

01) Supervisor Frank called to order the **Special Meeting** of the Town Board of Herkimer held on Friday, July 8th, 2022 at 9:30 AM at the Herkimer Town Hall located at 114 North Prospect Street in Herkimer.

02) Roll Call of Officers

Present: Supervisor-----Dominic Frank
 Councilman-----Daniel Stalteri
 Councilman-----Vito Carbone
 Highway Supt.-----Ken Ward

Excused: Councilman-----Randy Kast
 Councilwoman-----Kathy Penree
 Codes Enforcer-----Ken Collis
 Attorney-----Christopher Bray
 Deputy Attorney-----Kyle Crandall

03) **Pledge of Allegiance to the Flag.**
Councilman Carbone led us in the Pledge of Allegiance to the Flag.

04) **Reading of the Minutes.**
Supervisor Frank stated we will waive the reading of the minute until our next regular meeting on July 5, 2022.

05) **Public Meeting.**
Supervisor Frank stated anyone from the public who would wish to address the board to please state your name, address and tell us why you are here.
No one from the public wished to speak.

Motion by Councilman Carbone seconded by Councilman Stalteri to close the public meeting.

CARRIED AYES ALL

06) **Petitions and Communications.**
Supervisor Frank stated we do not have any petitions and communication for this meeting.

07) **Routing.**

08) **Resolutions and Local Laws:**
09) **Old Business.**

East German Street Extension: Supervisor Frank stated we are here to discuss the proposal from CME for East German Street Extension. Chris Paolini, an engineering consultant from CME Associates, stated he met at the site a few weeks ago. He stated he walked the site and took some measurements. He stated the wall translated outward more so than last year. There are two gaps in the wall that have significantly move and the riprap are gone. This leads him to believe there is some washout under the wall and this is a problem that needs to be addressed. He has prepared a proposal that with surveys done, he will then compare how much it has moved and what to do for a long-term fix. He stated temporarily he recommends putting more riprap in to slow down the erosion. He stated the creek needs to be straightened out or this problem will continue. Supervisor Frank stated that Assemblyman Smullen said it's the Assemblyman's believe that the Herkimer county Soil and Water Department has an open permit to be able to get into the water and do work on the creek. He will follow-up on how to proceed with this. Councilman Stalteri stated we need to get the creek fixed to make it flow straight. Mr. Paolini asked if the historical wall can be removed? Councilman Stalteri stated, that he believes the wall is not listed anywhere as a historic item, and that he further believes it was just called historic because of how old it is. Councilman Carbone asked if the proposal includes the surveyor and diver? Mr. Paolini stated the town is responsible for the separate cost of the surveyor and diver. Councilman Stalteri stated we are paying CME for the engineering services only. Supervisor Frank stated he has contacted Chris Hunt, who is a diver from Watertown and will be able to do it next Thursday. He is unsure what the cost will be. He stated he also hasn't heard back from the surveyor on when he can do it and what the cost will be. He stated our local assemblyman has put together a stream

and creek initiative. Mr. Smullen's understanding is that all three counties that he represents, have Soil and Water Districts that all have open water permits to get into the streams and creeks. There are requirements for the right time, right place, right equipment, and the right people for doing so for preventative maintenance. Supervisor Frank will look into what it entails to get such a permit. We will have to check with the soil and water department to see what the process is. Highway Supt. Ward asked how long are the sheets that were put in for the wall? Mr. Paolini stated there are 30ft from grade level. Ward stated the creek is below that so water must be getting under the sheets. Mr. Paolini stated the sheets were put in to hit hard material so the water shouldn't be getting underneath them. He also stated a colleague was also at the site and stated there is also a slope failure more upstream as well.

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept, place on file and approve the proposal from CME.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to give Supervisor Frank the authority to contract with a surveyor and diver for East German Street Ext. Project.

CARRIED AYES ALL

10) New Business.

11) Reports.

12) Purchase orders and Audit.

Purchase Order: There were no purchase orders submitted for this meeting.

Audit: There wasn't an audit for this meeting.

13) Adjourn.

Motion by Councilman Stalteri seconded by Councilman Carbone, to adjourn until our next Regular Meeting to be held on Monday, July 18, 2022 at 6:00PM at the Town Hall located at 114 N. Prospect Street in Herkimer or virtually through Zoom.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk