

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, Mach 20, 2023, at 6:00PM telephonically and virtually.

**02) Roll Call of Officers**

Present: Supervisor-----Dominic Frank  
Councilman-----Randy Kast  
Councilman-----Daniel Stalteri  
Councilman-----Vito Carbone  
Deputy Attorney-----Kyle Crandall  
Highway Supt.-----Ken Ward  
Health Officer-----Dr. DeCarlo  
DCO Officer-----Erica Dunton  
Codes Enforcer-----Ken Collis (attended by zoom)

Excused: Attorney-----Christopher Bray  
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 Stalteri, seconded by Councilman Kast, to accept and place on file the minutes of the previous meeting held on March 6, 2023 as written.

CARRIED AYES ALL

**05) Public Meeting.**

Supervisor Frank stated if anyone would like to address the board to please state you name, address, and tell us why you are here.

Kathleen DeCarlo of 800 Westwood Drive stated she just wanted to introduce herself as she is running for Councilwomen on the Town Board. She handed out her resume for the board to review and talked about some of her credentials. The board thanked her for coming and wished her luck.

Legislator Mark Gaworecki stated the County passed a resolution approving the ARPA funding for the Town Park walking trail.

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

CARRIED AYES ALL

**06) Petitions and Communications.**

Motion by Councilman Carbone, seconded by Councilman Stalteri, to accept and place on file all the petitions and communications 6A through F listed below.

- A. A letter dated March 7, 2023 from Town of Hempstead Supervisor, Donald Calvin, Jr. and Assemblyman Edward Ra, concerning Governor Hochul's 2024 Executive Budget.
- B. A letter dated March 7, 2023 from PRIME AE Group of NY concerning the Proposed Water District No. 1 Extension and proposed funding.
- C. A foil request received March 8, 2023 from resident Fred Weisser for documentation regarding 420 East German Street.
- D. A letter dated March 8, 2023 from Supervisor Frank to Michael Pula concerning his hire of MEO for the Town Highway Department effective March 13, 2023.
- E. A registration form from the AOT and Office of the State Comptroller concerning Town Finance Schools.
- F. A letter dated March 13, 2023 from NYS Ag. and Markets Veterinarian, Dr. David M. Chico, concerning the Municipal Shelter Inspection Report completed on 3/6/23.

- G. A letter dated March 13, 2023 from NYS Ag. and Markets Animal Health Inspector, Makayla Kemmeren, concerning the Dog Control Officer Inspection Report completed on 3/6/23.
- H. A foil request received March 20, 2023 from resident John Cancelino for number of DPW employees and their salaries.

Supervisor Frank stated he would like to point items C and H that are two foil requests we have received. Clerk DeMetro stated the first one has been completed and the second we just received today and needs to be further discussed.

CARRIED AYES ALL

**07) Routing.**

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the routed material of the Erie Canalway National Heritage Corridor 2022 Annual Report.

CARRIED AYES ALL

**08) Resolutions.**

**09) Old Business.**

Water District: Highway Superintendent Ken Ward stated he has nothing new to report.

Mckennan Road Enhancement Project: Supervisor Frank stated the plans are being reviewed by the DOH. He is sure that they will have some questions and once they are answered we can get the final engineering documents and go out to bid. The consultant gave us a schedule that would get us to construction by end of 2024. He stated the construction will begin by the end of 2024. Supervisor Frank stated we have a supply contract that's been executed by Mayor Sherry and himself. Supervisor Frank asked Highway Supt. Ward to review the testing contract with the Village. The other issue relative to the project is the financing. The current financing expires in August and the EFC has agreed to extend it to the end of 2024 which would get us past the construction deadline. There is a couple of hoops we have to get through for this to happen. West Herkimer Water: Supervisor Frank stated we have a letter in petitions and communications from another consultant in regards to making sure everything is done for this project that is supposed to be. Supervisor Frank stated he will follow-up with the consultant we are working with to make sure we are in compliance with everything.

East Herkimer Sewer District: Supervisor Frank stated the Comptroller is still asking questions. He also stated the USDA is asking for the members of the district to show proof that these businesses can afford this cost.

East German Street Extension: Councilman Stalteri stated he is anticipating our engineers to get back to us in early April. He also stated we are due a survey report.

Codes: Codes Enforcer Collis stated he has nothing to report.

Landbank: Supervisor Frank stated we have not heard from them.

Zoller Ave: Supervisor Frank stated he has nothing new to report.

Piper Road: Supervisor Frank stated we heard from the consultant today and should get the report in mid-April of the results and recommendations.

NYMIR Risk Control Resurvey Report: Tabled.

Subdivision Local Law: Tabled.

Shells Bush Road Solar Project: Tabled.

Cell Towers' and Town Zoning Ordinance: Tabled.

Updating Zoning Ordinance: Tabled.

ARPA Funding: Supervisor Frank stated Councilman Stalteri and himself have a meeting at 10:00 AM on Wednesday with a consultant for landscaping and park planning. We will talk to them to see what their ideas are.

Town Park: Supervisor Frank stated we have some purchase orders tonight from Town Park Supervisor Kathi Nasypany for the Farmers Market.

Fireworks: Councilman Carbone stated we are set to have the fireworks for Wednesday, June 28<sup>th</sup>. Clerk DeMetro stated we had a meeting today at the college that went well.

EPA Testing East Herkimer Water District: Highway Supt. Ward stated he hasn't heard anything yet.

Negotiations with Teamsters: Councilman Stalteri stated we received a proposal and will need to go into executive session to discuss it.

160 Pine Grove Road: Supervisor Frank stated we have a meeting with the planning group that the Herkimer IDA offered us at their expense.

Exercise Trail at Town Park: Supervisor Frank stated we have previously discussed this.

**10) New Business.**

Road Maintenance: Highway Supt. Ward stated he has put together a road maintenance schedule to put the road on a five-year rotation; four set areas on a schedule with an extra year for needed repairs.

Summer Youth: Highway Supt. Ward stated he has a young man that wants to work for us for the whole summer, past what is offered through the summer youth program. Supervisor Frank asked what he was looking for. Ward replied stating he was looking for 30hours a week throughout the whole summer. Supervisor Frank stated we will need to take a look at the budget and see where we are and what we can afford.

**11) Reports.**

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the 2022 Water/Sewer Billing and Payments Report.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept, place on file and authorize Supervisor Frank to sign the Herkimer County Humane Society Seized Dogs Sheltering Agreement if it is the same as the previous one.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the FY24 Community Project Funding Request from Congresswoman Stefanik.  
Supervisor Frank stated we applied for funding from both senators as well and this is the same request to Congresswoman Stefanik. Legislator Mark Gaworecki stated Congresswoman Stefanik will be having a local office soon.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Emergency Orders dated 3/8, 3/13, and 3/18 for East German Street Extension.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Kast to accept and place on file the DCO Report for February, 2023 from DCO Erica Dunton. DCO Erica Dunton stated she would like to review the shelter contract.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Kast to accept and place on file the Town Justices Reports for February, 2023 from Justice Manne and Justice Petucci.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Kast to accept and place on file the Trial Balance Report dated March 20, 2023.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Revenue and Expense Report dated March 20, 2023.

CARRIED AYES ALL

**11) Purchase orders and Audit.**  
Purchase Orders. The first three proposed Purchase Orders are relative to starting the Farmers' Market.

1. Motion by Councilman Stalteri, seconded by Councilman Kast to approve the Purchase Order for Radio Ads for the Farmers Market. Supervisor Frank stated we wanted to do a local Radio Station and it will run 10 weeks of ads on two different stations.

CARRIED AYES ALL

2. Motion by Councilman Stalteri, seconded by Councilman Kast to approve the Purchase Order for Billboard Signs for the Farmers Market. Supervisor Frank stated this will be between Herkimer and Little Falls.

CARRIED AYES ALL

3. Motion by Councilman Stalteri, seconded by Councilman Kast to approve the Purchase Order for Lawn Signs for the Farmers Market. Supervisor Frank stated this price also includes sandwich and corn hole signs.

CARRIED AYES ALL

4. Motion by Councilman Stalteri, seconded by Councilman Kast to approve the Purchase Order for the Replacement Fire Hydrant. Highway Supt. Ward stated this has all been covered through insurance and our highway guys will install it.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Stalteri to accept and place on file the Audit dated March 20, 2023.

CARRIED AYES ALL

**12) Adjourn.**

Motion by Councilman Kast, 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, April 3<sup>rd</sup>, 2023 at 6:00PM.

CARRIED AYES ALL

*Jennifer M. DeMetro, Herkimer Town Clerk*