

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, July 6, 2026, at 6:00PM at the Herkimer Town Hall located at 114 N. Prospect Street, Herkimer, NY 13350

02) Roll Call of Officers

Present: Supervisor-----Dominic Frank
Deputy Supervisor-----Daniel Stalteri
Councilman-----Vito Carbone
Councilwoman-----Kathleen DeCarlo
Highway Supt.-----Ken Ward
Town Park Supervisor-----Kathi Nasypany
Attorney-----Christopher Bray
Codes Enforcer-----Ken Collis

Excused:

Councilman-----Randy Kast
Deputy Attorney-----Joseph Macri
Dog Control Officer-----Erica Dutton
Public Relations Consultant--Shannon Costello

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 Councilman Carbone, to accept and place on file the minutes of the previous regular meeting held on July 6, 2026 as written.

CARRIED AYES ALL

05) **Public Meeting.**

Supervisor Frank stated if anyone would like to address the board to please state you name, address, and tell us why you are here.

Steve Trevor, a resident at 276 Eatonville Rd, addressed the board about a campsite on 273 Eatonville. He stated that he tried to get information from codes about zoning and hasn't received anything. Supervisor Frank stated that they could get a copy of the zoning ordinance. Supervisor Frank asked what the property was zoned as. Codes Enforcer Collis stated that it is zoned R3. Supervisor Frank asked what is allowed in R3. Codes Enforcer Collis stated that they are allowed to do the RVs. He also stated there are two RVs on property and it is considered an Airbnb. The Health Dept. was there and said there was nothing wrong with it since there are low amounts of people, they do not regulate. If there are more than 11 people camping, then they will regulate it as a campsite. If they exceed the limit they would have a bigger problem. They have septic in the RV, porta potties, there are no extra showers besides the ones in the RV. The porta potties and septic in the RV's get emptied by Webbers Service. Supervisor Frank asked what if the water runs dry in RV? Codes Enforcer Collis stated I assume they will use the water they have to refill. Codes Enforcer Collis stated that each RV sleeps 8 people. Deputy Supervisor Stalteri asked if they have to keep a registry. Codes Enforcer Collis stated they do not keep one now but once they get the permit they will have to. Highway Superintendent Ward asked do we have a legal right to view their Air Bnb records to make sure they match the registry? Codes Enforcer Collis stated I imagine they would. Deputy Supervisor Stalteri stated if they get the permit they have to follow the rules and regulations, if they are in violation and are over 11 people we have to be able to see it. Councilman Carbone asked do they need a business license to operate? Codes Enforcer Collis stated no. Steve Trevor stated they are advertising much more than just the two RV's. They are advertising toilets, RV Parking, composite showers and tent sites. Frank Trevor of 266 Eatonville Road stated they are on all types of sites advertising, sites like Air Bnb, TS Haven and a couple other sites. They are called Dew Drop Inn. Supervisor Frank asked Codes Enforcer Collis what type of action are you recommending? Codes Enforcer Collis stated I am recommending that we approve it. Steve Trevor stated I can get a petition from the residents and a lawyer if I have to. I am not happy with this.

Deputy Supervisor Stalteri stated we need to look at the advertisements that are online. Now that they have filled out the application, the advertisement needs to match with the rules and we need to make sure they are abiding by the law. To me it sounds like the advertisement is well beyond the scope of what is allowed. If they are in violation of the rules and regulations, we can revoke their permit. Steve please understand they are allowed to have 11 or less people but they need to be abiding by the rules. I believe we need to consult our attorney before making any decisions. Their intent seems to be to bring more people in and we need to be able to understand their intent. We need to investigate and look into the advertisements, to see what their intent is. We also need to get an answer from them regarding the advertisements and why they do not match with what they are applying for. Frank Trevor stated when Codes Enforcer Collis spoke with them originally they said it was only for friends and family but they are advertising more than just family and friends. I live right across the street I see what they are doing and they are trying to sneak things in. There is people pulling in between 10 PM and 3 AM. In the meantime, are they able to run? Deputy Supervisor Stalteri stated a permit was not issued. Codes Enforcer Collis stated I verbally told them if they submit the application and pay the fee that they would be able to continue. Deputy Supervisor Stalteri stated I think we need to speak with our attorney before we make any decisions. Frank and Steve, we will speak with our attorney and let you know what he says. Steve Trevor asked if I do not hear from you by the next meeting should I come to the meeting? Supervisor Frank stated yes if you do not hear from us, come to the next meeting. Deputy Supervisor Stalteri stated thank you for coming in gentleman. Supervisor Frank stated is there anyone else who would like to address the board? With no one coming forward to address the board.

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 Councilwoman DeCarlo, to accept and place on file all the petition and communication A through M listed below.

- A. A letter dated May 5, 2026 from the New York State Thruway Authority their project to upgrade the Authority's Land Mobile Radio System.
- B. A letter dated June 2026 from Excellus BC/BS regarding the 2027 Rate Filing Notification.
- C. A letter dated June 4, 2026 from RuthAnne Visnaukas, Commissioner/CEO for Homes and Community Renewal regarding the Pro-Housing Communities Program.
- D. A letter dated June 11, 2026 from Stan Koniszewski, Business Agent for Teamsters regarding Union Negotiations.
- E. A letter dated June 12, 2026 from Matthew F. Howard, Regional Director DOT, regarding his new appointment as Regional Director.
- F. A letter dated June 15, 2026 from Supervisor Frank to the Mitigation Section Review Team regarding East German Street Extension.
- G. A letter dated June 16, 2026 from Supervisor Frank to the MVRREDC regarding the Town of Herkimer's support for the Herkimer Diamond Mines & KOA Resort Achieve Proposal.
- H. A letter dated June 22, 2026 from National Grid regarding termination of service for A & Z Motel Corporation.
- I. A letter dated June 26, 2026 from National Grid regarding termination of service for A and Z Motel Corporation.
- J. A letter dated June 30, 2026 from Charter Communications regarding an upcoming change.
- K. An email dated July 1, 2026 from Governor Kathy Hochul regarding the Municipal Parks and Recreation Statewide Grant Program.
- L. A letter dated July 1, 2026 from Arrow Bank National Association regarding the Adirondack Bank.
- M. A letter from Rural Utilities Service regarding the Circuit Rider Program.

Supervisor Frank stated letter B is Excellus has indicated a 13% increase for the Health insurance. Letter C is we renewed for the Pro-Housing Community. Letter D is a letter from Teamsters regarding negotiations. Highway Superintendent Ward stated Stanley is no longer with teamsters and Tom Quackenbush will be representing the guys for negotiations. Supervisor Frank asked who is on the committee? Deputy Supervisor Stalteri stated it is Councilman Kast and Councilwoman DeCarlo.

Supervisor Frank stated letter L is a letter from Arrowbank. Adirondack bank is now Arrowbank. Supervisor Frank stated we received notification from the Parks and Recreation Grant that we were awarded 900,000 for the Town Park. This is funding for the Town Park to make the bathrooms handicap assessable, add bocce courts, walkways around the tennis courts, light fixtures to the light poles, two way bleaches in between the fitness court and the basketball court, dug outs for the all-purpose field and more. This is the same grant writer and team that got us the community center grant, we are very happy and pleased with their services.

Motion by Councilman Carbone, seconded by Councilwoman DeCarlo to accept and place on file the letter dated June 30, 2026 from the New York State Parks and Recreation regarding the Municipal Parks and Recreation Program grant award for the Town Park.

CARRIED AYES ALL

07) Routing.

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

CARRIED AYES ALL

08) Resolutions.

Supervisor Frank stated we have one resolution tonight. Resolution No. 16 of 2026. Resolution to Authorize Supervisor Frank or Deputy Supervisor Stalteri to submit application through Smart Growth Community Planning Grant Program through consolidated funding application. This grant is the Smart Growth Grant. We would have a local match of 15% which would be 20,250 and the grant amount would be 135,000. We would hire a consultant to work the process and help us through the grant. The Smart Growth grant is to grow areas that are already developing. The MVDD staff are writing the grant and are writing themselves into the grant as the consultant.

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept, place on file and approve Resolution No. 16 of 2026.

CARRIED AYES ALL

09) Old Business.

Water Districts: Highway Supt. Ward stated there was a couple water breaks. One was at the trailer park, we hit a gas main. National Grid came and fixed it, the water is fixed as well. We will be reading water meters at the end of the month. Mr. Griffith on McKennan Road was hoping to hook up to the water. He wanted to know when the McKennan Road enhancement project will be? Supervisor Frank stated we meet this week or next week regarding the project with the funding source. We may need to reapply for funding. Highway Superintendent Ward stated he said he can hook up to his father's water next door if the project will not be happening soon. Supervisor Frank stated we were informed by the Village Clerk that the water rates will be increased 5% a couple months ago. On the Village's agenda for their meeting tonight they have a public hearing to increase water rate. I am not sure if this means they are increasing again or if they never held the public hearing to increase the first time. I will reach out and ask.

McKennan Road Enhancement Project: Supervisor Frank stated we spoke about this earlier but we will be meeting with the funding source.

West Herkimer Water: Supervisor Frank stated there is new administration at the Village of Ilion, they were taking the lead on this I am not sure what will happen.

East Herkimer Sewer District: Supervisor Frank stated we have not heard back from the county about the infrastructure grant. I will look into it. I have webinars for EPA Grant and Northern Borders Grant. East German Street Extension Emergency Road Repair Project: Supervisor Frank stated one of our funding sources for one of our grants cannot be used until we buy the properties. Our grant writer is writing to FEMA and Disaster relief. We are eligible for other natural disaster relief grants. We apply roughly once a year for grants, we are going to need to get moving with this project.

Codes: Codes Enforcer Collis stated I sent a letter to the resident on Piper Road that she needs to get rid of the pigs by June 30, 2026. I will need to take her to court, I am going to check with the court to

see when I can get her on their schedule. Deputy Supervisor Stalteri asked have you heard anything from ELG? Codes Enforcer Collis stated no I have not, I will follow up.

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

Subdivision Local Law: Tabled.

160 Pine Grove Road: Deputy Supervisor Stalteri stated

Town Park: Town Park Supervisor Nasypany stated we have the Wellness Fair this weekend on July 11 from 9 to 1. Councilwoman DeCarlo stated we have a lot of events throughout the day, utilizing the fitness court, tennis court, basketball court, the walking path and the all-purpose field. We will be doing the first responders and kids kickball game again this year, the kids loved it last year. Deputy Supervisor Stalteri stated he will be there Thursday to hook up the PA system and give it a test run. Town Park Supervisor Nasypany stated Ben is back from last year from the summer youth program. Supervisor Frank stated Jim was going to look at the shed. Highway Superintendent Ward stated I met with him on Friday. He was going to contact Dan. We have missing pieces for the shed, I will look around and find out. Deputy Supervisor Stalteri asked could they have been delivered to boces? Supervisor Frank stated let's look into it or we may need to reorder the missing pieces.

Updating Zoning Ordinance: Supervisor Frank stated this will be a part of our comprehensive plan.

Signs entering Town: Tabled.

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

Arthur Street: Attorney Bray stated the seller's attorney asked for a copy of the appraisal last week, they are still talking with their clients.

Public Safety: Tabled.

Village Court: Supervisor Frank stated the renovations look good and we need to update the code system for the back. Deputy Supervisor Stalteri stated the exit hardware for the back door needs to stay, can we lock the kitchen door and only have one exit? Codes Enforcer Collis stated he can look at it. Supervisor Frank stated the building is located in the village, we may need to have village codes look at it as well. Should we get an alarm on the door? Deputy Supervisor Stalteri stated we can put a sign that the alarm will go off if the door is used. Supervisor Frank stated court will be held on by Justice Manne on Tuesdays at 1:30 and Wednesday at 6:00 PM by Justice Petucci. The court office hours' will be the same until they understand the flow and get everything settled then they will add more office hours or sessions.

Osborne Hill Road Culvert and Shells Bush Road Bridge: Supervisor Frank stated they are headed towards an established plan and we will be able to talk about more funding once we have the established plan.

HCCC Decommissioning Bond: Supervisor Frank stated we had agreements with the owners. Have you heard from him? Codes Enforcer Collis stated I haven't heard from her in two weeks. Last time we spoke I let him know that he has to uphold the contract. I will give him a call tomorrow. What name is it in? Attorney Bray stated the original decommissioning bond is in HCCC Solar LLC and Green Volt LLC for 175,000 with HCCC Solar.

Oberler Road: Supervisor Frank asked where are we with Oberle Road? Highway Superintendent Ward stated I went up there the other day and it looked the same. We need to get up there to get the rock in still. I am going to coordinate with the village as I would like them up there when we do it to watch the water line.

10) New Business.

Supervisor Frank stated the Herkimer Softball League is requesting 1,500 for two proposed dug out for the softball field. Deputy Supervisor Stalteri stated this is for field two. The dug outs in the grant are for field one which is for the all-purpose field. The softball league is going to be paying the bulk through fundraising and donations. Supervisor Frank asked do you have a drawing of the dug outs? Deputy Supervisor Stalteri stated yes. Codes Enforcer Collis asked how big are the dug outs? Deputy Supervisor Stalteri stated they are 8 by 20 dug outs, they will be reusing the existing benches.

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept, placed on file and approve the request for the Town of Herkimer to pay 1,500 to the Herkimer Softball League for dug outs on field 2 at the softball field.

CARRIED AYES ALL

Supervisor Frank stated we spoke about the Hotel/Motel Application earlier in the meeting. We are going to speak with our attorney.

Supervisor Frank stated this states the requirements we have to meet for DASNY to get under contract.

Motion by Councilwoman DeCarlo, seconded by Deputy Supervisor Stalteri to accept, place on file and approve the DASNAY Environmental Requirements for the Town of Herkimer to get into contract.

CARRIED AYES ALL

Supervisor Frank stated I asked Attorney Bray to review our purchase policy regarding bidding requirements. We have been working with an architect on the community center that we would like to continue working with as they are knowledgeable and are aware of the project. Can we award this to them? Attorney Bray stated I looked under general municipal law as well as the purchasing policy and you can award to the architects. The decision much be based on cost for tax payers or knowledge of the project. Yes, you can do it.

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to approve and move forward with March Associates as the landscape architects for the community center based on familiarity and the success we have had with the company.

CARRIED AYES ALL

Supervisor Frank stated this is the annual pool contract with the Village of Herkimer for the municipal pool. Deputy Supervisor Stalteri stated I like that it is paid weekly and there is accountability for the money and where they can use it.

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept, place on file, and authorize Supervisor Frank to sign the Village Pool Contract for 2026.

CARRIED AYES ALL

Supervisor Frank stated Deputy Supervisor Stalteri reported the lights were off at 160 Pine Grove Road. The power was out. Clerk Moore stated I spoke with National grid regarding the power being out, we received a bill for 28.14 from 2024 regarding the gas. I asked why we do not receive a bill for electric or gas since 2024 they said they will look into it. They stated that they need to have someone come down and look at the meters. Deputy Supervisor Stalteri stated someone came down on Thursday to look at the meters I haven't heard back from them. Clerk Moore stated I will contact them tomorrow and follow up regarding the bills, power and meters. Highway Superintendent Ward stated if the power is still out see if they can have a service guy come out.

1.1) Reports.

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Court Audit dated May 25, 2026 from Justice Manne.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Necessary Forms for Comprehensive Plan including the Gender-Based Violence and Workplace Certification and the MWBE Compliance Form.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Bank Reconciliation report dated April 2026 from Budget Officer Baylor.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Cash Report dated April 2026 from Supervisor Frank.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Permanent Easement for 281 Pine Grove Road.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Easement for Pump Station and other Utilities for the Herkimer Central School District.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Piper Road Quarterly Progress Report.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Emergency Orders dated June 16, 21, 26, July 1 and 6 of 2026 for East German Street Extension.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Renewal State of Emergency Declaration dated June 16, 2026 for East German Street Extension.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Emergency Orders dated June 17, 22, 27, July 2 of 2026 for Oberle Road.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Renewal State of Emergency Declaration dated June 17, 2026 for Oberle Road.

CARRIED AYES ALL

Motion by Councilman Kast seconded by Councilman Carbone to accept and place on file the Emergency Orders for Oberle Road dated 6/2, 6/7 and 6/12 of 2026.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilman Carbone to accept and place on file the Revenue and Expense Report dated July 5, 2026.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Trial Balance Report dated July 5, 2026.

CARRIED AYES ALL

12) Audit and Purchase Order
PO #7 of 2026-TV/Video/Audio for Town Court

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to approve and place on file the purchase order 7 of 2026 for TV/Audio for the Town Court.

CARRIED AYES ALL

- PO #8 of 2026 – File Drawers for Town Court -Tabled
- PO #9 of 2026 – Desk for Chief Court Clerk-Tabled
- PO #10 of 2026 – Chairs for Town Court-Tabled
- PO #11 of 2026 – Shelving for Town Court-Tabled

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to approve and place on file the Audit dated July, 6 2026.

CARRIED AYES ALL

13) Adjourn.

Motion by Deputy Supervisor Stalteri 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, July 20, 2026 at 6:00PM.

CARRIED AYES ALL

Kristal M. Moore, Herkimer Town Clerk