

April 17, 2018

State of New York

County of Fulton

Town of Oppenheim

Minutes of the Oppenheim Board meeting held on April 17,, 2018 at the Oppenheim Town Hall located at 110 Route 331, St. Johnsville, NY 13452.

Present

Cynthia Breh	--	Supervisor
Patricia Haberek	--	Councilwoman
Kathleen Montana	--	Councilwoman
Dennis Yost	--	Councilman
John Houle	--	Councilman
Gloria Brys	--	Town Clerk
Brian Miller	--	Assistant Highway Superintendent

Absent

Scott DeNinno	--	Highway Superintendent
Joanne Capek-Young	--	Bookkeeper
Billie Jo Getman	--	Dog Control Officer
Dave Rackmyer	--	Codes Enforcement Officer

Supervisor Cynthia Breh called the regular meeting to order at 6:30 pm with the Pledge to the Flag.

Opening of Bids

There were 2 bids for fuel oil, diesel fuel and gasoline which are fluctuating prices

1. Shepard Oil – Johnstown, NY	#2 fuel oil -	2.385 gal (rack plus \$0.23)
(used 4-12-18 rack price)	Unleaded gas	2.200 gal (rack plus \$0.20)
	Straight Diesel fuel	2.365 gal (rack plus \$0.18)
	80/20 winter diesel	2.388 gal (rack plus \$0.18)
	60/40 winter diesel	2.241 gal (rack plus \$0.18)
2. Mirabito – Utica, NY	#2 fuel oil -	2.3375 gal (rack plus \$0.1775)
(used 4-17-18 rack price)	Unleaded gas	2.2669 gal(rack plus \$0.1976)
	Diesel fuel-ULSD	2.3407 gal(rack plus \$0.1505)
	Diesel fuel-winter	2.3757 gal(rack plus \$0.1505)

The town clerk mentioned that the 2 bids used different dates for the rack price. This would reflect on the bid price.

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Bookkeepers Report

Joanne Capek-Young was absent but had a written report for the board members

Patricia Haberek made a motion to accept the Bookkeepers Report and Dennis Yost seconded it and all board members were in favor.

Dog Control Officer

Billie Jo Getman was absent but had a report for March and April for the board members.

Patricia Haberek made a motion to accept the Dog Control Officers Report and Dennis Yost seconded it and all board members were in favor.

Codes Enforcement Officer

Dave Rackmyer was absent but had a report for the board members of the calls that he answered. The report stated that he got a call about a potential Solar Farm Project on State Highway 331.

The board members stated that they would like Mr. Rackmyer to include on the report a total of money collected.

Patricia Haberek made a motion to accept the Codes Enforcement Officers report and Dennis Yost seconded it and all board members were in favor.

Highway Report

Scott DeNinno was absent but had a written report for the board members.

Assistant Highway Superintendent Brian Miller was present. He discussed the salt shed and stated it is in need of repairs because the wind has ruined the tarp cover. Supervisor Breh said she would call the insurance company to see if it is covered.

The report for the Expenditures of Highway Monies has been prepared. The town's total this year for CHIPS including all of the additional funds from the PAVE-NY and the Extreme Winter Recovery allowance and the 2017 rollover will be \$213,529.00

The town has received confirmation that the reimbursement payment of \$15,467.35 for the winter storm of March 2017 is being processed and we should receive the check soon.

Brian Miller asked about the committee that Mr. DeNinno had requested. The board members decided that there was no need for a committee.

Patricia Haberek made a motion to accept the Highway report and Dennis Yost seconded it and all board members were in favor.

Town Clerks Report

Town Clerk Brys gave the board members a monthly report.

Kathleen Montana made a motion to accept the Town Clerks Report and John Houle seconded it and all board members were in favor.

Hilltop Volunteer Fire Company

The Hilltop Volunteer Fire Company sent a report of the calls for March 2018

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Supervisor Breh stated the following:

The furnace is installed and the thermostat is on a timer

The lights in the town hall will be done on 4/18/18.

Supervisor Breh and Joanne Capek-Young took a webinar on New York State Retirement.

The year-end report has been submitted.

The tax collector is finished collecting taxes.

Supervisor Breh purchased a new flag.

Smoking Policy

Supervisor Breh presented a copy of a smoking policy to the board members. It stated that no smoking or other use of tobacco products (including but not limited to cigarettes, pipes, cigars, snuff, or chewing tobacco is permitted by elected officials, appointed officials and employees in any part of the buildings or in vehicles owned, leased, or rented by the Town of Oppenheim. Anyone may smoke inside their privately owned vehicle.

John Houle stated that he thinks they should be able to smoke in the Town of Oppenheim vehicles. When they go out to plow, they are in the trucks for 4 hours or more.

Supervisor Breh stated that the state and county employees cannot smoke in the vehicles owned by the state or county.

After a lengthy discussion, the board members decided to let the employees smoke in the trucks owned by the town.

The board members decided to have a public hearing on May 15, 2018 in regards to the smoking policy which will become a local law.

Motions

Motion made by Kathleen Montana and seconded by Dennis Yost to accept the bid from Shepard Oil Company for fuel oil, gasoline, and diesel fuel.

Adopted

Ayes - 5 Montana, Yost, Haberek, Houle, Breh

Nays - 0

Approval of Minutes

Motion made by John Houle and seconded by Patricia Haberek to accept the minutes of March 20, 2018 and March 29, 2018

Ayes - 5 Houle, Haberek, Montana, Yost, Breh

Nays - 0

Motion made by John Houle and seconded by Patricia Haberek to accept the Agreement for the Expenditure of Highway Money. The agreement is as follows:

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Agreement for the Expenditure of Highway Moneys

AGREEMENT between the Town Superintendent of the **Town of Oppenheim**, Fulton County, New York, and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

1. **GENERAL REPAIRS.** The sum of **\$80,000.00** shall be set aside to be expended for primary work and general repairs upon 60.46 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or renewals thereof.
2. **PERMANENT IMPROVEMENTS.** The following sums shall be set aside to be expended for the permanent improvement of Town highways:

(a) On the North Road, commencing at Barker Road and extending to the Warner Road there shall be expended not over the sum of **\$110,000.00**.

Type	Full-depth recycle/re-profile Cape Seal
Width of traveled surface	18ft
Thickness	N/A
Subbase	Gravel

Road will be ground to an approximate depth of 8" and re-profiled with item 4 add stone. The surface shall then be treated with a 2 part Cape Seal.

(b) On the Lotville Road, commencing at House #182, and extending to House #312, there shall be expended not over the sum of **\$32,000.00**.

Type	Full-depth recycle/re-profile with Cape Seal
Width of traveled surface	18ft
Thickness	N/A
Subbase	Gravel

Road will be ground to an approximate depth of 8" and re-profiled with item 4 add stone. The surface shall then be treated with a 2 part Cape Seal.

(e) On the King Road, commencing at Sweet Hill Road, and extending north a distance of .5 miles, there shall be expended not over the sum of **\$32,000.00**.

Type	Full-depth recycle/re-profile with Cape Seal
Width of traveled surface	18ft
Thickness	N/A
Subbase	Gravel

Road will be ground to an approximate depth of 8" and re-profiled with item 4 add stone. The surface shall then be treated with a 2 part Cape Seal.

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(d) On the King Road, commencing at Lotville Road, and extending south a distance of .4 miles, there shall be expended not over the sum of **\$14,000.00**

Type	Cape Seal over cold mix asphalt
Width of traveled surface	18ft
Thickness	N/A
Subbase	Grovel

(e) On the Warner Road, commencing at North Road, and extending a distance of .4 miles, there shall be expended not over the sum of **\$5,000.00**

Type	Single chip seal over cold mix asphalt
Width of traveled surface	18ft
Thickness	N/A
Subbase	Grovel

(f) On Iris Lane, commencing at North Road, and extending a distance of .12 miles, there shall be expended not over the sum of **\$1,300.00**.

Type	Single chip seal over cold mix asphalt
Width of traveled surface	18ft
Thickness	N/A
Subbase	Grovel

(g) On the VanDyke Road commencing at North Road, and extending a distance of .23 miles, there shall be expended not over the sum of **\$2,800.00**.

Type	Single chip seal over cold mix asphalt
Width of traveled surface	18ft
Thickness	N/A
Subbase	Grovel

(h) On the Stone Road commencing at North Road, and extending a distance of .25 miles, there shall be expended not over the sum of **\$3,000.00**.

Type	Single chip seal over cold mix asphalt
Width of traveled surface	18ft
Thickness	N/A
Subbase	Grovel

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(I) On the Bell Road commencing at County Highway 114, and extending a distance of .35 miles, there shall be expended not over the sum of **\$4,200.00**.

Type	Single chip seal over cold mix asphalt
Width of traveled surface	18ft
Thickness	N/A
Subbase	Gravel

All amounts are estimated values. Permanent improvements shall be reimbursable under the Consolidated Highway Improvement Program (CHIPs). Total anticipated 2018 CHIPs allotment including 2017 rollover, Extreme Winter Recovery and Pave NY funds is approximately:
\$213,529.00

Executed in triplicate this 17th day of April 2018

Adopted
Ayes - 5 Houle, Haberek, Montana, Yost, Breh
Nays - 0

Executive Session

Patricia Haberek made a motion to have an executive session at 8:40 pm on personnel and Dennis Yost seconded it and all board members were in favor.

Kathleen Montana made a motion to call the meeting back to order at 8:55 pm and Dennis Yost seconded and all board members were in favor.

Motion made by Patricia Haberek and seconded by John Houle to authorize payment of the vouchers.

Adopted
Ayes – 5 Haberek, Houle, Yost, Montana, Breh
Nays - 0

With no further business on a motion by Councilman Yost and seconded by Councilman Montana the meeting was adjourned at 8:58 pm