

01) Deputy Supervisor Stalteri called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, October 20, 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: Deputy Supervisor-----Daniel Stalteri
Councilman-----Randy Kast
Councilwoman-----Kathleen DeCarlo
Attorney-----Christopher Bray
Highway Supt.-----Ken Ward
Town Park Supervisor-----Kathi Nasypany
Codes Enforcer-----Ken Collis

Excused: Councilman-----Vito Carbone
Dog Control Officer-----Erica Dunton
Supervisor-----Dominic Frank

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 Councilwoman DeCarlo, seconded by Councilman Kast, to accept and place on file the minutes of the previous regular meeting held on October 6, 2025 as written.

CARRIED AYES ALL

05) **Public Hearing.**

Deputy Supervisor Stalteri stated he would like to open the public hearing for Local Law No. 2 of 2025 to updated our Parking Ordinance. He stated if anyone from the public would like to speak relative to Local Law No 2 of 2025 to please state your name, address and opinion. With no one from the public in coming forward.

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

CARRIED AYES ALL

06) **Public Meeting.**

Deputy Supervisor Stalteri stated if anyone from the public would like to speak to please state your name and address.

Michelle Herringshaw of 5585 State Route 5 stated her neighbors have been calling the board her dogs. Deputy Supervisor Stalteri stated there is a correspondence in the petitions and communications tonight as well as Councilman Carbone and DCO Dutton have spoken with the neighbor. Michelle Herringshaw stated he is harassing me and I am not sure what to do. Attorney Bray stated I am the Town Attorney I cannot give you legal advice as I am the Town's Attorney but I can advise you to call an attorney or contact the police. Deputy Supervisor Stalteri stated Councilman Carbone has addressed the situation with the neighbor and DCO Dutton has been there as well. The correspondence will be placed on file.

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

CARRIED AYES ALL

07) **Petitions and Communications.**

Motion by Councilman Kast, seconded by Councilwoman DeCarlo, to accept and place on file all the petition and communication A and G listed below.

- A. A letter dated October 9, 2025 to Supervisor Frank from Walter T. Mosley, Secretary of State regarding the West Canada Creek Floodplain Restoration and Strategic Relocation Project

- B. An email dated October 7, 2025 from Joe Saulsbery, Project Engineer for KB Engineering concerning Herkimer Water District #3 Improvements.
- C. A letter dated October 15, 2025 from Charter Communications concerning an upcoming change.
- D. A Certificate of Workers' Compensation Insurance dated October 8 2025 from Horender Contracton Inc.
- E. A Certificate of Liability Insurance dated April 17, 2025 from Horender Construction Co. Inc.
- F. A Certificate of Liability Insurance dated September 26, 2025 from Morton Buildings Inc.
- G. A letter dated October 20, 2025 from Pam Cancelino concerning a complaint about a neighbor's dog.

08) Routing

CARRIED AYES ALL

09) Resolutions and Local Laws

Attorney Bray stated Resolution No. 37 of 2025 is for the JCAP Grant, we passed a resolution last meeting for the Town Supervisor or the Deputy Supervisor to sign. The Court said it should state that the justices or Town Court is authorized to sign.

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to accept, place on file and approve Resolution No. 37 of 2025 – Resolution Authorizing the Town Court to Apply for Grant Through Justice Court Assistance Program (JCAP)

CARRIED AYES ALL

Attorney Bray stated Resolution NO. 28 of 2025 is an annual resolution that we do for the Preliminary Budget and to set the Public Hearing for November 2, 2025.

Motion by Councilwoman DeCarlo, seconded by Councilman Kast accept, place on file, and approve Resolution No. 38 of 2025 – Resolution Approving the 2026 Preliminary Budget and Scheduling the Public Hearing.

CARRIED AYES ALL

Attorney Bray stated Resolution No. 39 of 2025 is to Adopt Local Law No. 2 of 2025. The Town updated the Parking Ordinance a couple years ago. When we updated it Piper Road was left of the ordinance, it was on an older ordinance. Per Highway Superintendent Ward's recommendation, it is unsafe to have parking on Piper Road as it is narrow. We are adding no parking on Piper Road. Codes Enforcer Collis stated who is going to enforce it? Attorney Bray stated the State Troopers once it is filed with the state by Clerk Moore.

Motion by Councilwoman DeCarlo, seconded by Councilman Kast to accept, place on file and approve Resolution No. 39 of 2025 – Resolution of the Town Board for the Town of Herkimer Adopting Local Law No. 2 of 2025 Vehicle and Traffic Law of the Town of Herkimer Parking Ordinance

CARRIED AYES ALL

10) Old Business.

Water Districts: Highway Superintendent Ward stated I showed some of the guys from the pre bid the Highland Ave Pump House. Deputy Supervisor Stalteri stated Jeff is issuing an Addendum on by Friday, the BID opening is November 3 at 10:00 AM. There are three contracts. We can award the bid on November 17 if all goes well. All ordering will be done in the winter months. Highway Superintendent Ward stated the gentleman I brought up said they can do directional drilling in the winter. Once the Village is done, we will begin hydrant flushing in East Herkimer. Deputy Supervisor Stalteri stated there is a computerized system that can detect leaks. It is an interesting concept and

we will have to look into it, it may help offset the cost we have when we have leaks. Highway Superintendent Ward stated I believe it was through TV Sales, I saw the email about it. I think it was 225 dollars per unit per year.

Mckennan Road Enhancement Project: Deputy Supervisor Stalteri stated we had the pre bid this morning, there was a lot of potential bidders that came. The bid opening will be November 3 at 10:00 AM.

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

East Herkimer Sewer District: Deputy Supervisor Stalteri stated there is nothing new to report.

East German Street Extension Emergency Road Repair Project: Deputy Supervisor Stalteri stated we were awarded a grant. Our grant writer and Dominic are reviewing the grant.

Codes: Codes Enforcer Collis stated there were five building permits last month for garages and septic systems. The trailer on Zoller Ave was demoed. He received calls from residents regarding a building permit for Natural Gas Lines. The state will no longer issue permits for a gas lines and National Grid is requiring a building permit to put them in. As of the new year the state will no longer allow gas lines to be put in.

Landbank: Deputy Supervisor Stalteri stated there is nothing new to report.

Subdivision Local Law: Tabled.

160 Pine Grove Road: Deputy Supervisor Stalteri stated the East Herkimer Fire Department as well as a couple other departments had training at the building. Councilman Kast stated the departments really appreciated us letting them us the building, it is a good spot to practice search and rescue. Highway Superintendent Ward stated they closed the road, I spoke with Chief Ted Hiltz and told him to inform us before closing the road so that I able to inform the public of the closure.

Town Park: Town Park Supervisor Nasypany stated the Lions Club will be paying for donuts and cider. There are at least ten participants that have agreed to have a set up along the walking path. Deputy Supervisor Stalteri asked when are we shutting off the water? Highway Superintendent Ward stated we are shutting down November 1. Deputy Supervisor Stalteri asked are we taking down the nets? Town Park Supervisor Nasypany stated we are taking them down when the water is shut off. Deputy Supervisor Stalteri asked what about the wind screens? Highway Superintendent Ward stated yes we will take them down too. Deputy Supervisor Stalteri stated Boces is working on the shed, it was unlocked when they got up there. Town Park Supervisor Nasypany stated maybe the electrician left it unlocked, I locked it last time I was there. Deputy Supervisor Stalteri stated the electrician is still working on it and Boces will need to get in. Town Park Supervisor Nasypany stated I can unlock it in the morning when I do the bathrooms. Deputy Supervisor Stalteri stated let's keep it locked and when they are ready to go up and work on it I will give you a call to open it.

Councilwoman DeCarlo stated "No Lifers" pickle ball group approached me regarding painting more lines on the court to add more pickle ball courts. Deputy Supervisor Stalteri stated we will need to have a layout or plan drawn up. Once we have a layout, we can get an estimate and bring it to the board to discuss. Councilman Kast asked will it interfere with the Tennis Courts? Deputy Supervisor Stalteri stated we will need to see the sketch first to make sure it does not interfere with the tennis courts. Town Park Supervisor Nasypany stated the college and the high school both use the tennis court for tennis matches.

Updating the Zoning Ordinance: Tabled.

Signs entering Town: Tabled

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

Public Safety: Deputy Supervisor Stalteri stated there is nothing new to report, Councilman Carbone is not here.

Ampion Community Solar Agreement: Tabled.

Veterans Banners: Highway Superintendent Ward stated they will be putting up four banners after they finish the sand first.

LED Street Light Conversion: Deputy Supervisor Stalteri stated it looks like they may have started.

Charging Stations: Deputy Supervisor Stalteri stated the software is not bringing in revenue. We will table Charging Stations until Dominic gets back.

Village Court: Deputy Supervisor Stalteri stated the Village Court July 1, 2026. Justice Petucci applied for the JCAP Grant. The grant should cover a lot of the construction costs.

Osborne Hill Road Culvert: Attorney Bray stated there is nothing new, he hasn't heard from anyone regarding the Easements. Highway Superintendent Ward asked are we going to send them something to sign? Attorney Bray stated yes, we wanted to have a conversation first before

sending the documents. Highway Superintendent Ward stated I will speak with the local property owner regarding the easement and let him know we will be sending documents over to sign.

Shells Bush Road Bridge: Deputy Supervisor Stalteri stated there is nothing new to report.

11) New Business.

Deputy Supervisor Stalteri stated there will be a workshop meeting on Wednesday for the preliminary budget. We set the public hearing for November 3 earlier in the meeting.

Deputy Supervisor Stalteri stated a neighbor is requesting a gate at the fence behind the building so that they can have access to their home and do not have to walk around. The gate would be locked and they would take care of all the expenses. I spoke with Supervisor Frank and he is concerned that if we take out the fence for a gate that the town will end up having to pay to replace it. Attorney Bray stated are they asking for a person gate or a car gate? Deputy Supervisor Stalteri stated a person gate. Councilman Kast stated it seems like it may cause an issue with parking, we need to utilize all the parking we have as we need to accommodate for the Village Court coming over. Highway Superintendent Ward stated he puts the snow back their when they plow. Deputy Supervisor Stalteri stated we would have to hire the contractor. Councilman Kast stated what is the point of the fence? Deputy Supervisor Stalteri stated to stop people and cars driving through the town's parking lot from the building behind the fence. Councilman Kast stated it would create more foot traffic. Deputy Supervisor Stalteri stated I will tell the neighbor that the board feels it is a public safety issue and we will be leaving it as it stands.

11) Reports.

Motion by Councilwoman DeCarlo, seconded by Councilman Kast to accept and place on file the September 2025 Monthly Justice Report from Justice Petucci

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Kast to accept and place on file the Court of Appeals Upholds Even Year Election Law

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Kast to accept and place on file 2024 Coastal Bond Act Budget Summary & Deli

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Kast to accept and place on file Application for funding for East German Street Extension Project

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to accept and place on file Executed March Associates Court Expansion Contract

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman DeCarlo to accept and place on file the Renewal State of Emergency Declaration 10/18 for East German Street Extension.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded Councilwoman DeCarlo accept and place on file the Emergency Orders dated 10/8, 10/13 and 10/18 for East German Street Extension.

CARRIED AYES ALL

Motion by Councilman DeCarlo, seconded by Councilwoman Kast to accept and place on file the Revenue and Expense Report dated October 20, 2025.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilwoman DeCarlo to accept and place on file the Trial Balance Report dated October 20, 2025.

CARRIED AYES ALL

12) Audit

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to accept, place on file and approve the audit dated October 20, 2025

CARRIED AYES ALL

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

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to adjourn from executive session and continue the regular meeting with no decisions made in executive session

CARRIED AYES ALL

13) Adjourn.

Motion by Councilman Kast, seconded by Councilwoman DeCarlo, that the Regular Meeting of the Herkimer Town Board be adjourned until the next Regular Meeting to be held on Monday November 3, 2025 at 6:00PM.

CARRIED AYES ALL

Krystal Moore, Herkimer Town Clerk