

Regular Meeting

The Regular Meeting of the Ephratah Town Board was held at 6 PM on Wednesday, January 8th, 2025 at the Ephratah Town Hall. Roll call found the following members present:

Supervisor	Todd Bradt
Councilman	Andrew Chorlton
Councilwoman	Eleanor Smith
Councilman	George Cosselman
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.

George Cosselman made a motion to accept the meeting minutes from the regular meeting on December 11th, 2024. 2nd by Eleanor Smith. 5 ayes, carried.

Andrew Chorlton made a motion to accept the meeting minutes from the organizational meeting on January 1st, 2025. 2nd by Eleanor Smith. 5 ayes, carried.

Andrew Chorlton made a motion to pay General bills, Abstract #1, claim 8 thru 17 in the amount of \$14,607.59. 2nd by Eleanor Smith. 5 Ayes, carried.

Eleanor Smith made a motion to pay Highway bills, Abstract #1, claim 18 thru 20 in the amount of \$16,306.15. 2nd by George Cosselman. 5 ayes, carried.

Communications:

- The Ephratah Transfer Station will be closed on Monday, January 20th for the Martin Luther King holiday and will be opened Tuesday, January 21st from 10am-6pm.
- Cynthia Wesselmann gave notice to the Town Board that she wishes to resign from the Board of Review as of 12/31/2024.

Resolution 38

Eleanor Smith made a motion to accept Resolution 38 that Cynthia Wesselmann has resigned from the Board of Review as of 12/31/2024. 2nd by Paula Keppler. 5 Ayes, Carried.

Public Input:

- None

Public Hearing:

The public hearing was opened at 6:15pm to amend Local Law 3 of 2009 “Right of Way on Highway Roads” section 1-2, inserting the verbiage “vehicles, recreational vehicles, trailers” and amending it to Local Law 1 of 2025 “Right of Way on Highway Roads”

Reports:

Code Enforcement Officer:

- Devin Percival said the Code Enforcement program for permits is available on line through the Town of Ephratah website www.ephratah-town.org, but will work with our webmaster to try to make it more user-friendly.
- Mr. Percival has been working on reports for the state including Census Bureau Farms and the yearly NYS Code Enforcement report.
- The Dollar General is all set with their changes and the Department of Health approved their well. Code Enforcement, Devin Percival, will be issuing their permit to Bohler, pending a signature from Bill Simpson on the Planning Board.
- Mr. Percival also issued a permit for a leach field to Heidi Hoffman and will be doing some inspections for Bill Gray.

Planning Board:

- Mr. Percival reported that was one variance that is a new structure on an existing plot on the Yanny Road that just the paperwork needs to be finalized. There is also a simple subdivision on the Tillboro Road.

Highway

- Highway Superintendent, John Polenski Jr. said that they have been very busy with maintaining the roads, trying to keep up with the snow.
- The Town received a \$280,000 grant in December that they had applied for and got a couple prices for a Quonset hut; like the one out back. The pricing received would be covering the new snow load required by the State.
- Mr. Polenski Jr. also made the Town Board aware of an electric car grant that the State may enforce and or mandate the Town to at least have one. The Infrastructure Grant Program would cover at least 80% minimum of the eligible infrastructure costs if we choose to apply for it by February 20, 2025.
- The Highway Superintendent, Mr. Polenski Jr., was unable to secure the pricing for the 2024 Ford Maverick through Brown's Ford, as they said it has a recall and is not available, but found a 2025 Ford Maverick for \$1,685.00 more. The truck is AWD and available for purchase through Steet Ponte in Utica, NY.
- Mr. Percival opened a Harbor Freight account for the Highway Dept and also got a DEC nuisance permit for beaver. He will also be looking into radios.
- The Highway Superintendent said that their priority going forward is to order a loader for \$179,900 because the pin in the John Deere is getting bad.
- The Supervisor received a call from a resident saying great job to the Highway Dept for maintaining the roads on Mud Rd.

Resolution 39

Eleanor Smith made a motion to accept Resolution 39 to purchase a 2025 Ford Maverick from Steet Ponte in Utica, NY. The total purchase price for the 2025 Ford Maverick AWD (30mpg hwy and 22 city) at the State bid price is \$29,785.00. 2nd by Paula Keppler. 5 Ayes, Carried.

Youth:

- Nothing at this time.

Assessor:

- The Assessor Lyn Yuenger said they have been processing renewals and exemptions due by March 1st, 2025. Property owners can apply on line for the Basic Star until March 15th. If anyone has any questions, they can call or come in on Tuesday evenings from 6-8pm or leave a message and they will get back

to you.

- The Assessor's office has been entering sales, splits and mergers in the system for the 2025 Tentative Roll.
- Property owners can apply for the Basic Star exemption on-line at www.tax.ny.gov/star through March 15th, 2025. They would need their social security number and property tax ID to apply.
- Due to the weather they have been unable to do much data collections but plan to go out when the weather breaks.
- Permits are needed and required for any work done on properties.
- Any questions or concerns, they are available on Tuesday evenings from 6-8 pm at the Town, or call the Assessor's Office at (518) 762-5688.

Supervisor:

- The bookkeeper is working on the Supervisor's report.

Historian:

- No report.

Resolution 40

Andrew Chorlton made a motion to accept Resolution 40 to transfer monies for street lighting in the amount of \$1,015.50. 2nd by Eleanor Smith. 5 ayes, carried.

Resolution 41

Andrew Chorlton made a motion to accept Resolution 41 to transfer \$60,000.00 of unused 2024 Highway Machinery funds to the Highway Equipment Reserve and to authorize the Town Supervisor to do each and everything to execute such transfer. 2nd by George Cosselman. 5 ayes, carried.

The Public Hearing was closed with no public comment.

Resolution 42

Andrew Chorlton made a motion to accept Resolution 42 to amend Local Law 3 of 2009 "Right of Way on Highway Roads" section 1-2, inserting the verbiage "vehicles, recreational vehicles, trailers" amending to Local Law 1 of 2025 "Right of Way on Highway Roads".

**RESOLUTION 42 AUTHORIZING ADOPTION BY
EPHRATAH TOWN BOARD
OF LOCAL LAW NO. 1 OF 2025**

"Right Of Way On Highway Roads"

WHEREAS, resolution 42 was duly adopted by the Town Board of the Town of Ephratah for a public hearing to be held by said Town Board on January 8th, 2025 at 6:15 p.m. at Ephratah Town Hall to hear all interested parties on an amendment to the Local Law 3 of 2009 "Right of Way on Highway Roads, section 1-2 Highway Right of Way; inserting the verbiage "vehicles, recreational vehicles, trailers" and adopting the amendment entitled Local Law 1 of 2025 "Right of Way on Highway Roads;" 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 January 8th, 2025 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, the Town Board of the Town of Ephratah desires to keep all roads in the Town of Ephratah free from encroachment and impediments which make it difficult to keep the shoulders of the roads clear from snow, brush and debris; and

WHEREAS, the Town Board of the Town of Ephratah, in furtherance of the aforementioned, intends to establish a setback requirement for all roadways in the Town of Ephratah,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ephratah hereby adopts said Local Law No. 1 of 2025 entitled “Right of Way on Highway Roads,” 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.

2nd by Eleanor Smith. 5 Ayes, carried. Approved: AYE: 5 Nay: 0

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

Introduced: January 8th, 2025

RIGHT OF WAY ON HIGHWAY ROADS

Local Law Number 1 of 2025

- Section 1-1. Legislative Intent.**

- Section 1-2. Highway Right of Way.**

- Section 1-3. Penalties for Offense.**

- Section 1-4. Emergency Situations.**

- Section 1-5. Assessment of Expenses.**

RIGHT OF WAY ON HIGHWAY ROADS

Local Law Number 1 of 2025

Section 1-1 Legislative Intent.

The purpose of this Chapter is to establish a set back requirement for all roadways in the Town of Ephratah, in order to keep all roads in the Town of Ephratah free from encroachment and impediments which make it difficult to keep the shoulders of the roads clear from snow, brush and debris.

Section 1-2 Highway Right of Way.

No shrubs, rocks, fences, vehicles, recreational vehicles, trailers or any other impediments shall be planted or within twenty-five (25) feet from the centerline of any road located in the Town of Ephratah.

Section 1-3 Penalties for Offense.

Any person found guilty of violating this Chapter shall be liable for a fine not to exceed One Hundred Dollars (\$100.00) or a term of imprisonment not to exceed fifteen (15) days, or both, for each violation. Each week such violation shall continue shall constitute a separate violation.

Section 1-4 Emergency Situations.

Where it reasonably appears to the Town Highway Superintendent that an emergency exists and a clear and imminent danger to the life, safety, health or property of anyone traveling on the roadways of the Town of Ephratah as a result of any shrubs, rocks, fences or any other impediments encroaching on any highway in the Town of Ephratah, and the landowner, after being notified of said impediment, fails to act to remove said impediment, then in that event, the Town Highway Superintendent shall immediately cause the removal or repair of any said impediment. The expense of such removal or repair shall be charged against the land on which said impediment is located, and shall be assessed, levied and collected as provided in Section 1-5.

Section 1-5 Assessment of Expenses.

All expenses incurred by the Town of Ephratah in connection with any proceeding to remove or repair an impediment to any roadway in the Town of Ephratah, including the actual cost of removal of said impediment and attorney's fees, shall be assessed against the land on which said impediment is located and shall be collected in the same manner as provided for in the levy and collection of real property taxes.

Resolution 43

Andrew Chorlton made a motion to accept Resolution 43 to accept the proposals for the Association of Towns and appoint Todd Bradt as the voting delete. 2nd by Eleanor Smith. 5 ayes, carried.

New Business:

- The Supervisor, Todd Bradt, spoke with Spectrum about internet service for the Town and they will be getting back to him.

Old Business:

- The Town completed the standard workday as required by the New York State retirement system in 2022 and is good for 8 years.

Paula Keppler made a motion to adjourn the Town Board meeting. 2nd by Andrew Chorlton. 5 Ayes, carried. Time 6:54 pm

Respectfully submitted,

Cynthia A. Wesselmann
Town Clerk, Town of Ephratah