

## Regular Meeting

The Regular Meeting of the Ephratah Town Board was held at 6 PM on Wednesday, November 13<sup>th</sup>, 2019 at the Ephratah Town Hall. Roll Call found the following people present:

Supervisor	Todd Bradt
Councilman	Ivan Duesler
Councilman	George Cosselman
Councilman	Andrew Chorlton
Councilwoman	Eleanor Smith
Clerk	Cynthia Wesselmann - absent
Hwy Superintendent	Alan Cretser
Code Enforcement Officer	Devon Percival
Attorney	Michael Albanese

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

George Cosselman made a motion to accept the October 9<sup>th</sup>, 2019 regular meeting minutes. 2<sup>nd</sup> by Andrew Chorlton. 5 Ayes Carried.

Ivan Duesler made a motion to pay General bills, Abstract #11, Claim 110 thru 125 in the amount of \$7,320.19. 2<sup>nd</sup> by George Cosselman. 5 Ayes Carried.

Eleanor Smith made a motion to pay Highway bills, Abstract #11, Claim 189 thru 213 in the amount of \$18,156.32. 2<sup>nd</sup> by Ivan Duesler. 5 Ayes, Carried.

### **Communications:**

- None

### **Public Input:**

- Duane Gallt and Steve Cornaire spoke on an issue with Social Security not being reported for town employees. The bookkeeper, Ms. Hillier will check into this again, as this needs to be taken care of.

### **Public Hearing**

- The public hearing was opened at 6:15pm for the preliminary budget for 2020.

### **Reports:**

#### Code Enforcement Officer:

- Two new permits were issued for a Route 10 driveway and a shed on School Street. A permit for a start of a new house on Grey Road was updated. There is new construction on a home on Route 29. The work on the New Turnpike barn and shed has been completed. Renewals/inspections for Hatch and Saltsman Road will be done at a convenient time for both parties. An add on for a house on Rte 119 is done. The Rockwood house demo is completed and changes have been made. Two properties on 119 have acknowledged violations and are working to correct the issues.
- Mr. Percival reported that the New Construction Program has been completed and the data has been uploaded to US Census.
- Code Enforcement Officer, Devon Percival can be reached at (518) 928-9360.

#### Planning Board:

- The next meeting will be held on December 9th, 2019 at 6pm (the Monday before the Town Board meeting).
- A workshop on reverse mortgages will be held December 6<sup>th</sup> at the town hall.

#### Highway:

- Superintendent Alan Cretser reported that all the trucks have been serviced.
- They are looking into the extended warranties offered on the wheeled excavator.

Youth:

- The sponsor dinner was not well attended, and they are planning for the car show.
- Bags are being put on mailboxes for donations for the elderly people through the Scouts at the ERC. They will be picked up on November 16<sup>th</sup>.

Assessor:

- Data collection is being completed on properties with structural changes in the form of additions, new buildings and/or demolitions. Parcels have been found where construction has been done with no permits. The assessor's office will be giving the Code Enforcer a list of those found.
- While doing data collection, they also noticed an alarming amount of blight in the town, and some living conditions that need to be addressed further.
- Renewals for senior exemptions have been run and will be sent out next week. Ag Value renewals have also been done and will also be sent out. Anyone who needs a new Star B must enroll with the state and anyone who is changing from a Basic Star to an Enhanced Star needs to be enrolled here before March 1, 2020. Anyone turning 65 in 2020 is eligible. The local number for questions regarding the Star Exemption is (518) 457-2036. The Assessor's office will continue to be open on Tuesday evening from 6-8pm and can be reached at (518) 762-1166.

Supervisor:

- NYMIR will be holding a Sexual Harassment training at the Dolgeville Firehouse on Monday, November 18<sup>th</sup> at 7pm.

Historian:

- The Historian, Evelyn Frasier spoke on a new project that they are working on.

Ivan Duesler made a motion to close the public hearing for the Preliminary Budget for 2020, with no public comment. 2<sup>nd</sup> by Andrew Chorlton. 5 ayes, carried.

**Public Hearing**

- The public hearing was opened at 6:30pm for Ephratah Local Law 2 of 2019 Section 487 NYS Real Property Tax Law Exemption for Solar Farms Projects to be Exempt from tax in Ephratah.

Ivan Duesler made a motion to close the public hearing for Local Law 2 of 2019 Section 487 NYS Real Property Tax Law Exemption for Solar Farms Projects to be Exempt from tax in Ephratah, with no public comment. 2<sup>nd</sup> by Andrew Chorlton. 5 Ayes, carried

**New Business:**

**Resolution 69**

Ivan Duesler made a motion to accept Resolution 69, to adopt the Town of Ephratah Budget for 2020. 2<sup>nd</sup> by Andrew Chorlton, 5 Ayes, carried

**Resolution 70**

Eleanor Smith made a motion to adopt Resolution 70, Town of Ephratah Local Law 2 of 2019 Section 487 NYS Real Property Tax Law Exemptions for Solar Farms Projects in Ephratah; to opt out of being tax exempt. 2<sup>nd</sup> by Andrew Chorlton. 5 Ayes, carried.

**RESOLUTION 70 AUTHORIZING ADOPTION BY  
EPHRATAH TOWN BOARD  
OF LOCAL LAW NO. 2 OF 2019 entitled**

“Opting Out Of Section 487 NYS Real Property Tax Law Exemptions For Solar Energy System, Wind Energy System And Farm Waste Energy System Projects”

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Ephratah for a public hearing to be held by said Town Board on November 13, 2019 at 6:30 p.m. at Ephratah Town Hall to hear all interested parties on a proposed Local Law entitled, “Opting Out of Section 487 NYS Real Property Tax Law Exemptions for Solar Energy System, Wind Energy System and Farm Waste Energy System Projects”; and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper of the Town of Ephratah; and

WHEREAS, said public hearing was duly held on November 13, 2019 at 6:30 p.m. at Town Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition of said Proposed Local Law, or any part thereof; and

WHEREAS, the Ephratah Town Board intends to adopt Fulton County Local Law 3 of 2019 entitled “Opting Out of Section 487 NYS Real Property Tax Law Exemptions for Solar Energy System, Wind Energy System and Farm Waste Energy System Projects”; and

WHEREAS, the Town Board of the Town of Ephratah, after due deliberation, finds it in the best interest of the Town to adopt said Local Law adopting said Fulton County Local Law 3 of 2019,

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Ephratah hereby adopts said Local Law No. 2 of 2019 entitled “Opting Out of Section 487 NYS Real Property Tax Law Exemptions for Solar Energy System, Wind Energy System and Farm Waste Energy System Projects,” a copy of which is attached hereto and made a part of this resolution, be it further

**RESOLVED,** that the Town Clerk be and she hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Ephratah, and to give due notice of the adoption of said local law to the Secretary of the State of New York.

Aye: 5

Nay: 0

Introduced: Eleanor Smith

Approved, 2<sup>nd</sup> by Andrew Chorlton

	ABSENT	AYE	NAY
Supervisor Todd Bradt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Eleanor Smith	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Andrew Chorlton	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman George Cosselman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Ivan Duesler	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Opting Out of Section 487 NYS Real Property Tax Law Exemptions for Solar Energy System,  
Wind Energy System and Farm Waste Energy System Projects**

Local Law Number 2 of 2019

**Section 1.** The purpose of this local law is to opt out of Real Property Tax Law § 487 to capture revenues from the development of solar energy facilities and to ensure that such facilities are treated equally with other commercial properties within the Town.

**Section 2.**

- A. No exemption under Real Property Tax Law § 487 shall be applicable to the Town of Ephratah taxes with respect to any solar or wind energy system or farm waste energy system.
- B. No exemption under Real Property Tax Law § 487 shall be applicable to the Town of Ephratah taxes with respect to any micro-hydroelectric energy system, fuel electric generating system, micro-combined heat and power generating equipment system, or electric energy storage equipment or electric energy storage system.

**Section 3.**

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision or phrase, which shall remain in full force and effect.

**Section 4.**

To the extent that this local law is inconsistent with Real Property Tax Law § 487 it shall supersede those laws.

**Section 5.**

- A. This law shall be effective immediately upon filing with the Secretary of State.
- B. In accordance with RPTL 487 (8) a., the Town of Ephratah shall file this local law with the Commissioner of the New York State Department of Tax and Finance and with the president of the New York State Energy Research and Development Authority.

**Unfinished Business**

None

George Cosselman made a motion to adjourn the meeting. 2<sup>nd</sup> by Ivan Duesler. 5 Ayes, Carried. Time: 6:47 pm.

Respectfully submitted,  
Cynthia A. Wesselmann  
Town Clerk, Town of Ephratah