

Regular Meeting

The Regular Meeting of the Ephratah Town Board was held 6 PM August 8, 2012 at the Ephratah Town Hall.

Roll Call found the following people present:

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

The meeting was opened with Salute to the Flag led by Deputy Supervisor Ivan Duesler.

Andy Chorlton made a motion to accept the minutes from July 11, 2012 Regular meeting. 2nd by George Cosselman. 3 Ayes. Carried.

George Cosselman made a motion to pay General bills, Abstract 8, Claim # 108 thru 113 for the amount of \$ 2,969.40. 2nd by Andy Chorlton. 3 Ayes. Carried.

Andrew Chorlton made a motion to pay Highway bills, Abstract 8, Claim # 124 thru 140 for the amount of \$ 10,220.24. 2nd by George Cosselman. 3 Ayes. Carried.

Communications:

- Supervisor Bradt received several letters from Ina Kurz, 4688 State Hwy 29, Johnstown, NY. These letters were in regards to the burning laws, and larceny and theft.
- The Clerk received a letter from Sherri Hayes, owner of Brookside Tavern Inc. 4389 State Hwy 10, Fort Plain, NY of her intent to file for renewal of the liquor license at this site.
- A notice was received from the Dept of Solid Waste Director, Jeff Bouchard, informing the town the Transfer Station will be closed September 3, 2012 for Labor Day Holiday. It will reopen on Tuesday, Sept. 4, 2012 from 10 a.m. to 6 p.m.

Public Input: Joseph Dickenson requested the Town institute a moratorium on cell towers.

Reports:

Code Enforcement: A report was submitted for review.

- New permit issued: 544 State Hwy 67
- 2 Certificates of Compliance issued
- Received all engineered stamped plans, environmental impact studies, as well as all other required documents.

Planning Board: Judy Townsend reported on the Planning Board activities. Nancy Christman and Judy Townsend will represent the Planning Board and Rose Wooley as an Alternate for the Comprehensive Planning committee.

A Comprehensive Planning purpose was submitted to the Tow Board.

Highway Superintendent: Jim received a notice from the State, they want to re-align certain roads in the Town of Ephratah.

Resolution 73

Resolution 73

Transfer of Portions of State Route 920B, County Route 118, & New Turnpike Road (NYS DOT TOURING ROUTE 67) IN Fulton County

WHEREAS, Section 345-a of the Highway Law states that the abandonment or transfer of any state highway to a county, town, city, or village shall be a transfer of all right, title and interest of the State of New York to and in such highway to such county, town, city, or village unless expressly provided to the contrary; and

WHEREAS, Section 341 of the Highway Law states that the state highway system may be modified by abandonments, realignments, and additions as provided therein, and thereby authorize the Commissioner of Transportation to take-over jurisdiction for state highway purposes a portion of a Town of Ephratah road and to transfer to the County of Fulton a portion of road for future maintenance as part of the county highway system in Fulton County; and

WHEREAS, the legislative bodies of the County of Fulton and Town of Ephratah having previously approved the exchange of said county, town, and state highways, including the take-over of jurisdiction for town highway purposes a portion of a County of Fulton road, so

NOW, THEREFORE, it is hereby

RESOLVED: That all State right, title, and interest on the 0.14 Mile Section of State Route 920B, from the County Route 140 and Church Hill Road Intersection to the start of the overlap section of State Routes 10 and 67, Town of Ephratah, Fulton County, including any and all bridges or culverts located thereon or immediately adjacent thereto, as it has been maintained by the State of New York as part of the State Highway System, is hereby abandoned and all right, title interest and maintenance obligation of the State therein is hereby transferred to the County of Fulton, and it is

FURTHER RESOLVED: That all County right, title, and interest on the 0.30 Mile Section of County Route 118, from State Route 29 to State Routes 10, Town of Ephratah, Fulton County, including any and all bridges or culverts located thereon or immediately adjacent thereto, as it has been maintained by the County of Fulton as part of the County Highway System, is hereby abandoned and all right, title interest and maintenance obligation of the County therein is hereby transferred to the Town of Ephratah, and it is

FURTHER RESOLVED: That all Town right, title and interest on the 0.34 Mile Section of New Turnpike Road (currently signed as touring State Route 67), from the Montgomery County Line to the start of the overlap section of State Routes 10 and 67, Town of Ephratah, Fulton County, including any and all bridges or culverts located thereon or immediately adjacent thereto, as it has been maintained by the Town of Ephratah as part of the Town Highway System, is hereby abandoned and all right, title interest and maintenance obligation of the Town therein is hereby transferred to the State of New York, and it is

FURTHER RESOLVED: That a certified copy of this Resolution be filed with the Clerk of the Town of Ephratah, the Clerk of the County of Fulton, the Highway Superintendent of the County of Fulton, the Office of the Department of State and the Office of the State Comptroller.

I hereby certify the above to be a true and exact copy of the resolution which was duly adopted at a meeting of the Town Board of the Town of Ephratah, New York on August 8, 2012.

Eleanor M. Smith
CLERK OF THE TOWN OF EPHRATAH

INTRODUCED BY: GEORGE COSSELMAN, COUNCILMAN
SECONDED BY: ANDREW CHORLTON, COUNCILMAN

THE resolution having received at least two-thirds vote of the members of the Town Board of the Town of Ephratah on August 8, 2012, was declared by the Chairman to be duly adopted by the following votes:

	ABSENT	AYE	NAY
Supervisor Todd Bradt	X		
Councilman Thomas Miles	X		
Councilman Andrew Chorlton		X	
Councilman George Cosselman		X	
Councilman Ivan Duesler		X	

Resolution 74

Andrew Chorlton offered Resolution 74 authorizing Jim Berry to purchase a new Acer computer, cost of \$700 or less from Creative Computer Solutions, 2550 State Hwy 30, Mayfield, NY.

2nd by George Cosselman. 3 Ayes. Carried.

Youth: The car show was held August 4, 2012 with a very poor turnout. A date for next year has already been set for the car show: it will be held the first Saturday of August.

August 18, 2012 is the last day for softball and the first day for soccer will be September 9, 2012.

Assessors: A report was submitted for review.

- In process of key punching 2013 transfers
- Notification of equalization rate will remain at 84% for 2013
- Reviewing what building permits have been received

Supervisor: A report was submitted for review.

Historian: No report available

New Business:

The Public Hearing for the RGL fire contract was set for September 12, 2012 at 6:15 p.m.

The payment schedule asked for is as follows:

- Year One (2013) \$63,000 (Increase of \$1,000)
- Year Two (2014) \$64,000 (Increase of \$1,000)
- Year Three (2015) \$65,000 (Increase of \$1,000)

Resolution 75

Andrew Chorlton offered Resolution 75 authorizing the Board to sign the contract for Ice & Snow Removal with Fulton County for 7.70 total miles, \$5,000 per mile for a total of \$38, 500.00. 2nd by George Cosselman. 3 Ayes. Carried.

Supervisor Bradt received a request of \$23,064.00 donation from the Johnstown Library.

Resolution 76

George Cosselman offered Resolution 76 authorizing the Board to decline the request of \$23,064.00 for the Johnstown Library. 2nd by Andrew Chorlton. 3 Ayes. Carried.

Public Input: John Keppler inquired about the trailer that moved in on County Hwy 119. Was there a permit for it?

George Cosselman made a motion to adjourn. 2nd by Andy Chorlton. 3 Ayes.
Carried.

Time: 6:35 p.m.

Eleanor Smith
Clerk