

## Regular Meeting

The Regular Meeting of the Ephratah Town Board was held 6 PM November 9, 2011 at the Ephratah Town Hall.  
Roll Call found the following people present:

Supervisor	Todd Bradt
Councilman	Ivan Duesler
Councilman	George Cosselman
Councilman	Thomas Miles
Councilman	Andrew Chorlton
Clerk	Eleanor Smith
Hwy Superintendent	James Berry--Absent
Code Enforcement Officer	David Rackmyre, Jr.--Absent
Attorney	Michael Albanese --Absent

The meeting was opened with Salute to the Flag led by Supervisor Todd Bradt.

Ivan Duesler made a motion to accept the minutes from October 12, 2011 Regular meeting. 2<sup>nd</sup> by George Cosselman. 5 Ayes. Carried.

Ivan Duesler made a motion to pay General bills, Abstract 11, Claim # 191 thru 201 for the amount of \$ 4,954.48. 2<sup>nd</sup> by Andrew Chorlton. 5 Ayes. Carried.

Thomas Miles made a motion to pay Highway bills, Abstract 11, Claim # 249 thru 264 for the amount of \$ 4,981.64. 2<sup>nd</sup> by George Cosselman. 5 Ayes. Carried.

**Communications:** The Ephratah Transfer Station will be closed, Thursday, 11/24/2011 and 11/25/2011 for Thanksgiving Day. It will be open on Saturday, 11/26/2011, regular hours.

**Public Input:** Garth Hillier, Sheriff's Department Representative, spoke about the Fulton County Supervisors' proposal of eliminating the road patrol from the 2012 County Budget, if they choose to stay below the NYS imposed 2% tax cap. There will be a public hearing on the budget on 11/28/2011. Garth is asking the Ephratah Town Board to pass a resolution directing the Supervisor to oppose the cuts in the Sheriff's budget and fully fund the road patrol.

At 6:15 p.m. Supervisor Bradt opened the Public Hearing on the 2012 Preliminary Town Budget.

### **Reports:**

Code Enforcement Officer: A report was submitted for review.

- One demolition permit issued
- One Certificate of Occupancy issued
- One violation notice sent out

Planning Board: Report was submitted for review.

- Request for an ordinance to ban hydro-fracking
- Should a new business been subject to the Site Plan Review local law
- Will be working on some feedback suggestions as a result of the questionnaires

Dan Richardson presented two requests from the Planning Board:

1. To approve a policy for alternative forms of training for Planning Board members

2. The Town Board approve a motion to waive the annual requirement for four(4) hours of training for the calendar year of 2011, in lieu of the extensive work that was done on the recent water bottling project

### **Resolution 85**

Thomas Miles offered Resolution 85 accepting alternative forms of training for the Planning Board Members, due to the fact they were unable to attend any of the acceptable training prior agreed upon. 2<sup>nd</sup> by Ivan Duesler. 5 Ayes. Carried.

### **Resolution 86**

Ivan Duesler offered Resolution 86 agreeing to waive the annual requirement for four (4) hours of training for the calendar year of 2011, in lieu of the extensive work that was done on the recent water bottling project of C.G.Roxane. 2<sup>nd</sup> by Andrew Chorlton. 5 Ayes. Carried.

Highway Superintendent: A Report was submitted for review.

- Sand all in
- All trucks are ready for winter, except putting the wings on
- Cut shoulders on New Turnpike; Eaker Rd; Kahn Rd; and Kringsbush Rd
- Getting the carpet cleaned in meeting room

Youth: Soccer Season is finished. November 12, 2011, at 6 p.m. the Sponsor dinner at the Youth Building will be held.

Assessors: A Report was submitted for review.

- Data collection on new construction, remodels, & demolitions
- Data file has been copied and given to Real Property in Johnstown
- Will be attending seminar in Binghamton, NY on 11/18/2011

Supervisor: A Report was submitted for review.

Historian: The dedication of the Lassell's marker in Lassellsville went very well.

### **New Business:**

### **Resolution 87**

Motion by: George Cosselman

Seconded by: Thomas Miles

AYES: 5

NAYS: 0

Resolution 87 passed

Date: November 9, 2011

Whereas, the Town of Ephratah Town Board acknowledges the importance of public safety in our community to protect the life and property of our citizens;

Whereas, the Town of Ephratah Town Board recognizes that the first response to requests for assistance in an emergency situation of crimes in progress comes primarily from the road patrol division of Fulton County Sheriff's Office;

Whereas, the Town of Ephratah Town Board further recognizes the efforts of the Fulton County Sheriff's Office that provides non-emergency services to our community in the form of highway patrol's for violations of vehicle and traffic

laws, providing residential, seasonal and business checks of premises, delivery of court documents, process service of orders of protections, responding to citizens complaints, and arresting individuals who have victimized our town residents.

Whereas, the County of Fulton has in its proposed 2012 budget reduced the number of positions in the road patrol division at the Fulton County Sheriff's Office by three;

Whereas, the Fulton County Board of Supervisors is weighing options to stay below the New York State imposed 2 percent tax cap, and may choose to eliminate the entire Fulton County Sheriff's Office road patrol;

Whereas, this reduction in available manpower to respond to and provide police services in the Town of Ephratah severely jeopardizes the life safety and protection of property;

Whereas, the Town of Ephratah Town Board, by this resolution, fully supports the efforts of the Fulton County Sheriff's Office and has determined that we cannot afford any reduction in manpower that would cause possible harm to persons or places in our township;

BE IT THEREFORE RESOLVED, that this governing body opposes any reduction in the manpower staffing or the loss of three positions within the road patrol AND

Directs our Town Supervisor, acting in his capacity as a member of the Fulton County Board of Supervisors to reinstate said cuts in the Sheriff's budget and fully fund the road patrol so that our Town residents may continue to enjoy the comforts of a safe community.

**Unfinished Business:**

**Resolution 88**

Ivan Duesler offered Resolution 88 for the Board to advertise in the Leader Herald for a person to sit on the Board of Assessment Review (BAR). The term of Richard Hart ended 9/30/2011. The five year term will be from 10/01/2011 to 9/30/2016. 2<sup>nd</sup> by Andrew Chorlton. 5 Ayes. Carried.

The phone system has been tabled until next month. The Clerk will ask Stacy Mason to attend the December meeting to further discuss the new phone system.

Ivan Duesler made a motion to close the Public Hearing. 2<sup>nd</sup> by George Cosselman. 5 Ayes. Carried.

**Resolution 89**

Thomas Miles offered Resolution 89 to adopt the preliminary budget of \$1,312,718.53 the amount to be raised by taxes of \$749,958.00 as the annual budget for the Town of Ephratah for the fiscal year 2012.

Resolved: Whereas, the town board has met at a time and place specified in the Notice of Public Hearing on the preliminary budget, and heard all persons desiring to be heard thereon, Now therefore be it resolved that the town board does hereby adopt such preliminary budget as amended as the Annual Budget as so adopted, be entered in detail in the minutes of the proceedings of the town board and be it further resolved, that the town Clerk or Budget Officer of the town, shall prepare and Certify in duplicate copies of said annual budget as adopted by this board together with estimates if any, adopted pursuant to section 202-A. sub-division 2 of the town law, and deliver a copy thereof to the supervisor of this town, to be

presented by him to the board of supervisors of the County. This resolution was 2<sup>nd</sup> by Ivan Duesler.

A roll call vote was taken as follows:

Supervisor	Todd Bradt	Aye
Councilman	Ivan Duesler	Aye
Councilman	George Cosselman	Aye
Councilman	Thomas Miles	Aye
Councilman	Andrew Chorlton	Aye

The budget for 2012 of this town is hereby adopted.

Ivan Duesler made a motion to go into Executive Session for Personnel Issues. 2<sup>nd</sup> by Andrew Chorlton. 5 Ayes. Carried. Time: 7:00 p.m.

Ivan Duesler made a motion to return to Regular Meeting. 2<sup>nd</sup> by Thomas Miles. 5 Ayes. Carried. Time: 7:14 p.m.

### **Resolution 90**

Ivan Duesler offered Resolution 90 authorizing Supervisor Bradt to hire Ryan Fagan, Code Enforcement Officer for Town of Johnstown, to oversee the Code Enforcement for C. G. Roxane Bottling Company. He will work with Town of Ephratah Code Enforcement Officer and the cost is not to exceed \$5,000. 2<sup>nd</sup> by Thomas Miles. 5 Ayes. Carried.

George Cosselman made a motion to adjourn. 2<sup>nd</sup> by Ivan Duesler. 5 Ayes. Carried.

Time: 7:18 p.m.

Eleanor Smith  
Clerk