

Regular Meeting

The Regular Meeting of the Ephratah Town Board was held 6 PM
October 14, 2015 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
Attorney	Michael Albanese

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

Ivan Duesler made a motion to accept the minutes from September 9, 2015 Regular meeting. 2nd by Andrew Chorlton. 5 Ayes. Carried.

George Cosselman made a motion to pay General bills, Abstract 10, Claim # 137 thru 153 for the amount of \$ 8,307.99. 2nd by Andrew Chorlton. 5 Ayes. Carried.

Ivan Duesler made a motion to pay Highway bills, Abstract 10, Claim # 130 thru 152 for the amount of \$ 21,846.37. 2nd by Thomas Miles. 5 Ayes. Carried.

Communication:

- Two requests for a position on the Recreation Board

Resolution 67

Thomas Miles offered Resolution 67 to nominate Michelle Vickery to fill a vacant position on the Recreation Board. 2nd by Andrew Chorlton. 5 Ayes. Carried.

Resolution 68

Andrew Chorlton offered Resolution 68 to nominate Ethan Cretser to fill a vacant position on the Recreation Board. 2nd by George Cosselman. 5 Ayes. Carried.

Public Input: None

Reports:

Code Enforcer:

- 6 New Permits Issued
- 7 Certificates of Compliance
- Met with 156 Valley Rd and did a walk around to show what needs to be completed by 11/5/15 or fines will be issued.
- 153 Church St is scheduled for court
- Place by Saltsman's Hotel is cleaned
- David Rackmyre will be in Albany for 3 day Code Seminar required to remain a Certified Code Officer. (10/19/15 - 10/21/15)

Planning Board:

- Carol William has been granted a lot division request, but the lot is small and will allow no building
- Community projects are on hold until spring

Highway Superintendent:

- Sand is done
- Working on road mileage, DOT went by GFI in calculating the mileage; some

- roads lost mileage and some gained mileage
- November 5, 2015 DOT is going to be at Meco Firehouse with complaints and some answers
- Working on the 13 violations with the oil tanks
- The State Dept of Environmental Conservation inspected the floor drain in the Hwy garage. Found a problem with the oil/water separator in the floor drain. A SPDES permit application would require the design plans for the existing system be stamped and submitted by a licensed professional engineer along with the appropriate application forms. The permit, once approved, carries a minimum annual fee of \$600, in addition to requiring regular monitoring of the discharge for a number of chemical tests by a certified laboratory
- To avoid the expense, convert the existing tank to a holding tank and block off the outlet and operate it as a holding tank. A photo of the plugged off outlet after the work is completed is required.

Resolution 69

Ivan Duesler offered Resolution 69 authorizing the Highway Department to plug the drain and block off the outlet and operate it as a holding tank. Eliminating the expense of the SPDES and the annual fees that go along with it. The holding tank will be pumped out when needed. 2nd by George Cosselman. 5 Ayes. Carried.

Youth:

- Saturday, October 17, 2015, last day of soccer and Soup & Sandwiches dinner 4-7 P.M.
- Invitations to All board members for Sponsors dinner on November 7, 2015 at 6 P.M.
- Halloween Party will be held November 1, 2015 at 1 P.M.

Assessor:

- Real Property sent a memo that as of October 28th the 2016 will be made the current file. Split mergers, regular transfers, and raise or lower assessed values depending on the circumstance. Also will be able to add or delete construction
- After the 28th of October, processing Enhanced Star Exemptions, Star B Exemptions, Agricultural Exemptions, and any other exemption renewals will begin being processed and hopes of having them in the mail before Thanksgiving
- Would like to go out and do data collection for the parcels with building permits before the weather becomes prohibitive. Will then apply new values to parcels that have made improvements
- Continuing to compare property record cards with data entered on the computer so that all cards are up to date

Supervisor:

- Report submitted for review
- Supervisor met with the Insurance Co., Mang, and presented a report with the new rates

Historian:

- The dedication of a marker in Rockwood, on October 3, 2015 was a large turnout and all returned to the Town Hall to look over information regarding the past history of Rockwood and for refreshments.

New Business

Resolution 70

Thomas Miles offered Resolution 70 to schedule a Public Hearing for the RGL 3 year fire contract set for November 11, 2015 at 6:15 p.m.

The payment schedule asked for is as follows:

- Year One (2016) \$66,000 (Increase of \$1,000)

- Year Two (2017) \$67,000 (Increase of \$1,000)
 - Year Three (2018) \$68,000 (Increase of \$1,000)
- 2nd by Ivan Duesler. 5 Ayes. Carried

Resolution 71

Ivan Duesler offered Resolution 71 authorizing Supervisor Bradt to enter into an agreement with James A. Brennan Memorial Humane Society for the year of 2016. The cost will be \$1,500.00 for the 2016 year beginning January 1 and ending December 31, 2016. Quarterly payments of \$375.00 is due January 1, 2016. 2nd by Andrew Chorlton. 5 Ayes. Carried.

Resolution 72

George Cosselman offered Resolution 72 authorizing Supervisor Bradt to designate October 31, 2015, Saturday, as Trick or Treat night from 6 to 8 P.M. 2nd by Ivan Duesler. 5 Ayes. Carried.

Resolution 73

Andrew Chorlton offered Resolution 73 to schedule a Public Hearing for EVFD 5 year fire contract set for November 11, 2015 at 6:20 P.M.

The payment schedule asked for is as follows:

- Year One (2016) \$54,500 (increase of \$1,000)
- Year Two (2017) \$55,500 (increase of \$1,000)
- Year Three (2018) \$56,500 (increase of \$1,000)
- Year Four (2019) \$57,500 (increase of \$1,000)
- Year Five (2020) \$58,500 (increase of \$1,000)

2nd by George Cosselman. 5 Ayes. Carried.

Resolution 74

Andrew Chorlton offered Resolution 74 to move the Tentative budget 2016 to Preliminary budget 2016 and to schedule a Public Hearing for the 2016 Preliminary Budget on November 11, 2015 at 6:30 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.

Ivan Duesler made a motion to enter into Executive Session for Litigation. 2nd by Thomas Miles. 5 Ayes. Carried. Time: 6:34 P.M.

Thomas Miles made a motion to return to Regular session. 2nd by George Cosselman. 5 Ayes. Carried. Time: 6:52 P.M.

Resolution 75

Resolution Authorizing Settlement of Certain Tax Certiorari Proceedings Village of Canajoharie v. Town of Ephratah

WHEREAS, there is now pending in the Fulton County Supreme Court a tax certiorari proceeding commenced in 2014 by the Village of Canajoharie (“Village”) in an action entitled *The Village of Canajoharie v. Assessor of the Town of Ephratah, et al.*, Fulton County Index # 02764/2014;

WHEREAS, the attorneys for the Village have recommended a settlement of these

tax certiorari proceedings and has provided the attached proposed Stipulation of Settlement;

NOW THEREFORE BE IT RESOLVED, by the Village Board of the Village of Canajoharie, Montgomery County, New York, that it hereby approves a settlement on behalf of the Village on the terms stated in the attached Stipulation of Settlement and Order;

AND BE IT FURTHER RESOLVED, that the attorneys for the Village, Allen & Desnoyers LLP, are hereby authorized to execute the attached Stipulation of Settlement on behalf of the Village and take all action necessary and appropriate to effectuate the terms of this Resolution.

This resolution shall take effect immediately.

MOTION BY: Councilman Ivan Duesler

SECONDED BY: Thomas Miles

5 Ayes.

Carried.

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

Time: 6:55 P.M.

Respectfully submitted.

Eleanor Smith
Clerk