

**Town of Andes
Regular Board Meeting
February 10, 2015 at 1:00PM
Andes Town Hall**

Present:

Councilman Thomas Joyce	Councilman Thomas Hall
Councilman Dale Cole	Councilman Wayland 'Bud' Gladstone
Supervisor Martin Donnelly	Town Clerk Kimberly Tosi
Deputy Highway Superintendent Bradley Darling	

Others:

Margaret Moshier	John Schulman
Cheryl Peterson	Michael Passafiumme
Tom Coddington-Walton Reporter	

Call to Order:

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

Pledge:

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

Privilege of the Floor:

N/A

Reports:

Highway Report 1/7/15 – 2/9/15

Equipment

2011 Dodge Ram 5500 – Installed new plow light frame and headlights. Replaced rear passenger side wheel studs and nuts 24,900 miles

2009 International 6x6 – Installed new clutch fan and fan under warranty by Ben Funks. Greased and checked all fluids and lights 38,200 miles

2009 International 4x4 – Currently in Oneonta at Ben Funks getting front end rebuilt again. They are replacing the housing this time and all bearings due to the last rebuilt only lasting 1300 miles. 31,600 miles

2004 International 7600 – Greased and checked all fluids and lights. Drained and replaced antifreeze 126,991 miles

2004 International 4x4 – Greased and checked all fluids and lights 55,200 miles

1999 International – Greased and checked all fluids and lights 188,400 miles

1999 Oshkosh – Greased and checked all fluids and lights 8,000 miles

1992 Oshkosh – Currently getting differential rebuilt. A bolt holding a wear plate inside backed out and fell into the gear causing the gear to brake and lock up. 4,180 miles

2003 John Deere Loader – Greased and checked all fluids, replaced fuel filters, installed new cutting edge and bolts 7725 hours.

Respectfully Submitted,
Brad Darling

*Mike will be out recovering for 4 to 6 weeks.

Supervisor's Report

- 1.) Marge wrote to Peg Ellsworth at Mark Project asking for her support for two Andes Smart Growth projects. Project #1 is for an update of our comprehensive plan and Ballantine Park improvements totaling \$75,000. Project #2 New Andes Water Supply improvements totaling \$75,000.
- 2.) We received the 2nd mortgage tax payment from the County of \$11,822.19.
- 3.) We received a partial payment from FEMA of \$75,408.31 for a project done by Andes after the flood of 2007, only 8 years later.
- 4.) We received our first and second and final payment for our town taxes from Margaret they have been deposited in the bank.
- 5.) ACS sent us a check for \$4302.91 for the fuel they used in 2014.
- 6.) We received a letter requesting our \$500 contribution to the Senior Meals Program as we agreed to. Karen will cut a check to the Senior Dining program for 2015.
- 7.) Gordon Krick has been employed by the Town to do various painting jobs by the Town he has started painting at the new court site. He does not do the prime that is done by Forrest Day.
- 8.) CWC will allow us to pay our grader loan to them on an annual basis. I feel that this will be the best for us.
- 9.) The Commissioner of the County DPW on 1/22/15 has requested that we do not allow divisible load limits in the Town of Andes in order to protect our roads.
- 10.) We wrote to the NYS Department of Environmental Conservation advising them that we would be pursuing lead agency status for the Andes Comprehensive Plan and Ballantine Park improvements on 1/26/2015 they wrote to us with no objections.

11.) We also wrote the same type of request notice to the NYS Department of Health they responded on 1/22/15 agreeing to us being the lead agency for new well project. The NYC DEP wrote us a letter as well, with some stipulations.

12.) DPW Commissioner Reynolds asked me to inquire as to the status of his request made on December 29, 2014 and on 1/28/2015 in reference to the CDL Consortium agreement. The County received it on the 30th of January.

13.) We received a letter from Katie Seabury dated 1/26/2015 stating that DASNY has approved a payment on our grant of \$6572.42 a reduction of \$9788.20 because our local contractors are not registered to do business in NYS. I wrote a note to Senator Seward on 2/4/15 asking if our local contractors can't work for us since they are not registered in NY what good is the grant.

14.) I received a letter from Endwell Carpet in reference to a private one day carpet sale on 2/7/15. We could get reduced rates for the court and we would not have to pay for padding or installation charge. Artie spoke to them and they will send someone to take down our square footage. Marge will go to the show on the 7th. If we decide to go with them we could save a lot of money.

Motions:

Motion to approve the January Tax Collector's Report, Supervisor's Financial Report, Justices Financial Report and Town Clerk's Financial Report, made by Councilman Gladstone, Councilman Joyce. All in favor, motion carried.

Motion to approve the 2015 Organizational Meeting Minutes, January Regular Meeting Minutes, and January Special Meeting Minutes, Councilman Joyce and Councilman Hall. All in favor, motion carried.

Motion to accept the quote from Renaissance Restorations for the ceiling materials for \$2,307.54, made by Councilman Gladstone, Seconded by Councilman Hall. All in favor, motion carried.

Motion to make a contribution to the Walton Fair 5K/10K for \$100, made by Councilman Hall, Seconded by Councilman Gladstone. All in favor, motion carried.

Resolutions:

Resolution 8 of 2015 Abolishing the Office of Tax Collector

WHEREAS, the Town Board of the Town of Andes has investigated and reviewed whether the office of the Tax Collector is necessary, and

WHEREAS, the Town Board has determined that in the interest of economy and efficiency of operation the office of Tax Collector is no longer required for the proper conduct of the affairs of the Town, and

WHEREAS, section 36 of the Town Law of the State of New York permits the Town Board of a town of the second class, such as the Town of Andes, by resolution adopted at least 150 days prior to any biennial Town election to abolish the office of Tax Collector, whose duties thereafter would be assumed by the Town Clerk, and

WHEREAS, the next biennial Town election will be held on November 3, 2015, which date is more than 150 days from the date hereof,

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Andes in regular session duly convened as follows:

1. Pursuant to the provision of the Town Law Section 36, the office of Tax Collector for the Town of Andes be and hereby is abolished effective December 31, 2015, the date of expiration of the term for which Margaret Mosher, the incumbent of said office, was elected.

2.) Pursuant to Town Law section 36, upon the expiration of the term of Office of such Tax Collector, she shall surrender and deliver to the Town Clerk of the Town of Andes all assessment rolls, books, papers, writings and all other documents and property in her possession as such officer.

3.) Effective January 1, 2016, it shall be the duty of the Town Clerk of the Town of Andes to collect and receive all state, county and town taxes and assessments that may be levied in said Town, and the Town Clerk shall have all the powers and be subject to all the duties of a collector with respect to the collection of such taxes, the deposit of receipts and the return of unpaid taxes, as provided by subdivision 1 of section 35 of the Town Law of the State of New York.

4.) Effective January 1, 2016, the Board of Supervisors, the County of Delaware, in which the Town is situate, shall issue its warrant to such Town Clerk for the collection of taxes in the Town in the same manner as warrants are issued to collectors, and all other warrants or authorizations for the collection of taxes, assessments or other moneys upon the taxable property of said Town.

*Councilman Gladstone questioned the dates detailed in the resolution, whether or not the dates were to take effect in 2016 or in 2020. Supervisor Donnelly thought that the consensus was that this would happen after Mrs. Moshier, Tax Collector, finished one more term. He further brought up the idea that more positions would be appointed instead of elected in the future. Councilman Joyce, read from a recommendation from NYS that the positions of Highway Superintendent, Town Clerk, Assessor, and Tax Collector should be made appointed.

Councilman Joyce then suggested making all offices appointed and making this effective January 2020 when all terms are expired. Councilman Joyce stated that he felt that as the board is responsible for the salaries and the operation of the offices, they should have the control over the officials as normal employees. Councilman Gladstone stated that the integrity of the board will determine whether or not this process would work and feels that it would be a good system. He further stated that the people would still have the power because they can change the board members through the election process just as easily as they could change the offices in question.

Councilman Gladstone supported Joyce, stating that the board is 100% responsible for the complaints. He stated that the Town should be run as a business and this is a way to help. It was suggested that a public forum be held to hear comments.

Motion to table resolution 8 of 2015 and hold a public forum at a future date, to be determined made by Councilman Joyce, Seconded by Councilman Cole. Aye-Joyce, Cole, Donnelly. No-Gladstone and Hall. Motion carried, 3 Ayes and 2 Noes.

Resolution 9 of 2015 Budget Amendments

BE IT RESOLVED, by the Town Board of the Town of Andes to make the following budget transfers and amendments to close out the 2014 budget.

Town of Andes			
<u>2014 Budget Transfers</u>			
<u>General Fund:</u>			
From:	To:		
			\$
A1990.4 Contingency	A1620.41 Bld. Expense Court	9,163.00	
A1990.4 Contingency	A1220.4 Supervisor Expense	\$ 803.00	
A1990.4 Contingency	A9962.4 Drug Testing & Training	\$ 19.00	
			\$
A8160.4 Transfer Station Exp.	A5032.4 Hwy Garage Expense	10,010.00	
A1355.4 Assessor Expense	A1330.4 Tax Collector Expense	\$ 350.00	
A1650.2 Shared Vehicles	A1110.4 Justice Expense	\$ 285.00	
			\$
A1650.2 Shared Vehicles	A1420.4 Attorney Expense	1,600.00	
A1650.2 Shared Vehicles	A1920.4 Municipal Dues	\$ 200.00	
A1650.2 Shared Vehicles	A8030.4 Planning & ZBA	\$ 100.00	
A1650.2 Shared Vehicles	A3310.1 School Cross Gd.	\$ 17.00	
			\$
A1410.4 Town Clerk Expense	A1670.4 Central Mailing & Printing	1,000.00	
A9060.8 Health Insurance	A7410.4 Library	\$ 400.00	
A9060.8 Health Insurance	A8020.4 CEO/BdIn/PIBd/ZBA Exp.	\$ 180.00	
A9060.8 Health Insurance	A8160.11 Transfer Stn Seasonal	\$ 1,400.00	
			\$
A9060.8 Health Insurance	A8810.4 Shaverton Cemetary	3,615.00	
			\$
			29,142.00
<u>Highway Fund:</u>			
From:	To:		
			\$
DA5142.1 Snow Removal Salary	DA5130.4 Machinery Expense	2,550.00	
			\$
DA5142.1 Snow Removal Salary	DA9050.8 Unemployment Insurance	1,200.00	

DA5142.1 Snow Removal Salary	DA9060.8 Health Insurance	\$ 750.00
		\$
		4,500.00

Water Fund:

From:	To:	
F8330.4 Chemicals	F8320.4 Electricity	\$ 1,100.00
F8310.4 Maintenance Contract	F8310.4 Contingency	\$ 7,300.00
F8330.7 Supplies	F8310.4 Contingency	\$ 5,000.00
F9710.6 Debt Service	F8310.4 Contingency	\$ 1,500.00
F9710.6 Debt Service	F1910.4 Insurance	\$ 450.00
F9710.6 Debt Service	F9030.8 Social Security	\$ 2.00
		\$
		15,352.00

Sewer Fund:

From:	To:	
463 Professional Services	421 Utilities	\$ 10,000.00
422 Utilities Fuel Supplies	409 Working Supplies	\$ 500.00
422 Utilities Fuel Supplies	452 Insurance	\$ 1,150.00
422 Utilities Fuel Supplies	460 Admin Serv. Legal	\$ 4,150.00
422 Utilities Fuel Supplies	464 Purchased Services	\$ 5,500.00
		\$
		21,300.00

2014 Budget Amendments

<u>General Fund</u>		
Increase overall budget for additional items		
A911 Fund Balance	\$ 41,938.21	
A1620.4 Bld. Expense Town Hall		\$ 41,938.21
A910 Pool Upgrade	\$ 2,042.11	
A7140.41 Pool Expense Upgrade		\$ 2,042.11
A914 Good Neighbor	\$ 85,777.62	
A1620.41 Bld Expense Court - New Construction		\$ 85,777.62

Highway Fund			
Increase overall budget to fund CHIPS expenses			
DA3501 CHIPS Income		\$ 127,723.59	
DA5112.2 CHIPS Expense			\$ 127,723.59
Water Fund:			
Increase overall budget for additional items			
F911 Fund Balance		\$ 39,354.63	
F8340.4 Maintenance			\$ 39,354.63

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

Committees:

Pool-

Councilman Joyce stated that the valve in the pump house was installed. The line was finally found. He will be setting up a meeting with Rachel Andrews, Pool Director to discuss lifeguard problems. The training cost will be subsidized by the town again this year. All of the bromine equipment has been removed. The chlorine installation will happen this spring.

Motion to approve the lifeguard wages to start at \$9.50/hour for 2015, made by Councilman Gladstone, Seconded by Councilman Hall. All in favor, motion carried.

New Construction-

The bench has been decided on and will be completed shortly. The trim will be finished over the next week. The painting will be complete as well, minus the main courtroom.

Railroad Station-

Propane is being installed. This will not be intended for winter use.

Flood Commission-

Public input is needed. A public hearing will be held at Andes Central School on Friday, March 20th, at 7:00PM. The Delaware County Planning Board will handle the landowner mailing.

Approval of Bills:

Motion to approve General Warrants #15-59 totaling \$36,600.91

Highway Warrants #2-33 totaling \$46,792.47

WWTP Warrants #3-20 totaling \$34,485.03

Water Warrants #1-12 totaling \$6,108.94, made by Councilman Joyce, Seconded by Councilman Hall. All in favor, motion carried.

Districts:

Water-

- 1.) Marge and I attended a business meeting at the Town Hall to explain the proposed meters only two people attended. But we did get a call from a third person.
- 2.) Marge has prepared a water district card to go out in reference to frozen water lines.
- 3.) We have applied for a grant to install a new water well on our existing site.

Sewer-

Adjourn-

Motion to adjourn made by Councilman Hall, Seconded by Councilman Gladstone. All in favor, 2:25PM.

**Town of Andes
Annual Accounting
February 10, 2015 at 2:00PM
Andes Town Hall**

Call to Order:

The annual accounting was called to order by Supervisor Donnelly at 2:26PM.

Supervisor's Bookkeeper— All in order.

Tax Collector— All in order.

Town Justice— All in order.

Town Clerk— All in order.

District Clerk—All in order.

Adjourn: Annual accounting adjourned at 3:34PM.

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
February 10, 2015**

1. **Water System**
 - Daily usage of treated water from the water system averaged 34,182 gallons per day for the month of January 2015.
2. **Plant Purchases**
3. **O&M**
4. **Equipment**
 - On January 27th first and second stage filter cartridges were changed.
5. **Distribution System**
6. **Library Well**

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
February 10, 2015**

1. WWTP Plant

- Plant effluent flow averaged 43,372 gallons per day for the month January 2015.

2. SPDES Compliance/NYSDEC, NYCDEP

- The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for January 2015 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

Renaissance Restorations

Quote



44 West St
Walton, NY 13856-1041
Phone: (607) 865-5864
Fax: (607) 510-4265

Quote #: 970
Account #:
Page: 1 of 1
Date: 2/10/2015
Time: 11:10:42 AM
Cashier: 1
Register #: 2

Bill To:

Ship To:

Comment:

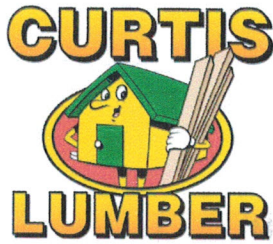
Town of Andes

Act 245 676-4707
Fax 845-676-3776

Item Lookup Code	Description	Quantity	Price	Extended
6938864	Armstrong 942 ceiling tiles	29	\$54.00	\$1,566.00
6939334	SDX/SDXL24 MAIN TEE	42	\$6.75	\$283.50
6939425	SM7 WHT WALL MOULDG7/8INX12FT	54	\$4.95	\$267.30
6939383	SDX424/422 CROSSTEE 15/16IN WH	66	\$2.89	\$190.74

Sub Total	\$2,307.54
Sales Tax	\$0.00
Total	\$2,307.54
Change Due	\$0.00





Delhi
 Curtis Lumber Co Inc
 46631 State Highway 10
 Delhi, NY 13753
 607-746-2386
 Fax: 607-746-7574



QUOTE

1502-162124 R1 PAGE 1 OF 1

SOLD TO
Town of Andes-General Kimberly Tosi PO Box 125 115 Delaware Ave Andes NY 13731-0125

JOB ADDRESS
Town of Andes-General Kimberly Tosi PO Box 125 115 Delaware Ave Andes NY 13731-0125 845-676-4791

ACCOUNT	JOB
7756	0
CREATED ON	02/04/2015
EXPIRES ON	02/14/2015
BRANCH	2002
CUSTOMER PO#	
STATION	DHKF
CASHIER	960941
SALESPERSON	2002
ORDER ENTRY	960941
MODIFIED BY	960941

Curtis Lumber Co, Inc
 Store Hours: M-F 7am-5pm
 Sat 8am-3pm Closed Sun

Item	Description	Quantity	U/M	Price	Per	Amount
ACG12FRWA	EA. 12' FIRE GUARD WHITE WALL ANGLE ARMSTRONG 7800RWH (APPROX 640 LF) CP	54	EACH	6.3900	EACH	345.06
ACG12FRMR	EA. 12' FIRE GUARD WHITE MAIN RUNNER ARMSTRONG 8300RWH (APPROX 494 LF) CP	42	EACH	9.2900	EACH	390.18
ACG4FRT	EA. 4' FIRE GUARD WHITE CROSS TEE ARMSTRONG XL8340RWH (APPROX 264 LF) CP	66	EACH	3.1900	EACH	210.54
ACT942BX	942 TEXTURED 24X48 C-TILE 10 pcs/box 80 sqft/box **SOLD IN FULL BOXES ONLY** CP	29	BOX	51.9900	BOX	1507.71
COMMENT	PRICING GOOD FOR 60 DAYS FROM 02/05/2015					
Quote prices are subject to change without notice based on market conditions. Curtis Lumber cannot guarantee quantities listed are adequate for the customer's project. Please review your quote carefully to confirm ample materials for completion of project.				EXE 0.00% EXE: 7756M	Subtotal Sales Tax Total	2,453.49 0.00 2,453.49

modification \$58.20

Buyer: ARTHUR SHORT

[Handwritten Signature]
 Signature

CONCRETE
LUMBER
MILLWORK
PLYWOOD
HARDWARE
PAINTS
ELECTRICAL
WINDOWS & DOORS
HOUSEHOLD SUPPLIES

LAWN & GARDEN
INSULATION
POWER TOOLS
HAND TOOLS
FLOORING
KITCHENS
BATH
ROOFING
PLUMBING

Quality Building Products
ALL DELIVERIES HAVE A FUEL SURCHARGE



PAGE NO 1
P.O. BOX 550
47293 RT. 28
Fleischmanns, NY 12430
Tel. 845-254-5500
Fax 845-254-5020
saleswader@waderbros.com

Customer No. 4791	Job No.	Purchase Order No.	Reference CRILING TILES & GRID	Terms NET 10th	Clerk JW	Date 2/10/15	Time 12:22
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Sold To
TOWN OF ANDRS
ANDRS
NY 13731
(845) 676-4791

Ship To
FAX 676-3776

EXP. DATE: 2/25/15
TERM#555
TAX : 006 EXEMPT

DOC# 829420

* ESTIMATE *

EST. 829420

SHIPPED	ORDERED	UM	SKU	DESCRIPTION	SUGG	UNITS	PRICE/PER	EXTENSION
	29	EA	421214	2x4 FIRR X FIFTH AVE CEIL TILE	52.49	29	52.49 /EA	1,522.21 N
	54	EA	SM7	12' WALL ANGLE CRILING GRID FIRR X	6.39	54	6.39 /EA	345.06 N
	42	EA	SDX24	12' MAIN THE CEILING GRID FIRR X	8.99	42	8.99 /EA	377.58 N
	66	EA	SDX424	4' TER USG CRILING GRID FIRR X	3.99	66	3.99 /EA	263.34 N

All orders and returned goods MUST be accompanied by this bill. 20% restocking charge. No return after 30 days. Statements are due and payable by the 25th of the month following purchase. Any account not paid by the end of the following month will automatically be placed on C.O.D. invoice. The account is paid. Interest will be charged at the rate of 1 1/2% a month, which is 18% per year. MSDS info available on the web per manufacturer.

Claims On Errors or Shortages Must Be Reported Immediately
Our Trucks are not permitted to go beyond curb line, except by driver's or customer's authorization and he, they hereby accepts all responsibility for resulting damages.

TAXABLES
NON-TAXABLE
SUBTOTAL
TAX AMOUNT
TOTAL AMOUNT

0.00	2508.19	0.00	2508.19
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Received By



Rec'd 2/9/15

January 29, 2015

Mr. Martin A. Donnelly, Town Supervisor
Town of Andes
P.O. Box 85
115 Delaware Avenue
Andes, New York 13731

Re: **Notice of Intent to be Lead Agency
Andes Water District #1 Water Supply Upgrade
Hamlet of Andes, Delaware County
DEP Log#: 2008-PE-1213-SQ.2**

Dear Mr. Donnelly and Members of the Town Board:

The New York City Department of Environmental Protection (DEP) has reviewed the Town of Andes Town Board's (Board) Notice of Intent to act as Lead Agency and short Environmental Assessment Form (EAF) for the above referenced project. DEP does not object to the Board acting as Lead Agency for the Coordinated Review of the proposed action pursuant to the New York State Environmental Quality Review Act (SEQRA).

The proposed site is located in the Pepacton Reservoir drainage basin of the New York City's Watershed and, the proposed action involves locating and drilling a water supply well to supplement the source of Andes Water District #1 for the Hamlet of Andes.

DEP does not maintain any discretionary regulatory authority over the proposed activity. As such, DEP would be considered an interested agency pursuant to SEQRA.

Based upon the review of the materials received, DEP respectfully submits the following for your consideration:

1. It would be helpful to know the approximate location (i.e., address or S/B/L #) and depth of the water supply well. Without this information, it is difficult to assess potential impacts associated with the trenching and piping installation. If the project is to be located at 155 Hillside Road, that parcel is comprised mostly of slopes in excess of 15%. As soil disturbances will likely occur on steep slopes, it is recommended that site appropriate erosion control measures be implemented to ensure that potential impacts during construction are minimized. In addition, trench excavation and pipe installation should proceed in short segments that are backfilled and stabilized with seed and mulch as soon as possible.

Emily Lloyd
Commissioner

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

465 Columbus Avenue
Valhalla, New York 10595
T: (845) 340-7800
F: (845) 334-7175

2. The EAF states that >1 of site disturbance is proposed. As such, a Notice of Intent (NOI) for a *full* Stormwater Pollution Prevention Plan (SWPPP) that includes an Erosion Control and Sediment Plan must be filed with the NYSDEC. The applicant should refer to the *New York State Standards and Specifications for Erosion and Sediment Control* for detailed information.

Thank you for the opportunity to provide comments. You may reach me the undersigned at cgarcia@dep.nyc.gov or (914) 773-4455 with any questions or if you care to discuss the matter further.

Sincerely,



Cynthia Garcia
SEQRA Coordination Section

- C: W. Clarke, NYSDEC Region 4
A. Lewis, NYSDOH
M. Merzig, Keough Consulting



Department of Health

T. B. Fy. I

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Acting Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

January 22, 2015

Mr. Martin A. Donnelly
Andes Town Supervisor
P.O. Box 85
Andes, New York 13731

Re: Public Water System
Andes Water District
Delaware County

Dear Supervisor Donnelly:

We have received your notice that the Town of Andes has named itself lead agency for a project that consist of installing and connecting a new well to serve the Andes Water District. Please be aware that we have no desire to be lead agency and do not object to the Town being lead agency for this project.

The information provided indicates that the Town desires to install a new well on the existing Town owned property that contains the water storage reservoirs, springs, and water treatment plant for the springs. This new well would be used to provide water for customers of the Andes Water District and to maintain adequate water levels in the storage reservoirs during periods of dry weather, particularly during summers. Currently the springs are the main water source for the system, however, during dry periods the springs experience reductions in water output which results in the system needing to activate the backup well located near the library (called the Library Well) to supplement the water system. We have recently become aware that the Library Well is incapable of refilling the storage reservoir. During dry periods the well is used to keep the distribution system pressurized and meet system demands but when system demands diminish (such as overnight) the excess well capacity cannot be utilized to refill the reservoir and the system must rely on the decreased spring output to try to maintain adequate water levels the storage reservoir. This decrease in spring output during dry periods leave the water system vulnerable to water shortages and increases the possibility of the system experiencing a complete loss of water service if an unpredictable operational problem were to occur with the Library Well during a dry period. For these reasons, this office fully supports the Town's pursuit of a new well to supplement the existing sources serving the Andes Water District.

Based on the information provided we have the following approval responsibilities for the project.

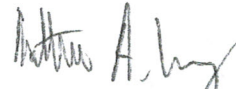
*Talk to
Marge
Done
2-4-15*

- The project involves developing a new water source that will serve a public water system regulated by this office. This office must approve the siting of the proposed well before it is drilled and must approve engineering plans for treatment and connection of the well to the water system before construction begins.

We encourage the Town to proceed with installing a new well to serve the Andes Water District and we remain available to discuss any concerns that might arise during this project.

Please do not hesitate to contact this office at 607-432-3911 if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew A. Currey". The signature is written in a cursive style with a large, stylized initial "M".

Matthew A. Currey, P.E.
Public Health Engineer 2

cc: Mr. Moffett, Delaware Operations
Mr. Boice, Delaware Operations
Ms. Merzig, Keough Consulting

New York State Department of Environmental Conservation

Office of Environmental Quality, Region 4

65561 State Highway 10, Stamford, NY 12167

Phone: (607) 652-7741 FAX: (607) 652-2342

Website: www.dec.ny.gov

Talk to me by Permit
A.F.Y.I.

Joseph Martens
Commissioner

January 26, 2015

Martin Donnelly, Town Supervisor
Town of Andes
P.O. Box 125 – 115
Delaware Avenue
Andes NY 13731-0125

Re: Lead Agency Coordination Response
Town of Andes Comprehensive Plan &
Ballantine Park Improvements
(T) Andes, Delaware County

Dear Sir:

This letter responds to your communication of November 6, 2013 regarding lead agency coordination for the project referenced herein, under Article 8 (State Environmental Quality Review - SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617. The Department has the following interest in this project:

Name of Action: Town of Andes Comprehensive Plan & Ballantine Park Improvements

DEC Permits (if any): Possible Stormwater SPDES

DEC Contact Person: David E. Witt, Environmental Analyst

SEQR Classification: Type I Unlisted

DEC Position: Based on the information provided:

- DEC has no objection to your agency assuming lead agency status for this action.
- DEC wishes to assume lead agency status for this action.
- DEC needs additional information in order to respond (see comments).
- DEC cannot be lead agency because it has no jurisdiction in this action.

Comments:

The proposed site of the Ballantine Park Improvements (construction of a gazebo) appear to be located within an area of historical or archeological significance of which the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) may have an interest. You may contact them at (518) 237-8643.

Any construction activity that impacts more than one acre of land would require a Stormwater SPDES permit. Additionally, any impacts to the stream bed or banks of the Tremper Kill (D-70-56) or its unnamed tributary (D-70-56-8A) would require a Protection of Waters permit under Article 15 of the Environmental Conservation Law and/or 401 Water Quality Certification.

The site is within the NYC Department of Environmental Protection watershed and as such that agency may have approvals that are necessary for this project.

Please feel free to contact this office for further information or discussion.

Sincerely,

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

David E. Witt, Ph.D.
Environmental Analyst

CC: Town of Andes (andestownclerk@catskill.net)

Bud *← E. B. EY-I*

DELAWARE COUNTY
DEPARTMENT OF PUBLIC WORKS

P.O. BOX 311

DELHI, N.Y. 13753

WAYNE D. REYNOLDS, P.E.
COMMISSIONER

Main Office and Yard
Page Avenue
Delhi, N. Y. 13753

MEMO

To: Board of Supervisors
From: Wayne Reynolds
Date: January 22, 2015

Re: Resolution on Divisible Load Permits
NYS DOT overload permits

This memo will provide some additional explanation on the above referenced resolution. DPW has been reviewing Road Preservation Laws that some Towns are considering adopting and implementing. As we do so we see references to divisible load permits and that has raised a concern that initiated the resolution and this memo.

First we need to explain the difference between a divisible load and a fixed load (otherwise known as Special Hauling) overload permits. A NYS DOT divisible load permit deals with a vehicle that hauls a payload of incremental units. Examples would be gravel, water, logs, sections of pipe, etc. For all of these loads, the driver has control over how many units of the commodity that are loaded on the truck. Obviously the more units that can be hauled the less the number of trips necessary to complete the work and therefore the economy of hauling increased loads.

Fixed loads on the other hand are large pieces of equipment or a heavy crane. The machine or crane weighs a fixed amount which cannot be easily altered. On the fixed loads we have to issue permits (companion permits to the DOT issued Special Hauling Permit) and do whatever we can to get the load to its destination if it can be done safely. The fixed load is for a documented weight and axle configuration and is for a specific route and timeframe. Our engineers have to check the fixed load against the load carrying capacity of the affected bridges to ensure safety before the permit is issued. Fortunately, these fixed loads are relatively few in number.

NYS DOT issues divisible load permits (overload permits) to haulers who demonstrate that the design of the capacity of the vehicle is capable of hauling heavier loads than is typically allowed by law and that the truck fits into certain specifications. These are blanket permits that can be used anywhere on the State system with the exception of specifically restricted bridges. Those restricted bridges do not have the capacity to carry the heavier loads and are posted with signs indicating "No R Permits". Those permits are only good for State Roads. They are not valid on County, Town or Village roads and streets unless the local municipality issues an endorsement or a "companion permit" allowing those loads on the local highway system. Those limitations are clearly noted on the permits but few drivers or owners pay attention to that limitation.

DPW started paying attention to divisible load permits in the early 2000's. At that time, the engineering department looked into the ramification of endorsing those permits for use on County Roads. Because they are heavier loads, we have to be aware of the impact that they will have on both the highways and the bridges. Obviously, our biggest concerns were the bridges because of the greater liability. A road failure typically does not result in serious injury whereas a structure failure can be catastrophic. There is a set procedure for evaluating the bridges for these heavier loads. The criteria includes design loadings if available, load capacity ratings, condition ratings for the primary members and the deck and the width of the deck among others. Detailed load rating calculations were not available for all of our bridges. With that information 70 bridges were identified that would have to be posted and signed. At the time we estimated the cost of installing the signs for the restrictions would be around \$20,000. Based on the cost and the concern for continued monitoring of the bridges to make sure they were safe for divisible loads, and the fact that the roads were not designed for the heavier loads, the Committee chose not to endorse permits.

A quick review of the updated rules for evaluating structures indicates that we could have up to 135 bridges that would have to be posted. In addition, we would probably have to have some specialized engineering help to ensure that the evaluations are kept current with the applicable standards.

The County currently owns 210 bridges that are on Town Roads and Village Streets. If local municipalities start endorsing the State Issued Divisible Load permits, the County will be forced to evaluate the bridges and post the ones that are not safe for the heavier loads. We respectfully request that the local municipalities refrain from endorsing the permits. The law does not require the local municipalities to endorse the permits and from a road and bridge standpoint, the heavier loads are not in any municipality's best interest.

We hope this memo clarifies the issue a little. If you have any questions about the resolution or the memo, please feel free to call.