

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, January 6, 2025, at 6:00PM at the Herkimer Town Hall located at 114 North Prospect Street, Herkimer, New York 13350.

02) Roll Call of Officers

Present:	Supervisor-----	Dominic Frank
	Councilman-----	Vito Carbone
	Councilman-----	Daniel Stalteri
	Councilman-----	Randy Kast
	Councilwoman-----	Kathleen DeCarlo
	Highway Supt.-----	Ken Ward
	Attorney-----	Christopher Bray
	Codes Enforcer-----	Ken Collis
	Town Park Supervisor-----	Kathi Nasypany

Excused:	Attorney-----	Christopher Bray
	Deputy Attorney-----	Kyle Crandall
	Dog Control Officer-----	Erica Dunton

Students Present: Gerard Parham of 534 Maple Grove Street, Blaze Anthony of 313 Eastern Ave, Lilia McClean of 408 Park Ave.

03) **Pledge of Allegiance to the Flag.**
Councilman Kast led us in the Pledge of Allegiance to the Flag.

04) **Reading of the Minutes.**
Motion by Councilwoman DeCarlo, seconded by Councilman Stalteri, to accept and place on file the minutes of the previous special meeting held on December 30, 2024 as written.

CARRIED AYES ALL

05) **Public Meeting.**
Supervisor Frank stated if anyone from the public would like to speak to please state your name and why you are here.

Rich Pettengil of Frankfort NY, creator of Mr. Nice Guy Activism, stated that he was here for a first amendment audit video and that it is his first amendment right to record. Mr. Penttengil stated that he recently did a first amendment audit video at the Town of Herkimer Highway Department and Highway Superintendent Ward was very nice to him. He stated that after posting the Audit Video on YouTube that he received a dozen emails from residents stating that there were allegations of criminal activity by Highway Superintendent Ward. Mr. Pettengil stated that the Town Board should be investigating the allegations and the police should be involved. Mr. Pettengil stated that Highway Superintendent Ward needs to be removed from his position and put on administrative leave without pay. Supervisor Frank stated that an allegation of potential abuse and misconduct was brought to the board and we have turned the investigation over to the Herkimer County District Attorney’s Office and the New York State Troopers.

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

CARRIED AYES ALL

06) **Petitions and Communications.**
Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo, to accept and place on file all the petition and communication A through C listed below.

- A. A letter dated December 13, 2024 from Mark DePaul Lowery, Assistant Director for the New York State Department of Environmental Conservation, to Supervisor Frank concerning the CFA Application for the West Canada Creek East German Street Extension Flood Resiliency and Mitigation Project.

- B. A letter dated December 18, 2024 from Lauren Townley, Section Chief for the Water Assessment and implementation, to Supervisor Frank concerning the Consolidated Funding Application for the West Canada Creek East German Street Extension Flood Resiliency and Mitigation Project.
- C. A letter dated December 23, 2024 from Beatrice L. Gamache, Director for the Grants Bureau, to Supervisor Frank concerning the Town of Herkimer Park Softball Field Reconstruction.

CARRIED AYES ALL

07) Routing.

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Herkimer County Soil and Water Conservation District Newsletter.

CARRIED AYES ALL

08) Resolutions.

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to approve Resolution No. 1 of 2025 - Banking Resolution Authorizing Supervisor Frank, Deputy Supervisor Stalteri, to handle banking responsibilities in 2025, upon signature filing, with M&T Bank, Adirondack Bank and NBT Bank.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to approve Resolution No. 2 of 2025- Town of Herkimer Official Undertaking of Municipal Officers.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo to approve Resolution No. 3 of 2025- Town of Herkimer Code of Ethics/Conflict of Interest form.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to approve Resolution No. 4 of 2025- Town of Herkimer Civility Code.

CARRIED AYES ALL

Resolution No. 5 of 2025- Fixed Salary Resolution - Town of Herkimer salaries/salary schedule attached.

Supervisor Frank stated that Resolution No. 5 of 2025 will be tabled.

Motion by Councilman Stalteri, seconded by Councilman Carbone to approve Resolution No. 6 of 2025- Mileage Resolution -Setting mileage reimbursement per IRS reimbursement standard.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to approve Resolution No. 7 of 2025- Meeting Resolution -Setting Town Board meeting schedule

CARRIED AYES ALL

09) Old Business.

Water Districts: Highway Supt. Ward stated he has nothing new to report.

Mckennan Road Enhancement Project: Supervisor Frank stated he has nothing new to report.

West Herkimer Water: Supervisor Frank stated that there is no progress.

East Herkimer Sewer District: Supervisor Frank stated that the owner of the property's attorney has had a death in the family and there will be a delay. Supervisor Frank stated that the owner of the property is aware that there will need to be a Subdivision.

East German Street Extension Emergency Road Repair Project: Supervisor Frank stated that there is nothing new to report

Codes: Codes Enforcer Collis stated that he had 44 permits issued in 2024. He stated that there was 3 for new single family homes, 7 residential solar panels, 4 electric car charging stations, 3 additions, 4 septic systems, 5 garages, 4 above ground pools, and a couple sheds.

Landbank: Councilman Stalteri stated that there is nothing new to report.

Subdivision Local Law: Tabled.

160 Pine Grove Road: Councilman Stalteri stated that he received an alert for a low temperature for the fire alarm. Councilman Kast asked did you check the heater? Councilman Stalteri stated that he hasn't check it. Councilman Kast stated that he will stop over to check on it.

Updating Zoning Ordinance: Supervisor Frank stated that there is nothing new to report.

Signs entering Town: Tabled.

Charging Station for electronic cars: Councilman Stalteri stated that we need to plow the Town Park parking lot now that we have charging stations. Supervisor Frank asked can we get the plowing in rotation? Highway Superintendent Ward stated they will add it to their rotation.

Friends of Town of Herkimer/Not for Profit: Tabled.

Public Safety: Supervisor Frank stated that there is nothing new to report.

Pullmans Flats Water Valve Repair: Supervisor Frank stated that he has not heard anything new.

Ampion Community Solar Agreement: Tabled.

Retirement Reporting: Supervisor Frank stated that this is just a reminder for the retirement reporting for 2025.

Annual Trainings: Supervisor Frank stated this is just a reminder that all employees will need to do the Annual training and to provide proof of training for our records. (Anti-Harassment, Workplace Violence, Right-to-Know & Blood-Borne Pathogens)

Annual Policies to review: Supervisor Frank stated that the policies will be reviewed by the Town Board and is tabled until the first meeting in February.

10) New Business.

Appointments for 2025

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo, upon the recommendation of the Herkimer Town Board, that Krystal Moore be appointed as the Records Management Officer for the Town of Herkimer for a one-year term 1/1/2025 to 12/31/2025. Councilman Carbone abstained from the vote.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo, upon the recommendation of the Herkimer Town Board, that Kathi Naspany be re-appointed as the Herkimer Town Park Supervisor for the Town of Herkimer for a one-year term, 1/1/2025 to 12/31/2025.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo, upon the recommendation of the Herkimer Town Board, that Kyle Crandall be re-appointed as the Deputy Town Attorney for the Town of Herkimer for a one-year term, 1/1/2025 to 12/31/2025.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo, upon the recommendation of Supervisor Frank that Amanda Viscomi be re-appointed as the Town of Herkimer Bookkeeper for a one-year term, 1/1/2025 to 12/31/2025.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone upon the recommendation Supervisor Frank, that Marsha Baylor be re-appointed as the Town of Herkimer Budget Officer for a one-year term, 1/1/2025 to 12/31/2025

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone upon recommendation of the Herkimer Town Board, that Erica Dutton be re-appointed as the Town of Herkimer and the Village of Herkimer Dog Control Officer for a one-year term, 1/1/2025 to 12/31/2025

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone upon recommendation of the Herkimer Town Board, that Mark Gaworecki be re-appointed as the Town of Herkimer Planning Board for a five-year term, 1/1/2025 to 12/31/2029

CARRIED AYES ALL

Town Board/ Town Zoning Board (one - 5 year term): 01/01/25 to 12/31/29: Supervisor Frank stated that we will need to ask Jon Boniface if he would like to be re-appointed as a member of the Town Zoning Board. The appointment was tabled until the Town Board speaks with Mr. Boniface.

Town Board/ Town Zoning Board (one - 5-year term): 01/01/25 to 12/31/29: Supervisor Frank asked if there are any recommendations for an appointment for the Town Zoning Board. With no recommendations the Town Board tabled the appointment.

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo, upon recommendation of the Herkimer Town Board, that Krystal Moore be appointed as the Town of Herkimer Fair Housing Officer for a one-year term, 1/1/2025 to 12/31/2025. Councilman Carbone abstained from the vote.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Kast, upon the recommendation of the Herkimer Town Board, that Brian Keeler be re-appointed as the Herkimer Town Computer Technician for a one-year term 1/1/2025 to 12/31/2025

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to make The Times Telegram the Official Town Newspaper for the year of 2025.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Kast to accept, place on file, and approve the Town of Herkimer fee schedule for 2025.

CARRIED AYES ALL

10) Reports.

Motion by Councilwoman Stalteri, seconded by Councilman Kast to accept and place on file the Executed Certificate of Designation for the AOT Conference and Training.

Supervisor Frank stated that he will be attending the AOT Conference and Justice Petucci will be the Alternate Delegate.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept, place on file, and approve the payment of the Wladis December 2024 invoice for the ASD Solar Project.

Supervisor Frank stated that the invoice will be paid once the Escrow is replenished by the Solar Company.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Stalteri to accept and place on file the Town Justice Report for December, 2024 from Justice Manne.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Kast to accept and place on file the Town Clerk's Annual Report for the year of 2024 from Clerk DeMetro.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Town Clerk's Monthly Report for December, 2024 from Clerk DeMetro.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Emergency Orders dated 1/2/2025 and 1/6/2025 for the East German Street Extension.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Stalteri to accept and place on file the Revenue and Expense Report dated January 6, 2025.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Trial Balance Report dated January 6, 2025.

CARRIED AYES ALL

11) Purchase Orders and Audit.

Supervisor Frank stated that there are no purchase orders for this meeting.

Motion by Councilwoman Carbone, seconded by Councilwoman DeCarlo to accept, place on file and approve the Audit dated January 6, 2025.

CARRIED AYES ALL

12) Adjourn.

Motion by Councilman Stalteri, seconded by Councilman Kast, that the Regular Meeting of the Herkimer Town Board be adjourned until the next Regular Meeting to be held on Monday, January 20, 2025 at 6:00PM.

CARRIED AYES ALL

Krystal Moore, Herkimer Town Clerk