

Supervisor Frank called to order the **Special Meeting** of the Town Board of Herkimer held on Thursday, December 29, 2022, at 10:30PM telephonically, virtually or in person at the Town Hall located at 114 N. Prospect Street in Herkimer.

02) Roll Call of Officers

Present: Supervisor-----Dominic Frank
Councilman-----Daniel Stalteri
Councilman-----Vito Carbone
Highway Supt.-----Ken Ward
Attorney-----Christopher Bray (virtually)

Excused: Councilman-----Randy Kast
Codes Enforcer-----Ken Collis
Park Supervisor-----Kathi Nasypyany
Deputy Attorney-----Kyle Crandall

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

04) Reading of the Minutes.
Motion by Councilman Carbone, seconded by Councilman Stalteri, to accept and place on file the minutes of the previous regular meeting held on December 19, 2022 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.

No one from the public wished to speak.

Motion by Councilman Stalteri, seconded by Councilman Carbone 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 the petition and communication listed 6A-E.

- A. A certified copy of a Resolution adopted by the Herkimer County Legislature on December 14, 2022 concerning the County Equalization Rates for the 2022 Assessment Rolls.
- B. An email received December 19, 2022 from MOVAC Vice President, Robert Drumm, invitation to holiday party.
Supervisor Frank stated he would like to note that MOVAC is having a dinner with a special presentation for Greg Eisenhut who is retiring.
- C. A letter dated December 20, 2022 from Executive Director of the Oneida-Herkimer Solid Waste Authority, William Rabbia, concerning the Adopted 2023 Budget.
- D. An email received December 22, 2022 from NYS Department of Taxation and Finance concerning a new statewide exemption to volunteer firefighters and ambulance workers.
- E. A letter received December 29, 2022 from Kathleen and Perry Novak with a special thanks for the home improvement grant they received.
Supervisor Frank stated we received a Christmas card with a special note from the Novak family for the home improvement grant they received.

CARRIED AYES ALL

07) Routed.

08) Resolutions and Local Laws.

Supervisor Frank stated we have a total of thirteen transfers and most are from the A fund for salaries. The sewer district needed a couple of dollars to balance. The DA fund needed more money to cover the overtime for salary of the mechanic and the DA snow fund needed more money because Highway Supt. Ward wanted to buy extra sand and salt. He also had a large fuel bill coming. He said there was an issue with what fund the buyout was charged to for Ward as well. Supervisor Frank also stated there was a bookkeeping issue as well where payroll had posted twice but we will catch up to correcting this with the bookkeeper.

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept, place on file and approve all thirteen transfers suggested by Supervisor Frank.

CARRIED AYES

09) Old Business.

Water District: Water Supt. Ward stated fixed the leak in East Herkimer last week. Scott Blais estimated we were losing sixty gallons a minute from this leak. The usage is back down and the pressure is back up so everything looks good. There is still water running which he believes is because of the trailer park.

The board discussed how the number of employees needed to be increased from six to seven which was agreed upon number that was discussed during budget negotiations. Attorney Bray will draw up such resolution for our next meeting.

McKenna Road Enhancement Project: Supervisor Frank stated the plans are still being reviewed. He stated he had a conversation with Environ Core relative to financing that has changed. Bond Council will be setting up a meeting with them to iron everything out.

West Herkimer Water: Supervisor Frank stated he did get an email from the funding sources relative to engineering issues which he has passed on to our engineering consultant to answer. East Herkimer Sewer District: Attorney Bray stated the Lahey documents have still not been signed yet. He did follow-up with Berkshire Bank and they haven't heard from their back office yet but the local manager will be asking them for an update for us. Bray stated the comptroller said they need one last thing, which is relative to pricing going up. He has sent an email to our consultant who should be able to answer quickly for us. Supervisor Frank stated he received an email late last week asking a question that he had passed on to our consultant to answer as well but he has not heard a response back yet.

East German Street Extension Road Project: Highway Supt. Ward stated back in November he received an email from a state engineer inquiring about the status of East German Street Extension and the expected outcome of the project. I told him we were still unsure and looking at our options. Ward stated he would like to have an idea of what the decision will be so he can better prepare for what work needs to be done when spring comes. Supervisor Frank will reach out to the engineer about the options and costs associated with them.

Shells Bush Road Solar Project: Supervisor Frank stated he hasn't heard anything from the developers but they have the conditions that need to be met.

Codes: Tabled.

Zoller Ave: Attorney Bray stated he received some emails in regards to this but has not had a chance to review them. He will give us an update at our next meeting.

Piper Road: Supervisor Frank stated we are preparing for the soil boring to begin and will get a letter to residents early next week.

Landbank: Councilman Stalteri stated he had asked for an update regarding the bid opening for the site work that needs to be done and was told they only received on bid that was over budget. The State was not happy that there was only one bidder and that the bidder was so far over budget. This will probably have to go out for a re-bid which is only delaying the project. Highway Supt. Ward stated David Dardzinski from the Landbank picked up two water meters from him last week that are going to be installed in the new homes that are being built.

NYMIR Risk Control Resurvey Report: Supervisor Frank state he has nothing new to report.

Subdivision Local Law: Tabled.

Cell Towers' and Town Zoning Ordinance: Tabled.

ARPA Funding: Nothing new to report.

Updated Zoning Ordinance: Tabled.

Town Park: Supervisor Frank asked if there has been any updated for the 160 Pine Grove Road property? Attorney Bray stated he had a conversation with the seller's attorney who was going to talk to his client and let us know. We are still waiting to hear back from them. Bray stated he has been in touch with the Herkimer County IDA who is aware of the situation.
Fireworks: Tabled.

10) New Business.

11) Reports.

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Emergency Orders date 12/23 and 12/28 for East German Street Extension.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the signed approval for the Monitoring Plate Survey Services of East German Street Ext.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the signed Town Park Supervisor Agreement for 2023.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Trial Balance Report dated December 28, 2022.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Revenue and Expense Report dated December 28, 2022.

CARRIED AYES ALL

11) Purchase orders and Audit.

There were no purchase orders for this meeting.

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Audit dated December 29, 2022. Deputy Supervisor Stalteri recused himself from the Hummel's bill.

CARRIED AYES ALL

12) Adjourn.

Motion by Councilman Stalteri, seconded by Councilman Carbone, that the Regular Meeting of the Herkimer Town Board be adjourned until the next Regular Meeting to be held on Tuesday, January 3, 2023 at 6:00PM.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk