246 - 115 Delaware Avenue, Andes, NY

1-845-676-4781

TDD -1-800-662-1220

Read

December 19, 2011

The Honorable John Bonacic
New York State Senate
111 Main Street
Delhi, NY 13753

Dear John,

The Town of Andes has been struggling, as have so many municipalities in Delaware County, with multiple flood events (2005, 2006, 2007 and 2011, as well as an undeclared one in 2008). Overall our experience with The Federal Emergency Management Agency has been difficult, but I am pleased to report we are almost up-to-date with our payments and submittals.

Now the Town is facing a surprising new struggle with the agency. We have been working on the enormous job of finishing the projects from the 2006 and 2007 events which cost the Town just less then \$8 million. We have been under a serious deadline to complete everything by the end of last year. And we have been successful in that. We recently sent in paperwork on a 2007 project, which is detailed in the attached latter, delayed by hydrological studies and shared with a neighboring town, the Town of Colchester.

We have been in constant contact with our State Office of Emergency Services who serve as liaison with FEMA. They have known about our progress and finally last year we were able to contract and complete this critical culvert/bridge repair, increasing the size of the culvert according to a directive by our NYSDEC. In late summer (we did not get a copy of this correspondence), the Town of Colchester was informed that this mitigation plan was not approved. By then our part of it was completed. You can imagine my horror when our OES representative informed us two weeks ago that we would not be reimbursed for almost \$300,000 which we in good faith expended to complete the repair by the FEMA/OES deadline.

Anything your office can do for us to achieve the necessary reimbursement will be appreciated. My representative, Margery Merzig, can be reached on this matter at 607-432-6056. Again, thank you for any help you can be in this process.

Sincerely,

Martin A. Donnelly A.S.

Martin A. Donnelly
Andes Supervisor

Motion to accept Proposal from Weathertite Home Improvements to repair the entire front of our old Highway garage in steel, siding, and trim work made by Councilman Gladstone, Seconded by Councilman Liddle. All in favor, motion carried

Supervisor Donnelly also suggested that deadbolts be added so that no one will be able to break into the building again. Highway Superintendent McAdams suggested that the scrap to be taken to Oneonta and sold for scrap metal.

Letter from Otsego County Court advising us that pending lawsuit has been adjourned again until 3/16/12

WEATHERTITE HOME IMPROVEMENTS

P.O. Box 476
Andes, New York 13731
845-676-3607

PROPOSAL

Page No. ___ of ___ Pages

Proposal Submitted To:

TOWN of Andes

JOB NAME/NO.

Old Town Garage

LOCATION

Rt. 28

Andes

PHONE

DATE

12/15/11

We hereby submit specifications and estimates for:

Residing Front of Building
Remove all Damaged steel siding and Trim.
Install new steel siding, S-Channels & Corner Post
Screw all New steel
Clean up ground & Remove to Landfill

Material & Labor # 8200.-

Note: This bid is for all of Front
after inspection I found that all steel had
Damage in some part

I HEREBY PROPOSE to furnish material and labor - complete in accordance with these specifications, for the sum of:

Eight thousand two hundred dollars (\$ 8200.-).

Payable as follows:

Deposit #4100.- Balance due on completion #4100.-

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature

William Day

NOTE: This proposal may be withdrawn by us if not accepted within 10 days.

ACCEPTANCE OF PROPOSAL - The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____ Date _____ Signature _____ Date _____

RES # 3-2012 TO ALLOCATE PORTIONS OF THE NEW YORK CITY LAND ACQUISITION PROGRAM FUNDS FOR FLOOD MITIGATION WATERSHED AFFAIRS

WHEREAS, the New York City Watershed Communities have experienced devastating floods of record in 1996 2006, 2007, 2008 and again in 2011; and

WHEREAS, due to certain weather patterns, NYC Watershed Communities are experiencing significant, frequent and intense storms resulting in severe flooding; and

WHEREAS, The Town of Andes anticipates that significant, frequent and intense storms resulting in severe flooding can reasonably be expected due to the land forms surrounding the City Reservoir; and

WHEREAS, The recent flood events delivered record levels of pollutant loading including nutrients, sediment, microorganisms, septage, organic and inorganic chemicals from agriculture, homes and businesses along with debris such as fuel tanks, lumber, homes, businesses, automobiles and livestock to the New York City reservoirs West of the Hudson; and

WHEREAS, many municipalities and property owners in the watershed have suffered catastrophic damage to property from these flood events reducing individual, business and community financial viability and severely impacting the long-term sustainability of the Watershed Region; and

WHEREAS, the significant, frequent and intense storms and their associated flooding and pollutant loading (if they continue in the future) pose a far more significant threat to the City's Filtration Avoidance Determination than the threat posed by the regulated activities of the human population living within the West of Hudson Watershed; and

WHEREAS, upon information and belief, the pollutant loading from flood events far exceeds and long-term pollutant loading reduction derived from the land acquisition program as currently administered; and

WHEREAS, as currently administered, the land acquisition program provides little, if any, flood mitigation benefits; and

WHEREAS, , many of the communities within the NYC Watershed region remain in a state of emergency. Many of the major streams and watercourses are filled with debris, sediment and trees along large reaches. If those materials are not removed and the stream beds/banks are not restored, the debris will block culverts and stream channels causing the streams to again jump their non-existent banks; and

WHEREAS, FEMA provides funds to local municipalities (reimbursement) to repair and clear municipal property; there are few, if any, funds to clear stream beds and banks along private property or to mitigate against future flooding; and

WHEREAS, FEMA provides funds to local municipalities to repair and clear municipal property, federal flood plain regulation precludes and/or restricts property owners assistance when property damage exceeds 51% of the value to rebuild; and

WHEREAS, local municipalities with severe damage from flooding are concerned that many of the property owners with severe damage will abandon that property due to an inability to rebuild; an inability to afford to rebuild; and

WHEREAS, the local municipalities would like to allow these property owners to rebuild within the community outside of the floodplain, but those property owners need assistance, critical infrastructure (water, sewer, electric, telephone, road) and land suitable for sound development in the vicinity of their existing home and hamlet at a price they can afford; and

WHEREAS, in order to prevent NYC from having to expend billions of dollars for filtration, NYC should invest in projects to mitigate and avoid the catastrophic impact from future floods and intense storm events. Such measures include clearing the streams of debris and gravel banks where feasible and practical; constructing structures (where possible and practical) to slow and mitigate the impact from intense storm events; invest, along with the watershed communities, in affordable housing initiatives outside of floodplains; and

WHEREAS, The Town of Andes, as a watershed partner and a municipal government responsible for the welfare of its citizens, desires to pursue flood mitigate throughout Delaware County and wants to partner with NYC on these projects; and

WHEREAS, there is a public sentiment growing among the residents and property owners in the watershed that the status quo is no longer sustainable; the flood/storm damage has been too great; the risk of another flood is too real; and the cost to local residents to build a new home unaffordable; and the funding (including the local cost share) to protect the value of the NYC water supply allocated to controls has little or no, measurable benefit; and

WHEREAS, the residents of the Town of Andes do not understand why they are required to spend tens of thousands of dollars to address sediment loading of storm water from a building lot in new construction where very few surfaces are impervious, while little is done to prevent or reduce the potential harm to existing structures and land from the intense storm/flood events; and

WHEREAS, the residents of the Town of Andes do not understand why USEPA and NYSDOH require NYC to spend hundreds of millions of dollars to buy potentially developable land outside of the floodplain in communities that have had either stagnant or decreasing populations for over 150 years while, at the same time, not requiring any funds to be spent to prevent existing hamlets from being severely damaged or destroyed and carried downstream to the reservoirs; and

WHEREAS, Governor Andrew Cuomo has come to the watershed communities (and other communities damaged by recent floods) on several occasions in recent months and has promised his and the State's support in the rebuilding of our communities – not only to restore – but to make them better than before the recent flood and we thank him for his pledge of support; now, therefore

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF ANDES AS FOLLOWS:

1. The Town Board requests that the New York State Department of Environmental Conservation, the New York State Department of Health, the USEPA and New York City reconsider the Water Supply Permit and recommend that funding from the Land Acquisition Program be allocated to support flood mitigation that will reduce the long-term risk from pollutant loading caused by major flood events; and
2. The pilot Riparian Buffer Program be specifically tailored for flood mitigation efforts thereby enhancing its effectiveness in reducing pollutant loading causes by flood events, retaining local community; and
3. The Town Board respectfully requests that USEPA, NYSDEC and NYSDOH acknowledge that no amount of land acquisition (not even the acquisition of 105,000 acres over the next 15 years) is going to have a measurable impact on the water quality of the NYC Watershed unless flood mitigation is given the highest funding priority and measures are implemented to protect the communities and land from future flood events and intense storms; and
4. This resolution be sent to Governor Andrew Cuomo, Governor's Representative McCabe, US Senators Gillibrand and Schumer, Congressmen Hinchey and Gibson, NYS Attorney General Schneiderman, NYSDEC Commissioner Martens, NYSDOH Commissioner Shah, EPA Region 2 Director Enck, NYC Mator Bloomberg, NYCDEP Commissioner Strickland, NYS Senators Skelos and Bonacic, NYS Assemblymen Crouch, Lopez, and other County and state representatives.

WHEREUPON, the Resolution was put to a vote.

Proposed by Councilman Liddle, Seconded by Councilman Hall

Councilman Liddle- Aye

Councilman Grommeck- Aye

Councilman Hall- Aye

Councilman Gladstone- Aye

Supervisor Donnelly- Aye

Vote: All Aye, so carried.

Letter from CWC dated 12/22/11 that extends our existing tax agreement.

Motion to give Supervisor Donnelly permission to sign an extension of the existing tax agreement between the CWC and the Town of Andes made by Councilman Hall, Seconded by Councilman Liddle. All in Favor, motion carried.

Motion on the recommendation from Delaware Opportunities to approve the contractors for two Community Development Block Grant projects, using the Housing Rehabilitation Grant tentatively awarded in the Town of Andes, by the NYS Office of Community Renewal, General Contractors are:

Barrows General Contractor

Mardy Barrows

In the amount of \$19,150

AND

P. Buckel Painting Contractors

Paul Buckel

In the amount of \$5,775.00

Made by Councilman Liddle, Seconded by Councilman Gladstone. All in favor, motion carried.

Motion to pay Bradley Darling as the working foreman in 2012 made by Councilman Liddle, Seconded by Councilman Grommeck. All in favor, motion carried.

Prior to vote Councilman Hall inquired how long Mr. Darling had been acting as working foreman. It has been over a year, but the pay will not be back dated.

Motion to approve the December Town Board Meeting Minutes made by Councilman Grommeck, seconded by Councilman Liddle. Councilman Liddle, Councilman Grommeck and Supervisor Donnelly- Aye. Councilman Gladstone and Councilman Hall abstained.

Letter from Assembly member Crouch in regards to the previously discussed FEMA projects read by Supervisor Donnelly.

Catskill Watershed Corporation
PO Box 569, 905 Main Street
Margaretville, NY 12455



Tel.: (845) 586-1400
Fax: (845) 586-1401
Toll Free: (877) WAT-SHED
Website: www.cwconline.org

get up to speed

*Kim, please make
copies for
the T.B.*

December 22, 2011

Martin Donnelly
Town of Andes
PO Box 205
Andes, NY 13731

Re: Amendment of Tax Consulting Agreement – Town of Andes – 2012 Extension

Dear Supervisor Donnelly:

Please find enclosed two copies of the above mentioned contract amendment for your signature and notarization. Please return both executed copies to me, and a fully executed copy will be returned to you.

If you have any questions, please feel free to contact me or Tim Cox.

Sincerely,

A handwritten signature in cursive script that reads "Frieda Suess".

Frieda Suess
Secretary

Enc.

**AMENDMENT OF
TAX CONSULTING AGREEMENT
BETWEEN
CATSKILL WATERSHED CORPORATION ("CWC")
PO BOX 569, MARGARETVILLE, NY 12455
AND
TOWN OF ANDES
MARTIN DONNELLY, SUPERVISOR
PO BOX 205
ANDES, NY 13731
hereafter referred to as Town**

THIS AGREEMENT made between CWC and the Town amends the agreement between the parties executed on February 7, 2000 and extends said agreement through December 31, 2012.

IT IS expressly understood that in all other respects, said terms and conditions of the agreement shall be in full force and effect.

THIS amendment of the agreement shall bind the heirs, executors, administrators and assigns of the respective parties.

IN WITNESS WHEREOF, the parties signify their agreement by signatures affixed below:

Martin Donnelly
Supervisor, Town of Andes

Date

Alan L. Rosa
Executive Director, CWC

Date



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CLIFFORD W. CROUCH
Assemblyman 107th District

COMMITTEES
Agriculture
Economic Development, Job Creation,
Commerce and Industry
Labor
Ways and Means
Rules

January 5, 2012

Mr. Steven Kuhr, Executive Deputy Commissioner & Director
State Office of Emergency Management
1220 Washington Avenue
State Office Campus, Building 22
Albany, New York 12242

Dear Mr. Kuhr:

I am reaching out to you in regards to the attached correspondence my office received from Martin A. Donnelly, Town Supervisor for the Town of Andes which I represent within Delaware County.

Any assistance you can provide to the Town of Andes to achieve their necessary reimbursement would be appreciated as they have done everything requested on their end. Please feel free to contact me or Sara in my Albany office (518) 455-5741 regarding this matter or Margery Merzig (607) 432-6056 as she has been directly handling this for the Town of Andes too. I thank you in advance for your time and attention in this urgent matter.

Sincerely,

Clifford W. Crouch
Member of Assembly
107th District

CWC/sb

Cc: Martin Donnelly, Supervisor for the Town of Andes

Encl: copies

Motion to approve the encumbered general warrants #373-396 totaling \$7,011.68, encumbered highway warrants #243-256 totaling \$13,608.54 and general warrants #1-8 totaling \$8,801.38 made by Councilman Liddle, seconded by Councilman Grommeck. All in favor motion carried.

Councilman Gladstone noted that the Oneonta Daily Star was made the official paper at the organizational meeting. He questioned if it would be possible to add a local paper for people to have a better chance at seeing legal notices. Councilman Liddle stated that the Daily Star was chosen because it is a very widely read paper. It was left for the time being because of budget concerns.

Councilman Gladstone also asked if the meeting agenda could be made available to the town board the Saturday prior to the meeting. Town Clerk Tosi agreed. The board members can be emailed or pick it up at the town clerk's office.

Supervisor Donnelly asked everyone to please say a prayer for Janis Lynn as she was taken to the emergency room with pneumonia.

Districts:

Letter from Shane Boice read by Supervisor Donnelly in regards to an emergency curb stop repair.

Marge Merzig spoke in regards to this. The curb stop was installed backwards. It is being repaired at this time. The curb stop replacement will be the responsibility of the town.

She also reported that she will be attending negotiations in regards to the WWTP repair in Kingston, NY. Also the construction at the WWTP should begin late June or early July.

Councilman Liddle asked if the other curb stops should be checked. There are about 100 unchecked at this time. It was decided that weather permitting this should be done.

Motion to approve encumbered WWTP warrants #231-247 totaling \$10,905.27 and encumbered water warrants #81-85 totaling \$1402.74 made by Councilman Liddle, seconded by Councilman Gladstone. All in favor, motion carried.

DELAWARE OPERATIONS, INC.

8-12 Dietz Street, Suite 303, Oneonta, NY 13820

Phone: 607-432-8073/Fax: 607-432-0432

January 6, 2012

Martin Donnelly Supervisor
Town of Andes
Andes, NY 13731

Re: Emergency Curb Stop Repair

Dear Mr. Donnelly

On Saturday December 31st 2011 we received a report of a ruptured water pipe inside the Andes Society for History and Culture (SH&C) building. As the responding plumber turned off the water at the curb stop (outside shut off) water began running out of the top of valve box, which resulted in an icy sidewalk.

On January 5th Dan Mincarelli repair the water line inside of the Andes SH&C. When Mr. Mincarelli and Delaware Operations staff turned the curb stop back on the water stopped running out of the curb box. This typically indicates that the curb stop was incorrectly installed. The curb stop is designed with a drain hole which; when turned off; allows the water on the dwelling side of the valve to drain, relieving pressure and to prevent freezing. When these valves are installed backwards water continuously "runs" out the drain hole once the valve is turned off.

Delaware Operations feels this curb stop needs to be repaired as soon as possible to prevent a hazardous condition on the sidewalk and water loss. Since the Andes Society of History and Culture is closed during the winter months and the building is not heated they have requested the water to be turned off at the curb stop.

Sincerely,

Shane Boice
Delaware Operations, Inc.

cc: Andes Town Board
Marge Merzig, Kehoe Consulting
John Moffett, Delaware Operation, Inc.
Lewis Dibble, Dealware Operations, Inc.

DELAWARE OPERATIONS, INC.

8-12 Dietz Street, Suite 303, Oneonta NY 13820 • Phone 607-432-8073 • FAX 607-432-0432

**TOWN OF ANDES, NY
TOWN BOARD MEETING
REPORT BY DELAWARE OPERATIONS
January 10, 2012**

1. Water System

- Daily usage of treated water from the water system averaged 19,739 gallons per day for the month of December 2011.

2. Plant Purchases

3. O&M

4. Equipment

5. Distribution System

DELAWARE OPERATIONS, INC.

8-12 Dietz Street, Suite 303, Oneonta NY 13820 • Phone 607-432-8073 • FAX 607-432-0432

**TOWN OF ANDES, NY
TOWN BOARD MEETING
REPORT BY DELAWARE OPERATIONS
January 10, 2012**

1. WWTP Plant

- Plant effluent flows averaged 26,206 gallons per day for the month of December 2011.

2. SPDES Compliance/NYSDEC, NYCDEP

- The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for December 2011 met all parameters.

3. Collection System

- High Street is being maintained as required.

4. Plant Purchases.

5. Plant O&M

6. Plant Equipment.

7. Gladstone Hollow Septic System

Motion made to adjourn the board meeting made by Councilman Liddle, Seconded by Councilman Grommeck. All in favor. Meeting adjourned.

Note: Immediately following the meeting the Town Board conducted their annual accounting. Reviewed the tax collectors report, town clerk's financial report and the Justice financial report. All was approved.

Kimberly A. Tosi

Town Clerk