

September 21, 2021

State of New York
County of Fulton
Town of Oppenheim

Minutes of the Oppenheim Town Board meeting held on September 21, 2021 held at the Oppenheim Town Hall located at 110 State Highway 331, St. Johnsville. NY 13452

Present

Cynthia Breh	--	Supervisor
Kathleen Montana	--	Councilwoman
Robert Norris	--	Councilman
Robert Pierce	--	Councilman
Gloria Brys	--	Town Clerk
Dave Rackmyre	--	Codes Enforcement Officer
Scott DeNinno	--	Highway Superintendent

Absent

Joanne Capek-Young	--	Bookkeeper
Dennis Yost	--	Councilman
Ty Stowell	--	Dog Control Officer

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

Executive Session

Robert Norris made a motion to have an executive session at 6:30 p.m. and Robert Pierce seconded and Kathleen Montana was in favor.

Robert Norris made a motion to call the meeting back to order at 7:30 p.m. and Robert Pierce seconded it and Kathleen Montana was in favor.

Public Hearing

Robert Norris made a motion to open the public hearing on the solar project and Robert Pierce seconded it and Kathleen Montana was in favor.

Anyone present may speak for or against the solar project.

Dallas Manson and Travis Mitchel were present from Nexamp to give a presentation and answer any questions. The presentation showed exactly where the solar farm was going to be located on County Highway 108.

Several residents were present with concerns over the solar project. Carolyn Johnson, Dennis Gray and Ed Gray were among the residents present. Dennis Gray had a lot of concerns and he was against the solar project.

September 21, 2021 (cont)

Carolyn Johnson wanted to know what revenue the town was going to receive. Supervisor Breh said that the revenue has to be negotiated.

Dave Rackmyre said that Nexamp has completed all the requirements that is in the Solar Farm Local Law # 1 of 2017.

Dallas Manson read and discussed Part #2 which is Identification of Potential Projects Impacts and it is a questionnaire.

The Public Hearing was closed at 8:40 p.m.

Highway Report

Scott DeNinno stated that 5.62 miles of reprofiling and 8.7 miles of resurfacing has been completed for the year.

Guard rails have been installed at the new large culvert pipe on Voorhees Road.

The mowing of the shoulders have been completed.

Beldon Corners Road will be reduced to one lane at the bridge/culvert near the wildlife Sanctuary and it is expected to last throughout the winter until the repairs can be made.

The new dump truck chassis is built but is awaiting arrival of a transmission controller. When they receive this it will be shipped to the dealer and then it will take 4 to 6 weeks for installation.

The repairs on the pickup are delayed due to parts availability. The repairs are expected to be completed in mid-October.

Robert Pierce made a motion to accept the Highway Report and Robert Norris seconded it and Kathleen Montana was in favor.

Dog Control Officer

Ty Stowell was absent and did not have a report.

Codes Enforcement Officer

Dave Rackmyre was present and had a written report for the board members.

Tickets were issued for trash and debris to owner and tenant on State Highway 29.

Bantam Solar on Cohwy 151 has begun construction.

Permit fees year to date is \$2,753.80.

Kathleen Montana made a motion to accept the Codes Enforcement Officers report and Robert Pierce seconded and Robert Norris was in favor.

Bookkeepers Report

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

Kathleen Montana made a motion to accept the Bookkeepers Report and Robert Norris seconded it and Robert Pierce was in favor.

September 21, 2021 (cont)

Town Clerks Report

Town Clerk Brys presented the report for August 2021

Kathleen Montana made a motion to accept the town clerks report and Robert Pierce seconded it and Robert Norris was in favor.

Motions

Motion made by Kathleen Montana and seconded by Robert Pierce to accept Resolution #38. The resolution is as follows:

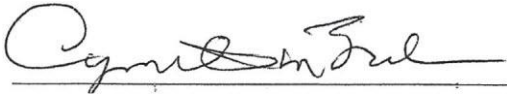
Resolution # 38

At a duly called meeting of the Town Board of the Town of Oppenheim, held on the day of September 21, 2021, the following resolution was introduced and adopted.

WHEREAS, the Town Board has determined that a true and very real need exists for the acquisition of the Equipment described in the Lease-Purchase Agreement presented to this meeting; **and** has further determined that the Equipment will be used solely for essential governmental functions and not for private business use.

WHEREAS, the Town Board has taken the necessary steps, including any legal bidding requirements, under applicable law to arrange for the acquisition of such equipment.

BE IT RESOLVED, by the Town Board that the terms of said Lease-Purchase Agreement and Escrow Agreement are in the best interest of the Town of Oppenheim for the acquisition of such equipment, and the Town Board designates **and** confirms the following persons to execute and deliver, and to witness (or attest), respectively, **Leasing 2, Inc.** Lease-Purchase Agreement and Escrow Agreement, if applicable, and any related documents necessary to the consummation of the transactions contemplated by the Lease-Purchase Agreement and Escrow Agreement.



Cynthia Breh, Town Supervisor

(Signature of Party to Execute Lease-Purchase Agreement and Escrow Agreement)

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the above and foregoing Lease-Purchase Agreement and Escrow Agreement is the same as presented at said meeting of the governing body of Lessee.



September 21, 2021
Date

Adopted
Ayes - 4 Montana, Pierce, Norris, Breh
Absent - Yost

September 21, 2021 (cont)

Motion made by Robert Norris and seconded by Robert Pierce for the following:

“The Town Board authorizes Supervisor to enter into a 3-year Lease Purchase Agreement with Leasing 2, Inc. to finance the purchase of an International CV515 SFA dump truck in the amount of \$145,183.00, purchased from Navistar Inc.”

Adopted
Ayes - 3 Norris, Pierce, Montana
Absent - Yost

Motion made by Robert Norris and seconded by Robert Pierce to accept Resolution #39 which states the Town Board voted on the completed SEQRA application to deem it complete and sent the completed application to NYS Environmental Conservation.

Adopted
Ayes - 3 Norris, Pierce, Breh
Nays - 1 Montana
Absent - Yost

Motion made by Robert Norris and seconded by Robert Pierce to accept Resolution #40 which is to approve Nexamp Solar Project on County Highway 108, Tax ID# 125.-1-33.2 in the Town of Oppenheim that all requirements have been met per our Solar Law #1 of 2017 pertaining to

Solar Farms allowing them to construct the solar farm after receiving the proper building permit.

Adopted

Ayes - 3 Norris, Pierce, Breh

Nays - 1 Montana

Absent - Yost

Approval of Minutes

Motion made by Kathleen Montana and seconded by Robert Norris to accept the minutes of August 17, 2021.

Adopted

Ayes - 3 Montana, Norris, Pierce, Breh

Absent - Yost

Motion made by Robert Norris and seconded by Kathleen Montana to authorize payment of vouchers.

Adopted

Ayes - 4 Norris, Montana, Pierce, Breh

Absent - Yost

September 21, 2021 (cont)

Motion made by Robert Norris and seconded by Robert Pierce to transfer \$700.00 from B3620.2 Codes Equipment to B3620.4 Codes C/E.

Adopted

Ayes - 4 Norris, Pierce, Montana, Breh

Absent - Yost

Budget Meeting

There will be a budget meeting on Tuesday, September 28, 2021 at 6:30 p.m.

With no further business on a motion by Kathleen Montana and seconded by Robert Pierce the meeting was adjourned at 9.35 p.m.

Respectfully submitted,
Gloria J. Brys