

August 20, 2019

State of New York

Town of Oppenheim

Minutes of the Oppenheim Board meeting held on August 20, 2019 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
Scott DeNinno	--	Highway Superintendent
Gloria Brys	--	Town Clerk

Absent

John Houle	--	Councilman
Ty Stowell	--	Dog Control Officer
Joanne Capek-Young	--	Bookkeeper
Dave Rackmyre	--	Codes Enforcement Officer

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

Bookkeeper Report

Joanne Capek-Young was absent but had a monthly report for the board members. She stated that we need a new time clock for the highway employees.

Patricia Haberek made a motion to accept the bookkeepers report and Dennis Yost seconded it and Kathleen Montana was in favor.

Dog Control Officer Report

Ty Stowell was absent but had a written report of the calls that he answered. He received a call about a maltase/poodle mix that bit a 6 year old on the lip. The dog was up to date on shots and registered. The 6 year old had 2 stiches and is doing fine.

Received several calls for missing or lost dogs and they have all been located.

As of August 20, 2019, 4 dogs have been turned over to the Brennan Humane Society.

The dog control office passed inspection.

Kathleen Montana made a motion to accept the Dog Control Officers report and Dennis Yost seconded it and Patricia Haberek was in favor.

August 20, 2019 (cont)

Codes Enforcement Officers report

Dave Rackmyre had a report for the board members. The total permit fees for the year is \$2356.20.

A violation notice was sent to a resident on Keyser Lake road because water diverted onto another property.

He received a call about a Solar Farm project next to the one on Cohwy 151. They will have a plan ready sometime in September

Kathleen Montana made a motion to accept the Codes Enforcement Officers report and Dennis Yost seconded it and Patricia Haberek was in favor.

Highway Report

Scott DeNinno said that most of the paving is done and now they are working on the driveways. Keyser Lake road has been widened. They are going to start mowing the cemeteries and also going to widen Beldons Corner road.

On Twin Church road, the County is paving it and then they are going to turn it over to the Town of Oppenheim. The Town has always plowed it.

Scott DeNinno stated that a complaint was made that the highway trucks did not have a tarp over the sand when hauling it. He stated that if the sand is below the truck sides then you do not have to cover it with a tarp.

Allan (Skip) Avery is going to retire in October.

Patricia Haberek made a motion to accept the Highway Report and Dennis Yost seconded it and Kathleen Montana was in favor.

Application for Solar Assessor.

There are 2 applications for sole assessor. They will be interviewed at a later date.

Supervisor Breh stated that the LED lights will be through National Grid

The Town Clerk had to buy a new computer

The equalization rate for the town is 51.4

Supervisor Breh has to go to a meeting on September 11, 2019 for the sexual harassment update.

Executive Session

Patricia Haberek made a motion to have an executive session at 7:20 pm on legal matters and Dennis Yost seconded and Kathleen Montana was in favor.

Patricia Haberek made a motion to call the meeting back to order at 7:45 pm and Dennis Yost seconded it and Kathleen Montana was in favor.

Town Clerk Report

Town Clerk Brys presented the monthly report for August.

Kathleen Montana made a motion to accept the town clerks report and Patricia Haberek seconded it and Dennis Yost was in favor.

August 20, 2019

Motions

Motion made by Patricia Haberek and seconded by Kathleen Montana to accept the Procurement Policy. The policy is as follows:

Adopted

Ayes - 4 Haberek, Montana, Yost, Breh

Absent - Houle

Procurement Policy

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of General Municipal Law (GML). Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter "Purchaser") shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchases activity.

Guideline 2. All purchases of a) supplies or equipment which will exceed \$10,000.00 in the fiscal year or b) public works contracts over \$20,000.00 shall be formally bid pursuant to GML, S 1 03.

Guideline 3. Purchasing Policy

All purchases over \$1,000.00 must be approved by the Town Supervisor with a signed purchase order documenting material or service and all estimated purchases for supplies and equipment:

Less than \$10,000.00 but greater than \$5,000.00 require a written Request For Proposal (RFP) and written /fax quotes from at least 3 vendors. Subject to board approval.

Less than \$5,000.00 but greater than \$1,000.00 require an oral request for the goods and oral/fax quotes from at least 2 vendors. Subject to board approval.

Less than \$1,000.00 but greater than \$250.00 are left to the discretion of the Purchaser, subject to board approval.

Under \$250.00 left to discretion of Purchaser.

All estimate public works contracts of:

Less than \$20,000.00 but greater than \$10,000.00 require written RFP and Fax/proposals from at least 3 contractors, subject to board approval.

Less than \$10,000.00 but greater than \$5,000.00 require a written RFP and fax/proposals from at least 2 contractors, subject to board approval.

Less than \$5,000.00 but greater than \$500.00 are left to the discretion of the purchaser, subject to board approval.

Under \$500.00 left to discretion of purchaser.

Any written RFP shall describe the desired goods, quantity and the particulars of deliver. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes have been requested and the written/fax/oral quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4. The lowest responsible proposals or quote shall be awarded the purchase of public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the Purchases shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the required number of proposals or change the circumstance.

Guideline 6. Pursuant to general Municipal Law, Sect. 104, the Town and its departments therein are authorized to make purchases, in excess of \$500.00 of materials, equipment and supplies (except printed material) through the N.Y.S Office of General Services (OGS), subject to rules established by OGS (see State Finance Law. Sect. 163). Section 104 provides that purchases by political subdivisions and districts through OGS are excepted from competitive bidding requirements. A political subdivision may purchase numerous items at the same prices and under the same terms and conditions as the State. Under Section 104, all purchases are subject to audit and inspection by the Town and the Town must accept sole responsibility for payment to the vendor.

Guideline 7. Except when directed by the town board, no solicitation or written proposals or quotations shall be required under the following circumstances:

- a) Acquisition of professional services
- b) Emergencies
- c) Sole source situations
- d) Goods purchased from agencies for the blind or severely disabled
- e) Goods purchased from correctional facilities
- f) Goods purchased from another government agency
- g) Goods purchased at auction
- h) Goods purchased or less than \$250.00
- i) Public works contracts for less than \$500.00

Guideline 8. This policy shall be reviewed annually by the town board at its organizational meeting or as soon thereafter as reasonably practicable.

August 20, 2019 (cont)

Motion made by Patricia Haberek and seconded by Dennis Yost to accept the updated Agreement for the Expenditures of Highway Moneys

Adopted

Ayes - 4 Haberek, Yost, Montana, Breh

Absent - Houle

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:

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.

PERMANENT IMPROVEMENTS. The following sums shall be set aside to be expended for the permanent improvement of Town highways:

(a) On the Keyser Lake Road, commencing at County Highway 120 and extending for a distance of 5300 feet, there shall be expended not over the sum of **\$60,000.00**.

Type	Asphalt Overlay
Width of traveled surface	20ft
Thickness	1.5"
Subbase	Gravel

All required culverts will be replaced, the road will be shimmed to true and level and overlaid with 1.5" of type 6 asphalt, a single course surface treatment will be applied, shoulders replaced, and compliant signs installed.

(b) On the Bliss Road, commencing at State Highway 29, and extending to State Highway 29, there shall be expended not over the sum of **\$58,000.00**.

Type	Asphalt Overlay
Width of traveled surface	18ft
Thickness	1.5"
Subbase	Gravel

All required culverts will be replaced, the road will be shimmed to true and level and overlaid with 1.5" of type 6 asphalt, a single course surface treatment will be applied, shoulders replaced, and compliant signs installed.

(c) On the Youkers Bush Road, commencing at Mill Road, and extending to County Highway 114, there shall be expended not over the sum of **\$58,000.00**.

Type	Asphalt Overlay
Width of traveled surface	18ft
Thickness	1.5"
Subbase	Gravel

All required culverts will be replaced, the road will be shimmed to true and level and overlaid with 1.5" of type 6 asphalt, a single course surface treatment will be applied, shoulders replaced, and compliant signs installed.

(d) On the Belden Corners Road, commencing at Wyman Road, and extending to Lotville Road, there shall be expended not over the sum of **\$35,000.00**

Type	Road Widening, Drainage, Grading
Width of traveled surface	18ft
Thickness	N/A
Subbase	Gravel

Roadway will be widened to 18' travel width throughout, culverts will be replaced as needed, drainage ditching installed, the entire section will have 5"-6" of base material added prior to grading and compaction.

(e) On the Miller Road, commencing at Keyser Lake Road, and extending to the Dead End, there shall be expended not over the sum of **\$2,000.00**

Type	Single Course Surface Treatment (Chip Seal)
Width of traveled surface	18ft
Thickness	N/A
Subbase	Gravel

(f) On various roads throughout the town, MUTCD compliant street and traffic warning signage will be installed as required. There shall be expended not over the sum of **\$8,000.00**

All amounts are estimated values. All permanent improvements shall be reimbursable under the Consolidated Highway Improvement Program (CHIPs). Total anticipated 2019 CHIPs allotment including 2018 rollover, CHIPs, PaveNY, and Extreme Winter Recovery funds is: **\$221,835.02**

Executed in triplicate, as amended this 20th day of August, 2019

Motion made by Dennis Yost and seconded by Kathleen Montana to purchase a new time clock for the highway employees

Adopted
Ayes - 4 Yost, Montana, Haberek, Breh
Absent - Houle

20, 2019 (cont)

August

Motion made by Dennis Yost and seconded by Kathleen Montana to raise the price of the transfer stickers to \$15.00 for 2 years starting January 1, 2020

Adopted
Ayes - 4 - Yost, Montana, Haberek, Breh
Absent - Houle

Approval of Minutes

Motion made by Patricia Haberek and seconded by Dennis Yost to accept the minutes of

July 16, 2019.

Adopted
Ayes - 4 Haberek, Yost, Montana, Breh
Absent - Houle

Motion made by Patricia Haberek and seconded by Dennis Yost to authorize payment of the vouchers.

Adopted

Ayes – 4 Haberek, Yost, Montana, Breh

Absent – Houle

With no further business on a motion by Councilwoman Haberek and seconded by
Councilman

Yost the meeting was adjourned at 8:25pm

Respectfully submitted,
Gloria J. Brys, Town Clerk