

01) Deputy Supervisor Stalteri called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, February 19th, 2024, at 6:00PM telephonically and virtually.

02) Roll Call of Officers

Present: Deputy Supervisor-----Daniel Stalteri
Councilman-----Randy Kast
Councilman-----Vito Carbon
Highway Supt.-----Ken Ward
Attorney-----Christopher Bray

Excused: Supervisor-----Dominic Frank
Councilwoman-----Kathleen DeCarlo
Codes Enforcer-----Ken Collis
Deputy Attorney-----Kyle Crandall
Town Park Supervisor-----Kathi Nasypany

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 Councilman Carbone, seconded by Councilman Kast, to accept and place on file the minutes of the previous regular meeting held on February 5, 2024 as written.

CARRIED AYES ALL

05) **Public Hearings.**
Deputy Supervisor Stalteri opened the public hearings for Local Laws No. 1 of 2024 for the Parking Ordinance and for Local Law No. 2 of 2024 for the Curb cut Procedures. He read the public notices. He asked if anyone has contacted the office in regards to either of these proposed local laws? Clerk DeMetro replied stating no. He stated with no one from the public hear for comment he would entertain a motion to close both public hearings on Local Laws No. 1 and 2 of 2024.

Motion by Councilman Carbone, seconded by Councilman Kast to close the public hearings and resume the regular meeting.

CARRIED AYES ALL

06) **Public Meeting.**
Deputy Supervisor Stalteri stated with no one from the public present for comment he would entertain a motion to close the public meeting.

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

CARRIED AYES ALL

07) **Petitions and Communications.**
Motion by Councilman Carbone, seconded by Councilman Kast, to accept and place on file all the petition and communication 7A through F listed below.

- A. A letter dated February 6, 2024 from the NYS DOT concerning the 2024 Water Quality Monitoring Requirements.
- B. A letter dated February 9, 2024 from Supervisor Frank to Donald Buckley recognizing his notice of resignation effective February 17, 2024.
- C. A letter dated February 15, 2024 from Supervisor Frank to NYMIR Senior Risk Control Specialist, Henry van den Heever, in response to the September 20, 2023 report.
- D. A letter dated February 16, 2024 from Supervisor Frank to Commissioner and CEO Visnaska requesting that the Town of Herkimer be recognized as a Pro-Housing Community in the State of New York.
- Deputy Supervisor Stalteri stated this stemmed from when the governor was here and what she was proposing. She had stated that by becoming a member of this would move up our chances for funding for housing developments.
- E. A thank you card received from Craig Gros for the floral arrangement sent in memory of his daughter who had recently passed away.

F. A letter from United States Senator, Kristen Gillibrand, expressing her commitment to working together in public service.

CARRIED AYES ALL

07) Routing.

08) Resolutions.

Deputy Supervisor Stalteri stated we have several transfers for tonight that were put forth by Supervisor Frank. They are for payroll, tax levy, EGSE principal and interest payment and for water districts.

Motion by Councilman Kast, seconded by Councilman Carbone to accept, place on file and approve with all of the transfers provided.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to approve Resolution No. 12 of 2024- Parking Ordinance.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to approve Resolution No. 13 of 2024- Curb Cut Procedures.

CARRIED AYES ALL

09) Old Business.

Water Districts: Highway Supt. Ward stated he has nothing new to report other than BOCES had recognized how the highway department worked with the students to get the water line fixed on their property. Stalteri stated great job and thank you for doing this.

McKenna Road Enhancement Project: Nothing new to report.

West Herkimer Water: Nothing new to report.

East Herkimer Sewer District: Nothing new to report.

East German Street Extension Emergency Road Repair Project: Deputy Supervisor Stalteri stated Supervisor Frank and himself were attended a presentation made by the governor and she talked about a buying back program with funds that will be available and you have better chances of getting funding if you are a part of a certain program. Supervisor Frank has already sent an email to get a jump start on this process.

Codes: Nothing new to report.

202 Zoller Ave: Councilman Kast asked how to mitigate the selling of this property. Attorney Bray stated we should get an appraisal done. Highway Supt. Ward stated we can put this on Auctions International. Councilman Kast asked where we are at the right of way for the street or driveway. Attorney Bray stated we need to see if we own it and the deed interest and then we could sell it. He also stated if it was a right of way then we should formally abandon the road to clean up the tax map. If it is abandoned, then it goes to the landowners but if we own it then we can sell it. We will need to do some research.

Piper Road: Nothing new to report.

Landbank: Deputy Supervisor Frank stated the modular homes are built and the company that built them have since sold the company. The current company wants them off the lot.

Subdivision Local Law: Tabled.

160 Pine Grove Road: Deputy Supervisor Stalteri stated Supervisor Frank and himself had a couple meetings concerning the public meeting that we are planning for March 25th from 6-9PM at the Herkimer High school cafeteria.

ARPA Funding (Exercise Trail): Nothing new to report.

Updating Zoning Ordinance: Tabled.

Herkimer County Mitigation Plan: Nothing new to report.

Signs entering Town: Deputy Supervisor Stalteri stated Supervisor Frank is working on this.
Charging Station for electronic cars: Deputy Supervisor Stalteri stated we had a meeting with Weston&Sampson in regards to the charging stations and drainage issues with the parking lot. They had indicated that the accommodations that the charging stations company is taking will not be an issue for what they plan to do.

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

Public Safety: Attorney Bray stated he has a proposed Inter Municipal Agreement. He has sent it to the DA and troopers review it for comment. The DA wanted more time to review and the Senior

investigator at the troopers' barracks did not see any issues with it and is in support of it as it will make it for efficient. Councilman Stalteri stated he saw Kathy Carney and the school district is in favor of it and are very grateful for all that we are doing. Deputy Supervisor Stalteri stated there was an incident in East Herkimer with a tractor trailer couldn't make the tur so he had to back and up and ruined a residents' lawn almost hitting their house. He stated the signed helped but it is still a major issue. He will ask Supervisor Frank to reach out to the factory again.

Lien for work done to 936 Steuben Hill Road: Attorney Bray stated he had nothing new to report. He had reached out to the county attorney but did not get a response back on how to proceed.

10) New Business.

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the resignation of Vic Hazelwood from the Assessment Review Board.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to approve Resolution No. 14 of 2024- Appointing Robert Mihevic to the Assessment Review Board for the remainder of the term that Vic Hazelwood was appointed for.

CARRIED AYES ALL

11) Reports.

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Uniform Code Administration and Enforcement Email and Report for 2023 dated 2/15/24.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the NYS Building Standards and Codes report concerning Codes Enforcer Collis Training Requirements.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Teamsters Local Union 294 signed agreement effective 1/1/24 through 12/31/26.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Town Park Committee Meeting Minutes dated February 8, 2024.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Cash Report for December, 2023 from Supervisor Frank.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Bank Reconciliation Report for December, 2023 from Budget Officer Marcia Baylor.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Emergency Orders for East German Street Extension dated 2/6, 2/11, and 2/16 of 2024.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Town Justices Reports for January, 2024 from Justice Manne and Justice Petucci.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the DCO Report for December, 2023 from DCO Erica Dunton.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the DCO Report for January, 2024 from DCO Erica Dunton.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Revenue and Expense Report dated February 19, 2024.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Trial Balance Report dated February 19, 2024.

CARRIED AYES ALL

11) Purchase orders and Audit.

There are no purchase orders for this meeting.

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Audit dated February 19, 2024.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to go into executive session to discuss a personnel matter.

CARRIED AYES ALL

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

CARRIED AYES ALL

12) Adjourn.

Motion by Councilman Kast, seconded by Councilman Carbone, that the Regular Meeting of the Herkimer Town Board be adjourned until the next Regular Meeting to be held on Monday, March 4, 2024 at 6:00PM.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk