

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

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

Excused: Codes Officer-----Ken Collis
 Deputy Attorney-----Kyle Crandall

03) Pledge of Allegiance to the Flag.

Councilwoman Penree led us in the Pledge of Allegiance to the Flag. Supervisor Frank asked to take a moment of silence to remember those who have fought for our country in observance of the recent Memorial Day.

04) Reading of the Minutes of the Previous Meeting.

Motion by Councilwoman Penree, seconded by Councilman Carbone, to accept and place on file the minutes of the May 25, 2016 meeting as written.

CARRIED AYES ALL

05) Public Hearing.

Public hearing held to discuss the increase improvements of water District Number 3. No public attended to speak concerns nor did Deputy Town Clerk Farber receive any emails or phone calls regarding the matter. Motion by Councilman Vito, seconded Councilman Stalteri that the Public Meeting close.

CARRIED AYES ALL

06) Public Meeting.

No one from the public appeared.

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

CARRIED AYES ALL

07) Petitions and Communications.

A.) Motion by Councilwoman Penree, seconded by Councilman Carbone, to accept and place on file a letter dated May 13, 2016, from Auctions International Inc, enclosing a copy of the auction breakdown and payment from the recent auctioning of highway equipment. Congratulated Highway Superintendant McManus on what a great job he did.

Highway Superintendent McManus said he would like to purchase a new mower trailer with the found money. All board members were in favor. McManus would also like to purchase a new mower as well and still looking into pricing.

Board wanted to know if it was possible to get some of the equipment added in the grant for the park? Jeremy would look into it.

CARRIED AYES ALL

B.) Motion by Councilman Stalteri, seconded by Councilman Carbone, to accept and place on file a letter dated May 13, 2016, from NYS Insurance Fund, certifying of worker's compensation insurance.

CARRIED AYES ALL

C.) Motion by Councilman Stalteri, seconded by Councilwoman Penree, to accept and place on file a letter dated May 16, 2016, from Excellus concerning their request with the New York State Department of Financial Services to approve a change to our group premium rates for 2017.

CARRIED AYES ALL

D.) Motioned by Councilwoman Penree, seconded by Councilman Carbone, to accept and place on file a letter dated May 18, 2016, from Time Warner Cable, regarding their agreements with broadcasters and programming services that expire.

CARRIED AYES ALL

E.) Motioned by Councilman Stalteri, seconded by Councilwoman Penree, to accept and place on file a letter dated May 19, 2016, from NYS Insurance Fund, concerning Workers' Compensation Pharmacy Benefits.

CARRIED AYES ALL

F.) Motion by Councilwoman Penree, seconded by Councilman Stalteri, to accept and place on file a letter received May 24, 2016, The Genesis Group, regarding reservations for the Herkimer County Community Summit to discuss pertinent issues and opportunities for the county.

CARRIED AYES ALL

G.) Motion by Councilwoman Penree, seconded by Councilman Carbone, to accept and place on file a dated May 24, 2016, from National Grid, sharing their continuous efforts to promote sustainability and more efficient energy measures to the municipal companies they serve.

CARRIED AYES ALL

H.) Motion by Councilman Stalteri, seconded by Councilman Carbone, to accept and place on file Faxes dated May 25th, 2016, from Acord, regarding certificates of liability insurance from Gem Agency Inc. and PAYCHECKX insurance agency Inc.

CARRIED AYES ALL

I.) Motion by Councilwoman Penree, seconded by Councilman Stalteri, to accept and place on file a Letter received May 26th, 2016, from Association of Towns, containing the 2016 Summer Planning and Zoning Schools tentative agenda and registration form.

CARRIED AYES ALL

J.) Motion by Councilman Stalteri, seconded by Councilwoman Penree, to accept and place on file a letter dated May 26th, 2016, from Charter Communications, regarding their merger with Time Warner and Bright House, with more information to follow about Charter and Spectrum services.

CARRIED AYES ALL

K.) Motion by Councilman Carbone, seconded by Councilman Stalteri, to accept and place on file a letter dated May 27th, 2016, from NYS Empire State Development, regarding Herkimer NYSARC Capital Project public hearing held by the Corporation, on Tuesday June 7th, at 9:30-10:30am, on Mary Street Herkimer. This is to consider the General Project Plan required by UDC Act. This is regarding a grant to do the park.

CARRIED AYES ALL

L.) Motion by Councilwoman Penree, seconded by Councilman Carbone, to accept and place on file a letter received May 31st, 2016, from the Town of Newport, concerning a notice of public hearing pursuant to town law 265 and the zoning ordinance of the Town of Newport. To held at the Newport Town Offices June 16th, 2016 at 7:00pm.

CARRIED AYES ALL

M.) Motion by Councilman Stalteri, seconded by Councilman Carbone, to accept and place on file a letter dated May 31st, 2016, from NYS Homes and Community Renewal, concerning a comprehensive monitoring report for the NYS CDBG project.

For the Fair housing Program we have met with Don Denapole and went through the records of customers served by the program in 2011. However could not find a paper that we had some kind of home program and that we were not promoting it. We have an idea of a designated board for posters and brochures for such promoting. We also are in need to appoint a current fair housing officer that should be within the positions.

CARRIED AYES ALL

N.) Motion by Councilman Stalteri, seconded by Councilman Carbone, to accept and place on file a letter dated May 31st, 2016, the Herkimer County Highway Department, concerning designation of restricted highway for Shells Bush Road from State Route 28 to State Route 169 for reconstruction set to expire on August 31st, 2016.

CARRIED AYES ALL

O.) Motion by Councilman Carbone, seconded by Councilwoman Penree, to accept and place on file a letter dated May 31st, 2016, the Herkimer County Highway Department, concerning designation of restricted highway for Shells Bush Road from State Route 28 to State Route 169 for reconstruction set to expire on August 31st, 2016.

Supervisor Frank stated that all are welcome to attend.

CARRIED AYES ALL

P.) Motion by Councilman Carbone, seconded by Councilman Stalteri, to accept and place on file a letter dated June 1st, 2016, from Charter Communications, regarding Time Warner's services that are due to expire and services that may be changed.

CARRIED AYES ALL

08) Routing.

Motion by Councilman Stalteri, seconded by Councilman Carbone, to accept and place on file the Mercy Flight Central flyer.

There is a representative that would like to come and present information, his name is Greg Eisenhut.

CARRIED AYES ALL

09) Resolutions & Local Laws.

Motion by Councilman Stalteri, seconded by Councilman Carbone, to accept and place on file the Resolution #15-2016 A RESOLUTION AUTHORIZING THE UNDERTAKING OF VARIOUS CAPITAL PROJECTS, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$60,000 OF THE TOWN OF HERKIMER, HERKIMER COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

CARRIED AYES ALL

There was a summary proposal for the Town Garage and the lighting. Need to purchase lights for the storage building and the water tower. These purchases will bring the total over the \$29,268 that we are allowed but the difference can come out of the operating budget. McManus stated that we needed the extra lighting for the exterior for safety reasons but interior wasn't necessary. McManus said that for the paving of the grant that he has 2 bids for the parking lot Mcceary and Central Paving but needed bids for the sidewalks.

Motion by Councilman Carbone, seconded by Councilman Stalteri, to accept and place on file the Resolution #16-2016 A Resolution for Increase and Improvement of the Facilities of the Herkimer

Water District No. 3, in the Town of Herkimer, County of Herkimer, New York pursuant to Section 202-b of the Town Law of the State of New York.

CARRIED AYES ALL

John McDonald stated next step is to complete application package to start round 2 of funding.

The town can benefit from the water standards and rates that can help due to them being worth more. Some adjustment will be made. Supervisor Frank stated he would like to have a public meeting to discuss more when we know more about what's what.

10) Old Business.

Water Districts-

Rules and Regulations: Supervisor Frank stated he would like to appoint board members report rules and regulations. Councilman Stalteri and Attorney Manieri said that they would.

Codes Issues- Codes Enforcer Collis was excused there was nothing new to report.

Property Maintenance Law: Needs someone who will take leadership.

11) New Business.

Naming of a new Fair Housing Officer. Town Clerk Jennifer DeMetro is appointed the new Fair Housing Officer for the remainder of this year. At the town's annual organizational meeting the appointment of The Town of Herkimer's Fair Housing Officer will be added to its list of all other appointments that are made at the organizational meeting.

Motion by Councilman Stalteri, seconded by Councilwoman Penree, to appoint the Town Clerk the new Fair Housing Officer for the remainder of this year.

Highway Superintendant McManus stated that there was a good turnout for trash day, 450 people. He also stated that the water line at Lowes was charged and on. McManus stated that he has had to replace some culvert pipes. He has done 2 with a total of \$2,200. He said that it is in our policy that when an owner buys the property that we will replace the pipe if there is a ditch. His concern is that a lot of the pipes are falling apart and caving in and he feels that more owners are going to be needed them replaced. Board feels that maybe some sort of program for replacement of the pipes should be established and put in the budget for next year. McManus said that the jobs wouldn't have to be bid out and that all the work can be done with his crew. The price he gave us includes the equipment, man power, and the materials. McManus also reported that he has been renting a wheeled excavator. He would like to possibly buy one in the future for the town. He says they are small, faster; it is more reliable and can get a state bid on a 2013 if he continues to like using the machine. All the rental fees will be taken off the price to purchase the machine if he chooses the option to buy. For now he is renting the machine for \$4,500 per month and may propose the option about buying come September. McManus said that Tioga has offered \$5,400 for the left over steel beams. He wanted to check in and see what a fair market value would be. He has no use for them and wanted to ask the board what they wanted to do. Most of the board thought we should sell the beams but would wait to discuss this as old business when Councilman Kast returns for next meeting. McManus has also been receiving calls from property owners on Pine Grove wondering if there was a chance that another water supply would be coming that way. Supervisor Frank said that there would be a process and a cost associated with that and would be a lot of money to do so.

Councilman Stalteri was wondering if they could possibly meet with McManus and Jodi to go over the Town Park and the summer help. He would like to have a meeting to see how the park is being maintained and what needs to be taken care of before it is set to open for summer, which is weeks away.

10) Reports.

Grants. Jeremy with Gemsgrants was present. We consolidated fiscal applications for whatever grants that we are in the process of. The West Canada Creek grant was awarded. Board asked what else we need to submit. There is also the grant for the park. The original park proposal we were looking to expand the Town Park put in extra space for parking and possibly a new home for sand pit. We are looking to purchase property next to the park which we will need to consider additional cost for property, road accesses and parking which would increase the total grant to \$290,000.00. Supervisor Frank stated that he has a sketch of the parking that they have in mind

and shows how many parking spaces that they want to add. Jeremy said that there should be plenty of room to fit funding for land, parking, accesses, and survey costs. Councilwoman Penree asked if there would be any stipulations for what some of the land purchased would be used for? The original plan was to reserve some of the purchased land for a salt mar. Councilman Stalteri said that there was news of land on the other side of the park that may also be an option to buy and would actually be a better option than the other lot. Councilman Kast stated that yes it is for sale and that he would check and see how much it would be to purchase that parcel instead. Jeremy stated he was going to resubmit the park proposal.

Last year's water system grant is also going to be resubmitted to apply improvements to our system so that we are not reliant on the village.

Another grant discussed was for the Farmer's Market. Supervisor Frank stated that he has gotten information from the homogenous medal. There is 8 acres for \$75,000 they would put on the market. Frank stated that he is still working on budget numbers. Frank and Jeremy have met with Mayor Brindisi and have come to an agreement with attending to the Farmer's Market Grant of 50%. There is an understanding said agreement will need to be in writing.

Grants calls for Farmer's Market to be fully up and running in 3 years. Frank stated that there will most likely be some sort of fee schedule for the Farmer's Market. Idea is to rent out days to crafters and also rent facility out for events. The idea is to have a CO-OP type board manage the market.

Councilman Kast asked about the solar project. Supervisor Frank said that it was a no go. Supervisor Frank stated that the RFP is out on the Streets for the E. German Street Project open to any comments or concerns. Frank had some questions and corrections to the RFP. There were concerns about a site visit and wanted to know if he would receive a call to show the engineers. Jeremy stated we need to get an interview with the public. He said to put a public notice in the paper and send out to engineers. Jeremy said he would make the edits and forward them to Frank. The first meeting will be set for the first week in July to get the proposal open.

Motion by Councilwoman Penree, seconded by Councilman Stalteri, to accept and place on file the Trial Balance report dated 06/6/2016, from Bookkeeper, Amanda Viscomi.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri, to accept and place on file the Town of Herkimer Water District Aging Report as of May 19th, 2016.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone, to accept and place on file the Town of Herkimer Water District Summary Report Dated May 5th, 2016.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman Penree, to accept and place on file the Town of Herkimer Water District Revenue and Expense Comparison dated May 15th, 2016.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri, to accept and place on file the Revenue and Expense report dated 06/06/2016, from Bookkeeper, Amanda Viscomi.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman Penree, to accept and place on file the May, 2016 Dog Control Officer's Monthly Report from Joshua Leone.

CARRIED AYES ALL

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

CARRIED AYES ALL

11) Audit.

Motion by Councilman Carbone, seconded by Councilman Stalteri, to accept and place on file the audit dated 06/06/2016.

Councilman Stalteri recused himself from the Hummel's Audit.

CARRIED AYES ALL

12) Adjourn.

Motion by Councilwoman Penree, seconded by Councilman Stalteri, that the Regular Meeting of the Herkimer Town Board be adjourned, until the next Meeting that is scheduled for Monday, June 20, 2016 at 6:00PM.

CARRIED AYES ALL

Marissa Farber, Herkimer Deputy Town Clerk