

**Town of Andes  
Regular Meeting  
June 14<sup>th</sup>, 2022 7:00PM  
Andes Town Hall**

**Present:**

Councilman Dale Cole	Councilman Shayne Moshier
Councilman Thomas Hall	Councilman Ritchie Gabriel
Supervisor Wayland 'Bud' Gladstone	Town Clerk Kimberly Tosi
Highway Superintendent John Bouton	Building Inspector/CEO Alfred Mohr
Deputy Town Clerk Lauren Green	

**Others:**

Peter Calvert – Andes Gazette	Elizabeth DeFalco – The Reporter
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**Others via Zoom:**

Tim Lyons	Alessandra Russo
Jason Frank	

**Call to Order:**

The meeting was called to order by Supervisor Gladstone at 7:00 pm.

**Pledge:**

The pledge of allegiance was led and recited by Councilman Cole.

**Minutes:**

Motion to approve the May 2022 Regular Town Board Meeting Minutes, made by Councilman Gabriel, Seconded by Councilman Moshier. All in favor. Motion Carried.

**Privilege of the Floor:**

N/A

**Reports:**

Supervisor's report

<b>Date Ck Rec'd</b>	<b>Check Details</b>	<b>Amount</b>
6/2/2022	Auctions International	\$18,730.00
6/2/2022	Kimberly A. Tosi, Town Clerk	\$2,288.00
6/2/2022	Kimberly A. Tosi, DECALS	\$2.76
6/8/2022	Thomas Joyce, Justice	\$463.50
6/8/2022	Nicholas Burton, Justice	\$1,003.00

6/9/2022	Otsego Auto Crushers	\$242.88
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\*Councilman Gabriel and I met with Delaware County Soil & Water regarding an ongoing concern with freezing of a water line under State Route 28, on Delaware Avenue. We will be working with Delaware Bulldozing to resolve this issue.

\*Andes Community Day will take place on August 13<sup>th</sup>.

\*Thank you for Jim Andrews for organizing the Memorial Day Parade.

\*Thank to Highway Superintendent John Bouton and his employees for his help with the pool.

Respectfully,

Bud Gladstone-Supervisor

#### Highway Report

(Attached)

\*Stevens Road- situation ongoing

\*Truck rebuild update- waiting on parts to continue work

#### CEO/Building Inspector Report

An oral report was presented by Mr. Mohr: 6 permits (1 new construction), 2 municipal searches completed, 1 police search, 17 inspections, 3 violations (no permit)

#### Pool Report

Permit was received today. Councilman Gabriel mentioned Rachel is ready to go and wants to move up opening. A pallet jack or barrel cart is needed to transport pool supplies.

#### **Old Business:**

June 28<sup>th</sup> Primary---Need for more election inspectors Republican Party

Memorial Day Fireworks Permit – granted; but in the future, paperwork needs to be submitted on time

#### **New Business:**

Letters Received from (1) Kathleen Tartivita (2) Mark Pezzati & Pia Dehne

\*Tartivita-Referred to Highway Superintendent Bouton

\*Pezzati & Dehne-Forwarded to Town Attorney, waiting for response

Summer Youth Employment- The town has hired two employees (1 at Town Clerk, 1 at Pool).

Community Day- Banner Permits & Parade Permit  
Information is needed from organizers to file all necessary permits on time.

**Town Calendar:**

June

<b>Date</b>	<b>Item</b>	<b>Department</b>
6/8	Free Rabies Clinic (Arkville Fire Hall) 4PM-6PM	
6/13	Planning Board Meeting 7:00PM	Planning
6/14	Town Board Meeting 7:00PM	Town Board
6/15	Free Rabies Clinic (Franklin Fire Hall) 4:45PM-6:45PM	
6/27	Zoning Board Meeting (if needed) 7:00PM	Zoning
6/28	Primary Election 6:00AM-9:00PM	

July

<b>Date</b>	<b>Item</b>	<b>Department</b>
7/4	Town Hall Closed Independence Day	Building, Assessor and Town Clerk
7/11	Planning Board Meeting 7:00PM	Planning
7/12	Town Board Meeting 7:00PM	Town Board
7/12	DCO Contract Review	Town Board
7/25	Zoning Board Meeting (if needed) 7:00PM	Zoning
7/31	Sewer Bills Due	District Clerk

August

<b>Date</b>	<b>Item</b>	<b>Department</b>
8/2	Free Rabies Clinic (Walton Town Garage) 5PM-7PM	
8/8	Planning Board Meeting 7:00PM	Planning
8/9	Town Board Meeting 7:00PM	Town Board
8/11	October Water Bills Mailed	District Clerk
8/22	Zoning Board Meeting (if needed) 7:00PM	Zoning
8/23	Primary Election 6:00AM-9:00PM	
8/24	Free Rabies Clinic (Delhi Fire Hall) 5PM-7PM	

**Motions:**

Motion to approve the May 2022 Town Clerk, Supervisor's, and Justices' Financial Reports, made by Councilman Moshier, Seconded by Councilman Gabriel. All in favor. Motion Carried.

Motion to cancel the August 2022 Town Board Meeting, all bills will still be paid by signature of three board members, made by Councilman Hall, Seconded by Councilman Cole. All in favor. Motion Carried.

**Resolutions:**

Resolution 26 of 2022 Highway Department Truck Bid Authorization

BE IT RESOLVED, by the Town Board of the Town of Andes to authorize Highway Superintendent Bouton to bid on a 2014 International, from the Town of Florida on Auctions International, with a purchase price not to exceed \$62,500.

Proposed by: Supervisor Gladstone

Seconded by: Councilman Cole

Roll Call:

Councilman Moshier---Aye

Councilman Hall---Aye

Councilman Cole---Aye

Councilman Gabriel---Aye

Supervisor Gladstone ---Aye

**Approval of Bills:**

Motion to approve General Warrants #139-176 totaling \$14,412.82

Highway Warrants #137-167 totaling \$27,936.73

CHIPS Warrants #21-30 totaling \$116,980.36

WWTP Warrants #64-76 totaling \$40,336.75

Water Warrants #37-43 totaling \$10,487.10

Well Project Warrants #3 totaling \$2,662.50, made by Councilman Moshier,

Seconded by Councilman Hall. All in favor. Motion Carried.

**Districts:**

**Water-**

**Sewer-**

**Public Comment/Questions:**

N/A

**Executive Session:**

**RE: Personnel**

Motion to enter executive session, made by Councilman Hall, Seconded by Councilman Gabriel.

Motion Carried. 7:48PM

Personnel Invited to stay: Town Clerk Tosi and Deputy Town Clerk Green

Motion to exit executive session made by Councilman Moshier, Seconded by Councilman Gabriel. All in favor. Motion Carried. 7:57PM

Resolution 27 of 2022 Town Clerk Appointment

BE IT RESOLVED, that the Andes Town Board hereby appoints Deputy Clerk Lauren Green to fill out the current term upon the resignation of Town Clerk Tosi, effective August 15<sup>th</sup>, 2022.

Proposed by: Councilman Hall

Seconded by: Councilman Moshier

Roll Call:

Councilman Moshier---Aye

Councilman Hall---Aye

Councilman Cole---Aye

Councilman Gabriel---Aye

Supervisor Gladstone ---Aye

**Adjourn:**

Motion to adjourn made by Councilman Gabriel, Seconded by Councilman Hall. All in favor.

Motion Carried. 7:59 PM.



June 2022 Highway Report

12<sup>th</sup> sweep Weaver hollow, Canada hollow work on Brace

14<sup>th</sup> loads of stone

16<sup>th</sup> made patch work on Brace finish sweeping Canada hollow swept Crescent hills

17<sup>th</sup> push up stone sweep fill pot holes

18<sup>th</sup> sweep beech and Barkaboon work on Buzzy Hollow

19<sup>th</sup> rain day grease trucks sweep push up stone

23<sup>rd</sup> patch lower main

24<sup>th</sup> sweep 2 men to Middle town

25<sup>th</sup> work Campbell Chappell rd. 2 men to Middletown

26<sup>th</sup> pump pool sweep mow

31<sup>st</sup> ditch buzzy

June

1<sup>st</sup> Ditch mow

2<sup>nd</sup> shop and old shop

6<sup>th</sup> ditch mow sweep

7<sup>th</sup> ditch mow sweep

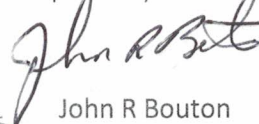
8<sup>th</sup> old shop mow sweep

9<sup>th</sup> fix exhaust on Tully truck order parts and take valve off Freightliner order parts

13<sup>th</sup> Tyler Hall started work with us Greg Montminy has taken another job we wish him the best of luck with his new adventure. I would like to thank him for his service here. We swept mowed and ditched. I went to Florida NY to look at a truck of which we talk about in a minute.

14<sup>th</sup> work at fire hall sweep attach supports to tully truck chipper bar.

Respectfully submitted



John R Bouton

June 5, 2022

Supervisor Gladstone, Clerk Tosi, Andes Town Attorney,

Mark Pezzati and Pia Dehne, residents and owners of the property at 583 Rich Road in Andes (formerly owned by Betty Lankin), would like the Town of Andes to provide a legal determination as to where Rich Road ends. Rich Road begins about 2 miles up Shaver Hollow and runs a little over 1/2 mile where it appears to dead end at the beginning of the Pezzati/Dehne driveway. Beyond that point an unmaintained primitive farm path continues for another 1/2 mile or so; initially on an edge of Pezzati/Dehne's property and then continuing through DEP property.

About a year ago Pezzati and Dehne asked Andes Highway Supervisor John Bouton if he knew at what exact point Rich Road ended. Superintendent Bouton replied that the road ends where the Pezzati/Dehne driveway begins. Superintendent Bouton was then asked if official town documents existed to verify this. Bouton said that such records were kept by the Delaware County Highway Department in Walton and that he would check there. A couple weeks later Bouton found the attached 1987 document from Delaware County DPW to former Andes Town Superintendent Bruce Soules. This document states that Rich Road is .58 miles in length. A surveyor's wheel used by Pezzati/Dehne showed that .58 miles (3062 feet) is the point at which Pezzati/Dehne's driveway begins. The document further states that Rich road has been this length since at least 1965. This is also what Pezzati/Dehne's lawyers Mike DeGroat and Beth Westfall at Coughlin & Gerhart LLP believe the road's endpoint to be.

The property abutting Pezzati/Dehne to the northeast is a large DEP parcel. Pezzati/Dehne emailed the attached 1987 Delaware County DPW document to David Cannata, Watershed Lands Coordinator with NYC Environmental Protection Bureau of Water Supply, along with the question asking if DEP agreed with what the document states about the road length. David Cannata replied that he would forward the question to his legal department. A few weeks later Cannata replied again by email saying, "I wanted to follow up and let you know that DEP cannot base this determination on an unsigned document. Please continue to work with the Town on this matter. Thank you."

Pezzati/Dehne are concerned that their immediate neighbor (DEP) is not in agreement about where the official endpoint of Rich Road is located. They therefore ask that Andes provide a legal document that states the road's exact endpoint.

If more documents, such as deeds, or discussion by phone, would be a help in this matter please let us know.

Thank you.

Mark Pezzati and Pia Dehne

Relevant Contacts:

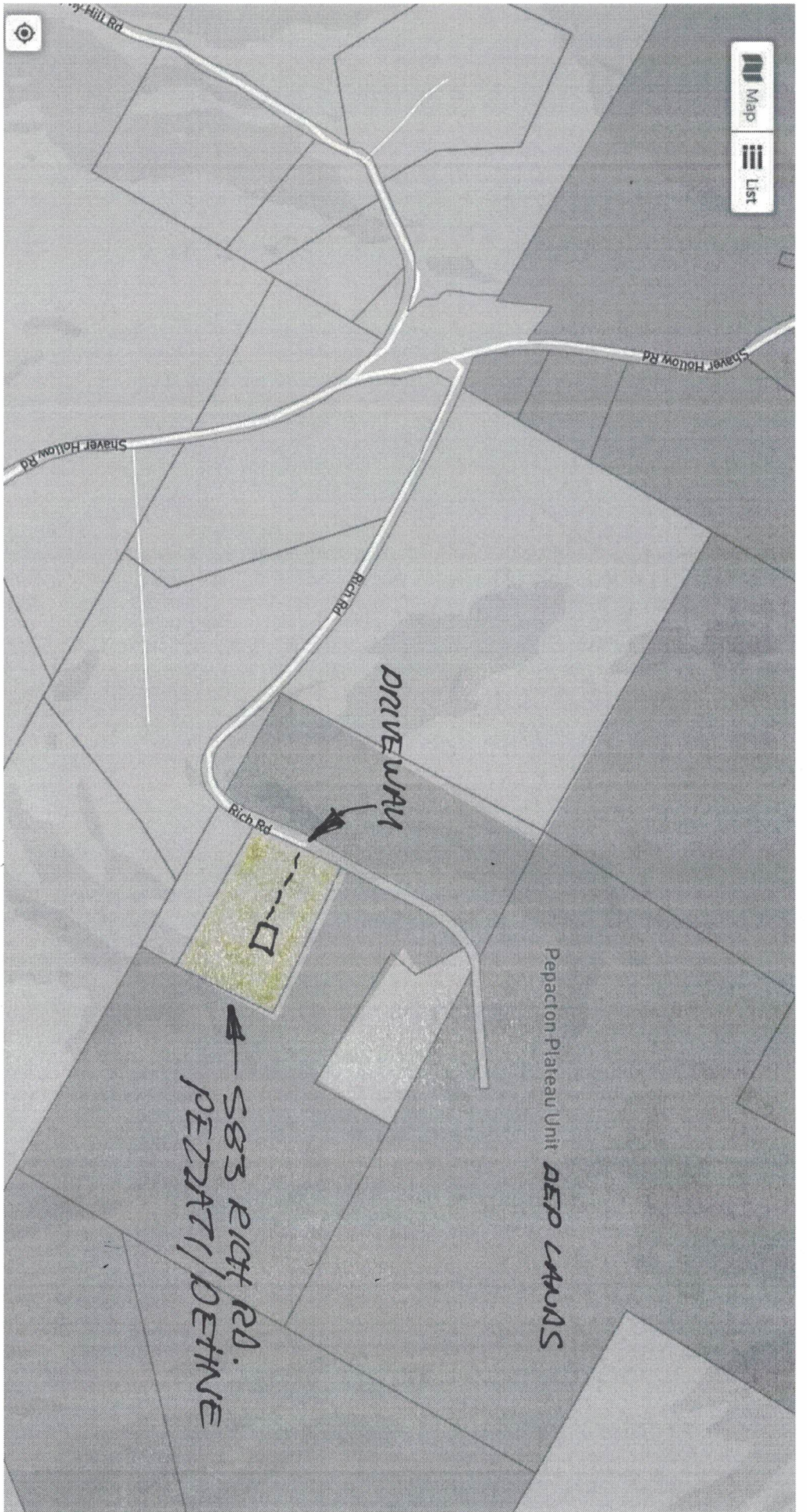
Mark Pezzati and Pia Dehne  
347-552-5144  
piadehne@gmail.com

David Cannata  
Watershed Lands Coordinator  
NYC Environmental Protection Bureau of Water Supply  
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MDeGroat@cglawoffices.com

Beth Westfall Esq.  
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Map  
List

Shaver Hollow Rd

Shaver Hollow Rd

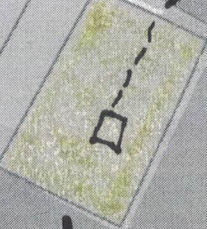
Rich Rd

DRIVEWAY

Rich Rd

Pepaction Plateau Unit DEP LANDS

← S83 RICH RD.  
PEZZATI/DETIVE





24 July 1987

Mr. Bruce Soules, Town Supt.  
Town of Andes  
Andes, New York 13731

As per your request we re-ran the Rich Road in the Town of Andes to determine where the end of the road is located. According to the New York State Department of Transportation Town Highway Listings the mileage for this road is 0.58 miles. This is also the mileage given for the Rich Road for as long as we have records. The first year of record is 1965.

This road ends within fifty feet short of the fence and gate to the Betty Lakin residence. We have put a wooden stake painted orange on the left side of the road to show where our measurements show the end of road to be. Included is a copy of the records of 1965 and 1986 showing the mileage for Rich Road.

Wesley Warren, Civil Engineer  
Department of Public Works

WW:aj

Enc.



# CEDARWOOD ENVIRONMENTAL SERVICES

PO Box 1360, Oneonta NY 13820 • Phone 607-441-3246 • FAX 607-441-3251

**TOWN OF ANDES, NY  
TOWN BOARD MEETING  
REPORT BY CEDARWOOD ENVIRONMENTAL SERVICES  
June 7, 2022**

**1. Water System**

Daily usage of treated water from the water system averaged 24,800 gallons per day for the month of May 2022.

**2. Plant Purchases**

**3. O&M**

Changed some filters in May 2022.

**4. Equipment**

**5. Distribution System**

Delaware Bulldozing replaced leaking water line at 160 Main St. on May 9, 2022. Installed new line from water main to curb stop at a cost of \$8,132.00.

**6. Library Well**

Ran well on May 31, 2022.

# CEDARWOOD ENVIRONMENTAL SERVICES

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**TOWN OF ANDES, NY  
TOWN BOARD MEETING  
REPORT BY CEDARWOOD ENVIRONMENTAL SERVICES  
June 7, 2022**

**1. WWTP Plant**

Plant effluent flow averaged 34,000 gallons per day (GPD) for the month of May 2022.

**2. SPDES Compliance/NYSDEC, NYCDEP**

The plant discharges treated effluent to the Tremper Kill Brook. The WWTP was in compliance for May 2022.

**3. Collection System.**

Still have inflow and infiltration (I&I) issues.

**4. Plant Purchases.**

**5. Plant O&M**

All running well.

**6. Plant Equipment**

**7. Gladstone Hollow Septic System**