

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, July 1, 2024, 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-----	Daniel Stalteri
	Councilman-----	Randy Kast
	Councilman-----	Vito Carbon came in at 7:00PM
	Councilwoman-----	Kathleen DeCarlo
	Highway Supt.-----	Ken Ward
	Codes Enforcer-----	Ken Collis
	Attorney-----	Christopher Bray
Excused:	Dog Control Officer-----	Erica Dunton
	Deputy Attorney-----	Kyle Crandall
	Town Park Supervisor-----	Kathi Nasypany

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

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

Supervisor Frank stated he would like to take a moment of silence for one of our former Highway Superintendent John Richard who served over forty years for the Town of Herkimer and has recently passed away.

04) **Reading of the Minutes.**

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone, to accept and place on file the minutes of the previous regular meeting held on June 17, 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, address and tell us why you are here.

Kevin LaQuay of Steuben Hill Road in Herkimer stated he is here to find out any news solar project and any news on the water? He stated he called and left messages for the contact solar project but have not received any return calls. Supervisor Frank stated he hasn't received any return calls back either. He stated the State has taken away our rights so we have no control over large solar projects. Mr. LaQuay stated he has spoken with the surveyors who have been nice but do not know much about the projects. Supervisor Frank stated as far as the water, we are a permit away from going out to bid. He stated hopefully we will have this done by the end of next year. The DOH has delayed their review and once they have we were able to answer all of their comments. He stated the state reached out two weeks ago with a question and the engineer answered it for us. The engineer didn't think it was a big deal and so we are just waiting for the permit. Mr. LaQuay stated he would like to see the plans so he can decide on what repairs he will make to his property. Supervisor Frank asked is we have copies that we could give him. Highway Supt. Ward stated he has a paper copy but they are not the final plans. Councilman Stalteri stated he believes he has them electronically and he will pass them on to him.

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 Councilman Carbone, to accept and place on file all the petition and communication 6A through F listed below.

- A. A Certificate of Liability Insurance dated June 18, 2024 for Verizon Communications policy effective 6/30/2024 through 6/30/2025.
- B. An email received June 20, 2024 from John Spanfeller of Herkimer County 911 concerning East German Street Extension.  
Supervisor Frank stated he would like to thank Deputy Supervisor Stalteri for reaching out to 911 for access to East German Street Extension from State Route 28.
- C. A letter dated June 21, 2024 from Charter Communications Senior Director of Government Affairs, Alex Camarda, concerning upcoming changes in service.
- D. Letters dated June 24, 2024 from Codes Enforcer Collis to the Mitigation Section Review Team of the NYS Division of Homeland Security & Emergency Services concerning the substantial damage to 1211, 1215 and 1219 East German Street Ext.  
Supervisor Frank stated Codes Enforcer Collis wrote letters on behalf of the homes on East German Street Extension.
- E. A letter dated June 25, 2024 from the Friends of Historic Herkimer County concerning a letter of support.  
Supervisor Frank stated the Friends of Historic Herkimer County are asking for a letter of support towards their grant application. The board agreed to do so.  
Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo to approve Supervisor Frank to write a letter of support.

CARRIED AYES ALL

- F. A summary dated June 26, 2024 from the NYS Environmental Facilities Corporation concerning the EFC completed review.  
Supervisor Frank stated we have to do this for the EHSD. It is an annual update report to keep us on the funding list.

CARRIED AYES ALL

**08) Resolutions.**  
**09) Old Business.**

- Water Districts: Highway Supt. Ward stated at the end of the month they have a meeting with TI Sales to get set up with the new billing software.
- McKenna Road Enhancement Project: Supervisor Frank stated he already gave an update on this.
- West Herkimer Water: Supervisor Frank stated he has nothing new to report.
- East Herkimer Sewer District: Supervisor Frank stated with addition of the form we had to update, we have been going back and forth with the DEC, DOH?? Our Engineer feels this should be behind us by the end of the summer. Highway Supt. Ward stated he met with our engineer and national grid who though there might be an issue with placement but found everything is good. Supervisor Frank also stated we received a note from Congresswoman Elise Stefanik's office that our East Herkimer Sewer District Project has made it to the next level of congressional spending.
- East German Street Extension Emergency Road Repair Project: Supervisor Frank stated we are applying for funding.
- Codes: Codes Enforcer Collis stated the 936 Steuben Hill Road property is being sold. The property has been cleaned up and is in the process of being sold. Attorney Bray stated we will either be paid by the bank before it is sold or it will go on the taxes after it is sold. He will reach out to the bank to see what they want to do.
- Piper Road: Supervisor Frank stated we needed to close out the study by 12/31/2023 which, we did but then we received a notice again for a quarterly report. This had already been closed out so there would be no reason to do a quarterly report. He is waiting for a response.
- Landbank: Supervisor Stalteri stated work continues to be done at the trailer park. The ground work is getting done as well. Highway Supt. Ward stated the septic is in and done.
- Subdivision Local Law: Tabled.
- 160 Pine Grove Road: Councilman Kast stated he has opened the windows for ventilation.  
Councilman Stalteri stated Supervisor Frank and himself will do a walk through tomorrow morning. The lights need to be put in. Supervisor Frank stated the fence company opened up the Zoller Ave. but part of it is scraping the blackout. Highway Superintendent Ward he will cut it. Councilman Stalteri stated they also fixed the handicap fence so it swings both ways. He stated they will all need matching locks. Highway Supt. Ward will take care of this. Supervisor Frank stated they have used the sprinkler system but fortunately it has been raining. He stated we will need to pick up the picnic tables from the Village next week. Highway Supt. Ward stated his guys will take care of this

and also sweep the parking lot. Councilman Stalteri stated BOCES will make our storage shed in the fall.

Supervisor Frank stated the Town Park Celebration is coming along well. The food vendors need to get their permits in order to make and sell food on premise. The Sheriff's department will help with traffic. The school is allowing us to use their parking lot for auxiliary parking. ARC Herkimer has allowed us to borrow their six passenger cart to help us transport people from there but we will need a driver. Councilman Stalteri stated the cart and six picnic tables need to be back on Monday. Supervisor Frank stated we have a plan of where the picnic tables will be going and also the four porta jon's coming Friday. The media releases will start at the end of this week. Shannon Costello has been doing a great job with the daily Facebook posts. The ribbon cutting is at 11:00AM by the Chamber of Commerce. He stated we will have attire for the volunteers and a list of who does what.

ARPA: Supervisor Frank stated we got a notice from the contractor indicating we will be receiving an invoice for the work that has been completed.

Updating Zoning Ordinance/Map: Supervisor Frank stated Attorney Bray reviewed a letter that we are going to send the residents. Codes Enforcer Collis and Councilman Kast will get together to talk about the dimensions of the different zones.

Herkimer County Mitigation Plan: Supervisor Frank stated he has nothing new to report.

Signs entering Town: Tabled.

Charging Station for electronic cars: Highway Supt. Ward stated we are still waiting for national grid to upgrade their transformer.

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

Public Safety: Tabled.

Lien for work done to 936 Steuben Hill Road: Supervisor Frank stated we have already talked about this.

Friends of Historic Herkimer Donation Request: Tabled.

Town Park Celebration: Supervisor Frank stated we already talked about it.

202 Zoller Avenue: Highway Superintendent Ward stated it is on the website and will be up for two weeks till 7/12/2024. He will go let the neighboring property owners know.

## 10) New Business.

### 11) Reports.

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the FEMA Hazard Mitigation Grant Program requirements signed and dated 6/21/24.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Town Park Committee Meeting Minutes dated 6/27/2024.

CARRIED AYES ALL

Motion by Councilman Carbone seconded by Councilman Stalteri to accept and place on file the Town Clerks Report for June, 2024 from Clerk DeMetro.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Emergency Orders dated 6/20, 6/25, and 6/30 of 2024 for East German St. Ext.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Renewal State of Emergency Declaration dated June 25, 2024 for East German St. Ext.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Revenue and Expense Report dated June 28, 2024.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Trial Balance Report dated June 28, 2024.

CARRIED AYES AL

**11) Purchase Orders and Audit.**

There are no purchase orders for this meeting.

Motion by Councilwoman DeCarlo, seconded by Councilman Stalteri to accept and place on file the Audit dated July 1, 2024.

CARRIED AYES ALL

**12) Adjourn.**

Motion by Councilman Stalteri, 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, July 15, 2024 at 6:00PM.

CARRIED AYES ALL

*Jennifer M. DeMetro, Herkimer Town Clerk*