

01) Supervisor Frank called to order the **Organizational Meeting** of the Town Board of Herkimer held on Monday, January 4th, 2021, at 6:00PM telephonically and virtually.

02) Roll Call of Officers

Present: Supervisor-----Dominic Frank
 Councilman-----Randy Kast
 Councilman-----Daniel Stalteri
 Councilman-----Vito Carbone
 Councilwoman-----Kathy Penree
 Attorney-----Christopher Bray
 Codes Enforcer-----Ken Collis

Excused: Highway Supt.-----David McManus
 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.**
 Motion by Councilman Stalteri, seconded by Councilman Carbone, to accept and place on file the minutes of the previous meeting held on December 30th, 2019 as written.

CARRIED AYES ALL

05) **Public Meeting.**
 Supervisor Frank stated he would like to start the meeting with wishing a Happy New Year to everyone. Supervisor Frank stated if anyone would like to address the board to please state you name, address, and tell us why you are here.
 No one from the public wished to speak.

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

CARRIED AYES ALL

06) **Petitions and Communications.**
 Motion by Councilman Carbone, seconded by Councilwoman Penree, to accept and place on file all the petitions and communications 6A&B listed below.

- A. A letter dated December 22, 2020 from the Oneida-Herkimer Solid Waste Authority, Executive Director, concerning the 2021 Adopted Budget and Rate Schedule.
- B. A letter dated December 31, 2020 from Charter Communications Director of Government Affairs, Alice Kim, concerning upcoming changes in service.

CARRIED AYES ALL

07) **Routing.**
 08) **Resolutions.**
 Supervisor Frank stated he is appointing Councilman Daniel Stalteri as Deputy Supervisor.

Motion by Councilman Carbone, seconded by Councilwoman Penree to approve Resolution No. 1 of 2021 - Banking Resolution Authorizing Supervisor Frank and Deputy Supervisor Stalteri to handle banking responsibilities in 2021, upon signature filing, with M&T Bank, Adirondack Bank and NBT Bank.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman Penree to approve Resolution No. 2 of 2021- Town of Herkimer Official Undertaking of Municipal Officers.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Carbone to approve Resolution No. 3 of 2021- Town of Herkimer Code of Ethics/Conflict of Interest form. Clerk DeMetro reminded everyone to fill out their conflict-of-interest forms and return them to back to her.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri to approve Resolution No. 4 of 2021- Town of Herkimer Civility Code.

CARRIED AYES ALL

Supervisor Frank stated we will table Resolution No. 5 of 2021- Fixed Salary Resolution - Town of Herkimer salaries/salary schedule is attached until our next meeting for he forgot to give the salary schedule to Clerk DeMetro.

TABLED

Motion by Councilman Stalteri, seconded by Councilman Carbone to approve Resolution No. 6 of 2021- Mileage Resolution -Setting mileage reimbursement per IRS reimbursement standard.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri to approve Resolution No. 7 of 2021- Meeting Resolution -Setting Town Board meeting schedule.

Supervisor Frank stated language has been added for canceling a meeting if ever needed.

CARRIED AYES ALL

09) Old Business.

Water District: Attorney Bray stated we were told by Highway Supt. McManus at our last meeting that the water was no longer running to the Glenridge Motel where one of the leaks was previously. Attorney Bray stated the water was not turned off by the Town of Herkimer and will further discuss the situation in executive session. Codes Enforcer Collis stated he has no other news to report on the Motel.

Mckennan Road Enhancement Project:

West Herkimer Water:

East Herkimer Sewer District:

Steuben Hill Road:

Codes: Codes Enforcer Collis stated he was notified by the owner of Stompin' by Mike that he has sold the building and the buyer will be coming to take it down. Councilman Stalteri asked if a demo permit would be issued with proper insurance provided? Collis replied stating yes, the owner is aware of these requirements.

Landbank:

NYMIR Risk Control Resurvey Report:

Dog Control Local Law:

Subdivision Local Law:

10) New Business.

Appointments for 2021:

Motion by Councilwoman Penree, seconded by Councilman Stalteri, upon the recommendation of the Herkimer Town Board, that Jodi Rivers be re-appointed as the Town of Herkimer Water Clerk for a one-year term, 01/01/21 to 12/31/21.

CARRIED AYES ALL

Clerk DeMetro stated Water Clerk Jodi Rivers would like to appoint Deb Wright and herself (Jennifer DeMetro) as her deputies.

Motion by Councilwoman Penree, seconded by Councilman Stalteri, upon the recommendation of Water Clerk Jodi Rivers to re-appoint Clerk DeMetro and Deb Wright as the Town of Herkimer Deputy Water Clerks for a one-year term, 01/01/21 to 12/31/21.

CARRIED AYES ALL

Clerk DeMetro stated Receiver of Taxes Jodi Rivers would like to appoint Deb Wright and herself (Jennifer DeMetro) as her deputies.

Motion by Councilwoman Penree, seconded by Councilman Stalteri, upon the recommendation of Receiver of Taxes Jodi Rivers to re-appoint Clerk DeMetro and Deb Wright as the Town of Herkimer Deputy Receiver of Taxes for a one-year term, 01/01/21 to 12/31/21.

CARRIED AYES ALL

Deputy Town Clerk for a one-year term, 01/01/21 to 12/31/21.

Clerk DeMetro stated she would like to appoint Jodi Rivers as her deputy and will continue to look for another one to cover while she is out on maternity leave.

CARRIED AYES ALL

Deputy Registrar of Vital Statistics for a one-year term, 01/01/21 to 12/31/21.

Clerk DeMetro stated she would like to table this until she finds a person to willing to cover while she is out.

TABLED

Motion by Councilwoman Penree, seconded by Councilman Stalteri, upon the recommendation of the Herkimer Town Board, that Jodi Rivers be re-appointed as the Town of Herkimer Town Park Supervisor for a one-year term, 01/01/21 to 12/31/21.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri, upon the recommendation of the Herkimer Town Board, that Kyle Crandall be appointed as the Deputy Town Attorney for a one-year term, 01/01/21 to 12/31/21.

CARRIED AYES ALL

Supervisor Frank stated he will be re-appointing Amanda Viscomi as the Town of Herkimer Bookkeeper for a one-year term, 01/01/21 to 12/31/21.

CARRIED AYES ALL

Supervisor Frank stated he will be re-appointing Marcia Baylor as the Town of Herkimer Budget Officer for a one-year term, 01/01/21 to 12/31/21.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Kast, upon the recommendation of the Herkimer Town Board, that Erica Dunton be appointed as the Dog Control Officer for the Town and Village of Herkimer for a one-year term contingent on contract, 01/01/21 to 12/31/21.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Stalteri, upon the recommendation of the Herkimer Town Board, that Robert Shaver be re-appointed as the Town of Herkimer Planning Board Member for a five-year term, 01/01/21 to 12/31/25.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri, upon the recommendation of the Herkimer Town Board, that Mary Ann Rice be re-appointed as the Town of Herkimer Zoning Board of Appeals Member for a five-year term, 01/01/21 to 12/31/25.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Carbone, upon the recommendation of the Herkimer Town Board, that Jennifer DeMetro be re-appointed as the Town of Herkimer Fair Housing Officer for a one-year term, 01/01/21 to 12/31/21.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman Penree, upon the recommendation of the Herkimer Town Board, that Brian Keeler be appointed as the Town of Herkimer Town Computer Technician for a one-year term, 01/01/21 to 12/31/21. Supervisor Frank stated in our contract with Mr. Keeler is the monitoring of our camera system as well. The fee is the same as last year.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri, upon the recommendation of the Herkimer Town Board, that Town Employees seminar/training reimbursement be acceptable with board approval.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri, upon the recommendation of the Herkimer Town Board, that TimesTelegram be named as the Official Town Newspaper for the Town of Herkimer.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Stalteri, upon the recommendation of the Herkimer Town Board, that the Town of Herkimer fee schedule be accepted, placed on file and approved for 2021 with recommended edits.

CARRIED AYES ALL

11) Reports.

Motion by Councilwoman Penree, seconded by Councilman Stalteri to accept and place on file the 2020 Water and Sewer Districts Billing and Payment Report.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Town Clerks Report for December, 2020 from Clerk DeMetro.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri to accept and place on file the 2020 Annual Town Clerks Report from Clerk DeMetro.

CARRIED AYES ALL

11) Purchase orders and Audit.

There were no purchase orders or audit for this meeting. Supervisor Frank stated we will have two audits for our next meeting: one to close out 2020 bills and one for the 2021 bills thus far.

Motion by Councilman Stalteri, seconded by Councilwoman Penree to go into executive session to discuss litigation and personnel matters.

CARRIED AYES ALL

Motion by Councilman Stalteri and second by Councilwoman Penree to close executive session and reopen the regular meeting of the Town of Herkimer with no decisions were made in Executive Session.

CARRIED AYES ALL

Motion by Councilman Kast and seconded by Councilman Carbone to approve the Bookkeeper as an essential employee allowing the bookkeeper to perform payroll and other responsibilities during the designated quarantine period on Tuesday nights and after usual office hours provided the following conditions are met and which establishes the Town's Policy regarding Essential Employees as related to COVID-19:

The essential employee remains a-symptomatic, has tested negative for the covid virus and must follow all CDC guidelines of wearing personal protective equipment including but not limited to rubber gloves and face mask while present in the office, sanitize all areas used in the essential employees work space/office and the town office/building, and remain socially distant from all town officials and other employees. The Town will coordinate other official and employees' schedules to allow for a maximum socially distant environment as it relate to the essential employee and schedule special sanitization activities following all work sessions of the essential employee. Upon termination of the quarantine period and before return to the regular work schedule the essential employee must provide a quarantine release from Herkimer County Public Health have tested negative and of course remain a-symptomatic.

CARRIED AYES ALL

12) Adjourn.

Motion by Councilman Carbone, seconded by Councilwoman Penree, that the Regular Meeting of the Herkimer Town Board be adjourned until the next Regular Meeting to be held on Tuesday, January 19th, 2020 at 6:00PM.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk