

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, September 16, 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-----Randy Kast
 Councilman-----Vito Carbone
 Councilwoman-----Kathleen DeCarlo
 Highway Supt.-----Ken Ward
 Attorney-----Christopher Bray
 Codes Enforcer-----Ken Collis
 Dog Control Officer-----Erica Dunton
 Town Park Supervisor-----Kathi Nasypany

Excused: 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 Councilwoman DeCarlo, seconded by Councilman Carbone, to accept and place on file the minutes of the previous regular meeting held on September 3, 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.

Kevin LaQuay of Steuben Hill Road asked if there are any updates for the water? Supervisor Frank stated the Department of Health sent a list of questions that our engineers are working on. Our engineer indicated that he didn't think this was insurmountable. We had to extend the funding again but our engineer thinks we should be out to bid by late fall of this year. He is hoping we have a shovel in the ground in Spring of 2025. Highway Supt. Ward stated he thinks this project would be done by the end of next summer. Mr. LaQuay asked who owns the pump house on his property? Highway Supt. Ward stated the two houses above own it. Mr. LaQuay stated he would like to get a meter and hook into it but he was told by the Village Scott Blais that he can't. Supervisor Frank stated it's not up to the Village to decide. Highway Supt. Ward stated Mr. LaQuay would have to have written permission from both land owners. He stated Mr. LaQuay would need to pay the tap-in fee, buy a meter and put in the line to the pump. Mr. LaQuay stated he understands and is fine with this. Highway Supt. Ward asked if the water would be for the house or the blueberry patch? Mr. LaQuay stated he is only looking to hook-up for water for this house, not the blueberry patch. Supervisor Frank stated we will get Mr. LaQuay the tap-in fee and meter cost.

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

CARRIED AYES ALL

06) **Petitions and Communications.**

Motion by Councilman Stalteri, seconded by Councilman Carbone, to accept and place on file all the petition and communication 6A through B listed below.

- A. A letter dated September 3, 2024 from NYS Ag. and Markets concerning the Municipal Shelter Inspection Report completed on 8/19/24.
- Supervisor Frank stated he believes this is the third report that they we have received stating the Human Society was unsatisfactory.

- B. A letter received September 16, 2024 from Comp Alliance Director of Rick Management, Robert Blaisdell, concerning no recommendations to report for the workers' compensation Loss Control Survey.
Supervisor Frank stated we had a good report with no issues.

CARRIED AYES ALL

07) Routing.

08) Resolutions.

Attorney Bray stated this is a resolution we do annually just in case we need to raise the tax cap. Supervisor Frank stated we do every year as formality.

Motion by Councilman Kast, seconded by Councilman Stateri to accept, place on file and approve the Introductory Resolution No. 34 of 2024 for Local Law No. 3 of 2024 to override the tax cap. The public hearing will be set for our next meeting on October 7, 2024 at 6:05 PM.

CARRIED AYES ALL

Attorney Bray stated for our next he will have a resolution ready for our next meeting for a proposed local law to allow additional stop signs. He asked Highway Supt. Ward to advise him if any other places in the town would benefit from this as well. It would make sense to add them while we are doing this. Mr. Ward will take a look around and report back.

Councilman Stateri stated Legislator Mark Gaworecki has made us aware of grant funding that is available to put sidewalks in near schools. This might be a great way to get sidewalks on Pine Grove Road.

09) Old Business.

Water Districts: Highway Supt. Ward stated we received an email from the State looking for a water service material report. They want to see how many services are lead. He stated he spoke to Chris Demme on Friday and explained to him that we were in all of the homes and businesses to put the new meters in so we know there are no lead services to them. Mr. Demme told him we will still need to fill out the report of every service listed. We cannot confirm all of the street hook-ups unless we dig them all up. Mr. Ward stated any that he has ever had to dig up and work on have been copper. This all has to be done by October 16th. He stated he is pretty sure that we have most of the information on file from when put the new meters in. He stated the Village has hired someone to do this for them. Supervisor Frank stated he doesn't think it is necessary to hire someone and will help is anyway to get the information needed into the excel report.

Mckennan Road Enhancement Project: Supervisor Frank stated we already spoke about it.

West Herkimer Water: Supervisor Frank stated he has nothing new to report.

East Herkimer Sewer District: Attorney Bray stated there's been some back and forth trying to get ahold of the attorney for Paradyme, owner of the Herkimer Land Associated Property by Lowe's. they asked for a photo for reference and stated they are open to the discussion. Supervisor Frank stated this is something that we need to get cleared up in order to proceed.

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

Codes: Codes Enforcer Collis stated he has a few permits out; a couple of fences, pole barns and a cell tower.

Piper Road: Tabled.

Landbank: Councilman Stateri stated things are moving along.

Subdivision Local Law: Tabled.

160 Pine Grove Road: Supervisor Frank stated next Wednesday, September 25th at 10:15 we are meeting with a representative from CT Male to discuss the funding we were granted from BridgesNY and to discuss their interest in giving up a proposal for 160 Pine Grove Road based on our survey results.

Supervisor Frank stated we will be holding a meeting to wrap-up the celebration. This meeting will be held on Thursday at 5:00 at the Town Park. During this time, we will also be discussing an advisory committee for the Town Park. Councilman Stateri stated it will be good to have feedback from the public. Councilman Stateri stated the outlets have been installed on the three poles. Councilman Stateri stated we walked through with BOCES on how we would like the shed built. We need to get the supplies delivered to them. He stated we are thinking a lean-to roof for more

storage and protection from the inclement weather. He also stated he thinks we should hold off on the inner wall so we can have more space. We originally had a wall there but now with the purchase of the side-by-side it will be tight so the more room the better. Councilman Stalteri stated he believes the supplies will cost \$7,500 to \$10,000. Supervisor Frank asked if the building will be insulated? Councilman Stalteri replied stating no, it's not needed. Supervisor Frank asked we will need three quotes and a purchase order. Councilman Stalteri stated he will do so.

Councilman Kast, seconded by Councilwoman DeCarlo to give Supervisor Frank the authority to sign purchase order when the quotes are provided.

CARRIED AYES ALL

Updating Zoning Ordinance/Map: Supervisor Frank stated it is the process and they have been working on it.

Herkimer County Mitigation Plan: Supervisor Frank stated it has been approved and he has downloaded it but it is very cumbersome. He will review it and try to condense it to what regards to us.

Signs entering Town: Tabled.

Charging 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: Town Park Supervisor Nasypany stated the Farmer's Market is done for this year. We had a steady four vendors who seemed to be happy. We also had to two birthday parties up there as well and both went well. Councilman Stalteri asked if the farmers' market did better being closer to the road? Mrs. Nasypany responded saying it helped a little bit but wasn't much difference.

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.

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo to Re-appointment Lisa Ingerham to the Assessment Review Board from 10/1/24-09/30/29.

CARRIED AYES ALL

11) Reports.

Motion by Councilman Carbone, seconded by Councilman Kast to accept and place on file the PureSky SEQR for proposed Solar Project at 109 Edgar Street.

Supervisor Frank stated there are a couple of comments and a letter that the developer will have to comply with.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Town Justices Reports for August, 2024 from Justice Manne and Justice Petucci.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Emergency Orders dated 9/8 and 9/13 of 2024 for East German St. Ext.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Stalteri to accept and place on file the Revenue and Expense Report dated September 13, 2024.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept and place on file the Trial Balance Report dated September 13, 2024.

CARRIED AYES ALL

11) Purchase Orders and Audit.

There are no purchase orders for this meeting.

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file both of the Audits dated September 16, 2024.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo to go into executive session for personnel matters.

CARRIED AYES ALL

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

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, October 7, 2024 at 6:00PM.

CARRIED AYES ALL

Jennifer M. DeMetro, Herkimer Town Clerk