

State of New York
County of Fulton
Town of Oppenheim

December 27, 2023

Minutes of the Oppenheim Town Board special meeting to discuss the town board councilman position was held on December 27, 2023, held at the Oppenheim Town Hall located at 110 State Highway 331, St. Johnsville. NY 13452

Present

Cynthia Breh	--	Supervisor
Kathleen Montana	--	Councilwoman
Nicholas Vasil	--	Councilman
Robert Pierce	--	Councilman
Robert Norris	--	Councilman
Gloria Brys	--	Town Clerk

Supervisor Cynthia Breh called the meeting to order at 5:00 pm with the Pledge to the Flag.

Attorney Girvin was on speaker phone to join the meeting

Attorney Girvin stated that according to the Attorney General a highway employee cannot be a town board councilman. The person has to choose between being a highway employee or to be on the town board as a councilman. It is against the law to do both.

Attorney Girvin said that a local law could be adopted which would allow a person to hold both positions. The Attorney said he cannot tell the board what to do without a local law.

Nicholas Vasil wanted to know if the board can run with 3 members. It can be done for awhile but there should be 4 council members so if there is a vote there will not be a tie.

Attorney Givin told the clerk that if the elected council member comes in to take the oath of office then she has to give it to them and file it.

Attorney Girvin discussed all the legal matters concerning the council member position. He said it would take about 4 hours to draft the local law.

After a lengthy discussion between the Attorney and the Board Members it was decided to do a local law.

December 27, 2023 (cont)

Motion made by Robert Pierce and seconded by Robert Norris to have the Attorney draft a local law which will say that a person can hold both positions.

Adopted

Robert Pierce - Yes

Robert Norris - Yes

Kathleen Montana - Yes

Nicholas Vasil - No

Supervisor Breh - No

With no further business on a motion by Robert Norris and seconded by Robert Pierce the meeting was adjourned at 6:30 p.m.

Respectfully submitted,
Gloria J. Brys