

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, August 2, 2021 at 6:00PM telephonically and virtually.

02) Roll Call of Officers

Present: Supervisor-----Dominic Frank
Councilman-----Daniel Stalteri
Councilwoman-----Kathy Penree
Councilman-----Vito Carbone
Attorney-----Christopher Bray
Codes Enforcer-----Ken Collis

Excused: Councilman-----Randy Kast
Highway Supt.-----David McMannus
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.

Motion by Councilman Stalteri seconded by Councilwoman Penree, to accept and place on file the minutes of the previous Regular Meeting held on July 19, 2021 with the suggested edits.

CARRIED AYES ALL

05) Public Meeting.

Supervisor Frank stated with no one present from the public he would entertain a motion to close the public meeting.

Motion by Councilman Stalteri, seconded by Councilwoman Penree to close the public meeting.

CARRIED AYES ALL

06) Petitions and Communications.

Motion by Councilwoman Penree, seconded by Councilman Stalteri, to accept and place on file all the petitions and communications 6A through J listed below.

- A. A letter dated July 8, 2021 from Supervisor Frank and Mayor Netti to water customer residents with regards to a leak occurring near their residence.
Supervisor Frank stated this is the letter to the residents so we can find the leak. Ken Ward stated they will be going out tonight to listen for the leak. He will let Supervisor Frank know what they find.
- B. A letter dated July 13, 2021 from the Herkimer County Treasurer, Kim Enea, concerning the Herkimer County Sales Tax Apportionment Summary for the 2021 2nd quarter based on the 2020 tax roll.
Supervisor Frank stated we received a healthy sales tax report from the County.
- C. A letter dated July 15, 2021, and the Brochure from the Herkimer County Fair Association, regarding an invitation to the opening ceremony of the County Fair on August 17th, and 3 p.m. in Memorial Park.
- D. A letter dated July 16, 2021, from the Department of Transportation, Director of the Local Programs Bureau, Peter Ryan regarding the quarterly SFY 2021-22 CHIPS, Pave NY, and EWR reimbursements.
Supervisor Frank stated this is the current balances of the CHIPS program.
- E. Letters dated July 19th and 23rd, 2021 from Charter Communications Director, Alice Kim, concerning upcoming changes in service and pricing.
- F. A letter dated July 21, 2021 from Supervisor Frank to Johann Heimann, a Town resident and a Mckennan Road Water District customer who has a water leak on their property that needs to be repaired.
Supervisor Frank stated this is a copy of the letter sent the Mrs. Heimann concerning the leak on her property. We have set up a meeting with her, Ken Ward, Highway Supt. McMannus, and myself for Thursday to further discuss this with her.

- G. A letter dated July 22, 2021 from the Department of Agriculture and Markets, Animal Health Inspector, Debra Kosier, regarding the Municipal Shelter Inspection Report that was completed on 07/21/2021.
- H. A letter dated July, 31, 2021, from Williamson Sales Manager, Kathy Sayadoff, regarding the annual support increases for the 2022.
- I. A letter received July 28, 2021 from resident Emanuele Carollo concerning codes issues.
- J. A letter from the NYS Department of Labor concerning important information about changes to the unemployment insurance account.

CARRIED AYES ALL

07) Routing.

Motion by Councilman Stateri, seconded by Councilman Carbone to accept and place on file the Doolen Sand and Gravel Mine Application, SEQR and public notice.

CARRIED AYES ALL

Motion by Councilman Carbon, seconded by Councilman Stateri to accept and place on file the NYMIR 2020 Annual Report.

CARRIED AYES ALL

08) Resolutions and Local Laws:

Motion by Councilman Carbone, seconded by Councilwoman Penree to accept and place on file all three transfers recommended by Supervisor Frank.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stateri to accept and place on file the Resolution No. 27 of 2021 a bond resolution for the purchase of a new plow truck.

CARRIED AYES ALL

09) Old Business.

CHIPS 2021: Ken Ward stated the driveways have been repaired on McKennan Road. Supervisor Frank stated he is unsure if everything has been submitted for the Chips funding. Clerk DeMetro stated she knows Highway Supt. McManus was waiting for one more bill.

East German Street Extension Emergency Road repair Project: Councilwoman Penree stated the road has been marked. Supervisor Frank stated he expects the work to be starting soon.

Water District:

McKennan Road Enhancement Project: Supervisor Frank stated we are still trying to get the one easement/ Attorney Bray stated he will ask the County to mark it out so the residents can see exactly where it will be on their property.

West Herkimer Water: Supervisor Frank stated we have received the corrected maps and Clerk DeMetro will file the mylar with the County.

East Herkimer Sewer District: Supervisor Frank stated he has a meeting set with the School Superintendent and some of the board members, along with the engineer so they can ask any questions they may have and see the proposed location. He stated as far as the other easement, he spoke to the engineer and was told there was reason behind why it was put there but they are going to look into the possibility of having it across the road. He hopes to have an answer on this when he sees the engineer on Wednesday. He also stated any of the board is welcome to attend. Attorney Bray stated he is working on the final draft to hand into the State Comptroller.

NYMIR: Supervisor Franks stated under reports you will see our responses. We have gotten to work on a lot of these items and some are already completed.

Codes: Code Enforcer Collis stated he has nothing new to report.

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

Dog Control Local Law: Tabled.

Subdivision Local Law: Tabled.

SunEast Solar Project: Tabled.

Active Fire Department Members Tax Exemption: Supervisor Frank stated he spoke with Assessor Maxwell about this proposal and Maxwell gave him some information regarding it. He found that even in municipalities that offer this exemption most do not take it because then they are not

eligible for the income credit, which usually ends up being more beneficial for them and you can't do both. Supervisor Frank will pass this information along to Councilman Kast and ask him to touch base with the Fire Department with our findings.

Pool Agreement with the Village of Herkimer: Supervisor Frank stated he has not received the signed contract back yet.

Annual Court Audit for 2020: Councilman Stalteri stated he reached out to Court Clerk Donna Cool to coordinate some dates that the judges would be available but he hasn't received any times yet. He will follow up with her.

10) New Business.

2022 Budget Process: Supervisor Frank stated Budget Officer Marcia Baylor is working on the memo to be sent to the department heads. The plan is to have everyone's tentative budgets by the first week of September.

11) Reports.

Motion by Councilman Stalteri, seconded by Councilwoman Penree to accept and place on file the Cash Report for June, 2021.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Bank Reconciliation Report for June, 2021.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman Penree to accept and place on file the Response to the NYMIR Report on 5/26/21.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Water and Sewer Meeting Minutes dated 7/2/21.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri to accept and place on file the CDBG Program Income Report dated 7/22/21.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman Penree to accept and place on file the Home and Community Renewal Participation Plan.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Sales Tax Report for the Town of Herkimer dated 7/23/21.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman Penree to accept and place on file the Contract Agreement for Water District #3 Improvements Project.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri to accept and place on file the Town Clerks Report for July, 2021 from Clerk DeMetro.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Trial Balance Report date August 1, 2021.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman Penree to accept and place on file the Revenue and Expense Report dated August 1, 2021.

CARRIED AYES ALL

Supervisor Frank stated he has been informed that our computers have been running very slow lately. He also stated that Mr. Keeler has assessed the situation and suggested upgrading four of the computers in the office. The computers are now three years old. Councilman Stalteri stated computers only last three to five years now and we need to start a rotation in preparation for this during our budget time. The computers proposed to be replaced are the Town Clerk, Receiver of Taxes/Water Clerk, Budget Officer, and Accounting.

Attorney Bray stated he spoke with the attorney of the client for the purchase of the Arthur Street Property and he was his client needs more time.

12) Purchase orders and Audit:

Purchase Orders. There were no purchase orders for this meeting.

Motion by Councilman Stalteri, seconded by Councilwoman Penree to approve the audit dated August 2, 2021.

CARRIED AYES ALL

13) Adjourn.

Motion by Councilwoman Penree, seconded by Councilman Stalteri to adjourn until our next Regular Meeting to be held on Monday, August 16, 2021 at 6:00PM at the Town Hall located at 114 N. Prospect Street in Herkimer.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk