

June 15, 2021

State of New York  
County of Fulton  
Town of Oppenheim

Minutes of the Oppenheim Town Board meeting held on June 15, 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
Gloria Brys	--	Town Clerk
Scott DeNinno	--	Highway Superintendent
Dave Rackmyre	--	Codes Enforcement Officer

Absent

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

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

**Solar Project**

Michael Cucchiara and Travis Mitchell from NEXAMP were present to give a presentation on the solar project is to be located at 582 Cohwy 150 in the Town of Oppenheim. A description of the solar farm is construction of a 2.5 MW solar farm on a 47 acre parcel of land. It will be constructed on approximately 18.5 acres (fenced area).

Supervisor Breh asked if they do a Host Community Agreement because the Host is separate from the Pilot. They replied that they could probably do that.

**Dog Control Officer**

Ty Stowell was absent but had a report for the board members

There was a dog bite on State Highway 29. A dog attacked the neighbors dog and the neighbor stepped in and she was bitten on the foot and ankle. The dog was up to date on shots.

Robert Norris made a motion to accept the Dog Control Officers report and Kathleen Montana seconded it and Supervisor Breh was in favor.

**New Town Hall building**

Kathleen Montana made a motion to give Supervisor Breh permission to get an architect to check on a building and also to check with engineers and Robert Norris seconded it

June 15, 2021 (cont)

### **Code Enforcement Officer**

Dave Rackmyre was present and had a report for the board members. He issued 7 permits. The total permit fees year to date is \$2,442.80.

Robert Norris made a motion to accept the Code Enforcement Officers report and Kathleen Montana seconded it and Supervisor Breh was in favor.

### **Highway Report**

Mr. DeNinno said that grant funding applications have been submitted for both the Little Sprite (Beldon Corners Road) and Timmerman Creek (Youkers Bush Road) culvert replacements under the BridgeNY program. The total project costs for the 2 projects combined is \$3,100,000.00.

Mr. DeNinno said that they have begun preparations on the roads we plan to resurface this year. They are Voorhees, Bacon Brook, King, Lotville and North roads. Resurfacing is anticipated to start in August. He said they will be surface treating Cline, Lotville, and Olsen roads that were paved last season as well as completing shimming repairs on Youker Bush road, Brockett Hill, Sweet Hill and Portions of Lotville road.

The anticipated build date for the new truck chassis is 9/4/21. The expected delivery date is now late November and possibly December.

Mr. DeNinno said that he would like to purchase a new excavator. They have been renting an excavator for \$5,000 a month. One vendor has an excavator coming in August and he is willing to give us \$22,000 for our excavator as a trade in.

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

### **Bookkeepers Report**

Joanne Capek-Young had a written report for the board members.

Robert Norris made a motion to accept the Bookkeepers report and Kathleen Montana seconded it and Supervisor Breh was in favor.

### **Town Clerks report**

Town Clerk Brys had a report for the month of May.

Kathleen Montana made a motion to accept the Town Clerks report and Robert Norris seconded it and Supervisor Breh was in favor.

### **Direct Deposit**

Supervisor Breh said that the Bookkeeper would like everyone to have direct deposit. Direct deposit was tabled until next meeting.

### **Executive Session**

Robert Norris made a motion to have an executive session at 8:30 p.m. and Kathleen Montana seconded it and Supervisor Breh was in favor.

The meeting was called back to order at 8:50 p.m.

June 15, 2021 (cont)

**Motions**

Motion made by Robert Norris and seconded by Kathleen Montana to go ahead with the site plans for the solar project and to send it to the County Planning Board

Adopted

Ayes - 3 Norris, Montana, Breh

Absent - Yost, Pierce

Motion made by Robert Norris and seconded by Kathleen Montana to accept Resolution #34 Which is as follows:

Maximum Height - the solar law allows a maximum height of 8 feet, and the Applicant is requesting a deviation to allow for a maximum height of 17 feet

East property line setback - on the east side of the project there is a possible residential property, a deviation of a 60-foot setback from the 200-foot setback requirement is requested. The property appears to be a dairy farm, with no residence obvious, with a structure located 1,600 feet from the property line.

On the west side of the project there is a residential property, a deviation of a 50-foot setback from the 200-foot setback requirement is requested. The residence is located 1,400 feet from the project, with a gully and forest in between thereby mitigating the decreased setback.

Adopted

Ayes - 3 Norris, Montana, Breh

Absent - Yost, Pierce

Motion made by Robert Norris and seconded by Kathleen Montana to accept Resolution #35 which states that The Town of Oppenheim is the lead agency.

Adopted

Ayes - 3 Norris, Montana, Breh

Absent - Yost, Pierce

Motion made by Robert Norris and seconded by Kathleen Montana to accept the Agreement For the Expenditures of Highway Moneys. It 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 **\$100,000.00** 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 sum shall be set aside to be expended for the permanent improvement of Town highways: **\$333,000.00**

(a) On the King Road, commencing at Sweet Hill Road, and extending a distance of .72 miles, to State Highway 29, there shall be expended not over the sum of **\$32,000.00**.

Type	Dry Reprofile with Crusher Run & Double Chip Seal
Width of traveled surface	18ft
Thickness	6"
Subbase	Gravel

Road will have 3" of crusher run added, then reprofiled to a depth of 6" to restore strength and crown. Road will then be double chip sealed.

(b) On the Bacon Brook Road, commencing at State Highway 29, and extending a distance of 1.25 miles, to County Highway 120, there shall be expended not over the sum of **\$52,000.00**.

Type	Dry Reprofile with Crusher Run & Double Chip Seal
Width of traveled surface	18ft
Thickness	6"
Subbase	Gravel

Road will have 3" of crusher run added, then reprofiled to a depth of 6" to restore strength and crown. Road will then be double chip sealed.

(c) On the Voorhees Road, commencing at Lotville Road, and extending a distance of 2.00 miles, to the pavement change, there shall be expended not over the sum of **\$89,000.00**.

Type	Dry Reprofile with Crusher Run & Double Chip Seal
Width of traveled surface	18ft
Thickness	6"
Subbase	Gravel

All cross culverts will be replaced, shoulders cut, ditching completed as required prior to surfacing. Road will then have 3" of crusher run added, and be reprofiled to a depth of 6" to restore strength and crown. Road will then be double chip sealed.

(d) On the Voorhees Road, commencing at the pavement change, and extending a distance of .74 miles, to the Stratford Town Line, there shall be expended not over the sum of **\$20,000.00**.

Type	Double Chip Seal
Width of traveled surface	18ft
Thickness	6"
Subbase	Gravel

Road will be patched where required, and a have a double chip seal applied.

(e) On the Lotville Road, commencing at Tiedman Road, and extending a distance of .85 miles, to the pavement change, there shall be expended not over the sum of **\$35,000.00**.

Type	Dry Reprofile with Crusher Run & Double Chip Seal
Width of traveled surface	18ft
Thickness	6"
Subbase	Gravel

Road will have 3" of crusher run added, then reprofiled to a depth of 6" to restore strength and crown. Road will then be double chip sealed.

(f) On the North Road, commencing at Warner Road, and extending a distance of .60 miles, to Lotville Road, there shall be expended not over the sum of **\$30,000.00**

Type	Dry Reprofile with Crusher Run & Double Chip Seal
Width of traveled surface	18ft
Thickness	6"
Subbase	Gravel

Road will have 3" of crusher run added, then reprofiled to a depth of 6" to restore strength and crown. Road will then be double chip sealed.

(g) On the Cline Road, commencing at Overswamp Road, and extending a distance of 1.25 miles, to the pavement change, there shall be expended not over the sum of **\$30,000.00**.

Type	Double Chip Seal
Width of traveled surface	18ft
Thickness	.5"
Subbase	Gravel

Road will have a double chip seal applied over the new blacktop installed in 2020.

(h) On the Lotville Road, commencing at North Road, and extending a distance of 1.35 miles, to the pavement change, there shall be expended not over the sum of **\$33,000.00**.

Type	Double Chip Seal
Width of traveled surface	18ft
Thickness	.5"
Subbase	Gravel

Road will have a double chip seal applied over the new blacktop installed in 2020.

(I) On the Olsen Road, commencing at State Highway 331, and extending a distance of .48 Miles to the dead end, there shall be expended not over the sum of **\$12,000.00**

Type	Double Chip Seal
Width of traveled surface	18 ft
Thickness	.5"
Subbase	Gravel

Road will have a double chip seal applied over the new blacktop installed in 2020

All amounts are estimated values. All permanent improvements shall be reimbursable under the Consolidated Highway Improvement Program (CHIPS). Total anticipated 2021 CHIPS allotment Including 2020 rollover, CHIPS, and PaveNY funds approximately \$332,378.00

Adopted

Ayes - 3 Norris, Montana, Breh

Absent - Yost, Pierce

Motion made by Robert Norris and seconded by Kathleen Montana to accept Resolution #36 which is to submit the Operations Plan During Public Health Emergencies to the State.

Adopted

Ayes - 3 Norris, Montana, Breh

Absent - Yost, Pierce

### **Approval of Minutes**

Motion made by Robert Norris and seconded by Kathleen Montana to accept the minutes of April 20, 2021 and May 18, 2021.

Adopted

Ayes - 4 Norris, Montana, Breh

Absent - Yost, Pierce

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

Adopted

Ayes - 4 Montana, Norris, Breh

Absent - Yost, Pierce

With no further business on a motion by Robert Norris and seconded by Kathleen Montana the meeting was adjourned at 9:10 p.m.

Respectfully submitted

Gloria J. Brys