

01) The **Regular Meeting**, of the Town Board of Herkimer was held on Monday, March 7, 2016, at 6:00PM, at the Herkimer Town Hall, 114 N. Prospect St., Herkimer, NY 13350.

02) Present: Supervisor-----Dominic Frank
Councilman-----Vito Carbone
Councilman-----Randy Kast
Councilwoman-----Kathy Penree
Attorney-----Jessica Manieri
Highway Supt.-----David McManus
Codes Officer-----Ken Collis

Excused: Councilman-----Daniel Stalteri
Deputy Attorney-----Kyle Crandall

03) Pledge of Allegiance to the Flag.

Councilman Carbone led us in the Pledge of Allegiance to the Flag.

04) Reading of the Minutes of the Previous Meeting.

Motion by Councilman Stalteri, seconded by Councilwoman Penree, to accept and place on file the minutes of the February 16, 2016 meeting as written.

CARRIED AYES ALL

05) Public Hearing.

Supervisor Frank read the notice for the public hearing on the proposed Local Law No. 1 of 2016 to opt-out of the Section 487 New York State Real Property Tax Law. He then asked if anyone would like to address the board. No one from the public wished to speak. He asked Clerk DeMetro if she has had anyone call or come in to the office concerning the public hearing. She replied no.

Motion by Councilman Kast, seconded by Councilman Carbone, to close the public hearing.

CARRIED AYES ALL

06) Public Meeting.

No one from the public wished to speak.

Motion by Councilman Carbone, seconded by Councilwoman Penree, to close the public meeting.

CARRIED AYES ALL

06) Petitions and Communications.

A.) Motion by Councilman Carbone, seconded by Councilwoman Penree, to accept and place on file a letter dated February 10, 2016, from Jeffrey Tamkin, President of Public Facilities Investment Corporation, concerning their interest in providing services to us.

CARRIED AYES ALL

B.) Motion by Councilwoman Penree, seconded by Councilman Carbone, to accept and place on file a letter dated February 11, 2016, from the NYS Canal Corporation Director and Executive Director, concerning the 11th Annual Canal Clean Sweep.

CARRIED AYES ALL

C.) Motion by Councilwoman Penree, seconded by Councilman Carbone, to accept and place on file letters dated February 11th, 12th, and the 22nd if 2016, from the NYS Division of Homeland Security and Emergency Services concerning the processing of payments.

Supervisor Frank stated we are all caught up now.

CARRIED AYES ALL

D.) Motioned by Councilman Kast, seconded by Councilman Carbone, to accept and place on file a letter dated February 12, 2016, from the State of New York Dept. of Taxation and Finance Office of Real Property Tax Services, concerning the tentative railroad ceiling and its hearing date.

CARRIED AYES ALL

E.) Motioned by Councilman Kast, seconded by Councilwoman Penree, to accept and place on file a letter dated February 12, 2016, from Time Warner Cable concerning the transition in our area to digital format.

CARRIED AYES ALL

F.) Motion by Councilman Kast, seconded by Councilman Carbone, to accept and place on file a letter dated February 17, 2016, from the Herkimer County Legislature Clerk, Carole LaLonde, concerning a report and resolution authorizing contribution to the defense of assessment challenge for a parcel in the Town of Herkimer.

CARRIED AYES ALL

G.) Motion by Councilman Carbone, seconded by Councilwoman Penree, to accept and place on file letters dated February 17th and March 2nd, 2016, from Time Warner Cable concerning agreements with programmers that are due to expire soon.

CARRIED AYES ALL

H.) Motion by Councilwoman Penree, seconded by Councilman Kast, to accept and place on file a letter dated February 23, 2016, from Executive Director of the Herkimer County Historical Society, Susan Perkins, thanking us for our annual contribution.

CARRIED AYES ALL

I.) Motion by Councilman Kast, seconded by Councilman Carbone, to accept and place on file a letter dated February 24, 2016, from Supervisor Frank and Mayor Brindisi to the Director of the Office of Justice Court Support, Nancy Sunukjian, concerning the reallocation of the 2014/2015 JCAP Funding of the Town and Village of Herkimer.

CARRIED AYES ALL

J.) Motion by Councilwoman Penree, seconded by Councilman Kast, to accept and place on file a letter dated February 25, 2016, from The Benefit Calculations Bureau, concerning the retirement of Gary Czernecki effective date of April 3, 2016.

CARRIED AYES ALL

K.) Motion by Councilwoman Penree, seconded by Councilman Kast, to accept and place on file an invitation received February 26, 2016, from Adirondack Bank for a Business After-Hours Event on March 17th. Supervisor Frank stated this is usually a good time and he hopes everyone can go.

CARRIED AYES ALL

L.) Motion by Councilman Carbone, seconded by Councilwoman Penree, to accept and place on file letter dated March 4th, 2016, from Clerk DeMetro to the Town Board concerning the appointment of another deputy.

Clerk DeMetro stated she would like permission to hire someone. The board agreed and Clerk DeMetro will start looking for someone to fill the position.

CARRIED AYES ALL

M.) Motion by Councilman Kast, seconded by Councilman Carbone, to accept and place on file a letter dated March 4, 2016, from the NYS DEC Office of Climate Change, concerning the NYS Aggregated Purchase of Plug-in Hybrid Electric Vehicles.

CARRIED AYES ALL

N.) Motion by Councilman Kast, seconded by Councilwoman Penree, to accept and place on file an invitation to the Herkimer County Soil and Water Conservation District 17th Annual Cooperator's Dinner.

Supervisor Frank stated he will not be able to attend but if anyone is interested in going to let him know.

CARRIED AYES ALL

07) Routing.

Motion by Councilman Carbone, seconded by Councilwoman Penree, to accept and place on file order issued and effective February 23, 2016, denying a rehearing of the Commission's Order Finding Transmission Needs Driven by Public Policy Requirements issued on December 17, 2015 for Alternate Current Transmission Upgrades proceedings.

CARRIED AYES ALL

08) Resolutions & Local Laws.

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Resolution #9 – 2016 to opt out of the solar exemption.

CARRIED AYES ALL

09) Old Business.

Water Districts- Supervisor Frank asked Dave what he thought of the water meter presentation. Dave replied, he thought it went well and that he also has another company coming that will be giving him a quote too. He's hoping to have them here for a presentation as a workshop meeting before our next regular meeting.

Supervisor Frank stated he has been speaking with a consultant on potentially expanding the McKennan Road Water District. It seems we do not have the most efficient set up and we are probably big enough now where we need to start looking for a better one. He stated he has been working with Assessor Macri to identify who everyone is that lives on McKenna and parts of Steuben, so we can get letters out to see who is interested in hooking up to the water. Supervisor Frank is going to speak with Jeremy to see about getting a grant for this. He also stated he is going to have Jeremy look into a grant for highway equipment for Highway Supt. McManus.

Codes Issues- Codes Enforcer Collis stated he received a call from a company interested in the property by Enea's Funeral Home. The company is going to try to rezone it. He informed them they will have to fill out an application with the Zoning Board.

10) New Business.

10) Reports.

Motion by Councilman Carbone, seconded by Councilwoman Penree, to accept and place on file the Farmer's Market Survey Report.

Supervisor Frank stated there was a committee meeting a couple weeks ago and they reviewed the results of the survey. They received over two hundred responses for consumers and about thirty eight for producers. This gave them a very good sense of what to sell, when and some ideas of where to have the location. He stated the committee meets again in mid April and JME will have a draft for them to submit for the grant.

CAARIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Carbone, to accept and place on file the Trial Balance report dated 03/07/2016, from Bookkeeper, Amanda Viscomi.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast, to accept and place on file the Revenue and Expense report dated 03/07/2016, from Bookkeeper, Amanda Viscomi.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman Penree, to accept and place on file the February, 2016 Dog Control Officer's Monthly Report from Joshua Leone. Councilwoman Penree stated Joshua does a very nice job on his report.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman Penree, to accept and place on file the February, 2016 Monthly Town Clerks Report from Clerk DeMetro.

CARRIED AYES ALL

Clerk DeMetro asked how the meeting went with the school regarding the property the town is interested in purchasing. Supervisor Frank stated he met with the school board last week relative to the property that the school district owns that lines our town park. He stated he thinks it is five or so acres and that the board said they would be interested in some sort of transfer to us with the idea of a mutual use. They are going to get an estimate for us. He stated that we have a grant that we want to write to purchase this. They are going to give a value relative to if we are awarded the grant. We would use this property to expand the park parking lot and also add a salt shed for our highway department. He also stated the resolution would have to show two separate parcels.

11) Audit.

Motion by Councilman Kast, seconded by Councilwoman Penree, to accept and place on file the audit dated 03/07/2016.

CARRIED AYES ALL

12) Adjourn.

Motion by Councilman Kast, seconded by Councilwoman Penree, that the Regular Meeting of the Herkimer Town Board be adjourned, until the next Meeting that is scheduled for Tuesday, March 21, 2016 at 6:00PM.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk