

**TOWN OF ANDES                      PUBLIC HEARINGS                      MAY 10, 2011**  
**ANDES FIRE HALL \*REGULAR MONTHLY MEETING\* 12:00 Noon**

**PRESENT:**

**Councilman Ritchie Gabriel**  
**Councilman Daniel Grommeck**  
**Councilman Martin Liddle-----Absent**  
**Councilman Shayne Moshier**  
**Supervisor Martin A. Donnelly**  
**Town Clerk Janis L. Jacques**  
**Deputy Town Clerk Sharon Drew**  
**Deputy Highway Supt. Brad Darling**  
**Keough Consulting Marge Merzig**  
**Shane Boice - Delaware Operations - Andes Plant**  
**John Moffett - Delaware Operations**  
**Del Co. Pl. Bd. Nicole Franzese - Director**  
**Del. Co. Pl. Bd. Kristen Schnieder**

**ALSO:**

**John Barone { Atny. For Paula Nelson }                      Margaret Liddle**  
**Brent Trimbell { Lasting Impressions Landscapes }      Howard Rosenast**  
**Walter B. Gladstone    Wayland Gladstone**  
**T.W. Coddington { Walton Reporter }      Terri Hannum { Del. Co. Times }**

**CALL TO ORDER:**

**Supv. Donnelly called the first Public Hearing to order at 12:00 Noon.**

**PLEDGE:**

**The Pledge of Allegiance was recited lead by Councilman Gabriel.**

**PUBLIC HEARING #1. Local Decisions on Lands Eligible for purchase  
by NYCDEP**

**Nicole Franceze - Director Del. Co. Planning**

**Proof of publication having been furnished, the Public Hearing on eligible lands definitions agreement between the Town of Andes and NYCDEP, having been negotiated by Delaware County and the Coalition of Watershed Towns on our behalf was opened. Questions from Margaret Liddle, Walter B. Gladstone & John Barone were answered by Nicole Franceze of the Delaware County Planning Board and Supv. Martin A. Donnelly. All persons desiring to be heard, having been heard:**

**MOTION made by Councilman Gabriel second by Councilman Moshier to close Public Hearing #1.**

**VOTE: ALL AYE. So carried.**

**PUBLIC HEARING #2. Community Development Block Grant  
Margery Merzig - Keough Consulting**

Proof of publication having been furnished, the Public Hearing on the Office of Community Renewal - Community Block Grant was called to order by Supervisor Martin A. Donnelly was called to order at 12:15 P.M.. Margery Merzig of Keough Consulting made a presentation regarding the status of the Andes Wastewater Treatment Plant {WWTP} Repair & Remediation Project. Mrs. Merzig announced that it is the intention of the Andes Town Board to apply For \$572,414.00 to offset the cost of the project to the Andes WWTP District. Residents of the town were invited to express their thoughts on this planned use Community Development Block Grant and ask any questions. She reported that the recently conducted income survey of WWTP District residents supported the application. She also reported that the Town is currently benefiting from a grant was awarded last year to Delaware Opportunities specifically to assistance in housing rehabilitation and that the proposed grant will not include any housing rehabilitation component. The Town of Andes is proposing to use the grant to offset the cost of borrowing for the construction portion of the WWTP Project. Questions were asked by several of those attending and Mrs. Merzig and Supv. Donnelly answered them. At the conclusion of the questions, those present expressed a desire for the Town of Andes to proceed with the plan. All persons desiring to be heard, having been heard:

**MOTION made by Councilman Gabriel second by Councilman Grommeck to close the Public Hearing.**

**VOTE: ALL AYE. So carried TIME: 12:40 P.M.**

## Town of Andes Highway Report

Michael R. McAdams, Highway Superintendent

May 10, 2011

Equipment:

2009 Int 4x4 - Put new rear brake shoes on, taking it to Funks to put in new rear spring under warranty

2004 Int - Put new rear brake shoes and air hoses to pass inspection

2000 Int - Will be putting on new brake shoes

1999 Int - Replaced front spring

Cat Grader - Changed oil and greased

Other:

We took junk to Oneonta and received two checks which will be given to Supervisor.

Roads:

Wolf Hollow - worked, more work to do later

Woodland Hills - Ditched part of the road

Bussey Hollow has been worked

We will be putting sluice pipes in throughout Town

Felton Road - Trying to get permission to widen road to make it easier to plow

Cross Mountain - Met with DEC to see about widening out narrow spots

Sent in all permits for 2011 to DEC for road work alongside brooks

Respectfully Submitted:

Michael R. McAdams

Highway Superintendent

**FROM THE SUPERVISOR:**

**#1. Highway Superintendent, Michael McAdams, was served with a consent order from the DEC for our gas & diesel tanks along with a fine up to \$5,000.00. This is for lack of proper display signs & tank monthly record keeping. This has been turned over to our Town Attorney, David Merzig.**

**#2. Lamont Engineers held a pre-bid session on April 26, 2011, at Town Hall, in reference to Coulter Road and High Street rehabilitation projects. Both projects had eleven firms request the bid specs from the engineer. A local match of in - kind - services or payment will be required upon completion.**

**#3. We received from N.Y.S.D.O.T. approval for the CHIPs budget for 2011 - 2012.**

**#4. Today we held the final step, a Public Hearing in reference to D.E.P. purchasing land in our designated Hamlets.**

**#5. With the help of Assessor, Tina Moshier, - Town Clerk Janis Jacques - Keough Consulting, Marge Merzig - and myself - an emergency preparedness guide with Town of Andes & Delaware County contact numbers has been completed. This in the event it is ever needed. Marge had them printed for us.**

**6. When our business is concluded down here, we will adjourn to Town Hall to go over bills, sign warrants & and take care of any other business that may come up.**

**DISTRICTS:**

**#1. Marge Merzig, Keough Consulting, and I have completed the door to door collection of unreturned income surveys.**

**#2. Delaware Operations continues to comply with the D.E.C. requests for information relative to the WWTP upgrade.**

**#3. Our Delaware Operations engineers continue to check for and repair any water leaks they find. In just two leaks they found & repaired, the water usage went from 36,000 gals. a day down to under 12,000 gals. per day. They found joints that were not connected, various types of materials used for piping - including a piece of garden hose. Let us remember - this system was installed under the former village administration. In the future, no one may work on our systems unless Delaware Operations is present.**

**#4. At the request of the C. W. C., I attended the Town of Ashland & the Town of Phoenicia Board meetings. This request was made due to the articles printed regarding our W.W.T.P. and its many problems.**

**#5. We continue to negotiate with the D.E.P.. They have been very cooperative and helpful up to now. It appears they will continue to support our efforts to obtain additional funding to offset any cost to our residents in the District.**

**Respectfully submitted,**

**Martin A. Donnelly  
Town of Andes Supervisor**

**MOTIONS:**

**MOTION** made by Councilman Grommeck second by Councilman Gabriel to hold bid openings for the High Street and Coulter Road Stormwater Projects - on Thursday - May 12, 2011 at @ 1:00 P.M. @ Town Hall - to be conducted by Lamont Engineers. The bid will be awarded on Tuesday - May 17, 2011 @ Town Hall @ 7:30 P.M. @ a Special Town Board meeting.

**VOTE: ALL AYE. So carried.**

**RESOLUTIONS:****RES. #26 BID AWARD - MOWING**

**BID #1. Shavertown Cemetery - Seasonal mowing**

Mowing & trimming grass. Clean up flowers - sticks - stones & other debris off the lawn prior to first mowing. May thru the end of the season, every two weeks or as needed. Price per season. Copy of insurance certificate **MUST** be included and non-collusive bid certificate also.

Bidders: Tri Town Services	\$2,698.00
Lasting Impressions Landscapes	\$2,630.00

**AWARDED: Lasting Impressions Landscapes - \$2,630.00**

**BID #2. Seasonal Mowing At Water Reservoir**

Mowing & trimming. Price per season. Copy of insurance certificate **MUST** be included and non-collusive bid certificate also.

Bidders: Lasting Impressions landscapes	\$400.00
Tri Town Services	\$424.00

**AWARDED: Lasting Impressions Landscapes - \$400.00**

**ALL bids had non-collusive bid certificated and proof of insurance.**

**Proposed by Councilman Gabriel**

**Second by Councilman Moshier**

**ROLL CALL:**

**Councilman Gabriel-----AYE**

**Councilman Grommeck---AYE { on Bid #1 } abstained on Bid #2 }**

**Councilman Liddle-----ABSENT**

**Councilman Moshier-----AYE**

**Supv. Donnelly-----AYE**

**VOTE: Bid #1 - 4 - AYE    Bid #2 - 3 - AYE / 1 - Abstained**

**So carried.**

**RESOLUTION #27** Authorizing the filing of an application for a single purpose Community Development Block Grant through the New York State Office of Community Renewal

**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 to benefit low and moderate income families or prevent or eliminate slums or blighting conditions; 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 activity which meets the community development needs of the Town; and

**WHEREAS**, the Town Council of the Town of Andes, acting on behalf of the Andes Sewer District #1, after soliciting citizen participation in the process, deems it necessary and in the public interest to apply for a single purpose grant under the NYSOCR Community Development program, seeking assistance for the repair and remediation of the Andes Sewer District #1 Wastewater Treatment Plant, according to the order on consent filed by the New York State Department of Environmental Conservation, November 2010; and

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

**WHEREAS**, the Town has undertaken an income survey of all sewer district residents to determine whether the district has more than 51% of its residents as low to moderate income households and individuals; and

**WHEREAS**, the survey has so determined, thereby qualifying the district area as an eligible community, now therefore, be it

**RESOLVED** by the Town Council of the Town of Andes, acting on behalf of the Andes Sewer District #1, as follows:

**SECTION I** It authorizes the filing of an application for a Community Development Block Grant for public sewer plant repair/remediation in the amount of \$572,414 and the same be hereby approved.

**SECTION II** The Town Supervisor, as Chief Executive Officer, is hereby authorized to execute and file an application to the New York State Office of Community Renewal and to serve as the authorized representative of the Town of Andes, acting on behalf of the Andes Sewer District #1, in connection with the application and to provide such additional information as may be required.

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

**SECTION IV** That upon approval of the Office of Community Renewal Community Development Block Grant, the Town Supervisor be and is hereby authorized and empowered on behalf of the Town of Andes to execute same.

Proposed by Councilman Moshier

Second by Councilman Grommeck

ROLL CALL:

Councilman Gabriel-----AYE

Councilman Grommeck---AYE

Councilman Liddle-----Absent

Councilman Moshier-----AYE

Supv. Donnelly-----AYE

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  
May 10, 2011**

1. **Water System**
  - Daily usage of treated water from the water system averaged 27,470 gallons per day for the month of April 2011.
2. **Plant Purchases**
3. **O&M**
4. **Equipment**
  - On April 18<sup>th</sup> plant staff changed second stage filter cartridges.
5. **Distribution System**
  - On April 20<sup>th</sup> a leaking service line at 39 Delaware Avenue was repaired.
  - On April 21<sup>st</sup> a leaking service line at 217 High Street was repaired.
  - The two service line repairs reduced the Town's daily water usage by 20,000 gallons per day.

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**TOWN OF ANDES, NY  
TOWN BOARD MEETING  
REPORT BY DELAWARE OPERATIONS  
May 10, 2011**

1. **WWTP Plant**
  - Plant effluent flows averaged 42,011 gallons per day for the month of April 2011.
2. **SPDES Compliance/NYSDEC, NYCDEP**
  - The plant discharges of treated effluent to the Tremper Kill Brook; permit compliance for April 2011 met all parameters.
3. **Collection System**
  - High Street is being maintained as required.
4. **Plant Purchases.**
5. **Plant O&M**
6. **Plant Equipment.**
  - On April 21<sup>st</sup> Micro filter #2 had a piping failure. This is a chronic problem associated with the high-pressure backwashes required by our Memcor units.

**RESOLUTION #28** Authorizing the Andes Sewer District to engage in emergency repairs of the Andes WWTP collection system

**WHEREAS**, the Andes WWTP has experienced a failure due to a rain event September 30 to October 1, 2010; and

**WHEREAS**, the NYS Department of Environmental Conservation has issued a consent order, dated November 2010 to correct the conditions which lead to the plant failure and violations of the SPDES permit; and

**WHEREAS**, repairs to the collection system were part of the order, considering the significant infiltration and inflow experienced by the system; and

**WHEREAS**, the staff of Delaware Operations, Inc., the district operations staff, conducted a survey of the collection system to determine the particular sources of the infiltration and inflow; and

**WHEREAS**, the sources were both inside and outside the Town rights-of-way; now therefore, be it **RESOLVED** that the Town Council of the Town of Andes, acting on behalf of the Andes Sewer District #1, authorizes the repair of the collection system in order to comply with the NYSDEC order on consent; and be it further

**RESOLVED** that the Town shall make such necessary repairs and bear the cost of the same even on private property, with appropriate easements, as shall be required to repair the collection system and reduce the infiltration and inflow to the Andes WWTP as shall be possible.

Proposed by Councilman Moshier

Second by Councilman Gabriel

ROLL CALL:

Councilman Gabriel-----AYE

Councilman Grommeck--AYE

Councilman Liddle-----Absent

Councilman Moshier-----AYE

Supv. Donnelly-----AYE

VOTE: ALL AYE. So carried

**MINUTES:**

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

**VOTE: ALL AYE. So carried.**

**REPORTS:**

**MOTION** made by Councilman Gabriel second by Councilman Grommeck to approve the following April Reports:

**Town Boards Bookkeepers Financial Report, Town Clerks Financial Report, Building Dept. Report, Planning Board Report, D.C.O. Report, Justices Report & Tax Collectors Report.**

**VOTE: ALL AYE. So carried.**

**We will now leave the Fire Hall and go to our Town Hall to continue. We will have an Executive Session, sign our bills and take care of any other business we may have.**

**TIME: 1:15 P.M..**

**TOWN HALL:**  
**TIME: 1:20 P.M..**

**EXECUTIVE SESSION:**

**MOTION made by Councilman Moshier second by Councilman Gabriel to enter Executive Session.**

**VOTE: ALL AYE. So carried.**

**TIME: 1:25 P.M..**

**REASON: LEGAL**

**MOTION made by Councilman Grommeck second by Councilman Gabriel to exit Executive Session.**

**VOTE: ALL AYE. So carried.**

**TIME: 2:15 P.M..**

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

General	#121-#149	\$20,750.94
Highway	#66-#87	16,087.33
FEMA	#3-ONLY	37,641.61
WATER	#25-#36	10,371.98
WWTP	#70-#88	43,348.58
WGB Pool	#5-#6	936.35

**VOTE: ALL AYE. So carried.**

**MOTION made by Councilman Moshier second by Councilman Grommeck to hire Gordon Gardner for Transfer Station as a seasonal employee. No benefits. Start May 21, 2011 thru Oct. 8, 2011.**

**VOTE: ALL AYE. So carried.**

{ 2 applications received }

**ADJOURN:**

**MOTION made by Councilman Moshier second by Councilman Grommeck to adjourn.**

**VOTE: ALL AYE. So carried. TIME: 2:30 P.M..**

Janis Lynn Jacques   
 Andes Town Clerk / Andes Districts Clerk