Village of Herkimer
Regular Meeting of the Board of Trustees
Monday, September 21, 2026 Minutes
6:00 P.M. in Municipal Hall

6:00 P.M. the **Meeting** was called to order by Mayor Jory and roll call was taken

PRESENT:	Mayor Mike Jory	Deputy Mayor Howard Quick
	Trustee Mark Ainsworth	Trustee Miriam Curry
	Trustee Erin Kelley	Attorney Joseph Macri

Department Heads Present: Treasurer/Deputy Clerk Paula Dygert, Police Chief Richard Bowman, Fire Chief Mike Spisak, DPW Superintendent Justin Cristman, Water Superintendent Matt Spisak, Codes Enforcement Officer Steve Gay, Village Clerk JoAnn Duga.

Public Present: 4 plus the DPW Co-Workers, Mark Sommer and his wife.

The **Pledge of Allegiance** was led by Mayor Mike Jory.

Village Board Regular Meeting Minutes

A motion was made by Trustee Ainsworth seconded by Trustee Curry all in favor to approve the VB Regular meeting minutes of September 8, 2026.

At this time DPW Superintendent Cristman gave a heartfelt emotional speech honoring Mark Sommer for his many years of above and beyond dedicated service to the Village of Herkimer and recognizing that finding someone to fill his position will not be an easy one. Mark received a standing ovation from everyone with lots of hugs and best wishes.

A motion was made by Deputy Mayor Quick second by Trustee Curry, all in favor to move into Executive Session at 6:04PM to discuss the following: 3B. DPW Mark Sommer's Retirement payout figures

A motion was made by Trustee Ainsworth seconded by Trustee Kelley, all in favor to move into Executive Session at 6:04PM to discuss the following: 7G. Library Lease

1. EXECUTIVE SESSION

A motion was made by Trustee Curry seconded by Deputy Mayor Quick, all in favor to exit the Executive Session at 6:23PM.

A motion was made by Trustee Ainsworth second by Trustee Kelley all in favor to approve opening the Public Meeting.

2. PUBLIC MEETING – Ermin Muratovic regarding Flock Cameras was a no show.

Charles Crandall – Asked that something be done about 418 North Main St. Stating that was where the stabbing was, there are shopping carts, garbage, trash at that property, people coming and going all times of the day and night, it is terrible. Questioned what the zoning is for that area, questioned if it is a boarding house, how many people are living there, how many units are allowed for there. Asking the village to put extra focus on that particular property. Spoke about the corner of North Main Street and German Street. Questioning the ordinance on corner lots and the height allowed, there is a refrigerator on a trailer right on the corner that he feels blocks the view and causes a safety issue. Also spoke about the 1890 HMQ Variance that was granted and requesting FOIL information quickly so he can decide if he wants to file an Article 78 Proceeding.

Mayor asked that the FOIL information be given to Mr. Crandall by Wednesday and asked Codes to look into the two complaints over the next few days.

A motion was made by Trustee Ainsworth and seconded by Trustee Kelley all in favor to close the Public Hearing session.

3. PERSONNEL

3A. Police Officer Tiffany Hill – Resignation effective September 18, 2026, transferred to Mohawk PD.

A motion was made by Trustee Ainsworth seconded by Trustee Curry all in favor to accept the resignation of Officer Hill.

3B. DPW Worker Mark Sommer – Retirement effective October 5, 2026.

A motion was made by Trustee Curry seconded by Deputy Mayor Quick all in favor to approve the pay out of the unused accrued time per contract to Mr. Sommer.

3C. Request to advertise to hire a Heavy Equipment Operator effective September 22, 2026.

A motion was made by Trustee Ainsworth seconded by Trustee Curry all in favor to approve that request.

4. PETITIONS AND COMMUNICATIONS

4A. Catholic Charities-Take Back the Night for Domestic Violence Program - Request Myers Park on October 21, 2026 & waive clean-up deposit.

A motion was made by Trustee Ainsworth seconded by Trustee Kelley all in favor. This motion was amended to allow the use of Myers Park but not to waive the clean-up deposit that will be returned if the site is clean. Village Clerk Duga will contact Mrs. Spanfeldner.

5. RESOLUTIONS AND LOCAL LAWS

5A. Resolution #27-9 to Increase the 2026-2027 General Fund Budget to $ 2,546.98 ARPA Fund to purchase a computer.

A motion was made by Trustee Ainsworth seconded by Deputy Mayor Quick all in favor of this increase.

6. REPORTS

6.A. Attorney Report – Spoke about the talk with the Town of Herkimer Fire Department regarding the fire hydrant issue, suggesting a meeting with them to discuss. Thursday there is a virtual meeting regarding the Water District Project. There was a BAN submitted today and Mr. Carbone paid off his loan in full.

A motion was made by Trustee Ainsworth seconded by Trustee Curry all in favor to accept the Attorney's Report.

6.B. Department Reports

Water/Sewer Dept Matt Spisak – Operating the Sewer and Water Treatment plants testing. Finished the 3rd quarter wet toxicity sample at the sewer plant. 16 service calls and 2 water main breaks, conducted the water reads,

Fire Chief Michael Spisak –.Assisted the Police in the run over the weekend. Will have the month report for September at the next meeting.

Police Chief Richard Bowman – Recognized the DPW and Fire Department's help with the run that went very smoothly

DPW Justin Cristman – Milling and paving almost done, next crew will be adjusting manholes.

Codes Officer Steve Gay – 418 is set up for Monday. Asked in 2023 and still would like the Zoning laws revamped. Concerned about houses being bought by an individual putting 7 to 10 people in each house, 3 houses were purchased in the past week.

Trustees' Reports – Trustee Curry wanted the public to know that she and the mayor paid their own way for the NYCOM conference in Saratoga.

6C. Mayor's Report – Just rec'd letter from the Dept. of Health regarding Energy Affordability Program. People can reach out for assistance. Call rec'd regarding speeding on Lou Ambers, request PD to put up the digital speed sign and request a 30mph speed sign be put on both sides. Letter regarding another installment of the opioid settlement of $ 7,191.00

7. OLD BUSINESS

7A. E-Codes – Paula reported that process still being worked on, due at the end of September.

A motion was made by Deputy Mayor Quick seconded by Trustee Ainsworth all in favor to approve the final project invoice amount of $ 3,630.00

7B. PBA Negotiations **–** will go back into Executive Session tonight to discuss.

7C. Fire Dept. Negotiations **-** will go back into Executive Session tonight to discuss.

7D. CSEA Negotiations - will go back into Executive Session tonight to discuss.

A motion was made by Trustee Curry seconded by Trustee Ainsworth all in favor to go into Executive Session at the end of the Regular Village Board Meeting to discuss collective bargaining agreements for 7B, 7C, and 7D.

7E. BAN – mentioned by Attorney Macri.

7F. Auctions International - DPW – Justin spoke of the various Village vehicles up for auction.

A motion was made by Trustee Curry seconded by Trustee Kelley all in favor to accept $11,170.00 from Auctions International for the Village vehicles that are being sold.

7G. Library Lease Update – Discussed in Executive Session – There was a court date on September 11th, now working via the attorneys to settle this deal. Next court date is in March but confident that an agreement can be made before that date.

8. NEW BUSINESS

8A. Contract 2A: Gallo Construction Change Order 002 –$ 8,469.00 for Fire Retardant Coating & Application at the sewer plant.

A motion was made by Trustee Curry seconded by Deputy Mayor Quick all in favor to approve Change Order 002 in the amount of $ 8,469.00.

8B. Contract 2A: Gallo Construction Change Order 003 –$ 11,787.50 for Transite Pipe removal in the parking lot at the sewer plant.

A motion was made by Deputy Mayor Quick seconded by Trustee Curry all in favor to approve Change Order 003 in the amount of $ 11,787.50

8C. Homecoming Dance 9/26/2026 request for Police supervision from 7:00 pm - 10:00 pm. Chief Bowman stated that this request can be accommodated.

8D. Air City Cannabis Dispensary sent a letter to the village. Codes Enforcement Officer Gay stated a 30-day notice was received in April 30, 2026, this was discussed with the Attorney. All changes needed were completed and address 130 E. Albany St. was approved by OCM. Opening date around October 1st. This will generate some revenue for the village through sales tax.

8E. Flag Football request to use Brookwood Park for Sunday games in April 1st until the end of June. They will take care of everything except mow the lawn and they will supply insurance coverage. Deputy Mayor Quick asked if that organization will supply the port-a-potties. The village has one in the back of the property that will be moved for their use.

A motion was made by Trustee Ainsworth seconded by Trustee Curry all in favor to approve this request for Flag Football to use Brookwood Park from April 1st to the end of June.

8F. Halloween Hours on October 31st from 5:00 pm to 7:00 pm aligning with area villages with the hopes of having a village event before and after.

A motion was made by Trustee Curry seconded by Trustee Kelley all in favor to hold Halloween Hours on October 31st from 5 to 7 pm.

8G. DPW request to purchase Town of Herkimer used dump truck body for truck #65 for $ 4,500.00.

A motion was made by Trustee Curry seconded by Deputy Mayor Quick all in favor to purchase the used dump truck body from the Town of Herkimer in the amount of $ 4,500.00.

8H. Sale of Body Armor Vest to Mohawk for Police Officer Tiffany Hill.

A motion was made by Trustee Curry seconded by Trustee Ainsworth all in favor to approve the sale of Officer Hill's ballistic vest in the amount of $300.62 its depreciated value to the Mohawk Police Department.

8I. Letter of Request from the Herkimer Central School District to open talks regarding a School Resource Officer (SRO) at the Middle/High School campus. No action taken.

9. BANK RECONCILIATION

A motion to approve the audit was made by Deputy Mayor Quick and seconded by Trustee Curry all in favor.

A motion to approve the August 2026 Bank Reconciliation was made by Trustee Curry second by Deputy Mayor Quick all in favor.

A motion to adjourn the regular meeting at 6:33 pm was made by Trustee Ainsworth and seconded by Trustee Kelley all in favor.

A motion was made earlier in this meeting by Trustee Curry seconded by Trustee Ainsworth all in favor to go into Executive Session at the end of the Regular Village Board Meeting to discuss collective bargaining agreements for 7B, 7C, and 7D.

A motion was made by Trustee Curry seconded by Deputy Mayor Quick all in favor to exit Executive Session at 8:16 pm.

Respectfully submitted by

JoAnn Duga Village Clerk