

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Tuesday, January 19, 2021, at 6:00PM telephonically and virtually.

02) Roll Call of Officers

Present: Supervisor-----Dominic Frank
Councilman-----Randy Kast
Councilwoman-----Kathy Penree
Councilman-----Daniel Stalteri
Councilman-----Vito Carbone
Attorney-----Christopher Bray

Excused: Councilman-----Randy Kast
Deputy Attorney-----Kyle Crandall
Highway Supt.-----David McManus
Codes Enforcer-----Ken Collis

03) **Pledge of Allegiance to the Flag.**
Supervisor Frank led us in the Pledge of Allegiance to the Flag.

04) **Reading of the Minutes.**
Motion by Councilman Carbone seconded by Councilwoman Penree, to accept and place on file the minutes of the previous meetings held on January 4, 2021 as written.

CARRIED AYES ALL

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

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 Carbone, to accept and place on file all the petitions and communications 6A and B listed below.

- A.) A letter dated January 11, 2021 from Herkimer County Personnel Officer, Steven Billings, concerning the 2020 Annual Report of the Herkimer county Self Insured Workers' Compensation Plan.
Supervisor Frank stated we've already paid our portion for 2021 and are slowly getting this down.
- B.) An email dated January 13, 2021 between Supervisor Frank and Executive Director of the Greater Mohawk Valley Landbank, Tolga Morawski, concerning water bills for 220 Main Road.
Supervisor Frank stated this correspondence has to do with the trailer park. He stated as soon as the landbank can provide us with evidence that the taxes and back water bills has been paid to the County, then we will reimburse them what we owe.

CARRIED AYES ALL

07) **Routing.**
08) **Resolutions.**
Motion by Councilman Stalteri, seconded by Councilman Carbone to accept, place on file and approve Resolution No. 5 of 2021-Fixed Resolution Salary Scale.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman Penree to accept, place on file and approve Resolution No. 8 of 2021-Herkimer Water Project CDBG Grant.

Chris Lawton explained that the State has announced funding will be available. The next step is to set a public hearing and also to survey residents for low to moderate income eligibility. He stated we are very close to meeting the income eligibility which would potentially help cover the costs for the residents to hookup and into the line. Supervisor Frank stated depending on the survey some of the residents could get funding and some could not? Chris Lawton replied stated this is correct, the funding would depend on income eligibility requirements. He also stated the deadline to apply is in March so we would need to pass two resolutions tonight; one to hold the public hearing and one for the income survey of the residents. Supervisor Frank stated the cost for the income survey would be \$1,900 to proceed. He also asked what the cost would be for the grant writing? Chris Lawton replied stating that it would be covered under the bond for the project.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri to accept, place on file and approve Resolution No. 9 of 2021- Income Survey for potential grant funding.

CARRIED AYES ALL

09) Old Business.

Water District: Supervisor Frank stated we have decided to skip the water meeting for this month.

Mckennan Road Enhancement Project: Supervisor Frank stated the soil boring should begin within a week.

West Herkimer Water: Supervisor Frank stated we have previously discussed this.

East Herkimer Sewer District: Supervisor Frank stated he wants to verify that the sewer district was filed properly with the County. Clerk DeMetro stated she filed it with the County when the board formed the district.

SunEast Solar Project: Supervisor Frank stated we are waiting for them to indicate to us that they have found a source to sell the energy to.

Codes: Councilman Carbone stated the vehicle is gone and all of the tenants but one has moved out. The trash has been cleaned up. Councilwoman Penree stated she noticed that not all the doors have condemned signs on them. Councilman Carbone stated Codes Enforce Collis did put them on all the doors but the people must of took some down. He will inform Collis so new ones can placed back up.

Landbank: Supervisor Frank stated Councilman Stalteri and himself interviewed the recommended person for the Zombie quarterback position since the last one decided to work elsewhere. He stated the candidate seemed more than qualified for the position.

Dog Control Local Law: Tabled.

Subdivision Local Law: Tabled.

Dyno Solar: Supervisor Frank stated the developer is in negotiations with everyone he owes money to for this project. Once these are resolved he will give us the amount owed to be put in the escrow so we can then pay the bills.

Appointments for 2021:

Town Clerk/ Deputy Town Clerk (two – 1 year term); 01/01/2021 to 12/31/2021

RVS/Deputy Reg. of Vital Statistics (two – 1 year term); 01/01/2021 to 12/31/2021

Clerk DeMetro stated she will be appointing Erin Fitch as Deputy Town Clerk and Deputy Registrar of Vital Statistics.

Councilman Stalteri asked where we stand with the State Police enforcing our local laws? Attorney Bray stated he had previously spoke the DA and they were switching supervisors at the barracks. Bray spoke with the new supervisor and seemed optimistic about them enforcing our laws. Bray will follow up with him again. Councilman Stalteri stated we want to make sure our local laws our enforced and they won't do it, then we need to explore contracting with municipal police force to do so. Bray stated this is another option as well that would require us to contract with a municipality police force.

Councilman Stalteri stated he wanted to let the board that the Union Contract is in their hands and we have not heard back a response yet.

10) New Business.

Supervisor Frank stated we have had a request to lower a water bill for a customer in East Herkimer whose hot water tank flooded her basement. She estimates that the leak happened over two to three days. She had the needed repairs made and is now asking for relief. The bills have not been made yet to reflect the leak. We have asked our water department to check the meter and verify estimated water used above average but due to short staffing this has not been able to get done yet. Councilman Stalteri recommended that we ask her to revisit this with us once she has received her bill so we can more clearly compare the information. He also stated that this could possibly be covered under her homeowner’s insurance.

11) Reports.

Motion by Councilwoman Penree, seconded by Councilman Stalteri to accept and place on file the Dog Control Report for December, 2020 from DCO Erica Dunton.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Town Justices’ Reports for December, 2020.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman Penree to accept and place on file the Trial Balance Report dated January 18, 2021 for 2020.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri to accept and place on file the Revenue and Expense Report dated January 18, 2021 for 2020.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Trial Balance Report dated January 18, 2021 for 2021.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri to accept and place on file the Revenue and Expense Report dated January 18, 2021 for 2021.

CARRIED AYES ALL

11) Purchase orders and Audit.

There were no purchased.

Motion by Councilman Stalteri, seconded by Councilwoman Penree to accept and place on file the Audit dated January 18, 2021 for 2020.

Councilman Stalteri recused himself from the Hummel’s bill.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman Penree to accept and place on file the Audit dated January 18, 2021 for 2021. The board agreed to approve all bills except the Cintas and Oshkosh Plow bills until further information is provided.
Councilman Stalteri recused himself from the Hummel’s bill.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Carbone to go into executive session to discuss personnel and litigation.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman Penree to close executive session with no decisions made.

CARRIED AYES ALL

12) **Adjourn.**

Motion by Councilman Carbone, seconded by Councilwoman Penree, that the Regular Meeting of the Herkimer Town Board be adjourned until the next Regular Meeting to be held on Monday, February 1, 2021 at 6:00PM. The next meeting is scheduled as a virtual and telephonically meeting.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk