

TOWN OF ANDES MONTHLY TOWN MEETING AUG. 9, 2011
TOWN HALL 7:30 P.M.

PRESENT:

Councilman Gabriel
Councilman Grommeck
Councilman Liddle
Councilman Moshier-----Absent & excused
Supv. Donnelly
Town Clerk Janis L. Jacques
Andes Planning Bd. Chairman Frank Winkler
Highway Supt. Michael McAdams
Keough Consulting Marge Merzig

ALSO:

Terri Hannum {*Delaware County Times*} * Pauline Liu {*Cat. Mt. News*}
Robert Lidsky Bev Travis Steve Berg
Tom Hall Merna Popper Bill Feldman
Mary Davis Larry Breakstone Karen Levey
Suzanne Gladstone Bud Gladstone Kimberly Tosi
Diane Maze David Copps Michael Passafiume
Ann Roberti Lisa Harris
Carol O'Brien - Director Cat. Center for Cons. & Development

CALL TO ORDER:

Supv. Donnelly called the meeting to order at 7:30 P.M..

PLEDGE:

The Pledge of Allegiance was recited lead by Councilman Gabriel.

HIGHWAY SUPT. REPORT:

The Highway Report was filed by Highway Supt. McAdams and read by Councilman Liddle.

Highway Report 7/13/11 –8/9/11Equipment

2009 INT 4x4 – Replaced two broken studs

2004 INT 4x4 – Will be taken to Zwack Inc. by the County DPW this month to repair Insurance work from last winter.

2000 INT – Changed left front rear wheel seal 157,641 miles

1999 INT – Greased, checked fluids, replaced Carrier bearing, noticed a noise in rear of truck we are going to drain both rears and checked fluid for any metal pilings. 171,122 miles

All equipment has been greased and fluids have been checked on a regular basis.

2005 JD Backhoe – Replaced O-ring in hydraulic hose

1984 Case Roller – Replaced Vibratory switch, Changed emergency brake shoes, Changed oil and checked all fluids, Installed new battery

1994 Morbark Chipper – Replaced Left side tire

Roads Worked

Felton Road – Robert JD Grader, Dale Roller 7/14/11

Brower Hill – Charlie Cat Grader 7/14/11

Deer lick Road – Charlie Cat Grader 7/18/11

Post Road – Charlie Cat Grader 7/19/11

Conklin road – Charlie Cat Grader 7/19/11

Weidick Road – Ditched entire road 7/25/11

Upper/Lower Dingle Hill Road/ Ridge Road – Roger JD Grader, Charlie JD Loader - Ditched entire road. Hauled ditching to fill in bank along road above Schummefels and to various landowners 8/4/11

Lower Dingle Hill Road - Roger JD Grader – Added 6 Loads Gravel from above Frank Winklers driveway down the hill

Wedemeyer Road – Ditched entire road – 8/1/11

Little Dingle Hill – Ditched from entrance off Dingle Hill to top of hill above Becker's 8/8/11

New Culverts

Bush Hill Road – 18" x 40' Plastic Culvert and 4" Drainage pipe First pipe up off city road
7/19/11

Bush Hill Road – 2' x 25' Plastic Culvert below Ridders Driveway about 100 yard 7/20/11

Bush Hill Road – 3' x 25' Plastic Culvert just above Ridders driveway 7/26/11

Upper Dingle Hill road – 3' x 10' Plastic culvert extended existing culvert above Schummefels
where bank gave way 8/3/11

Road Mowing

Beech Hill Road – Dan – Mowed Grass and Brush from town line to Weaver Ave. 8/1/11

Weaver Avenue – Dan - Mowed Grass and Brush along road 8/1/11

Other

I have attached the final close out letter releasing the Town of Andes from any obligations
pertaining to the Delancey Pit from the DEC.

The Delhi Village DPW was in the Hamlet August 2 with their Street sweeper cleaning Main
Street. I would like to thank Marty Donnelly for setting this up.

I would like to thank Councilman Gabriel for going with me August 4. We looked at all the sites
Delaware bulldozing is giving us an estimate for. As soon I get these I will go over everything
with my Highway committee.

Respectfully Submitted,

Michael McAdams

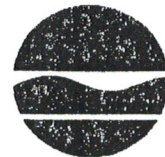
276 New York State Department of Environmental Conservation

Division of Mineral Resources, Region 4

1130 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2162 • Fax: (518) 357-2460

Website: www.dec.ny.gov



Joe Martens
Commissioner

Sent via email to Brad Darling (townhwy1@catskill.net)

July 18, 2011

Mr. Brad Darling
Deputy Highway Superintendent
Town of Andes
Box 246, Main Street
Andes, New York 13731

RE: Gielskie / Black River Road Pit
Aka Hamden-Gielskie Pit
MLF# 40686
DEC ID# 4-1234-00044/00001
Hamden (T), Delaware County

Dear Mr. Darling:

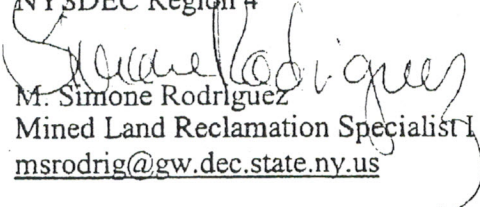
The NYSDEC Division of Mineral Resources conducted a final reclamation inspection of the Gielskie / Black River Road Pit located off Black River Road in the Town of Hamden in Delaware County on July 13, 2011. During the inspection, it was determined that the mine and all affected lands made part of the MLF# 40686 were successfully reclaimed to an overall 75% vegetative coverage.

You are hereby released from all obligations as described in Section 423.3 of the Rules and Regulations governing the New York State Mined Land Reclamation Program as they apply to the reclamation of the above-referenced mine.

This permit and file have been terminated and placed in our inactive files. It was my pleasure to have met you and your participation in and cooperation with the New York State Mined Land Reclamation Program was greatly appreciated.

Please do not hesitate to contact me at (518) 357-2254 if you have any questions or need additional information.

Sincerely,
NYSDEC Region 4


M. Simone Rodriguez
Mined Land Reclamation Specialist I
mstrodrig@gw.dec.state.ny.us

Cc: Mr. Carl Wenner, 6379 State Highway 28, Fly Creek, New York, 13337
NYSDEC R4 - Environmental Permits
Inactive File 40686



ENGINEERING DIVISION

Stormwater Compliance Field Report

Project		Report	
SubProjectLog #:	2008-PE-0291-SP.1	Date:	7/26/2011
Name:	Town of Andes Highway Garage	Observer:	Abramshe, Diana
Address:	3760 County Highway 1	Weather:	Sunny
Town:	Town of Andes	Temp:	75
County:	Delaware	Proj Rep:	Mike O'Reilly
Basin:	Pepacton		

ITEM	RATING	COMMENTS
Haybales	NA	
SiltFence	NA	
SedimentTraps	NA	
Swales	I	
ConstructionEnt	S	
Stabilization	S	
Basins	S	
Mulching	S	
SoilStockpile	I	
VelocityDissipator	I	
StoneCheckDam	S	
DischargeQuality	NA	

Ratings codes: S=Satisfactory, U=Unsatisfactory, M=Marginal, NA=Not Applicable, I=Improved

Project History

DEP performed a site visit on 07/26/2011. There were no deficiencies. There was no discharge. The site was occupied.

Construction Progress

Construction has been completed.

Observations

The diversion swales along the south side of the project site have been extended past the crest of the hill and have been stabilized with stone. The area along the south side of the entrance has been stabilized with a stone check dam and the area where this flow enters the diversion swale has been armored with riprap. The large stockpile at the top of the hill has been reduced in size and silt fence has been installed around it.

PRIVILEGE OF THE FLOOR:

**Carol O'Brien - Executive Director & Chair -
Catskill Center for Conservation & Development**

**Ms. O'Brien gave an overview of the Catskill Center for Conservation
& Development and also provided an update.**

{ BOTH ARE ATTACHED }

Robert Lidsky -- Home Rule

**Mr. Lidsky spoke against horizontal drilling and about the importance
of Andes exercising its Home Rule option to protect against
development of horizontal drilling in the Town.**

**Mr. Lidsky requested - " A Town-wide survey or referendum on the
question of prohibiting such drilling. Also, a Comprehensive Plan and
Zoning Law to exclude drilling."**

FROM THE SUPERVISOR:

- 1. The Town Court roof is leaking very badly. Councilman Gabriel went to check the situation and had a tarp put on it, by Weathertite, in order to stop the leaks.**
- 2. We continue to explore the *shared services court* option which included Bovina, Delhi & Andes. Bovina & Andes have an agreement in principal.**
- 3. There will be a natural gas drilling forum, open to the public, to be held on Friday - Aug. 19th @ Andes Central School @ 7:00 P.M.. Speakers will have three minutes to speak and / or ask questions. The forum speaker is from U.S.G.S. in Utica, N.Y..**
- 4. There was a Calico Project { Smart Growth } meeting held on Aug. 8th.**
- 5. Main St., Del. Ave. and Lower Main St. were swept on Aug. 2nd @ 4:00 A.M. - in order to create as little inconvenience as possible. Signs were put around town and I also put notes on the windshields of every vehicle in the Hamlet that is usually parked on the street. Some I even put two notes on. Everyone complied in order for the sweeper to do his job except two owners. I have written to both of them regarding this. Delaware County Sheriff, Tom Mills, has suggested a Local Law that would allow violators to be ticketed, fined and towed away, at their own expense, in the future.**
- 6. I would like your permission to sign the Hazard Mitigation Agreement - if Andes Fire Chief - Joseph Berghammer agrees with the wording. If we do not sign this or an amended one, we will no longer be covered by F.E.M.A..**
- 7. The Andes Town Board, the D.E.P. and I are being sued, in an Article 78 hearing, by Paula Nelson. Town of Andes Attorney, David Merzig, will represent the Town Board and myself on August 26th.**

8. Marge Merzig, Keough Consulting, has prepared a *possible* Hydro Fracking Local Law for our Town Board to look at, question or give their opinions on.

9. Remember - Tuesday, Sept. 13th is the Republican Primary. This will be held in both Districts Noon to 9:00 P.M..

10. We have had another very successful Arts & Crafts Program thanks to JoAnn Boerner - the Director.

Respectfully submitted,
Martin A. Donnelly
Town of Andes Supervisor

FROM THE TOWN CLERK:

1. Town, County & State Reports have been filed for the month of July.

2. The Oath of Office, for the Justice Court Clerk, has been administered and filed with the County.

3. We will be starting our 2012 Budget process soon.

4. Our office is pretty much set for the Fall D.E.C.A.L.'s licenses EXCEPT - Albany is STILL in the process of printing the books!

5. The contracts for the Stormwater Improvement Projects have been signed, sealed & sent back to LaMonte Engineers.

6. Our office continues to keep up with all the many new mandates from Albany.

Respectfully submitted,

Janis L. Jacques
Town of Andes - Town Clerk

MOTIONS:

MOTION made by Councilman Liddle second by Councilman Gabriel to hold a public forum, regarding natural gas drilling, on Friday - August 19th @ 7:00 P.M. @ Andes Central School. Speakers will have three minutes to speak and / or ask questions.

{ The forum speaker is from the U.S.G.S. in Utica, N.Y.. }

VOTE: AYE - 3 / 1 - ABSTAIN. So carried.

MOTION made by Councilman Gabriel second by Councilman Liddle to have the Sept. 2011 Town Board Meeting on Thursday - Sept. 15th @ 7:30 P.M. @ Town Hall.

{ Due to the Republican Primary on Tuesday - Sept. 13th }

VOTE: ALL AYE. So carried.

MOTION made by Councilman Liddle second by Councilman Gabriel to approve Sally O'Neill's request to have a Town - Wide lawn sale on Sat. - Sept. 10th.

VOTE: ALL AYE,. So carried.

MOTION made by Councilman Liddle second by Councilman Grommeck to authorize Supv. Donnelly sign the F.E.M.A. audit contract with Gruver, Zweifel & Scott, LLP.

VOTE: ALL AYE. So carried.

MOTION made by Councilman Grommeck second by Councilman Liddle to authorize Supv. Donnelly sign the Hazard Mitigation Agreement.

VOTE: ALL AYE. So carried.

RESOLUTIONS:

**RES. #36 AGREEMENT TO SUPPORT THE DELAWARE COUNTY
ELECTRIC CO-OP'S APPLICATION TO THE
DELAWARE WATERSHED STREAM MANAGEMENT
GRANT PROGRAM FOR FUNDING OF STREAM
STABILIZATION PROJECT**

WHEREAS; the Town of Andes has adopted the East Branch Stream Management Plan; and

WHEREAS; the Delaware County Co-op has identified a project to address a flood hazard, stream erosion, and its associated this to an electric distribution pole near Lower Dingle Hill Road; and

WHEREAS; the NYCDEP has made funding available for the Delaware Watershed Stream Management Grant Program for Delaware County municipalities that have adopted the East Branch Stream Management Plan; and

WHEREAS; the Delaware County Electric Co-op made a preliminary application to the Delaware Watershed Stream Management Grant Program for the project located near Lower Dingle Hill Road in the Town of Andes; and

WHEREAS; the preliminary application submitted to the Delaware Watershed Management Grant Program by the Delaware County Electric Co-op was approved in order to proceed with the formal application;

THEREFORE BE IT RESOLVED; that the Andes Town Board recognizes and supports the Delaware County Electric Co-op's application to the Delaware Watershed Stream Management Grant Program.

Proposed by Councilman Gabriel Second by Councilman Liddle

ROLL CALL:

Councilman Gabriel-----AYE	Councilman Grommeck--AYE
Councilman Liddle----- AYE	Councilman Moshier-----Absent
Supv. Donnelly-----AYE	

VOTE: 4 - AYE / 1 - ABSENT. So carried.

MINUTES:

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

VOTE: ALL AYE. So carried.

REPORTS:

MOTION made by Councilman Liddle second by Councilman Grommeck to approve the following reports: Town Board Bookkeepers Financial Report, Town Clerks Financial Report, Tax Collectors Financial Report, Building Dept. Financial Report, Justices Financial Report, Z.B.A. Financial Report, D.C.O. Report and Highway Report.

VOTE: ALL AYE. So carried.

WARRANTS:

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

GENERAL	#217-#246	\$14,272.40
HIGHWAY	#141-#156	19,417.11
FEMA	#7-ONLY	1,952.36
WATER DIST.	#50-#57	1,735.19
W.W.T.P. DIST.	#129-#147	34,614.07
SHAVERTOWN CEM.	#4-ONLY	404.6

VOTE: ALL AYE. So carried.

EXECUTIVE SESSION:

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

VOTE: ALL AYE.

TIME: 8:11 P.M.

REASON: LEGAL

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

VOTE: ALL AYE..

TIME: 8:28 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
August 9, 2011**

1. Water System

- Daily usage of treated water from the water system averaged 18,470 gallons per day for the month of July 2011.

2. Plant Purchases

3. O&M

4. Equipment

- On July 5th plant staff changed 1st and 2nd stage filter cartridges.

5. Distribution System

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
August 9, 2011**

1. WWTP Plant

- Plant effluent flows averaged 20,000 gallons per day for the month of July 2011.

2. SPDES Compliance/NYSDEC, NYCDEP

- The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for July 2011 did not meet all parameters. The effluent temperature has exceeded 21 degrees Celsius since July 12th. On July 6th there was a TSS percent removal violation due to a weak influent sample.

3. Collection System

- High Street is being maintained as required.

4. Plant Purchases.

5. Plant O&M

6. Plant Equipment.

- On July 2nd Micro unit #2 broke a fitting and water ended up in the electric cabinet shorting out the machines transformer. Plastic has been wrapped around both micro filtration units to prevent water from spraying when fittings break.

7. Gladstone Hollow Septic System

DISTRICTS:

MOTION made by Mr. Liddle second by Mr. Grommeck to cancel Water & Sewer fees, as of July 2011, for the rear building at 173 Main Street as the extensions have been denied.

VOTE: ALL AYE.

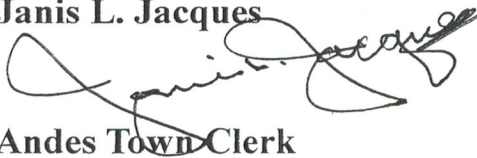
ADJOURN:

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

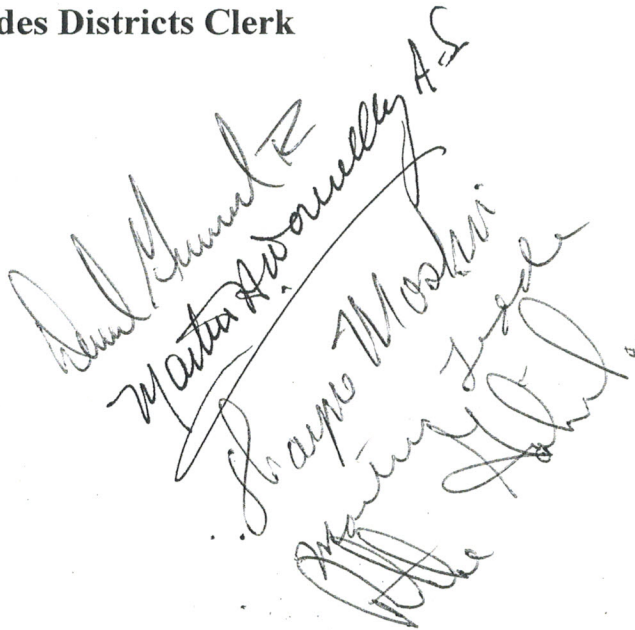
VOTE: ALL AYE. So carried.

TIME: 8:35P.M.

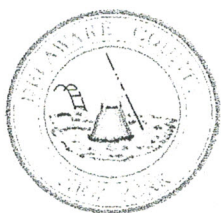
Janis L. Jacques



**Andes Town Clerk
Andes Districts Clerk**



Handwritten signatures of council members, including names like "Marta A. ...", "James ...", and "Al ...".



DELAWARE COUNTY STREAM CORRIDOR MANAGEMENT PROGRAM

A Cooperative Program
 Delaware County Soil and Water Conservation District
 New York City Department of Environmental Protection
 Delaware County Planning Department



The Delaware County Stream Corridor Management Program: An Overview

The Delaware County Stream Corridor Management Program (SCMPr) is a partnership between the Delaware County Soil and Water Conservation District (DCSWCD), the Delaware County Planning Department (DCPD), and the New York City Department of Environmental Protection (NYCDEP). In cooperation with Delaware Watershed communities and a local Project Advisory Committee (PAC), the SCMPr works to protect the health and prosperity of watershed residents, conserve water quality and wildlife habitat, and promote local stewardship of water resources. The SCMPr and the Project Advisory Committee have worked together to produce Stream Corridor Management Plans (SCMPs) for the East and West Branches of the Delaware, and these have been adopted as guidance documents by watershed communities. The SCMPs contain 27 general recommendations for accomplishing the goals of the program. The SCMPr also maintains an Action Plan that is consistently updated to describe the short-term steps necessary to abide by those recommendations.

SCMPr: Agencies and people

Core Agency Partners:

- Delaware County Soil and Water Conservation District
- Delaware County Planning Department
- New York City Department of Environmental Protection

Watershed municipalities:

- 17 Towns and 6 Villages have adopted an SCMP and signed an MOU with DCSWCD for its implementation

Project Advisory Committee (PAC):

- Reps from each municipal MOU signatory
- Reps from other county agencies (DPW, Watershed Affairs, Emergency Services, Economic Development)
- Reps from state agencies (DEC, DOH, DOT)

PAC sub-committees:

- Focused on a particular area of expertise important to SCMP implementation
- Membership: PAC members and topical experts
 - Recreation and Fisheries Advisory Committee

- Education and Outreach Advisory Committee
- Floodplain Management Advisory Committee
- Highway Infrastructure Management Advisory Committee

SCMPr: Funding streams

Stream Management Implementation Grants

- \$2,000,000 available for implementation
 - construction projects (e.g. stream restoration, floodplain reclamation, stream crossing upgrades)
 - non-construction programs (e.g. planning, educational activities, stream awareness and celebration)

Demonstration projects

- Demonstrate cutting-edge stream management techniques
- Generally larger scale
- Examples: Terrace Ave., Margaretville Stream Restoration, West Brook Floodplain Reclamation

Catskill Streams Buffer Initiative

- Funding available for non-agricultural landowners to restore riparian buffers

SCMPr: Relationships

The PAC and the sub-committees provide guidance and direction to SCMPr partners for SCMP implementation:

- Each sub-committee is the steward of a component of the SCMPr Action Plan, focusing on SCMP Recommendations related to their area of expertise.
- All sub-committees work with the Education and Outreach Advisory Committee to distribute important information.
- The PAC and sub-committees help evaluate applications to the Stream Management Implementation Grants program.



To: DCSW, PAC Members

From: EBDR Corridor Sub-Committee

Prepared November 2009

Central Catskills Chamber of Commerce, Carol O'Beirne Executive Director and Chair
 Catskill Center for Conservation and Development, Peter Manning Regional Planner, M-ARK
 Project, Peg Ellsworth Executive Director, CWC, Diane Galusha, Communications Director and
 Education Coordinator, Lenny Millen, Trout Unlimited rep, Licensed Fishing Guide, Dave Budin,
 Village of Margaretville Trustee and owner of Del-Sports, Bill Piervincenzi, retired college professor
 Andes, Lauren Davis, Landowner, Phillip Eskeli, NYCDEP and Jessica Rall, Del Cty SWCD

RECOMMENDATION #14

Enhancement of East Branch Watershed Fisheries

The SCMP, in cooperation with the NYSDEC, the NYCDEP, and the PAC, should provide support to local grass-roots efforts, watershed associations, and fisheries organizations to enhance existing fisheries in the East Branch Delaware River watershed.

The East Branch Delaware River and its tributaries are noted for their trout fishery, with many reaches providing excellent habitat. However, there are some impacted reaches and good reaches that could be enhanced, particularly by increasing stream side vegetation. Suggestions for enhancing fisheries (and water quality) include:

- ✓ Work with landowners around Lake Wawaka (Halcottsville Pond) to reduce negative thermal effects on trout and to enhance trout migration in this reach of the East Branch Delaware River,
- ✓ Work with area organizations and agencies to review collected data on stream side vegetation, invasive species growth and locations where debris has collected. Present a plan of appropriate action that may include school and community in action steps for restoration,
- ✓ Continue to work with all stakeholders, the NYSDEC, and identified legislators to bring the No-Kill fishing proposal to fruition, extending from the Village of Margaretville, at the Fair Street bridge to the New York City property line of the Pepacton Reservoir downstream of the village.

RECOMMENDATION #15

Enhance Recreation Opportunities

The SCMP, in cooperation with the PAC and NYCDEP, should assist communities to enhance stream side recreational opportunities where possible. These efforts should be developed and implemented in cooperation with the PAC and with assistance with the DCPD.

Little public access exists along the main stem of the East Branch Delaware River and its major tributaries. This limits use of the waters for angling, canoeing and kayaking. These activities augment tourism and are relaxing means of recreation for all residents who choose to take part. Some areas adjacent to town centers could be revitalized or enhanced with stream side walkways to accommodate a greater cross-section of tourists and residents.

A critical component of this effort to improve public access will be in the dialogue providing information and education, with private landowners, about programs that are available to protect the adjacent streams and stream banks. This may improve cooperation and a new understanding of the need for stream management and protection. In addition, opening up this dialogue with private landowners may help them to understand the issues surrounding public use of private lands and could open access to additional stretches of the East Branch and its tributaries.

The following steps could be taken to fulfill the goals to improve Public Access:

- ✓ Creation of a temporary position to assist in the research, plan development and implementation of project that will address recreation-based opportunities/habitat enhancements, education and outreach and appropriate planning and assessment,
- ✓ Collaborate with appropriate organizations, municipalities and agencies to facilitate the development of this comprehensive public access plan along the EBDR corridor based on the work completed and approved recommendations established by the PAC's,
- ✓ An emphasis would be given to town centers, to utilize shovel ready design plans for recreational opportunities and revitalization efforts in each community,
- ✓ Design, produce and disseminate new directional and informational tools such as signage, mapping, brochures and use of the internet,
- ✓ This effort could foster improved relations between communities/municipalities and private landowners and resource agencies while advancing the goals of the SCMP to inform, educate and outreach to the public - residents and tourists.

These plans could include:

- ✓ Public access points for angling, canoeing and kayaking that do not compromise stream bank integrity,
- ✓ Revitalization of existing public access points and stream side walkways in town centers,
- ✓ New communication tools that would offer information about stream health, management and restoration, and steps to protect this natural resource while enjoying the many recreational benefits,
- ✓ Creation of new stream side walking paths to establish outdoor classrooms and,
- ✓ Improve options to expand recreational businesses and revitalized Main Street/town centers.

RECOMMENDATION #9