

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Tuesday, September 3, 2024, at 6:00PM at the Herkimer Town Hall located at 114 North Prospect Street, Herkimer, New York 13350.

02) Roll Call of Officers

Present: Supervisor-----Dominic Frank
 Deputy Supervisor-----Daniel Stalteri
 Councilman-----Vito Carbon
 Councilwoman-----Kathleen DeCarlo
 Highway Supt.-----Ken Ward
 Attorney-----Christopher Bray

Excused: Councilman-----Randy Kast
 Codes Enforcer-----Ken Collis
 Dog Control Officer-----Erica Dunton
 Deputy Attorney-----Kyle Crandall
 Town Park Supervisor-----Kathi Nasypany

03) **Pledge of Allegiance to the Flag.**
 Councilwoman DeCarlo led us in the Pledge of Allegiance to the Flag.

04) **Reading of the Minutes.**
 Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo, to accept and place on file the minutes of the previous regular meeting held on August 19, 2024 as written.

CARRIED AYES ALL

05) **Public Meeting.**
 Supervisor Frank stated if anyone from the public would like to speak, to please state your name, address and tell us why you are here.

Joseph Roy of 310 Palisades Street stated he is here because he has a big concern of the Utica Alloys big trucks and vehicles speeding. He stated the tractor trailers drive up and then realize its gates so have to back up which is not reasonable for these roads. There are vehicles using the gate as everyday traffic to get in and out. They are speeding down the road and it is a big safety concern. He stated there are signs stating it's a dead end and do not enter signs. He stated he thought it was for emergency vehicles only? Highway Supt. Ward stated as far as he knows it was supposed to be used for emergency vehicles only.

Lysa Crosssett of 210 Grace Avenue stated she has a business out of her home and the constant noise the traffic is causing is making it difficult for her. She stated the roads were just done last year and we want them to be kept nice. They were not made for this heavy traffic or tractor trailers. She stated we are seeking assistance to reduce the level of trucks and amount of traffic. She stated they have reached out to different GPS companies to correct it but it doesn't seem to change. Clerk DeMetro stated she has spent hours as well trying to get this corrected as well but has not been successful. Councilman Stalteri stated we have asked the State to allow us to put bigger signs directing these tractor trailers to the Gros Boulevard entrance but the State denied us. He stated he has dealt with this personally as well where he lives and had made it so the trucker couldn't leave until the troopers came. Councilman Carbone stated he will reach out to the troopers to see if the can have a presence there to assist with the speeding and tractor trailers.

Scott Truett of 210 Grace Avenue stated the speeding is a huge safety concern. Councilman Stalteri stated we were told that the gates were only for emergency use but we will need to do more research. He stated he was told that with some of the contracts this company has secured they would need to be aa secure facility; meaning gated with only one way in and out but he is unsure when this would take effect. We can reach out to them to ask when. He also stated in regards to the tractor trailers the company is handing out flyers to direct them to the proper entrance but there are constantly different drivers coming. Supervisor Frank stated he will reach out to the East Herkimer Volunteer Fire Department as well to see their thoughts as well. Mr. Roy stated we just do not want to see anyone get hurt. Ms. Crosssett stated she would like to request that it be a dead end with emergency access only. Councilman Stalteri stated we will do some research and get back

to you. The board discussed adding the 30mph speed signs and possibly adding stop signs to make it a four way stop. Attorney Bray will look into the proper protocol for us to do so.

Laurie Ruggerio of 121 Broat Road stated we are having a problem with tractor trailer as well. She stated this is a seasonal road but yet vehicles are speeding through here with dangerous curves in the road. Highway Supt. Ward stated he has spoken to the Town of Little Falls Highway Superintendent as well in regards to this issue as part of the road is in each of our towns and he stated he will do whatever we decided to do as well. Ms. Ruggerio stated vehicles are using this road as a short cut but several times now tractor trailers have jack-knifed. She stated Eatonville has 40mph signs posted but there is nothing on this road. Councilman Carbone asked if this is a narrow road? Highway Supt. Ward stated it is very narrow and has very sharp curves. He also stated there is not a speed limit posted therefore it is considered 55mph which in his opinion is completely unsafe. Attorney Bray stated he would recommend that the Town Board pass a resolution to request the speed study be done on this road and a request from it to go from 55mpg to 25mph. He would also recommend we ask for additional signage for the speed and dangerous curves. The board agreed. Supervisor Frank stated we will get the process started.

Motion by Councilwoman DeCarlo, 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 all the petition and communication 6A through D listed below.

- A. A letter dated August 21, 2024 from Charter Communications Associate of State Government Affairs, Alex Camarda, concerning upcoming changes in service.
- B. A certificate of Liability Insurance dated August 21, 2024 for Central Valley CSD effective 7/1/24 through 7/1/2025.
- C. A letter dated August 21, 2024 from NYSDEC Preliminary Engineering Report, design plans and project manual for the proposed East Herkimer Sewer District Extension. Supervisor Frank stated this is a laundry list of things that need to be done in order to get the permit from DEC.
- D. A letter dated August 29, 2024 from NYSDOT concerning the Initial Project Proposal for the Osborne Hill Road culvert over the Tributary to the West Canada Creek. Supervisor Frank stated we need to get a better understanding of what needs to be done for the funding we've received.

CARRIED AYES ALL

07) Routing.

08) Resolutions.

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept, place on file and approve Resolution No. 33 of 2024 to request a speed reduction from 55mph to 25mph one Broat Road from Eatonville Road to the Town line.

CARRIED AYES ALL

09) Old Business.

Water Districts: Highway Supt. Ward stated he has nothing new to report. Supervisor Frank stated we received the water bills from the Village and they seem in line with what we expected.

McKenna Road Enhancement Project: Supervisor Frank stated we are waiting for a permit. Our engineer reached out the regulatory bodies and is waiting for a response.

West Herkimer Water: Supervisor Frank stated Clerk DeMetro and himself attended the Town Supervisor's Association Picnic for Herkimer County and one of the things brought up was the excess of water that Little Falls has and is willing to sell. In regards to the West Herkimer Water Proposed Project, the Authority will not upgrade their facility unless they have signed contracts with the entities involved and as of right now, not all have signed. The Mayor of Herkimer seemed interested in exploring this alternate water source.

East Herkimer Sewer District: Attorney Bray stated he reached out to the owner, Paradyme, of the Herkimer Land Associated Property by Lowe's. He stated we need ownership of the pump station

and need an easement for the line. The developer was to turn ownership of the pump station and easement over to the Town once it was built but we haven't been able to locate proof of such. Supervisor Frank stated we need this situation sorted out in order to proceed with our East Herkimer Sewer Project. Attorney Bray stated the easiest way to fix this is for Herkimer Lan Associates to deed it over to us.

East German Street Extension Emergency Road Repair Project: Supervisor Frank stated he has nothing new to report

Codes: Nothing new to report.

Piper Road: Supervisor Frank stated he has nothing new to report.

Landbank: Councilman Stalteri stated the site work looks done but they are still working on the houses.

Subdivision Local Law: Tabled.

160 Pine Grove Road: Supervisor Frank stated our IT guy is going to integrate the security system of the pavilion with 160 Pine Grove Road via antenna. He did install the new cameras and should have them working properly soon. Jim Thatcher of CT Male who is working as our grant writer will work on getting us a proposal for the results of the survey. Councilman Stalteri asked if the instructor will go over what we want for the storage shed. Highway Supt. Ward stated he will ask him to go over the plans with Councilman Stalteri before they begin building.

Updating Zoning Ordinance/Map: Supervisor Frank stated he sent the County the buffer resolution so they can finish the map.

Herkimer County Mitigation Plan: Supervisor Frank stated he has nothing new to report.

Signs entering Town: Tabled.

Chatgpt Station for electronic cars: Supervisor Frank stated we have a bank account open for this.

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

Public Safety: Tabled.

Farmer's Market: Councilman Stalteri stated lights have been installed and the meter has been upgraded. The light timer is set from 7-10:00PM. Tomorrow the outlets will be installed on the poles. He stated he hasn't heard anything in regards to the solar lighting. Supervisor Frank stated he went up to the park today and we can track the number of people who scan the Q-code. He was also informed that for the fans watching their kids playing tennis cannot see through the wind breaker. We will have to work on an option to accommodate these fans.

Friends of Historic Herkimer County: Councilwoman DeCarlo asked the status of this request?

Supervisor Frank stated from a cash perspective, he believes we will just make it this year. He will need to review our finances for sure to see if it is something that could be possible for this year or not. Councilman Stalteri stated the Village is not contributing to this and he is unsure if any other municipalities are.

10) **New Business.**

Councilwoman DeCarlo stated she wanted to inform the board that she has written a letter to the Department of Finance in regards to the proposed increase being so high for 2025. She would encourage others to write letters as well. Supervisor Frank will do so.

Supervisor Frank stated we are starting to work on 2025 Budget so department heads will get notifications to start budget preparations. Attorney Bray stated he will have a resolution ready for the next meeting to pass the tax cap.

11) **Reports.**

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Bond Council Agreement for the East Herkimer Sewer District. Supervisor Frank stated the USDA requires this language.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the POSS Notification for the East Herkimer Sewer District. Supervisor Frank stated we are required to do this as well.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Excellus Annual Group Information Form. Supervisor Frank stated this is an update of how many people we have here.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Herkimer Hydroelectric Project-Agency Meeting Stone Ridge dated 8/29/2024. Supervisor Frank stated he attended a slide-show zoom meeting on this and during the meeting was discussed repairs to the bank on the opposite side of the creek would be included.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Town of Herkimer Cash Report for July, 2024 from Supervisor Frank.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Stalteri to accept and place on file the Town of Herkimer Bank Reconciliation Report for July, 2024 from Budget Officer Baylor.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the M&S Fire Protection Report of Inspected dated 8/29/24.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Town Clerks Report for August, 2024 from Clerk DeMetro.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Emergency Orders dated 8/24, 8/29, and 9/3 of 2024 for East German St. Ext.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Renewal State of Emergency Declaration dated 8/24/24 for East German St. Ext.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Revenue and Expense Report dated September 2, 2024.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept and place on file the Trial Balance Report dated September 2, 2024.

CARRIED AYES ALL

11) Purchase Orders and Audit.

There is one purchase orders for this meeting from Highway Supt. Ward to purchase sand for the winter. He stated he received three quotes and is asking for approval to the lowest bidder.

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo to approve the purchase order for sand.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file both of the Audits dated September 3, 2024. Councilman 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 Monday, September 16, 2024 at 6:00PM.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk