

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, May 4, 2026, 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 Carbone
Councilman-----Randy Kast
Councilwoman-----Kathleen DeCarlo
Highway Supt.-----Ken Ward
Attorney-----Christopher Bray
Codes Enforcer-----Ken Collis
Deputy Attorney-----Joseph Macri

Excused: Dog Control Officer-----Erica Dunton
Town Park Supervisor-----Kathi Nasypany
Public Relations Consultant---Shannon Costello

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

04) **Reading of the Minutes.**
Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo, to accept and place on file the minutes of the previous regular meeting held on April 20, 2026 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 why you are here.

Robert Schrader of 15 Dickie Ave stated he is here as a resident and not as a legislature. My neighbor Ms. Vanderwalker put green waste out, she put out 10 barrels. I have never heard of that you can only put three barrels out. The Town is using my tax payer dollars to do this, what is the difference between ten barrels and three barrels. I have seen the truck you can fit it. I clean up her yard and I had to move the barrels that were not cleaned up, it can be a fire risk as many residents have camp fires in that area and the sparks could fly. Do we pay to have the green waste dumped? Highway Superintendent Ward stated we have had these rules in place for years. It sits at my dad's property until it is grinded up. It gets grinded up once a year by the Herkimer and Oneida Solid Waste. Robert Schrader stated something needs to be changed, residents have more than three barrels. I have had multiple residents complain about the green waste or that have not had their stuff picked up. Deputy Supervisor Stalteri stated how do we move forward and get something that works for everyone. We need to sit down and relook at this. We need to be able to provide services as well as take care of our highway guys. We have been having harsher winters which is creating more green waste. Calmer heads prevail. Robert Schrader stated he sent an email to all the board members with pictures. I came up with a proposal that I will send to the board. We want people to invest in our community and we want our community to look nice. Highway Superintendent Ward stated the first week of green waste, we pick up all the green waste that is out. After the first week, we start picking up only three barrels. These rules have been in place since John Richard was the Highway Superintendent, we are enforcing them. I do not appreciate you calling me and swearing about the green waste. We had people from other towns bringing over stuff and that was costing us money. We need to enforce the rule to ensure this does not happen. Deputy Supervisor Stalteri stated I know we can move forward and figure something out. We will work on it, send me your suggestions and I will write them down. We will get his figured out. Councilwoman DeCarlo stated there is a limit of barrels in the Village of Herkimer as well. Councilman Carbone stated branches need to be cut up in the village to four feet and place in a barrel. Highway Superintendent Ward stated we also pick up for county roads, maybe work with the county to have them help us. Robert Schrader asked did you receive the grant from the county? Deputy Supervisor Stalteri stated it has not been awarded yet.

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

CARRIED AYES ALL

06) Petitions and Communications.

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

- A. An email dated April 21, 2026 from the Herkimer Softball League requesting permission to use the fields at the Town Park
- B. A letter dated April 24, 2026 from Supervisor Frank to Joy Stevens regarding her appointment as Court Clerk.
- C. Herkimer County Sales Tax Report
- D. A letter dated April 27, 2026 from Matthew J. Leonardo from Hinman Straub to Clerk Moore regarding a Required Notice to Municipality for Air City Cannabis, LLC.
- E. A letter dated April 30, 2026 from Mark Gaworecki, Regional Structures Management Engineer for the DOT, to Highway Superintendent Ward regarding a yellow flag removal report.
Highway Superintendent Ward stated letter e is a letter from the engineer regarding Fiddletown Road. Last year it was yellow flagged for corrosion. We replaced the beams and they removed the yellow flag. We are all good now.
- F. A notice dated May 1, 2026 from Assessor Maxwell regarding Town of Herkimer Sewer District 4

07) Routing.

08) Resolutions.

09) Old Business.

Water Districts: Highway Superintendent Ward stated we read meters and they look good. Jodi is going to mailing out the bills next week. Deputy Supervisor Stalteri asked was there a water main break? Highway Superintendent Ward stated there was a water main break on East Steele Street in the Village. Pullman Flatts opened and we lost pressure in East Herkimer. I have to talk with Matt Spisak because we should not be losing that much pressure.

Mckennan Road Enhancement Project: Supervisor Frank stated there is nothing new to report.

West Herkimer Water: Supervisor Frank stated Mohawk Valley Edge and Mohawk Valley Economics is surveying the municipalities to see who would like to participate. The Village of Ilion and us are on record stating we will be participating. I haven't heard about any of the other towns and villages but that doesn't mean they are not participating.

East Herkimer Sewer District: Supervisor Frank stated we are waiting to hear back from the county and Northern Boarders on grants.

East German Street Extension Emergency Road Repair Project: Supervisor Frank stated FEMA has come out with another round of funding that we will be applying for. Our other applications are still active but we will be applying.

Codes: Codes Enforcer Collis stated Eric Boyer owner of the Smith Road Brewery is looking to add a 50 X 100 building for tasting. Codes doesn't allow for it; I may have to send it to the zoning board to decide on a variance. Deputy Supervisor Stalteri stated I thought the state required a tasting room. Codes Enforcer Collis stated he is also planning on selling food. Supervisor Frank asked what is it zoned as? Codes Enforcer Collis stated it is zoned as Agriculture. I will look into it and I have the state looking into it as well. Supervisor Frank stated talk with Assessor Maxwell too. Codes Enforcer Collis stated I am also looking into Planning Board Meeting Minutes. The HCC Solar planted trees but they do not meet the plans, they are too small. I did reach out but I have not heard back yet. Deputy Supervisor Stalteri stated they do not get an occupancy permit until they meet the plans. The new owner of the former Glen Ridge Motel sent me a 1,500-dollar check for the annual hotel/motel license. They are will have between 1 and 50 rooms. I did not cash the check as they did not send me the plans. Should I send the check back? We are not ready to issue them a license

as they have not completed the process to get a license yet. Deputy Attorney Macri stated Codes Enforcer Collis should send the check back.

Landbank: Deputy Supervisor Stalteri stated nothing new to report.

Subdivision Local Law: Tabled.

160 Pine Grove Road: Supervisor Frank stated I spoke with Brian about our security cameras not working, he will look into it. Deputy Supervisor Stalteri stated there are no lights in the mechanical room as well, it may have something to do with the water we got during the winter. Under new business there is a site plan and SEQR that was forwarded to DASNY. The Planning Board will meet on May 13, 2026 at 6:00 PM and they will be the lead agency on the SEQR. Dan and I will be in attendance at the meeting along with the consultants. Codes Enforcer Collis I copied you on to an email with Planning Board Chairman Gaworecki. This shows the drainage that will be included in the parking lot.

Town Park: Supervisor Frank stated we received the final bill for the three change orders for the chain link fence. Deputy Supervisor stated we wanted a break down and itemized list. The bill is 21,000. Did we schedule the clean up for the Town Park? Deputy Supervisor Stalteri stated we are on the list of projects for the college to get volunteers. We need to do a walk through of the park and make a list of what needs to be done. We can ask the softball group if they need anything done as well or would like to volunteer. Councilwoman DeCarlo stated I will let Town Park Supervisor Nasypany know. Deputy Supervisor Stalteri stated reach out to me if you need any help.

Updating 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.

Arthur Street: Supervisor Frank stated I spoke with the owner and I am waiting to hear back from her. We cannot offer more than the appraisal; we will need to do an environmental.

Village Court: Supervisor Frank stated the judges want to reach out to Brian to do the equipment for the new court equipment. Deputy Supervisor Stalteri stated I did a walk through with Mike Snyder and Jim Schultz regarding the court renovation. We did call two other contractors but they did not respond. The CSEA took coating off the walls and I showed both contractors that it will need to be replaced. I advised the contractors that the toilet will need to be taken out and the bathroom will need to be sealed as well as I advised them of the court renovation plans. There will be three lock sets that will all be keyed to the master. They were each given the same scope of work. We received two quotes, a paper quote from Mike Snyder for \$15,789 and a verbal quote from Jim Schultz for \$. 8,750. I recommend the Town go with Jim Schultz with the same scope of work as his quote is cheaper. We will need a write quote and workers comp.

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to authorize Supervisor Frank to do a purchase order and accept the quote from Jim Schultz once he submits workers comp.

CARRIED AYES ALL

Osborne Hill Road Culvert + Shells Bush Road Bridge: Supervisor Frank stated we have a zoom meeting coming up and we will see where we are. The Shells Bush Road Bridge Project, a brochure was mailed out to neighbors and a public informational meeting will be held on May 18, 2026 at 6:00 PM during the regular town board meeting. The public informational meeting date has been posted on both the Town of Herkimer Facebook Page and the Town of Herkimer Website.

10) **New Business.**

Supervisor Frank stated we already covered three of the four items on new business either in the meeting. The last item for new business is the comprehensive plan. When we apply for grants, they ask if we have a comprehensive plan and we do not. This hurts us when applying for grants. The CFA awards grants to hire consultants for this type of work. It will be in the town's best interest to have a plan, I just wanted to let you know that I will be perusing that.

Supervisor Frank stated Dan and I met with the Community Foundation. We presented the project to Joe Wick, he had interest in the project. They can help with a small amount of money and some other resources. Over all we felt it was a good meeting.

Highway Superintendent Ward stated he would like to sell the old roller, the lawnmower and the two 2001 international snow plows.

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to list the roller, lawnmower and the two 2001 international snow plows on auction.

CARRIED AYES ALL

Reports.

Motion by Deputy Supervisor Stalteri, seconded by Councilman Carbone to accept and place on file the April 2026 Town Clerk Monthly Report from Clerk Moore.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Deputy Supervisor Stalteri to accept and place on file the Bridge NY Reimbursement Tracking.

Supervisor Frank stated we are paid up until the 7th invoice, the 8th invoice is waiting on a canceled check and the 9th invoice is in tonight's audit.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Deputy Supervisor Stalteri to accept, and place on file the East Herkimer Sewer Project – USDA Form E update.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Carbone to accept and place on file the March 2026 Monthly DCO Report from DCO Dutton.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded Deputy Supervisor Stalteri to accept and place on file the April 2026 Monthly DCO Report from DCO Dutton.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Carbone to accept and place on Telecommunications Ceiling from NYS ORPTS.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Deputy Supervisor Stalteri to accept and place on file Final Railroad Ceiling Certificate from the New York State Department of Taxation and Finance, Office of Real Property Tax Services.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Carbone to accept and place on file the Town of Herkimer Sales Tax Report.

Supervisor Frank stated we are on track to meeting the budget.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Carbone to accept and place on file the Final Certification of Special Franchise Values and Assessments for the Town of Herkimer from New York State Department of Taxation and Finance, Office of Real Property Services.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Deputy Supervisor Stalteri to accept and place on file the Town of Herkimer 2025 Annual Financial Report, Proof of Certification and Proof of Submission.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Carbone to accept and place on file the March 2026 Bank Reconciliation from Budget Officer Baylor.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Deputy Supervisor Stalteri to accept and place on file the March 2026 Cash Report from Supervisor Frank.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Emergency Order dated 4/21, 4/26 and 5/1 for East German Street Extension.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Deputy Supervisor Stalteri to accept and place on file the Emergency Order dated 4/22, 4/26 and 5/2 for Oberle Road.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Carbone to accept and place on file the Revenue and Expense Report dated May 4, 2026.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Deputy Supervisor Stalteri to accept and place on file the Trial Balance Report dated May 4, 2026.

CARRIED AYES ALL

Supervisor Frank stated I met with the Supervisor's Association and they are also supporting the HCCC Foundation for the Fourth of July Fireworks.

Supervisor Frank stated I will be out for six weeks starting May 18 for surgery.

1.1) Audit and Purchase Orders

Supervisor Frank stated we have a disaster fund at M and T Bank, we received a letter that it hasn't been active for 23 months and that we need to make a deposit just to show some activity. There is a voucher in the audit for 100 dollars for the disaster fund.

Motion by Councilman Carbone, seconded by Deputy Supervisor Stalteri to accept, place on file and approve the Audit dated May 4, 2026.

CARRIED AYES ALL

Motion by Councilwoman DeCarlo, seconded by Councilman Carbone to go into executive session for a litigation matter.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Deputy Supervisor Stalteri to adjourn from executive session and resume the regular town board meeting.

CARRIED AYES ALL

12) 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, May 18, 2026 at 6:00PM.

CARRIED AYES ALL

Kystal Moore, Herkimer Town Clerk.