

**Town of Andes
Budget Workshop
September 8, 2015 @ 6:00PM
Andes Town Hall**

Present:

Supervisor Donnelly	Councilman Thomas Joyce
Councilman Thomas Hall	Councilman Wayland 'Bud' Gladstone
Councilman Dale Cole-Absent and Excused—Entered meeting at 6:42PM	
Town Clerk Kimberly Tosi	

Others:

Ritchie Gabriel	Robert Abbate
Tom Coddington-Walton Reporter	Karen Kropp-By the Books

Call to Order:

The meeting was called to order at 6PM by Supervisor Donnelly.

Pledge:

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

Discussion:

Karen Kropp, the town bookkeeper was in attendance to review the budget with the town board for 2016. All salaried jobs were discussed. Tentatively looking at a 3% increase. This will be reviewed after the final numbers are received for any increase in the budget. The salary for the code enforcement officer/building inspector was discussed to include 3% plus \$1000. The town board did not ask for a raise. Councilman Gladstone abstained from discussion regarding the Supervisor's salary, a 3% raise was discussed.

Councilman Gladstone indicated that the smaller roles that employees are paid for should not receive a raise, such as deputy town clerk, deputy highway superintendent, RMO, etc.

Assessor expense was increased to cover the Town's portion of the pictometry taken place in Delaware County next year.

A new budget line item will have to be added for next year. The running of the Railroad Station will include the electricity.

Highway Superintendent McAdams asked for a \$10,000 increase in General Repairs Expense and left all other line items the same.

The next budget workshop will be held on October 5th, 2015 at 6PM.

Adjourn:

Motion to adjourn the meeting made by Councilman Gladstone, Seconded by Councilman Joyce. All in favor. 7:26PM.

Town of Andes
Public Hearing Proposed Local Law requiring prior written notice of defects
and Proposed Local Law authorizing best value competitive bidding and
procurement
September 8, 2015 @ 6:45PM
Andes Town Hall

Present:

Supervisor Donnelly
Councilman Thomas Hall
Councilman Dale Cole

Councilman Thomas Joyce
Councilman Wayland 'Bud' Gladstone
Town Clerk Kimberly Tosi

Others:

Ritchie Gabriel
Tom Coddington-Walton Reporter

Robert Abbate
Margery Merzig-Keough Consulting

Call to Order:

The meeting was called to order at 7:26PM by Supervisor Donnelly.

Public Comments:

Marge Merzig commented from the attorney's office regarding the proposed local law authorizing best value competitive bidding and procurement. The Town Attorney agrees that this law should be passed but wanted the Town Board to know that there are limitations to it. There is fairly stringent criteria which has to be met ahead of time to have known values. The town board must have 'set in stone' reasons for why the best value would be used and what that value means.

Adjourn:

Motion to adjourn made by Councilman Hall, Seconded by Councilman Joyce. All in favor.
7:34PM

**Town of Andes
Regular Board Meeting
September 8, 2015 at 7:00PM
Andes Town Hall**

Present:

Supervisor Donnelly
Councilman Thomas Hall
Councilman Dale Cole

Councilman Thomas Joyce
Councilman Wayland 'Bud' Gladstone
Town Clerk Kimberly Tosi

Others:

Ritchie Gabriel
Tom Coddington-Walton Reporter

Robert Abbate
Margery Merzig-Keough Consulting

Call to Order:

The meeting was called for order by Supervisor Donnelly at 7:34PM.

Privilege of the Floor:

N/A

Reports:

Highway Report 8/12/15 – 9/8/15

Equipment

2015 Volvo Grader – Changed oil, filter and checked all fluids. Replaced tilt cylinder for steering controls under warranty. 262 Hours.
2011 Dodge 5500 – Currently at Robert Green getting transmission line replaced under warranty. They are also looking into why rear tires are wearing on the inside.
2009 International 6x6 – Replaced muffler and muffler clamps 41,500 Miles
2004 International 7600 – Replaced Drivers side rear suspension saddle and shocks. Greased and checked all fluids 129,625 miles.
1989 John Deere Grader – Replaced large window on door, greased and checked all fluids 4660 hours
2003 John Deere Loader – Greased and checked all fluids 8150 hours.

Road Work

The following roads were stone and oiled - Perch Lake Road – From Tremperskill Rd intersection up one tenth mile, Little Dingle Hill Road – Double coat of oil and stone from Tremperskill Rd intersection up one tenth of mile, State Road – Double coat of oil and stone from Tremperskill Rd intersection in 2 tenths of mile. Shaver Hollow Road – Double coat of Oil and Stone from city road up 1.1 miles, Bussey Hollow Road - Double coat of Oil and Stone from county road up 1.1 miles. Canada Hollow Road – Double coat of oil and stone from State Hwy 28 up 1 mile.

The following roads have been ditched and worked - Turkey Valley Road, Fish Hollow/ Stevens Road, Barnes Hill Road, Bryden Lake Road

Fall Clove Road has been ditched from County Hwy 2 down 1 mile to Bryden Lake intersection. 10 loads of grader patch has been used to shim road as needed.

Respectfully Submitted,
Michael McAdams

*Councilman Gladstone commented that a complaint was brought to the highway committee regarding Crescent Hill Road. Highway Superintendent McAdams addressed the issue. The committee will be having another meeting.

Supervisor's Report

- 1.) For your information Delaware County guidelines for procurement policies.
- 2.) 2015 County inventory of West of Hudson Specialty Parcels town by town.
- 3.) Marge has set down our ADA Grievance Procedures
- 4.) On August 23, 2015 I went over to Lisa Schroeder's home in reference to her street light complaint of August 21, 2015. I explained to her the street lights are controlled by NYSEG. It does look like she has way too many street lights in front of her house.
- 5.) The CWC has provided funding for the purchase of Catskill Park wayfinding signs. I have provided them with a list of economic development projects, i.e. hiking, just trails, scenic overlooks, etc. in Andes.
- 6.) On August 6, 2015 I received a letter from municipal town ownership program formally JNS Towns, LLC. Marge and I responded to their letter on August 25, 2015. Copy enclosed.
- 7.) The handicap ramp at the proposed new court has been finishing for the primary election on September 10, 2015.
- 8.) On September 2, 2015 I met with NYSEG reps for a cost savings on our energy usage. They will be at the meeting in October to discuss their findings.
- 9.) Marge did an inventory on the old court equipment to be moved up to the new court.
- 10.) On September 8, 2015 at 6PM we met with Karen to prepare for the 2016 budget.

Motions:

Motion to approve the August 2015 Regular Board Meeting minutes, August Supervisor's Financial Report, Town Clerk's Financial Report, and Justices Financial Report, made by Councilman Joyce, Seconded by Councilman Hall, All in favor-Councilman Gladstone abstained as he was not at the August meeting, motion carried.

Motion to authorize the payment of all CHIPS bills prior to the October Regular meeting, in order to ensure all paper work may be filed prior to the deadline for a December check, made by Councilman Gladstone, Seconded by Councilman Joyce. All in favor, motion carried.

Motion to authorize Supervisor Donnelly to sign the lease with Pitney Bowes for the postage meter at the Town Hall, made by Councilman Hall, Seconded by Councilman Joyce. All in favor, motion carried.

Resolutions:

Resolution 18 of 2015 SEQR for Adoption of the proposed local law entitled, “A local law requiring prior written notice of defects”

WHEREAS, the Town Board is adopting a local law entitled “A Local Law requiring prior written notice of defects”;

WHEREAS, the possible environmental impacts of the adoption of this Law have been considered by the Town Board;

NOWTHEREFORE BE IT RESOLVED, that the Town Board has determined that the adoption of new local law entitled “A local law requiring prior written notice of defects” will not have significant adverse impacts on the environment; and

WHEREUPON, the Resolution was put to a vote and recorded as follows:

Proposed by: Councilman Hall
Seconded by: Councilman Joyce.

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

Resolution 19 of 2015 SEQR for Adoption of the proposed local law entitled, “A local law authorizing best value competitive bidding and procurement”

WHEREAS, the Town Board is adopting a local law entitled “A Local Law authorizing best value competitive bidding and procurement”;

WHEREAS, the possible environmental impacts of the adoption of this Law have been considered by the Town Board;

NOWTHEREFORE BE IT RESOLVED, that the Town Board has determined that the adoption of new local law entitled “A local law authorizing best value competitive bidding and procurement” will not have significant adverse impacts on the environment; and

WHEREUPON, the Resolution was put to a vote and recorded as follows:

Proposed by: Councilman Gladstone
Seconded by: Councilman Joyce

Roll Call:

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

Resolution 20 of 2015 Highway Budget Transfer

BE IT RESOLVED to amend the highway budget, to add \$96,860.31 to DA5112.2 CHIPS budget line contingent upon receiving our first CHIPS reimbursement check on September 15th.

Proposed by: Councilman Hall
Seconded by: Councilman Joyce

Roll Call:

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

Resolution 21 of 2015 Town of Andes Accounting Policy

WHEREAS, The Town of Andes, Delaware County, New York is committed to fiscal integrity and financial accountability. It shall therefore be the policy of the Town of Andes:

- To assure the integrity of financial records;
- To assure the reliable, timely, and meaningful presentation of financial results;
- To support and assist in complying with State and Federal financial reporting requirements and generally accepted accounting principles;

WHEREAS, the policy structure is designed to provide Town officials, employees, financial personnel and contractors with a comprehensive body of documentation that offers a rational and consistent context for accounting decisions and actions.

THEREFORE BE IT RESOLVED, that the Town of Andes, Delaware County, New York, therefore adopts the Generally Accepted Accounting Principles as directed by the Office of the State Comptroller and the State Constitution and Article 3 of the General Municipal Law.

Proposed by: Councilman Gladstone
Seconded by: Councilman Joyce

Roll Call:

Councilman Gladstone----Aye

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

Local Laws:

Resolution 22 of 2015

In the Matter of the Adoption of a Local Law entitled “A Local Law Requiring prior written notice of defects”

WHEREAS, the Town Board has reviewed and considered the proposed Local Law;

WHEREAS, the Local Law was presented to the Town Board at least 10 days prior to the Town Board meeting on September 8, 2015;

WHEREAS, the Town Board adopted a resolution on August 11th, 2015 scheduling a public hearing on the proposed local law;

WHEREAS, the public hearing on the proposed Local Law was held on September 8, 2015 at the Town Hall where the Town Board reviewed and considered all public comments received on the proposed Local Law;

WHEREAS, the proposed Local Law was on file for inspection at the Town Clerk’s office prior to the hearing and during the public review process;

WHEREAS, the Town Board has issued a negative declaration under SEQRA for the adoption of the proposed Local Law thereby complying with the mandates of the State Environmental Quality Review Act.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE
TOWN BOARD OF ANDES, DELAWARE COUNTY, NEW YORK:

THAT THE Town Board of the Town of Andes hereby determines that proposed Local Law, attached hereto and made a part hereof, is hereby adopted as a Local Law entitled “A Local Law Requiring prior written notice of defects”; and

IT IS FURTHER RESOLVED, that the Town Clerk and the Attorney for the Town are hereby directed to take such actions as are necessary to implement this resolution and effect adoption of the Local Law.

Proposed by: Councilman Hall
Seconded by: Councilman Joyce

Roll Call:
Councilman Gladstone----Aye

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

Resolution 23 of 2015

In the Matter of the Adoption of a Local Law entitled “A Local Law authorizing best value competitive bidding and procurement”

WHEREAS, the Town Board has reviewed and considered the proposed Local Law;

WHEREAS, the Local Law was presented to the Town Board at least 10 days prior to the Town Board meeting on September 8, 2015;

WHEREAS, the Town Board adopted a resolution on August 11th, 2015 scheduling a public hearing on the proposed local law;

WHEREAS, the public hearing on the proposed Local Law was held on September 8, 2015 at the Town Hall where the Town Board reviewed and considered all public comments received on the proposed Local Law;

WHEREAS, the proposed Local Law was on file for inspection at the Town Clerk’s office prior to the hearing and during the public review process;

WHEREAS, the Town Board has issued a negative declaration under SEQRA for the adoption of the proposed Local Law thereby complying with the mandates of the State Environmental Quality Review Act.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS BY THE
TOWN BOARD OF ANDES, DELAWARE COUNTY, NEW YORK:

THAT THE Town Board of the Town of Andes hereby determines that proposed Local Law, attached hereto and made a part hereof, is hereby adopted as a Local Law entitled “A Local Law authorizing best value competitive bidding and procurement”; and

IT IS FURTHER RESOLVED, that the Town Clerk and the Attorney for the Town are hereby directed to take such actions as are necessary to implement this resolution and effect adoption of the Local Law.

Proposed by: Councilman Hall
Seconded by: Supervisor Donnelly

Roll Call:
Councilman Gladstone----Aye
Councilman Cole----Aye
Councilman Joyce----Aye

Councilman Hall----Aye
Supervisor Donnelly----Aye

Committees:

Sale of 580 Main Street: Discussion took place regarding the best way to sell the Old Town Court. It was decided at the August meeting that this should be by sealed bid. The town will place advertisements for this in The Reporter and The Daily Star. A sign should be placed in the yard of the building. Marge Merzig said she would create one and bring it over.

Motion to advertise for the bids which will be due on October 8th at 12:00PM, opened on October 9th at 9:30AM, and awarded on October 13th at 7:00PM, made by Councilman Joyce, Seconded by Councilman Hall. All in favor, motion carried.

Pool:

Councilman Joyce reported a great season at the pool. Thank you to Rachel Andrews and all of the lifeguards for a great job. The pool was able to stay open until Labor Day and 17 more days than last year. Clean up has begun. There is still a leak in the Kiddie pool. 21st Century Pools will be coming out to see if they can help find the problem. Delaware Operations will also be helping. The sidewalk is uneven because of this and will need to be fixed as well.

New Construction:

Walter Baker did a great job at the new courthouse, putting the bathroom floors down and patching the walls. Marge Merzig did an inventory at the old courthouse. There are some things that will not be moved to the new courthouse. The town board will need to discuss that to do with them in the near future.

A.Treffisen will be fishing work at the Railroad Station in the weeks to come.

Flood Commission:

Councilman Gladstone reported that the Flood Commission met on August 18th and 19th to interview the consultants. The consultant that was chosen is the firm Barton & Loguidice. The proposed costs are being reviewed by Delaware County Soils and Water. A formal adoption will follow shortly.

Ballantine Park:

Councilman Gladstone reported that the gazebo should be delivered on October 14th. Dale Kirby will be digging for the pad this week and pouring it the following week.

Economic Committee:

Councilman Joyce reported that the Chamber of Commerce is being revived in town. They will be reaching out to all business owners within the town, not just in the hamlet and encourage everyone to attend and participate.

Approval of Bills:

Motion to approve General Warrants #307-329 totaling \$62,011.90

Highway Warrants #190-207 totaling \$27,547.85
WWTP Warrants #132-143 totaling \$37,329.97
Water Warrants #59-62 totaling \$2,044.42 and
Shavertown Warrants #3-4 totaling \$2,499.00, made by Councilman Joyce, Seconded by Councilman Hall. All in favor, motion carried.

Motion to approve the following bills, which will be on the October Warrants:

Suit Kote \$85,636.37 DA5112.2

Suit Kote \$9,959.63 DA5110.4

Art Short \$688.40 A1650.4

Walter Baker \$591.41 Courthouse, New Construction, made by Councilman Gladstone, Seconded by Councilman Joyce. All in favor, motion carried

Districts-

Water:

Marge Merzig reported that the water district is still looking for funding for a new well. The USDA may be an option. We did not receive the grant that we applied for. There are new NYS DOH requirements that say the town must own 150' in all directions around the new well. An adjacent property owner to the potential well site (on the property currently owned by town, where current well is located) has been contacted concerning selling a small piece of property to give the town the 150' needed. Cedarwood Engineering is investigating the potential costs of drilling a well at this location.

Sewer:

Resolution 24 of 2015 Sewer Budget

Be it resolved that the Town Board of the Town of Andes, hereby adopts the 2016 Sewer Budget.

*An increase of 3% was added to the bookkeeper and clerk. This budget was tentatively approved by NYC DEP and needed to be approved by the board to get the first 2016 payment in January.

Proposed by: Councilman Joyce

Seconded by: Councilman Gladstone

Roll Call:

Councilman Gladstone----Aye

Councilman Cole----Aye

Councilman Joyce----Aye

Councilman Hall----Aye

Supervisor Donnelly----Aye

Adjourn:

Motion to adjourn made by Councilman Joyce, Seconded by Councilman Hall. All in favor,
8:48PM

Town of Andes

LOCAL LAW # 3 OF 2015

**A LOCAL LAW REQUIRING
PRIOR WRITTEN NOTICE OF DEFECTS**

BE IT ENACTED BY the Town Board of the Town of Andes, Delaware County, State of New York

Section 1:

NOTIFICATION OF DEFECTS

§ 1. Prior notice of dangerous conditions on highways, bridges and culverts.

No civil action shall be maintained against the Town of Andes, the Town Board of the Town of Andes, any individual Trustee of the Town of Andes, any officer, employee or agent of the Town of Andes for damages or injuries to person or property sustained by reason of any highway, bridge, culvert or any other property, either real or personal, of any type or description, owned by the Town of Andes being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway, bridge, culvert or any other property owned by the Town of Andes, or any property owned by any improvement district, was actually given to the Town Clerk of the Town of Andes and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of; and no such action shall be maintained for damages or injuries to persons or property sustained solely in consequence of the existence of snow or ice upon any highway, bridge, culvert or any other property owned by the Town of Andes unless written notice thereof, specifying the particular place, was actually given to the Town Clerk of the Town of Andes and there was a failure or neglect to cause such snow or ice to be removed or to make the place otherwise reasonably safe within a reasonable time after receipt of such notice.

§ 2. Prior notice of dangerous conditions on sidewalks.

No civil action shall be maintained against the Town of Andes or the Town Board or the Town of Andes, any individual Trustee of the Town of Andes, any officer, employee or agent of the Town of Andes for damages or injuries to person or property sustained by reason of any defect in the sidewalks of the Town of Andes or in consequence of the existence of snow or ice upon any of its sidewalks unless such sidewalks have been constructed or are maintained by the Town of Andes pursuant to statute; nor shall any action be maintained for damages or injuries to person or property sustained by reason of such defect or in consequence of such existence of snow or ice unless written notice thereof, specifying the particular place, was actually given to the Town Clerk of the Town of Andes and there was a failure or neglect to cause such defect to be remedied, such snow or ice to be removed or to

make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

§ 3. Index and record of notices.

The Town Clerk of the Town of Andes shall keep an index record, in a separate book, of all written notices which the Town Clerk shall receive of the existence of a defective, unsafe, dangerous or obstructed condition in or upon, or of an accumulation of ice and snow upon, any Town highway, bridge, culvert or sidewalk or any other property described in § 1 owned by the Town of Andes or by any improvement district in the Town of Andes, which record shall state the date of the receipt of the notice, the nature and location of the condition stated to exist and the name and address of the person from whom the notice is received. The record of such notice shall be preserved for at least a period of ten (10) years from the date it is received. The Town Clerk, upon receipt of such written notice, shall immediately and in writing notify the Town Department of Public Works of the Town of Andes of the receipt of such notice.

§ 4. Construction of these provisions.

Nothing contained in this chapter shall be held to repeal, modify or waive any existing requirement or statute of limitations which is applicable to these causes of action, but, on the contrary, this chapter shall be held to be additional requirements to the right to maintain such action; nor shall anything herein contained be held to modify any existing rule of law relative to the question of contributory negligence, nor to impose upon the Town of Andes, its Trustees, officers, agents and employees any greater duty or obligations than that it shall keep its streets and sidewalks fit for public use and travel.

Section 2.

This local law shall take effect upon the filing with the Secretary of State of the State of New York.

**Town of Andes
LOCAL LAW # 4 OF 2015**

**A LOCAL LAW AUTHORIZING BEST VALUE COMPETITIVE BIDDING AND
PROCUREMENT**

BE IT ENACTED BY the Town Board of the Town of Andes, Delaware County, State of New York:

Section 1. Title

This Local Law shall be known as the “Town of Andes Local Law Authorizing Best Value Competitive Bidding and Procurement”

Section 2. Legislative Intent and Purpose

The intent of this law is to allow the Town Board the option to award certain purchase contracts (including contracts for services) subject to competitive bidding under Section 103 of the General Municipal Law on the basis of a low bid or “best value” as defined in Section 163 of the New York State Finance Law.

Section 3. Authority

This local law is enacted pursuant to New York State General Municipal Law § 103.

Section 4. Best Value Competitive Bidding

A. Authority and Purpose.

Section 103 of the New York General Municipal Law allows the Town to authorize, by local law, the award of certain purchase contracts (including services) subject to competitive bidding under General Municipal Law § 103 on the basis of “best value” as defined in Section 163 of the New York State Finance Law. The “best value” option may be used, for example, if it is more cost efficient over time to award the good or service to other than the lowest responsible bidder or offered if factors such as lower cost of maintenance, durability, high quality and longer product life can be documented.

B. Award Based on Best Value

The Town Board may award purchase contracts, including contracts for services, on the basis of “best value” as the term is defined in New York State Finance Law § 163. All contracts or purchase orders awarded based on value shall require Town Board approval.

C. Applicability

The provisions of this chapter apply to Town purchase contracts, including contracts for services, involving an expenditure of more than \$20,000, but excluding purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of the New York Labor Law and any other contract that may in the future be excluded under state law from the best value option. If the dollar thresholds of New York General Municipal Law § 103 are increased or decreased in the future by the State Legislature, the dollar thresholds set forth herein shall be deemed simultaneously amended to match the new General Municipal Law thresholds.

D. Standard for Best Value

1.) Goods and services procured and awarded on the basis of best value are those that the Town Board determines optimize quality, cost and efficiency, among responsive and responsible bidder or offerors.

2.) Where possible, the determination shall be based on an objective and quantifiable analysis of clearly described and document criteria as they apply to the rating of bids or offers.

3.) The criteria may include, but shall not be limited to, any or all of the following: cost of maintenance; proximity to the contractors; longer product life; product performance criteria; and quality of craftsmanship.

E. Documentation

Whenever any contract is awarded on the basis of best value instead of lowest responsible bidder, the basis for determining best value shall be thoroughly and accurately documented. Such documentation shall be filed with the Town Clerk. The filing of this documentation with the Town Clerk shall be a condition precedent to the lawful approval by the Town Board of any contract to be entered into under the provisions of this Local Law.

F. Piggybacking of purchases

Notwithstanding the provisions of this Local Law, the Town of Andes may, for the purposes of public purchases, utilize the provisions of General Municipal Law § 103 with regard to so-called “piggybacking” of purchases. Pursuant to General Municipal Law § 103, the Town of Andes may purchase through bids solicited by the United States government, New York State and/or any other political subdivision (counties, town, villages, school districts, etc.), provided those contracts clearly state that they are available for use by other governmental entities within the requirements of General Municipal Law § 103(16). Prior to such purchase, the Town of Andes will ensure that a piggyback purchase qualifies as follows:

1.) The contract involved must have been available for use by other governmental entities through the bid solicitation process. In such case, the Town of Andes should determine that there is contained within the bidding municipality’s bid package a provision that the bid is open to and can be used by either the Town of Andes or other municipalities. This determination should be made on a case-by-case basis.

2.) The specific contract must have been issued in accordance with the provisions of General Municipal Law § 103.

G. Procurement Policy Superseded Where Inconsistent

Any inconsistent provision of the Town’s procurement policy, as adopted prior to the effective date of this Local Law by resolution of the Town Board, or as amended thereafter, shall be deemed superseded by the provisions of this chapter.

Section 5. Severability

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 6. Effective Date

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State.

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
September 4, 2015**

1. Water System

- Daily usage of treated water from the water system averaged 27,761 gallons per day for the month of August 2015.

2. Plant Purchases

- New pump and flow monitor have been ordered, waiting for delivery and instillation from vendor.

3. O&M

4. Equipment

5. Distribution System

6. Library Well

- Exercising well monthly to keep tank and chemicals fresh.

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
September 4, 2015**

1. WWTP Plant

- Plant effluent flow averaged 18,478 gallons per day for the month August 2015.

2. SPDES Compliance/NYSDEC, NYCDEP

- The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for September 2015 met all parameters.

3. Collection System

- No issues known at this time

4. Plant Purchases.

5. Plant O&M

6. Plant Equipment.

- All equipment running well.

7. Gladstone Hollow Septic System

Town of Andes Accounting Policy

The Town of Andes, Delaware County, New York is committed to fiscal integrity and financial accountability. It shall therefore be the policy of the Town of Andes:

- To assure the integrity of financial records;
- To assure the reliable, timely, and meaningful presentation of financial results;
- To support and assist in complying with State and Federal financial reporting requirements and generally accepted accounting principles.

The policy structure is designed to provide Town officials, employees, financial personnel and contractors with a comprehensive body of documentation that offers a rational and consistent context for accounting decisions and actions.

The Town of Andes, Delaware County, New York, therefore adopts the Generally Accepted Accounting Principles as directed by the Office of the State Comptroller and the State Constitution and Article 3 of the General Municipal Law.

Town of Andes

Andes, NY 13731-0085

P.O. Box 125 – 115 Delaware Avenue, Andes, NY
1-845-676-3231
TDD –1-800-662-1220

August 25, 2015

Jeff Staley, President
JNS Towers, LLC
2 Lake Street – Suite 8
Monroe, NY 10950

Dear Jeff,

Thank you for your letter of August 6th regarding the intention of your company to renew your Master Management Services Agreement regarding cell tower construction in the Town of Andes. I hope we can finally accomplish that goal.

I enclose a copy of our previous agreement. I believe the Town Board is open to renewal. However, once bitten, twice shy. I believe we need something more concrete from you before we agree to make JNS Towers an exclusive provider. I will call you to set up a time we can talk face to face about a timetable.

Please feel free to call me.

Town of Andes

Martin A. Donnelly
Andes Town Supervisor

The Town of Andes is an equal opportunity employer and provider. To file a complaint of discrimination, write: USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W. Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD).