

01) Deputy Supervisor Stalteri called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, August 5, 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: Deputy Supervisor-----Daniel Stalteri  
Councilman-----Randy Kast  
Councilman-----Vito Carbon  
Councilwoman-----Kathleen DeCarlo  
Highway Supt.-----Ken Ward  
Attorney-----Christopher Bray  
Codes Enforcer-----Ken Collis

Excused: Supervisor-----Dominic Frank  
Dog Control Officer-----Erica Dunton  
Deputy Attorney-----Kyle Crandall  
Town Park Supervisor-----Kathi Nasypany

03) **Pledge of Allegiance to the Flag.**  
Councilwoman DeCarlo led us in the Pledge of Allegiance to the Flag.

04) **Reading of the Minutes.**  
Motion by Councilman Carbone, seconded by Councilwoman DeCarlo, to accept and place on file the minutes of the previous regular meeting held on July 15, 2024 as written.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone, to accept and place on file the minutes of the previous regular meeting held on July 29, 2024 as written.

CARRIED AYES ALL

05) **Public Meeting.**  
Deputy Supervisor Stalteri stated if anyone from the public would like to speak, to please state your name, address and tell us why you are here. He stated with no one from the public he would entertain a motion to close the public meeting.

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

CARRIED AYES ALL

06) **Petitions and Communications.**  
Motion by Councilman Carbone, seconded by Councilwoman DeCarlo, to accept and place on file all the petition and communication 6A through H listed below.

- A. A letter dated June 14, 2024 from IDA Chief Executive Officer, John Piseck, concerning the Proposed Deviation from Uniform Tax Exemption Policy related to the proposed Herkimer Local Development Corporation Project.
- B. Letters dated July 12, 2024 from NYSDOT Director, Donald Mattimore, regrettfully informing us of the application for the Eatonville Road culvert and the application of the Osbourne Hill Road culvert.
- C. Letters dated July 12, 2024 from NYSDOT Commissioner, Marie Dominguez, announcing the approval of the application for the rehabilitation of the Shells Bush Road Bridge and the application for the replacement of the Osbourne Hill Road Culvert.  
Deputy Supervisor Stalteri stated we received an award of \$808k for repairs to the Shells Bush Road Bridge and \$860k for one of the culverts on Osborne Hill Road.
- D. A letter dated July 12, 2024 from Supervisor Frank to the NYS Office of Parks, Recreation and Historic Preservation in support of the Village of Herkimer’s Historic Brookwood Park Revitalization Grant Application.
- E. A letter dated July 17, 2024 from NYS Agriculture and Markets Inspector, Dr. David Chico, concerning the Municipal Shelter Inspection Report rated “Unsatisfactory”.

- F. A receipt dated July 24, 2024 from Clerk DeMetro of proof of payment for the outstanding bill of \$1,800 for the cleanup cost of 936 Steuben Hill Road. Deputy Supervisor Stalteri stated we received the check for the \$1,800 for the clean-up of 936 Steuben Hill Road.
- G. An email dated July 25, 2024 from Jonathan Carman of Congresswoman Elise Stefanik's Office concerning the Town of Herkimer's wastewater project was passed by the House of Representatives and now will go to the Senate. Deputy Supervisor Stalteri stated our request for the funding through Congresswoman Elise Stefanik's office has been elevated to be reviewed by the Senate.
- H. A letter dated July 26, 2024 NYS DOT Regional Traffic Engineer, Michael Gallerani, concerning the initiation of the speed study on Steuben Hill Road.

CARRIED AYES ALL

**07) Routing.**

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the routed material of the Herkimer County Soil and Water Conservation District Newsletter for Summer 2024.

CARRIED AYES ALL

**08) Resolutions.**

Resolution No. 31 of 2024- Attorney Bray stated this resolution is to formally accept the bid of 202 Zoller Ave. for \$710 subject to permissive referendum.

Motion by Councilman Kast, seconded by Councilman Carbone to accept, place on file and approve Resolution No. 31 of 2024 to accept the bid of 202 Zoller Ave. for \$710 subject to permissive referendum and authorize Supervisor Frank to sign the closing documents.

CARRIED AYES ALL

Attorney Bray stated for the next meeting he is recommending the board pass a resolution clarifying the zoning map to establish the buffer zone. He also believes this might suffice for the suggestion of a 25ft easement on all town roads because we will be clarifying this as well. He will do more research on this but thinks it is the best way to proceed.

**09) Old Business.**

Water Districts: Highway Supt. Ward stated we had two water breaks; one near the pump house on Mckennan Road that has been fixed by the owner and one we fixed as well. He stated we read meters last week with the new meter reader. The new software seems to be working well so far.

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

West Herkimer Water: Deputy Supervisor Stalteri stated he has nothing new to report.

East Herkimer Sewer District: Deputy Supervisor Stalteri stated we already spoke about this.

East German Street Extension Emergency Road Repair Project: Deputy Supervisor Stalteri stated he has nothing new to report besides that we have put in for another grant.

Codes: Codes Enforcer Collis stated he has nothing new to report. Deputy Supervisor Stalteri stated either Ken Collis or Ken Ward should speak to the residents on Pine Grove Road who are putting their green waste in the roadway as it is becoming a hazard.

Piper Road: Deputy Supervisor Stalteri stated he has nothing new to report.

Landbank: Deputy Supervisor Stalteri stated progress is slowly being made to the modular homes on Main Road. He will reach out to Tolga to check in. Codes Enforcer Collis stated he has been up there checking on things.

Subdivision Local Law: Deputy Supervisor Stalteri stated he has nothing new to report.

160 Pine Grove Road: Deputy Supervisor Stalteri stated we are in receipt of our side-by-side and will be storing it in 160 Pine Grove Road. He stated Park Supervisor Naspary is very happy and it will really help to keep the park up. He thanked Highway Supt. Ward for his help in getting this done. He also stated in the audit you will see this has been paid for.

Updating Zoning Ordinance/Map: Deputy Supervisor Stalteri stated we have already discussed this.

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

Signs entering Town: Deputy Supervisor Stalteri stated he has nothing new to report.

Charging Station for electronic cars: Highway Supt. Ward stated we are still waiting on National Grid.

Friends of Town of Herkimer/Not for Profit: Deputy Supervisor Stalteri stated he has nothing new to report.

Public Safety: Deputy Supervisor Stalteri stated he has nothing new to report.

Farmer's Market: Deputy Supervisor Stalteri stated Park Supervisor had put on Facebook that the Farmer's Market was canceled this but it is on for this week and not next week. So we will get this corrected.

**10) New Business.**

**11) Reports.**

Proposed Agreement for Support of Municipal Pool Program. Supervisor Frank stated the Village is asking for \$9,000 instead of \$8,000 this year due to the increase of cost wages. The board agreed to this amount.

Motion by Councilman Stalteri, seconded by Councilman Carbone to allow Supervisor Frank sign the Proposed Agreement for Support of the Municipal Pool Program.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Minority Women Owned Business Enterprise Quarterly Report. Supervisor Frank stated this is for the McKennan Road Enhancement Project.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Town Park Improvements Storm Water Inspection Report dated 6/12/24.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Stalteri to accept and place on file the Town Park Improvements Storm Water Inspection Report dated 7/2/24.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Town Park Improvement Certificate of Substantial Completion dated 7/2/24.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Media Release of Fitness Court dated 7/3/2024.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Barton&Loguidice Town Park Improvements Final Punch List dated 7/3/24.

Supervisor Frank stated this should generate a bill, then we will get a second bill when the lights are installed, and the third bill will be for the retainage after the final walk through.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept and place on file the NYMIR Cyber Liability Coverage Report.

Deputy Supervisor Stalteri stated this needs to be edited with the Town of Herkimer instead of Town of Manheim.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the NYS Homeland Security & Emergency Services Quarterly Progress Report dated 7/12/24

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to accept and place on file the Northern Border Regional Commission Performance Progress Report dated 7/12/24.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Sub-Recipient Closeout Report Form for FEMA funding of Piper Road dated 7/16/24.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the SEQR for the Town Park Grant dated 7/16/24. Deputy Supervisor Stalteri stated this needed to be done for the grant application.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Executed Herkimer County Snow Agreement for 2025-2029.

CARRIED AYES ALL

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

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Emergency Orders dated 7/20, 7/25, 7/30, and 8/4 of 2024 for East German St. Ext.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Renewal State of Emergency Declaration dated 7/25/2024 for East German St. Ext.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Revenue and Expense Report dated August 5, 2024.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Trial Balance Report dated August 5, 2024.

CARRIED AYES ALL

**11) Purchase Orders and Audit:**

There are no purchase orders for this meeting.

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Audit dated August 5, 2024.

CARRIED AYES ALL

**12) Adjourn.**

Motion by Councilman Kast, seconded by Councilwoman DeCarlo that the Regular Meeting of the Herkimer Town Board be adjourned until the next Regular Meeting to be held on Monday, August 19, 2024 at 6:00PM.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk.