

## Regular Meeting

The Regular Meeting of the Ephratah Town Board was held at 6 PM on Wednesday, May 8<sup>th</sup>, 2024 at the Ephratah Town Hall. Roll call found the following members present:

Supervisor	Todd Bradt
Councilman	Andrew Chorlton - absent
Councilwoman	Eleanor Smith
Councilman	George Cosselman - absent
Councilwoman	Paula Keppler
Clerk	Cynthia Wesselmann
Highway Superintendent	John Polenski Jr.
Code Enforcement Officer	Devon Percival
Attorney	Michael Albanese

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

Paula Keppler made a motion to accept the meeting minutes from the regular meeting on April 10<sup>th</sup>, 2024. 2<sup>nd</sup> by Eleanor Smith. 3 ayes, carried.

Eleanor Smith made a motion to pay General bills, Abstract #5, claim 204 thru 217 in the amount of \$7,990.04. 2<sup>nd</sup> by Paula Keppler. 3 Ayes, carried.

Eleanor Smith made a motion to pay Highway bills, Abstract #5, claim 218 thru 230 in the amount of \$9,864.44. 2<sup>nd</sup> by Paula Keppler. 3 ayes, carried.

### **Communications:**

- The Fulton County Dept of Solid Waste sent in notice that the Ephratah Transfer Station will be closed Monday, May 27, 2024 for the Memorial Day Holiday. The Station will be open on Tuesday, May 28<sup>th</sup> from 10am till 6pm.

### **Public Input:**

- None

### **Reports:**

#### Code Enforcement Officer:

- Devon Percival has been working with DMV regarding junk cars and what properties are classified as junk yards. He has VS35 complaint forms to track vehicles that are not registered. Property owners with junk cars need to have a registered DMV number, and if not, that would allow Code Enforcement to pursue with DMV getting unregistered cars and or junk yards cleaned up.
- Mr. Percival spoke with DEC and they are short staffed and at the moment Carver Sand and Gravel's mining permit is still suspended. They are not sure of the restricting on their mining permit.
- He got a couple of certificate of occupancy's out and straightened out and has issued tickets for debris on Rte 67.
- Last week, Code Enforcement, Mr. Percival and the Supervisor, Todd Bradt, met with Bedrock Energy. They are working on the NY Community Solar and NY Retail Stand Alone Storage project. They spoke on the little less than 5 mega watt project they are working on at 4882 State Hwy 29, owned by Timothy Phalon. The proposed development will be off the road at 250 ft or more and operated by National Grid. National Grid says that there is a 7 mega watt max for the Ephratah substation. Ephratah has a smaller substation and their project would likely be the only project without it being a very costly upgrade that is not likely to happen. The

representatives Ross and Adam explained that the solar farm power goes in the community and is not an energy storage. Community members could sign up for as much as a 10% savings on their electric bill, on a first come first serve basis. The surrounding property owners expressed their concerns to the Bedrock Energy developers about the angle of the panels and possibly putting a gate in to deter any trespassers. They were told there would be no reflection with an antiglare film and that there would be a full environmental assessment study done. The owners of Royal Mountain Campground inquired about the additional traffic, noise, and any impacts on well water taking away from their business. They were told the project would be the least intrusive as possible and they would comply by testing wells with Carver.

Bedrock Energy said they will over spend on landscaping and commit to no pesticides being used. The next step would be a site plan, address any silk screen runoff if any and send notice to property owners. The Fulton County Planning Board has the contract information and Bedrock Energy is available for any questions or concerns.

- Mr. Percival also spoke about another potential business with the OCM within the town, going under Laura Watkins, that hasn't given notice to the municipality. They need to contact Code Enforcement and be approved by Town Board for the rules put in place for the time, place and location.

#### Planning Board:

- Brookside is making progression with the Dept of Health and has given Notice to the Municipality of the intent of getting a liquor License.
- The Planning Board is also working on another subdivision for Bill Naples.

#### Highway

- Highway Superintendent, John Polenski Jr. dropped off the check for the engineering of the salt shed. He will have estimates for the concrete at the next meeting.
- The Highway department opened culverts in Rockwood and a driveway going to the cemetery by Church Rd.
- Mr. Polenski Jr. also spoke with Ted Frank, regarding a white truck in the road right a-way and that has been removed.
- The Highway Department has also been working on Green Street and fixed water flowing in the road with culverts now off the road.
- Mr. Polenski Jr. received estimates from SEI of \$29,277.00 for a brush hog.
- Highway had the M-shaw training and will update to standard. The Pit opened as of 5/1 to get gravel and millings. They also helped the Youth Commission by pouring a slab and fixing the concrete. They will be looking into more concrete this year or next.
- Truck #6 has been sanded and painted.
- The Highway Budget monies received from the state came in at \$150,999.22. The money included \$35,359 from Chips, \$29,829 for Emergency Winters and \$23,572 from POPS.

#### **Resolution 57**

Eleanor Smith made a motion to accept Resolution 57 to go out to bid for blacktop. The asphalt bid will be for part of Gray Rd and Kohn Rd, up to Linart's driveway. The bid opening will be set for 6:15pm at the next Town Board meeting on June 12<sup>th</sup>. 2<sup>nd</sup> by Paula Keppler. 3 ayes, carried.

#### Youth:

- The sign up for softball last Saturday is May 18<sup>th</sup>, the numbers are down.
- It was mentioned that 4 wheelers can use town roads except New Turnpike Rd and Rte 10.

Assessor:

- The Assessor, Lyn Yuenger, said they had sent out 114 notices for increases.
- Grievance Day will be held at Town Hall on May 28<sup>th</sup>, 2024 from 4pm till 8pm. The Board of Assessment Review will be reviewing complaints in relation to assessments of real property and mail out any determinations.
- Any questions or concerns please contact the Assessor's office at (518) 762-5688.

Supervisor:

- The Supervisors financial report was handed out and on file.

Historian:

- The Historian, Abby Cretser, said they would be cleaning cemetery stones on May 18<sup>th</sup>. They have been collecting pictures of the local Veteran's for Memorial Day banners. If there was anyone left off the lists, she would appreciate knowing going forward, even ones still with us. They are honoring Veteran's that lived in the town.

New Business:

- The owners of Brookside Tavern LLC at 4389 State Hwy 10, Fort Plain, NY submitted notice to the municipality of their intent to get a liquor license and serve alcohol at the Brookside. The Town Board has approved and are all in agreement. The new owners also inquired about how to get the guard rail moved by their business to accommodate patrons and parking. They will be contacting the state.

**Resolution 58**

Eleanor Smith made a motion to accept Resolution 58 to accept the mowing contract with the Fulton County Highway Dept. The contract is for 7.52 miles on County Hwy 119 and 140 at \$425.00 per mile for a total of \$3,196.00. 2<sup>nd</sup> by Paula Keppler. 3 ayes, carried.

Unfinished Business:

- The Standard work day needs to be complete for a couple employees in the retirement system.
- Grievance night, Penny Smith will be sitting in for the assessor for the last 2hrs of Grievance.

**Resolution 59**

Todd Bradt made a motion to accept Resolution 59 to oppose videotaping the town board meetings. 2<sup>nd</sup> by Eleanor Smith. 3 ayes, carried.

**Public Input:**

- A resident on Church Rd addressed the town board about a trailer, junk and debris on Church Rd that Code Enforcement is working on as well as debris by Brookside.
- Jack Keppler of Rte 119 wondered if there could be a bond on the solar farm to protect drinking water. The bond would be for the life of the solar farm, 35 years. The attorney, Michael Albanese, suggested calling NYSerta to make sure the bond was appropriate.
- Lori Carpenter received a round of applause for her efforts on roadside cleanup.

Eleanor Smith made a motion to adjourn the town board meeting. 2<sup>nd</sup> by Paula Keppler. 3 Ayes, carried. Time 7:47 pm

Respectfully submitted,

Cynthia A. Wesselmann  
Town Clerk, Town of Ephratah