

**2015 Organizational Meeting
January 6, 2015
7:00PM
Andes Town Hall**

Present:

Councilman Wayland 'Bud' Gladstone
Councilman Thomas Hall
Supervisor Martin Donnelly
Highway Superintendent Michael McAdams

Councilman Dale Cole
Councilman Thomas Joyce
Town Clerk Kimberly Tosi

Others:

Forrest Day
Cheryl Peterson

Margery Merzig- Keough Consulting
Tom Coddington-Walton Reporter

Call to Order:

The meeting was called to order by Supervisor Donnelly at 7:05PM

Pledge:

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

Organizational Resolutions:

Be it resolved that:

#1 Town of Andes Planning Board Member

Alex Adelson be re-appointed to the Town of Andes Planning Board
Term Expires: December 31, 2019

#2 Town of Andes Zoning Board of Appeals

Darwin Finkle be re-appointed to the Town of Andes Zoning Board of Appeals
Term Expires: December 31, 2019

#3 Pool Director

Rachel Andrews be re-appointed Director of the Andes Pool
Term Expires: December 31, 2015

#4 Town of Andes Monthly Meetings for the Town Board

Monthly meetings of the Andes Town Board will be held on the second Tuesday of each month at the Town Hall unless otherwise posted. In December, January, and February meetings will begin at 1:00PM. The remainder of the year the meetings begin at 7:00PM.

#5 Monthly Meetings for the Town of Andes Planning Board

Monthly meetings for the Town of Andes Planning Board will be held on the second Monday of each month at 7:30PM at the Town Hall.

#6 Monthly Meetings for the Town of Andes Zoning Board of Appeals
Monthly meetings of the Town of Andes Zoning Board of Appeals will be held on the fourth Monday of the month when needed at 7:00PM at the Town Hall.

#7 Depositories of Funds

National Bank of Delaware County-Andes, NBT-Norwich, National Bank of Delhi are appointed as Town of Andes depositories of funds

#8 Authorization to Pay Vouchers in Advance of Audit

Town of Andes Supervisor Martin A. Donnelly be authorized to pay in advance of audit, utilities, election and primary, postal, insurance and retirement and any other bills deemed to be a savings to the town

#9 Mileage Reimbursement

Mileage Reimbursement for the Town of Andes is \$0.55 per mile

#10 Procurement Policy/Investment Policy/Standards for Officers and Employees Policy/Drug and Alcohol Testing Policy/Highway Policy/ and Workplace Violence Protection Policy.

The above named Town of Andes Policies are in effect and on file in the Town Clerk's Office

#11 Annual Accounting

Annual Accounting for the Town of Andes Supervisor, Justices, Tax Collector and Town Clerk will take place at the Town Hall on February 10th, 2015 immediately following the board meeting.

#12 Official Newspaper

The Walton Reporter will be the official newspaper for the Town of Andes. The Daily Star will be used for short notice.

#13 Transfer Station Committee

Councilman Cole and Supervisor Donnelly

#14 Highway Committee

Councilman Gladstone and Councilman Cole

#15 Town Hall committee

Councilman Cole and Councilman Hall

#16 Pool Committee

Councilman Joyce, Councilman Gladstone, and Supervisor Donnelly

#17 Construction Committee (including cell towers)

Supervisor Donnelly, Councilman Gladstone, Councilman Hall and Councilman Joyce

#18 Petty Cash

Petty Cash is as follows: Justice \$50, Town Clerk \$15, Tax Collector \$25 Carried Forward

#19 District Meetings

All Town of Andes District meetings will take place directly after the monthly town board meetings until further notice

#20 Delegate to Association of Towns Meetings

Any Town of Andes elected official is authorized to attend any Association of Towns meetings

#21 Salaries and Wages

Are as per the 2015 budget

#22 Health Officer

Dr. Michael Freeman

Term Expires: 12/31/2015

Resolution #1 of 2015

Be it resolved by the Town Board of Andes that Organizational Resolutions #1-22 are hereby approved.

Proposed by: Councilman Gladstone

Seconded by: Councilman Joyce

Roll Call:

Councilman Joyce-----Aye

Councilman Hall-----Aye

Councilman Cole-----Aye

Councilman Gladstone----Aye

Supervisor Donnelly-----Aye

**Public Hearing for the Update in the Comprehensive Plan and Ballantine Park SEQR
And Water Supply Improvements SEQR**

January 6, 2015

7:00PM

Andes Town Hall

Call to Order:

The Public hearing began at 7:18PM

Comments:

Margery Merzig spoke in reference to the two grants being sought. She stated that both SEQRs stated that these actions will not be environmentally damaging to the town.

Motions:

MOTION that, in regard to the Smart Growth Project regarding an update in the comprehensive plan and Ballantine Park improvements, having considered the draft and final Short Form Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, the Town Board of the Town of Andes finds that:

1. The requirements of 6 NYCRR Part 617.11 have been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable by incorporating as conditions to the decision those mitigating measures that were identified as practicable.
3. And (if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR Part 600.5, this action will achieve balance between the protection of the environment and the need to accommodate social and economic considerations.

Made by Councilman Joyce, Seconded by Councilman Hall. All in favor, motion carried.

MOTION that, in regard to the Smart Growth Project regarding a water supply improvements, having considered the draft and final Short Form Environmental Impact Statement and having considered the preceding written facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617.11, the Town Board of the Town of Andes finds that:

1. The requirements of 6 NYCRR Part 617.11 have been met; and
2. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action is the one that avoids or minimizes adverse environmental impacts to the maximum extent practicable by incorporating as conditions to the decision those mitigating measures that were identified as practicable.
3. And (if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR Part 600.5, this action will achieve balance between the protection of the environment and the need to accommodate social and economic considerations.

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

January Regular Meeting
January 6, 2015
7:00PM
Andes Town Hall

Call to Order:

The meeting began at 7:25PM

Reports:

Highway Report 12/10/14 – 1/6/15

Equipment

2009 International 6x6 – Replaced rear end filter, greased and checked all fluids 39,915 miles
2009 International 4x4 – Greased and checked all fluids and fixed lights. 30890 miles
1999 International – Replaced rear wheel seal and checked all fluids 186,000 miles
1999 Oshkosh – Greased and checked all fluids 7,634 miles
1996 Volvo Trio-axle – Greased and checked all fluids.
2003 John Deere Loader – Greased and checked all fluids 7660 Hrs.

Federal Surplus Program

- We received a 1985 Case Loader from the army surplus. We changed the oil, hydraulic, fuel and air filters. We drained hydraulic and transmission fluid. 1070 Hrs.
- We have 2 request on Freightliner 6x6 Tractors located in North Dakota. We will not know if we won these trucks until January 19, 2015

Respectfully Submitted,
Michael McAdams

*Supervisor Donnelly requested that a thank you note be sent to Mr. Gerald Murphy for the stew he provided for the highway employees.

**On February 5th, Highway Superintendent McAdams will be out for one to three weeks. Deputy Darling will be available for any questions, etc. needed.

Supervisor's Report

1.) Frank Winkler spoke to me in reference to the poor quality of the new FEMA maps. He said the planning board felt we should go on the record now in case of problems later. I left Mr. Meacham the Chief of the Floodplain Management Section a message on December 5, 2014. I called him again on December 22, 2014 to remind him I left a message for him. He said the maps could have been better but the final ones will be clear as they can be. He wasn't very interested.

2.) Marge received an email on December 9, 2014 from Katie Seabury at DASNY in reference to our request for payment on one of our grants. Please see for yourself what she wanted.

- 3.) On December 11, 2014 NYS DMV wrote to us in reference to the new plates they are now requiring it was given to me on December 17, 2014, I asked Kim to give Mike a copy.
- 4.) The County DPW will again complete the annual DEC reporting form for C&D requested on December 18, 2014 per Sure McIntire on December 22, 2014
- 5.) Janis Armstrong came in, in reference to the appointment of Karli Tait as our new crossing guard on December 30, 2014. I told her it would be okay.
- 6.) The County DPW wrote on December 29, 2014 to the highway superintendents and the new CDL consortium agreement with a copy of her letter to us on December 31, 2014. I spoke to the Office and she said the Superintendent has the proposed resolution required.
- 7.) We received two grader bids on Friday. They will be awarded tonight. I think this is the grader he requested in July or August.
- 8.) The new loader is here and it looks very good.

Motions:

Motion to appoint Karli Tait as the school crossing guard until further notice, made by Councilman Hall, Seconded by Councilman Gladstone. All in favor, motion carried.

Motion to authorize Highway Superintendent McAdams to advertise for bids. Bids will be accepted until March 5th, 2015 at 12:00PM. Bids will be opened on March 6th, 2015 at 9:30AM. Bids will be accepted or rejected at our March Regular Meeting, made by Councilman Hall, Seconded by Councilman Joyce. All in favor, motion carried.

Motion to approve the December Supervisor's Report and December Justices Report, made by Councilman Joyce, Seconded by Councilman Hall. All in favor, motion carried.

*The Town Clerk's Financial Report will be available as soon as possible, due to a computer issue I cannot access the information.

Motion to authorize the payment of the following vouchers prior to the February Meeting, Dale Kirby \$4375.00, Systems Development \$1000.00 and Dubben Brothers \$19.07, made by Councilman Gladstone, Seconded by Councilman Hall. All in favor, motion carried.

Motion to authorize Supervisor Donnelly to sign the 2015 contract with the Delaware County Planning Board, made by Councilman Joyce, Seconded by Councilman Hall. All in favor, motion carried.

Resolutions:

Resolution #2 of 2015 Park and Comprehensive Plan SEQR

WHEREAS, the Town Board of the Town of Andes is seeking funding to undertake an update in its comprehensive plan and certain park improvements with funding from Catskill Smart Growth Implementation Grant; and

WHEREAS, funding applications require public hearings and review under the State Environmental Quality Review Act (SEQRA), Article 8 of the New York Environmental Conservation law and its implementing regulations, 6 NYCRR Part 617;

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

1. The Town Board hereby authorizes the release of the Short Form ; and
2. The Town Board hereby authorizes the Supervisor to coordinate the application for funding; and
3. The Town Board intends to comply with City, State and Federal environmental regulations; and
4. 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
5. The Town Board hereby authorizes the Supervisor, with the assistance of the Town Attorney, to publish an Environmental Assessment Form (EAF), notify involved agencies of the Town Board's intent to serve as SEQRA lead agency; and
6. 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 EAF was submitted to them

Proposed by: Councilman Hall
Seconded by: Councilman Joyce

Roll Call:
Councilman Joyce-----Aye
Councilman Hall-----Aye
Councilman Cole-----Aye
Councilman Gladstone----Aye
Supervisor Donnelly-----Aye

Resolution #3 of 2015 Water Supply SEQR

WHEREAS, the Town Board of the Town of Andes is seeking funding to undertake water supply improvements with funding from Catskill Smart Growth Implementation Grant; and

WHEREAS, funding applications require public hearings and review under the State Environmental Quality Review Act (SEQRA), Article 8 of the New York Environmental Conservation law and its implementing regulations, 6 NYCRR Part 617;

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

1. The Town Board hereby authorizes the release of the Short Form ; and
2. The Town Board hereby authorizes the Supervisor to coordinate the application for funding; and
3. The Town Board intends to comply with City, State and Federal environmental regulations; and
4. 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
5. The Town Board hereby authorizes the Supervisor, with the assistance of the Town Attorney, to publish an Environmental Assessment Form (EAF), notify involved agencies of the Town Board's intent to serve as SEQRA lead agency; and
6. 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 EAF was submitted to them.

Proposed by: Councilman Gladstone

Seconded by: Councilman Joyce

Roll Call:

Councilman Joyce-----Aye

Councilman Hall-----Aye

Councilman Cole-----Aye

Councilman Gladstone----Aye

Supervisor Donnelly-----Aye

Resolution 4 of 2015 In Relation to Agreement for Mandatory CDL Drug and Alcohol Testing

WHEREAS, the Federal Highway Administration (FHWA) has adopted and published regulations at 49 C.F.R. Part 382, entitled "Controlled Substances & Alcohol Use and Testing"; and

WHEREAS these regulations apply to all Public Employees holding CDL licenses and who perform safety sensitive functions; and

WHEREAS the regulations require the testing of all personnel who are covered; and

WHEREAS the regulations allow for Consortiums to be formed by groups of employees to administer the regulations as a single entity; and

WHEREAS the County of Delaware has agreed to administer a consortium for all the Towns and Villages in the County.

NOW THEREFORE BE IT RESOLVED that the Town of Andes Board approves the Highway Superintendent signing an agreement with the County of Delaware for the mandatory 49 C.F.R. Part 382, "Controlled Substances and Alcohol Use and Testing".

Proposed by: Councilman Hall
Seconded by: Councilman Joyce

Roll Call:
Councilman Joyce-----Aye
Councilman Hall-----Aye
Councilman Cole-----Aye
Councilman Gladstone----Aye
Supervisor Donnelly-----Aye

Resolution 5 of 2015 Grader Bid

Be it resolved that upon review of the grader bid received the Andes Town Board will accept the bid for a new Volvo G930C Motor Grader for \$192,578.00 from Vantage Equipment.

Proposed by: Councilman Joyce
Seconded by: Councilman Gladstone

Roll Call:
Councilman Joyce-----Aye
Councilman Hall-----Aye
Councilman Cole-----Aye
Councilman Gladstone----Aye
Supervisor Donnelly-----Aye

Resolution 6 of 2015 Flood Commission

Be it resolved, by the Andes Town Board that pursuant to the need for the establishment of a Town Flood Commission one is hereby created. The following are the members of the flood commission, Wayland 'Bud' Gladstone, Deputy Supervisor, Chairman, Thomas Joyce, Council Member, Frank Winker, Chairman of Planning Board, John Gregg, Member of Zoning Board of Appeals, Michael McAdams, Highway Superintendent, Dorothy McArdle, Resident, and Mary Davis, Resident.

Be it further resolved that the terms of members will be the terms of their current offices and for the residents it will be five years.

Proposed by: Councilman Hall

Seconded by: Councilman Joyce

Roll Call:

Councilman Joyce-----Aye
Councilman Hall-----Aye
Councilman Cole-----Aye
Councilman Gladstone----Abstained
Supervisor Donnelly-----Aye

Approval of Bills:

Motion to approve Encumbered Warrants #427-446 totaling \$48,452.09
Encumbered Highway Warrants #240-266 totaling \$28,260.04
Encumbered WWTP Warrants #172-181 totaling \$27,846.19
Encumbered Water Warrants #113-117 totaling \$2,015.48
General Warrants #1-14 totaling \$255,165.37
Highway Warrant #1 totaling \$7041.25
WWTP Warrant #1-2 totaling \$846.51, made by Councilman Hall, Seconded by Councilman Joyce. All in favor, motion carried.

Other Business:

Forrest Day gave a report on the status of the new courthouse construction. He stated that there have been some delays but it is getting closer to being completed. He would like to see the project start moving a little quicker and stated there has been a hold up on some of the materials. The committee will be meeting with Curtis Lumber, Artie Short, the Building Inspector, and Forrest Day on Thursday, January 8th to discuss the project.

Districts:

Water-

1.) On December 10, 2014 the NYS DEC wrote requesting the names of the adjoining municipalities to Andes. Kim and I provided this information on December 15, 2014.

Sewer-

Adjourn:

Motion to adjourn made by Councilman Hall, Seconded by Councilman Gladstone. All in favor, 8:26PM.

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 13, 2015**

1. Water System

- Daily usage of treated water from the water system averaged 23,205 gallons per day for the month of December 2014.

2. Plant Purchases

3. O&M

4. Equipment

- On December 8th and the 30th second stage filter cartridges were changed.

5. Distribution System

6. Library Well

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**TOWN OF ANDES, NY
TOWN BOARD MEETING
REPORT BY DELAWARE OPERATIONS
January 13, 2015**

- 1. WWTP Plant**
 - Plant effluent flows averaged 42,620 gallons per day for the month December 2014.

- 2. SPDES Compliance/NYSDEC, NYCDEP**
 - The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for December 2014 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**

DELAWARE COUNTY PLANNING BOARD
POST OFFICE BOX 367
DELHI, NY 13753

An Agreement Between

THE DELAWARE COUNTY PLANNING BOARD

and the

TOWN OF ANDES

as set forth in Article 11-B of the General Municipal Law.

WHEREAS, in accordance with Section 239-d of the General Municipal Law, Subsection 8, and Resolution No. 102, 1975, as amended, Delaware County Board of Supervisors, the Delaware County Planning Board is authorized to provide planning services to the communities within the county when its services are requested by the municipality, through the Town Planning Advisory Service Program, and to enter into local planning assistance agreements with communities desiring such services.

WHEREAS, this community hereby requests the Delaware County Planning Board to provide planning services to this community's planning board and agrees to appropriate municipal funds for the purposes of the Town Planning Advisory Service for year January 1, through December 31, 2015, as follows.

- I. The total cost to the community is \$3,500
- II. For the purpose of providing these funds to carry out the provisions of this **AGREEMENT, IT IS AGREED** that the community will pay to the Delaware County Planning Board the sum of \$3,500.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by their representative thereunto duly authorized, as of the day and year as above written.

By: Nicole Franzese
(County Planning Director)

January 1, 2015
(Date)

By: Martin Adornelly
(Municipal Officer)

January 6, 2015
(Date)

Amber Emerson Testing Contract

Amber Emerson Testing and Delaware County Highway Dept. agree as follows: Amber Emerson will provide Delaware County Highway Dept. the following services in connection with the Delaware County Highway Dept. 's Drug and Alcohol Testing Program at the prices quoted on the attached sheet:

Amber Emerson will maintain a list of covered employees, which will be updated as needed by Delaware County Highway Dept. . From this list, Amber Emerson will select names by random computer generation, to provide drug and alcohol testing at an annual percent as required by the U.S.D.O.T. Regulations (regulations) and/or company policy. Amber Emerson will provide for sample collection, testing through a certified laboratory, and Medical Review Officer services, for all drug testing required by the regulations. Amber Emerson will also provide certified breath testing for alcohol as required by the regulations and/or company policy. Sample collection and breath testing will be done ON-SITE in the manner agreed to by Delaware County Highway Dept. , except for emergency tests, such as post accident or probable cause, where a contingency plan instituted by Amber Emerson may be utilized. Amber Emerson will provide Delaware County Highway Dept. with semi-annual and annual reports as required by the regulations. Amber Emerson will assist Delaware County Highway Dept. in establishing and maintaining policy and procedures to be in full compliance with the regulations.

Liability

Delaware County Highway Dept. will have the sole responsibility to implement all aspects of the Drug and Alcohol testing program. Delaware County Highway Dept. will also have the sole responsibility for assuring the Drug and Alcohol testing program complies with federal, state, and local laws and regulations and all labor, employee, or other contracts or practices to which it is a party.

Amber Emerson agrees to indemnify Delaware County Highway Dept. from any liability arising from the fault or negligence of him or his employee. Delaware County Highway Dept. agrees to indemnify Amber Emerson for any failure of Delaware County Highway Dept. to fulfill its responsibilities.

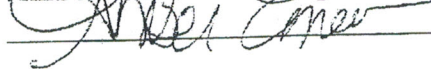
Miscellaneous

In the event changes occur in Delaware County Highway Dept. program which impact the services required, Amber Emerson reserves the right to adjust prices or services accordingly.

All charges billed to Delaware County Highway Dept. will be due and payable within 45 days of receipt of invoice.


This agreement will automatically be renewed provided no changes are made in services or pricing. The agreement may be terminated by either party upon thirty days written notice. This agreement supersedes any prior agreements between the parties.

Amber Emerson Testing



Date: 11/7/2014

Delaware County Highway Dept.

Authorized Signature: 

Date: 11/12/14



Phone: 607.441.3071
Cell: 607.624.6387 (after hours)
Fax: 607.988.0016

396 1/2 Chestnut Street
Oneonta, NY 13820

amberemersontesting.com

Drug & Alcohol Testing and Training Compliance

- * Provide Drug and Alcohol Policy
- * Develop Random Selection Policy and Procedure
 - Maintain a Covered Employee data base
 - Provide Computer Generated Random Selections
- * Provide Required 60 Minute Employee Substance Abuse Training as needed **
- * Provide Required 60 Minute Supervisor Drug Recognition Training as needed
- * **ON-SITE** Test Sample Collection
 - Urine Sample Collection For Drug Testing
 - Breathalyzer Testing For Alcohol
- * Full Drug Testing Through a Certified Lab; Including Medical Review Officer
- * Full Record Keeping; Including Annual Reports
- * Full Employee Confidentiality

Prices:

- | | |
|--|-------------------|
| * Enrollment Fee (one time) | \$ 50.00 |
| * Drug Screen (saliva or urine - random, post accident, pre-employment, etc) | \$ 55.00 per test |
| Hair Test | \$125.00 per test |
| * Certified Breath Alcohol Test | \$ 25.00 per test |
| * Training Classes ** | \$20 per person |
| * Annual Maintenance Fee | \$ 30.00 per year |

** Employer can use a hand out in lieu of employee training
Supervisory Personnel of CDL drivers **must** attend two separate classes