

01) Deputy Supervisor Stalteri called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, October 6, 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
Councilman-----Vito Carbone
Councilman-----Randy Kast
Councilwoman-----Kathleen DeCarlo
Attorney-----Christopher Bray
Highway Supt.-----Ken Ward
Town Park Supervisor-----Kathi Nasypany
Codes Enforcer-----Ken Collis

Excused: Dog Control Officer-----Erica Duntton
Supervisor-----Dominic Frank

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 Councilwoman DeCarlo, seconded by Councilman Kast, to accept and place on file the minutes of the previous regular meeting held on September 15, 2025 and the special meeting held on September 29, 2025 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 and address. With no one from the public in attendance

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

CARRIED AYES ALL

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

- A. A letter dated September 16, 2025 from Andrea K. Smith, Program Director, Northern Borders Regional Commission regarding a full de-obligation for NBRC18GNY01.
- B. A letter dated September 16, 2025 from Supervisor Frank to Ms. Diane Toher informing the CSEA that they will need to find an alternate space for operations.

Deputy Supervisor Stalteri stated the CSEA has been informed when they will need to be out, they are on a month to month and they are paid up until January.

- C. A letter dated September 16, 2025 from Supervisor Frank to the Herkimer County CSEA Local 822 informing them that they will need to find an alternate space for operations.
- D. A letter dated September 16, 2025 from Renee Hotaling, Animal Health Inspector for Agriculture and Markets, to Supervisor Frank concerning a Municipal Shelter Inspection Report for the Herkimer County Humane Society
- E. A letter dated September 22, 2025 from Supervisor Frank to Krista Mazzoli, Regional Account Services for National Grid regarding the LED Street Light Conversion.
- F. A letter dated September 24, 2025 from Elise Stefanik, Member of Congress, to Mr. Chris Saunders, Federal Co-Chair for Northern Border Regional Commission regarding her support of the Town of Herkimer's Application for funding.

- G. An email dated September 24, 2025 from John Putch concerning parking on Piper Road
 - H. A letter dated September 29, 2025 from Charter Communications concerning an upcoming change
 - I. A letter dated September 30, 2025 from Supervisor Frank to Northern Border Regional Commission concerning funding for the East Herkimer Sewer District.
- Deputy Supervisor Stalteri stated Supervisor Frank finished the grant application before going into surgery.
- J. A letter dated October 1, 2025 from Charter Communications concerning Government Affairs New Point of Contact.

CARRIED AYES ALL

07) Routing

08) Resolutions and Local Laws

Attorney Bray stated this resolution is an Introductory Resolution to update the parking ordinance, passing Local Law No. 2 of 2025. After review of the previous parking ordinance from 2024 there was sections from the 2000 parking ordinance that were not picked up in 2024. A public hearing will be set for next meeting on October 20.

Motion by Councilman Carbone, seconded by Councilman Kast to accept, place on file and approve Resolution No. 35 of 2025 – Introductory Resolution of the town board for the Town of Herkimer for Local Law No. 2 of 20025 Parking Ordinance.

CARRIED AYES ALL

Attorney Bray stated residents are requesting a speedy study on Shells Bush Road. We are looking at a possible speed reduction from the current speed limit of 55 to 40 per Highway Superintendent Ward’s recommendation. It is a county road but we have jurisdiction for a speed study.

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to accept, place on file and approve Resolution No. 36 of 2025 – Resolution of Requesting Speed Reduction on Herkimer County Highway.

CARRIED AYES ALL

09) Old Business.

Water Districts: Highway Superintendent Ward stated there is nothing new.

McKenna Road Enhancement Project: Deputy Supervisor Stalteri stated the contractor is looking to use a different method to lay the pipe, what do you think of this method? Highway Superintendent Ward stated I am okay with it. Deputy Supervisor Frank stated I am going to speak with him tomorrow and say we are okay with it. Highway Superintendent Ward stated it is cleaner and cheaper process and it is just as strong. Deputy Supervisor Stalteri stated it can lower the cost of the project. Codes Enforcer Collis asked is it metal pipe? Highway Superintendent Ward stated no it is plastic.

West Herkimer Water: Deputy Supervisor Stalteri stated there is nothing new to report.

East Herkimer Sewer District: Deputy Supervisor Stalteri stated Supervisor Frank completed the grant application.

East German Street Extension Emergency Road Repair Project: Highway Superintendent Ward stated B&K Fencing needs to fix the fence still, the materials were on back order for the fence. Highway Superintendent Ward stated he will call him to get an update.

Codes: Codes Enforcer Collis stated the Shells Bush Road Solar Project is going to have electrical by the end of the week, everything is okay with National Grid. They will not be up and running yet but

they will be moving forward. Deputy Supervisor Stalteri stated are the trees up? Codes Enforcer Collis stated yes but they will need to put up more. On Piper Road I have tried to enforce the parking on the road but the previous Highway Superintendent stated they can park on the road. Mrs. Ingerham has a perfectly fine driveway with multiple vehicles and trailers that they refuse to clean up. I left a letter on at their house for them to clean up some of the vehicles and the plywood. If they do not move the other stuff and cars we will have to take her to court. There is another property on Piper Road that needs to be demoed or condemned. Deputy Supervisor Stalteri stated we should talk with the Herkimer County Land Bank. Highway Superintendent Ward stated there is a no parking law and the highway department put up no parking signs. He stayed he has a conversation with a neighbor and they okayed them to park in the parking area they created for them in their yard. Attorney Bray stated if we have a local law I can call the troopers to ticket them. Deputy Supervisor Stalteri stated on Main Road Parking is there overnight parking? Highway Superintendent Ward stated we have a law they cannot park there; the law says no parking eight feet from the center. The trailers are not registered. Councilman Carbone stated you can only have one unlicensed vehicle on your property, can we tow them? Codes Enforcer Collis stated yes you are only allowed one unregistered vehicle, who would pay to tow? Councilman Carbone stated can we charge their taxes? Attorney Bray states yes I think in the property maintenance law it states that we can. I will look into it and send them a letter to clean up their property or we will clean it up and charge their taxes.

Landbank: Deputy Supervisor Stalteri stated the Greater Mohawk Valley Landbank is working on the siding and the neighbor is not signing off on the easement, they cannot get electricity from National Grid until they get an easement. Codes Enforcer Collis stated I don't think it is National Grid that needs the easement. Councilman Kast stated National Grid can go on the property, I don't know why they would need an easement if National Grid has a right of way. Highway Superintendent Ward stated the Herkimer County Landbank should be demoing the trailer on Zoller Ave anytime now, we shut off the water and the gas is unhooked.

Subdivision Local Law: Tabled.

160 Pine Grove Road: Councilman Kast stated just a reminder the East Herkimer Fire Department is using 160 Pine Grove Road on October 18 for training.

Town Park: Town Park Supervisor Nasypany stated our Halloween event is coming along, we have 10 organizations signed up. I spoke with the Lady's Auxiliary at the fire department and we will be coordinating with them. We will have hot chocolate and donuts available. What time is Halloween for the Town of Herkimer? Deputy Supervisor Stalteri stated the board should set a time for Halloween. Town Park Supervisor Nasypany stated 4:00 PM to 8:00 PM would be good with the event.

Motion by Councilman Carbone, seconded by Councilman Kast to set trick or treating on Halloween for 4:00 PM to 8:00 PM.

CARRIED AYES ALL

Town Park Supervisor Nasypany stated the lights were on for both of the courts and now the tennis courts are not on. Did the electrician do something? Deputy Supervisor Stalteri stated the electrician is working on the shed and he may have messed with the breaker, I am not sure he is done, we can get Mark to fix it once he is done. Town Park Supervisor Nasypany asked is there going to be a light on the flags? Deputy Supervisor Stalteri stated there will be a solar light strapped to the pole most likely, I will talk to the electrician. Councilwoman DeCarlo asked are we taking down the nets this year? Deputy Supervisor Stalteri stated we did not take them down last year and we left the gate open but turned off the water. Deputy Supervisor Stalteri stated keep an eye on the Fitness Court tiles. They need to be cleaned, they left cleaning instructions for the tiles.

Updating the Zoning Ordinance: Tabled.

Signs entering Town: Tabled

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

Public Safety: Deputy Supervisor Stalteri stated there is nothing new to report.

Ampion Community Solar Agreement: Tabled.

Veterans Banners: Highway Superintendent Ward stated there is four more they will be putting up.

LED Street Light Conversion: Deputy Supervisor Stalteri stated they should be starting soon.

Charging Stations: Deputy Supervisor Stalteri stated the company called Supervisor Frank. If we are only making a small amount, we are not going to invest in the software.

Village Court: Deputy Supervisor Stalteri stated Justice Petucci will be putting in the JCAP Grant. The CSEA space can be used as an overflow or a quick court. We will also be looking into another grant. JCAP should cover taking down the wall and benches. We are working on a new budget regarding the new clerks. Majority of the budget increase will be with the court. Councilwoman DeCarlo asked will there be two clerks? Deputy Supervisor Stalteri stated there will be a Chief Clerk and two new clerks, they are thinking of doing court on the same day but longer hours. The personnel are going to be ¾ of the year and will be hired in March or April to start training with the Chief Clerk who is the current Court Clerk. The board will be getting together with the departments for the preliminary budget, we will discuss a hire date for the clerks when we meet with the Justices. Wednesday we will meet with Clerk Moore and Receiver of Taxes Rivers at 3:00 PM and Highway Superintendent Ward at 3:30 PM. I will talk with the Justices and our assessor to see when we can meet with them. Will that time work with you? Clerk Moore stated yes. Highway Superintendent Ward states yes. Deputy Supervisor Stalteri stated Clerk Moore can you notify Jodi Rivers. Councilwoman DeCarlo stated she will not be here on November 10, 11 and 12. Fall Trash Days: Highway Superintendent Ward stated we have trash days Thursday, Friday, Saturday. Everything is all set, Clerk Moore confirmed the shred truck for Saturday and it was in the Times Telegram.

10) **New Business.**

Deputy Supervisor Stalteri stated we are requesting a speedy study on Shells Bush Road as we are looking at a possible speed reduction from the current speed limit of 55 to 40.

Deputy Supervisor Stalteri stated 2026 Tentative Budget, the board will be meeting with departments and working on the budget.

Deputy Supervisor Stalteri stated DCO Dutton is requesting to go to a dog control conference, the registration fee is \$125.00. I think it would be good for her to go. Councilman Kast stated I think we should pay for the registration and any travel expenses she may have.

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to approve DCO Dutton to go to the Dog Control Conference with the town paying for registration and travel expenses for the conference.

CARRIED AYES ALL

Deputy Supervisor Stalteri stated October 16, 2025 will be Valley Health and Residential Day, Clerk Moore did a great proclamation to give to them. They are celebrating 50 years; the event will be held at 12:00 PM on October 16 at the Valley Residential in East Herkimer.

Deputy Supervisor Stalteri stated he spoke with Joseph Macri he accepted to finish the Deputy Attorney term until the end of the year. He will be in tomorrow to get his paperwork and fill out the oath of office card. Attorney Bray stated he can do dog control, we can sue the owner of the dogs and the property owners from the court cases. We will need to file in little falls for a commercial small claims. Deputy Supervisor Stalteri stated it will be a good way for him to get his feet wet and dive right in to the position.

11) **Reports.**

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file Kernan Engineering-Court Room Expansion.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Northern Borders Grant Application.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the 4th Quarter MWBE Report for Mckennan Road Enhancement Project

CARRIED AYES ALL

Highway Superintendent Ward stated for the bridge on Shells Bush Road they are replacing the girders, there is not enough money and we are going to have to look into more funding. For the Culvert project on Osborne Hill Road we need to get the easements, they are looking into putting in an aluminum culvert, I am worried about the corrosion of the aluminum but the engineers felt it would be cheaper than the concrete.

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept and place on file Bridge NY 2023 – Osborne Hill Road Culvert Project and Shells Bush Road Project.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the Homeland Security and Emergency Services Quarterly Report for Piper Road.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the August 2025 Bank Reconciliation from Budget Officer Baylor

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to accept and place on file the August 2025 Cash Report from Supervisor Frank

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file 2024 NYS Comptroller Stress Level Report for Town of Herkimer.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the Updated Hodgson Russ Bond Council Agreement 2025-2026

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept and place on file the Planning Board Meeting Minutes dated September 10, 2025.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the June, July and August 2025 Dog Control Reports from DCO Dutton

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the September 2025 Town Clerk Monthly Report from Clerk Moore.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept and place on file the September 2025 Monthly Justice Report from Justice Manne

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Renewal State of Emergency Declaration dated 9/18/25 for East German Street Extension.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded Councilwoman DeCarlo accept and place on file the Emergency Orders dated 9/18, 9/23, 9/28 and 10/3 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 October 6, 2025.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to accept and place on file the Trial Balance Report dated October 6, 2025.

CARRIED AYES ALL

11) Audit

Motion by Councilman Kast, seconded by Councilman Carbone to accept, place on file and approve the audit dated October 6, 2025

CARRIED AYES ALL

13) 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 October 20, 2025 at 6:00PM.

CARRIED AYES ALL

Krystal Moore, Herkimer Town Clerk