

Regular Meeting

The Regular Meeting of the Ephratah Town Board was held 6 PM
October 9, 2013 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
Code Enforcement Officer	David Rackmyre, Jr.--Absent
Attorney	Michael Albanese

The meeting was opened with Salute to the Flag led by Supervisor Todd Bradt.
Tanisha Fuller was welcomed from the Oppenheim-St Johnsville School class of
Government (PIGS).

Ivan Duesler made a motion to accept the minutes from September 11, 2013 Regular
meeting. 2nd by Thomas Miles. 5 Ayes. Carried.

George Cosselman made a motion to pay General bills, Abstract 10, Claim # 157
thru 161 for the amount of \$ 2,520.47. 2nd by Andrew Chorlton. 5 Ayes. Carried.

Ivan Duesler made a motion to pay Highway bills, Abstract 10, Claim # 168
thru 180 for the amount of \$ 9,375.51. 2nd by Thomas Miles. 5 Ayes. Carried.

Communication:

- Transfer Station closed October 14, 2013 and open on Tues. October 15, 2013
- Fulton County Youth Bureau is asking someone to serve on the Advisory Board
- Todd Bradt met with Power Line Transmission Co. looking to run lines from Utica to Selkirk to help NYC obtain power. Proposing the lines go along with the tower lines that cross Route 10 by Turn Hill Road.

Public Input: Neil Cronin where the town stands on zoning

Reports:

Code Enforcement:

- Three new permits (engineered septic sys, garage, shed)
- One violation notice sent

Planning Board:

- Planning Board members that did not attend the presentations at FMCC will fill the required hours by Internet and written materials from NYS Dept of State
- Glen Blanchard continues to work on the Farmers' Market in Ephratah
- Clean-up day is scheduled in March, 2014
- Craft Show and Town Wide Yard Sale for 2014 is already being planned. Some vendors have already committed to the date
- Andrea Fettinger presented wide range of services for Senior Citizens
- Lyn Wood and Al Cretser continue to work on the Nature Trail
- An alternate is needed for the Planning Board

Highway Superintendent:

- Still working on mixing sand & salt
- MShaw inspected the pit and gave 2 citations: 1.) expired fire extinguisher and 2.) the dirt was too high at ramp for the trucks to stop. All are corrected.

Youth:

- Saturday, 10/12/2013 last day of Soccer and Spaghetti Dinner
- Halloween Party at 2 p.m.
- 11/2/2013 Sponsor Dinner
- Working on schedule for next year

Assessors:

- Fielding calls about the change in Star B filing
- After a visit at property on Hwy 140, numerous errors were found with the recording. A correction was filed with Fulton County Real Property
- A correction filed with BAR and Real Property on 2 parcels on Eaker Rd that did a split, was to the satisfaction of both parties
- On October 29, 2013 will be changing over to 2014 as the current file year. At that time the assessors will be able to process splits and merges.

Supervisor: submitted report for review.

Todd also left 2 messages with the Niagara Mohawk Power regarding their contract.

Historian:

- June Frasier thanked the Highway men for fixing the base and putting the stone back up
- Applying for a grant, if received, will pay the full amount for the Historical Marker
- A woman from Long Island contacted June, inquiring about the Ephratah Methodist Church, wanting to buy it. June gave her all the information she had, pleased with the information, she was going to contact the real estate dealer (Caldwell Real Estate).

Supervisor Bradt opened the Public Hearing at 6:15 p.m. for anyone wanting to speak on the Comprehensive Plan.

New Business:

Resolution 75

Ivan Duesler offered Resolution 75 to reappoint Carol Williams to the Board of Assessment Review starting 10/1/2013 term to end 9/30/2018. 2nd by Thomas Miles. 5 Ayes. Carried.

Resolution 76

Ivan Duesler offered Resolution 76 to move the Tentative budget 2014 to Preliminary budget 2014. 2nd by Thomas Miles. 5 Ayes. Carried.

Resolution 77

Andy Chorlton offered Resolution 77 to schedule a Public Hearing for the 2014 Preliminary Budget on November 13, 2013 at 6:15 p.m. at the Ephratah Town Hall and to be advertised in the Legal section of the Leader Herald. 2nd by Ivan Duesler. 5 Ayes. Carried.

Carolyn Honeywell asked if zoning was talked about under the Comprehensive Plan.

Resolution 78

Ivan Duesler offered Resolution 78 to override the 2% tax cap regarding the budget. The County added \$7,485 to the Town of Ephratah for Workers' Compensation, causing the town to go over the tax cap. 2nd by George Cosselman. 5 Ayes. Carried.

George Cosselman made a motion to officially claim October 31, 2013 for trick or treat from 6p.m. to 8 p.m. for Halloween. 2nd by Thomas Miles. 5 Ayes. Carried.

Lyn Smolik stated she didn't want to see a National Chain come in to the town when the town already has a diner/store established. Could a gas station be competitive and not charge an outrageous price for gas?

Neil Cronin commented on the Comprehensive Plan and when does the zoning come in to play?

Ivan Duesler made a motion to close the Comprehensive Plan Public Hearing, since there was no one else to speak. 2nd by Thomas Miles. 5 Ayes. Carried.

Time: 6:50 p.m.

Resolution 79

Town Board Member Ivan Duesler introduced the following Resolution and moved its adoption:

RESOLUTION DESIGNATING THE TOWN OF EPHRATAH TOWN BOARD AS SEQR LEAD AGENCY AND TO ISSUE A NEGATIVE DECLARATION REGARDING THE ADOPTION OF A NEW COMPREHENSIVE PLAN FOR THE TOWN OF EPHRATAH

WHEREAS, the Town of Ephratah Comprehensive Plan Committee has submitted a proposed new Comprehensive Plan to the Town Board, and

WHEREAS, the Town of Ephratah Town Board has completed a Part 1 Environmental Assessment Form (EAF), and

WHEREAS, the EAF identified the Involved Agencies for this proposed action to be:

- Town of Ephratah Town Board
- NYSDEC
- Adirondack Park Agency

WHEREAS, the Town Board has classified the proposed adoption of a new Town of Ephratah Comprehensive Plan as a Type 1 Action, and

WHEREAS, the Town Board has proposed itself as the Lead Agency for the purposes of conducting a Coordinated SEQR review of the proposed project, and

WHEREAS, the Town has sent copies of the Part 1 EAF and Draft Comprehensive Plan to all Involved Agencies informing them of the Town Board's desire to serve as the Lead Agency and asked all Involved Agencies to submit comments back to the Town by 5:00 p.m. on Tuesday, October 8, 2013 on whether they consent to the Town board serving as Lead Agency and whether the Involved Agencies have any comments on whether the proposed action may create any significant impacts on the environment, and

WHEREAS, the Town has received written responses from both the APA and the NYS Department of Environmental Conservation advising that they consent to the Town Board serving as Lead Agency, and

WHEREAS, the Town Board has completed and reviewed Part 2 of the EAF,

NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby designates itself as Lead Agency for the purposes of conducting a coordinated review of the proposed action, and be it further

RESOLVED, that after reviewing the Part I and II of the EAF, input received from Involved Agencies and public input, the Town Board has determined that the adoption of the proposed Comprehensive Plan will not create any significant environmental impacts, and be it further

RESOLVED, that the Town Board hereby issues a Negative Declaration and authorizes the Negative Declaration be filed in accordance with the SEQR Regulation, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Town Supervisor, Town Clerk, Town Attorney, Town Code Enforcement Office, APA and the NYS Department of Environmental Conservation.

Town Board Member Thomas Miles seconded the motion.

The Resolution was approved by the following vote:

5 Ayes
0 Nays
0 Abstentions
0 Absent

State of New York:
County of Fulton:
Town of Ephratah:

I, Eleanor Smith, Town Clerk of the Town of Ephratah, do hereby certify that I have compared the preceding resolution with the original filed in my office on October 10, 2013, and find it to be a true and correct copy of the whole thereof. In testimony whereof, I hereunto set my hand and the seal of my office

Town Clerk

Date

Resolution 80

Andy Chorlton offered Resolution 80 to go into Executive Session for Personnel reasons. 2nd by Ivan Duesler. 5 Ayes. Carried. Time: 6:51 p.m.

Resolution 81

Ivan Duesler offered Resolution 81 to return to regular session. Time: 7:00 p.m. 2nd by Andy Chorlton. 5 Ayes. Carried.

Thomas Miles made a motion to adjourn. 2nd by George Cosselman. 5 Ayes. Carried.

Time: 7:01 p.m.

Respectfully submitted.

Eleanor Smith
Clerk