

**TOWN OF ANDES
TOWN HALL**

MONTHLY MEETING

**DEC. 13, 2011
12:30 P.M.**

PRESENT:

**Councilman Ritchie Gabriel
Councilman Daniel Grommeck
Councilman Martin Liddle
Councilman Shayne Moshier-----Absent & excused
Supervisor Martin A. Donnelly
Town Clerk Janis L. Jacques
Assessor / D.C. Tina Moshier
Deputy Highway Supt. Brad Darling
Keough Consulting Marge Merzig**

ALSO:

Jason Mondore	Alex Bene	Anita Lanziero
Nelson Bradshaw	T. W. Coddington { Walton Repeorter }	
Thomas Hall	Pauline Liu { Catskill News }	
John Schulman	Brian Finley	Dale Cole
Ray Ferber	Kim Tosi	Jesse Tosi
Bill Feldman	Bud Gladstone	Sharon Drew

CALL TO ORDER:

Supervisor Donnelly called the meeting to order at 12:30 P.M..

PLEDGE:

The Pledge of Allegiance was recited lead by Councilman Gabriel.

Town of Andes Highway Report
Michael R. McAdams, Highway Superintendent

December 13, 2011

Equipment:

1996 Volvo – Changed oil and greased

2000 Int – New Steering box installed

2012 Dodge 5500 – Is insured and being used

2012 Dodge ¾ Ton estimate for plow and installation is \$5,751. Need approval for purchase.

Roads:

Deerlick – Cuts trees from brook due to the heavy rain.

Cut brush on Little Dingle Hill, will be cutting more brush when the weather permits.

I have been out with FEMA to look at completed sights. They have been given all the paperwork that they have asked for.

Close Hollow Rd. – Bridge can not be fixed until FEMA OK's it.

Other:

Snow Removal Budget – At the last meeting the Supervisor said that there was \$35,000.00 left in snow removal. The supervisor should realize that when the budget was done in September, there was still 3 months of fall/winter left in this year's budget. If November and December was anything like last year, there would not be enough money to plow and sand roads for the rest of the year. We also had to resupply our sand and salt piles that were so low. For 110 miles of road, I only have \$60,000.00 and Bovina has 54 miles of road, and their snow removal budget is \$83,000.00. Let's all hope that we have a mild winter this year and next.

All trucks have been parked inside building because of the mild weather, and to save money.

The Town Supervisor asked my deputy for a highway report for last December. Number one, this should be on file in the Town Clerk's Office, and number two, if he needs this he should not be asking for information from my deputy.

Respectfully Submitted, Michael R. McAdams, Highway Superintendent

COMMENTS ON HIGHWAY REPORT:

Supervisor Donnelly: “ #1. The Highway Report, in question, was and is on file in the Town Clerk’s Office. #2. When someone asks me a question that concerns them - I CAN & I WILL ask for a copy of whatever they want. It is , after all, PUBLIC INFORMATION!

In reference to the snow removal and the budget - if you came to the budget workshops to help us make a good workable budget - then **MAYBE we would **NOT** have two new trucks purchased and **NO MONEY IN THE BUDGET TO PAY FOR THEM.** When **YOU** ask 9 to 10 months ago to buy a truck and the Town Board agreed to it - **THEN** the funds **YOU SHOULD HAVE COMMITTED FOR THAT** should **NOT** have been used for anything else!**

It also might help **YOU to attend **YOUR** bid openings! If you have **NOT** signed a contract or have signed a contract **YOU** should report to the Town Board **PRIOR** to **ANY** decision **YOU** make and **NOT** wait until a later date to advise the Town Board.**

This all seems very similar to an incident that happened two years ago. due to lack of planning a total in excess of \$400,000.00 you presented to the Town Board in that Nov. - was **NOT in the budget. But the Board knew that the work had to be done and the contractors had to be paid or no work would be done again in an emergency. The Board paid this out of funds that were set aside to offset the new Highway Garage expenses in order to save tax payers money. This might be a good time to **NOTE** - New York State Law, as stated in your Highway Supt. Book, states when items exceed the budget amount set and this practice continues - the Highway Supt. can be **PERSONALLY HELD LIABLE** and / or removed from office on the obligations he has thus exceeded! “
It seem pretty clear to me. “**

Now let me read the letter from the bookkeeper!

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**TOWN OF ANDES
P.O. BOX 125
ANDES, N.Y. 13731**

To: Marty Donnelly, Town Supervisor
Andes Town Board Members

From: Meg Hungerford, Bookkeeper

Date: December 12, 2011

Re: Highway Fund Budget

I have processed the bills to be approved on the Highway Warrant at tomorrow's board meeting. In doing so, I noted a payment to Robert Green Truck Division in the amount of \$85,012.01. This expenditure, as well as the purchase of a truck from Albany Dodge in July 2011 in the amount of \$29,501.38, were not budgeted for. These two purchases total over \$114,000. Currently, there is \$12,149 remaining in the equipment repairs budget that could be used to offset these purchases. However, I anticipate that there will be additional 2011 bills for machinery expenses that have not yet been received.

Please advise how you would like to fund these truck purchases. Funds will have to be transferred from either the Dunraven or Good Neighbor Funds.

If you would like to return the borrowed funds to Dunraven or Good Neighbor, you could consider a budget transfer in January 2011, moving funds allocated to a particular line item in the budget to a "Transfer to Other Funds" line item to return these funds, and reducing the amount available to fund 2012 highway operations.

Supervisor Donnelly also answered Ms. Sharon Drew's question as the Supv. also had a comment for her.

Ms. Drew: "Is there now a Deputy Clerk & if so who?"

Town Clerk: "Yes. Tina."

Supv. Donnelly: "The appointment will end Dec. 31, 2011 as requested by the Town Clerk AND Tina."

Supv. Donnelly: "Sharon { Ms. Drew }, you had called me stating that the Association of Towns had told you that we are in violation because the Benefits Administrator should have control of the files at all times and that the Assessor has no right to have them for any reason. In addition that you need them now to terminate Janis & yourself from the health insurance as of 12 - 31 - 2011. I called the Association of Towns and I spoke with Laurie Mitten { the senior council } and unfortunately she has a totally different understanding of this issue than you do. She said - NO - you do NOT have to have the records in your possession. However - you have to be able to work with them to do your job. I further explained to her that we have them in a locked file in the Assessor's office and this was done to get thru to the end of the year. The current Benefits Adm. will NOT be reappointed. The files she had were to be treated personal & confidential. But somehow a lot of information was made available all over town. The same day Laurie Mitten responded saying that there is no statute in law that says that we can not do what we have done with those records to preserve the safety & confidentiality."

Ms. Drew: "Are you accusing me of letting out information?"

Supv. Donnelly: "No, I did not say that. Since Laurie Mitten is the Senior Counsel, we take her advise. "

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November 28, 2011


Attention: Mr. Martin A. Donnelly,
Town Supervisor

Dear Mr. Donnelly,

I am enclosing a copy of a letter that I received from Ann Roberti. She is proposing a hiking trail on the old railroad bed that runs behind my home. I am strongly opposed to this! The trail runs even with my bedroom windows. Also, my home has been broken into in the past. I do not need litter, noise, vandalism, erosion or any invasion of my privacy.

If need be, my property will be heavily posted. I will not debate with any trespassers but will call for Law Enforcement Officers immediately.

Sincerely yours,


Fred T. Luginsland
4733 Tremperskill Rd.
Andes, NY 13731

FROM THE SUPERVISOR:

1. Arthur Short's budget cut for 2012 is \$4,579.00 { Building Inspector - C.E.O & Fire Inspector } He still retains family health care coverage.

2. Alex Adelson reported that he met with a representative from DEC in reference to the CALICO PROJECT. This was an update on the project and the meeting went well.

We were advised by ASHC President - James Andrews - that we could not use the Hunting Tavern for the project. It was suggested that we use the upstairs room at the ASHC Thrift Shop. { The former Fire Hall }

3. C.W.C. has started a committee to push for cell towers. Andes will be included in the requests.

4. Brad Darling & I attended a Catskill Leadership Meeting at Belleayre on Dec. 9th.

5. The new Highway truck is here and on the road. The bill is included in today's warrant - to be paid.

6. This will be the last meeting for our Town Clerk - Janis / Councilmen - Ritchie & Shayne. I know you have all gone above & beyond for the Town of Andes and I will miss you all.

As will many of our citizens.

7. The Town Board will continue with plans to merge our court with Bovina's court. We will move them both into a upgraded space at the soon to be empty WWTP Bld. #2. This is the first of the shared services agreement.

Respectfully submitted,

Martin A. Donnelly
Town of Andes Supervisor

PRIVILEGE OF THE FLOOR:

Supervisor Donnelly: "No Privilege of the floor at this time as this is our close out meeting for the year. After this meeting is adjourned you may approach the Board with questions etc.. Privilege of the floor will be given at our Jan. 10, 2012 Town Board Meeting. "

MOTIONS:

MOTION made by Councilman Liddle second by Councilman Gabriel to hold the Jan. 2012 Town Board Organizational meeting on Monday, Jan. 2, 2012 at Town Hall at 12:30 P.M..

VOTE: ALL AYE. So carried.

MOTION made by Councilman Liddle second by Councilman Grommeck to accept the resignation of Michele Lechanteur as Town of Andes Court Clerk as of Dec. 31, 2011.

VOTE: ALL AYE. So carried.

MOTION made by Councilman Gabriel second by Councilman Liddle to accept the resignation of Edward Weber as Town of Andes Dog Control Officer as of Dec. 31, 2011.

VOTE: ALL AYE. So carried.

MOTION made by Councilman Liddle second by Councilman Gabriel to authorize Supv. Donnelly to enter an agreement with ROMO Machine. Agreement will begin Jan. 1, 2012, and each month there after, to continue to furnish the office for Town Tax Collector.

VOTE: ALL AYE. So carried.

{ **NOTE:** Ms. Drew questioned this. Supv. Donnelly stated - For many years ROMO Machine had not charged the Town a penny. They furnish the space, electric, heat, fax & copier. }

MOTION made by Councilman Gabriel second by Councilman Liddle to allow the new Town Clerk to go to training if there is enough money in that expense account. If not, the new Town Clerk will have to pay her own way.

VOTE: ALL AYE. So carried.

{ **NOTED:** No other Andes Town Clerk asked or was sent to training in order to know how to do the job. }

RESOLUTIONS:

**RES. #45 AUTHORIZATION TO CLOSE 2011 BOOKS
{ Town & Districts }**

WHEREAS; the Town of Andes must close out the 2011 Town & Districts books;
IT IS HEREBY RESOLVED that; the Town of Andes Bookkeeper - { Meg Hungerford - Kortright Creek Financial } is **HEREBY** authorized to transfer budget line items and do whatever is necessary to close out the 2011 Town of Andes & Districts books.

**Proposed by Councilman Grommeck
Second by Councilman Liddle**

ROLL CALL:

- Councilman Gabriel-----AYE**
- Councilman Grommeck-----AYE**
- Councilman Liddle-----AYE**
- Councilman Moshier-----Absent & excused**
- Supv. Donnelly-----AYE**

VOTE: ALL AYE. So carried.

RES. #46 TOWN OF ANDES DOG CONTROL OFFICER

BE IT RESOLVED that; Jason Mondore is **HEREBY** appointed Dog Control Officer for the Town of Andes.
Term 01-01-2012 thru Board's pleasure.

**Proposed by Councilman Liddle
Second by Councilman Gabriel**

ROLL CALL:

- Councilman Gabriel-----AYE**
- Councilman Grommeck-----AYE**
- Councilman Liddle-----AYE**
- Councilman Moshier-----Absent & excused**
- Supv. Donnelly-----AYE**

VOTE: ALL AYE. So carried.

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

VOTE: ALL AYE. So carried.

REPORTS:

MOTION made by Councilman Liddle second by Councilman Gabriel to approve the following reports for Nov. 2011: Town Board Bookkeepers Monthly Financial Report, Town Clerks Monthly Financial Report - Final, Town Justice Monthly Report, Bld. Insp. Financial Report, Planning Board Financial Report, D.C.O Report and Highway Report.

VOTE: ALL AYE. So carried.

WARRANTS:

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

{ Highway voucher #222 to R. Green Truck Div. In the amount of \$85,012.01 will not be paid until funding is in place }

GENERAL	#341-#372	\$ 20,736.62
HIGHWAY	#220-#242	114,419.53
WATER DISTRICT	#72-#80	2,033.39
WWTP DISTRICT	#209-#230	148,813.01
SHAVERTOWN CEMETERY	#7-ONLY	1,011.60

VOTE: ALL AYE. So carried.

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
December 13, 2011**

1. Water System

- Daily usage of treated water from the water system averaged 18,775 gallons per day for the month of November 2011.

2. Plant Purchases

3. O&M

4. Equipment

- On November 9th plant staff changed a pressure gauge on filter 2A.

5. Distribution System

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**TOWN OF ANDES, NY
TOWN BOARD MEETING
REPORT BY DELAWARE OPERATIONS
December 13, 2011**

- 1. WWTP Plant**
 - Plant effluent flows averaged 22,233 gallons per day for the month of November 2011.
- 2. SPDES Compliance/NYSDEC, NYCDEP**
 - The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for November 2011 met all parameters.
- 3. Collection System**
 - High Street is being maintained as required.
- 4. Plant Purchases.**
- 5. Plant O&M**
 - Delaware Operation requests the approval to have Burgh Schoenenberger perform the yearly calibration on the influent and effluent flow meters at a cost of \$925.00.
 - Delaware Operation requests the approval to have Siemens Water Technologies perform a semi-annual service on the two Memcor Micro Filtration units at a cost of \$5,700.00
- 6. Plant Equipment.**
 - On November 30th Turnkey Controls Solutions Inc. removed a virus from the SCADA computer that was causing it to lock up.
- 7. Gladstone Hollow Septic System**

MOTION made by Mr. Gabriel second by Mr. Liddle to approve the following for the WWTP:

Burgh Schoenenberger	Yearly calibration	\$ 925.00
Siemens Water Tech.	Service 2 Filtration units	5,700.00

VOTE: ALL AYE. So carried.

ADJOURN:

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

VOTE: ALL AYE. So carried.

TIME: 1:00 P.M..

Janis L. Jacques



Andes Town Clerk-----FINAL MEETING!!!



Marta Head TC,
David Hummel TC,
Walter A. Wronsky A-S