

June 19, 2018

State of New York

County of Fulton

Town of Oppenheim

Minutes of the Oppenheim Board meeting held on June 19, 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
John Houle	--	Councilman
Gloria Brys	--	Town Clerk
Brian Miller	--	Assistant Highway Superintendent

Absent

Scott DeNinno	--	Highway Superintendent
Dennis Yost	--	Councilman
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.

Common Energy – Malcolm Bliss

Mr. Bliss was present to state that Common Energy would be in charge of signing residents up for electric from the Solar Farm at 519 State route 151 in the Town of Oppenheim. Residents will get 10% off of their electric use. He will be meeting with residents to see who is interested.

Bookkeepers Report

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

Kathleen Montana made a motion to accept the Bookkeepers Report and Patricia Haberek seconded it and John Houle was in favor.

Dog Control Officer

Billie Jo Getman was absent and had no report for the board members.

Supervisor Breh tabled it

Hilltop Volunteer Fire Company

The Hilltop Volunteer Fire Company sent a report of the calls for April and May of 2018

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Codes Enforcement Officer

Dave Rackmyer was absent but had a report for the board members of the calls that he answered.

Mr. Rackmyer has now completed 16 hours of code training towards his required 24 hours annually. He stated that he has been appointed to the County planning board

He stated that he has completed the list of sheds that was given to him. He has sent notices to the owners of the sheds that are 144 square feet or larger as no permit is required if they are under 144 square feet.

He said he issued a lot of new permits and the total year to date permit fees is \$946.80.

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

Highway Report

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

Assistant Highway Superintendent Brian Miller was present.

Mr. DeNinno's report stated that they have completed the CHIP Sealing on King Road, Warner Road, Iris Lane, VanDyke Road, Stone Road , Bell Road, Tobacco Road and a short section on the east end of Cline Road. The town employees have begun mowing of shoulders on both the town and county roads.

Mr. DeNinno is recommending that the board approve the listing of the town's 1993 GMC dump truck for sale at auction because the truck needs a lot of work to make it legal to operate on the roadway.

He stated that he got a verbal quote for a wood-framed shed of approximately \$35,000.00 which is only for the building and does not include the cost of lining the floor with blacktop which would be another \$1,500.00. Mr. DeNinno recommends that the town go with the simple repairs of the building. The estimated cost of the end covers and door was \$4,800.00. We would have to replace some of the cement retaining wall blocks which would cost approximately \$1,500.00 plus an addition \$500.00 for lumber and hardware that may be needed. This would bring the cost to \$6,800.00.

The employees have completed the first mowing of cemeteries. Mr. DeNinno stated that he was advised that the employees are to no longer mow the Brown Cemetery

Patricia Haberek made a motion to accept the Highway report and Kathleen Montana seconded it and John Houle was 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 Patricia Haberek was in favor.

Executive Session

Patricia Haberek made a motion to have an executive session at 7:30 pm on legal matters and John Houle seconded it and Kathleen Montana and Supervisor Breh were in favor.

Patricia Haberek made a motion to call the meeting back to order at 8:22 pm and John Houle seconded it and Kathleen Montana and Supervisor Breh were in favor.

June 19, 2018 (cont)

Brown Cemetery

Doug Stowell and Pamela Lamphere were present to ask why the town was not mowing the Brown Cemetery anymore. Mr. Stowell stated that the town has been mowing that cemetery for many years and now they decided not to mow it.

John Houle explained that it is illegal to mow the Brown Cemetery because it is an association. The only way the town can mow the cemetery is if the association is dissolved.

Mr. Stowell said they are not going to dissolve the association

After a heated discussion, it was decided not to mow the cemetery.

Smoking Policy

Town Clerk Brys stated that the Local Law #1 of 2018 which is the Town of Oppenheim Smoking Policy has been filed with the State

Motions

Motion made by Patricia Haberek and seconded by John Houle not to mow the Brown Cemetery.

Adopted

Ayes - 4 Haberek, Houle, Montana, Breh

Absent - Yost

Motion made by John Houle and seconded by Patricia Haberek to let the Superintendent put the 1993 GMC Dump Truck on the auction site.

Adopted

Ayes - 4 Houle, Haberek, Montana, Breh

Absent - Yost

Motion made by Patricia Haberek and seconded by John Houle to fix the salt shed for a cost of approximately \$6,800.00

Adopted

Ayes - 4 Haberek, Houle, Montana, Breh

Absent - Yost

Motion made by Patricia Haberek and seconded by John Houle to amend the motion for the Agreement for the Expenditure of Highway Money made on April 17, 2018.

Adopted

Ayes - 4 Haberek, Houle, Montana, Breh

Absent - Yost

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

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

Road will be shimmed to true and level and overlaid with 1.5" of type 6 top

(b) On the Lotville Road, commencing at House # 182, and extending to House #312, there shall be expended not over the sum of **\$35,000.00**.

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

Road will be shimmed to true and level and overlaid with 1.5" of type 6 top

(c) 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 **\$35,000.00**.

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.

(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 **\$ 5,800.00**

Type	Single chip seal over cold mix asphalt
Width of traveled surface	19ft
Thickness	N/A
Subbase	Gravel

(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 **\$8,500.00**

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

(f) On Iris Lane, commencing at North Road, and extending a distance of .12 miles, there shall be expended not over the sum of **\$1,800.00.**

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

(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 **\$2,900.00.**

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

(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 **\$4,000.00.**

Type	Single chip seal over cold mix asphalt
Width of traveled surface	20ft
Thickness	N/A
Subbase	Gravel

(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 **\$4,600.00**.

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

(J) On the Tobacco Road commencing at North Road, and extending a distance of .25 miles, there shall be expended not over the sum of **\$2,400.00**.

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

(k) On the east end of Cline Road, commencing at State Highway 29, and extending a distance of 250 feet, there shall be expended not over the sum of **\$500.00**.

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, as amended this 19th day of June, 2018

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

Approval of Minutes

Motion made by Patricia Haberek and seconded by John Houle to accept the minutes of May 15, 2018

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

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Motion made by Patricia Haberek and seconded by Kathleen Montana to authorize payment of the vouchers.

Adopted

Ayes – 4 Haberek, Montana, Houle, Breh

Absent - Yost

With no further business on a motion by Councilwoman Haberek and seconded by Councilwoman Montana the meeting was adjourned at 8:50 pm

Respectfully submitted,
Gloria J. Brys, Town Clerk

