

State of New York  
County of Fulton  
Town of Oppenheim

November 14, 2023

Minutes of the Oppenheim Town Board meeting held on November 14, 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 Norris	--	Councilman
Robert Pierce	--	Councilman
Gloria Brys	--	Town Clerk
Scott DeNinno	--	Highway Superintendent

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

**Public Hearing**

Supervisor Breh opened the public hearing on the 2024 budget at 6:30 pm. Anyone one present may speak for or against the budget.

Robert Norris stated that there are a couple of things on the budget that has been changed since the budget was accepted as the preliminary budget. The first one is the raise for the the tax collector. It was approved for \$3,860 and now it is back to \$3,750. Supervisor Breh said that the tax collector did not want the raise. Robert Norris said that it was voted on by the board.

Robert Pierce told the Supervisor that once the board votes on the preliminary budget then the Supervisor does not have the power to change it. The Supervisor said the tax collector did not want the raise.

Robert Norris also stated the the Historian was \$800 and now he sees it has been reduced to \$400 and wants to know why. The Supervisor said she does not want the \$800. Robert Norris said that if the Supervisor decides not to do the Historian position then the next person should get the \$800.

**Dog Control Officers report**

Karen JaQuay was absent but had a report for the board members.

Robert Pierce said that the report is not 100% true so he will not accept it but he is only one board member.

After a discussion, the board members decided not to accept the report.

Robert Pierce made a motion not to accept the dog control officers report and Robert Norris seconded it and Nicholas Vasil and Kathleen Montana were in favor.

November 14, 2023 (cont)

### **Highway Report**

Scott DeNinno had a written report for the board members.

All plow equipment has been installed with the exception of truck 7 which is in Albany for repairs. It is anticipated to be back by the end of the week.

Guard rails on the Youkers Bush culvert should be completed in November. Town and County Bridge and Rail is listed on the county contract for used box beam rail. The work should only take them a day to complete.

CHIPS documentation for December reimbursement has been submitted. Our reimbursement of \$377,640.15 is scheduled for deposit on December 14<sup>th</sup>. Direct expenditures for all projects totaled \$369,477.60 and the remaining \$8,162.55 was reimbursement for our equipment usage.

I am still in process of specifying a new tandem dump truck and plow equipment, however, initial cost estimates put the cost of this truck easily in excess of \$300,000.00. This may not be feasible so I am exploring all options.

Mr. DeNinno anticipates having a preliminary highway agreement for 2024 in January or early February, as he would like hauling material as soon as possible in the late winter and early spring before the county contract pricing expires and we are faced with another year of large cost increases for stone products.

Robert Norris made a motion to accept the Highway report and Robert Pierce seconded it and Kathleen Montana, Nicholas Vasil and Supervisor Breh were in favor.

### **Codes Enforcement Officer**

Dave Rackmyre submitted a report for the board members.

The total permit fees year to date is \$967.40.

There was one certificate of compliance.

Several code related calls and emails.

Various code related inspections.

Mr. Rackmyre attended a 3 day seminar in Albany, NY on October 23, 24, and 25. This gave him 19 hours of continuing education. With this seminar and the ahead Remediation Training, he has exceeded his mandated 24 hours of continuing training to remain a Certified Code Officer.

Robert Pierce made a motion to accept the Code Enforcement Officers report and Robert Norris seconded it and Kathleen Montana, Nicholas Vasil and Supervisor Breh were in favor.

### **Bookkeepers Report**

Joanne Capek-Young submitted a report for the board members.

Scott DeNinno wanted to know what the check for \$25,000 in May was for because it was taken out of the highway fund. Bookkeeper Young looked it up and said it was put under the wrong account and it will be changed.

Kathleen Montana made a motion to accept the Bookkeepers report and Robert Norris seconded it and Nicholas Vasil, Robert Pierce and Supervisor Breh were in favor.

November 14, 2023 (cont)

### **Town Clerks Report**

Town Clerk Brys presented the report for October 2023.

Kathleen Montana made a motion to accept the town clerks report and Nicholas Vasil seconded it and Robert Pierce, Robert Norris and Supervisor Breh were in favor.

### **Public Hearing**

Robert Pierce made a motion to close the public hearing at 7:05 pm and Nicholas Vasil seconded it and Kathleen Montana, Robert Norris and Supervisor Breh were in favor.

### **Gray Property across from Town Hall.**

Scott DeNinno said that George Capek contacted the owners directly about a bad roof and so the owners tore the building down

### **Local Law**

Robert Pierce wanted to get a local law which would allow highway employees to be a member of the town board. Supervisor Breh said she would have to check with the Attorney to see if it is legal to do a local law. Robert Pierce said he wanted a written letter from Girvin Ferlazzo stating whether we could do a local law or not.

### **Approval of Minutes**

Motion made by Kathleen Montana and seconded by Nicholas Vasil to accept the minutes of October 17, 2023.

Adopted

Ayes - 5 Montana, Vasil, Pierce, Norris, Breh

Nays - 0

Motion made by Robert Norris and seconded by Kathleen Montana to accept the Preliminary Budget as the 2024 Final Budget.

Adopted

Ayes - 5 Norris, Montana, Vasil, Pierce, Breh

Nays - 0

Motion made by Kathleen Montana and seconded by Robert Norris to accept Resolution #47 which says that the Oppenheim Town Board wishes to utilize the County Transfer station, Commonly referred to as the Oppenheim Station, NYS Route 331, Town of Oppenheim.

Adopted

Ayes 4 - Montana, Norris, Pierce, Vasil

Nays 0

November 14, 2023 (cont)

Motion made by Robert Norris and seconded by Robert Pierce to accept Resolution #48 which says: Resolved, that the proposed settlement of the tax certiorari matter pending in the Supreme Court, County of Fulton, under the caption of The Utica Zoological Society v. Galarneau, et. al, (Index NO. EF2023-10765) is hereby approved, and counsel for the Town is hereby authorized to execute the proposed Consent Judgement on behalf of the Town.

Adopted

Robert Norris - Yes

Robert Pierce - Yes

Kathleen Montana - Yes

Nicholas Vasil - Yes

Cynthia Breh - Yes

Motion made by Robert Pierce and seconded by Nicholas Vasil to accept the 2-year contract (2024 and 2025) from the Oppenheim Volunteer Fire Company, Inc.

Adopted

Ayes - 5 Pierce, Vasil, Montana, Norris, Breh

Nays - 0

Motion made by Robert Norris and seconded by Kathleen Montana to authorize payment of vouchers. The total for the General vouchers is \$12,536.92 and the total for the Highway vouchers is \$7005.38

Adopted

Ayes - 5 Norris, Montana, Vasil, Pierce Breh

Nays - 0

With no further business on a motion by Kathleen Montana and seconded by Robert Norris the meeting was adjourned at 7:58 p.m.

Respectfully submitted,  
Gloria J. Brys