

State of New York
County of Fulton
Town of Oppenheim

July 18, 2023

Minutes of the Oppenheim Town Board meeting held on July 18, 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
Gloria Brys	--	Town Clerk

Absent

Robert Pierce	--	Councilman
Scott DeNinno	--	Highway Superintendent

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

Highway Report

Scott DeNinno had a written report for the board members.

The highway employees are currently ditching and removing rocks on Barker and North Road.

Paving is tentatively scheduled to begin on July 31 and last approximately 2 weeks. Chip sealing will be completed a couple of weeks later. They will be starting on Youkers Bush Roan on July 31, and continue on to Cline, Krueger, Sprite Club, North, and Barker road in that order.

Once paving and chip sealing is completed, the second mowing of shoulders will start, along with cutting of brush and tree canopy along the right of way.

They will be re-grading dirt and seasonal roads after paving and sealing is complete.

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

Dog Control Officer

In regards to the Fulton County Rabies Protocol, Karen Jaquay went to the resident on 7/1/23 to make sure the dog was in quarantine and then went back on 7/10/23 and the dog had no signs of rabies.

She took 2 stray dogs to the Brennan Humane Society.

She has received calls about dogs barking and also about dogs not licensed

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

July 18, 2023 (cont)

Codes Enforcement Officer

Dave Rackmyre submitted a report for the board members.

He issued one permit.

The total permit fees year to date is \$790.60.

Mr. Rackmyre had 2 Certificates of Compliance.

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

Bookkeepers Report

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

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

Town Clerks Report

Town Clerk Brys presented the report for June 2023.

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

New Business

Supervisor Breh said she signed the contract with Buell Fuel for \$2.91 a gallon.

Approval of Minutes

Motion made by Nicholas Vasil and seconded by Kathleen Montana to accept the minutes of June 20, 2023 and July 5, 2023.

Adopted

Ayes - 4 Vasil, Montana, Norris, Breh

Absent - Pierce

Motion made by Nicholas Vasil and seconded by Robert Norris to accept Resolution #46 which is The Standard Work Day for NYS Retirement for Linda Peets, Peter Stone and Gloria Brys

Adopted

Ayes - 4 Vasil, Norris, Montana, Breh

Absent - Pierce

July 18, 2023 (cont)

Supervisor Breh read Local Law #1 of 2018 which is the Smoking Policy. Why have the laws if you are not going to enforce it. She said we will now enforce it. It is as follows:

LOCAL LAW #1 OF 2018

Town Of Oppenheim Smoking Policy

Effective July 24, 2003, the amended New York State Clean Indoor Air Act (Public Health Law, Article 13-E) prohibits smoking in virtually all workplaces, including restaurants and bars. The changes in the Act reflect the state's commitment to ensuring that all workers are protected from secondhand smoke. Localities may continue to adopt and enforce local laws regulating smoking. However, these regulations must be at least as strict as the Clean Indoor Air Act.

The Town of Oppenheim maintains smoke- and tobacco-free property for the Town of Oppenheim Town Hall /property and the Town of Oppenheim Highway Building / property. No smoking or other use of tobacco products (including, but not limited to, cigarettes, pipes, cigars, snuff, or chewing tobacco) is permitted by elected officials, appointed officials, employees, and visitors in any part of the buildings owned, leased, or rented by the Town of Oppenheim.

The Town of Oppenheim highway employees may smoke inside their privately owned vehicles during breaks. When smoking or otherwise using tobacco products inside privately owned vehicles, do not leave cigarette butts or other traces of litter or tobacco use on the ground or anywhere else. No additional breaks beyond those allowed under the Town of Oppenheim's break policy may be taken for the purpose of using tobacco or similar products.

All Town of Oppenheim employees are expected to abide by this policy in all respects while at work on Town of Oppenheim property. Being permitted to use tobacco products in your privately owned vehicle during breaks is a privilege, if that privilege is abused, it may be withdrawn altogether.

Disciplinary Consequences:

We expect employees to respect this policy and their colleagues. We'll take disciplinary action towards employees who disregard this policy:

Employees who violate this policy or cause severe problems (e.g. fires) may face consequences up to and including termination.

1. Verbal warning
2. Written warning
3. Termination

July 18, 2023 (cont)

Robert Norris presented information on keeping the 2018 Loader or purchasing a 2022 Loader. After a discussion, the board decided to have a roll call vote. The comparison is as follows:

KEEPING 2018 LOADER

Cost: \$75,000 balloon pmt.
(taxpayers - paid from our budget)

Not under warranty
(all maintenance cost out-of-pocket)

CHIPS: \$250,000 annual avg
(\$250,000 - total roadwork completed
4.5 miles)

No trade value (Loss \$90K - 110K)

Total Cost: \$75,000 - balloon pmt
\$15,000 - Avg maintenance
\$XX,XXX unk non-warranty

PURCHASING 2022 LOADER

Cost: \$165,000
(\$15,000 from trade equity)
(\$165,000 from CHIPS)

Under warranty 5 yrs
(wear and tear cost only)

CHIPS: \$250,000 annual avg
(\$55,000 loader pmt)
(\$195,000 - total roadwork completed
3.9 miles)

Trade of 2018 Value (Gain 90K-110K)

Total Cost: \$15,000 of interest over 3 yrs
(paid from equity)
\$3K-\$5K avg maintenance
No unk warranty cost

Roll Call vote to buy a new Loader

Cynthia Breh - No
Nicholas Vasil - No
Kathleen Montana - No
Robert Norris - Yes
Robert Pierce - Absent

Motion made by Kathleen Montana and seconded by Robert Norris to have a Public Hearing on August 15, 2023 at 6:45 pm on Local Law #1 of 2023 which will replace Local Law #3 of 2022 which is regulations for Solar Farm permits within the Town of Oppenheim

Adopted

Ayes - 4 Montana, Norris, Vasil, Breh
Absent - Pierce

July 18, 2023 (cont)

Motion made by Kathleen Montana and seconded by Robert Norris to have a Public Hearing on August 15, 2023 at 7:00 pm on Local Law #2 of 2023 which provides Real Property Exemptions for Volunteer Firefighters and Ambulance workers.

Adopted

Ayes - 4 Montana, Norris, Vasil, Breh

Absent - Pierce

Executive Session

Robert Norris made a motion to have an executive session at 8:00 pm and Nicholas Vasil seconded it and Kathleen Montana was in favor.

Robert Norris made a motion to call the meeting back to order at 8:16 pm and Nicholas Vasil seconded it and Kathleen Montana was in favor.

Motion made by Robert Norris and seconded by Kathleen Montana to authorize payment of vouchers. The total for the General vouchers is \$10,943.65 and the total for the Highway vouchers is \$76,990.26

Adopted

Ayes - 4 Norris, Montana, Vasil, Breh

Absent - Pierce

With no further business on a motion by Robert Norris and seconded by Kathleen Montana the meeting was adjourned at 8:55 p.m.

Respectfully submitted,
Gloria J. Brys