

**TOWN OF ANDES
TOWN HALL**

**MONTHLY MEETING
PUBLIC HEARING**

**APRIL 13, 2010
12:30 P.M.**

PRESENT:

**Councilman Ritchie Gabriel
Councilman Daniel Grommeck
Councilman Martin Liddle
Councilman Shayne Moshier
Supv. Martin A. Donnelly
Town Clerk Janis L. Jacques
Highway Supt. Michael McAdams
Assessor Tina Moshier
Keough Consulting Marge Merzig**

ALSO:

Peg Ellsworth - M-ark Project

Fred Cubero

CALL TO ORDER:

Supv. Donnelly called the Public Hearing to order at 12:30 P.M..

PLEDGE:

The Pledge of Allegiance was recited lead by Councilman Gabriel.

PUBLIC HEARING:

During the Public Hearing Margery Merzig of Keough Consulting made presentations on behalf of Delaware Opportunities regarding the status of the Small Cities Community Development Block Grant application. The Town is proposing to use the grant to provide a fund to assist low income residents to purchase or renovate homes throughout the Town. A copy of the 2009 Income Limits for Delaware County was reviewed.

MOTION made by Councilman Liddle second by Councilman Moshier to close the Public Hearing.

VOTE: ALL AYE. So carried.

TOWN of ANDES REGULAR MONTHLY MEETING

Town of Andes Highway Report

Michael R. McAdams, Highway Superintendent

April 13, 2010

Equipment:

2009 Int. 6x6 – Oil has been changed, greased

John Deere Grader – Oil changed, hose replaced

Roller- Oil changed , put in new motor mount bolts

Sweeper – oil and transmission fluid changed

Chipper – Motor gone out, will cost \$2,000.00 to fix.

Plows and Wings and Boxes on the trucks are being painted.

1976 Volvo – changed oil

Roads:

We have been sweeping, filling pot holes with cold patch.

We will begin working dirt roads this week. We will be replacing a sluice pipe on Cross Mountain and the Barkaboom.

We have been mowing alongside roads with the tractor.

We will be parking all of our 4 Wheel drive trucks for the summer and use them

As little as possible.

Other:

We have painted a v-plow and will be painting "Town of Andes" on it, and put it out by our New building.

They have sealed around the doors in the new building. The windows have been leaking and

They will be coming to fix them.

The winter plowing paperwork will be turned in this week.

The sensors to the fuel tanks have been fixed. The fuel tanks from the other highway building will need leak sensors before the Town gets fined.

The Highway Superintendent is in charge of his highway employees, highway equipment and the town roads, not the Superintendent or the Town Board.


One of the highway employees was paid a week's pay that he was not entitled to.

The C-2 and the C-3's have been turned in.

I have not entered into any contract with any contractor without the consent of the Town Board.

FYI – In my 8+ years as Highway Superintendent I have continuously strived to do my best to serve the people in the Town of Andes. I have done my best to stay in the confines of my budget, even though as prices go up, my budget goes down, as has my pay. I am the only one that got a pay cut in the Town. I have not, nor have I ever, been paid for any FEMA paperwork that I have done. I have always made myself accessible to the residents of the Town of Andes, as well as the Town Superintendent and the Andes Town Board. To get a letter from the Town Attorney as well as a Certified letter from the Town Superintendent with the Town minutes highlighted, bashing me, without even a call from any of them was absolutely uncalled for! The Town Board meeting is not one of the requirements of my job, and if I have something that needs to be done, I will not be here. Even though the building has changed, my number has not. It is illegal to take highway funds and transfer it to the General Fund.

Respectfully Submitted,


Michael R. McAdams

Highway Superintendent

PRIVILEGE OF THE FLOOR - Peg Ellsworth - M-ark Project

Ms. Ellsworth gave an update on some Grants that the M-ark Project will be and hope to be applying for. Ms. Ellsworth will return to advise us of the Grants that our Town will be included in.

UPDATE ON THE POOL - Joseph Grieco - Pool Project Overseer

April 12, 2010

Dear Supervisor Donnelly and Councilmen:

As you know, I'm not able to be at the April 2010 Town Board Meeting. I will be in Pittsburgh, Pennsylvania as my daughter Lucy will be having a specialized surgery at the Alleghany General Hospital.

The Renovation of the Municipal Pool is moving rapidly forward. The RenoSys Corporation welders completed installing the stainless steel skirt to the new stainless steel gutter system on Saturday, April 10th. The two man crew did an excellent job welding and I did sign off on the installation of the liner skirts. The skirts were installed in the manner described in the drawings of the contracted work. This will probably cause a payment to RenoSys when they have the opportunity to bill us. The exciting part now is that the preparation for the liner will probably begin on Monday, the 12th of April. The 'liner crew' was not supposed to be in Andes until after the 21st. However the Project Manager for RenoSys telephoned me on Thursday, April 8th, and said the crew could be in Andes due to a contract change elsewhere. Although I specifically wanted to be in attendance during the preparation and installation of the liner, I feel confident all will go well and that it will insure the opening of the Municipal Pool this season. Chet Smith, the Project Manager from RenoSys Corporation and I will be in contact by cell phone. Artie Short will be my 'eyes' while I'm away and also will contact me with any issues so that I can have a 'hand' in resolving the issue. Again, I feel confident the process of preparing the pool for the liner and the installation of the liner will move forward with little or no issues.

March 19, 2010

COPY FOR YOUR
INFORMATION

Mr. Frank Winkler, Chair
Andes Town Planning Board
PO Box
Andes, New York 13731

Dear Frank and Board Members,

I am writing this letter to express my concern over what I think is fast becoming a grave issue in the former Village. Being interested in Andes history and architecture, I have been watching with dismay the changes that have been occurring to the residential and business buildings in the hamlet.

Almost 30 years ago the Andes Society for History and Culture spent many hours researching, cataloguing and photographing buildings as well as interviewing homeowners so that the Village of Andes could be placed on the State and Federal Register of Historic Places. At the time this was accomplished, Andes village had the largest contiguous number of pre-1920 homes (homes adjoining each other in their unaltered, period condition) in the state. Along with this designation came the responsibility of preserving the pre-1920 appearance of the homes within this district, a responsibility that was assumed by the Village Planning Board and, I believe, is now under the auspices of the Town Planning Board.

In the past several years changes have been allowed to be made to our historic homes and business places which, in my opinion, are not historic and dramatically alter the exterior appearances of the buildings. Examples are: the application of vinyl siding and hugely inappropriate deck to the former Linda Barrett apartment house on Main Street; the application of vinyl siding and replacement windows in the former post office building which, as I predicted, has become an unsightly dirty brown box; and the gutting and change of use of the former Emerson house (a Sears kit house from the 1920's), now the Blink Gallery.

This year alone has seen the complete overhaul of the former Jeanette Weaver store building which is the oldest surviving business place in the hamlet, with windows being boarded up and inappropriate replacement windows being added; the former Laura Laing home, one of the oldest residences (and relatively intact) in Andes dating to the 1820's being gutted and allowed to sit empty; the former Bob Miller house also being dramatically altered—already the replacement windows have been installed and the wonderful multi-paned 1830's sidelights surrounding the front door replaced with modern vinyl imitations; and, probably the worst and most visible, the complete and dramatic remodeling of the former Dale Cole house on Lower Main. Although not an architecturally significant building, it was, nonetheless, an 1830's building, which, if sensitively redone, could have greatly improved the appearance of the neighborhood as

did the restored Mary Davis, JoAnn Warner, Rima Walker, former Alksne and former Vince Strebee residences. What sits there now is a box with oversized windows, no second floor windows, yet to be seen siding and a totally inappropriate replacement roof which never would have existed anytime in the house's long history.

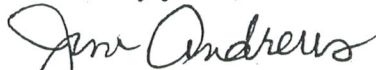
I worry about the future of the Martha Campbell house (one of Andes' most striking residences) and of the former Cantina building, another unique and irreplaceable Andes landmark. Both of these buildings are currently vulnerable with the Cantina building having changed hands and Martha Campbell having recently passed away.

The pre-1920 charm of the community is a major reason for the influx of tourists and the revitalization of Main Street. I see many of these tourists taking pictures of Andes. What buildings are they photographing?--Paisley's, the former Village Fire Hall and the Cantina building. Certainly not the old post office or Blink!

The Village of Cooperstown, whose main reason for existence was and is tourism, was faced with the alteration of their village appearance many years ago and wisely organized a review committee to investigate and approve any exterior changes to any building within the village limits. While this committee has drawn criticism, its actions have ensured the period look of their community, a community that continues to draw huge numbers of tourists annually.

The Board of Directors of the Andes Society for History and Culture, an organization which has spent collectively close to one million dollars to restore and preserve The Hunting Tavern, the Old Village Fire Hall and the Pleasant Valley Meeting House, joins me in urging the Planning Board to more closely investigate the changes being proposed to any of our buildings and to strive to maintain and preserve the architectural heritage that has been left to us. Once this heritage is gone, it can never be replaced and the Andes that we all work to support will be gone forever.

Sincerely yours,


Jim Andrews

Cc: Andes Town Board

FROM THE SUPERVISOR:

1. FEMA has advised Supt. McAdams { letter dated 3-1-2010 } that all work on DR1650 *must* be finished prior to July 7, 2010. Marge Merzig has requested a meeting with Supt. McAdams in order to go over the FEMA projects that need to be completed.
2. We received a letter from Roshan Houshmand requesting that we support the Arts in Andes.
3. Work is continuing on our pool. We hope to have it open this year.
4. **WATCH FOR THE DATE:** Main Street, Lower Main Street and Delaware Ave. will be swept the 1st or 2nd week of May. **ALL CARS MUST BE OFF THE STREET - NO PARKING OVER NIGHT.** Watch for posters with the exact date.
5. Our next Regular Monthly Town Board Meeting will be on May 11th at Town Hall. @ **7:30 P.M.**
6. On March 24th the N.Y.S. Dept. of Ag & Markets inspected the holding facilities & records of our Dog Control Officer - Edward Weber. All passed with no problems.

DISTRICTS:

1. We have sold the " Nicolazzi " house. The new owner will be taking possession this week.
2. Letter to Linda Jones - from Shane Boice WWTP regarding the waste line.

ATTACHED

Respectfully submitted,

Martin A. Donnelly
Town of Andes Supervisor

MOTIONS:

MOTION made by Councilman Moshier second by Councilman Grommeck to have the Town Clerk advise Bloomville Disposal that the Town of Andes will no longer be needing their services as of April 30, 2010.

VOTE: ALL AYE. So carried.

MOTION made by Councilman Moshier second by Councilman Liddle to file the 2010 Agreement To Expend Highway Money - as amended.

VOTE: ALL AYE. So carried.

{ On file }

RES. # 30 AUTHORIZATION TO FILE SMALL CITIES BLOCK

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GRANT

WHEREAS, the Housing and Community Development Act of 1977, as amended authorizes making federal grant funds to eligible units of government for the purpose of carrying out programs developed so as to give maximum feasible priority to activities which will benefit low and moderate income families or prevent or eliminate slums or blights; and

WHEREAS, the Town of Andes has been invited by the New York State Office of Community Renewal to submit an application for funding for an eligible project or activities which meet the community development needs of the Town; and

WHEREAS, the Town Council of the Town of Andes deems it to be necessary and in the public interest to apply for a single purpose grant program under the New York State Small Cities Community Development program to pursue certain ongoing community development activities relating to housing rehabilitation; and

WHEREAS, the Housing and Community Development Act of 1977, as amended, and the New York State Office of Community Renewal require the municipality to give certain assurances with respect to the acceptance of community development funds.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Andes as follows:

SECTION I The filing of an application by the Town of Andes for Small Cities CDBG funds in the amount of \$400,000 and the same be hereby approved.

SECTION II The Town Supervisor, as Chief Executive Officer, is hereby authorized and directed to:

- (a) File said application with the New York State Office of Community Renewal; and
- (b) Serve as the authorized representative of the Town of Andes in connection with the application and to provide such additional information as may be required.

SECTION III The Governor of New York , the Secretary of HUD, and all and other interested parties be and are hereby assured of full compliance by the Town of Andes with the assurances attached hereto and made a part hereof.

SECTION IV That upon approval of the Small Cities CDBG funding application, the Town Supervisor be and is hereby authorized and empowered on behalf of the Town of Andes to execute same.

SECTION V This resolution shall take effect immediately.

Proposed by Councilman Moshier

Second by Councilman Liddle

ROLL CALL:

Councilman Gabriel-----AYE

Councilman Grommeck--AYE

Councilman Liddle-----AYE

Councilman Moshier-----AYE

Supv. Donnelly-----AYE

VOTE: ALL AYE. So carried

LOCAL LAW NO. ____1____, YEAR 2010

A Local Law to establish and impose fines for failing to properly handle defecation by dogs or cats.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ANDES, as follows:

(a) Any person who is the owner, keeper, harbinger, person in charge of or person walking a dog within the Hamlet of Andes {the former Village of Andes} shall immediately pick up any feces expelled by such dog on any property, the owner of which has not given permission therefore, including public property, and deposit them in a container lawfully used for the disposal of refuse. In no event shall any feces be deposited in sewers or drains, whether storm or sanitary.

In the same manner, any person who is the owner, keeper, harbinger or person in charge of a cat within the Hamlet of Andes { the former Village of Andes } shall immediately pick up any feces expelled by such cat on any property, the owner of which has not given permission therefore, including public property, and deposit them in a container lawfully used for the disposal of refuse. In no event shall any feces be deposited in sewers or drains, whether storm or sanitary.

(b) It shall be the duty of each person in control of a dog or cat on any property, the owner of which has not given permission therefore, including public property, to be in possession of materials or equipment to remove feces left by a such dog or cat.

(c.) In the event a person in control of a dog or cat on any property, the owner of which has not given permission therefore, including public property, is observed to fail to remove feces in the manner described above, such observer may lodge a complaint with the animal control officer of the Town. (d) Violation of this section is unlawful and any violation shall be punishable upon conviction by a fine of not less than \$50.00 or more than \$500.00. Each act in contravention of this section is a separate offense.

(e) Any unpaid assessment shall represent a lien on the property to the same extent and the same as the real property tax.

(f) - Severability

If any clause, sentence, subdivision, paragraph, section or part of this local law shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part thereof directly involved in the controversy in which judgment shall be rendered.

(g) Effective date_

This local law shall take effect immediately upon it being enacted in the filing of a certified copy hereof as required by law.

Proposed by Councilman Moshier Second by Councilman Liddle

ROLL CALL:

Councilman Gabriel-----AYE

Councilman Grommeck--AYE

Councilman Liddle-----AYE

Councilman Moshier----AYE

Supv. Donnelly-----AYE

VOTE: ALL AYE. So carried.

MINUTES:

MOTION made by Councilman Liddle second by Councilman Grommeck to approve the minutes.

VOTE: ALL AYE. So carried.

REPORTS:

MOTION made by Councilman Moshier second by Councilman Liddle to approve the following Reports:

March Town Board Bookkeepers Financial Report, March Town Clerks Financial Report, March Justice Report, March Building Insp. Report and D.C.O. Reports.

VOTE: ALL AYE. So carried.

WARRANTS:

MOTION made by Councilman Moshier second by Councilman Liddle to approve the following Warrants:

GENERAL	#95-#126	\$11,556.32
HIGHWAY	#52-#85	23,890.89
WATER DIST.	#10-#13	713.73
WWTP	#46-#69	41,514.46
NEW HWY. GARAGE	#7-#8	2,945.00
WATER GRANT	#1-#3	33,514.86

VOTE:

ALL AYE. So carried.

EXECUTIVE SESSION:

MOTION made by Councilman Grommeck second by Councilman Gabriel to enter Executive Session.

VOTE: ALL AYE. So carried.

TIME: 2:00 P.M.

PURPOSE: Legal

MOTION made by Councilman Liddle second by Councilman Grommeck to exit Executive Session.

VOTE: ALL AYE. So carried.

TIME: 2:30 P.M.

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
April 13, 2010**

1. **Water System**
 - Daily usage of treated water from the water system averaged 16,700 gallons per day for the month of March 2010.
2. **Plant Purchases**
3. **O&M**
4. **Equipment**
 - We are getting prices to replace two inoperable curb stops.
 - The carbon filter at the Well House is beginning to leak (this is a pressurized tank). Delaware will be getting prices to replace the both the carbon filter tank and the chlorine contact tank since both are the same age and made of steel.
5. **Spring House Upgrade**
 - Work began on April 7th.

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
April 13, 2010

1. **WWTP Plant**
 - Plant effluent flows averaged 42,500 gallons per day for the month of March 2010.

2. **SPDES Compliance/NYSDEC, NYCDEP**
 - The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for March 2010 did meet all parameters. On March 14th a portion of the flow was bypassed around the micro units due to heavy rain and snowmelt. A BOD violation also occurred from bypassing around the micro units. See attached sheet.

3. **Collection System**
 - High Street is being maintained as required.
 - TV camera work will begin on the marked sewer laterals for I & I (inflow and infiltration) investigation.

4. **Plant Purchases.**

5. **Plant O&M**

6. **Plant Equipment**
 - On March 23rd the cutter stack assembly for the Muffin Monster (influent grinder) was sent back to the factory for warranty repair.

7. **Gladstone Hollow Septic Tanks**
 - The 15 septic tanks on the Gladstone Hollow System need risers installed at grade level on the influent end for routine pumping. The effluent end has a riser at grade level.

MOTION made by Councilman Liddle second by Councilman Grommeck to ADJOURN.

VOTE: ALL AYE. So carried.

TIME: 2:40 P.M.

Janis L. Jacques
Andes Town Clerk

Grays Moder

Handwritten signatures and initials, including "TC" and "Muffin Monster".

Delaware Operations Inc.

Andes Wastewater Treatment Plant Storm Event Report.

On March 14, 2010 the Andes wastewater facility started receiving high influent flows due to snow melt from heavy rains over night. At 9:30 AM the SBR's reached 11.9 feet (at 12 feet the units go into storm mode). Operating staff was able to temporarily keep up with flows by using drop-in pumps to lower the levels in the SBR's during the last 30 minutes of the settle phase and through the decant phase of their operation modes. Had this not been done the SBR's would have eventually shut down (aeration and wasting ceases, the units decant in an attempt to lower their levels) due to high level. The two post equalization pumps were placed in manual mode to help "push" water to the sand and micro filters. Had the operator's not placed these pumps in manual mode the post EQ would have eventually reach high level, which in turn would shut down the SBR's completely (decanting would cease).

The problem of trying to maintain a workable level in the SBR's was compounded by the amount of reject and backwash flows from the sand and microfilters also the sludge blanket began to increase. If the sludge blanket increased too much solids would be carried out during the decant phase eventually causing the shut down of the microfilters. In an attempt to prevent solids washout additional chemical was added to the SBR prior to the settle phase. This helped for a short period of time however the blankets continued to increase due to hydraulic overloading. At approximately 5 PM I, John Moffett, made the decision to by-pass a portion of the flow around one micro-filter unit to decrease the amount of backwash flow. Keep in mind that as we increase flow to the SBR's it also increases the frequency at which the micro-filters backwash (each unit backwashes after every 1200 gallons treated). At the time the by-pass was started both UV light banks were turned on and was continued until the by-pass was stopped.

At 7:30 PM composite (24 hour) sampling of both the influent and effluent was started and all daily permit parameters will be tested.

With the SBR levels stabilized for two hours, at 1:10 AM (3-15-10) the by-pass of the micro-filters was terminated. Both UV units were operated until the effluent turbidity fell below .5 NTU. The highest effluent turbidity observed by our staff was 1.3 NTU, however the computer-generated report may show a different result (that report will not be available until 7 AM).

At 2:00 AM with the facility stabilized and operating in automatic mode we went home having personnel scheduled to be in at 6:30 AM.

John Moffett
Technical Director

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Date: March 19, 2010

1:30 PM

Complainant: Linda Jones
65 Main Street

Complaint: Sewage backing up in house.

Action: Advised Ms. Jones to contact a plumber. The backups are occurring due to the elevation of the house plumbing being slightly lower than where the line leaves the house.

After reviewing the drawings for sewer lateral connections all laterals (sewer line from a house to the sewer main) were connected outside to the existing sewer piping that left the residence maintaining elevation drop to allow for proper flow to the sewer main. The Town is responsible for maintaining laterals from the property line to the sewer main.

On March 4, 2009 Ms. Jones contacted the Sewer Department stating her sewer line was frozen. I contacted Jim Barrett to unfreeze the line because I was out of Town. Jim found the line plugged not frozen due to the elevation of the house plumbing being slightly lower than where the line leaves the house.

Jim contacted Art Short (Town of Andes Code Enforcement) to show him why the sewer line plugged. They advised Ms. Jones of the plumbing issue in her house and that the sewer line would most likely plug again.

Sincerely,

Shane Boice
Andes WWTP

Cc; Martin Donnelly
Art Short