

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, July 6, 2020, at 6:00PM, virtually and telephonically.

02) Roll Call of Officers

Present: Supervisor-----Dominic Frank
Councilwoman-----Kathy Penree
Councilman-----Randy Kast
Councilman-----Vito Carbone
Highway Supt.-----David McManus
Codes Enforcer-----Ken Collis

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

03) Pledge of Allegiance to the Flag.
Supervisor Frank led us in the Pledge of Allegiance to the Flag.

04) Reading of the Minutes.
Motion by Councilman Carbone seconded by Councilman Kast, to accept and place on file the minutes of the previous meetings held on June 15, 2020 as written.

CARRIED AYES ALL

Motion by Councilman Kast seconded by Councilman Carbone, to accept and place on file the minutes of the previous meetings held on June 22, 2020 as written.

CARRIED AYES ALL

05) Public Meeting.
Supervisor Frank stated anyone from the public who would like to speak during our public meeting, please state your name, address and tell us why you are hear.

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

CARRIED AYES ALL

06) Petitions and Communications.
Motion by Councilman Kast, seconded by Councilman Carbone, to accept and place on file all the petitions and communications 6A-J listed below.

- A.) A certificate of liability insurance dated June 9, 2020 for Verizon Communications Inc. from 06/30/20 through 06/30/21.
- B.) A letter dated June 10, 2020 from NYSDOT Director of the Local Programs Bureau, Peter Ryan, concerning CHIPS, PAVE NY, and EWR Funding.
Councilman Kast asked if the larger amount is how much we have available to spend?
Supervisor Frank stated yes, the larger amount is what we have available and they are expecting a twenty percent cut from there. The money rolls over from year to year.
Councilman Kast stated if we have the money, we should let Highway Supt. McManus use it where it is needed. Supervisor Frank stated we have to pay for it upfront and then we would get reimbursed and because of this we will need to see where we are with our budget as to what we can afford right now. He stated from a cash flow perspective this year isn't looking good for us. Hope we will know more about the sales tax soon as it is part of our cash flow. He stated he would prefer if it doesn't need to be done then to wait. Councilman Carbone asked if we have a list of proposals. Supervisor Frank stated we are waiting for it. Highway Supt. McManus stated he would like to have the Petrie development sealed to save the integrity of the road but other than that, we just have some patch work to do which isn't covered by CHIPS anyways. He stated he has been trying to save his money by having it roll over so he

can use it on resurfacing the roads that are starting to get bad. He would like to get the roads on a rotation schedule for being done. Councilman Kast stated it sounds like we are on the right path.

- C.) A letter dated June 10, 2020 from Constructure Technologies concerning the Statutory Gross Receipts for May, 2020.
- D.) Letters dated June 16th, 18th, July 1st and 5th, 2020 from Charter Communication concerning upcoming changes in service.
- E.) A certificate of liability insurance dated June 17, 2020 for the Herkimer Girls Softball League for 06/17/20 through 06/17/21 and guidelines to follow for the coaches and athletes due to Covid-19.
- F.) A letter dated June 18, 2020 from the Herkimer Central School District Clerk, Sherry Farrington, concerning the fully executed agreement between the Town and the School for the collection of school taxes.
- G.) A certificate of NYS workers' compensation insurance coverage for Upstate Cellular Network d/b/a Verizon Wireless effective 06/30/20 through 6/30/21.
- H.) A letter dated June 25, 2020 from Supervisor Frank to Chairman Bono concerning a letter of support for the Great Mohawk Valley Landbank.
Supervisor Frank stated he was interviewed by the State Department and he told them the same content that's in this letter.
- I.) An email dated June 30, 2020 from the System Award Management (SAM) Administrator concerning registration activated for the Town of Herkimer.
- J.) An email dated July 1, 2020 from Kevin Murphy of the Wladis Law Firm, concerning the Dyno Solar Town of Herkimer Reimbursement Agreement.

CARRIED AYES ALL

07) Routing.

Motion by Councilwoman Penree, seconded by Councilman Kast to accept and place on file the Water Data Logging Report.

CARRIED AYES ALL

08) Resolutions.

Motion by Councilman Carbone, seconded by Councilman Kast to accept, place on file and approve Resolution No. 17 of 2020-Accepting Reimbursement Agreement.

Supervisor Frank stated this is allowing them to reimburse us for anything that would be our cost to get the DYNO Solar Project through. Supervisor Frank also stated that DYNO is proposed the benefits of having a solar project town property. He will get more information on this for the board.

CARRIED AYES ALL

09) Old Business.

Water District: Highway Supt. McManus stated Ken Ward went and read the McKennan Road Water District again. Codes Enforcer Collis stated he had an inquiry from Alan Nasypany about buying in to the water district. Councilman Kast stated we would have to have an out of district agreement with him. Water Supt. McManus will follow up with him.

McKennan Road Enhancement Project: Supervisor Frank stated we have the check for the Griffiths in this week's audit. We are still working with the attorneys for the other property. We haven't heard from the County about the placement of the pump in their right of way.

West Herkimer Water:

East Herkimer Sewer District: Supervisor Frank stated we need to decide who we would like to use for our bonding information with for this project.

Steuben Hill Road:

Solar Project on Sokol Road:

Codes: Codes Enforcer Collis stated he met with the owner of the Glenridge Motel on Friday to see if he filled out the application yet. He said he gave it to his attorney to review. Collis told him it needs to be turned in by August 1st. Collis also gave him the list of inspections and the owner stated he wants to sell the property so it is unclear if any of the needed updates will be done. Collis stated Art Helmer has been complaining of bad smell in the air. His neighbor redid their septic last year and the leach field was not buried properly.

NYMIR Risk Control Resurvey Report: Supervisor Frank stated we received an email today because of the virus and they will not be coming out to survey the properties until proper protocols are in place.

Landbank: Codes Enforcer Collis stated he had a meeting with Bob Albrecht and Carol Springer and gave her the letter for condemning the trailer. We had tried to send it certified mail but she refused it. We found that she owes back rent money as well. Mr. Albrecht told her if she agrees to give both trailers to the landbank then they would void the money that is owed. They gave her a month to clean everything out.

Dog Control Local Law: Attorney Bray stated he is still working on this.

Subdivision Local Law: Attorney Bray stated he is still working on this and wants to follow up with the planning board.

10) New Business.

11) Reports.

Motion by Councilman Kast, seconded by Councilwoman Penree to accept and place on file the Water & Sewer Meeting Minutes dated June 16, 2020.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman Penree to accept and place on file the Cash Reporting for Mar, 2020.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman Penree to accept and place on file the Bank Reconciliation Report for May, 2020.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Carbone to accept and place on file the Dog Control Report for June, 2020 from DCO Erica Dunton.

CARRIED AYES ALL

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

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman Penree to accept and place on file the Trial Balance Report dated July 6, 2020.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Revenue and Expense Report dated July 6, 2020.

CARRIED AYES ALL

11) Purchase orders and Audit.

There are two purchase orders at this time from Highway Supt. McManus; one for two garage doors and for the 2014 international freight truck. One garage door is for the back shed and one is for the mechanic bay. McManus stated he got a quote for Marcy Overhead Doors. They are who installed them. McManus also stated the fuel system is corotated and needs a new one. He stated he got some quotes and all seem high because diesels are expensive to work on. Councilman Kast stated we need to be able to use the truck so we need to get this fixed.

Motion by Councilman Kast, seconded by Councilwoman Penree to approve the purchase orders for the garage doors and the 2014 International Freight Truck.

CARRIED AYES ALL

Highway Supt. McMannus stated he will use his own time and equipment to repair and till the Town Park softball fields. The board thanked him.

McMannus also stated we used between 12-14 dumpsters for trash days and he would recommend for the future that we have a ticket system so it will be easier to work and track everything.

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Audit dated June 16, 2020.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to go into executive session.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to close executive session with no decisions made.

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 Regular Meeting to be held on Monday, July 20th, 2020 at 6:00PM for the Board to attend and participate electronically, including, but no limited to telephonically.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk