

01) The **Organizational Meeting** of the Town Board of Herkimer was held at Herkimer Town Hall, 114 North Prospect Street, Herkimer, NY 13350, on Tuesday, January 3, 2017 at 6:00PM.

Attorney Manieri state that under Town Law that the Town Board can appoint a temporary Chairman in event if the current Chairman is unable to attend. Motion by Councilman Stalteri, Seconded by Councilwoman Penree, to appoint Councilman Randy Kast as temporary Chairman for tonight’s meeting.

02) Those Present:

- Councilman-----Randy Kast
- Councilman-----Vito Carbone
- Councilman-----Daniel Stalteri
- Councilwoman-----Kathy Penree
- Highway Supt.-----David McManus
- Codes Officer-----Ken Collis
- Attorney-----Jessica Manieri

- Excused:
- Supervisor-----Dominic Frank
 - Deputy Attorney-----Kyle Crandall

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

04) Motion by Councilwoman Penree, seconded by Councilman Stalteri, that the reading of the minutes of the December 19, 2016 meeting be accepted and placed on file as written.

CARRIED AYES ALL

05) Public Meeting.

Allan Springett and Thomas Song with FEMA were present to discuss the risks associated with the levees. The only levee that would be considered a levee would be the levee that starts behind Wal-Mart and ends on State Street. The possible levee discussed on the upper end of East German Street isn’t actually identified more of a retaining wall due to the ground being up higher. The Petrie Levee the main area of concern was that the gate is operational and clear so that it can be operated with flooding of the West Canada Creek. Springett stated that the Town can apply directly from FEMA perinate to the levee in the event of a flood but stated that the Village is at more of a risk than the Town. He stated that this study concludes Phase 1 and Phase 2 will be in the near future with a more detailed modeling. It will be more perinate to the Village rather than the Town, but if the Town has any risks they will be willing to work with us.

Councilwoman Penree wants to know if Supervisor Frank has any written mitigation plans?

Springett said Petrie is not identified as a special flooding area and it would be best to use that gate there and to get it running to ensure it is operational. He stated that it would be good to know what the risks would be if that the gate isn’t operational if indeed there was flooding.

To conclude his portion of the meeting he said the final draft plan of phase 1 will be drafted and finalized.

Councilman Kast asked if anyone would like to address the board.

Ron DeJong, owner of Holland Heights, has concerns about his water. He has been having to have his water tested and is finding traces of E. Coli and coliform in his water. He says this is due to the neighboring residence. The residence neighboring him is supposed to only be a one tenant residence and the building is being rented as a two-tenant residence. He said that that property’s septic is not set up to have both and that the sewage is overflowing and contaminating his well. He also worries for having to pay

to have extra water testing done and wants something to be done before the problem gets worse. He wants to see if the tenants can be evicted. Codes Officer, Collis stated that he is looking into the matter.

Motion by Councilman Stalteri, seconded by Councilwoman Penree, to close the Public Meeting.

CARRIED AYES ALL

07) Resolutions, Local Laws and Transfers.

Motion by Councilman Stalteri, seconded by Councilman Carbone, that the Town Board of the Town of Herkimer authorizes Supervisor Frank and Deputy Supervisor Kast to handle 2017 banking responsibilities, upon signature filing, with M & T Bank, Adirondack Bank and NBT Bank.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman Penree, that the Town Board of the Town of Herkimer adopt the 2017 Town of Herkimer Official Undertaking of Municipal Officers.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone, that the Town Board of the Town of Herkimer adopt the 2017 Town of Herkimer Code of Ethics and Conflict of Interest form.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman Penree, that the Town Board of the Town of Herkimer accept and place on file the 2017 Town of Herkimer Civility Code.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Carbone, that the Town Board of the Town of Herkimer accept and place on file the 2017 Town of Herkimer fixed salaries with suggested edits in the attached resolution/salary schedule.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone, that the Town Board of the Town of Herkimer established the 2017 setting for mileage reimbursement per IRS reimbursement standard.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone, that the Town Board of the Town of Herkimer establish the 2017 regular meeting schedule of the Herkimer Town Board to be held on the 1st and 3rd Monday of each month; if a Holiday falls on those Mondays, the meeting will be held Tuesday.

CARRIED AYES ALL

08) Old Business.

Water Districts - No action taken.

There is a meeting being held on January 17th 2017 in Little Falls, however we have a Town meeting on the same day. Councilman Kast stated that maybe one of the council would be able to attend to represent us. Codes Officer Collis stated that he was attending.

Codes Issues- No action taken

West Canada RFP Study- Chet from CTMale was present. He stated that they have identified testing for drilling and soil sampling. He stated that the back side of Mudville is eroded and the stream needs stabilization. He stated that the farmer across from Mudville had a problem with flooding but we can't really do anything about their flooding without causing neighboring places to flood the same as theirs, but there was no risk to life with this matter. Chet wanted to know that besides the canal was there any other info on the gates? The board stated nothing so far. He stated that he has permission to start drilling across from the dam. He stated that they decided to go with a new drilling company and they were just waiting for their schedules to match theirs to start drilling. He said that they should be ready to go in 2-3 weeks and there may be a cost increase with this particular company which he has already cleared with Supervisor Frank. Chet wanted to know if there would be a deadline issue because the original date set for the drilling deadline was January 15th 2017. Councilman Kast stated that he would check to make sure it was ok with Supervisor Frank.

Councilwoman Penree asked about the boring samples? Chet explained that the previous samples that they had for the areas of E. German Street and across from the Hydrolic plant would be enough for what they need.

Chet stated that overall the banks are in good condition we just need to go forward with protection the bank and clear up debris downstream to help with the flooding behind Mudville.

Chet also added to FEMA's suggestion on the clearing of the Petrie gate to make it functioning. He stated that he would be happy to coordinate with any plans going forward.

Traffic Safety- Pine Grove Road- Highway Supt. McManus stated that they have the signs and ready to put them up. Attorney Manieri stated that for next meeting on January 17th we will have a drafted local law to go forward installing the signs and then by the February 6th meeting hold a public hearing for the matter. Councilman Stalteri stated the sign will show that heading North on Pine Grove Road there will be no left hand turn on Gros Boulevard and heading

Meeting with the School District- There is a meeting set January 10th at 5PM with the school board. Councilmen Kast and Stalteri plan to attend.

09) **New Business -Appointments**

Motion by Councilman Stalteri, seconded by Councilman Carbone, upon the recommendation of the Herkimer Town Board, that Mike Cristman be re-appointed as the Town of Herkimer Water Meter Reader for a one year term, 01/01/17 to 12/31/17.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone, upon the recommendation of the Herkimer Town Board, that Jodi Rivers be re-appointed as a Town of Herkimer Water Rent Collector for a one year term, 01/01/16 to 12/31/16.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone, upon the recommendation of the Herkimer Town Board, that Jennifer DeMetro be appointed as a Town of Herkimer Deputy Water Clerk for a one year term, 01/01/17 to 12/31/17.

CARRIED AYES ALL

Upon the recommendation of Herkimer Town Clerk, Jennifer M. DeMetro, to appoint _____ as the Town of Herkimer Deputy Town Clerk for a one year term (per Town Law 30 (10)), 01/01/17 to 12/31/17.

Tabled

Upon the recommendation of Herkimer Town Registrar of Vital Statistics, Jennifer M. DeMetro, to appoint _____ as Town of Herkimer Deputy Registrar of Vital Statistics for a one year term, 01/01/17 to 12/31/17.

Tabled

Motion by Councilman Stalteri, seconded by Councilwoman Penree, upon the recommendation of the Herkimer Town Board, that Park Supervisor Jodi Rivers be re-appointed as the Town of Herkimer Town Park Supervisor for a one year term, 01/01/17 to 12/31/17.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman Penree, upon the recommendation of the Herkimer Town Board, that Attorney Kyle Crandall be re-appointed as the Town of Herkimer Deputy Attorney for a one year term (**per Town Law 24**), 01/01/17 to 12/31/17.

CARRIED AYES ALL

Motion by Councilwoman Penree, seconded by Councilman Stalteri, upon the recommendation of the Herkimer Town Board, that Town DCO and Village DCO Joshua Leone be appointed as Town of Herkimer Dog Control Officers for a one year term (**per Ag & Markets Law 114**), 01/01/17 to 12/31/17, under the terms of the Town of Herkimer 2016 Budget.

CARRIED AYES ALL

Upon the recommendation of Supervisor Dominic Frank, Budget Officer, Marsha Baylor be re-appointed as the Town of Herkimer Budget Officer for a one year term (**per Town Law 103 (2)**), 01/01/17 to 12/31/17, under the terms of the Town of Herkimer 2016 Budget.

Tabled

Upon the recommendation of Supervisor Dominic Frank, Bookkeeper, Amanda Viscomi is re-appointed as the Town of Herkimer Bookkeeper for a one year term (**per Town Law 29 (15)**), 01/01/17 to 12/31/17, under the terms of the Town of Herkimer 2017 Budget.

Tabled

Motion by Councilman Stalteri, seconded by Councilman Carbone, upon the recommendation of the Herkimer Town Board, that Fred Wheeler be reappointed Town Planning Board member for one - 5 year term 01/01/17 to 12/31/21.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri, upon the recommendation of the Herkimer Town Board, Clayton Fredrick be reappointed Town Zoning Board member for one- 5 year term 01/01/17-12/31/21.

CARRIED ALL AYES

Upon the recommendation of the Herkimer Town Board, _____ be reappointed Town Assessment Review Board member for one -5 year term 01/01/17- 12/31/21.

Tabled

Upon the recommendation of the Herkimer Town Board, that Computer IT Mark DeLore be re-appointed as the Town of Herkimer IT for a one year term, 01/01/17 to 12/31/17, under the terms of the Town of Herkimer 2017 Budget.

Tabled

Motion by Councilman Stalteri, seconded by Councilman Carbone, that the Town Board of the Town of Herkimer authorizes, upon the approval of the Town Board, any Town employee to attend training to benefit the Town, and to submit vouchers, including mileage, for audit and reimbursement.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri, that the Town Board of the Town of Herkimer designates the Times Telegram as the official newspaper of the Town of Herkimer.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilman Carbone, that the Town Board of the Town of Herkimer adopt the 2017 Fee Schedule.
Contingency if water is on.

CARRIED AYES ALL

10) Reports.

Motion by Councilman Stalteri, seconded by Councilwoman Penree, to accept and place on file the December 2016, Town Clerk's report from Town Clerk, Jennifer DeMetro.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri, to accept and place on file the DCO Report for December 2016 from DCO, Joshua Leone.

CARRIED AYES ALL

Motion by Councilman Stalteri, seconded by Councilwoman Penree, to accept and place on file the Trial Balance Report dated 01/03/17.

CARRIED AYES ALL

Motion by Councilman Carbone, seconded by Councilman Stalteri, to accept and place on file the Revenue and Expense Report dated 01/03/17.

CARRIED AYES ALL

11) Audit.

Motion by Councilwoman Penree, seconded by Councilman Stalteri, to accept and place on file Audit dated 01/03/17.

CARRIED AYES ALL

12) Adjourn.

Motion by Councilwoman Penree, seconded by Councilman Carbone, that the Organizational Meeting be adjourned until the next Regular Meeting that will be held on Monday, January 17, 2017.

CARRIED AYES ALL

Marissa Farber, Deputy Herkimer Town Clerk

Town of Herkimer Board Meeting

(Please sign in if you wish to speak. Thank you)

Date: 1/3/17

Print Name:

Alan Springett
THOMAS SONG
Ronald deJong
CHET SZYMANSKI

Address:

312 CONANT ST Morris, NJ
6 JOSEPH CT, SYOSSET NY
122B Steuben Hill Rd Herkimer NY
CT MAINE Assoc.