

State of New York  
County of Fulton  
Town of Oppenheim

Minutes of the Oppenheim Regular Board meeting held on October 20, 2015 at the Oppenheim Town Hall located at 110 Route 331, St. Johnsville, NY 13352

**Present**

Cynthia Breh	---	Supervisor
Stephanie Gray	---	Councilwoman
Patricia Haberek	---	Councilwoman
Cheryl Lynch	---	Councilwoman
Gloria Brys	---	Town Clerk
Scott DeNinno Jr	---	Code Enforcement Officer
Richard Crum	---	Highway Superintendent
Joanne Capek-Young	---	Bookkeeper

**Absent**

Ty Stowell	---	Dog Warden
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Supervisor Cynthia Breh called the meeting to order at 6:30 pm with the Pledge to the Flag

**Public Comment**

**Patricia Rudi – problem with neighbors rooster**

Patricia Rudi wanted to know if the town found out anything about what could be done with the rooster problem

Supervisor Cynthia Breh said that she talked to the village of Dolgeville because they also had a problem with roosters. Oppenheim is rural and an agricultural town and it would be expensive to try to get an ordinance and it would be hard to enforce.

**Dale Tiedman**

Mr. Tiedman asked about the trees that the town cut on the Barker Road. He was told that the case is still ongoing.

Mr. Tiedman wanted to know if the town was liable for cutting the verizon cables and Supervisor Cynthia Breh said yes.

Mr. Tiedman said that the Tiedman Road has been adjusted in length. Superintendent Crum said that nothing has changed and he will give Mr. Tiedman a copy of the road inventory.

Mr. Tiedman stated that he thinks the Highway Superintendent should be a 4-year term because 2 years is not enough.

A direct deposit of \$1,124.56 was deposited in the M&T ACH account on June 17, 2015 and it is to be divided between the 2 Fire companies

## Reports

### Codes Enforcement Officer – Monthly Report

Codes Enforcement Officer Scott DeNinno handed in a report of the calls and permits. He collected \$445.00 for permits. He stated that all of the campers have been removed from the property on the corner of County Highway 150.

### Dog Control Officer- Monthly Report

Ty Stowell was absent but sent a report for the month of October.

### Bookkeeper – Monthly Report

Joanne Capek-Young presented her monthly reports to the board members. As for the budget, the tax cap is 0.72% and the Town of Oppenheim will be 0.70%, which will raise the taxes about 8 cents per thousand.

### Highway Superintendent Report

Superintendent Richard Crum stated that all the equipment is ready for the winter. He also took the CHIPS paperwork to Utica. We should get the check sometime in December.

## Motions / Resolutions

CDPHP Insurance - Supervisor Breh said that we need to accept the 10 per cent increase by November 10, 2015

**Motion** made by Patricia Haberek and seconded by Stephanie Grey to accept the 10 per cent increase for CDPHP insurance.

ADOPTED

Ayes 4 Haberek, Gray, Lynch and Breh

Nays 0

**Motion** by Cheryl Lynch and seconded by Stephanie Gray to accept the 2014 Annual Report and submit it to the Comptrollers Office

ADOPTED

Ayes 4 Lynch, Gray, Haberek and Breh

Nays 0

**Motion** by Stephanie Gray and seconded by Patricia Haberek to move \$57,000.00 from DB5110.4 (General Repairs C/E) to DB5112.2 (Capital Outlay)

ADOPTED

Ayes 4 Gray, Haberek, Lynch, and Breh

Nays 0

**Motion** by Patricia Haberek and seconded by Cheryl Lynch to approve the Hilltop Fire Department contract which is \$1,000.00 per year for 3 years starting January 1, 2016 and ending December 31, 2018

ADOPTED

Ayes 4 Haberek, Lynch, Gray, and Breh  
Nays 0

**Motion** by Stephanie Gray and seconded by Patricia Haberek to approve the Oppenheim Fire Department contract which is \$1,100.00 per year for 4 years starting January 1, 2016 and ending December 31, 2019

ADOPTED

Ayes 4 Gray, Haberek, Lynch, and Breh  
Nays 0

**Motion** by Stephanie Gray and seconded by Patricia Haberek to accept the James A Brennan Memorial Humane Society contract for \$1,800.00 to be paid in 2 installments

ADOPTED

Ayes 4 Gray, Haberek, Lynch, and Breh  
Nays 0

The Office of Aging delivered 555 meals in 2015 to the Town of Oppenheim senior citizens at a cost of \$2,969.25

**Motion** by Patricia Haberek and seconded by Cheryl Lynch to donate \$350.00 to the Office for the Aging

ADOPTED

Ayes 4 Haberek, Lynch, Gray, and Breh  
Nays 0

**Motion** by Stephanie Gray and seconded by Patricia Haberek to have the lights in the back room fixed

ADOPTED

Ayes 4 Gray, Haberek, Lynch, and Breh  
Nays 0

**Motion** by Stephanie Gray and seconded by Cheryl Lynch to have Bill Reynolds come to install the time clock in the town highway department and to fix the fax machine.

ADOPTED

Ayes 4 Gray, Lynch, Haberek, and Breh  
Nays 0

**Motion** by Cheryl Lynch and seconded by Patricia Haberek to have C & J Heating clean the furnace in the town hall.

ADOPTED

Ayes 4 Lynch, Haberek, Gray, and Breh  
Nays 0

**Motion** by Stephanie Gray and seconded by Cheryl Lynch to support resolution #23 of 2015 for the Oppenheim Volunteer Fire company. The resolution is as follows:

Whereas, it has been identified by Chief DeNinno of the Oppenheim Volunteer Fire Company, that a hazard exists in which the Fire Company is not being regularly dispatched to all motor vehicle accidents within the town. This practice, due to the possibility of an extended response time by law enforcement creates an unnecessary additional hazard for the people involved in such accidents, as well as other motorists. Be it resolved, that the Town Board supports the policy set forth by Oppenheim Volunteer Fire Company requiring said company to be dispatched to all reported motor vehicle accidents within the Town of Oppenheim.

ADOPTED

Ayes 4 Gray, Lynch, Haberek, and Breh  
Nays 0

**Motion** by Patricia Haberek and seconded by Cheryl Lynch to accept the Tentative Budget as the Preliminary Budget

ADOPTED

Ayes 4 Haberek, Lynch, Gray, and Breh  
Nays 0

### **APPROVAL OF MINUTES**

**Motion** by Cheryl Lynch and seconded by Stephanie Gray to approve the minutes of September 15, 2015

ADOPTED

Ayes 4 Lynch, Gray, Haberek, and Breh  
Nays 0

## **PUBLIC HEARINGS**

The following public hearings will be held on November 17, 2015

6:30 pm – Public Hearing on the Fire Company Contracts

6:45 pm – Public Hearing on the Preliminary Budget

7:00 pm – Public Hearing on Local Law #1 for 2015 – for the regulation of large public gatherings in the Town of Oppenheim

7:15 pm – Public Hearing on Local Law #2 for 2015 – provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code

7:30 pm – Public Hearing on Local Law #3 for 2015 – for regulating the maintenance of real property and the accumulation of junk within the Town of Oppenheim

**Motion** by Patricia Haberek and seconded by Stephanie Gray to have an executive session at 8:15 pm

ADOPTED

Ayes 4 Haberek, Gray, Lynch, and Breh

Nays 0

Supervisor Breh called meeting back to order at 9:10 pm

AUDIT OF CLAIMS

**Motion** made by Patricia Haberek and seconded by Cheryl Lynch to approve the vouchers for payment

ADOPTED

Ayes 4 Haberek, Lynch, Gray, and Breh

Nays 0

General Fund - Voucher Numbers 122 through 127 \$5,341.28

Highway Fund – Voucher Numbers 119 through 129 \$7,468.77

With no further business, on a motion by Councilwoman Lynch and seconded by Councilwoman Haberek, the meeting was adjourned at 9:35 pm

Respectfully submitted  
Gloria Brys, Town Clerk