

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, July 20, 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
Councilman-----Daniel Stalteri
Attorney-----Christopher Bray
Codes Enforcer-----Ken Collis
Planning Board Chairman----Mark Gaworecki

Excused: Highway Supt.-----David McManus
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 Stalteri seconded by Councilman Carbone, to accept and place on file the minutes of the previous meetings held on July 6, 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 Councilwoman Penree, seconded by Councilman Stalteri, to accept and place on file all the petitions and communications 6A-1 listed below.

- A.) A certificate of NYS Workers' Compensation Insurance dated June 21, 2020 for Upstate Cellular Network d/b/a Verizon Wireless policy effective 6/30/20 to 6/30/21.
- B.) A letter dated June 24, 2020 from Jeffery Lucas Colonel of the U.S. Army Garrison Commander, announcing the availability of a PEA and FONSI.
- C.) A certificate of liability insurance dated June 24, 2020 for Willis Towers Watson Southeast, Inc, policy effective 7/1/20 through 7/1/21.
- D.) A letter dated July 2, 2020 from Hans Drews of the Greater Mohawk Valley Land Bank concerning his new position as the Zombie Quarterback.
- E.) A letter dated July 3, 2020 from NYSDOH District Engineer, Chris Demme, concerning the SEQR Review and Lead Agency Determination for the Revised East Herkimer Sewer District Project.
- F.) An email dated July 7, 2020 from Town Justice Karl Manne concerning the JCAP grant application.
Supervisor Frank stated some time back the Town Court and the Village Court filed for a joint grant but then had decided to use the money differently and divide it up between the two municipalities. We have spent ours but the Village has not answered to whether they have spent theirs or not. We cannot apply for another JCAP grant until they do so. We are waiting for a response from the Village.
- G.) A letter dated July 10, 2020 from Constructure Technologies concerning the Statutory Gross Receipts for June, 2020.
- H.) Letters dated July 11th and 13th, 2020 from Charter Communication concerning upcoming changes in service.

- 1.) An email dated July 13, 2020 from NYSDEC Environmental Program Specialist, Division of Water, Brad Wenskoski, concerning the Community Assistance Contact.

CARRIED AYES ALL

07) Routing.

Motion by Councilman Stalteri, seconded by Councilman Kast to accept and place on file the 2020 New York State Town Priorities Pamphlet.

CARRIED AYES ALL

08) Resolutions.

Supervisor Frank stated the Court has asked us to pass a resolution allowing them to apply for the JCAP Grant again this year. Councilman Kast asked if we knew what they wanted the money for? Supervisor Frank stated he is not sure. Councilman Stalteri stated he thinks it is our due diligence to know what they want the money for before we approve a resolution. The Board agreed and Supervisor Frank will ask the Judges for the scope of what the grant will encompass.

Supervisor Frank stated we will need to have a Public Hearing set for our next meeting and we need to decide if we want to do it virtually or in person. Attorney Bray stated the law is very vague on this topic and he would recommend we meet in person if possible. The board agreed to have the next meeting held at the East Herkimer Fire Department in order to accommodate more people. The Public Hearing will be set for 6:00 PM.

Motion by Councilwoman Penree, seconded by Councilman Carbone to accept, place on file and approve Resolution No. 18 of 2020 for setting the next Regular Meeting to be held on August 3, 2020 at the East Herkimer Fire Department at 6:00 PM.

CARRIED AYES ALL

09) Old Business.

Water District:

McKenna Road Enhancement Project: Supervisor Frank stated the Griffiths have signed everything and that we just need to settle one more thing up for them.

West Herkimer Water: Supervisor Frank stated he has been in communication with Chris Lawton about how things will proceed.

East Herkimer Sewer District: Supervisor Frank stated we are investigating incentives for have the sewer line available to residential areas. There is USDA grant funding available for cases like these. He also stated the environmental facilities corp. has a low interest loan available as well. We will pursue both to see what the best options are.

Steuben Hill Road:

Solar Project on Sokol Road:

Codes: Codes Enforcer Collis stated we haven't heard anything from the motel owner but he will be up again next week so he will talk to him then. He stated he has nothing new to report about the trailer park besides that Carol Springer has a couple of more week to finish getting her belonging out. Collis also stated he has spoken to Art Helmer neighbor and advised him if the septic leach field is not fixed by next Monday then he will be fined. Supervisor Frank stated that Collis has supplied us with three homes that are vacant and asked if anyone had any more, they could think of? Councilwoman Penree asked about the cars on the Rubino property located on Route 5? Collis stated he has already spoken to him and told him that the cars have to be out by the end of next week or he will be fined.

NYMIR Risk Control Resurvey Report: Supervisor Frank stated he sent Brian our It policy for him to review.

Landbank: Supervisor Frank stated he has not heard anything.

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.

SunEast Solar Project: Supervisor Frank stated he has spoken with the Town of Schuyler and reached an agreement that they would receive all of the money for the decommissioning agreement and if they were any additional costs both towns would split them,

DVNO Solar Project: Councilwoman Penree asked who owns the tree line to the water? Attorney Bray stated he believes it is the property owners.

10) New Business.

11) Reports.

Motion by Councilwoman Penree, seconded by Councilman Kast to accept and place on file the Town Justices' Reports for June, 2020 from Justice Manne and Justice Petucci.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman Penree to accept and place on file the Trial Balance Report dated July 19, 2020.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Kast to accept and place on file the Revenue and Expense Report dated July 19, 2020.

CARRIED AYES ALL

11) Purchase orders and Audit.

There were no purchase orders for this meeting.

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, August 3rd, 2020 at 6:00PM at the East Herkimer Fire Department.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk