

State of New York

January 16, 2024

County of Fulton

Town of Oppenheim

Minutes of the Oppenheim Town Board meeting held on January 16, 2024 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
Scott DeNinno	--	Highway Superintendent

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

Public Hearing on Local Law #1 of 2024

Kathleen Montana made a motion to have a public hearing on Local Law #1 of 2024 which is a law allowing a Highway employee to also be a council member and Robert Norris seconded it

Kathleen Montana - Yes

Robert Norris - Yes

Nicholas Vasil - No

Cynthia Breh - No

The vote is 2 for yes and 2 for no, so there will be no public hearing.

Public Comments

Pamela Lamphere stated that one Town Justice also holds other positions for the town. She also said that Howard Breh running for councilman is a conflict of interest because his wife is the Supervisor. She said the public spoke when they wrote Brian Millers name in for councilman.

Rebecca DeNinno said that concerning the Highway employee and the councilman, no one can stop him from taking the Oath of Office.

She wanted to know if the town was willing to go to court to get Brian Miller fired and Kathleen Montana and Robert Norris said no, but Supervisor Breh said she will go by the law.

Scott DeNinno said that the Supervisor also held the position of Historian.

He also stated that the cases that are listed in the Local Law have gone both ways.

Brenda Miller stated that the public wrote in Brians name and he won so the public has spoken.

January 16, 2024 (cont)

After a discussion on Local Law #1 of 2024, Nicholas Vasil wanted to amend his vote and have a new vote.

Public Hearing

Robert Norris made a motion to have a public hearing on Local Law #1 of 2024 on January 30, 2024 at 6:30 pm and Kathleen Montana seconded it.

Adopted

Robert Norris - Yes

Kathleen Montana - Yes

Nicholas Vasil - Yes

Cynthia Breh - No

Oath of Office

Town Clerk Brys gave the oath of office to Highway Superintendent Scott DeNinno on January 11, 2024 and to Councilman Brian Miller on January 18, 2024.

Highway Report

Guard rail installation on the Youker Bush Road culvert has been completed.

Truck 7 Insurance repairs final billing has been received. Those repairs are complete. They are working with International to correct a pulling issue on this truck. This has all been warranty work with the exception of an alignment.

With the mild weather in the end of December and early January, crews have been working on arranging the shop, as well as building saw and equipment racks.

The well water at the town hall has become increasingly rusty and foul smelling over the past couple of months. The water was deemed non-potable years ago, requiring the use of water coolers for drinking water. This new change has resulted in staining of all fixtures. Plugged faucets and our inability to wash vehicles with the water. The hard water results in the trucks and their windows to be more dirty than before they were washed. Mr. DeNinno has instructed the crew to utilize the hose at the fire station to wash the truck cabs and windows until this can be corrected. There is also sediment in the pressure tank and the filters need to be replaced weekly. Country Water Conditioning tested the water and it has high iron content. They recommend the installation of a water softener system to reduce the hardness and iron in the water. We may also be dealing with a case of iron bacteria in the water which would account for the foul odor however it was not tested at the initial visit. If this bacteria is present, a chemical treatment may be required to kill the bacteria.

We will need to elicit bids for the purchase of diesel fuel for 2024. Our usage of gasoline and propane do not currently meet the bidding threshold required by New York State.

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

January 16, 2024 (cont)

Dog Control Officer

The dog control officer had no report.

Codes Enforcement Officer

Dave Rackmyre submitted a report for the board members.

The total permit fees year to date is \$275.00.

There were 2 permits issued.

Mr. Rackmyre was re-elected as Chairman of County Planning

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. She said that she had some transfers to be done.

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

Town Clerks Report

Town Clerk Brys presented the report for December 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.

Executive Session

Robert Norris made a motion to have an executive session on legal matters at 7:50 pm and Nicholas Vasil seconded and Kathleen Montana was in favor.

Robert Norris made a motion to call the meeting back to order at 8:25 pm and Nicholas Vasil seconded it and Kathleen Montana was in favor.

New time clock

Supervisor Breh said that Joanne Young (bookkeeper) would like to purchase a new time clock either a facial or thumb print because the clock we have is not working out.

Robert Norris made a motion to let the Bookkeeper purchase a new time clock and Nicholas Vasil seconded it and Kathleen Montana was in favor.

January 16, 2024 (cont)

Approval of Minutes

Motion made by Robert Norris and seconded by Nicholas Vasil to accept the minutes of December 18, 2023 and January 2, 2024.

Adopted

Ayes - 4 Norris, Vasil, Montana, Breh

Nays - 0

January 16, 2024 (cont)

Motions

Nicholas Vasil made a motion to make the following transfers and Kathleen Montana

Seconded it

\$1250 To: DA5142.1 Snow Removal P/S
From: DA5142.4 Snow Removal C/E

\$1050 To: A1450.4 Elections C/E
From: A1420.4 Attorney C/E

\$2000 To: A1620.4 Buildings C/E
From: A1420.4 Attorney C/E

\$500 To: A1220.4 Supervisor C/E
From: A1420.4 Attorney C/E

Adopted

Ayes 4 Vasil, Montana, Norris, Breh

Nays - 0

Motion made by Robert Norris and seconded by Nicholas Vasil to authorize payment of vouchers. The total for the General Vouchers is \$23,028.42 and the total for the Highway vouchers is \$10,310.82.

Adopted -

Ayes - 4 Norris, Vasil, Montana, Breh

Nays - 0

January 16, 2024 (cont)

With no further business on a motion by Robert Norris and seconded by Nicholas Vasil the meeting was adjourned at 8:50 pm

Respectfully submitted

Gloria J. Brys