

Town of Andes
Public Hearing: A local law to override the tax levy limit established in
General Municipal Law 3-c
And 2017 Budgets
November 8th, 2016 at 6:45PM
Andes Town Hall

Present:

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

Councilman Shayne Moshier
Councilman Dale Cole
Town Clerk Kimberly Tosi

Others:

Mike Terry
Merna Popper
Tom Coddington-The Reporter

Ron Guichard
Margery Merzig

Call to Order:

The public hearing was called to order at 6:45PM by Supervisor Gladstone.

Pledge:

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

Public Comment/Questions:

The tax cap was .67% this year. The budget is increasing roughly 2%.

Adjourn:

Motion to adjourn the public hearing made by Councilman Hall, Seconded by Councilman Joyce. All in favor, 6:54PM

**Town of Andes
Regular Monthly Meeting
November 8th, 2016 at 7:00PM
Andes Town Hall**

Call to Order:

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

Approval of Minutes:

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

Privilege of the Floor:

N/A

Reports:

Highway Report

Equipment:

2011 Dodge 2500- replaced right front upper ball joint also replace universal right front axle joint

1999 International- greased and changed the oil and checked the rear end fluid

2009 International- changed oil, filter and greased and changed transfer filter and line

2009 International- changed oil replaced fuel filter and changed air filter

2009 Freightliner- Cole's can extend the frame and put a box on it for \$10,000.

Road Work:

*Changed 2' pipe on Weaver Hollow Road

*Ditched Rich Road and put 11 loads of gravel down

*Moto paved the court parking lot, going to wait until next year to oil and stone.

Respectfully Submitted,

Michael R. McAdams, Highway Superintendent

*The Dodge is back with a new motor.

*A pipe has been installed on one of the roads and the homeowner ran electric through the town's pipe. This is being corrected.

*Discussion took place regarding the purchase/lease of a new loader. A representative met with McAdams and the Highway Committee to discuss the details. McAdams will be contacting John Deere as well to see what kind of programs they offer.

Supervisor's Report

*The week of October 12-19, Highway Superintendent McAdams and the highway crew removed the lawn and paved the court parking lot.

*10/11/2016 I spoke with Artie Short about the light fixtures in the hamlet. All lights are working now. Thank you to Dale Kirby and Ed McKay for their help.

*10/19/2016 I signed the agreement to move forward with the land closing transaction from the Open Space Institute.

*11/3/2016 I sent an email to American Towers in regards to possibly getting some help on cell service.

*11/7/2016 I met with Troy Johnson regarding the 72 hour well test. It will be done in about two weeks.

Committees:

Flood Commission:

The latest public hearing was well attended. The consultants discussed the mitigations ideas and asked for suggestions from community members. There will be another flood commission meeting and public hearing in the near future.

Economic Development:

Small Business Saturday was discussed. It will take place the Saturday after Thanksgiving.

There will be an indoors farmer's market in the yellow room at the Andes Hotel featuring Santa Claus. The businesses will have extended hours. Caroling will also take place. Other discussion included the businesses desire for a comprehensive commercial website.

Other:

Dale Cole discussed another complaint received concerning the Herr Road Cemetery. No one has been able to get to the cemetery to fix the broken headstones yet. This will be address next spring/summer.

Motions:

Motion to approve the September and October Supervisor's Financial Report, Town Clerk's Financial Report, and Justice's Financial Report, made by Councilman Hall, Seconded by Councilman Joyce. All in favor, motion carried.

Motion to authorize Highway Superintendent McAdams to have work done on the 2009 Freightliner by Cole's Truck Parts for \$10,000, made by Councilman Hall, Seconded by Councilman Moshier. All in favor, motion carried.

Motion to authorize the placement of a clothing bin owned by Textile Recovery Services, at the Andes Transfer Station to be managed by Delaware County DPW Solid Waste Director Susan McIntyre, made by Councilman Joyce, Seconded by Councilman Hall. All in favor, motion carried.

*It was suggested that maybe they should contact the school about placing the bin in their parking lot for 24/7 access.

Resolutions:

Resolution 28 of 2016---2016 Winter Bids

Be it resolved that the Town of Andes hereby awards the following bids to Tri-Town Services:

Andes WWTP:

1.) Plowing consists of snow removal of the driveway, parking lot and gate. Snow will be removed prior to 6:30AM. Snow will be removed in front of every overhead door each time the facility is plowed and around the front of the court building. **\$1459.00**

Andes Water District:

1.) Spring Treatment Plant- Plowing to consist of snow removal of the driveway, wide enough for truck deliveries, inside the fence to each building and the gate. Snow removal will be before 6:30AM. Bid per season. **\$509.00**

2.) Pump House- Shovel entrance and steps to the Pump House. **\$189.00**

Town of Andes-

1.) Snow removal on delinquent home owner sidewalks will be at the direction of the Town of Andes C.E.O. or the Town of Andes Supervisor. Delinquent home owner snow removal from sidewalks will be on a per sidewalk basis. **\$14.40**

2.) Snow removal from Veteran's Park (Bohlmann Park) sidewalk, Library sidewalk, and Hamlet bridges prior to 6:30AM **\$1603.00**

Proposed by: Councilman Joyce

Seconded by: Councilman Hall

Roll Call:

Councilman Moshier-----Aye

Councilman Cole-----Aye

Councilman Hall-----Aye

Councilman Joyce-----Aye

Supervisor Gladstone-----Aye

Local Law:

Resolution 29 of 2016 A local law to override the tax levy limit established in General Municipal Law 3-c

In the Matter of Adoption of Local Law entitled "A local law to override the tax levy limit established in General Municipal Law 3-c"

WHEREAS, the Town Board has reviewed and considered the proposed local law; and

WHEREAS, the Local Law was presented to the Town Board at least 10 days prior to the Town Board meeting on November 8, 2016; and

WHEREAS, the public hearing on the proposed local law was held on November 8, 2016 at 6:45PM at the Town Hall; and

WHEREAS, the public hearing was properly noticed in the Town's official newspaper; and

WHEREAS, the Town Board reviewed and considered all public comments received on the proposed Local Law; and

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;

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 the proposed Local Law, attached hereto and made a part hereof, is hereby adopted as a Local Law entitled "A local law to override the tax levy limit established in General Municipal Law 3-c"

IT IS FURTHER RESOLVED, that the Town Clerk and 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 Moshier
Seconded by: Councilman Hall

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

Budget:

Resolution 30 of 2016 Town of Andes Budget, Water District Budget and Sewer District Budget

WHEREAS, the Town Board and the Districts' Board have presented the 2017 Town Budget and 2017 Special Districts Budgets at a Public Hearing held on November 8, 2016 at the Andes Town Hall at 6:45PM; and

WHEREAS, said public hearing and meeting were advertised;

THEREFORE BE IT RESOLVED that the 2017 Town Budget, 2017 Water District Budget, and the 2017 Sewer District Budget are hereby adopted as presented.

Proposed by: Councilman Joyce
Seconded by: Councilman Hall

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

Approval of Bills:

Motion to approve General Warrants #335-366 totaling \$24,700.15

Highway Warrants #271-298 totaling \$62,718.29

WWTP Warrants #135-152 totaling \$32,173.34

Water Warrants #79-85 totaling \$2,107.23

Smart Growth Warrants #26-27 totaling \$893.94, made by Councilman Hall,

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

Districts-

Water-

Margery Merzig gave a presentation regarding the Well Project. She requested a motion to approve the funding to move forward with the project.

Motion to approve the funding for the 72-hour pump test by Titan Drilling, Phoenix Environmental Labs, and Cedarwood Engineering, for \$7500, made by Councilman Cole,
Seconded by Councilman Joyce. All in favor, motion carried.

Sewer-

Adjourn:

Motion to adjourn made by Councilman Hall, Seconded by Councilman Moshier. All in favor,
8:00PM.

Tri-Town Services
Bill Drew / Owner PO Box 484
Andes, NY 13731

PROPOSAL

Phone: (845) 676-3206 Cell: (845) 707- 2203
bdrewtritown@gmail.com

JOB NAME / NO. (WWPT) ANDES
JOB LOCATION

Submitted To Owner: Town of Andes

ARCHITECT	DATE OF PLANS
APPROXIMATE STARTING DATE _____	
APPROXIMATE COMPLETION DATE _____	
THE CONTRACTOR AND OWNER HAVE DETERMINED THAT A DEFINITE COMPLETION DATE:	
<input type="checkbox"/> IS OF THE ESSENCE	<input type="checkbox"/> IS NOT OF THE ESSENCE

"Kim"
PHONE _____ DATE 10/6/2016

We hereby submit specifications for:

#1 WWPT - Plowing AND Shovelng Court
"Bid"
with enlarged parking

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

\$1459.00
dollars (\$)

Payment Schedule:

All advanced funds will be deposited in an escrow account at

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control.

Authorized Signature

Bill Drew

Note: This proposal may be withdrawn by us if not accepted within _____ days.

Acceptance of Proposal - I have read both sides of this document and accept the prices, specifications and conditions stated. I understand that upon signing, this proposal becomes a binding contract. You are authorized to do the work as specified. Payment will be made as outlined above.
NOTICE: You, the Buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See notice of cancellation on back for an explanation of this right.

Signature _____ Date _____ Signature _____ Date _____

Additional Notices to Owner on reverse

PROPOSAL

Phone: (845) 676-3206 Cell: (845) 707- 2203
bdrewtritown@gmail.com

JOB NAME / NO. ANDES WATER DISTRICT
JOB LOCATION SPRING TREATMENT PLANT
ARCHITECT _____ DATE OF PLANS _____

Submitted To Owner: Team of ANDES
(Kim)

PHONE _____ DATE 10/6/2016

APPROXIMATE STARTING DATE _____
APPROXIMATE COMPLETION DATE _____
THE CONTRACTOR AND OWNER HAVE DETERMINED THAT A DEFINITE COMPLETION DATE:
 IS OF THE ESSENCE IS NOT OF THE ESSENCE

We hereby submit specifications for:

#1 Spring Treatment Plant
"BID"

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of :

dollars (\$ 509.00)

Payment Schedule:

All advanced funds will be deposited in an escrow account at _____ Bank

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control.

Authorized Signature Bill Drew

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Signature _____ Date _____ Signature _____ Date _____

PROPOSAL

Phone: (845) 676-3206 Cell: (845) 707- 2203
bdrewtritown@gmail.com

JOB NAME / NO. _____

Submitted To Owner:

Town of Andes
(Km)

JOB LOCATION

ARCHITECT

Pump House

DATE OF PLANS _____

PHONE _____

DATE

10/6/2016

APPROXIMATE STARTING DATE _____

APPROXIMATE COMPLETION DATE _____

THE CONTRACTOR AND OWNER HAVE DETERMINED THAT A DEFINITE COMPLETION DATE:

IS OF THE ESSENCE

IS NOT OF THE ESSENCE

We hereby submit specifications for:

#2
Bio Pump House

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

dollars (\$

189⁰⁰)

Payment Schedule:

All advanced funds will be deposited in an escrow account at _____ Bank.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control.

Authorized Signature

Bill Drew

Note: This proposal may be

withdrawn by us if not accepted within _____ days.

Acceptance of Proposal

- I have read both sides of this document and accept the prices, specifications and conditions stated. I understand that upon signing, this proposal becomes a binding contract. You are authorized to do the work as specified. Payment will be made as outlined above.

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Signature _____

Date _____

Signature _____

Date _____

PROPOSAL

Phone: (845) 676-3206 Cell: (845) 707- 2203
bdrewtritown@gmail.com

JOB NAME / NO. _____

Submitted To Owner

Town of Andes
(Kim)

JOB LOCATION

ARCHITECT

DATE OF PLANS

"Delinquent Walks"

APPROXIMATE STARTING DATE _____

APPROXIMATE COMPLETION DATE _____

THE CONTRACTOR AND OWNER HAVE DETERMINED THAT A DEFINITE COMPLETION DATE:

IS OF THE ESSENCE

IS NOT OF THE ESSENCE

DATE 10/6/2016

We hereby submit specifications for:

"Bid" 1 Delinquent Walks
\$14.40 Per Walk

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of :

dollars (\$ 14.40 per Walk)

Payment Schedule:

All advanced funds will be deposited in an escrow account at _____ Bank

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control.

Authorized Signature

Bill Drew

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Signature _____

Date _____

Signature _____

Date _____

PROPOSAL

Phone: (845) 676-3206 Cell: (845) 707- 2203
bdrewtritown@gmail.com

JOB NAME / NO. _____

Submitted To Owner: Town of Andes

JOB LOCATION: (3) LOCATIONS

ARCHITECT _____

DATE OF PLANS _____

ATT: (Kim)

PHONE _____

DATE _____

APPROXIMATE STARTING DATE _____

APPROXIMATE COMPLETION DATE _____

THE CONTRACTOR AND OWNER HAVE DETERMINED THAT A DEFINITE COMPLETION DATE:

IS OF THE ESSENCE

IS NOT OF THE ESSENCE

We hereby submit specifications for:

#2
SNOW REMOVAL VETERANS PARK
SIDE WALK
LIBRARY WALK SIDES
HAMMILL BRIDGES

Bid \$ 1603.00

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of :

dollars (\$ 1603.00).

Payment Schedule:

All advanced funds will be deposited in an escrow account at _____ Bank.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control.

Authorized Signature _____

Bill Drew

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Signature _____ Date _____ Signature _____ Date _____

Local Law No 2 of the year 2016

Town of Andes County of Delaware

A local law to override the tax levy limit established in General Municipal Law 3-c

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Andes, County of Delaware pursuant to General Municipal Law § 3-c, and to allow the Town of Andes, County of Delaware to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2016 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law § 3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Andes, County of Delaware is hereby authorized to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the limit specified in General Municipal Law, §3-c.

Section 4. 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 any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment 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 judgment or order shall be rendered.

Section 5. Effective date.

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