

TOWN OF ANDES MONTHLY MEETING
TOWN HALL

JUNE 14, 2011
7:30 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
Highway Supt. Michael McAdams
Keough Consulting Marge Merzig
Del. Co. Planning Nicole Franzese
Del. Co. Planning Kristin Janke Schneider

ALSO:

Terry Hannum { Delaware County Times }
T. W. Coddington { Walton Reporter }
Pauline Liu { Catskill News }
Wayland Gladstone

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 5/11/11 – 6/14/11

Equipment

2009 7500 INT 4x4 – Ben Funks installed new rear spring under warranty, Truck was Inspected

2004 INT 4x4 – Cook Brothers replaced end of Drive Shaft. Installed Front Drive Shaft and new U-joint. The County Will be taking truck to Zwack Inc. For Insurance work to be completed from this past winter when plow dug in and bent push Frame of truck.

2000 INT – Replaced all four rear brakes shoes, fixed power steering leak, Lights, Replaced worn Air Lines in order to have truck Inspected. 156,206 miles

1999 INT – Replaced Front Brake Shoes, Fixed lights and checked all Air Lines. Had truck Inspected

2003 JD Loader – Greased and checked all Fluids

2005 JD Backhoe - Installed new tooth on Bucket, Greased and checked all fluids.

1989 JD Grader – Greased and checked all fluids, replaced rake teeth.

Roads Worked

Calhoun Hill, Damgaard Road, Hyzer Hill, Doig Hollow, Dingle Hill Ridge Road, Crescent Hill– Added 15 loads Gravel started .2 mile down toward entrance.

State Road ,Bullet Hole ,Ruff Road , Weaver Hollow – Added 6 loads Gravel just off upper end of blacktop.

Old Gladstone Hollow ,Engel Road ,Finkle Road, Jones and Close Hollow ,Little Road , Alten Road , Coulter Road , Forest Road , Campbell Hollow , Chappell Road

Ditching – Top Shaver Hollow down to Murphy Hill

New Culverts

Beech Hill Road – 2' x 40' Plastic Culvert by Loydrick Butlers old house 5/9/11

Dingle Hill Road – 3' x 50' Plastic Culvert just above Bill Wagner's House 5/10/11

Dingle Hill Road – 18" x 35' Plastic Culvert along Flat before Soderback's 5/11/11

Dingle Hill Road – 2' x 40' Plastic Culvert intersection before Barrett's 5/12/11

Weidick Road – 2' x 40' Plastic Culvert Just past entrance to road 5/19/11

Barkaboom Road – 5' x 40' Plastic Culvert 5/23/11

Barkaboom Road – 3' x 40' Plastic Culvert 5/23/11

Barkaboom Road – 4' x 40' Plastic Culvert 5/24/11

Barkaboom Road – 3' x 40' Plastic Culvert 5/25/11/11

Barkaboom Road – 18" x 40' Plastic Culvert runs into big pond on Flat 5/25/11

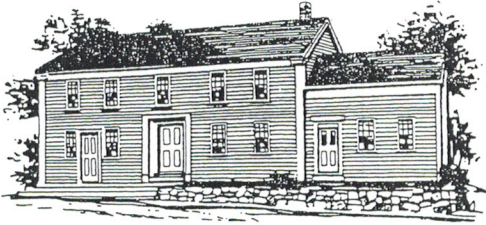
Barkaboom Road – 18" x 40' Plastic Culvert runs into big pond on Flat 5/25/11

Fish Hollow Road – 18" x 20' Plastic Culvert just past Jan Stevens and before Desanto's 6/9/11

Other

We meet with Delaware County Soil and Water along with DEC at various locations. I have turned in the pre-application forms for possible funding to repair some of our larger sites.

I have turned in two checks to the Supervisor that we got from junk.



THE ANDES SOCIETY
FOR HISTORY & CULTURE

P.O. BOX 455, ANDES, N.Y. 13731 • 845-676-3775

www.andessociety.org

June 3, 2011

Mr. Michael McAdams
Superintendent of Highways
Town of Andes
PO Box
Andes, NY 13731

Dear Mike,

On behalf of the Board of Directors of the Andes Society for History and Culture, I would like to thank you and your highway crew for installing the sluice pipe in front of the Moses Earle home site on Dingle Hill. The addition of the new kiosk erected by the ASHC will hopefully encourage more people to stop and visit this historic site and having a safe and secure entry to the kiosk and the home site is definitely a benefit.

Again, thanks to you and your staff for a timely job well done.

Sincerely,

Jim Andrews, President
Andes Society for History and Culture

cc:Andes Town Board

FROM THE SUPERVISOR:

1. We received a check, in the amount of \$85,497.35, from S.E.M.O. which was deposited. I requested an explanation of the projects that the check was for and received the information.
2. The High Street and Coulter Road bids were awarded to Clark Companies. I suggest that we have Clark Companies do the total road surface as C.W.C. will only pay for a portion and the Town pays for the balance.
3. We received a letter from Mr. & Mrs. Hutter, of Shaver Hill Road, regarding to our C. & D. Policy. I left a message for them explaining why we do this the way we do.
4. The N.Y.S. D.O.T. wrote to me on *Jan. 20th, 2011* requesting signage at the Overlook on Palmer Hill. I did NOT receive it until *June 9, 2011* as it was addressed to the Andes Highway Dept.. I have taken care of what needed to be done.
5. It appears that the Andes Town Policy Manual *must* be re-done as it is open to different opinions. Highway Superintendent - Michael McAdams - has informed the Town Board that he has Charles Melvin back to work.
6. The new Hamlet Designation Agreement does *not* really apply to us as we are NOT increasing or decreasing the designations set by the former Village of Andes and / or the Town of Andes. We are keeping them with NO CHANGE. This does not stop anyone from selling their property, it just keeps N.Y.C. from purchasing any land in the designated Hamlets. This option was granted to the Watershed Villages & Towns in the 1997 M.O.A. realization of our Home Rule rights.
7. We have requested bids to remove the Willow trees, that are marked, in the park. This will be paid for by the Friends of Ballentine Park.
8. Keough Consulting will give a presentation on Ethics at the conclusion of our Town Board Meeting.

**9. TIRE DAYS: July 13th, 16th, 20th & 23rd at the Andes Transfer Station.
NO WHEELS - NO RIMS - OPEN TO ANDES RESIDENTS ONLY.**

DISTRICTS:

1. We have received letters of support from Sen. Bonacic and Dave Warne - Assistant Comm. Of the D.E.P. for our Grant request to the C.D.B.G. of N.Y.S..

2. Suzanne Ports P.E. wrote to me on 6-9-11 asking for additional information from Delaware Operations.

Respectfully submitted,

Martin A. Donnelly

Supervisor - Town of Andes

EXECUTIVE SESSION:

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

VOTE: ALL AYE. So carried.

Reason: Legal

Time: 7:45P.M.

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

VOTE: ALL AYE. So carried.

Time: 8:00 P.M.

Privilege of the Floor:

NONE

MOTIONS:

MOTION made by Councilman Liddle second by Councilman Gabriel to give James LaBarbera a key to the gas tank for Town mowing purposes.

VOTE: ALL AYE. So carried.

MOTION made by Councilman Liddle second by Councilman Grommeck to authorize Highway Supt., Michael McAdams, to proceed with what needs to be done to close the Delancey Pit.

VOTE: ALL AYE. So carried.

RESOLUTION # 31 of 2011 – Certain Restrictions on Land Purchases and Easements under NYCDEP Land Acquisition Program

WHEREAS, on December 24, 2010, the New York State Department of Environmental Conservation (“DEC”) issued a Water Supply Permit to the New York City Department of Environmental Protection (“DEP”) which authorizes DEP (and/or its agents) to purchase land in fee and to purchase conservation easements within the New York City Watershed West-of-Hudson River subject to certain restrictions with a duration of 10 years (with a one five year renewal for a total duration of 15 years). A copy of the Water Supply Permit (Permit No. 0-9999-00051/00001) is available at <http://www.dec.ny.gov/permits/70361.html>.

WHEREAS, under Special Condition 1 of the permit, DEP’s acquisition of land in fee and conservation easements under this permit is limited to a cap of 105,043 acres;

WHEREAS, there is no time limit on the City’s Land Acquisition Program (i.e., the Land Acquisition Program can be renewed in 15 years for an additional period of 15 years and renewed thereafter);

WHEREAS, as a willing buyer offering to pay fair market value with no mortgage contingency or real estate commission, DEP’s Land Acquisition Program has been very successful in purchasing land and conservation easements throughout the watershed;

WHEREAS, there is a concern that the City’s Land Acquisition Program will continue until there is no remaining developable land for purchase;

WHEREAS, DEP is not allowed to purchase land or conservation easements outside of its City boundaries for water quality protection without obtaining approval from DEC under Article 15, Title 5 of the New York State Environmental Conservation Law;

WHEREAS, the Water Supply Permit issued by DEC limits the type of land eligible for City purchases such that there must be a significant water quality benefit to the purchase and the program must not have a significant adverse impact on the community’s ability to survive and prosper;

WHEREAS, in the Water Supply Permit, DEC has sought to balance the need for future generations to have access to developable land by restricting from land eligible for acquisition, certain parcels, which from an environmental, social and economic perspective, should be preserved for future residential or commercial development (e.g., access to sewer or other utility infrastructure, road frontage, flat lands, in the hamlet, proximity to the hamlet, dry soils suitable for septic system);

WHEREAS, Special Conditions 7, 8 and 9 of the Water Supply Permit restricts eligibility for land acquisition to land that (i) has certain surface water features and/or steep slopes, (ii) are greater than a certain size and (iii) are vacant. Subject to certain exemptions, parcels that do not meet those criteria are ineligible for acquisition;

WHEREAS, once the City purchases the land and/or the conservation easement, the land becomes forever limited as open space and prohibited from residential and/or commercial development by future generations;

WHEREAS, in order to protect the land that is most amendable for development, Special Condition 10 of the Water Supply Permit identifies two types of areas where the City may not purchase in fee or conservation easements: The 1997 Designated Areas and the 2011 Designated Areas;

WHEREAS, Special Condition 2 of the Water Supply Permit provides as follows:

The City's LAP, the City's Watershed Regulations, and the other programs and conditions contained in the Watershed MOA, when implemented in conjunction with one another, are intended to protect water quality while allowing existing development to continue and future growth to occur in a manner that is consistent with the existing community character and planning goals of each of the Watershed communities. The City's land acquisition goals recognize the importance of ensuring that the availability of developable land in the Watershed will remain sufficient to accommodate projected growth without adverse effects on water quality and without substantially changing future population patterns in the Watershed communities.

WHEREAS, the determination whether the 2011 Town of Andes Hamlet Designated Areas are needed to ensure the availability of developable land to accommodate anticipated necessary growth within the community is in the nature of a local land use determination to be made by the Town Board;

WHEREAS, attached as **Exhibit A** is a listing of tax parcels within the 2011 Hamlet Designated Areas;

WHEREAS, attached as **Exhibit B** is a map showing the final 2011 Hamlet Designated Areas;

WHEREAS, the Water Supply Permit allows the local Town to determine the boundaries of the Hamlet Designated Areas and to determine whether the designated areas should be eligible for purchase by the City;

WHEREAS, under Section 18-39(a)(3) of the New York City Watershed Rules and Regulations, the parcels within the 2011 Hamlet Designated Areas are allowed to construct impervious surfaces within 100 feet of a water course subject to an individual stormwater permit from DEP;

WHEREAS, the Town has notified all property owners (based upon the current

assessment roll and/or amended as needed to assure the most complete roll of landowners were notified) within the 2011 Hamlet Designated Areas notifying them of the opportunity to provide written comment and to provide testimony at a public hearing on the Town selection of the boundaries of the designated areas and whether such areas are eligible (or ineligible) for City Land Acquisition;

WHEREAS, that the Town Board has complied with the terms set forth under Special Condition 10 of the December 24, 2010 Water Supply permit;

WHEREAS, the Town Board must determine whether to adopt the parcels identified in Exhibit A and noted on Exhibit B as the 2011 Hamlet Designated Areas.

NOW THEREFORE BE IT RESOLVED,

1. The Town Board confirms that it is choosing at this time to preclude any DEP land acquisition (including the acquisition of conservation easements) and/or WAC acquisition of conservation easements within the Hamlet Designated Areas as defined and identified in Exhibits A and B, dated February 2011.
2. The Town Board is not and does not intend on deleting any parcels from the boundaries of the Hamlet of Andes or the Hamlet of Tremperskill.
3. The Town Board reserves any and all rights under Special Conditions 7, 8, 9 and 10 to make new determinations in 2016 and 2021.

WHEREUPON, the Resolution was put to a vote, recorded as follows:

Proposed by Councilman Gabriel Second by Councilman Grommeck

ROLL CALL:

Councilman Gabriel-----AYE

Councilman Grommeck---AYE

Councilman Liddle-----NO

Councilman Moshier-----ABSENT

Supv. Donnelly-----AYE

VOTE: 3-AYE / 1-NO / 1-ABSENT

SO CARRIED

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

VOTE: ALL AYE. So carried.

MOTION made by Councilman Liddle second by Councilman Grommeck to approve the following June Reports: Town Board Bookkeepers Financial Report, Town Clerks Financial Report, Town Justice Financial Report, Town Tax Collectors Financial Report, Building Inspector Report, Planning Board Report and D.C.O. Report.

VOTE: ALL AYE. So carried.

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

GENERAL	#149-#186	\$15,828.34
HIGHWAY	#88-#111	23,201.70
FEMA	#4-#5	25,171.26
WATER DISTRICT	#37-#43	3,521.96
W.W.T.P. DISTRICT	#89-#112	69,881.45
W.B.G. POOL GRANT	#7-#8	1,643.32
SHAVERTOWN CEM.	#2-ONLY	118.35

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**

June 14, 2011

1. **Water System**
 - Daily usage of treated water from the water system averaged 16,056 gallons per day for the month of May 2011.
2. **Plant Purchases**
3. **O&M**
4. **Equipment**
5. **Distribution System**
6. Please notify the Water Department staff before filling the pool or using the fire hydrants for Fire Department drills. The upgraded Spring system is more sensitive to periods of high water usage.

DELAWARE OPERATIONS, INC.

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**TOWN OF ANDES, NY
TOWN BOARD MEETING
REPORT BY DELAWARE OPERATIONS
June 14, 2011**

1. WWTP Plant

- Plant effluent flows averaged 25,890 gallons per day for the month of May 2011.

2. SPDES Compliance/NYSDEC, NYCDEP

- The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for May 2011 met all parameters.

3. Collection System

- High Street is being maintained as required.
- On May 3rd Saint Anne's church lateral was repaired.
- On May 12th the sewer main at Paula Nelson's connection was repaired. This completes the sewer line repairs.

4. Plant Purchases.

- Delaware Operation requests the approval to purchase a spare UV sensor assembly from Koester Associates, Inc. at a cost of \$1,131.00 plus shipping.

5. Plant O&M

6. Plant Equipment.

7. Gladstone Hollow Septic System

- On May 17th yearly maintenance of the Gladstone Hollow Septic System was completed. The original tank lids were resealed as per the NYSDEC consent order. Three of the original lids are damaged and will be replaced when the new ones arrive.

MOTION made by Mr. Liddle second by Mr. Grommeck to authorize the surplus-sing of equipment at the WWTP as the WWTP Repair and Remediation Project goes forward, requiring the highest responsible of the three price quotes for such sale.

VOTE: ALL AYE. So carried.

MOTION made by Mr. Gabriel second by Mr. Liddle to approve Del. Op. request:

UV sensor assembly From: Koester Asoc. \$1,131.00 + shipping.

VOTE: ALL AYE. So carried.

ADJOURN:

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

VOTE: ALL AYE. So carried.

TIME: 8:20 P.M.

Janis L. Jacques

**Andes Town Clerk
Andes Districts Clerk**

Janis L. Jacques

Martin Liddle

Martin Liddle A-S

Martin Liddle TR

James Mosler

David Hunt D