

Regular Meeting

The Regular Meeting of the Ephratah Town Board was held at 6 PM on Wednesday, January 11th, 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 December 14th, 2022. 2nd by George Cosselman. 5 ayes, carried.

Ivan Duesler made a motion to accept the meeting minutes from the Organizational meeting on January 2nd, 2023. 2nd by Andrew Chorlton. 5 ayes, carried.

Eleanor Smith made a motion to pay General bills, Abstract #1, claim 11 thru 33 in the amount of \$58,325.26. 2nd by George Cosselman. 5 Ayes

Ivan Duesler made a motion to pay Highway bills, Abstract #1, claim 34 thru 50 in the amount of \$22,699.61. 2nd by Eleanor Smith. 5 ayes, carried.

Communications:

- The Ephratah Transfer Station will be closed on Monday, January 16, 2023 for the Martin Luther King Day holiday. The station will be open on Tuesday, January 17th from 10am-6pm.

Public Hearing:

- The Public Hearing for Local Law 1 of 2023 “Boundaries For Special Use Permit, Hours of Operation” was opened at 6:15pm for public comment.

Public Input:

- John Polenski, the owner of Cannabis Cabin, commented that he was in favor of the Resolution, Local Law 1 of 2023 and that there wouldn’t be any issues as he planning on having a good relationship with the community and following all the regulations for his business.

Reports:

Code Enforcement Officer:

- Devon Percival has an audit with the Dept of State now tracking the non-permitted buildings, inventory and blight conditions.
- Mr. Percival made the Town Board aware of the solar panel issues with the snow and eroding failures as the weight cannot exceed 70lbs/sq foot.
- Mr. Blanchard plans to spilt properties and keep his field to build a house.
- There has been no news on Carver’s permit; they are operating on an extension with the APA.
- Code Enforcement has had a couple of complaints with the old firehouse.
- Mr. Percival also told the Town Board that Royal Mountain Inn does not plan to rebuild the restaurant but will be looking into and considering a food truck/stand.
- Mr. Percival can be reached at (518) 928-9360.

Planning Board:

- The Chair for the Planning Board Bill Simpson sent in a report. They held a special meeting on Monday, January 9th, 2023 to review a request from Dan Duesler. He wanted to adjust a property line between two parcels of land he owns on the Mud Rd. The Planning Board approved the new boundary line and will forward one map to the Town Assessor.
- The next meeting for Planning is their quarterly and will be held in March.

Highway:

- Highway Superintendent Alan Cretser reported that they had been saving on sand and fuel with the weather. The highway guys have been doing painting and maintenance.
- Mr. Cretser said they have a boiler inspection on January 18th, training for digging in Meco on 4/4/23 and M-Shaw on 4/6/23.
- Mr. Cretser also said that Rich Kennedy is the new sales-rep for Carver. Pricing is going up. Originally it was 20%, but now it may not be that much.

Resolution 38

Ivan Duesler made a motion to accept Resolution 38 for Alan Cretser to purchase an AED with a case in the amount of \$1,631.00. 2nd by Eleanor Smith. 5 Ayes, carried.

Youth:

- Alan Cretser reported that they are currently shut down. They do plan to have an Easter Party the week before Easter.
- They do plan to get sponsor letters out and Supervisor, Todd Bradt, signed the yearly paperwork for the Scouts.

Assessor:

- Ms. Yuenger reported that they had sent out the Senior Exemption Renewal form and it needs to be returned by March 1st, 2023. The State sent out their new form and signed a law requiring a 1st and 2nd notices to all property owners regarding the Senior Exemption. The Assessor spoke with Real Property and they send notices on the bills about the exemption.
- The Ag Exemption forms were also sent out and many have come back but they also need to have the Profit and Loss from Farming Income tax form attached. The Assessor's office will be making calls February 1st for the ones that haven't come back.
- Any new Star applicants for the Basic Star need to apply on line with the State. Anyone turning 65 in 2023 can apply for the Enhanced Star and Senior Exemption if they qualify. As of January 1st, 2022, all home owners must be 65 to qualify for the Enhanced Star; effecting applicants that filed in 2022 for this school tax levy as well.
- The Assessor and her assistant are doing data collections in preparation for the 2023 Tentative Roll and hope to be done by the beginning of February.
- Any questions or concerns, please contact the Assessor's office at (518) 762-5688. It is much easier to correct errors before the tentative roll is printed.

Supervisor:

- The Bookkeeper, Lita Hillier, will have the Supervisors' report on file and available next month as she is working on year end entries.

Historian:

- The new Historian, Abby Cretser, reported that she and her Deputy Evelyn Frasier are researching the Tillboro Rd Cemetery. She said they had found that John Sponable was the first one buried in the cemetery in 1827.

Ivan Duesler made a motion to close the Public Hearing for Local Law 1 of 2023. 2nd by Eleanor Smith. 5 Ayes, carried.

Resolution 39

Eleanor Smith made a motion to accept Resolution 39 as follows:

**RESOLUTION 39 AUTHORIZING ADOPTION BY
EPHRATAH TOWN BOARD OF
LOCAL LAW NO. 1 OF 2023 entitled**

“Boundaries For Special Use Permit, Hours Of Operation”

WHEREAS, Resolution 39 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 11, 2023 at 6:15 p.m. at Ephratah Town Hall to hear all interested parties on a proposed Local Law entitled, “Boundaries For Special Use Permit, Hours of Operation”; 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 11, 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 Ephratah Town Board intends to adopt Local Law 1 of 2023 entitled “Boundaries for Special Use Permit, Hours of Operation”; 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 1 of 2023,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Ephratah hereby adopts said Local Law No. 1 of 2023 entitled “Boundaries For Special Use Permit, Hours of Operation,” a copy of which is attached hereto and made a part of this Resolution 39, 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.

Introduced: Eleanor Smith Approved: 2nd by George Cosselman AYE:5 Nay:0

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

Boundaries For Special Use Permit, Hours of Operation

Local Law Number 1 of 2023

Section 1-1 Purpose.

The Town Board of the Town of Ephratah finds that based upon legislation of cannabis by the New York State Legislature that the Town Board of the Town of Ephratah now desires to set boundaries for Cannabis Sales in regards to Hours of Operation.

Section 1-2 Hours of Operation

The Hours of Operation for any Special Use Permit shall be Monday through Saturday from 8:00 a.m. until 8:00 p.m., excluding Christmas and Thanksgiving, on which said holidays all retail sales of cannabis shall be prohibited.

Section 1-3 Effective Date

This Local Law shall be effective January 11th, 2023 after filing with the Secretary of State.

New Business:

- The Town Board will plan on auditing the Town Clerk and Judges books next month.
- The Supervisor, Todd Bradt, contacted the County regarding the Ambulance tax assessment and bill and was able to get that resolved and lowered.
- Mr. Bill Gray has ordered the tin and doors for the Ambulance Building.

Resolution 40

Ivan Duesler made a motion to accept Resolution 40 to have Chad Claus do the roof on the Ambulance Building; which includes materials and labor, for \$13,500.00. 2nd by George Cosselman. 5 Ayes, carried.

Unfinished Business:

- The Frontier bill was higher with disputed charges that Mr. Polmateer fixed and that should be resolved soon.

Ivan Duesler made a motion to go into Executive Session for Personnel and then possibly the sale of property. 2nd by Eleanor Smith. 5 Ayes, carried.

George Cosselman made a motion to come out of Executive Session. 2nd by Eleanor Smith. 5 Ayes, carried.

George Cosselman made a motion to adjourn the town board meeting. 2nd by Eleanor Smith. 5 Ayes, carried. Time 6:47 pm

Respectfully submitted,

Cynthia A. Wesselmann
Town Clerk, Town of Ephratah