

01) Deputy Supervisor Stalteri called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, February 17, 2025, 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
Supervisor-----Dominic Frank (Via Zoom)
Councilman-----Vito Carbone
Councilwoman-----Kathleen DeCarlo
Councilman-----Randy Kast
Attorney-----Christopher Bray

Excused: Highway Supt.-----Ken Ward
Deputy Attorney-----Kyle Crandall
Dog Control Officer-----Erica Dunton
Codes Enforcer-----Ken Collis
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 Carbone, seconded by Councilwoman DeCarlo, to accept and place on file the minutes of the previous regular meeting held on February 3, 2025 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 and why you are here. No one from the public was in attendance.

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

CARRIED AYES ALL

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

- A. A Notice from Homeland Security for an Informational Webinar on NYS’s Endpoint Detention and Response.
- B. A letter dated February 3, 2025 from Charter Communications concerning an upcoming change.
- C. Being Routed: A letter dated February 10, 2025 from Victoria Adams, Operations Manager, and a Pilot Agreement between Herkimer County IDA and Watkins Road Solar Project.

CARRIED AYES ALL

07) **Routing.**

08) **Resolutions & Transfers**

Motion by Councilman Kast, seconded by Councilman Carbone to accept, place on file, and approve Resolution No. 9 of 2025-Resolution to Amend the 2025 Budget to bring in Insurance Funds.

Supervisor Frank stated that it is to fix the 2014 Freightliner for the Town of Herkimer Highway Department the total amount is 61,486.57.

CARRIED AYES ALL

Attorney Bray stated that this loan is to borrow money from the USDA. Supervisor Frank stated that the USDA wants everything in their format. Deputy Supervisor Stalteri stated that the Herkimer Town Clerk's name on the loan resolution is still Jennifer DeMetro, it will need to be fix it to the current Town Clerk, Krystal Moore.

Motion by Councilman Kast, seconded by Councilman Carbone to accept, place on file and approve Resolution NO. 9 – Town of Herkimer RUS Bulletin Loan Resolution for the East Herkimer Sewer District with the edit of the Herkimer Town Clerk's name from Jennifer DeMetro to Krystal Moore.

CARRIED AYES ALL

09) Old Business.

Water Districts: Supervisor Frank stated that we did our January billing. The East Herkimer water is down, commercial was down. Supervisor Frank stated that he will ask Highway Superintendent Ward to see what is going on with the water holding tank at ELG.

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

West Herkimer Water: Supervisor Frank stated that there is nothing new to report.

East Herkimer Sewer District: Supervisor Frank stated that we are close to being ready to bid. The Waste Water plans should be approved by the DEC soon. Attorney Bray stated that he just needs to do an opinion letter, a legal easement, a certificate of title, legal services agreement and USDA forms. Supervisor Frank stated that Prime Engineering had an insurance question and we are still waiting to hear back from USDA. He stated that that they want project specific insurance and we have general insurance. Attorney Bray stated that the Lowes sign is in the parcel for the East Herkimer Sewer District. We will need to do an Easement for the Lowes sign to for them to access the sign on our parcel or we will need to have the property surveyed again without the Lowe's sign in the parcel. Councilman Kast stated that we should have it surveyed again without the Lowe's sign. Attorney Bray stated he will connect the surveyor.

East German Street Extension Emergency Road Repair Project: Supervisor Frank stated that there is nothing new to report

Codes: Supervisor Frank stated that there is nothing to report

Landbank: Deputy Supervisor Stalteri stated that there is someone working on the trailers and that Tolga had questions about hooking up to the East Herkimer Sewer District.

Subdivision Local Law: Tabled.

160 Pine Grove Road: Deputy Supervisor Stalteri stated that the fire alarm keeps going off due to cold weather. Supervisor stated that he has not heard back from the architects for 160 Pine Grove Road.

Town Park: Councilwoman DeCarlo stated that they are planning a car show at the Town Park in the summer. The committee met with a couple that runs Car shows on February 5, 2025. The committee is planning a movie night on a different date.

Updating Zoning Ordinance: Tabled.

Signs entering Town: Tabled.

Charging Station for electronic cars: Supervisor Frank stated that they are waiting on the Highway Garage and they have made a little under 20 dollars on revenue for the charging stations.

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

Public Safety: Supervisor Frank stated that there is nothing new to report.

Pullmans Flats Water Valve Repair: Supervisor Frank stated that there is nothing new to report as Highway Superintendent Ward is not in attendance tonight due to plowing the roads.

Ampion Community Solar Agreement: Supervisor Frank stated that he is still working on it.

Zoning Board of Appeals- One Appointment available: Deputy Supervisor Stalteri stated that we are still have an opening for the Zoning Board and are looking for recommendations for an appointment. The Town Board had no recommendations for the position.

10) New Business.

Deputy Supervisor Stalteri stated FCM Engineering will be working as a representative on our behalf for the Bridge NY 2023-2024 for Osborne Hill Road Culvert and Shells Bush Road Bridge Projects. He stated that we should have a consultant engineer on these difficult projects.

Supervisor Frank stated that Osborne Hill Road Culvert is state funded and Shells Bush Road Bridge is federally funded. The cost of the contracts would not be reimbursed by the grants; the

contracts would be on the town to pay. Deputy Supervisor Stalteri stated that the Osborne Hill Road will be based on hourly and an estimated cost would be 13,250. The Shells Bush Hill Road Bridge would be bases on hourly and an estimated cost would be 12,750. Councilman Kast asked did we have any other bids for a consultant engineer? Deputy Supervisor Stalteri stated no and they are familiar with this project.

Motion by Councilman Kast, seconded by Councilman Carbone to accept, place on file, and authorize Supervisor Frank to sign the consultant contract with FCM Engineering for the Bridge NY 2023-2024 Osborne Hill Road Culvert.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept, place on file, and authorize Supervisor Frank to sign the consultant contract with FCM Engineering for the Bridge NY 2023-2024 Shells Bush Road Bridge.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept, place on file and approve the Investment Policy for 2025.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept, place on file and approve the Purchase Order Policy for 2025.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept, place on file and approve the Depreciation & Fixed Assets Policy for 2025.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept, place on file and approve the Password Policy for 2025.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept, place on file and approve the Workplace Violence Policy for 2025.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept, place on file and approve the Travel Reimbursement Policy for 2025.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept, place on file and approve the IT Acceptable Use Policy for 2025.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept, place on file and approve the Drug and Alcohol Policy for 2025.

CARRIED AYES ALL

11) Reports.

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Executed Maintenance Contract for 2025.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Assessment and Emergency Response Plan for the East Herkimer Sewer District.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Certification of the number of users for the East Herkimer Sewer District, once operational.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Designation of Water Operator for the Herkimer Commons Water District.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Designation of Water Operator for the McKennan-Stauben Road Water District.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to accept and place on file the public notice for DikinDurt Distillery Capital RC-13 Craft Beverage Project.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the notice of special franchise value.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Town Park Meeting Minutes dated February 5, 2025.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Kast to accept and place on file the Town Clerk's Monthly Report for January, 2025 from Clerk Moore.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Town Justice's Reports for January, 2025 from Justice Manne and Justice Petucci.

CARRIED AYES ALL

Deputy Supervisor Stalteri stated that an Emergency Order for Steuben Hill Road, dated February 17, 2025 and a State of Emergency Declaration for the Town of Herkimer, dated February 17, 2025 were added to the meeting tonight due to the Snow Storm and Ice.

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Emergency Order dated 2/17/2025 for Steuben Hill Road.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the State of Emergency Declaration dated February 17, 2025 for the Town of Herkimer.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Emergency Orders dated 2/5, 2/10 and 2/15 for East German Street Extension.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Revenue and Expense Report dated February 14, 2025.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Trial Balance Report dated February 14, 2025

CARRIED AYES ALL

11) Audit.

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept, place on file and approve the Audit dated February 17, 2025. Councilman Stateri recused himself from the Hummel's Bill.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman DeCarlo to go into Executive Session for a personnel matter.

CARRIED AYES ALL

Motion by Councilman Stateri, seconded by Councilman Carbone to adjourn from Executive Session and resume the Regular Meeting of the Town Board with no decisions made in Executive Session.

CARRIED AYES ALL

12) Adjourn.

Motion by Councilwoman DeCarlo, 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, March 3, 2025 at 6:00PM.

CARRIED AYES ALL

Kristal Moore, Herkimer Town Clerk