

01) Deputy Supervisor Stalteri called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, December 2, 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 Carbone
 Councilwoman-----Kathleen DeCarlo
 Highway Supt.-----Ken Ward
 Attorney-----Christopher Bray
 Codes Enforcer-----Ken Collis
 Town Park Supervisor-----Kathi Nasypany

Excused: Supervisor-----Dominic Frank
 Deputy Attorney-----Kyle Grandall
 Dog Control Officer-----Erica Dunton

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 Councilwoman DeCarlo, to accept and place on file the minutes of the previous regular meeting held on November 18, 2024 as written.

05) **Public Meeting.**
Deputy Supervisor Stalteri stated with no one present 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 Kast, seconded by Councilman DeCarlo, to accept and place on file all the petition and communication A through J listed below.

- A. A letter dated November 18, 2024 from C.T. Male Associates Project Manager, Frank Palumbo, concerning its completed review of the ASD Folts NY Solar Project.
- B. A letter dated November 20, 2024 from NYS DOT Regional Traffic Engineer, Michael Gallerani, concerning the completion of the speed study on Broat Road with a finding of lower speed limit is not appropriate at this time.
- C. A letter dated November 20, 2024 from National Grid concerning the installation of smart meters.
- D. An email dated November 21, 2024 from Dana Sherry to Supervisor Frank notifying him of her resignation as an alternate on the Board of Assessment review.
Deputy Supervisor Stalteri stated as you remember we had two people who were interested in a position open on our Assessment Review Board so Dana was our alternate. Up until this point we had never had one but the board can decide if they would like to have an alternate or not.
- E. A letter dated November 22, 2024 from Supervisor Frank to Congresswoman Elise Stefanik concerning the West Canada Creek Erosion Issue Meeting on the Herkimer Hydroelectric Project relative to the Shells Bush Road Bridge.
- F. A letter dated November 22, 2024 From Clerk DeMetro to the Secretary of State concerning her resignation as of 12/31/2024.
Deputy Supervisor Stalteri stated we regretfully accept the resignation letter of Clerk DeMetro and would like to thank her for all of her dedication to the Town.

- G. A certificate of liability insurance for AEC Solar Energy Corp. effective 11/10/24 thought 11/10/25
- H. An email dated November 27, 2024 from the Mohawk Valley Economic Development District Office Manager, Allysa Dupont, concerning the broadband access letter of support.
- Motion by Councilman Kast, seconded by Councilman Carbone to approve the letter of support to be sent in by Supervisor Frank.

CARRIED AYES ALL

- I. A letter dated November 29, 2024 from Charter Communications Senior Director of Government Affairs, Alex Camarda, concerning upcoming changes.
- J. A flyer requesting a donation from MOVAC of emergency care services in our area.

CARRIED AYES ALL

07) Routing.

08) Resolutions.

Deputy Supervisor Stalteri stated we have four transfers for tonight.

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

CARRIED AYES ALL

09) Old Business.

Water Districts: Highway Supt. Ward stated he had a meeting with Chris Demme from the Department of Health and Matt Spisak from the Village in regards to Scott Blais retiring. We learned that we are in violation for not having an operator for our Water District. Per our contract they need to have a water operator. Deputy Supervisor Stalteri asked if Mr. Blais would be an option a contractor for this? He said that Mr. Spisak was going to look into this and that Supervisor Frank will be following up with the Mayor. Attorney Bray stated on his end he sees an original agreement from January of 2015 and that we were working on one in 2022 but he is unsure if it was passed or not. Deputy Supervisor Stalteri asked about the water pressure being down for East Herkimer? Highway Supt. Ward stated this is because of valve that needs to be replaced on Pullman Flats. The Village is aware and will hopefully be getting this fixed. Stalteri will follow-up with the Mayor on this.

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

West Herkimer Water: Deputy Supervisor Stalteri stated he had a nice conversation with the Mayor of Little Falls in regards to the access water they have and the willingness to do a shared services grant with us. He stated this is a long way away but at least we are talking and making progress.

East Herkimer Sewer District: Deputy Supervisor Stalteri stated he has nothing new to report.

Attorney Bray stated he has reached out to the owner in regards to the boundary line for the pump station at Lowe's and let him know that we agree with the 30' foot setback. We are just waiting for the owner to say it's ok and deed this over to the Town.

East German Street Extension Emergency Road Repair Project: Highway Supt. Ward stated he was hoping to pave this alternate entrance but we ran out of good weather this year. We will plow the same as we did last year. Deputy Supervisor Stalteri stated we are trying to get letters of support in a letter campaign against the hydro dam.

Codes: Codes Enforcer Collis stated he just got three permits for solar roof tops.

Landbank: Deputy Supervisor Stalteri stated he has nothing new to report besides there has been progress on abatement issues. He stated he will talk to Tolga for an update.

Subdivision Local Law: Tabled.

160 Pine Grove Road: Deputy Supervisor Stalteri stated in the last meeting, Dave Binachi who is the architect that is going to review the survey results and opportunities for grant funding. He also stated BOCES is still working on the shed for us. Deputy Supervisor Stalteri stated Supervisor Frank met with Vinny Iovocozzi about the plaque and we might need to have the stone turned so there is a big enough flat area. Highway Supt. Ward stated that it wouldn't be a problem to turn the stone for them.

Park: Deputy Supervisor Stalteri asked Town Park Supervisor Nasypany to give the board an update on the park. Mrs. Nasypany stated we are going to form a committee to help with creating different events at the park. This would be to get the community and local business involved and to

help promote the park. Some ideas are possible a car show or movie nights at the park. She also stated we are going to fold the farmers market as it didn't do as well as we would have liked. Deputy Supervisor Stateri thanked Mrs. Nasypany for all of her hard work one the Farmers Market and that her efforts didn't go unnoticed. He also stated the East Herkimer Volunteer Fire Department chief wants to work with us to do more with the park as well.

Updating Zoning Ordinance: Deputy Supervisor Stateri stated there is nothing new to report.

202 Zoller Ave: Attorney Bray stated that he delivered all the paperwork to the buyer and told them what needed to be done.

Signs entering Town: Tabled.

Charging Station for electronic cars: Highway Supt. Ward stated a few weeks ago national grid was there but they left before he got a chance to talk to them.

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

Public Safety: Tabled.

AOI Delegate: Tabled.

Herkimer County Humane Society proposed Contract for 2025: Attorney Bray stated he hasn't had a conversation with Robert Schrader yet. He stated he has reached out to the attorney for German Flatts as well because he thinks it would be best if we had strength in numbers when it comes to this new contract. He stated we also needs to talk to our insurance provider.

10) New Business.

Town Clerk and Registrar of Vital Statistics Appointment as of 1/1/2025: Clerk DeMetro stated she would like to get this done so the state can be properly notified and everything be set up before she leaves.

Motion by Councilwoman DeCarlo, seconded by Councilman Kast to appoint Krystal Moore as the acting Town Clerk and Registrar of Vital Statistics as of 1/1/25 to fill the vacancy of Clerk DeMetro until 12/31/2025 when elected position will then fill the term.

Councilman Carbone recused himself from the vote.

CARRIED AYES ALL

Zoning Board of Appeals- Two appointments available: Clerk DeMetro stated we will be down two of our five Zoning Board of Appeals members so she asked the board to ask around if anyone would be interested in filling these spots.

Town Board Review of Policies before Organizational Meeting: Deputy Supervisor Stateri stated the policies for review are in our packets and asked the board to review them before our Organizational Meeting. He also asked Clerk DeMetro to supply the Fee Schedule and any contracts that need to be renewed for the board to review as well. She will do so for the next meeting.

RFQ's Deadline date and time: Deputy Supervisor Stateri stated the deadline was listed as till 5:00PM on Friday the 20th but the office closes at 4:00 so he will volunteer to stay at the office the extra hour in case any last minute ones come in.

Opening of RFQ's at Town Office: Deputy Supervisor Stateri stated we will need to schedule a time with Bob Rice, Highway Supt. Ward, Councilman Kast and himself to open the bids. He will work on making a date and time for this.

11) Reports.

Ampion Community Solar Email and Agreement: Attorney Bray stated this is boiler plate with a minimum of 10% credit off of our electric bills and that there is a six-month out clause. Councilman Kast stated he would like us to do more research and find out if we need to have a 3rd party in order to get this discount or can we get it directly from the source? Attorney Bray will look into this further. Deputy Supervisor Stateri asked that we keep this on for old business at our next meeting.

Motion by Councilman Carbone, seconded by Councilman Kast to table this at this time.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the RFQ for the Shells Bush Road Bridge.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the RFQ for the Osborne Hill Road Culvert.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to accept and place on file the Wladis Law Firm bills dated 10/25/24 and 12/2/24.
Deputy Supervisor Stalteri stated these are to accept the bills but we will not pay them until the developers replenishes the escrow account.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Town Clerk Audit for 2024 dated 11/1/24.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Town of Herkimer Vehicle Inventory Report dated 11/19/24.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Bank Reconciliation Report for September, 2024 from Budget Officer Baylor.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the September, 2024 Cash Report submitted by Supervisor Frank.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Fully Executed agreement for BNY 2023 Osborne Hill Culvert.

CARRIED AYES ALL

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

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept and place on file the Renewal State of Emergency Declaration dated November 22, 2024 for East German St. Ext.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Emergency Orders dated 11/22, 11/27 and 12/2 of 2024 for East German St. Ext.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Revenue and Expense Report dated December 2, 2024.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Trial Balance Report dated December 2, 2024.

CARRIED AYES ALL

11) Purchase Orders and Audit.

There are not purchase orders for this meeting.

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept, place on file and approve the Audit dated December 2, 2024. Councilman Stalteri recused himself from the Hummel's bill.

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, December 16, 2024 at 6:00PM.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk.