

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Tuesday, June 20, 2023, at 6:00PM at the Town Hall located at 114 N. Prospect Street, Herkimer, New York 13350.

02) Roll Call of Officers

Present: Supervisor-----Dominic Frank
Councilman-----Randy Kast
Councilman-----Vito Carbone
Highway Supt.-----Ken Ward

Excused:

Councilman----- Daniel Stalteri
Attorney-----Christopher Bray
Codes Enforcer-----Ken Collis
Town Park Supervisor-----Kathi Nasypany
Deputy Attorney-----Kyle Crandall

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 meeting held on June 5, 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.
Doctor Decarlo stated he us our health officer for the Town of Herkimer and would like to explain that he missed the inspection because of a miscommunication on the time. He stated Codes Enforcer Collis will send him the pictures to review. Clerk DeMetro stated Collis will give a full review at our next meeting.

Mark Santis stated he is here because he has been trying to pay a fine and has been unable to get ahold of anyone in the Court. He stated he has called, emailed and come here several times now during the hours that show they are available but still can't get to speak to anyone about paying his fine.

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

CARRIED AYES ALL

06) Petitions and Communications.

Motion by Councilman Kast, seconded by Councilman Carbone, to accept and place on file all the petitions and communications 7A through G listed below.

- A. A letter dated June 7, 2023 from Supervisor Frank to the National Fitness Campaign accepting the \$40,000 MVP National Grant Award.
- B. A letter dated June 7, 2023 from Teamsters Local 294 Field Representative, Rafael Nicosia, concerning negotiations.
- C. A letter dated June 8, 2023 from the NYS Department of Taxation and Finance Office of Real Property Tax Services Real Property Analyst, Brian Moon, concerning the Final Equalization Rate for the 2023 Assessment Roll.
- D. A memo of the list of properties Herkimer County has taken title to as of June 5, 2023.
- E. A letter dated June 15, 2023 from Supervisor Frank to Friends of Historic Herkimer County supporting the 2023 Consolidate Funding Grant Application.
- F. A letter from the Business & Professional Association of Herkimer Treasurer, Jennifer Parmon, seeking sponsorship for the Herkimer Diamond Days.
Supervisor Frank stated we haven't donated to this in the past but should consider it.

G. A letter dated September 1, 2022 from the Herkimer County Department of Highways in regards to the use of Steel Wheels and Excessive debris upon Herkimer County Roads. Highway Supt. Ward stated since we have recently done a bunch of roads and we would like to have them last. He stated this is a copy of one that the County sent out to the residents who use steel wheels because they are harsh on the black top.

CARRIED AYES ALL

07) Routing.

08) Resolutions.

09) Old Business.

Water District: Highway Supt. Ward stated tomorrow we will be installing a new water service on Pine Grove Road. Supervisor Frank asked if this is a new water customer. Highway Supt. Ward replied stating, yes.

McKennaan Road Enhancement Project: Supervisor Frank stated we are still waiting for the local DOH to review our plans. Deputy Supervisor Stateri said he'd call but we are unsure if he has or not yet.

West Herkimer Water: nothing new to report.

East Herkimer Sewer District: Supervisor Frank stated Berkshire Bank has released the land from the mortgage. He stated we should have it in our possession soon. Once it's in our possession then we can apply to DEC because of the stream and then we can get the final plans to go out to bid.

East German Street Extension: Highway Supt. Ward stated he got a call from Sally Durkee if we have heard anything from national grid and he will follow-up with them on moving the poll.

Supervisor Frank stated we have a meeting set for 10:00AM on Thursday with the representatives from Canal Corp to inform them of our issues. This is per suggestion of our consultant engineer stating part of our issue is the release of water from Hinckley Dam.

Codes: Clerk DeMetro stated Codes Enforcer Collis will give us a full report on the inspection of the property on Steuben Hill Road.

Landbank: Supervisor Frank stated he has nothing new to report.

Zoller Ave: Supervisor Frank stated that Attorney Bray reported that he has assembled the paperwork and will get it out this week.

Piper Road: Supervisor Frank stated he asked Homeland Security to add a contract with our engineer with the cost we have left. Homeland passed it on to FEMA for a decision and from there it was approved and we have until the end of the year but must stay within budget.

Supervisor Frank wanted to remind everyone that we are responsible for 25% of the cost.

Subdivision Local Law: Tabled.

Shells Bush Road Solar Project: Supervisor Frank stated the original developer has sold it off. He has contacted our consultant attorney for instructions on how to proceed and alerted the new owners what is needed.

Cell Towers' and Town Zoning Ordinance: Tabled.

Updating Zoning Ordinance: Tabled.

ARPA Funding: Supervisor Frank stated for our trial at the town park he received an email from our consultant that they have contracted to have a survey done of the property.

Fireworks: Clerk DeMetro stated we had our final meeting before the show and are doing the final preparations.

EPA Testing East Herkimer Water District: Highway Supt. Ward stated he has nothing new to report.

Negotiations with Teamsters: Highway Supt. Ward stated the final year cost of insurance should be on its way to Deputy Attorney Crandall.

160 Pine Grove Road: Supervisor Frank stated there was about a dozen people who came to the open house. He also stated people have until Friday to complete the survey. So far about 260 people have responded. He stated we are having someone put lights up. Councilman Kast recommended LED lights be put in. The board agreed. The cost will be roughly \$400 in supplies and then the cost of labor.

Exercise Trail at Town Park: Supervisor Frank stated he has submitted an application for funding from the Wadas Foundation for 162K to fund the rest of the fitness court. They had some questions that Supervisor Frank answered and will be bringing it to their board for review. We should have an answer within the next few weeks.

Herkimer County Mitigation Plan: Supervisor Frank stated we have submitted all of our plan that we have accumulated over the years and we are waiting for the consultants to send us the report to review.

10) New Business.

Auction: Highway Supt. Ward stated the high bid for the backhoe that belongs to the EHWD was \$33,700. The board agreed to approve this price for the sale.

Motion by Councilman Kast, seconded by Councilman Carbone to approve the bid of \$33,700 for the backhoe.

CARRIED AYES ALL

Trash Days: Supervisor Frank asked how many people came for trash days? Highway Supt. Ward stated there was 335 people who came, which is average.

11) Reports.

Supervisor Frank state Councilman Stateri and himself me with Town Park Supervisor Nasypany to discuss the Farmers Market. There should be two more vendors next week and when the vegetables grow in we will have up to fifteen vendors. Nasypany has created a Facebook page. Another thing discussed was a way to cut down the wind on the pickle ball and tennis courts so we have decided put up a wind screen.

Motion by Councilman Carbone, seconded by Councilman Kast to accept, place on file the Annual update to EFC's Update Form East Herkimer Sewer District.

Supervisor Frank stated this is our annual update required to keep our project alive for financing.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept, place on file the CEG Geotechnical Construction Services Change Order dated June 13, 2023.

Supervisor Frank stated they have been working pro-bono for the last year and now will be billing us hourly.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept, place on file the DASNY Payment Requisition Form and Dual Certification or Excavator.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Town of Herkimer 2023 Final State and/or Class Equalization Rates. Supervisor Frank stated this was pretty starting and he has asked Assessor Maxwell to provide further information.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Cash Report for May, 2023.

CARRIED AYES ALL

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

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Trial Balance Report dated June 18, 2023.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Revenue and Expense Report dated June 18, 2023.

CARRIED AYES ALL

11) Purchase orders and Audit.

There are no purchase orders for this meetings.

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

CARRIED AYES ALL

12) Adjourn.

Motion by Councilman Carbone, seconded by Councilman Kast, that the Regular Meeting of the Herkimer Town Board be adjourned until the next Regular meeting to be held on Monday, July 3rd, 2023 at 6:00PM.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk