

**Town of Andes
Regular Monthly Meeting
July 12th, 2016 at 7:00PM
Andes Town Hall**

Present:

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

Councilman Dale Cole
Councilman Shayne Moshier
Town Clerk Kimberly Tosi

Others:

Michael Terry
John Bouton
Mary Davis

Tom Coddington- The Reporter
Margery Merzig- Keough Consulting
Michael Passafiumie

Call to Order:

The meeting was called to order at 7:00PM by Supervisor Gladstone.

Pledge:

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

Approval of Minutes:

Motion to approve the June 2016 minutes, made by Councilman Moshier, Seconded by Councilman Hall. All in favor, motion carried.

Privilege of the Floor:

Bill Morten

RE: Route 30 Scenic Byway (PowerPoint)

Mr. Morten gave a PowerPoint presentation on the proposed scenic byway for routes 30 and 30A. This is in the preliminary stages. A steering committee needs to be established. It is requested that the Town of Andes appoint someone.

Mary Davis

RE: Outlet at the Triangle

Ms. Davis spoke in reference to her request to have an outlet installed at the light pole in the triangle. This would be utilized for holiday lights as well as to help with fall clean-up of leaves, etc. The lights will have a timer. The outlet could have a lock box to protect it from unauthorized use. *Margery Merzig suggested that this outlet could be tied into the street lighting district and would not have to be a new bill.

Ms. Davis also requested that the town allow the hanging of banners across State Route 28 in the hamlet. Supervisor Gladstone stated that he has contacted NYS DOT, NYSEG, and MTC.

*This is an issue that was discussed in 2014. The Town was approached by a business asking permission. The banner schedule will be managed by the Town and the individual or business

will have to fill out the DOT permit for permission to hang the banner. A policy will be available at the next board meeting.

Reports:

Highway Report 6/15/2016-7/12/2016

Equipment-

- 1989 JD 672B Grader-replaced the water pump 6050
- 1991 Ford Alamo Mower- changed oil and filter
- 2005 JD 310 SG Backhoe- replaced right pilot control handle, also replaced right side swing cylinder pin
- 1984 Case Roller- May have to change a rocker, something wrong with motor, not specifically sur what it is.
- 2011 Dodge Ram 5500- working on getting a new engine

CHIPS Projects-

Motor paved- Dingle Hill Road, Intersection of Hyzer Hill Road, Woodland Hills Road, Intersection of Calhoun Road, and Brace Hollow Road

I am now completing all paperwork for CHIPS to get our money back to complete the remaining projects.

Sealed Roads-

We have sealed the following roads, 1 mile on Weaver Hollow Road, 1 mile on Bussey Hollow Road, 1 mile on Shaver Hollow Road, 3/10ths of a mile on Hillside Road. We also put some dust pads down.

Roads worked-

Road Name	Ditched	Worked	Pipes installed
State Road	X	X	
Finkle Road	X		
Wolf Hollow Road			(1) 18" and (1) 24"
Stevens Road		X	
Heannings Road		X	
Camp Nubar Road		X	
Campbell Road	X		
Felton Road		X	

All roads have been mowed, now mowing brush back with the tractor. We will be ditching Barkaboom Road and Crescent Hill Road in the coming weeks.

Respectfully Submitted
 Michael McAdams
 Highway Superintendent

*Supervisor Gladstone asked McAdams for several road signs in different locations. A new loader and new roller were discussed. These two pieces of equipment are needed or will be

needed very shortly. The rental of a roller for the rest of the season was discussed. Monroe Tractor offered a rent to buy for a used roller.

Supervisor's Report

*I'd like to thank Mary Davis for organizing the "Ice Cream Social" on June 18th at Ballantine Park. It was well attended and a benefit for the library.

June 23rd- I met with Judge Grieco and Hwy. Superintendent McAdams to discuss the expansion of the court parking lot. Mike and the highway crew will be doing the work.

June 26th- I received a call from Bill Morten on the Route 30 corridor scenic byway to give a PowerPoint presentation to the board tonight.

June 27th- I spoke with Matt Sluiter regarding accident insurance coverage for youth sporting events. It will have an approximate cost of \$150.

June 28th- Marge Merzig, Shayne Moshier, and I met with John Moffett of Cedarwood Engineering and two officials from NYS DOH at the well site to go over details of the new well.

June 29th- I had a request from Mary Davis to install an outlet at the triangle. I spoke with Matt regarding extra liability if it is installed and he didn't have any issue with it.

July 7th- I spoke with Sue McIntyre from the County's Solid Waste Department about a tire bin. It'll be here for the last two weeks of July- only passenger and pickup truck tires.

-I met with Marge to go over any details on the water grant we were awarded for \$64,500.

July 10th- I met with David Ruff regarding runoff from last week's storm down the Andes Rural Cemetery Road and onto his property and High Street. I have discussed this with Mike.

July 11th- I received a call from Jan Stevens at the school regarding a partial wall collapse beside the school tennis courts. I called Wayne Reynolds (DCDPW), Graydon Dutcher (DCSWD), our highway department, all for their expertise on how to approach this issue. Shayne Moshier, Jan Stevens, Phyllis Kochesbuger, Justin Soules. All attended meeting. Wayne emailed me this morning to offer to take the lead on this. I accepted his offer. *If there is any further collapse, the school's sewer line could be damaged.

*I have also asked Wayne if the County could paint the lines on County Routes 1 and 2 from the stop light to where the county highways start.

Committees:

Pool-

Councilman Joyce reported that there were some filtration issues in the beginning but all seems to running smoothly now. Councilman Hall is working on chlorine storage. June 30th there will be EMS training in the pool.

Economic Development-

Councilman Joyce reported that the businesses are now interested in setting up a Chamber of Commerce. Community Day was discussed at the last meeting. They are still looking for volunteers. The route of the parade may change to go to the fire hall instead of the school. Concerns were discussed for parking.

Transfer Station-

Supervisor Gladstone stated that there have been a lot of vehicles at the transfer station without stickers. Councilman Cole will be speaking with the employees regarding strict enforcement.

Courthouse-

Councilman Cole reported that an American flag must be displayed at all polling locations during voting. Installation of a flag pole at the new courthouse was discussed.

Motions:

Motion to authorize the installation of an outlet on the pole located at the “Triangle” in the hamlet. TABLED, pending report from electrician/NYSEG regarding billing.

Motion to authorize Supervisor Gladstone to sign the DCO agreement for 2016 with the Humane Society of Central Delaware County, Inc. (d/b/a/ Heart of the Catskills Humane Society), made by Councilman Moshier, Seconded by Councilman Joyce. All in favor, motion carried.

Motion to allow the highway superintendent to rent a roller from Monroe Tractor for up to three months, made by Councilman Moshier, Seconded by Councilman Cole.

Motion to authorize the highway superintendent to advertise for the winter bids to be accepted until September 8th, 2016 at 12:00PM. Bids will be opened on September 9th, 2016 at 9:30am. Bids will be awarded at the regularly scheduled board meeting on September 13th, 2016 at 7:00pm, made by Councilman Joyce, Seconded by Councilman Hall. All in favor, motion carried.

Motion to approve the June 2016 Supervisor’s Financial Report, Town Clerk’s Financial Report, Justices’ Financial Report, and Tax Collector Financial Report, made by Councilman Hall, Seconded by Councilman Joyce. All in favor, motion carried.

Motion to cancel the August 2016 Regular Board Meeting and preapprove all bills, made by Councilman Hall, Seconded by Councilman Joyce. All in favor, motion carried.

Resolutions:

Resolution 17 of 2016 Land Acquisition Prop ID: 8346

WHEREAS, the New York City Department of Environmental Conservation proposes an acquisition of approximately 32.91 acres of land on Dingle Hill Road, and

WHEREAS, the Town of Andes has the right to comment on all land acquisitions by the NYC DEP prior to their finalization, and

NOW THEREFORE BE IT RESOLVED, that the Town of Andes hereby supports the proposal to designate the property a Public Access area. However, due to local concern with the size of the property and proximity to neighboring residences, the Town respectfully requests that public access be restricted by not allowing firearm hunting on the property.

Proposed by: Councilman Moshier
Seconded by: Councilman Joyce

ROLL CALL:

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

Resolution 18 of 2016 Second Supplemental Agreement Among West of Hudson Watershed Stakeholders Concerning the New York City-Funded Flood Buyout Program

In 1997, Town Supervisor Donnelly, on behalf of the Town of Andes, executed the 1997 Memorandum of Agreement with New York City, New York States Department of Health and Environmental Conservation, various environmental parties and over 39 Towns and Villages West of the Hudson within the New York City Watershed (“MOA”).

WHEREAS, the MOA Objectives were identified therein as follows:

The City’s LAP, the City’s Watershed Regulations and the other programs and conditions contained in the Watershed MOA, when implemented in conjunction with one another, are intended to protect water quality while allowing existing development to continue and future growth to occur in a manner that is consistent with the existing community character and planning goals of each of the Watershed communities.

WHEREAS, in the 19 years since the MOA was executed, the Partnership created by the MOA has been very successful at protecting drinking water quality;

WHEREAS, in the 19 years since the MOA was executed, due to and notwithstanding the Partnership, the following has occurred:

- 1.) In the 1990s, EPA, DOH, DEC and other stakeholders worked with DEP to identify the threats to an unfiltered water supply and to identify programs and controls to mitigate those threats. The approach selected was to filter/treat the water at the sources of pollution rather than threat/filter the entire supply. In order to force treatment at the source of the pollution, under the MOA and as a requirement of the FAD, the City was allowed to regulate all sewage within the watershed and all new construction (i.e., storm water restrictions and permits). By mitigating these two sources, the MOA and the partnership programs required by the MOA have achieved substantial water quality improvements.
- 2.) The controls required by the City for wastewater treatment plants have proven to be cost prohibitive for the West of Hudson watershed residents. The capital cost of the regulatory upgrade for a sewage treatment plant (“WWTP”) to comply with the WRR ranges from \$2,000,000 to in excess of \$4,000,000 (\$200,000 per home) for each WWTP and the annual operating cost of the upgrade facility is as much as \$7,500 per home.
- 3.) At the time of the MOA, it is estimated that there were over 22000 septic systems in the West of Hudson Watershed. DEP takes the position that all of the 1997 existing

septic systems do not comply with the WRR requirements for existing systems and as such are non-complying regulated activities. Under DEP's interpretation of its WRR, those existing homes, institutions and small businesses connected to an existing septic system cannot alter or modify their septic system without coming into compliance with the City's regulations for new systems (or to the extent determined possible by DEP).

4.) The Partnership Programs have drastically improved the overall nature of sewage disposal within the watershed. The results include the rehabilitation of over 4400 residential septic systems, the construction of 16 community sewer systems, the extension of city owned sewer line to over a hundred homes/businesses; the closing of over 12 WWTPs with connections to community systems, the upgrade of over 90 WWTPs to meet the requirements of WRR (both east and west of the Hudson). Those improvements also would not have occurred if DEP acted as a bully/enforcer; they occurred because DEP has honored the partnership and, for the most part, has been fair, respectful and reasonable to community stakeholders.

5.) In comparison, the DEP storm water requirements have been a major obstacle to new construction and to improvements and enhancement to existing municipal infrastructure and, at a minimum, has resulted in significant delay and costs out of sync with the size of the project and the water quality impacts. In contrast, in a study conducted in 2007, DEP determined that the 71-87% of the turbidity within the Schoharie Reservoir was due to natural erosion within the stream itself. In other words, runoff from the terrestrial areas is not a major source of turbidity and does not have a measurable impact on drinking water quality.

6.) Hundreds of farmers, involving tens of thousands of acres have implemented Whole Farm Plans. Stream Corridor management programs have added another layer of water quality protection. The cooperative development of the NYC Watershed Flood Mitigation is a continuation of successful partnerships that are mutually beneficial to all parties. The common denominator in these successes involves a growing and improving partnership between the City and upstate communities through partnership programs implemented and administered on the local level (CWC).

7.) Over the past 19 years there has not been the rabid and expansive development that was feared and projected at the time of the MOA. Development is weak and will remain weak, similar to the remainder of rural upstate New York, due in part to national trends (globalization, loss of manufacturing, inability of small farms to compete; the cost of transportation), the high cost of living in New York State (in particular taxes and energy) and a myriad of overlapping and at time onerous regulations. Since 1997, there has been an outmigration of jobs and people from our communities. Data also shows more and more daily travel outside the county for available jobs. Unfortunately, according to a report published by the National Oceanic and Atmospheric Administration ("NOAA"), evaluating the 50 worst places to own a home, Delaware County ranked as the 10th worst place to own a home. The mean household income is 30% lower than the state median household income. Further, demographic projection by Cornell University show a

decline of population of 43% for the age group 0 to 60 and an increase of 21% for ages 60 to 85.

WHEREAS, in 2015 the Coalition of Watershed Towns (“Coalition”) conducted an extensive outreach to evaluate the success and failures of the Watershed Protection Programs, the Partnership Programs and the Watershed Rules and Regulations (“WR&R”) and issued a report to DEP and its regulatory agencies in December, 2015. In that report and in subsequent documentation, the Coalition has recommended certain modifications/enhancements to the Partnership Programs administered by CWC and certain modifications to the Watershed Rules and Regulations (“Partnership Objectives”);

WHEREAS, the purpose of the Partnership Objectives is to enhance the sustainability of our communities while at the same time, enhancing drinking water quality;

WHEREAS, as part of the 2017 FAD process, the City (together with its regulatory agencies) have agreed to pursue common sense, practical and available solutions based on science consistent with the MOA Objectives to achieve the Partnership Objectives.

NOW THEREFORE BE IT RESOLVED,

1. The Town Board of the Town of Andes respectfully requests that the New York State Department of Health address and incorporate into the 2017 FAD Renewal the Partnership Objectives and the common sense practical solutions necessary to achieve those objectives.

2.) Based upon the City’s (and its regulations) commitment to pursue common sense, practical and available solution to achieve the Partnership Objectives, the Town Board supports the Coalition and Watershed Counties of the Side Agreement.

Proposed by: Councilman Joyce

Seconded by: Supervisor Gladstone

ROLL CALL:

Councilman Moshier-----Aye

Councilman Hall-----Abstain

Councilman Cole-----Aye

Councilman Joyce-----Aye

Supervisor Gladstone-----Aye

Resolution 19 of 2016 Authorizing Entry into Host Community Benefit Agreements as payments in Lieu of Taxes for Commercial Solar Installations in the Town of Andes Real Property Tax Services

WHEREAS, the Town of Andes, Town Board, wishes to cooperate and partner with the County of Delaware and school districts in creating a unified policy to deal with the taxable status of commercial solar installations; and

WHEREAS, the real estate parcels that contain those solar installations will fall into overlapping taxing districts; and

WHEREAS, New York State Real Property Tax Law Section 487 (9) states that solar, wind and farm waste energy projects are exempt from property taxes for a period of 15 years, but are eligible to contribute to their host community through PILOT agreements; and

WHEREAS, the Town of Andes, the County of Delaware and many of the towns, villages and school districts agree that residential and agricultural solar projects should be tax-exempt, but commercial solar projects should pay their fair share of the costs of municipal expenses; and

WHEREAS, residential solar projects are defined as projects located at inhabited dwellings, connected to a single phase grid and no larger than 20 kw in size; and

WHEREAS, agricultural solar projects are defined as projects located on lands which qualifies for exemption under Real Property Tax Law § 483; and

WHEREAS, commercial solar projects are defined as any projects other than those defined above as residential or agricultural; and

THEREFORE, upon approval of this Resolution, it is understood that the Town of Andes authorizes that the Host Community Benefit Agreements will be put into place for all new commercial solar installations in the Town. It is further understood that taxing districts will need to adopt similar legislation to authorize the Host Community Benefit Agreements. In addition, it is expected that the Town of Andes will be the lead agency in negotiating and ensuring that Host Community Benefit Agreements are in place; and

WHEREAS, the Town, within a sixty (60) day period of the request for a building permit or any other formal notification received from an entity notifying the Town of Andes of intent to construct a commercial solar installation, will notify such commercial solar array owners that the Host Community Benefit Agreement (PILOT) is in place in the Town of Andes and will notify such other taxing districts as described within this resolution; and

FURTHERMORE, all commercial solar panel arrays will be subject to Host Community Benefit Agreements (PILOT) to be put into place by the Town of Andes and the proceeds of which will be shared by each taxing district on a pro-rated amount (50%, town, 25%, county, 25% school); and

WHEREAS, all residential and agricultural solar installations would remain as tax exempt for the 15-year period unless the law changes regarding tax-exempt status. This Resolution only applies to commercial installations; and

WHEREAS, under Section 487 (9) of the Real Property Tax Law, the Host Community Benefit Agreement must not exceed the amount of taxes that the entity would have paid on the new array if there were not tax exemption (For example, if a \$100,000 solar farm is built on a \$5,000. plot of land, the agreement cannot exceed what the property taxes would have been on a \$105,000 assessed value); and

WHEREAS, it is understood agreements made pursuant to this resolution shall be for 15 years and that the revenue will be divided among the taxing districts as described above.

NOW, THEREFORE, BE IT RESOLVED that the Town of Andes Town Board is in agreement with this multi-jurisdictional cooperation agreement.

Proposed by: Councilman Hall
Seconded by: Councilman Joyce

ROLL CALL:

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

Approval of Bills:

Motion to approve General Warrants #207-243 totaling \$12,734.33
 Smart Growth Warrants #9-11 totaling \$778.37
 Highway Warrants #170-187 totaling \$111,192.72
 WWTP Warrants #82-92 totaling \$25,156.20
 Water Warrants #46-50 totaling \$4,633.88
 Andes Rural Cemetery Warrant #1 totaling \$15.07, made by Councilman Hall,
Seconded by Councilman Joyce. All in favor, motion carried.

Districts:

-Water

Resolution 20 of 2016 Andes Secondary Water Source Project
Be it resolved, by the Town Board of the Town of Andes to hereby accept the Catskill Park Smart Growth Implementation state assistance grant for \$64,500 for the Water District Secondary Water Source Project, Contract #: C00181G

Proposed by: Councilman Moshier
Seconded by: Councilman Hall

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

*Marge reported that the engineers are looking at placing the proposed well at the Andes Rural Cemetery. The test well will be drilled in the coming weeks to check for viability. Then a budget can be set and approved by the board. MWBE must be utilized because we are using grant money. A firm has been located that meets these requirements where we can hopefully

purchase the pipes. NYS DOH wants the site protected. Marge will be working with New York State Rural Water to write a watershed protection plan to meet their requirements. The project should be completed before winter. The engineers will be contacting the highway department regarding the placement of the piping in relation to the roads.

-Sewer

Public Comments/Questions:

N/A

Adjourn:

Motion to adjourn the meeting made by Councilman Cole, Seconded by Councilman Joyce. All in favor, 9:30PM.

CEDARWOOD ENVIRONMENTAL SERVICES

8-12 Dietz Street, Suite 303, Oneonta NY 13820 • Phone 607-441-3246 • FAX 607-441-3251

**TOWN OF ANDES, NY
TOWN BOARD MEETING
REPORT BY CEDARWOOD ENVIRONMENTAL SERVICES
July 6, 2016**

1. Water System

Daily usage of treated water from the water system averaged 28,500 gallons per day for the month of June 2016.

2. Plant Purchases

3. O&M

Changed second stage filters on June 3, 2016.

4. Equipment

5. Distribution System

A leak on Main Street was repaired by Delaware Bulldozing.

6. Library Well

Monthly operation of well equipment on June 29, 2016.

CEDARWOOD ENVIRONMENTAL SERVICES

8-12 Dietz Street, Suite 303, Oneonta NY 13820 • Phone 607-441-3246 • FAX 607-441-3251

**TOWN OF ANDES, NY
TOWN BOARD MEETING
REPORT BY CEDARWOOD ENVIRONMENTAL SERVICES
July 6, 2016**

1. WWTP Plant

Plant effluent flow averaged 20,000 gallons per day for the month of June 2016.

2. SPDES Compliance/NYSDEC, NYCDEP

The plant discharges treated effluent to the Tremper Kill Brook. Permit compliance for June 2016 met all parameters.

3. Collection System

Regular maintenance.

4. Plant Purchases.

Regular O&M purchases.

5. Plant O&M

All running well

6. Plant Equipment.

7. Gladstone Hollow Septic System

NOTICE
TOWN OF ANDES RESIDENTS
TIRE DAYS

Wednesdays July 20th and 27th
Saturdays July 23rd and 30th
7:00 am – 3:00 pm

Conditions for acceptance: Town of Andes residents only, Transfer Station Permit required, will take tires fitting up to 18 inch wheels, tractor tires must be quartered, rims must be removed.



June 29, 2016

Honorable Wayland Gladstone, Supervisor
Town of Andes
P.O. Box 356
115 Delaware Ave.
Andes, NY 13731

Emily Lloyd.
Commissioner

Re: Recreation on water supply lands - PID# 8346

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

Dear Wayland,

71 Smith Avenue
Kingston, NY 12401
T: (845) 340-7800
F: (845) 334-7175

Thank you for your voicemail on May 24, 2016. I left a few messages on the Town's voicemail trying to return your call. It is my understanding you wanted to discuss the proposed recreational uses on this 32 acre property in which we had proposed opening it as a Public Access Area. While we don't feel opening this property to allow firearms presents a safety concern and is consistent with the watershed communities' desire to open water supply lands, the Town has the opportunity to comment on proposed recreational uses.

If it is the Town's desire to change this proposed use, we ask that a Town resolution be passed to that effect. One option may be to keep it as a Public Access Area but restrict gun hunting for small and big game hunting but allow bow-hunting. This property won't close until the spring of 2017.

Please contact me at (845) 340-7862 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Paul Lenz', with a horizontal line extending to the right.

Paul Lenz
Deputy Chief
Natural Resources Division

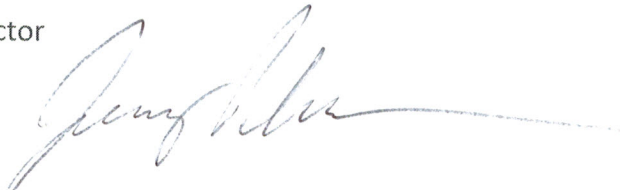
c: Catskill Watershed Corporation Sporting Advisory Committee

7/12/16

Hello Mike,

Here is a quote on the 2009 Case SV212 Dirt Roller we have in the rental fleet. Weekly rate of 1,344.00 and monthly rate of 2,800.00. This unit currently has 1261 hrs on it and has been maintained by Monroe Tractor since it was new. Sale price as of now is 64,500.00. If rented and purchased within 90 days all rent paid will be applied to the purchase. Longer rental terms can be made with a percentage going to the purchase price. Included is a brochure and a copy of the NYS OGS approved Equipment list and rental rates. Please feel free to contact me with any questions.

Thank you,
Monroe Tractor

A handwritten signature in cursive script, appearing to read "Jeremy Palmer", with a long horizontal flourish extending to the right.

Jeremy Palmer

Cell 607 349 5030

accepted.
no delivery if rented for
3 months



497 Fishkill Ave, Beacon, NY 12508 (845) 831-1800 Fax (845) 207-3605

Quote For: TOWN OF ANDES

7/12/16

Attn: MIKE/JUSTIN

Rental Quote

Qty	Equipment	Day	Week	Month	Round Trip Trucking
1	BOMAG BW177 66" DRUM ROLLER			\$3060	\$600
1	BOMAG BW211 84" DRUM ROLLER			\$3500	\$600

Comments:

Terms: Net 30 days

14% fuel surcharge will be applied to all round trip trucking rates.

**ALL RENTALS ARE TO BE PAID IN ADVANCE UNLESS OTHERWISE SPECIFIED
RENTALS SUBJECT TO SALES TAX AND EQUIPMENT AVAILABILITY
QUOTE IS ONLY VALID FOR 30 DAYS FROM DATE ABOVE**

Authorized By: ANDREW REIN

Approved By: ANDREW REIN

Subject **Roller**
From Chris Eaton <chris@amontanoco.com>
To townhwy1@catskill.net <townhwy1@catskill.net>
Date 2016-07-11 09:17

Mike ,
As per our conversation below are the #'s
84" dirt roller- 2,500.00 monthly
66" dirt roller - 2,100.00 monthly
Hauling 300.00 each way
Thank you,
Chris Eaton
A Montano Co.
845-399-3613

Sent from my iPhone

Coalition of Watershed Towns

c/o Delaware County Department of Watershed Affairs

1 Courthouse Square, Suite 3

Delhi, New York 13753

Phone: 607-832-5432, Fax: 607-832-6042

coalitionofwatershedtowns.org

Executive Committee

Anthony Coiro
Hunter Councilman

Ric Coombe
Neversink Councilman

Bruce Dolph
Chairman

Peter Friedel
Olive Councilman

Art Merrill
Colchester Supervisor

Michael McCrary
Jewett Councilman

Mark Tuthill
Delhi Supervisor

Anthony Van Glad
Gilboa Supervisor

Greg Vurckio
Denning Councilman

Bonita Chase - Alternate
Prattsville Councilperson

Diana Cope - Alternate
Margaretville Mayor

Mickey Mullen - Alternate
Neversink Councilman

Donald Murray - Alternate
Windham Councilman

Jake Rosa - Alternate
Middletown Councilman

Maxwell Stryker -
Alternate
Gilboa Councilman

July 8, 2016

Letter to Supervisors in 39 Towns and Villages in the Coalition

Re: Second Supplemental Agreement Among West of Hudson Watershed Stakeholders Concerning the New York City-Funded Flood Buyout Program

Dear Coalition Members,

The Coalition of Watershed Towns ("Coalition") (together with the Counties of Delaware, Ulster, Greene, Schoharie and Sullivan) will be executing the above-referenced agreement (the "Side Agreement") with DEP and various environmental parties. In the Side Agreement, the West of Hudson Parties agree to a modification to DEP's Water Supply Permit to allow DEP to fund the acquisition of improved property as part of a local flood mitigation project. The Watershed Communities refused to consent to this modification unless certain partnership issues associated with the "Watershed Partnership Programs" and "Watershed Rules and Regulations" were addressed as part of the 2017 FAD Renewal. In the Side Agreement, DEP has agreed to address these Partnership Issues in accordance with an agreed upon schedule that will allow for the resolution to be incorporated into the 2017 FAD.

DOH has begun to solicit input from the public and impacted communities regarding the issues that need to be addressed in the 2017 FAD. By this letter, the Coalition is requesting that your Town Board pass the attached resolution in support of the Watershed Communities' position in the 2017 FAD negotiations. The resolution is self-explanatory. If you need more information or want to discuss the programs outlined in the resolution in more detail, please contact Molly Oliver at (607) 746-8914 or email: molly.oliver@co.delaware.ny.us.

On behalf of the Coalition, and in anticipation of your participation, I want to thank you and your Board for your consideration.

Very truly yours,


Bruce Dolph



PO Box 88, 46610 State Hwy 10, Delhi, NY 13753
Phone: 607-746-3080 Fax: 607-746-7896
E-mail: info@heartofthecatskills.org

June 15, 2016

Dear Town Clerk:

Enclosed please find the town DCO contract for the year 2016. This is the same form of agreement between your township and The Humane Society of Central Delaware County, Inc. (d/b/a Heart of the Catskills Humane Society) ("HCHS") that we entered into last year. As in prior years, the principal terms of this agreement state that the township's Dog Control Officer will transport stray dogs to the shelter and transfer the responsibility of care for these animals to HCHS.

I am pleased to advise you that, in spite of the increase in the cost of animal care that the shelter has experienced in recent years, the Directors have decided again not to raise the cost of caring for the animals brought to the shelter on your township's behalf.

It is very important, and would be helpful, if you would;

- Have one copy of the enclosed contract signed on behalf of the town and returned to us. (The other copy is for your records.)
- Provide us with the name and telephone number of your current Dog Control Officer.

It is our pleasure to assist your community with the management of stray and homeless dogs and cats, and we are looking forward to another year of working with you and the town's Dog Control Officer.

Should you have any questions please contact Deb Crute, Director of Shelter Operations, at 607-746-3080.

Sincerely,

Marion Ott,
President
Heart of the Catskills Humane Society

Enclosure: Contract



PO Box 88, 46610 State Hwy 10, Delhi, NY 13753
Phone: 607-746-3080 Fax: 607-746-7896
E-mail: info@heartofthecatskills.org

AGREEMENT

This agreement, made this 15th day of June 2016 between the Town of Andes (the "Town"), in Delaware County, NY, (town) (county) and THE HUMANE SOCIETY OF CENTRAL DELAWARE COUNTY, INC. (d/b/a HEART OF THE CATSKILLS HUMANE SOCIETY) ("HCHS"), in Delhi, NY;

WHEREAS, the Town occasionally has stray or lost dogs and cats that are picked up by its employees;

NOW, THEREFORE, in consideration of the premises and the consideration hereinafter recited, the parties agree as follows:

1. The Town assumes all responsibility for the handling and turning over of any dog or cat to HCHS and agrees to hold harmless and defend HCHS from any and all claims in connection with the picking up and turning over of said animals, and euthanizing of any such animal turned over to HCHS by the Town.
2. In the case where the Town has a holding facility for the handling of stray dogs and cats, the Town will hold such animals for five days before turning over such animals to HCHS on the sixth day.
3. The Town agrees to pay HCHS a fee of forty dollars (\$40.00) for each dog and five dollars (\$5.00) for each cat turned over to HCHS by the Town, its agents or employees.
4. If the Town is not a township in Delaware County, the Town shall also pay an annual contract fee of \$250.00 to HCHS, due upon signing of this agreement.
5. For court ordered holds, or for any animal brought to HCHS in connection with allegations of animal cruelty, the Town will be charged a boarding fee of \$10 per day for each animal (either cat or dog) for the period of time of the hold or, in the case of an animal cruelty case, the period of time before the prosecuting authority notifies HCHS in writing that it does not require the animal to be held in connection with its prosecution, payable by the Town upon receipt of billing from HCHS.
6. HCHS assumes all responsibility for collecting fees from any person who redeems any animal that has been turned over to HCHS by the Town. HCHS assumes all responsibility for collecting impoundment fees from any person who redeems an animal that has been turned over to HCHS by the Town. HCHS will keep all impoundment fees as part of HCHS's \$40.00 fee (as set forth in

paragraph 3 above) and will bill the remainder of that fee to the Town, which fee shall be payable upon receipt of billing from HCHS.

7. The Town shall deliver the animals to HCHS by the Dog Control Officer of the Town, or a duly designated agent or employee of the Town. The Dog Control Officer shall keep a record of all such animals left with HCHS.

8. The Town understands that fees of HCHS are subject to change. HCHS will notify the Town thirty (30) days before any change is to take effect.

9. HCHS agrees to bill the Town for stray animals brought to the shelter by the Dog Control Officer.


10. HCHS agrees to accept, upon payment of the fees mentioned above, any animal brought to it by the Town and to take good care of each such animal as is HCHS's usual practice.


11. Following the expiration of the redemption period as outlined in Article 7 of the New York State Agriculture and Markets Law ("Article 7"), Section 117 (4)&(6), ownership of seized dogs will be transferred to HCHS pursuant to Article 7, Section 117 (7) for the purpose of placing them in adoptive homes, transferring them to the State University of New York, foster care or another approved shelter, or for any other lawful purpose as provided in Article 7, Section 117 (7-a).

12. This agreement may be cancelled upon review of same by the governing body of either party. Each party agrees to give other party thirty (30) days' written notice of cancellation.

The Humane Society of Central Delaware County, Inc.

The Town

By: 
Name: Brent Truitt
Title: Treasurer

By: 
Name: _____
Title: Town Supervisor

Name of Current Dog Control Officer: Jason Mondore
Telephone Number of DCO: 845-676-3786