

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, January 20, 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
Councilwoman-----Kathleen DeCarlo (via Zoom)
Highway Supt.-----Ken Ward
Attorney-----Christopher Bray
Town Park Supervisor-----Kathi Nasypany

Excused: Councilman-----Randy Kast
Deputy Attorney-----Kyle Crandall
Dog Control Officer-----Erica Dunton
Codes Enforcer-----Ken Collis

03) **Pledge of Allegiance to the Flag.**

Councilman Stalteri led us in the Pledge of Allegiance to the Flag.

04) **Reading of the Minutes.**

Motion by Councilwoman Carbone, seconded by Councilman Stalteri, to accept and place on file the minutes of the previous special meeting held on January 6, 2025 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.

Supervisor Frank stated with no one present from the public he would entertain a motion to close the public meeting.

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

CARRIED AYES ALL

06) **Petitions and Communications.**

Motion by Councilman Stalteri, seconded by Councilman Carbone, to accept and place on file all the petition and communication A through H listed below.

- A. Certificate of Property Insurance dated 12/31/2024 from Aon Risk Services Central Inc. for AstroTurf Corporation.
- B. A letter dated January 6, 2025 from Supervisor Frank to Thomas Bernier informing him of his position as a seasonal employee with the Highway Department.
- C. A letter dated January 7, 2025 from Alex Camarda, Associate VP for Charter Communications, concerning an upcoming change
- D. A letter dated January 8, 2025 from Makayla Kemmeren, Animal Health Inspector, to Supervisor Frank concerning a Municipal Shelter Inspection on 1/6/2025.
- E. A letter dated January 9, 2025 from Supervisor Frank to Donald Weaver informing him of his employment with the Highway Department.
- F. A letter dated January 9, 2025 from Supervisor Frank to Gerald Gay informing him of his last day as a seasonal employee with the Highway Department.
- G. A letter dated January 9, 2025 from Supervisor Frank to Nicole Carbone informing her of her appointment as a Secretary to the Supervisor.
- H. A letter dated January 13, 2025 from Janet and Jerry Gilbert to the Herkimer Town Board recognizing Highway Superintendent Ward's hard work.

CARRIED AYES ALL

07) **Routing.**

08) Resolutions & Transfers

Supervisor Frank stated we have eight transfers for tonight to balance the accounts for the Final 2024 Audit.

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept, place on file and approve all eight transfers.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to approve Resolution No. 5 of 2025 –Fixed Salary Resolution.

CARRIED AYES ALL

09) Old Business.

Water Districts: Highway Superintendent Ward stated that Mr. Pelz has water in his side yard and suspects a leak. Highway Superintendent Ward stated that they will be reading water meters at the end of the month.

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

West Herkimer Water: Supervisor Frank stated that there is nothing new to report.

East Herkimer Sewer District: Attorney Bray stated that Clerk Moore emailed a subdivision application to him and he will get the application to the owner. Attorney Bray stated that the application has to come from the owner of the property. The next steps will be to get the subdivision approved, the documents signed and filed. Attorney Bray stated that the owner of the property had asked if we need an easement to access the parcel. He stated that we can access the parcel from Route 5. He stated we do need an easement for the water and sewer lines but not the East Herkimer lines. Highway Superintendent Ward stated that he thinks we will need an easement to access it. Councilman Stalteri asked do they have the rights to the embankment? Attorney Bray stated that it looks like the embankment is part of the highway. Supervisor Frank stated that we will need to sort through it and see if need an easement from the pump to the Lowe’s property, we need to get from the pump to Lowe’s as well as from the pump to the West Canada. Highway Superintendent Ward asked do we need a document from the state to access the parcel from the road. Attorney Bray stated that we will need a permit. Attorney Bray stated that USDA is asking to look at the contract, they want the same contract but in their language. Prime wrote it up but there was a question. They are looking for project specific insurance. He stated he is waiting to hear back from Sarah at Building and Border to send him three forms to fill out for legal counsel opinions. Highway Superintendent Ward stated that Matt Spisak spoke with ELG and they wanted some numbers. They sent out samples of the water to the DEC, they would like to know what they have in the water before they hook up to the sewer. Supervisor Frank stated that the plans have been approved but we are waiting on a permit as they are waiting on a sample. Supervisor Frank stated that he would like a to get a conditional permit so we are able to put the pipes in the ground, he has a zoom meeting on Wednesday with ELG. Highway Superintendent Ward stated that Matt Spisak took the samples that were sent over to the DEC. Supervisor Frank asked can we get the numbers and when did this take place? Highway Superintendent Ward stated that Tuesday last week and that he will get copies. Councilman Carbone asked do the samples need to be sent out? Highway Superintendent Ward stated yes to a company in Oriskany. Supervisor Frank stated that ELG is waiting to see if we are going to be getting pipes put in the ground and then they will hook up. Highway Superintendent Ward stated that ELG is not going to invest unless the pipes are in the ground. Supervisor Frank asked what does this mean for the village? Highway Superintendent Ward stated that the permit will need to be amended once they set a level.

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

Codes: Supervisor Frank stated that Codes Enforcer Collis received notice that he needs to do an Annual Report, that notice is in reports.

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

Subdivision Local Law: Tabled.

160 Pine Grove Road: Councilman Stalteri stated that there is nothing new to report.

Town Park: Town Park’s Supervisor Nasypany stated that we are making an ice skating rink at the Town Park. Councilman Stalteri stated that we are looking to put it in the grass on the opposite side of the pavilion, we need to plow it and spray it. Highway Superintendent Ward stated that we may

need to put a roll of plastic around it. Councilman Stalteri stated that they make ice skating rink Polly and next year we plan on investing in a perimeter around the rink with Polly material. Councilman Stalteri stated that we can start putting it together in the fall next year that way we will be ready by next winter. Next year we can move the picnic tables and do more planning.

Councilman Stalteri stated that we should turn the lights on from the building to shine on the rink, this year we are looking to keep it simple. Supervisor Frank asked when can we do this? Highway Superintendent Ward stated that they can do it sometime this week. Town Park Supervisor Nasypany asked would you have the fire department flood it? Highway Superintendent Ward stated yes, I don't think we should run it by hydrant that far. Highway Superintendent Ward stated that he will look into the Polly and next year he would like to level it. Supervisor Frank asked by the end of this week can you get the fire department and how will you get the word out? Town Park Supervisor Nasypany stated she will connect the fire department and they will get the word out through the new Town Park Facebook Page. Town Park Supervisor Nasypany stated that the Town Park Committee will be holding a "Wellness Fair" on June 7 to reopen the fitness court, it will include vendors from around the area. She stated that they will be holding an event July 26 called the "Community Days" which will include a car show, zoo mobile, fireworks, movie night, chicken BBQ and a band. The event will start at 3:00 PM and go until dark. Councilwoman DeCarlo stated that if you do not advertise the name of the movie, you do not have to pay the fee for the name. You would advertise as Family Movie. She stated that they are looking to get a screen for the movie night. Highway Superintendent Ward asked is the screen that Little Falls used during COVID there's? Councilman Stalteri stated that he will email and ask. Councilwoman DeCarlo stated that the next Town Park Committee meeting is February 5 at 5:00 PM. Town Park Supervisor Nasypany stated that new members Heather Paul and Sara Ward will be in attendance along with the rest of the Town Park Committee.

Updating Zoning Ordinance: Tabled.

Signs entering Town: Tabled.

Charging Station for electronic cars: Highway Superintendent Ward stated that they are assembled and waiting for national grid to hook them up.

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 Matt Spisak called Ross Valve and they are waiting for them to get there.

Ampion Community Solar Agreement: Tabled.

Zoning Board of Appeals- One Appointment available: Supervisor Frank stated that we are still have an opening for the Zoning Board and are looking for recommendations for an appointment.

10) **New Business.**

Attorney Bray stated that the proposal looks good to him and that we will have to look at the scope and the cost. Supervisor Frank stated that they will come look at the building and give us the estimates and plan. It will be affordable in the A Fund and should be done in the spring.

Motion by Councilman Stalteri, seconded by Councilman Carbone to authorize Supervisor Frank to sign the Proposal for Architectural Services for 160 Pine Grove Road.

CARRIED AYES ALL

Councilman Stalteri stated that the 2023-2024 Bridge New York Selection Committee which included Highway Superintendent Ward, Councilman Kast, and himself reviewed the qualifications submitted by various firms wishing to contract with the Town to provide services regarding a culvert and a bridge project. He stated the committee completed a weighted grading system for each set of submitted qualifications for the project. Councilman Stalteri stated that he then submitted the grading sheets for review to the Town's consultant firm, FMC Engineering PLLC. He stated FMC Engineering tabulated the scores and forwarded the grading system sheets back to him with the scores tallied for the project. Councilman Stalteri stated that for Osborne Hill Road Culvert Project the highest scoring firm was C.T Male and for Shells Bush Road Bridge Project the highest scoring firm was Azar Design Co. Supervisor Frank asked what is their timeframe of completion? Councilman Stalteri stated that the timeframe will be answered by reviewing the scope or services and fee schedules from the firms with the highest scores. He stated the respective scope of services and fee schedules for each project will be reviewed by

Supervisor Frank and himself along with the consultant to ultimately make a recommendation to the Town Board as to engaging the firms to provide the necessary services to complete the projects.

Motion by Councilman Stalteri, seconded by Councilman Carbone accept, place on file and approve C. T Male to provide a scope of services and fee schedule for the 2023-2024 Bridge NY Osborne Hill Road Culvert Project.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept, place on file and approve Azar Design Co. to provide a scope of services and fee schedule for the 2023-2024 Bridge NY Shells Bush Road Bridge Project.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone, upon the recommendation of the Receiver of Taxes, Jodi Rivers, that Debra Wright be appointed as the Deputy Receiver of Taxes for a one-year term, 01/01/2025 to 12/31/2025

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone upon the recommendation of the Water Clerk, Jodi Rivers, that Debra Wright be appointed as the Deputy Water Clerk for a one-year term, 01/01/2025 to 12/31/2025

CARRIED AYES ALL

Motion by Councilman Stalteri upon recommendation of the Water Clerk, Jodi Rivers, that Krystal Moore be appointed as Deputy Water Clerk for a one-year term, 01/01/2025 to 12/31/2025. Councilman Carbone abstained from the vote.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone upon recommendation of Clerk Moore, that Jodi Rivers be appointed as the Deputy Town Clerk for a one-year term 01/01/2025 to 12/31/2025.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone upon recommendation of Clerk Moore, that Jodi Rivers be appointed as the Deputy Registrar of Vital Statistics for a one-year term, 01/01/2025 to 12/31/2025

CARRIED AYES ALL

11) Reports.

Motion by Councilwoman Stalteri, seconded by Councilman Carbone to accept and place on file the November 2024 Cash Report from Supervisor Frank

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file, the December 2024 Cash Report from Supervisor Frank.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the November 2024 Bank Reconciliation from Budget Officer Baylor.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Northern Border Regional Commission 4th Quarter 2024 Report for the East Herkimer Sewer District

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the 1st Quarter 2025 Report for Homeland Security for the Piper Road Project

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file a Notice for the Annual Report of the Code Enforcement Activities for the Town of Herkimer

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the executed Town Park Supervisor Contract for 2025

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the DCO Report for December 2024 from DCO Dutton.

CARRIED AYES ALL

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

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Town Park Meeting minutes dated 12/11/2024 and 1/8/2025 submitted by Town Park Supervisor Nasypany

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Emergency Orders dated 1/11/2025 and 1/16/2025 for East German Street Extension.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Revenue and Expense Report dated January 20, 2025.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Trial Balance Report dated January 20, 2025

CARRIED AYES ALL

11) Purchase Orders and Audit.

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept, place on file, and approve the Purchase Order for Supervisor Frank to attend the AOT Conference and Training.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept, place on file and approve the Final Audit dated January 20, 2025. Councilman Stalteri recused himself from the Hummel's Bill.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept, place on file and approve the 2025 Audit dated January 20, 2025.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to go into executive session for a personnel matter.

CARRIED AYES ALL

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

CARRIED AYES ALL

12) Adjourn.

Motion by Councilman Carbone, seconded by Councilman Stalteri, that the Regular Meeting of the Herkimer Town Board be adjourned until the next Regular Meeting to be held on Monday, February, 3, 2025 at 6:00PM.

CARRIED AYES ALL

Krystal Moore, Herkimer Town Clerk