

May Regular Board Meeting
May 14, 2013
7:30 PM
Andes Town Hall

Present:

Councilman Thomas Hall	Councilman Martin Liddle
Councilman Wayland Gladstone	Supervisor Martin Donnelly
Councilman Daniel Grommeck-Absent and Excused	Town Clerk Kimberly Tosi
Highway Superintendent Michael McAdams	
Margery Merzig-Keough Consulting	

Others:

Susan Dey	Gabrielle Pierce-Delaware County Times
Richard Winner	Perry Cooney
John Moffett	Fred Cubero
Anita Lanziero	Tom Coddington-Walton Reporter

Call to Order:

The meeting was called to order at 7:30PM by Supervisor Donnelly.

Pledge:

The pledge of allegiance was led and recited by Councilman Hall.

Privilege of the Floor:

Perry Cooney- New FEMA Flood Maps

-In October 2012, Mr. Cooney received notification from the bank holding his mortgage that he was now required to purchase flood insurance based on the new maps. He stated that he was never informed by FEMA that this was going to be happening. He is concerned that this was an omission by the Town, also not informing him.

Marge stated that he can still appeal his map by contacting Delaware County. Supervisor Donnelly stated if he had any trouble with the County, not to hesitate contacting him for additional assistance.

Reports:

Highway Report 4/10/13 – 5/14/13

Equipment

2009 International 6x6 – Truck is at Ben Funks to have front pinion seal replaced and installing breather for front axle under warranty.

2009 International 4x4 – Ben Funks rebuilt front axle, Installed Air Breather on front Axle housing under warranty. Replaced front king pin bushing. 23,920 miles

2004 International 7600 – Currently at Utica Mack to have truck box lift cylinder repacked and sealed due to excessive leaking 112,200 Miles

2000 International – Replaced front wheel seal, fixed lights and checked all fluids.
167,166 Miles
1999 International – Replaced 2 U- joints in rear drive shaft between axles, checked all fluids and greased. Had truck Inspected by Old Road. 179,347
1996 Volvo Tri-axle – Installed new Carrier bearing brackets and brake can on tag axle.
2003 John Deere Loader – Greased and checked all Fluids 6640 Hours
1978 CAT Grader – Changed oil, fuel and air filters and greased.
1994 Waldon Broom – Installed new starter, broom bristles and replaced outer air filter
2385 Hr
1984 Case Roller – Changed oil, fuel filters and greased.
1994 Ford Backhoe – Had three cylinders repacked and sealed due to excessive leaking.
Changed oil, fuel, air filters and greased.

Roads Worked

Crescent Hill Road, Weaver Hollow Road

Finkle Road – Worked road and added 6 Loads of gravel to various sections.

New Culverts

Dingle Hill Road – 5' x 47' Plastic culvert just below Steve Berg's road 4/22/13

Dingle Hill Road – 3' x 40' Plastic Culvert Just before Director's house 4/24/13

Dingle Hill Road – 18" x 40' Plastic Culvert Just below 3 ft culvert by Director's 4/24/13

Dingle Hill Road – 2' x 50' Plastic Culvert Just above sharp corner just above Harvey's
5/6/13

Dingle Hill Road – 18" x 40' Plastic Culvert Just Below Field Entrance and below 3' &
5' 5/6/13

Warren Weaver Road – 18" x 33' Plastic Culvert First culvert below Allen house on top
5/7/13

Dingle Hill Road – 3' x 40' Plastic Culvert Just below Bergs and below 5' culvert
5/13/13

Other

Two checks were turned into the Supervisor from Otsego Auto Crushers for junk that was hauled. Check # 16993 \$ 212.35 & Check # 16844 \$ 576.18

The CHIPS reimbursement schedule will be as follows. The work completed by 8/14 will be paid back by 9/20 and work completed by 11/13 will be paid back by 12/18.

We called FEMA at the end of April to inquire when the close out meeting will be for the Close Hollow Project, completed last year. They said we should hear back within the next week. We still have not received any correspondence.

I will be taking medical leave beginning May 23, 2013 for 4 weeks. The Deputy Highway Superintendent Bradley Darling will be in charge in my absence.

Respectfully Submitted,
Michael R. McAdams
Highway Superintendent

-Councilman Gladstone asked if we self funded the Close Hollow Project.

We did.

-Councilman Gladstone also asked if the 1999 International was the truck that was having the front end problem.

It is. When they installed the air breather, they wanted to charge us for it, even though there should have already been one. They ended up doing it for free.

-Councilman Liddle stated they had a quote for a used dump box/rock box and installation for \$6000.

From the Supervisor

- 1.) The Delhi Village Street sweeper will be in Andes on August 8, 2013 for Community Day. Please do not leave your car parked on Route 28 and down the Tremperskill between the hours of Midnight and 6AM.
- 2.) Based on Kim's County Clerk's Association report, they suggest that no one should sign an agreement with American Power and Gas.
- 3.) Our Attorney David Merzig is reviewing a long list of the old Village ordinances that are still on the books. Judge Grieco has requested that they be updated as we no longer have a village.
- 4.) We had a request to consider placing an electrical outlet on the base of the pole in the triangle. Matt Sluiter wrote to us on April 18, 2013 suggesting we do not do this because of liability issues. NYSEG would charge us a \$330 installation fee and approximately \$20/month.
- 5.) Mike has prepared a set of specs for the Salt Shed roof to approve at our June 11th meeting. He has also given us a copy of a letter he has received from NYS DOT date April 24, 2013 advising us that we have \$487,178.38 balance in our CHIPS account for 2013-2014.
- 6.) Andes resident David Capps has requested permission to put on a dance show in Ballantine Park this summer on June 29 or July 6th. He left the park in very good shape. I'd like to say its okay again.
- 7.) With the board's approval, I ask Karen to cut two checks, for Wightman Lumber for \$1,135.69 and Curtis Lumber for \$667.13 for the Kiosk project. This will be repaid from our smart growth funds from NYS.
- 8.) The Superintendent of South Kortright schools called me and they would like to bring their children to the Andes pool again this year. Approximately 35 students starting on July 8, 2013 to August 9, 2013. It worked out very well last year and we had no trouble with them.
- 9.) Delaware County senior dining program is in a tight spot due to the federal cuts they are down approximately 17K in their meals program they have asked every town to pick up \$500. A lot of our seniors use the program.
- 10.) We have a resolution to support the Belleayre Resort a \$400 million private sector investment and the Belleayre Ski Center \$77 million project. I have written a letter to the Admin Law Judge. I would like your permission to read it at the Public Hearing on May 29, 2013.
- 11.) We have had some vandalism at the R.R. station. Approximately 17 windows were smashed and some of the wood work. A police report was made and I have advised Matt

Sluiter. The Andes Works group has agreed to a \$100 reward to match \$100 I am putting up for the arrest and conviction of the guilty parties.

12.) Our Assessor Tina Mosher has advised us that the board of assessment review will be hearing complaints from 5 to 9PM on May 28, 2013 in the board room.

13.) Dick Winner has asked for permission to set up his BBQ in the parking lot of the old Town Hall. He has full insurance. Dave Merzig suggested we charge a \$25 permit fee.

14.) Several people want to use it like last year to do a yard sale.

Motions:

Motion to rescind the previous motion from the April 2013 meeting for the Supervisor and Town Clerk to sign into the agreement with American Power and Gas made by Councilman Liddle, Seconded by Councilman Gladstone. All in favor, motion carried, Councilman Grommeck absent and excused.

Motion to authorize the Supervisor to sign a concession contract with Dick Winner for an annual fee of \$25 and insurance coverage. This contract shall not represent an exclusive contract for the Town for food concessions, made by Councilman Liddle, Seconded by Councilman Hall. All in favor, motion carried, Councilman Grommeck absent and excused.

Motion to appoint Jackie Dunn to be Pool Director made by Councilman Hall, Seconded by Councilman Liddle. All in favor, motion carried, Councilman Grommeck absent and excused.

Motion to hire Mikey Roe as the seasonal transfer station worker from May 25, 2013 to October 12, 2013, made by Councilman Gladstone, Seconded by Councilman Hall. All in favor, motion carried, Councilman Grommeck absent and excused.

Motion to authorize the Supervisor to advertise a \$300 reward for information leading to the arrest of the person or persons responsible for the vandalism at the Historic Train Station on Cabin Hill Road in the Town, made by Councilman Hall, Seconded by Councilman Liddle. All in favor, motion carried, Councilman Grommeck absent and excused.

Motion to approve the April 2013 minutes, Town Clerk's financial report, Justice's financial report, Tax Collector's financial report and Bookkeeper's financial report, made by Councilman Gladstone, Seconded by Councilman Liddle. All in favor, motion carried, Councilman Grommeck absent and excused.

Motion to authorize Highway Superintendent McAdams to use highway funds to purchase the dump box/rock box for \$6000, made by Councilman Gladstone, Seconded by Councilman Liddle. All in favor, motion carried, Councilman Grommeck absent and excused.

Motion to allow the South Kortright school to bring their kids to the pool this summer, made by Councilman Hall, Seconded by Councilman Gladstone. All in favor, motion carried, Councilman Grommeck absent and excused.

Motion to approve \$500 funding to the Delaware County Senior Dining, made by Councilman Liddle, Seconded by Councilman Hall. All in favor, motion carried, Councilman Grommeck absent and excused.

Motion to authorize Supervisor Donnelly to read his letter at the Public Hearing on May 29, 2013 as the Andes Town Supervisor, made by Councilman Hall, Seconded by Councilman Liddle. All in favor, motion carried, Councilman Grommeck absent and excused.

Resolutions:

Resolution 12 of 2013

Resolution Supporting the Development of the Belleayre Resort at Catskill Park

WHEREAS, Crossroads Ventures LLC has proposed an investment of over \$364 million in Delaware and Ulster Counties to develop the Belleayre Resort at Catskill Park (Resort); and

WHEREAS, the Resort will provide visitors to this region with a variety of outdoor recreation and lodging opportunities which will enhance and promote the region as a tourist destination; and

WHEREAS, all of the Resort's facilities will be open and available for use by the general public thus helping to improve the quality of life for local residents; and

WHEREAS, the Resort is projected to create up to 541 new full time and 230 part time/seasonal jobs with an annual payroll exceeding \$24.8 million; and

WHEREAS, Resort guests are expected to spend some \$10.6 million annually in local business along the Route 28 corridor; and

WHEREAS, the Resort is projected to have a \$168 million total annual economic effect on the regional economy, including businesses in Andes;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Andes does hereby express its support for the development of the Belleayre Resort at Catskill Park; and

BE IT FURTHER RESOLVED, that the Clerk of the Town of Andes is hereby authorized and directed to forward a certified copy of this resolution to: Governor Andrew M. Cuomo and DEC Regional Permit Administrator Daniel T. Whitehead.

Proposed by: Councilman Gladstone
Seconded by: Councilman Liddle

Roll Call:

Councilman Grommeck-----Absent and Excused
Councilman Hall-----Aye
Councilman Liddle-----Aye
Councilman Gladstone-----Aye
Supervisor Donnelly-----Aye

Resolution 13 of 2013

Endorsing the Redistricting of Delaware County in Regards to Public Works Prevailing Wages

WHEREAS, Delaware County is in the Southern Tier Economic Region as designated by New York State; and

WHEREAS, Delaware County 2010 census data clearly shows by review of every indicator (per capita annual income, median value owner-occupied units, population, population density and etc.) that we are closely aligned with our western neighbors and fellow Southern Tier Counties of Broome and Chenango; and

WHEREAS, union and all comparable wages in Delaware County are and continue to be in close equivalency to wages in those counties also designated as being in the Southern Tier; and

WHEREAS, arbitrary prevailing wage district designations of the past no longer apply to present day actualities in Delaware County's rural economy; and

WHEREAS, public works projects in all Delaware County Towns and as undertaken by the Department of Public Works on behalf of Delaware County must and should be able to be bid and constructed within realistic financial outlay expectations as set forth in those wage districts and mandated by the NYS Department of Labor.

NOW, THEREFORE, BE IT RESOLVED, that we the Town Board of the Town of Andes do fully support the redistricting and consolidation of the entirety of Delaware County into one district being consistent with Broome and Chenango counties for the following categories of workers: Asbestos Abatement, Electrician, Laborer (Building), Laborer (Heavy and Highway including as well Laborer-Tunnel), Operating Engineer (Building/Heavy and Highway), Plumber and Steamfitter, Plumber HVAC, Electrician (Residential), Plumber (Residential), Laborer (Residential).

BE IT FURTHER RESOLVED, that the Town Clerk shall forward copies of this resolution to the Honorable Governor Andrew M. Cuomo, New York State Senators John Bonacic, James Seward and Tom Libous, New York State Assemblypersons Pete Lopez, Claudia Tenney, and Cliff Crouch as well as NYS Department of Labor Commissioner Peter Rivera, Broome County Executive Debra Preston and Chenango County Board of Supervisors Chairman Lawrence N. Wilcox.

Proposed by: Councilman Liddle
Seconded by: Councilman Gladstone

Roll Call:

Councilman Grommeck-----Absent and Excused
Councilman Hall-----Aye
Councilman Liddle-----Aye
Councilman Gladstone-----Aye
Supervisor Donnelly-----Aye

Approval of Bills:

Motion to approve General Warrants #115-140 totaling \$16,276.71

Highway Warrants #68-94 totaling \$47,571.24

WWTP Warrants #101-139 totaling \$198,219.26

Water Warrants #26-33 totaling \$4,612.30, made by Councilman Hall, Seconded by Councilman Liddle. All in favor, motion carried, Councilman Grommeck absent and excused.

**There will be a car pool for the Public Hearing at Belleayre on May 29, 2013. They will be leaving from the Andes Hotel at 2PM for the 3PM meeting and at 5PM for the 6PM meeting.

Executive Session:

Personnel

Motion to enter executive session made by Councilman Hall, Seconded by Councilman Liddle. All in favor, motion carried, Councilman Grommeck absent and excused.

8:10PM

Motion to exit executive session made by Councilman Liddle, Seconded by Councilman Gladstone. All in favor, motion carried, Councilman Grommeck absent and excused.

8:25PM

Districts:

Water:

Sewer:

1.) We have received a new contract from Delaware Operations that I need your permission to sign. We are currently staffed for 3 people. Now it will be 2.5 people, 2 full time and 1 person for vacations and weekends.

2.) We will be ordering and planting 16 trees (Norway Spruce) alongside the WWTP. We will need some volunteers to help us do this. Bud has agreed to go and pick them up and provide equipment if needed, at no charge to the town.

3.) There will be a ribbon cutting ceremony at the WWTP sometime in June. It will be announced in the paper.

Motion to authorize the Sewer District to purchase the following spare parts for the new equipment at the WWTP: Fine Screen for the MBR process not to exceed \$5,849, Pressure transmitter not to exceed \$357.60, Anoxic Zone transmitter level not to exceed \$1,596 all from Ovivo USA, LLC and Blue Ribbon Pressure Transducer with Birdcage and 50' Jacketed Cable from Pump Service and Supply not to exceed \$998 made by Councilman Liddle, Seconded by Councilman Hall. All in favor, motion carried, Councilman Grommeck absent and excused.

Motion to authorize the Supervisor to execute a revised contract with Delaware Operations, Inc. to reduce staffing at the WWTP by 1/2 person, made by Councilman Hall, Seconded by Councilman Gladstone. All in favor, motion carried, Councilman Grommeck absent and excused.

Adjourn:

Motion to adjourn made by Councilman Liddle, Seconded by Councilman Hall. All in favor, Councilman Grommeck absent and excused. 8:33PM

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
May 14, 2013**

1. Water System

- Daily usage of treated water from the water system averaged 23,194 gallons per day for the month of April 2013.

2. Plant Purchases

3. O&M

4. Equipment

5. Distribution System

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**TOWN OF ANDES, NY
TOWN BOARD MEETING
REPORT BY DELAWARE OPERATIONS
May 14, 2013**

1. WWTP Plant

- Plant effluent flows averaged 26,592 gallons per day for the month April 2013.

2. SPDES Compliance/NYSDEC, NYCDEP

- The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for April 2013 met all parameters.

3. Collection System

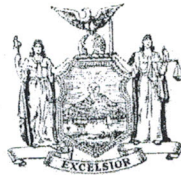
- High Street is being maintained as required.

4. Plant Purchases.

5. Plant O&M

6. Plant Equipment.

7. Gladstone Hollow Septic System



STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
ALBANY, N.Y. 12232
www.dot.ny.gov

JOAN McDONALD
COMMISSIONER

ANDREW M. CUOMO
GOVERNOR

April 24, 2013

MICHAEL MCADAMS
HIGHWAY SUPERINTENDENT
TOWN OF ANDES
PO BOX 246
ANDES NY 13731

Dear Mr. McAdams:

The Governor and the Legislature have reached agreement on a \$438.1 million Consolidated Local Street and Highway Improvement Program (CHIPS) for SFY 13-14, a \$75 million increase over the level of CHIPS funding authorized for SFY 12-13. **Please provide a copy of this letter to the chief financial officer (CFO) for your municipality.**

The next CHIPS Capital reimbursement is scheduled to be made on or about June 21, 2013. Please refer to the CHIPS guidelines regarding eligible project activities and payment. If your municipality's CFO has not signed up to receive electronic payments for CHIPS, please have the CFO complete the enclosed Electronic Payment Authorization form and mail it to the NYSDOT address noted on the form.

Instructions to apply for CHIPS funds for the June payment are on the reverse. Project information will be collected via the revised April 2013 on-line fillable reimbursement request form which is available on the CHIPS website (www.dot.ny.gov/programs/chips). Requests from the SFY 13-14 apportionment for the June payment must be for expenditures made on or after April 1, 2013 and through May 9, 2013. Requests which are incomplete, in error, or are sent using outdated forms could delay receipt of your payment.

The Town of Andes has a total CHIPS Capital balance of \$487,178.38 which is available for the June payment; this consists of a \$265,626.95 SFY 13-14 CHIPS Capital apportionment balance and a \$221,551.43 CHIPS Capital cumulative rollover balance. These balances are also reflected in the Capital Apportionment Balances link on the CHIPS website.

The Town of Andes must ensure the NYSDOT Regional Office receives the reimbursement request no later than **May 15, 2013** to receive this payment. Please be sure to sign the certification on each page of the reimbursement request(s), photocopy the completed form(s) for your files, and mail the original(s) to:

Linda Halaburka
NYSDOT Regional CHIPS Representative
New York State Department of Transportation
44 Hawley Street
Binghamton, NY 13901

Your municipal code is 930023. If you have any questions, please contact Linda Halaburka at 607-721-8274.

Respectfully yours,

Diane L. Kenneally, P.E.
Director
Local Programs Bureau

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

May 10, 2013

New York State Dept of
Environmental Conservation
Attn: Mr. Daniel Whitehead
21 South Putt Corner Rd
New Paltz, NY 12561

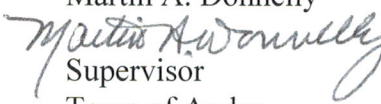
Re: The Economy

Dear Mr. Whitehead:

Thirty-three years ago my family and I moved to Andes, the almost pristine beauty of this region can and does have a magical effect on your soul. But, our economy is almost non-existent and continues to deteriorate due to the lack of jobs. Sixteen years ago I was elected Supervisor of the town of Andes. One year later I stood before you asking for your support of the Belleayre resort project. This represents a \$ 400 million dollar private sector investment in our economy & the region.

I listened to the opponents of this project repeat every conceivable objection from the size, traffic, sewage, the watershed etc.. and state this resort project is not necessary to create jobs (they could do it without the project). Now, fifteen years later I can not think of a single business or a job that they have created. They continue to criticize the size of the resort, the environmental impact it will have, the traffic etc.. They choose to completely ignore the downsizing of the original project by over 60%, no high ridge top development and no on site sewer plants. Nothing, you can say or do short of rejecting this project once again will ever satisfy them. It is of no concern to them that the economy continues to tank, or that our neighbors are looking for a job that will pay them a fair wage and allow them to support their families and stay in their homes.

Finally with the proposed 77 million dollar Belleayre ski center expansion & the advent of O.R.D.A. we may now see a four season vacation destination. Could anyone imagine a Lake Placid in the middle of the Adirondacks. This is not the only quality of life issue they oppose. Last year in Andes two elderly second homeowners died in their driveway and next door, because we had no cell-phone service due largely to our economy or lack of & we still don't today. For the future of the Catskills. And all of us that live here and love it please do not turn down this project again.

Martin A. Donnelly

Supervisor
Town of Andes