

**Town of Andes**  
**Regular Board Meeting at the Andes Town Hall**  
**December 10, 2013 at 1:00PM**

**Present:**

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

**Others:**

Margery Merzig-Keough Consulting	Dale Cole
Tom Joyce	Tom Coddington
Cheryl Peterson	Buffy Calvert
Larry Breakstone	

**Call to Order:**

The meeting was called to order by Supervisor Donnelly at 1:00PM

**Pledge:**

The pledge of allegiance was lead and recited by Councilman Grommeck.

**Privilege of the Floor:**

-Larry Breakstone RE: Healthcare

Mr. Breakstone spoke in regards to the Affordable Care Act and the New York Health Exchange. He did some research and found a service that has Navigators who can help those who need help understanding all of the information that is available to them. He asked for the Town to find a way to give this information to those in need. He also inquired whether or not the town offers health insurance to all full time employees. Supervisor Donnelly responded yes.

**Reports:**

## Highway Report 11/8/13 – 12/10/13

### Equipment

2009 International 4x4 – Changed Oil, Fuel and Air filters. Greased and checked all fluids. Installed new rear brake shoes. Installed new aluminum rims and new studs on both axles and replaced radiator cap 24,945 Miles

2009 International 6x6 – Changed oil, fuel, fuel/water separator and air filters. Greased and checked all fluids. 32,960

1999 Oshkosh – Had Jake Brake installed by Dickson Diesel 5,500 miles

1996 Volvo Tri-axle – Changed oil, fuel, fuel/water separator, greased and checked all fluids. Installed new slave cylinder valve. Truck was inspected by Old road truck repair. 266,645 miles

1979 AM General – Replaced fan belts and fixed headlights. 3,172 miles

1994 Waldon Broom – Changed oil, hydraulic, fuel, fuel/water and air filters. Greased and checked all fluids 2452 Hours

1994 Ford 555 Backhoe – Installed new Hydraulic pump shaft, greased and checked all fluids 6870 miles

### New Culverts

Turkey Valley Road – 2' x 50' Plastic Culvert just past hunting camp 11/20/13

Respectfully Submitted,

Michael McAdams

\*Supervisor Donnelly excused Highway Superintendent McAdams and Deputy Highway Superintendent Darling. They are unable to attend the meeting due to the heavy snow fall and the fact that they are short 3 employees for the day.

\*\*Supervisor Donnelly thanked McAdams for his help and the help of the highway employees for their work at the transfer station with the structure over the C and D bins.

\*\*\*One of the new army surplus trucks has the v-plow and it fits perfectly.

### Supervisor's Report

- 1.) Transfer Station decals are now available at the town hall. The decals must be placed on your car or cars prior to January 1, 2014. This action is an attempt to stop or limit out of town residents from dumping at our transfer station.
- 2.) Bids for snow removal and snow plowing were received on November 15, 2013 and approved and awarded on November 19, 2013. We only received one bidder it was from Tri Town Services. He has been made aware that he must provide a copy of his paying prevailing wage as required by NYS.
- 3.) The sink hole in front of Sluiter's old office has been fixed by NYS DOT. Thanks to Senator Boniaic's Office.
- 4.) Bud could not bury the electric line at the R.R. due to the placement of the NYSEG Pole. The electrician and Bud will try again.
- 5.) On November 27, 2013 we received a letter from the Public Service Commission as a follow up to a meeting they held in Delhi in October. This is in reference to the

proposed new alternating current (A.C.) transmission upgrades along the 2 corridors they propose.

- 6.) On December 4, 2013 we received a letter from the CWC attorney to our attorney Bob Beebe in reference to the billing for his service on the Andes, Roxbury, and Tompkins tax settlement with the DEP.
- 7.) The two checks we received from the CWC for Coulter Road \$168,494.98 and High Street for \$42,189.00 have been deposited in separate maintenance bank accounts as required by the CWC, a total grant of \$210,683.98.
- 8.) I would like to ask the board's permission to appoint Bill Palmer to be the transfer station decal inspector effective January 1, 2014. His hours will be the same as the transfer station operators until further notice.
- 9.) We are working with our insurance agent and our town attorney on the Shared services agreement that Mike requested, between the town and other highway departments.

#### Town Clerk's Report

- On December 4, 5, and 6 Highway Superintendent McAdams and I met with Peter Connell a Disaster Assistance Representative in regards to the close out of disaster 1710 (the 2007 flood). We were able to separate out some of the documentation needed but are waiting on a few things from Delaware Engineering that should help the process along. We will be meeting with him again in the near future to finish this project.
- On December 9, 2013 we received a letter from the State Office of Emergency Management stating that a payment to the Town for the Close Hollow Bridge Project had been processed in the amount of \$215,000. The check has not yet been received. We also received a letter stating that we owe them \$156.00 from a deobligated project from Disaster 1650. I have spoken to Kristen Howley, our contact from the finance office and she is going to apply this to the balance that they still owe us from this disaster, so we do not have to pay anything back at this time.
- The Transfer Station will be closed December 25<sup>th</sup> and will be open December 26<sup>th</sup>. It will also be closed January 1<sup>st</sup> and will be open on January 2<sup>nd</sup>.
- We have a quote from LaFever Insurance for health insurance for all town employees.
- Our 2014 Organizational meeting will be held on January 3<sup>rd</sup> at 1PM. The regular board meeting will be immediately afterwards. The annual accounting will follow both meetings.

#### Dog Control Officer

-Jason went to a dog call. The caller thought the dog had rabies. He did as well, it was frothing from the mouth, etc. He tried to take it to the animal hospital, but they were closed. NYS Dept. of Ag and Markets said to take the dog to the animal hospital because the dog was sick. The animal died the next day, but did not have rabies.

**Correspondence:**

Supervisor Donnelly read two letters, one from the CWC and the other from the NYS Department of Public Service. Both are attached.

Supervisor Donnelly stated, that he has been invited to these Department of Public Service meetings because the lines are set to come near Andes, but at this time are not set to come into Andes.

**Motions:**

Motion to appoint Bill Palmer as the transfer station decals monitor effective January 1, 2014, through board's pleasure, made by Councilman Hall, Seconded by Councilman Grommeck. All in favor, Councilman Liddle absent and excused. Motion carried.

Motion to approve the October 17<sup>th</sup>, 2013 budget workshop minutes, the October Regular Meeting minutes, the November Town Clerk's Financial Report, Justices Financial Report, Dog Control Officer's Report and the Supervisor's financial report, made by Councilman Gladstone, Seconded by Councilman Hall. All in favor, Councilman Liddle absent and excused. Motion carried.

**Resolutions:**

Resolution 35 of 2013 Andes Historic Train Station SEQR Lead Agency Resolution

WHEREAS, the Town Board of the Town of Andes undertaking a restoration of the Historic Train Station of Depot Street; and

WHEREAS, the project includes building stabilization, interior restoration and use determination; and

WHEREAS, the Town of Andes has granted certain state funds to undertake such activities, as well as private donations for the effort; and

WHEREAS, the Town of Andes has contracted with Preservation Architecture to perform a structural report with recommendation;

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

1. The Town Board intends to proceed with the train station restoration; and
2. The Town Board intends to comply with City, State and Federal environmental regulations; and
3. The Town Board hereby determines that the project is an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA), Article 8 of the New York

Environmental Conservation law and its implementing regulations, 6 NYCRR Part 617; and

4. The Town Board hereby instructs the Supervisor, with the assistance of the consulting architect, to prepare an Environmental Assessment Form (EAF) and all NEPA documents, notify involved agencies of the Town Board's intent to serve as SEQRA lead agency and to further initiate the review of the Project under the SEQRA regulations; and
5. The Town Board hereby declares itself as SEQRA Lead Agency, provided that no involved agency objects within 30 days of the date of that the FEAF was submitted to them; and
6. The Town Board hereby authorizes the Supervisor to sign all environmental review and funding documents for the Project on their behalf.
7. The Town Board hereby schedules a public scoping session and public hearing on the SEQR review for January 3rd, 2014 at 12:30 pm at the Andes Town Hall.

Proposed by Councilman Hall

Seconded by Councilman Grommeck

ROLL CALL:

Councilman Gladstone----Aye

Councilman Grommeck---Aye

Councilman Hall-----Aye

Councilman Liddle-----Absent and Excused

Supervisor Donnelly-----Aye

Resolution 36 of 2013 Authorization to Close the 2013 Books for the Town and Districts

Whereas, the Town of Andes must close out the 2013 Town and District books; it is hereby resolved that; the Town of Andes Bookkeeper, Karen Kropp of By the Books, is hereby authorized to transfer budget line items and do whatever is necessary to close out the 2013 Town of Andes and District books.

Proposed by Councilman Grommeck

Seconded by Councilman Gladstone

ROLL CALL:

Councilman Gladstone-----Aye

Councilman Grommeck---Aye

Councilman Hall-----Aye

Councilman Liddle-----Absent and Excused

Supervisor Donnelly-----Aye

## **Approval of Bills:**

Motion to approve General Warrants #331-367 totaling \$56,565.10,

Highway Warrants #249-276 totaling \$96,592.65

WWTP Warrants #272-294 totaling \$46,752.12

Water Warrants #70-81 totaling \$3343.38

Shavertown Warrant #7 totaling \$500.00

Made by Councilman Hall, Seconded by Councilman Grommeck. All in favor, Councilman Liddle absent and excused. Motion carried.

## **Districts:**

Water-

Sewer-

Motion to authorize the purchase and install of a heater in the MBR building from Taggart Electric at a cost of \$1488.00, made by Councilman Gladstone, Seconded by Councilman Hall. All in favor, Councilman Liddle absent and excused. Motion carried.

Marge stated that we are still negotiating with the NYC DEP on the final close out of the upgrade project. The project is complete and we are very happy with the outcome.

## **Old Business:**

Marge spoke in regards to the shared services agreement between the Town and Andes Central School. It is projected that the agreement will be ready to be signed in January. The town's and school's attorneys are discussing and working out the details at this time.

## **New Business:**

\*On Thursday, December 5, Councilman Gladstone attended a meeting at SUNY Delhi in regards to the National Flood Insurance Program. The presenters indicated that they are projecting a 25% per year increase on premiums until the program can sustain itself. They also indicated that if there is a disaster and you do not have this insurance you will not be able to seek assistance from FEMA after the fact.

## **Adjourn:**

Motion to adjourn the meeting made by Councilman Hall, Seconded by Councilman Gladstone. All in favor, Councilman Liddle absent and excused. 1:50PM

*Read*

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](http://www.cwconline.org)

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December 4, 2013

Robert L. Beebe, Esq.  
Law Office of Robert L. Beebe, LLC  
514 Vischers Ferry Road  
Clifton Park, NY 12065

*Re: CWC Tax Consulting Agreements with Towns of Andes, Roxbury, and Tompkins*

*Bob*  
Dear ~~Mr. Beebe~~:

The Catskill Watershed Corporation (CWC) is now in receipt of two invoices from two of our member towns for your time on tax certiorari matters. The first invoice is from the Town of Roxbury in the amount of \$4,834.00. The second invoice is from the Town of Andes in the amount of \$976.00. In addition, I understand the Town of Tompkins also recently received an invoice from your office. Each of these invoices also included a CWC Payment Voucher signed by you, presumably to be submitted to CWC for payment.

Please be advised that the Tax Consulting contract between CWC and each of the above named towns was exhausted some months ago and CWC has no mechanism to provide additional reimbursement to these three towns. CWC informed the Town of Tompkins of the contract closure due to exhaustion of funds by letter dated March 16, 2011. A copy of that notice was also sent to your office. In addition, the Towns of Andes and Roxbury were informed by letter that the contract funding had been used up by letters dated July 31, 2013 and July 30, 2013 respectively. A copy of each of those letters was also mailed to your office.

As you may recall, the supervisors of the above mentioned towns and others invited you, CWC, and the attorney for the Coalition of Watershed Towns to a meeting on April 11, 2013 in Delhi, New York. At that meeting, you committed to settling the above referenced matters with the remaining amounts left in the contracts between CWC and the Towns of Middletown, Roxbury, and Andes. Those town supervisors also agreed that their funding could be used on this multi-town effort, based upon your commitment that the sum of all the remaining funding



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was sufficient to bring these matters to a conclusion. The funds remaining in each of those contracts has now been paid out to you.

Although the billing between yourself and your clients is not CWC's concern, please refrain from including a CWC Payment Voucher with your future invoices. It creates an incorrect presumption that CWC can provide reimbursement for those bills.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy E. Cox". The signature is fluid and cursive, with the first name being the most prominent.

Timothy E. Cox  
Corporate Counsel

cc: Hon. Martin Donnelly, Supervisor, Town of Andes  
Hon. Thomas Hynes, Supervisor, Town of Roxbury  
Hon. William Layton, Supervisor, Town of Tompkins



*Read*

STATE OF NEW YORK DEPARTMENT OF PUBLIC SERVICE  
THREE EMPIRE STATE PLAZA, ALBANY, NY 12223-1350

www.dps.ny.gov

PUBLIC SERVICE COMMISSION

AUDREY ZIBELMAN  
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GARRY A. BROWN  
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DIANE X. BURMAN  
*Commissioners*

PETER McGOWAN  
*General Counsel*

KATHLEEN H. BURGESS  
*Secretary*

November 27, 2013

Dear Elected Official:

Earlier this year, you received a letter from the Department of Public Service regarding a case currently before the New York State Public Service Commission known as the Alternating Current (AC) Transmission Upgrade Proceeding.

As stated in the June 21, 2013 letter, the Commission is currently seeking ways to improve the electricity transmission system to relieve existing transmission bottlenecks on the State's electric grid that cost consumers and businesses hundreds of millions of dollars annually in higher electricity bills.

The Commission has determined that strategic investments in the transmission system will maintain and improve reliability, reduce overall energy costs, make better use of existing generators, promote and strengthen the use of renewable energy, improve overall air quality, spur economic development and help create many new high-paying jobs.

To accomplish these critically important goals, the Commission has instituted a first-of-its-kind proceeding by asking utilities and private developers to submit potential projects designed to reduce bottlenecks along two corridors located in the electric transmission system between Upstate New York and Southeast New York. The first corridor runs from the Marcy and Edic substations in Oneida County, east towards Albany, then south to the New York City metropolitan area. The second corridor runs from Marcy south to Delaware County, then on to Orange or Rockland counties.

Four developers submitted competing projects on October 1, 2013 for further consideration. **It is important to note that neither the State nor the PSC has endorsed any particular project at this time.** It is anticipated that the Commission will select only a project that best meets policy objectives, which includes minimizing impacts on landowners and the local community.

To ensure public officials are fully informed, the Department of Public Service will hold three public meetings within these proposed locations to provide public officials an opportunity to learn more about the process regarding the AC Transmission Upgrade Proceeding.

At these meetings, staff of the Department of Public Service will describe the initiative and its goals, as well as the detailed process used to evaluate proposals including the potential impact on landowners and communities. In addition, staff will describe how municipalities, community groups and individuals can participate in the process.

It is our intent to facilitate and encourage active and meaningful public participation throughout the entire process of considering potential energy infrastructure projects. We hope you will be able to join us for one of the meetings.

The dates and locations of these public meetings are as follows:

**Tuesday, December 10, 2013**

SUNYIT  
Kunsela Hall Auditorium, A-112  
5701 Horatio Street  
Utica, New York 13502  
Time: 6:00PM

**Wednesday, December 11, 2013**

New York State Department of Public Service  
19<sup>th</sup> Floor Boardroom  
Three Empire State Plaza  
Albany, New York 12223  
Time: 1:00PM

**\*This meeting will have webinar/teleconference capabilities\***

Webinar address: <http://tinyurl.com/ACTransmissionCaseMtg>

Click on "join as a participant"  
Teleconference log in: #1-866-394-2346  
Conference Code: 934 006 4174

**Thursday, December 12, 2013**

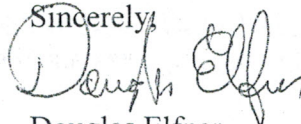
City of Poughkeepsie Common Council Chambers  
Municipal Building, 3<sup>rd</sup> Floor  
62 Civic Center Plaza  
Poughkeepsie, New York 12061  
Time: 6:00PM

\*access elevators from parking garage level, no parking fee\*

If you plan to attend one of the meetings, you are encouraged to register in advance by contacting Laurie Fahrenkopf at 518-474-1680 or [laurie.fahrenkopf@dps.ny.gov](mailto:laurie.fahrenkopf@dps.ny.gov), to help facilitate planning.

If you would like more information regarding the proceeding, please visit the Department website at [www.dps.ny.gov](http://www.dps.ny.gov) and click on the "Alternating Current Transmission Upgrades" link located on the homepage of the site. For more information on Article VII, please visit our website at [www.dps.ny.gov/articlevii.htm](http://www.dps.ny.gov/articlevii.htm).

Sincerely,



Douglas Elfner  
Director  
Office of Consumer Policy

# 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  
December 12, 2013**

**1. Water System**

- Daily usage of treated water from the water system averaged 26,922 gallons per day for the month of November 2013.

**2. Plant Purchases**

**3. O&M**

**4. Equipment**

- Turbidity meters were calibrated by Turnkey Controls Inc. on November 13<sup>th</sup>.

**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  
December 12, 2013**

**1. WWTP Plant**

- Plant effluent flows averaged 24,362 gallons per day for the month November 2013.

**2. SPDES Compliance/NYSDEC, NYCDEP**

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

**3. Collection System**

- High Street is being maintained as required.

**4. Plant Purchases.**

- Delaware Operations requests the approval for Taggart Electric to purchase and install a heater in the MBR building at a cost of \$1,488.00.

**5. Plant O&M**

**6. Plant Equipment.**

- Turnkey Controls Inc. calibrated 5 flow meters and one turbidity meter on November 13<sup>th</sup>.

**7. Gladstone Hollow Septic System**

**TAGGART ELECTRIC, INC.**  
200 MERRICKVILLE ROAD  
SIDNEY CENTER, NY 13839

607-829-2823-OFFICE  
607-829-2144-FAX

# JOB PROPOSAL

COMPANY: Andes Waste Water

FROM: Scott Taggart

ATTN: Shane Boice

DATE: December 9, 2013

## JOB DESCRIPTION

We are pleased to provide an estimate of \$ 588.00 for the installation and wiring for the new 15 KW electric heater in the back building.

This estimate includes all material and labor to complete this project. We will supply and install a new 20 amp 480 volt 3 phase twistlock receptacle fed from the existing pump starter. We will install a 25 foot, 12/4 SOOW extra hard usage cord on the new heater with a L16-20 male plug. All work will be done during normal business hours.

Option 1 – Supply the 15 KW heater from Grainger #3E217 -----\$ 900.00

If you have any questions concerning this estimate, please give me a call.

Please Advise

This is an estimate only, not a contract for services. This estimate is for completing the job as described above. It is based on our evaluation and does not include material price increases or additional labor and materials which may be required should unforeseen problems arise after the work has started. No sales tax has been added, please advise if taxable.