

State of New York  
County of Fulton  
Town of Oppenheim

Minutes of the Oppenheim Regular Board meeting held on November 17, 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
Joanne Capek-Young	---	Bookkeeper

**Absent**

Richard Crun	---	Highway Superintendent
Ty Stowell	---	Dog Control Officer

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

**Public Hearing**

Supervisor Cynthia Breh opened the public hearing on the Fire Company Contracts at 6:30 pm. The Oppenheim Fire Company Contract is for 4 years with a \$1,100 raise each year. The Hilltop Fire Company Contract is for 3 years with a \$1,000 each year. Anyone present may speak for or against the contracts.

**Public Comment**

**Patricia Rudi – problem with neighbors rooster**

Patricia Rudi asked why the town couldn't get something for a noise ordinance because she is tired of the noise from the roosters. Cheryl Lynch said that you can control dogs but not roosters. Supervisor Cynthia Breh said she would take it into consideration.

**Dale Tiedman**

Mr. Tiedman said that he needs a number of what was taken out of the pit so that he can give the town an invoice.

He also wanted to know if Scott DeNinno would be the Superintendent of Highways or the Codes Enforcement Officer if on his property. He was told that the Codes Enforcement Officer would need to have a reason to be there.

**Public Hearing**

Supervisor Cynthia Breh opened the public hearing at 6:45 pm on the Preliminary Budget. Anyone present may speak for or against the budget.

## **Budget**

Bookkeeper Joanne Capek-Young stated that we have a tax cap of .70, which is good because the town was not supposed to go over .73. She stated that there are no large purchases in the budget and also said that we have a healthy fund balance. She discussed several items in the budget.

John Houle said that in regards to the budget, we are paying for senior citizens that are not even town residents.

## **Public Hearing**

Supervisor Cynthia Breh opened the public hearing at 7:15 pm on Local Law #1 of 2015 which is regulating large public gatherings like concerts over 500 people. The town would have to be given a plan and it would be up to the town to either approve or deny the gathering. Anyone present may speak for or against Local Law #1.

## **Reports**

### **Codes Enforcement Officer – Monthly Report**

Codes Enforcement Officer Scott DeNinno handed in a monthly report of the calls he answered. He issued 4 permits and handed in \$204.00.

He had a complaint of someone living in a camper on the Cline road but found out no one is currently living in the camper. Violations were issued to the owner of the property stating that the camper is not fit for human occupancy and also for constructing a storage building on the property. The owner is out of town, but will obtain a permit and inspection for the building when they return.

Also, had a complaint about someone living with children and have no water and found out that they are using bottled water.

### **Dog Control Officer**

Supervisor Cynthia stated that Ty Stowell has resigned. She stated that it is hard to get a dog control officer but Gary Getman is interested in the position.

### **Bookkeeper – Monthly report**

Joanne Capek-Young gave her monthly reports to the board members stating that the town needs to make some transfers of money.

### **Highway Superintendent Report**

Superintendent Richard Crum was absent.

## **Public Hearing**

Supervisor Cynthia Breh opened the public hearing at 7:30 pm on Local Law #2 of 2015 providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code. This law is to enforce the State Code. Anyone present may speak for or against Local Law #2.

### **Fix Fax and set up Time Clock**

Supervisor Cynthia Breh said that Bill Reynolds came and fixed the fax. It was his suggestion to dispose of the old fax and the old printer. As far as the time clock, Mr. Reynolds suggested to return the facial clock and to get a card time clock and a computer to connect to it.

### **Public Hearing**

Supervisor Cynthia Breh opened the public hearing at 8:00 pm on Local Law #3 of 2015 which is regulating the Maintenance of Real Property and the accumulation of junk within the Town of Oppenheim. Anyone present may speak for against Local Law #3.

Scott DeNinno stated that the Town of Oppenheim has a junk problem. Most of the information for Local Law #3 comes from the General Municipal Law.

There was a lot of discussion on Local Law #3 and it was decided to table the adoption of the law until the December meeting.

### **Motions / Resolutions**

Motion made by Patricia Haberek and seconded by Cheryl Lynch to return the facial time clock and purchase a card time clock and computer to connect to it.

ADOPTED

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

Motion made by Stephanie Gray and seconded by Patricia Haberek to put a legal notice in the paper to post the Sweet Hill Road, Bell road, Barker Road, Irish Settlement Road, Mosher Road and Cline Road as seasonal roads from November 1, 2015 to May 1, 2016.

ADOPTED

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

Motion made by Stephanie Gray and seconded by Cheryl Lynch to approve the Hilltop Fire Company's 3-year contract, which is \$1,000.00 increase a year for the next 3 years.

ADOPTED

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



Motion made by Stephanie Gray and seconded by Patricia Haberek to approve the Oppenheim Fire Company's 4-year contract, which is \$1,100.00 increase a year for the next 4 years.

ADOPTED

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

Motion made by Cheryl Lynch and seconded by Stephanie Gray to adopt the Preliminary Budget as the Final Budget for 2016.

ADOPTED

Ayes 4 Lynch, Gray, Haberek and Breh  
Nays 0

Motion made by Patricia Haberek and seconded by Cheryl Lynch to adopt Local Law #1 of 2015, which is regulating large public gatherings.

ADOPTED

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

Motion made by Patricia Haberek and seconded by Cheryl Lynch to adopt Local Law #2 of 2015, which provides for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code.

ADOPTED

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

Motion made by Cheryl Lynch and seconded by Patricia Haberek to table the adoption of Local Law #3 of 2015, which regulates the Maintenance of Real Property and the accumulation of junk within the Town of Oppenheim

ADOPTED

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

Motion made by Cheryl Lynch and seconded by Stephanie Gray to appoint Gary Getman Jr. as Dog Control Officer starting immediately.

ADOPTED

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

Motion made by Patricia Haberek and seconded by Stephanie Gray to transfer the following:  
Transfer \$2,000 from DB9050.8 (Unemployment Insurance) to DB9060.8 (Health Insurance)  
Transfer \$4,300 from DA9050.8 (Unemployment Insurance) to DA9060.8 (Health Insurance)

ADOPTED

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

Motion made by Patricia Haberek and seconded by Cheryl Lynch that all town equipment be kept at the town garage after hours

ADOPTED

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

### **APPROVAL OF MINUTES**

Motion made by Cheryl Lynch and seconded by Patricia Haberek to approve the minutes of October 20, 2015 and November 2, 2015

ADOPTED

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

### **Executive Session**

Motion made by Cheryl Lynch and seconded by Stephanie Gray to have an executive session at 8:50 pm on personnel.

ADOPTED

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

Meeting was called back to order at 9:40 pm

Motion made by Stephanie Gray and seconded by Cheryl Lynch that starting immediately there will be no health insurance for the Superintendent of Highways but it can be revisited at the discretion of the town board.

ADOPTED

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

The next regular meeting will be held on December 15, 2015 at 6:30 pm

With no further business, on a motion by Councilwoman Haberek and seconded by Councilwoman Lynch, the meeting was adjourned at 9:50 pm

Respectfully submitted,  
Gloria J. Brys, Town Clerk