

Regular Meeting

The Regular Meeting of the Ephratah Town Board was held at 6 PM on September 14, 2016 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	Cynthia Wesselmann
Hwy Superintendent	Alan Cretser
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 August 10, 2016 Regular meeting. 2nd by George Cosselman. 5 Ayes. Carried.

Ivan Duesler made a motion to pay General bills, Abstract # 9, Claim # 118 thru 128 in the amount of \$22,680.33. 2nd by Andrew Chorlton. 5 Ayes. Carried.

Thomas Miles made a motion to pay Highway bills, Abstract #9, Claim # 134 thru 149 for the amount of \$11,071.93. 2nd by George Cosselman. 5 Ayes. Carried.

Communications:

- The Supervisor Todd Bradt received the Insurance Policy with Mang Insurance.
- The Town received a letter from Sheriff Gaiardino on his plan for upgrading the Sheriff's Department and adding personnel.
- The Historian June Frasier posted a flyer announcing Speaker & Re-enactor Glen Bentz would be at the next Historical Society meeting on October 19, at 6:30pm, at the Ephratah Town Hall.
- The Town received a letter from Rosalyn Wood stating she would like to change her status on the Town Planning Board from member to alternate.

Resolution 65

Ivan Duesler offered Resolution 65 to allow Rosalyn Wood to change her status on the Planning Board from member to alternate. 2nd by Thomas Miles. 5Ayes.Carried.

Public Input:

- Lynn Wood spoke at the meeting. She resides on Smolik Rd in Ephratah. She was a volunteer on the Comprehensive and Zoning Commission and spoke in favor of passing zoning.
- Lynn Yuenger read a letter on behalf of Don Henry and Lynn Smolik. They were not in favor of zoning stating it was a large set of regulations and restrictions.
- Judy Townsend spoke in favor of the Zoning stating that many of these regulations were already in place and the proposed zoning was for our protection.

Public Hearing:

The Public Hearing on Sub-Division regulations was opened at 6:15pm.

- Questions regarding the wording included 200' of road frontage and 1 acre of land when dividing a parcel.

Public Input: continued

- Mrs. Simone Kunath read a letter from Barry Lewis against zoning and “protect from whom?” The Town of Ephratah came about in 1827 and said with the old adage if it works, don’t fix it.
- John Morehouse spoke on tree cutting regulation wording. This is from a DEC law but worded for all tree cutting, not 50’ from a stream.
- Susan Naple spoke on behalf of her and her husband Bill on Co Hwy 119. The sign at Granny’s that included her should not have. She is for the Zoning and others should go to the meetings, ask more questions, and change the wording.
- John Tennis read a letter submitted by Janet Lincort on Rte 67 in Ephratah that she is against zoning and won’t vote for officials if zoning passed.
- Judy Townsend read a letter from Jack Wood stating reasons for supporting the zoning. The Town cannot do spot zoning to protect the town. The just in time approach may not work the next time.
- Tom Oughton wanted a list of the changes. The Supervisor stated there is no list. You would have to compare the current Book of Town Codes with the Zoning Draft.
- Kathy Oughton spoke of concerns of Eminent domain and that possibility.
- John Morehouse spoke as a property owner with concerns about what you can do in a residential area and the zoning wording. He stated don’t start off with an elephant gun to kill a mosquito.
- Bill Mastenbrook questioned where industry would be allowed.
- Mike Ferjanic spoke on reducing taxes for the elderly and why don’t the people have a vote. The Supervisor Todd Bradt advised that it is a State Law the Town Board members have the vote.
- Ellen DiSefano spoke of her concerns of recreational and the Buddhist place.
- Bill Simpson, a resident on New Turnpike Rd, spoke on the Zoning Draft is a tool to protect our rural area and hopes it passes.
- John Tennis made mention of the pro-zoning speakers and that they didn’t represent the general public.
- Tim Richardson spoke on pro-zoning and that the Zoning could protect us and avoid situations. It would protect property values but it may need to be simplified.
- Joanne Cruthers spoke that on trusting town officials and now they should trust us and we should have a vote or say in it.
- Ellen DiStefano made a comment she’d rather control town problems by using Town Code.
- Neil Cronin spoke against zoning saying he watched his previous neighborhood go down the drain and spoke of concerns on industry moving in.
- Bill Mastenbrook spoke of concerns on commercial business.
- Neil Cronin asked if the Sub Division Regulation was contingent on the Zoning. Todd addressed this with while reviewing the zoning they felt this was necessary to update our Code Book.

Public Hearing

Ivan Duesler made a motion to close the Public Hearing on Local Law 1 of 2016. 2nd by Thomas Miles. 5 Ayes. Carried.

Public Input: continued

- Dan Richardson replied to John Tennis’s statement on who was speaking on pro-zoning, meaning, not just all zoning and or planning board members. He spoke as a taxpayer who went to the meetings and tried to prevent Carver and had no say as a taxpayer when it came to the final vote. He said we are a sitting duck and with Zoning we could have planned. Our property taxes are the highest and some growth planned should be allowed.
- Jack Keppler spoke on the Zoning draft saying the map areas are ok but was not in favor because of the wording, with too many rules including fencing and signage, and that it was too lengthy.

- John Tennis apologized for any misunderstanding on who was speaking for pro-zoning. We should schedule a public hearing a month ahead.
- Bill Mastenbrook spoke on how he would like the Highway Dept out plowing before 6am for the people who work earlier.
- Mike Ferjanic spoke saying that he didn't think we would get business in town, and we didn't need new regulations.

Reports:

Code Enforcement Officer:

- Six new permits were issued.
- Three certificates of compliance.
- Request for a variance -Mr. & Mrs. Ray & Ellen DiStefano at 191 Hart Rd are requesting to begin construction of a second home on the property while they wait for the paperwork to be completed to split the land in half giving 20 acres to their son Ray. They will have a recommendation and then they will need approval from the board as this is a variance request.
- There were six tickets issued and court is Thursday, September 22, 2016.
- Anyone with questions for the Code Enforcer is encouraged to call Mr. Rackmyre at (518) 568-5140. Please leave a message and he will return your call as soon as possible.

Planning Board:

- The meeting was held on September 12, 2016 at 6pm.
- The request for the variance was denied under Town Code 80-21 B. No more than one dwelling shall be permitted to occupy any one lot. The Planning Board recommended the DiStefano's split the property under the current ownership and deed the land as planned. Mrs. DiStefano agreed to follow the recommendation and apply for the sub division. A special meeting will be held for the sub division approval.
- There will be a Planning Board Meeting at the Town Hall of Ephratah on September 28th at 6:30 pm. This is open to the public and will address questions regarding the Zoning Draft. Questions should be handed in to the Town Clerk in writing by September 26th so the Planning Board can review them before to provide more informed answers.

Hwy:

- The Highway Supervisor addressed the question a resident asked about plowing earlier. A complete run takes approximately two hours and that puts them at the optimal time just in front of the school buses.
- The Town of Stratford is selling a screen plant and Alan would like to put an offer in on behalf of the Town of Ephratah Highway Department.

Resolution 66

Andrew Chorlton offered Resolution 66 to allow Alan to offer up to \$15,000 for the screen plant being sold by the Town of Stratford. 2nd by George Cosselman. 5 Ayes Carried.

Youth:

- The first day of Soccer was Saturday, September 10th at 9am. They have 66 youth participating. A lot more participates are from St Johnsville.
- Soccer ends Oct 15th. They will be having a soup and sandwich supper from 4pm-7pm. They have had rave reviews on the food in the past. All funded through donations. All proceeds go to the Ephratah Recreation Commission.

Assessor:

- Submitted her report.
- School Tax Bills have been sent out.
- The State will be mailing checks to new star exemptions that qualify.

- A new Star B or a new Enhanced Star must sign up with the State.
- Attended a course on Vacant Land on August 19th that
- should be helpful.
- Planning to attend a course in Fonda on Assessing Amish properties.

Supervisor:

- Report from Lita submitted to the Town Board members and on file.

Historian:

- June announced the flyer to:
Join us, the Ephratah Historical Society on October 19, 2016 to hear Glen Bentz at the Ephratah Town Barn at 6:30pm. Come hear the Speaker and Reenactor about the Indians of the Mohawk Valley, their life and customs.
- She has had a few genealogy calls and was able to meet with them.
- Maintenance is needed at the Dempster Cemetery and several stones are down.

New Business

- The Town Board discussed Zoning and will discuss next month.

Resolution 67

Thomas Miles offered resolution 67 to reappoint current member Emily Yuenger to continue her seat on the Board of Review, a 5 year Term starting 10/1/16 to 9/30/2021. 2nd by Andrew Chorlton, 5 Ayes. Carried.

Resolution 68

Ivan Duesler offered Resolution 68 to enter into the Snow Contract Agreement with the Fulton County Highway & Facilities. The Snow removal and ice control is for 7.52 miles at \$5,000 per mile for the winter of 2016-2017 on County Roads listed in the Snow Contract Agreement. 2nd by Andrew Chorlton. 5Ayes. Carried.

Resolution 69

Andrew Chorlton offered Resolution 69 to pay additional invoices that came in on the HL Gage statement in the amount of \$1,967.38. 2nd by Thomas Miles. 5 Ayes. Carried.

- The Budget workshop will be held on Thursday, September 22, 2016 at 6pm at the Ephratah Town Hall.

Unfinished Business

Resolution 70

Andrew Chorlton offered Resolution 70 to purchase \$50 gift certificates for each of the Zoning Board members for all of their time and effort put into the Zoning Draft. 2nd by Thomas Miles. 4 Ayes and 1 abstention. Carried

Ivan made a motion to go in Executive Session for Personnel. Andrew Chorlton 2nd. 5 Ayes. Carried.

George Cosselman made a motion to come out of Executive Session. 2nd by Thomas Miles. 5 ayes. Carried.

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

Time: 9:02 P.M.

Respectfully submitted,

Cynthia A. Wesselmann
Town Clerk, Town of Ephratah