

**Town of Andes
Regular Board Meeting
May 12, 2015 at 7:00PM
Andes Town Hall**

Present:

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

Councilman Thomas Joyce
Councilman Dale Cole
Town Clerk Kimberly Tosi

Others:

William Elwood
Buffy Calvert
Ritchie Gabriel
Daniel Mendez

Mark Pezzati
Cheryl Peterson
Forrest Day
David Conover

Margery Merzig- Keough Consulting
Fred Cubero
Tom Coddington- Walton Reporter
Jim Barrett

Call to Order:

The meeting was called to order by Supervisor Donnelly at 7:02PM.

Reports:

Town Clerk Report

- Peg Ellsworth of the MARK project will have privilege of the floor at our June meeting in reference to a resolution they are seeking stating our support for a 2015 Main Street application for assistance grant for \$500,000. I have included this resolution in your packet tonight so that you may look it over before the next meeting. Please let me know if you would like any changes.
- You also have a proposed local law to amend the Andes sewer use ordinance regarding winter water usage, as well as a copy of the rules and regulations. We will need to hold a public hearing on this at our June meeting.

Highway Report 4/15/15 – 5/12/15

Equipment

2015 Volvo Grader – We have been out grading roads and enjoying our new Grader
2009 International 6x6 – Ben Funk installed new driver side front spring under warranty 39,762
2009 International 4x4 – Finally returned from Ben Funks with new front end and also got inspected. 31,695 miles
2004 International 7600 – Replaced steel braided airline, Removed box and installed box from 79 AM General. Truck is at Moshier's to have rear hinge assembly welded and installed 129,000
1996 Volvo Tri-Axle – Replaced drivers side rear rubber spring block, greased and checked all fluids and filled as needed.
1989 John Deere Grader – Fixed minor leak from hydraulic lift cylinder, Nortrax is coming to adjust wear plates on turn table which they installed when it was there. They are too tight which caused the circle to bind up and not turn completely.

1984 Case Roller – Change oil, fuel and hydraulic filters, greased and checked all fluids.
1994 Waldon Broom – Replaced Bristles, greased and checked all fluids 4066 hrs.
1994 Ford 555 Backhoe – Replaced fan belt and hydraulic coupler on main hydraulic hose
1996 Power Screen – Changed oil and Air filter, greased and checked all fluids
1990 Eager Beaver Trailer – Greased, checked axle fluid and lights

Road Work

Crescent Hill Road – Added 4 loads of Cobbles and 9 Loads of Gravel on soft spot up around first left hand corner above barn. Engel Road and Old Gladstone Hollow – Cleaned Culverts
We have worked the following roads so far - Dingle Hill Road, Ridge Road, Crescent Hill Road, Canada Hollow Road and Weaver Hollow Road.
Numerous culverts have been installed on Bussey and Shaver Hollow Roads.

Respectfully Submitted,
Michael McAdams

*Councilman Gladstone asked if the work being done by Nortrax was under warranty. Highway Superintendent McAdams stated that it is.

**Resident Buffy Calvert offered thanks on behalf of the residents for the great job the highway department and the employees did this winter as well as a thanks for sweeping the streets in the hamlet.

Executive Session:

RE: Personnel

Motion to enter executive session made by Councilman Gladstone, Seconded by Councilman Joyce. 7:12PM

Motion to exit executive session made by Councilman Hall, Seconded by Councilman Joyce. 7:23PM

Motions:

Motion to appoint David Bartlem to the Town of Andes Flood Commission, made by Councilman Gladstone, Seconded by Councilman Hall. All in favor, motion carried.

Motion to hold the public hearing for the proposed local law to amend the Andes sewer use ordinance regarding winter water usage on June 9, 2015 at 6:45PM, made by Councilman Hall, Seconded by Councilman Joyce. All in favor, motion carried.

Motion to approve the April 2015 Meeting minutes, April Supervisor's Financial Report, Town Clerk's Financial Report, Justices Financial Report, and Tax Collector's Financial Report, made by Councilman Hall, Seconded by Councilman Gladstone. All in favor, motion carried.

Motion to authorize a RFP to be advertised by Delaware County Soils and Water, made by Councilman Joyce, Seconded by Councilman Hall. All in favor, motion carried.

Motion to authorize Supervisor Donnelly to sign the MOU with Delaware County Soils and Water on behalf of the Flood Commission, made by Councilman Hall, Seconded by Councilman Joyce. All in favor, motion carried.

Motion to authorize the hiring of the summer help at the transfer station, made by Councilman Hall, Seconded by Councilman Cole. All in favor, motion carried.

Resolutions:

Resolution 15 of 2015: A RESOLUTION AUTHORIZING THE PURCHASE OF 2015 VOLVO MOTOR GRADER AND RELATED EQUIPMENT, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$192,578 OF THE TOWN OF ANDES, DELAWARE COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURCHASE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

BE IT RESOLVED, by the Town Board of the Town of Andes, Delaware County, New York, The Town (by a favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as “purpose”) to be financed pursuant to this resolution is a 2015 Volvo Motor Grader and related equipment. The maximum cost of said purpose will not exceed \$192,578.

SECTION 2. The Town Board plans to finance the maximum estimated cost of said purpose by the issuance of serial bonds in an amount not to exceed \$192,578 of said Town, hereby authorized to be issued pursuant to the Local Finance Law.

SECTION 3. It is hereby determined that the 2015 Volvo Motor Grader and related equipment, is an object or purpose described in subdivision [28] of paragraph (a) of section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen (15) years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined that the proposed maturity of the obligations authorized by this resolution will not be in excess of five (5) years.

SECTION 6. The faith and credit of said Town are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said Town a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewal of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

SECTION 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, the for capital purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse such expenditure with the proceeds of the bond or bond anticipation notes authorized by Section 2 of this resolution. This resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to insure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c12-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Town hereby determines that the purchase of And related equipment is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQR") is required.

SECTION 12. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) Such obligations are authorized for a purpose for which said Town is not authorized to expend money, or

(b) The provisions of the law which should be complied with at the date of publication of this resolution are not substantially complied with and an action, suit, or

proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 13. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in the official newspaper or newspapers of the Town.

SECTION 14. This resolution is not subject to permissive referendum pursuant to Section 35.00 b. (1) of the Local Finance Law and shall take effect immediately.

Proposed by: Councilman Gladstone
Seconded by: Councilman Hall

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

Resolution 16 of 2015 Andes Community Day

BE IT RESOLVED, that the Town Board of the Town of Andes, hereby sponsors the 2015 Andes Community Day, authorizing the use of the Town's insurance through Sluiter Insurance Agency, at no cost to the Town.

Proposed by: Councilman Joyce
Seconded by: Councilman Hall

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

Resolution 17 of 2015 Grader Purchase SEQR

MOTION that, in regard to the purchase of the 2015 Volvo Motor Grader and requisite funding actions, 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. The Town Board declares this is a Type II action and no other determination or procedures are required.

3. 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.

4. 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.

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

Committees:

*Supervisor read a letter from the Andes Assessor as a reminder of the meeting of the Board of Assessment Review on May 26th, 2015.

**Councilman Gladstone thanked those that helped with the planting of the trees at Ballantine Park.

New Construction-

Supervisor Donnelly reported that the new court construction is completed and in the cleanup stages. The contractors did an excellent job. The new court will hopefully be opened by the end of June.

Supervisor Donnelly also reported that the Railroad Station construction is also in the cleanup stages.

Pool-

Councilman Joyce reported that the Andes Fire Department is draining the pool over the never few weeks. After this is complete the hole where the leak is will be fixed. Delaware Operations will begin the switch to the chlorine system within the next 3-4 weeks. Three new lifeguards have completed their training courses. We have also five two new potential lifeguards that will be beginning the course. South Kortright has asked for more days at the pool. This is being discussed with Rachel. The planned dates of operation are June 29-Labor Day.

Flood Commission-

Councilman Gladstone reported that a preliminary time table has been established by the Flood Commission for the dates that things will be happening. A request for proposal is now needed.

Herr Road Cemetery-

Councilman Cole reported that the Hobart Boy Scouts are going to be volunteering to do the initial cleanup of the cemetery on June 27th at 9am.

Approval of Bills:

Motion to approve General Warrants #131-175 totaling \$88,723.01

Highway Warrants #81-109 totaling \$252,911.11

WWTP Warrants #57-73 totaling \$30,679.80

Water Warrants #31-40 totaling \$5,416.99

Shavertown Warrants #1-2 totaling \$478.91, made by Councilman Joyce, Seconded by Councilman Hall. All in favor, motion carried.

Districts:

Water—

Motion to approve the request for Reed's Generator Service to perform the annual maintenance in September at a cost of \$3,000, made by Councilman Joyce, Seconded by Councilman Gladstone. All in favor, motion carried.

*Resident Daniel Mendez inquired whether or not water meters are going to be installed. Marge Merzig spoke in reference to this. At this time the only properties that are being considered are commercial properties. This option is only being explored and no definite plans have been made as of yet. They have not been mandated at this time but they may be in the future. Mr. Mendez is concerned about the proposed local law and having to run water if there was a meter. Mrs. Merzig stated that provisions would be made in those instances. There will be more public hearings on the matter before any changes are made.

Sewer—

*We received a letter from the Town of Hague Supervisor Edna Frasier, who are interested in purchasing the railing that was removed from the WWTP.

Motion to authorize the sale of the railing to the Town of Hague for \$100.00, made by Councilman Joyce, Seconded by Councilman Hall. All in favor, motion carried.

Adjourn:

Motion to adjourn the meeting made by Councilman Hall, Seconded by Councilman Joyce. All in favor, 8:05PM

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 12, 2015**

1. Water System

- Daily usage of treated water from the water system averaged 29,958 gallons per day for the month of April 2015.
- The last frozen water service thawed out on April 19th.

2. Plant Purchases

3. O&M

- Delaware Operations requests the approval for Reed's Generator Service to perform the annual maintenance in September at a cost of \$300.00.

4. Equipment

5. Distribution System

6. Library Well



2015 ANNUAL MAINTENANCE CONTRACT

This agreement is made between Reeds Generator Service LLC and Shane Boyce
 Please make any corrections to the following information.

CUSTOMER MAILING ADDRESS	Generator Location
Name: Shane Boyce	Model: 25 KW Generac
Address: 115 Hillside Road	Location: 115 Hillside Road
Andies, NY 13731	Andies, NY 13731
Phone: 845 676-3990	Last Service Date: 12/11/14

Following are the terms of this agreement.

- The customer agrees to: Remit the amount of \$ 300.00 the day the Annual Generator Maintenance is performed. A finance charge of 1.5% per month will be added to all unpaid invoices. An additional charge of \$20.00 for air cooled generators and \$40.00 for liquid cooled generators will be added for synthetic oil.
- Reeds Generator Service LLC agrees to perform an annual maintenance inspection ONE time per year. Reeds Generator Services LLC personnel will call to schedule this planned 2015 Annual Service to determine an acceptable day and time for the customer. Reeds Generator Service LLC will perform normal maintenance on the generator system to promote reliability and long life. On the date the work is performed, the tech will fill out a service report and a copy will be given to the customer with an invoice.
- Annual Preventative Maintenance Services:** (if applicable)

Pre-Start Checks

Engine Fluid Levels
 Fuel Line Filter
 All Coolant Hoses
 Engine Coolant Heater
 Check Coolant Levels
 LPG Sludge Drain
 All Pulley and Belts
 Battery Charger and Cables
 Battery Load Test
 Battery Warmer
 Battery Water Level
 Spark Plug Wires
 Spark Plugs
 Electrical Connections
 Annunciator Panel
 Change Oil/Filters - Synthetic oil is extra
 Check Air Filter
 Ignition Points/Distributor Cap/Rotor

Engine Running

Choke/Diesel Preheat
 Ignition Point Dwell/Timing
 Diesel Injection System
 Carburetor
 Engine Governor/Actuator
 D.C. Engine Alternator
 All Gauges
 Warning Lights and Safety Shutdowns
 Output Voltage and Frequency
 All Electrical Connections
 All Electrical Controls
 Alarm Annunciator
 Transfer Switch Operation
 Fuel Regulator Diaphragm
 Oil Pressure
 Water Temperature
 Fluid Leaks

4. The customer authorizes Reeds Generators Services LLC to perform non-Annual Maintenance related repairs deemed necessary for proper operation of the standby power system at the time of the 2015 Annual Maintenance service. Examples would be battery, rubber bellows, battery terminals, nuts, bolts, etc. The cost of the repairs shall not exceed \$ 200.00 without preauthorization from the customer. This additional repair charge will be invoiced separately, as it is not covered by the 2015 Annual Maintenance Agreement, and is due at the time of the service.
5. Reeds Generator Services LLC shall also report any noted problems with the generator and recommend the courses of corrective action and a range of the expected cost to correct the problems.
6. It is the customer's responsibility to make sure their generator is registered for the warranty. Any warranty work completed above and beyond the Annual Maintenance items that are covered by your warranty will be performed at no charge to the customer on systems that are registered with the manufacturer. Customer understands that Reeds Generator Service LLC does not warranty any equipment or parts and further understands that all equipment & parts warranty is the responsibility of the original equipment manufacturer. Customer understands that all repair and service work not paid by O.E.M. will be billed to and payable by the Customer.

Comments or Additional Work Requested:

SIGNATURE _____

DATE _____

Month you would like your generator serviced in: _____

Above you will find our 2015 Annual Maintenance Contract for the coming year. We would like to ask all our customers to **correct any changes**, **fill in the month you wish to have your generator serviced**, **sign**, and **send** this agreement back to us.

We are enclosing an extra copy for your records. If you have any questions please feel free to give us a call.

THANK YOU!

Davis Reed

REEDS GENERATOR SERVICE LLC

All Annual Maintenance Contracts received in our office by February 15, 2015 will qualify for a 10% discount on repair labor rates and parts until December 31, 2015.

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 12, 2015**

1. WWTP Plant

- Plant effluent flow averaged 60,900 gallons per day for the month April 2015.

2. SPDES Compliance/NYSDEC, NYCDEP

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

**Tina M. Moshier, Assessor
Town of Andes
P.O. Box 356
Andes, NY 13731**

May 9th, 2015

**Kimberly Tosi, Town Clerk
Town of Andes
115 Delaware Ave.
Andes, NY 13731**

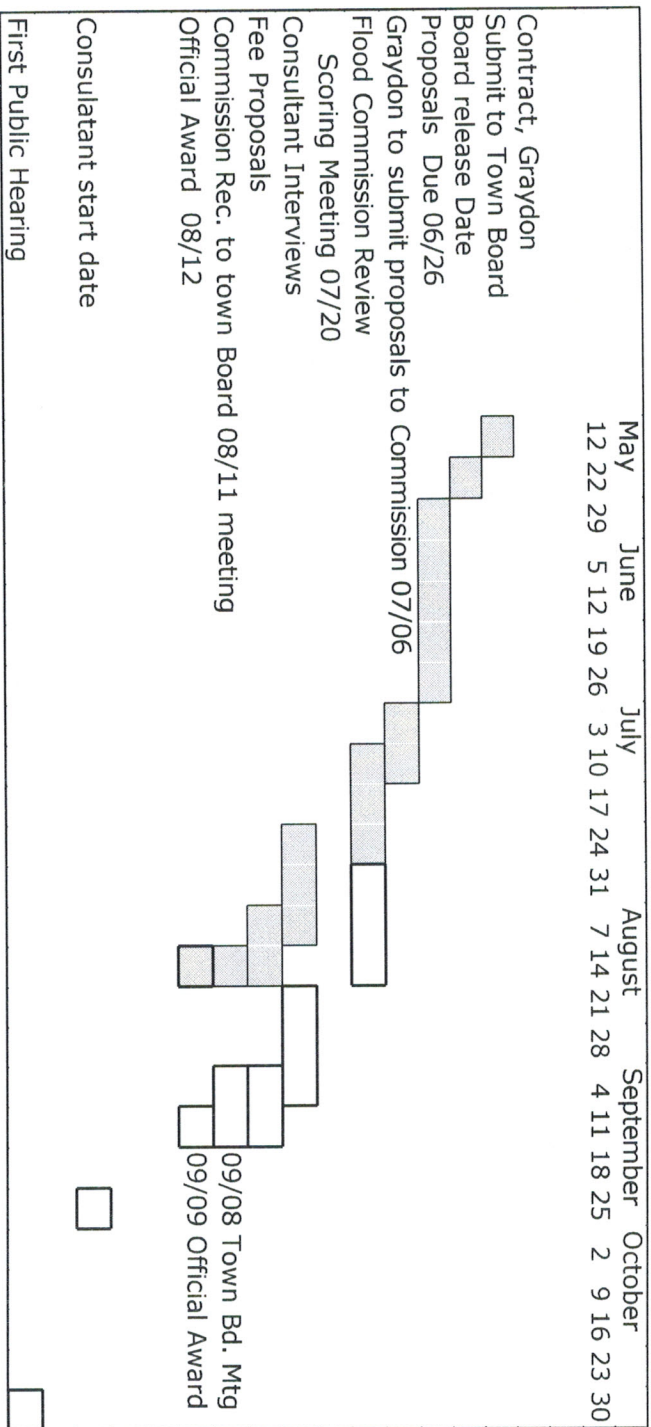
Dear Kimberly :

**Just a reminder that the Board of Assessment Review will be
Hearing complaints on assessments May 26th, 2015 at the Andes Town hall
located at 115 Delaware Avenue from 4:00 pm until 8:00 pm.**

Sincerely,



**Tina M. Moshier, Assessor
Town of Andes**



Adm 1 @beny Hague, 05

Town of Hague

Community Center • 9793 Graphite Mountain Road • P.O. Box 509 • Hague, NY 12836

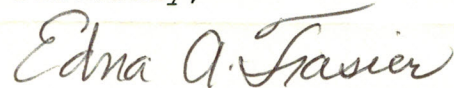
April 13, 2015

Martin A. Donnelly
Andes Town Supervisor
PO Box 525
Andes, NY 13731

Dear Supervisor Donnelly,

For the past year Delaware Operations, Inc. has been assisting us with upgrades to our wastewater treatment plant. One of the upgrades that we are required to perform is to install railing at two locations of our plant that in total will require the installation of approximately 10' of railing. I've been told by Delaware Operations, Inc. that you have removed railing from your plant and the railing is no longer needed. If this is the case and you are willing to sell some of the surplus railing, the Town of Hague would like to offer you \$100.00 for a 10' section of railing. If this is acceptable to you I will have my Town Administrator contact you or whoever you recommend in your office to complete the transaction. Delaware Operations Inc. said they will deliver to Hague if you accept our offer. Thank you for your consideration.

Sincerely,



Edna A. Frasier
Supervisor