

01) Supervisor Frank called to order the **Regular Meeting** of the Town Board of Herkimer held on Monday, August 3, 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-----Randy Kast
Councilwoman-----Kathleen DeCarlo
Highway Supt.-----Ken Ward
Attorney-----Christopher Bray
Codes Enforcer-----Ken Collis
Town Park Supervisor-----Kathi Nasypany

Excused:

Councilman-----Vito Carbone
Deputy Attorney-----Joseph Macri
Dog Control Officer-----Erica Dutton
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 July 20, 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.

Terri Buckley, a resident at 273 Eatonville Rd. She stated that she wanted to apologize as she did not have any information from the meeting held on July 6, 2026. Throughout the meeting minutes it stated that Codes Enforcer Collis recommended approving her Airbnb. The Health Dept. sent her a letter on the July 7, 2026 approving it. Terri stated, at the meeting on July 20th, Codes Enforcer Collis stated that they were shut down. Terri stated that Codes Enforcer Collis stated they had bathrooms and outdoor showers. The Health Department did not find them during their investigation. She stated that they do not have them. Terri stated that they still do not have outdoor showers, and that they haven't been operating since they were told they were shut down. On July 6th meeting, someone asked Codes Enforcer Collis if they were zoned for it. They are allowed RV's. Terri stated that in the minutes someone asked Codes Enforcer Collis if they needed a license to operate. Codes Enforcer Collis told them no. Terri then stated that there is another section where someone asked what their intent was. She stated that when they filled out the application they have one RV not two. Terri stated that the Health Department stated that anything over 11 people, but someone mention up to 12 people but nothing says that many people. She stated that none of her stuff stated 11, none said they had showers or bathrooms. Terri stated that the Board is being told all these stories about what is going on at the property. Codes Enforcer Collis has walked the whole property. Terri stated that he said he knew there were no outdoor showers on the property. The Health Dept. stated that there were no outdoor showers. Terri stated that there is no people coming in the middle of the night. They have cameras all over their property. There is no one coming in the middle of the night. Terri stated that there are no secret things going on, and that they are not hiding anything. Terri stated that they have two RV's parked in their yard. When she spoke to the Health Dept., they stated that Codes Enforcer Collis stated that he wanted them to approve the Airbnb. Terri stated that anyone can go out and see there are no showers. The one RV is in front of the Pole Barn. Terri stated that if the advertisements said there were showers and water then okay. She stated that no one is showing her an advertisement

where it says showers and water. The Hippa sight that people are talking about is a spot for one tent if someone wanted to swing through and use the spot. Terri stated the spot is not open and not listed. There is a porta potty, picnic table, and a fire pit. She stated if they asked if they could use the pool she would say yes. Terri stated that they always have a porta potty because of the pool. Her house used to be an Inn. Now it is her house. She stated that they do not need to apply for a license for a business. She stated that they have a registry. In her registry she stated that everyone who has been there has their names on the back of the calendars. After she was told they were shut down after the meeting on the 20th, she stated that they have canceled all future reservations. She stated that there are notes from the people about their experiences with their kids. Terri stated she went around to all local businesses to ask for a brochure to put in her RV to let the people know what is around them to do. Terri stated that next door to Frank is a house that is overgrown. Across the street is another home that is overgrown. She stated that her husband has called before to complain about the properties being overgrown and not taken care. Deputy Supervisor Stalteri asked where the homes are in relation to her property. Terri states that Frank's home is across the street from them. Terri states that they have been like that for a long time, and there are a lot of trees knocked down. Deputy Supervisor Stalteri stated that those are not in the Town of Herkimer. Highway Superintendent stated that the top of the road is Little Falls District. Deputy Supervisor stated that we do not have any jurisdiction over those properties as they are Little Falls. Terri stated that across the street is overgrown. She also stated that Codes Enforcer Collis stated that he would give them the application, they can pay for it and can continue running. Supervisor Frank stated that after last meeting the material presented said 10-12 beds. Over 10. Based on code if it is over 10 it is considered a hotel, and a hotel is not permitted in a Residential area. Supervisor Frank stated that he is just stated what the counselor told Codes Enforcer Collis. Attorney Bray stated that Supervisor Frank was correct in his explanation. Terri stated that nothing says 12. She stated that there is no possible way to fit 12. Attorney Bray stated that 12 is not the issue, and the code reads that sleeping accommodations of 10 or more is a hotel. Terri stated that she can lower the number of accommodations in the trailer. Attorney Bray stated that it sleeps at least 10. Terri stated that she asked if she could get a smaller RV and reapply. Attorney Bray stated that she should reapply after she gets the smaller RV. He stated that if he had a hotel that has 6 rooms that can sleep two people but is not letting the one room be used it does not matter because there are still the sleeping arrangements. They still have the room for those two people. Attorney Bray stated that one number is in application, one number on website, and completely different on the brochure. Attorney Bray stated that they are her own marketing materials. He stated that he does not take kindly the false information on documents submitted to the town. Attorney Bray stated that the Codes Enforcer should not have to independently verify every bit of information on the paper. Terri stated at the last meeting that she had made mistakes on her application and went through it and showed him. Attorney Bray stated that the code defines a hotel as 10 or more people, and has been a rule since 1992. If you have 10 or more sleeping arrangements, it is a hotel. Attorney Bray asked how many does the tent sight accommodate. Don and Terri stated the tent sight is not listed on there. Attorney Bray stated that it shows that they can sleep up to 10 people right now which means they are a hotel and they are permitted in commercial zones. He stated that they are making the argument to the Town Board but it should be made to the planning board to get you a variance or special use permit to allow you to operate this type of business in a residential area. Terri asked that in her RV they are saying she can't have 10 people. Deputy Supervisor Stalteri asked if accommodation is the key term? Attorney Bray stated that in the Town of Herkimer zoning, they are a hotel in a residential area. Supervisor Frank stated that it was the issue. Terri asked why the Health Department state that is 11 and not 10. Attorney Bray states that they are trying to judge if you are a campground, we are saying that you are a hotel in the Town of Herkimer Ordinance. Terri stated that she submitted a letter to get information on the code to Deputy Clerk Beach. Terri asked why they were not notified that they were denied a month ago, so they could have fought it a month ago. Attorney Bray stated the he was only informed about it from the last meeting. Supervisor Frank asked to verify if they had sent in a FOIL Request for information. Terri stated that she does not have any information anywhere, and the confusion is that one day it is okay, and then the next it is not. She did not turn in anything saying she has two RV's operating. Deputy Supervisor Stalteri asked Attorney Bray how he was getting the sleeping accommodations of 10 or more. Attorney Bray stated that it goes by the information that is given which is not accurate which he understands. He stated that Codes Enforcer Collis did a little independent investigation, and he did a little investigation and it says 10

or more. Pamphlet says 10 or more. Terri stated that she wants to see where is says 10 or more.

Attorney Bray stated the brochure says 8-10. Terri stated that it was not 10 or more. Attorney Bray stated that 10 is the 10 or more. Councilwoman DeCarlo stated that 10 is the key. Terri stated that she wants to see where it is listed. Supervisor Frank stated that the Town will answer the FOIL in a timely manner and send the documents that she is requesting, and then they will go from there.

Terri stated that the Health Dept. they you can allow only so many guests. It does not make since that it says it will sleep 10 but does not mean I will allow 10. Supervisor Frank stated that they are stuck with the code and it says 10. He stated that the town will send the information and as

Attorney Bray stated you can pursue the zoning board for a variance. They meet once a month.

Attorney Bray stated that the planning board would do a special use variance. He also stated that all he has looked at is the 10 or more code, and the zoning talks about ordinances and making sure things are properly zoned. He stated that if you are zoned R3 you are okay, but if you are zoned R1 it is only residential. The numbers are 2 or more but less than 10 in proper zoned areas. Terri stated that she could get a small RV. Attorney Bray stated that before she makes any changes she should look at the hotel motel law. Based on the map it looked like she was R1. Terri stated that she was doing Foster care until 2016 and had more than 10 kids in her home.

Supervisor Frank asked if there was anyone else from the public that wished to address the board.

Steve Trevor, a resident of 276 Eatonville Rd. Steve stated that he was there to discuss the RV/Airbnb situation. He also stated that he believes the zoning should be strictly residential and R3 is not good for the Town of Herkimer at all. Steve stated that he is a community man, and the Airbnb/ RV business does nothing for the community. He stated that the Airbnb is a commercial business and this is a residential area. He stated he would like to set up a meeting with the Zoning Board to get it changed from R3 to R1 to be just a residential area. He stated that there have been many changes since 1992. He stated that the owners of the Airbnb are out to help themselves and he wants to protect the community as he has been a member of the community or all of his life. Steve also stated that he asked at the last meeting about RV and parking laws. Attorney Bray stated that as long as vehicles are registered you can have up to 4 vehicles in your yard as per the Property Maintenance Law and one unregistered. Codes Enforcer Collis stated that you can only have one unregistered vehicle and up to four registered vehicles. Steve asked about parking laws. Steve also stated that he was not sure about the how the application was written but thought at one time it stated that the trailer would be used as a rental. Attorney Bray stated that he did not know any information on that. He also stated that it was clarified by the applicant, and there is nothing in the property maintenance law about where they can park their vehicles. Steve stated that on July 27th at 5:30 he was visited by the NYS Troopers, stating that they had received a call from the Town of Herkimer about a neighbor dispute. He also stated that he was here to inquire about it. Steve stated that someone from the town called them. Attorney Bray stated that he is not sure if anyone from the Town Called. He also stated that there were allegations from a past meeting that I had stated that it was criminal and should be referred to the Troopers. Steve stated that there were remarks made after the last meeting from the neighbors. Steve stated another concern of the breeding of dogs. He stated that they have 8-10 dogs over the age of 6 months. He stated he has no problem with it as he has bought a dog from them in the past. He stated that they do not stop. Attorney Bray stated that Dog Control Officer Dutton is aware of the situation and has been up to talk and investigate. He stated that there is a meeting set up for the DCO officer and Codes Enforcer to visit and do an investigation. The town is aware of the dog situation. He also stated that they are doing the process of getting the permit and doing investigations. Attorney Bray stated that as long as the owners are following the rules and regulations, they can do what they want. The town's job is to make sure it is in a safe and responsible manner. Steve stated that he would like an update on the zoning and hope it stays as a residential area only. Supervisor Frank thanked Steve.

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

CARRIED AYES ALL

06) Petitions and Communications.

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the Petitions and Communications A-F.

CARRIED AYES ALL

07) Routing.

- NYS Legislative Commission on Rural Resources Report.

Motion by Councilman Kast, seconded by Deputy Supervisor Stalteri to accept and place on file the routing of the NYS Legislative Commission on Rural Resources Report.

CARRIED AYES ALL

08) Resolutions.

09) Old Business.

Water Districts: Highway Superintendent Ward stated that they read meters. He stated the DNA Hoops/Sports account is now set up after speaking with Receiver of Taxes Rivers. Highway

Superintendent Ward stated that he spoke with Receiver of Taxes since he did not see the reading at first. There are dots for every account and he could not find it. Supervisor Frank stated that the Receiver of Taxes was off today due to traveling and will be back tomorrow. Councilwoman DeCarlo asked how the dots get moved. Highway Superintendent stated that there are so many dots that they scatter and make it hard to read. He also stated that the garage manually answers.

McKenna Road Enhancement Project: Supervisor Frank stated that they are still looking for money. He stated that they contacted the grant writer. The grant write also put the country infrastructure together, the IDA used her. Supervisor Frank stated that she has the potential to write the Northern Borders Grant. He stated that the grant cycle is out now and the application is due at the end of August. He stated that there is some protocol as they already have a grant open with Northern Borders. Supervisor Frank stated that the other avenue they could take, would be in January there will be more spending opportunities. He stated that they will continue to work on getting more funding, and that they are currently waiting for an extension.

West Herkimer Water: Supervisor Frank stated that there is nothing new since the July 20th meeting. He stated that there was a change in administration in Ilion and Herkimer. He stated that they are working to move the project along and that they have been in conversation.

East Herkimer Sewer District: Supervisor Frank stated that in the meeting packet under new business is the agreement to be our resource. It was budgeted for 4 ft. Supervisor Frank stated they needed a notice to proceed and that he had met with this today. He also stated that once they get the notice to proceed they will be in business. He stated that it would not take long, unless there was another environmental review. He stated that the USDA is resubmitting what they did three years ago to see if it will suffice, and that there may be a cost. Supervisor Frank stated that the Environmental Protection Agency needs the same materials submitted. He stated that the some of the questions being asked are similar and others are different. He stated that it is the same deal for Northern Borders as it is for the Environmental Protection Agency. He stated that there is a letter requirement to get the determination that they are done. He stated that the application needs to be done for the Environmental Protection Agency. Supervisor Frank stated that he needed a login. To login into SAM you need to have login information. Supervisor Frank stated he does not have the right program to download materials.

East German Street Extension Emergency Road Repair Project: Nothing New.

Codes: Codes Enforcer Collis stated that a Mrs. Ciko was having a problem with the noise from ELG Alloys. He stated that he has monitored it every few days. His reading was saying 45-50 decibels at different times. He stated that it is an acceptable level. In the noise ordinance there is no set level, and according to the Maintenance law there is also no set level listed. Codes Enforcer Collis stated that the DEC also does not have a level listed. He stated that they could get a third party to monitor to prove the decibel levels, and there is not much they can do about the issue. Codes Enforcer Collis stated that he went to ELG and the decibel readings are 75/80 which is not good, but it does not reach the property at that level. He stated that they have two elbows. The turned one towards BOCES, and did not turn the other one yet. Deputy Supervisor Stalteri stated that turning the one elbow has helped a little bit. He stated there are times where he does not hear it. Deputy Supervisor Stalteri stated that

the wind affects it. He stated that it is the worst at the Town Park in the parking lot. He stated that it is in line with their home, and the best plan is to cooperate with ELG. They have discussed a sound wall being a preliminary step. Deputy Supervisor Stalteri is unsure of what they came up with, and that currently the best plan is to do what they are talking about. The neighbor is in line of fire and wants help. It may help to have an annual meeting to update the community on the sewer project, and see what they are willing to do. Highway Superintendent Ward stated that he drives the property to read the meters, and it was very loud by the blowers. He stated that the one that was turned was not that loud. Codes Enforcer Collis stated that he will get back to them after the meeting. He said there are many bolts and it takes a while to turn them. If they are in compliance they would turn it, but he hopes they will. Attorney Bray suggested that they have a time that they can run. Codes Enforcer Collis stated that he got a permit for a guy who wants to start an Airbnb on Shells Bush Rd. Supervisor Frank asked if it was zoned Agricultural. Codes Enforcer Collis stated that he was not sure. Councilman Kast stated that they have to go by the zoning. Attorney Bray stated that he would look into it. Codes Enforcer Collis stated that the plans he received from the owner of Glen Ridge are the same plans from 6 months ago, and that is does not have a scope on what they are going to do with the property. Deputy Supervisor Stalteri asked if they paid the permit and did an application. Codes Enforcer Collis stated that they need a reason to deny it. Supervisor Frank stated that if there is no information then there is no decision. Deputy Supervisor Stalteri stated that if there is no information then there is no permit. Attorney Bray stated to send a letter to show denial. He also stated the property on Shells Bush Rd is R2 Agriculture which means more than 2 to 10 beds. Deputy Supervisor Stalteri stated that there are a lot of talk about homeless people living in there and in the modular park. His response was the codes officer has asked them to board up the openings, and that there are people working at park and people that are allowed to get their mail, but cannot live there. Codes Enforcer Collis stated that before someone broke in to the Glen Ridge. He also stated that they were living there and John Cancelino called the troopers. They were arrested but they left the bikes. He told the owner he had to come back and board it back up. Deputy Supervisor Stalteri asked if they had a timeframe to board it back up after he told them he had to do it. Codes Enforcer Collis stated that he can set a time frame and he gave them a week. Councilwoman DeCarlo asked what the consequences are if it is not boarded back up this week. Codes Enforcer Collis stated that he would fine them. Highway Superintendent Ward asked if they could hire someone to board it up and then send the owner the bill. Codes Enforcer Collis stated that they could but would have to pay. Deputy Supervisor Stalteri said there is a process to doing that. Supervisor Frank stated that the potential Airbnb is zoned Agricultural and R2. Attorney Bray stated that it is 2 to less than 10. He can have a rooming house more than 2 less than 10 people. Attorney Bray stated that changing the zoning ordinance is a giant undertaking. It was done in 1992, and it is the way the board felt. Councilman Kast stated that the recommendations came from the zoning/planning board. Attorney Bray stated that back in that time Airbnb's did not exist, and that it should be updated, but it is a lot.

Landbank: Tabled.

Subdivision Local Law: Tabled.

160 Pine Grove Road: Supervisor Frank stated that under new business there is a proposal from March Associates to appoint a final design. Deputy Supervisor Stalteri and I talked about with Matt Lacey is a notion of having a construction manager or Clerk of the Works for this project. It seems like the scope of the project might be more aligned with a Clerk of the Works which is not included in proposal. Supervisor Frank stated that it is his recommendation to approve the proposal which is in line with the budgeted amount for this type of service, if not less. He stated that when you get a grant, they use certain percentages. They are trying to do is get the roof fixed as quickly as they can. If they wait for the clerk of the works proposal. Supervisor Frank stated that he wanted to get going so they can bid out the roof now, and bid out the rest later on. He also stated that Matt thought by late March or April they would be out bid. Supervisor Frank stated that he has a recommendation for a person and we have asked him to reach out as they are interested and be talking very soon. It would be incorporated under services with March Associates. Deputy Supervisor Stalteri stated that the roof is can they get it done before roofing season ends. The answer was probably not. He stated that there would be temporary work, replacement of steel joices, and be out of roofing season for the roof. Deputy Supervisor Stalteri stated that it would be a temporary covering as an alternative to get through the winter, and stop internal damage. Supervisor Frank asked Attorney Bray if he has been able to look. Attorney Bray stated that he has only seen the MVEDD. Councilman Kast asked if we need 3 bids because they are over on their limit. Supervisor Frank stated that they do not. His recommendation is to go with this firm since they have been with them since the beginning. Councilman Kast stated that

he wants to make sure they are doing it by their own rule. Attorney Bray stated that this one is about what are they doing for me, and how much is it going to cost. He stated that there is no problem with the letter.

Motion by Supervisor Stalteri, seconded by Councilman Kast to allow the Town Supervisor of the Town of Herkimer to sign any and all documents that are sent for the Proposal from March Associates dated July 28, 2026 for professional services for 160 Pine Grove Road.

CARRIED AYES ALL

Town Park: Town Park Supervisor Nasypany stated that Shannon is on vacation. Shannon has an updated schedule for everything that is going to happen on Community Day, and she will send it when she is back. Everything looks good, lots of vendors, food trucks, and zoo-mobile. Supervisor Frank asked how does the park looks. Town Park Supervisor Nasypany stated that the town looks goods. She stated that it needs more bags, and that it needs to be mowed. Deputy Supervisor Stalteri asked if they could have Ben pull weeds out by the flags. He also asked if there was any feedback about seeing e-bikes on the path. Town Park Supervisor Nasypany stated that she has not. Deputy Supervisor Stalteri stated that he has heard, and the response would be to call the troopers.

Updating Zoning Ordinance: Tabled

Signs entering Town: Tabled.

Friends of Town of Herkimer/Not for Profit: Tabled

Arthur Street: Attorney Bray stated that he has heard back from the seller's attorney, and can move forward. Supervisor Frank executed the agreement on the 23rd and sent out the check. Attorney Bray stated that they have adjusted some of the dates to conduct the Environmental review and started the process already. He stated that he received feedback today that the seller is requesting more time to removed their personal items. Attorney Bray stated that the town originally gave them until September 1st to remove their things, but they are requesting we move it to October 1st. He stated that he knew they would ask for more time, and I told them I would let them know by tomorrow. Supervisor Frank stated that in the packet under new business, and they will get it done in a month. By the end of August, the Environmental roll will be done. Deputy Supervisor Stalteri ask if they would have the ownership by October 1st. Attorney Bray stated that they would still take ownership, but they would give them more time to move their stuff out. Councilman Kast stated that they can use the landbank to send equipment down and that they are just responsible for the tipping fees. Attorney Bray stated that they can use/ take down by the end of the year. It shouldn't be much later than 10/1. Highway Superintendent Ward asked if there was an abatement. Supervisor Frank stated that they would do it in phase 1. He also stated that the agreement does not include the abatement. Attorney Bray stated that it has to be wet when demolished. Highway Superintendent Ward stated it needs to be a professional company. Attorney Bray stated that the landbank money will help. Supervisor Frank stated in a few weeks we will know. He stated that he would talk to county about fees if they close early. Deputy Supervisor Stalteri stated that he will talk with Mike to get going.

Motion by Deputy Supervisor Stalteri, seconded by Councilman Kast to move the deadline from September 1st to October 1st for the sellers to move their belongings out of the property on Arthur Street.

CARRIED AYES ALL

Public Safety: Tabled

Town Court: Supervisor Frank stated that he walked back last week. He stated that they were assembling the Senior Clerks desk. He also stated that he had Deputy Clerk Beach call Northland Communications to arrange for another phone. A guy came out and determined where the phone would be set up, and the shelving came in. Highway Superintendent Ward stated that Senior Court Clerk Cool called and asked for help to move things.

Osborne Hill Road Culvert & Shells Bush Road Bridge: Supervisor Frank stated that both consultants were quizzed for an update. They are in the design phase to put together a remedy and then will go into the funding phase. Highway Superintendent Ward stated that the Mitchell Bridge was flagged yellow for the beams just like it was the previous year. He stated that eventually it will be red flagged and will have to be a one-way bridge.

HCCC Solar Decommission Bond: Nothing new to report. Supervisor Frank stated that they would reach out to them with an updated plan and they have not heard back from them yet.

Feasibility Study for Main Road and Pine Grove: Supervisor Frank stated that they would look at September for a meeting. Deputy Supervisor Stalteri stated that they have adjusted the turn from Main Rd to Pine Grove Rd under one grant. He stated the focus is for no trucks, and having a speed reduction, and widening the road. He stated that they cannot do speed bumps with what they currently have. He stated that they could have a public meeting in September. Supervisor Frank asked if they wanted to do it in the new court area. Supervisor Frank stated that there is no report and that on the roof they cleaned a drain in the middle of the room. He also stated that he thinks in the corner facing the parking lot, the water is coming from the ground outside. The preliminary observation is that nothing is wet or stained. A panel was moved to move cable for TV and camera. It seems the leak in the middle is fixed. Deputy Supervisor Stalteri asked if it should be an annual maintenance. Supervisor Frank stated that they have a request for further renovations for an extra exit route, and that he forgot to ask about the Solar Project. Deputy Supervisor Stalteri stated that there are no new plans and will get the numbers together. Supervisor Frank stated that they would get back to them with the decommissioning plan, bonding and connection grant. He also stated that they need the agreement with National Grid.

10) New Business.

- Emergency Exit Door & Customer Service Window for Court Office.

Supervisor Frank stated that the court wants to add an exit door, and will need further construction. They are requesting a door between the clerk's offices for emergencies. They also want to put a sliding container for payments. He will get a quote for both. Deputy Supervisor Stalteri stated that a pocket door would be a better solution. Attorney Bray stated that they do not have to vote for anything until they get a quote for the construction. Supervisor Frank stated that Frank would get a quote or they can ask Jim.

- Proposal from March Associates for development of plans and bidding documents for Community Center.
- Special Dog Permit License Application for Terri Buckley.

Attorney Bray stated that at the last meeting it was mentioned that they had more than three dogs. The DCO officer went and interviewed them and gave them the permit. He stated that this is the law and procedure and that the Buckley's are doing it. The DCO officer and Codes Enforcer have to go to inspect to make sure it is a safe and responsible situation. He stated that there are situations within the Town that aren't and have to pay fees to remove the dogs. He also stated that after it is approved the additional licenses will be approved.

- NYS EMS Survey.
- Supervisor Frank stated that the survey has been distributed.

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the NYS EMS Survey.

CARRIED AYES ALL

Supervisor Frank stated that all questions are filled in with the exception of a question about if the Fire Department Funds EMS services. Councilman Kast stated that they do not fund EMS services, but they will help. Supervisor Frank stated that he will take care of it. He also stated that the 911 center will fill out the answers as well.

- LLD Contract for Northern Border Regional Commission Grant administration for the East Herkimer Sewer project.

Supervisor Frank stated that Northern Borders has a contract with the Town of Herkimer to provide services for the grant. The contract is what I reviewed with them. He stated the only thing it does

not include is the assistance to get the notice to proceed. Supervisor Frank stated they should approve it with the notion that it will include the assistance to get the notice to proceed.

Motion by Councilwoman DeCarlo, seconded by Deputy Supervisor Stalteri to give the Town of Herkimer Supervisor Frank the authority to sign the amended contract.

Attorney Bray stated that there is one typo in paragraph one. It says Village of Newport and needs to be changed to Town of Herkimer. He also stated that there is one changed to add the scope of services.

CARRIED AYES ALL

Highway Superintendent Ward stated that the truck they ordered was pushed back to October. He also stated that they cannot get the plow until next year. Supervisor Frank stated that they need about two weeks. Ward stated the broom should be coming in the next few weeks through chips. He will submit then get reimbursed.

1.1) Reports.

Motion by Councilman Kast, seconded by Deputy Supervisor Stalteri to accept and place on file the Fully Executed Contract with the Village of Herkimer for 2026 Pool Season.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Kast to accept and place on file the Agreement with Barton and Loguidice for Phase 1 services on Arthur Street.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Kast to accept and place on file the Town of Herkimer Executive order 16 Certification Form for Comprehensive Grant Application.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Deputy Supervisor Stalteri, to accept and place on file the DASNY Fully Executed Grant Disbursement Agreement for Community Center Project.

CARRIED AYES ALL

Motion by Councilman Kast, seconded by Councilwoman DeCarlo to accept and place on file the Northern Border Regional Commission Grant Agreement for East Herkimer Sewer District.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the EFC WIIA Grant Application for East Herkimer Sewer District.

CARRIED AYES ALL

Supervisor Frank stated that their engineer submitted for the grant on behalf of the Town of Herkimer. He also stated that we were awarded the grant, but that they never sent the application. Supervisor Frank stated that this is the application. In each application the Town of Herkimer is spending the money in certain ways. He stated that he needs to tell the Environmental Protection Agency how it is structured.

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to accept and place on file the July 2026 Town Justice Monthly Report from Justice Manne.

CARRIED AYES ALL

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

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Kast to accept and place on file the Sales Tax Report dated July 23, 2026 from Supervisor Frank.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Kast to accept and place on file the Emergency Orders dated July 22, 28 and August 2 of 2026 for East German Street Extension.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Kast to accept and place on file the Emergency Orders dated July 23, 29, and August 3 of 2026 for Oberle Road.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Kast to accept and place on file the Revenue and Expense Report dated August 2, 2026.

CARRIED AYES ALL

Motion by Deputy Supervisor Stalteri, seconded by Councilman Kast to accept and place on file the Trial Balance Report dated August 2, 2026.

CARRIED AYES ALL

12) **Audit and Purchase Orders.**

- Audit Dated August 3, 2026.

Supervisor Frank stated that he had to write checks after the audit was completed. One was the down payment to Arthur Street.

Motion by Deputy Supervisor Stalteri, seconded by Councilwoman DeCarlo to approve and place on file the Audit dated July, 20 2026.

CARRIED AYES ALL

- 284 Forms.

Highway Superintendent Ward stated that the 284 form is for a crack seal. He stated that only one company would give him a quote. He stated that wants to do Mckennan, Petrie, Willis, Dickie, and all of the streets across from Donna's Diner. He stated that it is a little of 3 ½ miles of road and will be around \$19,125. It will be paid through the Road Maintenance fund. The micro paving is just under \$100,000. Councilman Kast asked if it was stated mandated. Highway Superintendent Ward stated that he is unsure of how much they need and that CHIPS will not cover it because it is a [preventative measure.

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, August 17, 2026 at 6:00PM.

CARRIED AYES ALL

Kristal M. Moore, Herkimer Town Clerk