

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, November 3, 2025, 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
Councilwoman-----Kathleen DeCarlo
Councilman-----Vito Carbone
Attorney-----Christopher Bray
Highway Supt.-----Ken Ward
Town Park Supervisor-----Kathi Nasypany
Councilman-----Vito Carbone

Excused: Dog Control Officer-----Erica Duntun
Codes Enforcer-----Ken Collis

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

04) **Reading of the Minutes.**
Motion by Councilwoman DeCarlo, seconded by Councilman Kast, to accept and place on file the minutes of the previous regular meeting held on October 20, 2025 as written.

CARRIED AYES ALL

05) **Public Hearing.**
Supervisor Frank stated he would like to open the public hearing for the 2026 Preliminary Budget. Notice was given in the Times Telegram. Supervisor Frank read the notice that was published in the Times Telegram. Supervisor Frank stated we had some challenges this year, our assessment went down and we are budgeting for the Village Court coming over to the Town Court. This requires more personnel and more time for our judges. We are in a difficult stage in our A fund but we were able to keep all the services that the Town Residents enjoy. He stated if anyone from the public would like to speak relative to the 2026 Preliminary Budget to please state your name, address and opinion. With no one from the public in attendance.

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to close the public hearing.

CARRIED AYES ALL

06) **Public Meeting.**
Supervisor Frank stated he would like to open the public meeting, if anyone from the public would like to speak to please state your name and address. With no one from the public in attendance.

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

CARRIED AYES ALL

07) **Petitions and Communications.**
Motion by Councilman Stalteri, seconded by Councilman Kast, to accept and place on file all the petition and communication A and J listed below.

- A. A letter dated October 6, 2025 from Kristen Gillibrand, United States Senator, regarding her support for funding for the East Herkimer Sewer District Project
- B. Herkimer County Sales Tax dated October 15, 2025
- C. A letter dated October 15, 2025 from MVEDD concerning potential opportunities that MVEDD can assist with.

- D. An email dated October 16, 2025 from Jerry Geter concerning barking dogs on 5585 State Route 5
- E. National Grid Conversation Account Spreadsheet from Highway Superintendent Ward
- F. NYRWA Initial Grade C&D Certification Course
- G. A letter dated October 24, 2025 from Supervisor Frank to Kyle Crandall regarding his resignation as the Town of Herkimer Deputy Town Attorney
- H. A letter dated October 24, 2025 from Supervisor Frank to Joseph Macri concerning his appointment as the Town of Herkimer Deputy Town Attorney.
- I. A letter dated October 27, 2025 from Christine Fleischer, Library Director, regarding the Frank J. Basloe Anniversary Reception
- J. A letter dated October 27, 2025 from Amanda Viscomi, Acting Clerk/Treasurer for the Village of Herkimer concerning the Municipal Pool

Supervisor Frank stated letter J is a letter from the Village of Herkimer that states our contributions were 9,000 dollars for the Municipal Pool. The letter speaks to the materials used and that the Village of Herkimer feels next year they need to increase the wages of the lifeguards and would like our support.

08) Routing

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Herkimer County Soil and Water Conservation District Newsletter.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Herkimer County Housing Study.

CARRIED AYES ALL

09) Resolutions and Local Laws

Attorney Bray stated Resolution No. 40 of 2025 is an annual resolution for our water and sewer, delinquent accounts will be re-levied on to their taxes in January.

Motion by Councilman Kast, seconded by Councilman Stalteri to accept, place on file and approve Resolution No. 40 of 2025 – Water and Sewer Delinquent Accounts

CARRIED AYES ALL

10) Old Business.

Water Districts: Highway Superintendent Ward stated we flushed hydrants on Tuesday and Wednesday. Tuesday morning the Village of Herkimer had a water main break. East Herkimer had water. Spisak said he needed help with the water main break and we went to help. It was not an easy task. Councilman Kast stated he is glad that we can help them out.

McKenna Road Enhancement Project: Supervisor Frank stated we will discuss under reports.

West Herkimer Water: Supervisor Frank stated there is nothing new to report.

East Herkimer Sewer District: Supervisor Frank we are going to be sending a letter to the low bidder, Jablonski relative to rejecting all bids due to budget and we will get them there bid documents back.

East German Street Extension Emergency Road Repair Project: Supervisor Frank stated there is nothing new to report.

Codes: Supervisor Frank stated there is nothing new to report as Codes Enforcer Collis is not in attendance.

Landbank: Deputy Supervisor Stalteri stated they are still siding.

Subdivision Local Law: Tabled.

160 Pine Grove Road: Supervisor Frank stated we have not heard back on our grant application.

Town Park: Town Park Supervisor Nasypany stated we had to cancel the Halloween Event due to weather. The water is off at the park and are we taking down the nets? Highway Superintendent Ward stated yes we will take down the nets tomorrow. Supervisor Frank stated we have our final payment for Central Paving, it is not in the audit tonight. They delivered some top soil to spread in the spring, the base of some of the light poles have exposure. Supervisor Frank stated I spoke with our engineer and Deputy Supervisor Stalteri sent photos to the contractor, we are waiting to hear back. Deputy Supervisor Stalteri stated we can not add dirt as it will be higher than the walking path, we are looking to get it fixed. We are close to closing this project. Supervisor Frank stated we received the closing procedure, I will work on that this week. We only had one vendor and we have all the documents to close out this project. Town Park Supervisor Nasypany asked are we leaving the lights on? Deputy Supervisor Stalteri stated we are going to leave them on, they are on a set timer. Town Park Supervisor Nasypany stated I left a message about the Lion's Club Donation for the Halloween Event. Deputy Supervisor Stalteri stated we are going to leave the flags up, I reached out to get a quote about the lights for the flag poles. He hasn't sent the quote yet; I am going to follow up. Town Park Supervisor Nasypany stated we should get a tree and add some lights for Christmas at the park and make it for the residents to be able to see if from the road. Highway Superintendent Ward stated it would need to be 15 FT for you to be able to see it from the road. Councilman Carbone stated we could do a tree lighting ceremony. Supervisor Frank stated the tree and the ceremony are good ideas, are the picnic tables put away? Highway Superintendent Ward stated they are going to be put under the pavilion for the winter, we can move easily if we need to. Supervisor Frank stated we can ask the high school choir to sing. Councilman Carbone stated we can have Santa there as well. Supervisor Frank asked are we doing the Ice Rink? Highway Superintendent Ward stated there is a lot of site planning to do before we set it up. Where do you want to do it? Deputy Supervisor Stalteri stated the softball field near the Fitness Court, it will not hurt the field. Highway Superintendent Ward asked do the lights shine on the field? We will need to clear a path out front for people to get to it. Deputy Supervisor Stalteri stated I have not bought the equipment yet for the ice rink. Supervisor Frank stated let's plan to do the tree and buy the equipment for the ice rink, if we do not get to it this year we will have it ready for next year.

Updating the Zoning Ordinance: Tabled.

Signs entering Town: Tabled

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

Public Safety: Councilman Carbone stated there is nothing new to report.

Ampion Community Solar Agreement: Tabled.

Veterans Banners: Highway Superintendent Ward stated we put up four banners last week.

LED Street Light Conversion: Supervisor Frank stated we filled out a form for National Grid.

Charging Stations: Supervisor Frank stated we will discuss this in reports.

Village Court: Supervisor Frank stated there is nothing new to report. Deputy Supervisor Stalteri asked have we received a budget from the Village? Supervisor Frank stated no.

Osborne Hill Road Culvert and Shells Bush Road: Supervisor Frank stated we should be getting the cost estimates. We meet a week from today for both, one is at 10:30 and the other is at 11:3. The folks that own the surrounding properties on Osborne Hill are happy to sign the easements. Attorney Bray stated the consultants are working on the extent of the easements, there will need to be temporary and permanent easements.

11) New Business.

Supervisor Frank stated Clerk Moore will explain the Quadsimia Contract. Clerk Moore stated Town of Herkimer's Website is 6 years old and I am looking to upgrade the website to make it more assessable to the residents. We are currently only able to put one alert up on the home page for residents, the upgrade will allow us to have multiple alerts which will eliminate having to choose what alert is most important for example last week we had three alerts, hydrant flushing, canceling the Halloween Event and when the next town meeting is, I felt all of these alerts should be on the home page of the website and I had to choose which one was most important. The upgraded website will have an ADA option for residents with disabilities to help them navigate the website for example residents who are hearing impaired, blind or color blind. When adding new libraries which are adding a new year for Resolutions, Local Laws, Agendas, Meeting Minutes, etc. to the website I have to call Quadsimia to add them to the website and they charge us 100 dollars an hour with the upgrade I will be able to add the libraries without having to contact Quadsimia which will save us money in the long run. This

contract also includes four hours of annual support at no fee. The town currently pays an annual fee of \$1,400 a year, with the upgrade the website fee will go up in 2026 an extra \$1,040 as there is an initial set up fee of \$500 and the yearly hosting goes up by \$540 dollars for a total of \$2,440. Starting in 2027 the annual fee will be \$1,980 and will remain this amount every year after.

Motion by Councilman Stalteri, seconded by Councilman Carbone to authorize Supervisor Frank to sign the Quadsimia Contract for the Town of Herkimer Website.

CARRIED AYES ALL

Supervisor Frank stated let the minutes reflect that the Tax Cap Report was submitted at 7:17 PM on November 3, 2025.

11) Reports.

Supervisor Frank stated this is the seventh amendment to the contract, we had some difficulty with getting the project passed by the Department of Health. This took so long that the amounts have changed, this is all reimbursable through the grant.

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Amendment for the Mckennan Road Enhancement Project contract with KB Engineering.

CARRIED AYES ALL

Supervisor Frank stated we are asking for 75,000 to address the needs, the needs we need to address are in the Herkimer County housing plan.

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Pro-Housing Gran Application for Residential needs in the Town of Herkimer.

CARRIED AYES ALL

Supervisor Frank stated SAM is the renewal to be a vendor with New York State.

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept and place on file the 2025 -2026 SAM Registration Renewal.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the East Herkimer Fire District 2026 Budget Summary.

CARRIED AYES ALL

Supervisor Frank stated the budget reflects the increase for the sales tax.

Motion by Councilman Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Town of Herkimer 3rd Quarter Sales Tax Report.

CARRIED AYES ALL

Supervisor Frank stated this is to access the site for Bridge NY.

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to accept and place on file the EBO Contract – Bridge NY

CARRIED AYES ALL

Supervisor Frank stated the report covers the installation information for the town office, the highway department and the town park. Our contracts need to be keep active for five years, if we are not active we are delinquent and we will need to pay money. This was funded by

NYSERTA, the invoice is in the audit tonight for the next year for the software. The Town Garage, we have all the information for all the sites. In March of this year they were installed. The software operates the machines without them they do not work. The main office was installed in 2024. The software provided five years' worth of software, I filled out a form to access the software for the main office. The Town Park, I have a portal for the software which is for both the highway and the park. There has not been high usage but we are obligated to have them for five years.

Motion by Councilman Stalteri, seconded by Councilman Carbone the Electric Charging Stations Report

CARRIED AYES ALL

Supervisor Frank stated there were three contracts, general, water, and electrical. Deputy Supervisor Stalteri stated the bid opening was today, the room was filled. The water was the only one with one bid. The project was over budget, we will need to get more funding, we have 1.2 million in grants and 600,000 in loans. 3.9 million is the total, the bidders were advised that the engineer and board will be reviewing the bids and the earliest we would be able to award a bid would be November 17. Supervisor Frank stated our consultant engineer thinks it would be hard to get more grants from EFC and we will need to do a loan through them. We will be contacting EFC to discuss.

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the results of the November 3, 2025 bid openings for the following contracts #1 General Construction, #2 Water Storage and #3 Electrical.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded Councilman Stalteri accept and place on file the Emergency Orders dated 10/23, 10/28 and 11/2 for East German Street Extension.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept and place on file the Revenue and Expense Report dated November 3, 2025.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone to accept and place on file the Trial Balance Report dated November 3, 2025.

CARRIED AYES ALL

Supervisor Frank asked does anyone have any other reports. Highway Superintendent Ward stated I am having trouble with the company that delivers our salt. I told them we do not work on Fridays, do not deliver on Fridays. They delivered our salt on Friday, I called the Cargil and spoke with them they said there is instructions not to deliver on Fridays. The NYS Rep called me and told me to call if we ever have any more problems. The trucking company is going to pay for the load (2,400 tons). Cargil said they are not going to charge us until the trucking company pays for it. We will draw up a bill.

12) **Audit**

Motion by Councilman Carbone, seconded by Councilman Stalteri to accept, place on file and approve the audit dated November 3, 2025

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Kast to go in to excessive session for a contractual matter.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to adjourn from Executive Session and resume meeting of the Town Board. No decision were made in Executive Session.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded Councilman Carbone to approve the Preliminary Budget of October 19, 2025 as the Adopter 2026 budget of the Town of Herkimer with amendment to reflect the updated Fire District budget of \$217,215 as indicated in the November 3, 2025 meeting agenda of the Town Board.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Kast to not reopen negotiations of the current Teamsters contract as is relating to Highway employee's health care premium contributions at this time.

CARRIED AYES ALL

13) Adjourn.

Motion by Councilwoman DeCarlo, 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 November 17, 2025 at 6:00PM.

CARRIED AYES ALL

Kristal Moore, Herkimer Town Clerk