

Regular Meeting

The Regular Meeting of the Ephratah Town Board was held at 6 PM on Wednesday, November 8th, 2023 at the Ephratah Town Hall. Roll call found the following members present:

Supervisor	Todd Bradt
Councilman	Ivan Duesler
Councilman	George Cosselman
Councilman	Andrew Chorlton
Councilwoman	Eleanor Smith
Clerk	Cynthia Wesselmann
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.

Ivan Duesler made a motion to accept the meeting minutes from the regular meeting on October 11th, 2023. 2nd by George Cosselman. 5 ayes, carried.

Eleanor Smith made a motion to pay General bills, Abstract #11, claim 543 thru 547 in the amount of \$3,613.10. 2nd by Ivan Duesler. 5 Ayes, carried.

Ivan Duesler made a motion to pay Highway bills, Abstract #11, claim 526 thru 542 in the amount of \$44,943.26. 2nd by Andrew Chorlton. 5 ayes, carried.

Communications:

- The Ephratah Transfer Station will be closed on Thursday, November 23rd for the Thanksgiving Holiday but will be open Saturday, November 25th regular hours 8am till 4pm.
- The Town received an email from Zachary Assael, a resident of the Town of Coeymans concerning the pending permit for Carver Sand and Gravel. They wanted the Town to be aware of Carver’s history mentioned in the Times Union on 10/17/23.
- On Saturday, December 2nd, the Ephratah Volunteer Fire Dept Ladies Auxiliary will be sponsoring the 1st Christmas in Ephratah Parade, led by the EVFD. Bring your cheer and join them along Highway 10 between Murray Hill Rd and Saltsman’s Hotel from 3pm till 7pm.
- The Ephratah Volunteer Fire Ladies Auxiliary Officers are as follows:
President – Susan Duesler
VP – Lisa Telfer
Secretary – Sarah Gray
Treasurer – Denise Duesler
- Also coordinating and helping with the activities are the Fireman, Karen Hinderliter (from the Ephratah Service Center), Sarah Gray, Annette Hall, Karen Polmateer, Santa and Mrs. Claus, along with a number of other good people. A storm date would be the following day, Dec 3rd at the same time. (3-7pm)

Reports:

Code Enforcement Officer:

- The Supervisor, Todd Bradt and Code Enforcement, Devon Percival had a meeting with the APA regarding the permit for Carver. They spoke on the number of trucks, weight limits, as well as needing a more defined application filling in any holes. The Town would like them to clarify and address issues mentioned in their letter if they would like the Town’s support.
- A house fire is being addressed on the Old State Rd. Any new owner will take liability when taking possession. Also a neighboring property was issued tickets with court on the 30th.
- The American Tower Co. (T-Mobile owns now) is putting in a new diesel generator.

Public Hearing

- Supervisor, Todd Bradt, opened the Public Hearing at 6:15pm for the Local Law 3 of 2023 “Amendment to Subdivision Regulations”.

Planning Board:

- Devon Percival informed the Town Board that he would not be approving any solar projects due to the new regulations with the load restrictions.

Eleanor Smith made a motion to close the public hearing for the Local Law 3 of 2023 “Amendment to Subdivision Regulations”. 2nd made by Ivan Duesler. 5 ayes, carried.

Resolution 72

RESOLUTION 72 AUTHORIZING ADOPTION BY EPHRATAH TOWN BOARD OF LOCAL LAW NO. 3 OF 2023 entitled

“Amendment To Subdivision Regulations”

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 8th, 2023 at 6:15 p.m. at Ephratah Town Hall to hear all interested parties on a proposed Local Law entitled, “Amendment To Subdivision Regulations;” 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 8th, 2023 at 6:15 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 Town Board of the Town of Ephratah, after due deliberation, finds it in the best interest of the Town to adopt said Local Law; and

WHEREAS, based upon the recommendation of the Town of Ephratah Code Enforcement Officer that all building lot should have a minimum of one acre in area and a minimum of 200 feet frontage onto a public street owned by the Town or a private street built or the requirements of these regulations and the Town’s specifications that leads directly to a public street; and

WHEREAS, based upon the safety considerations and the recommendation of the Town of Ephratah Code Enforcement Officer, the Ephratah Town Board now desires to amend its Subdivision Regulations to modify the amount of real property and frontage required of building lots in said Town,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ephratah hereby adopts said Local Law No. 3 of 2023 entitled “Amendment To Subdivision Regulations,” 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.

Ayes: 5 NAY: 0

Introduced: November 8th, 2023

Approved:

	ABSENT	AYE	NAY
Supervisor Todd Bradt			
Councilman Eleanor Smith			
Councilman Andrew Chorlton			
Councilman George Cosselman			
Councilman Ivan Duesler			

AMENDMENT TO SUBDIVISION REGULATIONS

Local Law Number 3 of 2023

III. GENERAL REQUIREMENTS

F. Design Standards for Minor Subdivisions:

1. Lots

B. Lot access to public or private street.

1) All building lots shall have a minimum of one acre in area and a minimum of 200 feet frontage onto:

A public street owned by the Town or

A private street built or the requirements of these regulations and the Town's specifications that leads directly to a public street.

2) Any lot that does not have access to a public highway should be deeded a right-of-way of 25 feet in width. *(This would require a variance.)*

3) All lots should meet the design standards of the Town of Ephratah Fire Prevention and Building Constructions Law. Section 80-21. Standards.

K. Design Standards for Major Subdivisions:

1. Lots

B. Lot access to public or private street.

1) All building lots shall have a minimum of one acre in area and a minimum of 200 feet frontage onto:

A public street owned by the Town or

A private street built or the requirements of these regulations and the Town's specifications that leads directly to a public street.

2) Any lot that does not have access to a public highway should be deeded a right-of-way of 25 feet in width. *(This would require a variance.)*

3) All lots should meet the design standards of the Town of Ephratah Fire Prevention and Building Constructions Law. Section 80-21. Standards.

VI. REVIEW OF MAJOR SUBDIVISION

D. Decision on Preliminary Plat:

6. The Planning Board reserves the right to waive any of the above requirements mentioned in "A," "B" or "C" as it deems appropriate.

Public Hearing

- Supervisor, Todd Bradt, opened the Public Hearing at 6:30 pm for the 2024 Town of Ephratah Preliminary Budget.

Highway

- Highway Superintendent, Alan Cretser said they got the 550 truck and he has pricing on a sander that would be reimbursed by Chips monies.
- Mr. Cretser let the Town Board members know that they were having issues with the fire alarm system dialer panel he also had quotes for.
- Mr. Cretser also told the Town that the mining permit is good for another 5 years but would need an Engineer going forward.
- The Highway Dept has four trucks are all set and ready to go. They are down a driver until February or March. Mr. Cretser also mentioned that the FCC is getting rid of all flow band radios, so the two way radios that they are using are becoming obsolete.
- Alan Cretser informed the Town Board that he would be retiring December 1st, 2023 and then would like to be appointed for the last month of his term.

Resolution 73

Ivan Duesler made a motion to accept Resolution 73 to purchase an electric stainless steel sander for the 550 truck from Bobcat of Gloversville in the amount of \$8,146.96. 2nd by Andrew Chorlton. 5 Ayes, carried.

Resolution 74

George Cosselman made a motion to approve Resolution 74 to pay Fulton County Electric \$2,460.00 for repairs to the fire alarm system. 2nd by Eleanor Smith. 5 Ayes, carried.

Resolution 75

Eleanor Smith made a motion to approve Resolution 75, to accept Alan Cretser's retirement as of December 1st, 2023 as Highway Superintendent. 2nd by Ivan Duesler. 5 Ayes, carried.

Resolution 76

Ivan Duesler made a motion to accept Resolution 76 to reappoint Alan Cretser as Highway Superintendent as of December 2nd, 2023 for the balance of his term ending December 31st, 2023. 2nd by Andrew Chorlton. 5 Ayes, carried.

Youth:

- They are having a meeting tomorrow night at 6pm. They plan to post dates for next year's schedule.

Assessor:

- The Assessor, Lyn Yuenger said the renewals for the Senior and Ag exemptions due by March 1st, 2024. Enhanced and Senior Exemptions need to apply. They expect to have the Fireman's exemption application next month. They are getting it from the state.
- Any questions or concerns please contact the Assessor's office at (518) 762-5688 ext 23.

Supervisor:

- The reports will be sent out and the 2024 Preliminary Budget is on file for review. Mr. Bradt reported that the Budget is up 2% and they plan to override the 2% Tax cap.

Historian:

- Historian, Abby Cretser had nothing to report at this time.

Eleanor Smith made a motion to close the Public Hearing for the 2024 Preliminary Budget. 2nd by Ivan Duesler. 5 Ayes, carried.

Resolution 77

Ivan Duesler made a motion to accept Resolution 77 to override the 2% Tax Cap for the Town of Ephratah in the 2024 Budget. 2nd by George Cosselman. 5 Ayes, carried.

Resolution 78

Eleanor Smith made a motion to accept Resolution 78 to adopt the 2024 Preliminary Budget as the 2024 Town of Ephratah Budget. 2nd by Ivan Duesler. 5 Ayes, carried.

New Business:

Resolution 79

Andrew Chorlton made a motion to accept Resolution 79 to enter into agreement with the Fulton County Dept of Solid Waste. They are renewing the five year contract for the Ephratah Transfer Station from January 1st, 2024 thru 2028. 2nd by Ivan Duesler. 4 Ayes, carried, 1 abstention (Eleanor Smith)

Resolution 80

George Cosselman made a motion to accept Resolution 80 to pay A-Tech Heating for the gas line regulator in the amount of \$529.70. 2nd by Eleanor Smith. 4 Ayes, 1 abstention (Andrew Chorlton)

Unfinished Business:

Andrew Chorlton made a motion to go into an Executive meeting. 2nd by Ivan Duesler. 5 Ayes, carried.

Ivan Duesler made a motion to come out of the Executive meeting. 2nd by Andrew Chorlton. 5 Ayes, carried.

Resolution 81

Eleanor Smith made a motion to accept Resolution 81 to enter into contract with the Ambulance Service. They will be paying \$1,000/month to rent the building and property at 4900 State Hwy 29, Johnstown, on a month to month basis. 2nd by George Cosselman. 5 Ayes, carried.

Eleanor Smith made a motion to adjourn the town board meeting. 2nd by Ivan Duesler. 5 Ayes, carried. Time 7:04 pm

Respectfully submitted,

Cynthia A. Wesselmann
Town Clerk, Town of Ephratah