

TOWN OF ANDES * TOWN BOARD MEETING * JULY 12, 2011
TOWN HALL 7:30 P.M.

PRESENT:

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

ALSO:

Terry Hannum { Delaware Co. Times }
T.W. Coddington { Walton Reporter }
Pauline Liu { Catskill Mt. News }
Jane Tonylis Bonnie Seemiller Merna Popper
Larry Breakstone Karen Levey Michael Suchorsky
Suzanne Gladstone Kimberly Tosi Bud Gladstone
John Schulman Brian Finley Mary Davis

CALL TO ORDER:

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

PLEDGE:

The Pledge of Allegiance was recited lead by Councilman Gabriel.

HIGHWAY REPORT:

Submitted by Highway Supt. Michael McAdams, read by Councilman Liddle.

Highway Report 6/15/11 -7/12/11

Equipment

2009 7500 INT 4x4 – Truck Was taken to Ben Funks for warranty work – Exhaust Brake doesn't work sometimes, Causing Check engine light to be on.

2004 INT 4x4 – Replaced yoke nut off from transfer case and u-joint straps

1999 INT – Taken to Orall's Garage to replace walking Beam and rear spring

1996 Autocar – Replaced front spring, u- bolts, front wheel seal, Front Drivers side Steering cylinder, Replaced front tires, Checked all fluids, fixed lights and had truck Inspected 112,380 miles

2003 JD Loader – Greased and Checked Fluids

2005 JD Backhoe – Greased and checked Fluids

1989 JD Grader – Greased and checked fluids, Washed Radiator out

1978 CAT Grader – Greased and checked fluids

1991 Ford Alamo Mower – Replaced Hydraulic/electric switch for mower head

1984 Case Roller – Greased and checked fluids, ordered new vibratory switch

Roads Worked

Shaver Hollow –Added 18 loads gravel From Kay Winner's house down the hill, Rich Road, Murphy Hill Road ,Brace Hollow Road ,Barnes Hill Road, Turkey Valley, Bryden Lake Rd, Stevens Road/ Fish Hollow Rd, Herr Road, Coss Road, Kovba Road,

Mary Smith Road - Added 13 loads Gravel from below Finklesteins down towards beech hill. Wolf Hollow Road, Butler Road, Weaver Ave., Little Dingle Hill, Perch Lake Road – Store Side, Perch Lake Down to Bushkill.

New Culverts

Barnes Hill Road – 18" x 50' Steel Culvert Devita's Driveway Pipe 6/14/11

Barnes Hill Road – 3' x 20' Plastic Culvert Crosses road just above next driveway above Devita's
6/15/11

Fall Clove Road – 2' x 40' Plastic Culvert Second road crossing pipe below Barnes Hill Rd.
6/16/11

Skunk Hollow Road – 2' x 30' Steel Culvert above old Barn before entrance to field 6/23/11

Perch Lake Road – 2' x 40' Plastic Culvert just before Camp Lman Achai 6/28/11

Perch Lake Road – 18" x 40' Plastic Culvert by Youngman 6/28/11

Perch Lake Road – 18" x 40' Plastic Culvert by house # 1780 6/28/11

Perch Lake Road – 3' x 40' Plastic Culvert 6/29/11

Perch Lake Road – 18" x 40' Plastic Culvert by house # 1834 6/27/11

Perch Lake Road – 3' x 40' Plastic Culvert by Pete Sluiter's driveway 6/30/11

Perch Lake Road – 3' x 40' Plastic Culvert By town line just before city land by 30 6/30/11

Lower Dingle Hill Road – 3' x 40' Plastic Culvert Just above Frank Winkler's house 7/5/11

Upper Dingle Hill Road – 3' x 40' Plastic Culvert above Schummoffels house 7/6/11

Road Mowing

Gladstone Hollow Road – Dan – Mowed brush and grass 6/9/11

Bussey Hollow –Mowed Spots where bamboo was growing in roadway 6/15/11

Shaver Hollow Road - Mowed spots where bamboo was growing in roadway 6/15/11

Perch Lake Road –Mowed spots where bamboo was growing in roadway 6/28/11

Tunis Lake Road –Mowed grass 7/6/11, Fall Clove Road –Mowed Grass along Roadway

Other

The Highway Department has been working with the County DPW in shimming and Resurfacing Lower Main Street. I would like to thank the County DPW for all their help.

Delancey Pit – We have completed all work that the DEC required to reclaim the pit. We are waiting for them to inspect the work and send us a final close-out notice.

The Highway Department has received the Dodge Ram 2500 pick-up that was ordered off the state bid contract.

We have received the stickers to properly label all our tanks. We have installed them and pictures have been taken to be sent out to the DEC.

Respectfully Submitted,

Michael McAdams

Supv. Donnelly: “ Mike, we have a bill for drug testing for a highway employee. Do we have a new highway employee? “

Supt. McAdams: “ Ryan Little had to get one. He’s working for the highway Dept. - part timer - seasonal - new employees have to have the test.”

Supv. Donnelly read the following:

MEMO

To: Mike McAdams, Highway Superintendent
Town Board

From: Meg Hungerford, Bookkeeper

Date: July 11, 2011

Re: Highway Personal Services Budget.

After last weeks Highway Department payroll, there remains about \$145,000 in the 2011 Highway Fund budget for personal services for 2011.

Regular payroll for the remainder of 2011 will be approximately \$135,000. This leaves \$10,000 remaining to cover overtime and part-time costs. In 2009, overtime costs for July through December were about \$4,000, and for 2010 about \$7,000.

Mike inquired how much money was available for part-time help. If we estimate that overtime will be the same as 2010, or about \$7,000, this leaves \$3,000 available for part-time wages. This would cover about 4 ½ weeks of part time wages after July 3, 2011.

If you have any further questions let me know.

Supv. Donnelly “ Mike, when you spoke to me, and I’m sure some other Board members, you were told that we had money to hire one or more part timers or a full time employee to replace an existing employee. That was the basis that we made that statement to you. Based on your report to us that * “ you would never hire anyone if they didn’t have a C.D.L. license in good standing nor could they work for you “* we thought that was going to take care of the issue, so that if you needed money - you have it there. “

Supt. McAdams: “ O.K.. “

EXECUTIVE SESSION:

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

VOTE: ALL AYE. So carried.

Reason: Legal

Time: 7:38 P.M.

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

VOTE: ALL AYE. So carried.

Time: 7:44 P.M.

FROM THE SUPERVISOR:

1. I am requesting that Town Board members please go over your Town Policy Manual and make changes that you see need to be done. Several things need to be updated, corrected and added.

2. No one should give out any Town information in reference to the Hamlets unless it is requested in writing foil.

3. Some questions have been raised in reference to fracking. It is a subject that we are aware of and have to be concerned about. Some points of information while the Gov. and the Dec. Comm. Are NOW pushing gas drilling. They both maintain that it will NOT be allowed in the watershed. ALL of Andes is in the N.Y.C. watershed.

1. I would suggest to both our Town Planning Board & our Town Board that we adopt the following requirements in the event that the City and / or the State changes their minds:

2. If the Town required permits to drill { and we should } the gas company MUST provide money for it and MUST hire an approved independent engineer in order to protect Andes.

3. Every water well within 1000 feet **MUST BE TESTED AND A LOG KEPT OF THE RESULTS BEFORE ANY DRILLING IS DONE.**

4. The well must be tested and be tested again **right after the drilling** to determine if it has been affected or not AND **again 6 months later** AND **AGAIN** 1 year later at the expense of the gas company.

5. There will be NO open pit chemical storage allowed.

6. If possible, we should require **propane** instead of any chemicals.

7. Many questions have been raised about the safety of fracking in view of the problems in other states. { **NO ONE IN THE U.S. HAS THE ENVIRONMENTAL RULES THAT N.Y.S. HAS!** }

8. None of this should even be considered unless the **SCIENTISTS** can confirm what is **SAFE**. I mean reports from Cornell, MIT, RPI etc.. The final **D.E.C.** and **E.P.A.** reports are **NOT** complete yet.

9. In the last week the **D.E.C.** has banned drilling within 4,000 feet of the outside edge of the watershed boundaries. Remember. **ALL OF ANDES IS IN THE WATERSHED.**

10. No one has suggested or hinted at the fact that the D.E.C. and the D.E.P. should now be required to pay the land owners the going rates and royalties for taking away their rights to their land. This payment should be made at the time rights are taken away - not 40 or 50 years later.

For all the above reasons - I CANNOT say, at this time, that I support fracking WHICH IS THE SAME STATEMENT I MADE SEVERAL

MONTHS AGO!

Respectfully submitted,

Martin A. Donnelly
Town of Andes Supervisor

Privilege of the floor:

Bonnie Seemiller re: Presentation of seeking a Scenic Byway - Rt. 30.

Ms. Seemiller gave a presentation on trying to make Route 30, in Delaware County, a scenic byway.

“ What we are doing at the beginning of this - is going to visit all the towns in Delaware County. This would be a long process but what I am here for tonight is to ask a general agreement - not signing an agreement or anything like that. We are trying to promote tourism and stimulate the economy. “

Supv. Donnelly: “ If I understand this correctly, you are asking us to make a commitment that we will support this idea but not financially in any way and we are not obligated in any way to do any of the work. We will get to motions later on and I will bring it up.”

Larry Breakstone re: Fracking

Mr. Breakstone: “ What I would like is if the Town Board would announce if you are generally pro-fracking or not pro-fracking. I would like a meeting to be called, at some point, to discuss the issues that have not been discussed openly.”

Supv. Donnelly: “ I am not opposed to having an open forum in regard to this issue, and I will talk this over with the Town Board, to come up with a date and time.

When you want a commitment made with the Town Board - by law if I make a statement that I am for or against something - and push comes to shove and there has to be a vote - I would already have prejudiced my vote. So therefore I no longer have a vote.”

{ The Town Board is working on a date and time for the open forum that has been requested }

MOTIONS:

MOTION made by Councilman Moshier second by Councilman Liddle that the Town of Andes agrees to participate in the Delaware County Multi-Jurisdiction Hazard Mitigation Plan { HMP } in order to be eligible for FEMA programs and authorizes the Supervisor to serve as the Flood Plain Administrator & Primary Point of Contact.

VOTE: ALL AYE. So carried.

MOTION made by Councilman Liddle second by Councilman Grommeck to accept Barbara Mellons' resignation as Andes Court Clerk as of June 30th, 2011.

VOTE: ALL AYE. So carried.

MOTION made by Councilman Liddle second by Councilman Grommeck to endorse the initiative to establish Rt. 30, in Delaware County, a Scenic Byway.

VOTE: ALL AYE. So carried.

RESOLUTIONS:**RES. # 32 APPOINT ANDES COURT CLERK**

BE IT RESOLVED that Michele Lechanteuris is HEREBY appointed Andes Court Clerk.

**Proposed by Councilman Grommeck
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.

RES. # 33 AUTHORIZING THE FILING OF A SPECIAL USE PERMIT 33A FOR TWO TOWN OF ANDES COLLABORATED EVENTS * NAMELY THE ANNUAL MEMORIAL DAY PARADE AND THE ANDES COMMUNITY DAY PARADE.

WHEREAS; the State of New York Dept. of Transportation has recently mandated new requirements for events on State Highways; and

WHEREAS; the Town of Andes supports the annual Memorial Day and the Community Day parades; and

WHEREAS; the Town Board of the Town of Andes authorizes the filing of a Special Use Permit 33A with the New York State Department of Transportation on behalf of the events;

THEREFORE BE IT RESOLVED; by the Town of Andes Town Board, that the cost of filing, such filing, is authorized to be paid by the Town of Andes and the event organizers, as possible.

**Proposed by Councilman Liddle
Second by Councilman Moshier**

ROLL CALL:

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

VOTE: ALL AYE. So carried.

**RES. #34 STANDARD WORKDAY & REPORTING - FOR N.Y.S.
RETIREMENT SYSTEM ONLY.**

BE IT RESOLVED that; the Town of Andes **HEREBY** establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body:

Building Inspector / Code Enforcement Officer:

Arthur Short * Standard Work Day - 6 HRS. * 24.53 Days of Month

Deputy Town Clerk:

Sharon Drew * Standard Work Day - 6 HRS. * 14.22 “ “ “

Terms begin 1/11/2011 thru 12/11/2011.

Proposed by Councilman Liddle

Second by Councilman Gabriel

ROLL CALL:

Councilman Gabriel-----AYE

Councilman Grommeck--AYE

Councilman Liddle-----AYE

Councilman Moshier-----AYE

Supv. Donnelly-----AYE

VOTE: ALL AYE. So carried.

RES. #35 AGREEMENT TO EXPEND HIGHWAY MONEY { CHIPS }

BE IT RESOLVED that; the Town Board of the Town of Andes

HEREBY accepts the Agreement To Expend Highway Money { CHIPS }

as proposed by Highway Supt. McAdams. { As per attached }

Proposed by Councilman Liddle

Second by Councilman Gabriel

ROLL CALL:

Councilman Gabriel-----AYE

Councilman Grommeck---AYE

Councilman Liddle-----AYE

Councilman Moshier-----AYE

Supv. Donnelly-----AYE

VOTE: ALL AYE. So carried.

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

2005-2011

AGREEMENT between the Town Superintendent of the Town of Andes, Delaware County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$ 206,434 shall be set aside to be expended for primary work and general repairs upon 110 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of town highways:

(a) On the road commencing at 1 mile from State Hwy 30 on Perch and leading to Perch Lake Rd., a distance of 1 miles, there shall be expended not over the sum of \$ 90,249.50 Type Black Top Width of traveled surface 18 feet Thickness 2 inches Subbase _____

(b) On the road commencing at Town Line (for side) and leading to Barkham Rd., a distance of 1/2 miles, there shall be expended not over the sum of \$ 50,342.45 Type Black Top Width of traveled surface 18 feet Thickness 2" Subbase _____

(c) On the road commencing at 2 miles from State Hwy 30 and leading to Beech Hill Rd., a distance of 4/10 miles, there shall be expended not over the sum of \$ 42,187.95 Type Black Top Width of traveled surface _____ Thickness 2" Subbase _____

Executed in duplicate this _____ day of _____, 19 ____.

Supervisor

Councilman

Councilman

Councilman

Councilman

[Signature]
Town Superintendent

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. One copy must be filed in the Town Clerk's office and one in the County Superintendent's office. COPIES DO NOT

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
July 12, 2011

1. **Water System**

- Daily usage of treated water from the water system averaged 16,100 gallons per day for the month of June 2011.

2. **Plant Purchases**

3. **O&M**

4. **Equipment**

5. **Distribution System**

DELAWARE OPERATIONS, INC.

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**TOWN OF ANDES, NY
TOWN BOARD MEETING
REPORT BY DELAWARE OPERATIONS
July 12, 2011**

1. WWTP Plant

- Plant effluent flows averaged 20,518 gallons per day for the month of June 2011.

2. SPDES Compliance/NYSDEC, NYCDEP

- The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for June 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 of the yearly PM agreement with Glauber Equipment Corp. for the maintenance of the two air compressors for the filtration equipment at a cost \$5,811.54.

6. Plant Equipment.

7. Gladstone Hollow Septic System

SERVICE QUOTATION

GLAUBER EQUIPMENT CORPORATION
 1600 COMMERCE PARKWAY
 LANCASTER, NY 14086
 USA
 716-681-1234

Service Order Number
 1076053
 Order Date Page
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 Quote Expires On 7/17/2011

Bill To:
 TOWN OF ANDES WASTEWATER TREATMETN PLANT
 P.O. BOX 85
 ANDES, NY 13731

Ship To:
 TOWN OF ANDES WASTEWATER TREATMETN PLANT
 TREMPLE HILL ROAD
 ANDES, NY 13731

845-676-3762

Requested By: Mr. SHANE BOICE

Customer ID: 106928

<i>PO Number</i>	<i>Taker</i>
	DBURGESS

<i>Quantities</i>					<i>Item ID</i> <i>Item Description</i>	<i>Pricing UOM</i> <i>Unit Size</i>	<i>Unit Price</i>	<i>Extended Price</i>
<i>To Service</i>	<i>Requested</i>	<i>Allocated</i>	<i>UOM</i> <i>Unit Size</i>	<i>Disp.</i>				

Order Note: ANNUAL SERVICE AGREEMENT TO PROVIDE 4 VISITS PER YEAR FOR PREVENTIVE MAINTENANCE AND FOR EMERGENCY SERVICE IF REQUIRED. INCLUDING ANNUAL OIL CHANGES TO EACH UNIT AND 4000 HOUR SERVICES INCLKUDING REBUILDING THE UNLOADERS AND CHANGING FILTERS TO MAINTAIN OPERATING EFFICIENCY

*****Service Item*****

1		EA	AC GA7				2,650.770	2,650.77
		1.0	ATLAS COPCO COMPRESSOR SERVICE					

Serial Number: All 147513

*****Service Part*****

	1.00	0.00	EA	AC-2901-0919-00	EA	1.0	229.280	229.28
			1.0	FILTER KIT				
	1.00	0.00	EA	AC-2901-0298-01	EA	1.0	69.150	69.15
			1.0	UNL VALVE KIT				
	1.00	0.00	EA	AC-1310-0368-38	EA	1.0	450.000	450.00
			1.0	OIL, ROTO-XTEND, 5GALLON PAIL				
	1.00	0.00	EA	AC-2904-5000-69	EA	1.0	102.340	102.34
			1.0	WSD KIT SERVICE				

SERVICE QUOTATION

GLAUBER EQUIPMENT CORPORATION
 1600 COMMERCE PARKWAY
 LANCASTER, NY 14086
 USA
 716-681-1234

Service Order Number
 1076053
 Order Date Page
 6/17/2011 11:06:39 2 of 3
 Quote Expires On 7/17/2011

Quantities					Item ID Item Description	Pricing UOM Unit Size	Unit Price	Extended Price
To Service	Requested	Allocated	UOM Unit Size	Disp.				
*****Service Labor*****								
	12.00	12.00	HR		LABOR-TRAVEL	HR	65.000	780.00
				1.0	LABOR TRAVEL	1.0		
					TRAVEL TIME			
	12.00	12.00	HR		LABOR-SERVICE	HR	85.000	1,020.00
				1.0	LABOR SERVICE	1.0		
					GENERAL LABOR/HOUR			
*****Service Item*****								
1			EA		AC GA7		3,160.770	3,160.77
				1.0	ATLAS COPCO COMPRESSOR SERVICE			
Serial Number: AII 147-514								
Make: Atlas Copco								
Model: GA7								
*****Service Part*****								
	1.00	0.00	EA		AC-2901-0919-00	EA	229.280	229.28
				1.0	FILTER KIT	1.0		
	1.00	0.00	EA		AC-2901-0298-01	EA	69.150	69.15
				1.0	UNL VALVE KIT	1.0		
	1.00	0.00	EA		MISC SHOP	EA	90.000	90.00
				1.0	MISC SHOP SUPPLIES	1.0		
	1.00	0.00	EA		AC-2904-5000-69	EA	102.340	102.34
				1.0	WSD KIT SERVICE	1.0		
	580.00	0.00	EA		MILEAGE	EA	1.500	870.00
				1.0	TRAVEL MILEAGE	1.0		
*****Service Labor*****								
	12.00	12.00	HR		LABOR-TRAVEL	HR	65.000	780.00
				1.0	LABOR TRAVEL	1.0		
					TRAVEL TIME			
	12.00	12.00	HR		LABOR-SERVICE	HR	85.000	1,020.00
				1.0	LABOR SERVICE	1.0		
					GENERAL LABOR/HOUR			

SERVICE QUOTATION

GLAUBER EQUIPMENT CORPORATION
1600 COMMERCE PARKWAY
LANCASTER, NY 14086
USA
716-681-1234

Service Order Number	
1076053	
Order Date	Page
6/17/2011 11:06:39	3 of 3

Quote Expires On 7/17/2011

Total Lines: 2

SUB-TOTAL: 5,811.54
TAX: 0.00
AMOUNT DUE: 5,811.54

MOTION made by Mr. Moshier second by Mr. Liddle to approve Delaware Operations' request as follows:

Glauber Equipment Yearly PM agreement \$5,811.54

VOTE: ALL AYE. So carried.

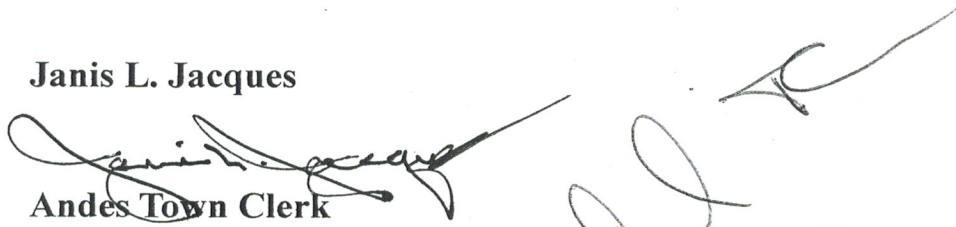
ADJOURN:

MOTION made by Mr. Moshier second by Mr. Liddle to adjourn.

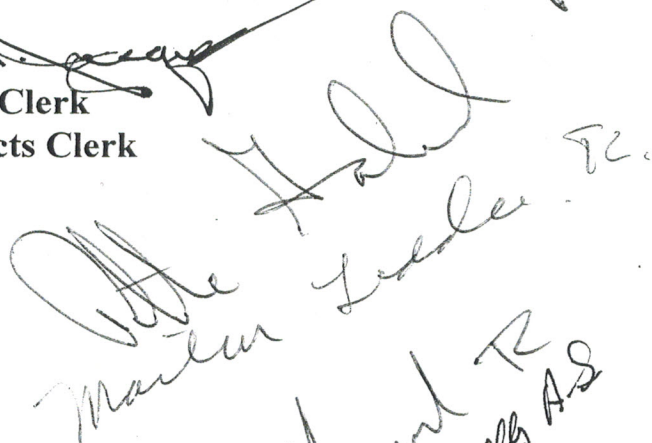
VOTE: ALL AYE. So carried.

TIME: 8:30 P.M.

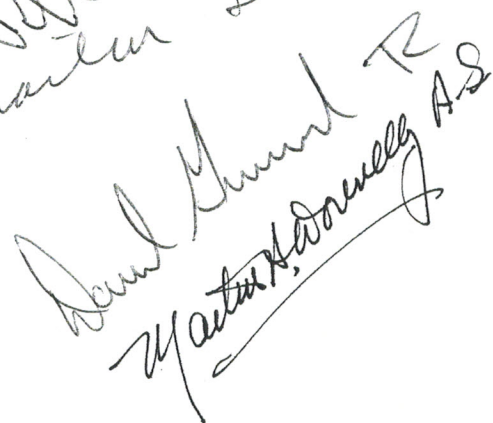
Janis L. Jacques



**Andes Town Clerk
Andes Districts Clerk**



Mark Liddle



Martin H. Donnelly