

A regular meeting of the Board of Trustees of the Village of Cooperstown was held at the Village Office Building, 22 Main Street, Cooperstown, New York on February 27, 2017 at 6:30 p.m. Members in attendance were Mayor Jeff Katz, Trustees Ellen Tillapaugh, Cynthia Falk, James Dean, Bruce Maxson, Lou Allstadt, and Richard Sternberg. Also in attendance were DPW Superintendent Brian Clancy, Zoning Enforcement Officer Jane Gentile, Village Attorney Martin Tillapaugh and Village Administrator – Teri Barown. There were five (5) members of the public present.

Mayor Katz called the meeting to order at 6:30 p.m. and led the pledge of allegiance.

**Public Comment** – Becky Davidson introduced Nick Clark a member of the Wounded Warriors Softball Team to the Mayor and Trustees and stated that Nick moved to Cooperstown about a week ago. Mr. Clark thanked the Mayor and Trustees for their past support of the Wounded Warriors and hopes that they will support the team playing at Doubleday again this year.

**Minutes** – Ms. Tillapaugh made a motion to accept the minutes January 23, 2017 Trustee meeting with corrections as submitted. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Mr. Allstadt advised the Trustees details regarding the emergency drill set for March 5 at the Homeland Security Training Center in Oriskany will be sent to those members participating and that he and Dan Crowell are still finalizing planning.

**Zoning Official's Report** – A copy of the Zoning Officer's report was provided in the Trustee packets.

Trustees reviewed a memorandum provided to them by Ms. Gentile regarding special permit procedures.

Discussion was held regarding the public hearings to be set by ZBA for tourist accommodations requesting variances from owner occupancy. Mr. Tillapaugh stated that he met with Ms. Gentile regarding this issue as she felt that they could apply for a variance. He said he knows that owner occupancy is important to the Trustees. He did note the way the law is currently written they can apply for a variance, however, if we start to see a lot of variances granted, the Trustees could decide to change the law.

Mayor Katz complemented the various Boards on how well they worked with CVS to get the project approved.

Mayor Katz appointed Gary Kiss as an alternate member of the Historic Preservation and Architectural Review Board.

Dr. Sternberg made a motion to ratify the appointment. Ms. Tillapaugh seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Ms. Tillapaugh made a motion to accept the Zoning Official Report as presented. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

**Permits:**

Dr. Falk made a motion to approve the BBHOF requests as submitted for use of Doubleday Field, parking lots for Memorial Day and Induction weekends and traffic re-route for Induction parade as submitted. Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Ms. Tillapaugh made a motion to approve the permit application for a wedding ceremony at Lake Front Park on April 17, 2017 as submitted. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Mr. Allstadt made a motion to approve the permit application for the CAA events that occur under the current lease and that the remaining events occur subject to entering into a new lease arrangement with CAA. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Mr. Allstadt made a motion to approve the permit application for the harvest supper sponsored by Growing Community on September 24, 2017 subject to the development of a rain date for future events. Mayor Katz seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Ms. Tillapaugh made a motion to approve the following race permit applications and save the dates submitted by Clark Sports Center, with the condition that the Sports Center seeks approval from appropriate police agencies for those races outside the Village:

Clark Sports Center Races:

- a. Rock to Rock – May 21, 2017
- b. Base Race – May 27, 2017
- c. Race the Lake Marathon – June 10, 2017 (Save the Date 6/9/18)
- d. Coop Loop – October 29, 2017
- e. Rockin Around Ugly Sweater Run – December 2, 2017

Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

**Fire Committee** – A copy of the Fire Committee report was provided by Dr. Sternberg at the meeting.

Dr. Sternberg noted concerns by department of Police not responding to ambulance calls.

Dr. Sternberg made a motion to accept the Fire Department report as presented. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

**Doubleday Field Committee** – A copy of the Doubleday Field Committee minutes was provided in the Trustee packets.

Mr. Maxson stated that Ms. Barown will be submitting a community events grant to Otsego County to hold movies at Doubleday Field this summer.

Mr. Maxson made a motion to authorize the license agreement for photography with Pro Image Photo for 2017 renewal under the existing terms in the 2016 agreement. Mr. Dean seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Mr. Maxson made a motion to approve the Wounded Warriors use of Doubleday Field on Sunday, May 28 at no cost. Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

**Public Hearings** – Mayor Katz opened the following public hearings at 7:00 p.m. and Ms. Barown read the public hearing notice:

**Proposed Local Law No. 4 of 2017, to amend Section 270-13 - the parking of vehicles is prohibited for a period longer than two hours on Fish Road, between the hours of 9 a.m. and 6 p.m. from the Saturday of Memorial Day Weekend through the Monday of Columbus Day except for vehicles displaying either a boat launch inspection receipt, dated and timed within 24 hours or a season rental receipt for those renting a boat slip or a canoe/kayak rack space.**

**Proposed Local Law #5 of 2017 to amend the Village Charter IIB 2. – to remove the requirement that the Village Administrator become a resident of the Village within 6 months after appointment and so remain during tenure.**

Mayor Katz asked for public comment.

Pat McBrearty, Milford, New York stated that he rents a boat slip at the Lake Front Motel docks and only puts in once during the season. He stated that there are a number of individuals in this same position. He stated that the way the law reads the all-day parking for boat owners will only apply to those with either boat wash receipts or those renting from the Village docks and the rest would fall under the 2 hour limit. He stated he feels the Trustees are attempting to solve the problem of parking for boat owners in a good way, but that it should be included for those renting from Lake Front.

Ms. Tillapaugh provided background for the development of the proposed law. She stated that the Village cannot do something to benefit one business. She noted that parking as currently permitted all day is being utilized at least 90% by employees of local businesses and that their parking is infringing on the ability of boat owners to turn their trailers around when launching.

Mr. McBrearty stated he was one of the first to use the new boat wash station and he applauds the Village hiring the Biological Field Station interns to run the boat wash, but feels the inability of Lake Front renters to park all day in Fish Road spots will bring a huge turn-out of those owners to the Trustee meeting in May.

Mayor Katz left the public hearings open.

**Streets Committee** – A copy of the February committee minutes was provided in the Trustee packets.

Dr. Falk stated that committee re-evaluated the trolley route and recommends going back to the route that was used for years, prior to contracting with Birnie Bus. She said this route limits the number of stops and takes out some of the distance between stops. She noted that adding a second trolley to the route, increases expenses considerably.

Dr. Sternberg asked if people would be willing to pay a higher rate if the wait time was less. Discussion was held regarding the feasibility of conducting a survey.

Dr. Falk made a motion to approve the route as submitted in the Trustee packets. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Dr. Falk made a motion to set a public hearing at the March 27, 2017 Trustee meeting at 7:00 p.m. or as soon thereafter as can be heard to eliminate the trolley stop on the east side of Chestnut Street adjacent to the Cooperstown Chamber of Commerce and re-establish two 15-minute parking spaces in the same location. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Dr. Falk made a motion to set a public hearing at the March 27, 2017 Trustee meeting at 7:00 p.m. or as soon thereafter as can be heard to eliminate the trolley stop on Railroad Avenue between 28 Railroad Avenue and the Railroad property and establish a trolley stop on Main Street between Grove Street and Railroad Avenue adjacent to the railroad property. Ms. Tillapaugh seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Dr. Falk made a motion to apply for a tree grant to create an inventory and management plan for Village trees. Mr. Maxson seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Trustees reviewed correspondence from Eric Hage who owns property on Nelson Avenue requesting to be notified by phone or email when snow removal is needed. Discussion was held regarding the change in policy to place written notices at properties when sidewalks have not been cleared and it was felt that it would be impossible at this point to telephone or email to the amount of individuals who had notices left the last storm (93).

Ms. Tillapaugh stated that it would appear that in the picture the sidewalk had been cleared but snow may have been blown back in by the wind. Discussion was also held regarding being able to provide information to home and business owners in the future once an alert system is established.

Ms. Tillapaugh made a motion to waive the invoice sent to Mr. Hage for the snow removal at his property. Mr. Dean seconded the motion and a vote had the following results:

AYES: Tillapaugh, Dean, Maxson, Allstadt NOES: Falk, Sternberg Motion carried.

Mr. Allstadt made a motion to accept the Streets Committee report as presented. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

**Public Hearings (cont.)** – Mayor Katz closed the public hearings at 7:25 p.m. and Trustee discussion was held. Following discussion, clarification was made to the local law language to add trailers to the law as it was felt this would not be clear just by using the term vehicles.

Ms. Tillapaugh made a motion to adopt Local Law No. 4 of 2017 with the addition of language as discussed to amend Section 270-13 - the parking of vehicles is prohibited for a period longer than two hours on Fish Road, between the hours of 9 a.m. and 6 p.m. from the Saturday of Memorial Day Weekend through the Monday of Columbus Day except for vehicles displaying either a boat launch inspection receipt, dated and timed within 24 hours or a season rental receipt for those renting a boat slip or a canoe/kayak rack space. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Dr. Falk made a motion to Adopt Local Law No. 5 of 2017 to amend the Village Charter IIB 2. – to remove the requirement that the Village Administrator become a resident of the Village within 6 months after appointment and so remain during tenure as submitted. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

**Buildings Committee** – A copy of the February committee minutes was provided in the Trustee packets.

Mr. Allstadt noted that the Friends of the Village Library found a grant to apply for audio/visual equipment in the ballroom and after reviewing it was determined that the Village was the best entity to submit the application. Dr. Falk is working on this and the grant is due by March 7.

Mr. Allstadt stated that he has discussed the ESD grant with HKK Architects, who conducted the building space analysis. A proposal from them regarding the grant proposal is forthcoming.

Mr. Allstadt stated we are going to try to take care of the brick repointing out of the current budget.

Mr. Allstadt noted further review is need on the EV Chargers as there is a potential that it would change to a demand charge if there was too much usage, which would result in increased electric costs.

Ms. Tillapaugh made a motion to accept the Buildings Committee report as presented. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

**Finance and Personnel Committee**

**Finance:**

Trustees reviewed the LOSAP – RBC Wealth Management statement for January and also the February 3, 2017 rebalance summary.

Trustees reviewed the sales tax revenue report updated through December 2016 collections.

Ms. Barown stated that Mr. Bloomfield was going to have the individual proposing lower credit card processing fees to attend the March Finance and Personnel meeting to discuss his proposal and provide references.

**Administrator:**

Ms. Tillapaugh made a motion to authorize the Mayor to sign the agreement with Otsego County Board of Elections for use of the voting machine on Village Election Day and staff backup from the County Board of Elections. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

**Parks:**

Ms. Tillapaugh made a motion to award the low bid for the Fairy Spring Retaining Wall Project to Central Paving at a bid of \$26,765.00. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

**Personnel:**

Ms. Tillapaugh made a motion to approve the following training requests:

1. Request to attend training: Hotaling, Adams, Satriano—Hard Hat Expo April 5 NYS Fairgrounds
2. Request to attend training: Hotaling, Stilson, Satriano, Kukenberger, Cankar—Dig Safe NY March 8 Suny Poly Utica

Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Trustees reviewed the overtime report for Payrolls 81 and 82 and the hours of leave report for January and February through payroll 82.

Ms. Tillapaugh made a motion to approve the following abstracts and transfer:

Treasurer's report Feb 23, 2017

**Abstracts:**

General	31,869	PR #81
	34,025	PR #82
	54,580	Non-payroll expenses paid
	88,618	Non-payroll expenses
Water	7,111	PR #81
	8,471	PR #82
	8,163	Non-payroll expenses paid
	10,414	Non-payroll expenses
Sewer	6,435	PR #81
	7,155	PR #82
	5,764	Non-payroll expenses paid
	8,903	Non-payroll expenses
Trolley	17,270	E - Non-payroll expenses paid
	17,312	E - Non-payroll expenses
	0	ET - Non-payroll expenses paid
	0	ET - Non-payroll expenses

**Transfers:**

A-5142-410 Snow Removal Materials & Supplies	3,000	Transfer out
A-5142-490 Snow Removal Vehicle Expense	3,000	Transfer in

Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg          Motion carried.

**Administrator's Report:**

Mr. Allstadt made a motion to approve the revisions to the Weapons Policy as submitted. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

It was noted that the Village Treasurer will be attending Basic Accounting School from March 21-23, 2017.

Ms. Tillapaugh made a motion to accept the Finance and Personnel Committee report as presented. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

**Economic Development and Sustainability Committee** – A copy of the February committee minutes was provided in the Trustee packets.

Dr. Falk made a motion to submit a grant to the Community Foundation, SCNY for an Education and Arts Center for Village Hall (audio/visual equipment). Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Dr. Falk noted discussion regarding accessory apartments and noted that before the committee proceeds they want to ascertain whether the Trustees would like them to continuing looking into this issue.

She stated this type of housing would be in line with the Village Comprehensive Plan encouraging more and different types of housing.

Consensus of the Trustees was for the committee to move forward on this issue.

Mr. Allstadt made a motion to accept the Economic Development and Sustainability Committee report as presented. Ms. Tillapaugh seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

**Parks Board** – A copy of the board minutes was provided in the Trustee packets.

Ms. Tillapaugh noted that Think Rink information from the January 20 meeting was reviewed at the committee and most tasks have been completed and good suggestions provided for next year.

She stated that the rink is now officially closed and thanked Mr. Clancy for his work with the rink advocates this year.

Trustees reviewed the SEQR form submitted for the buffer strip renewal application. Dr. Falk noted that the Village always conducts the long form for unlisted actions given the village is within a National Register Historic District. Mr. Tillapaugh stated he didn't see an issue as DEC is requesting the short form review.

Ms. Tillapaugh made a motion to authorize the Mayor to send the DEC Joint application form and SEQR form to DEC. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Ms. Tillapaugh made a motion to accept the Parks Board report as presented. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

**Water and Sewer Board** – A copy of the February board minutes was provided in the Trustee packets.

Mayor Katz made a motion to accept the Water and Sewer Board report as submitted. Mr. Maxson seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

**Special Event Dates:**

- Spring Fling Weekend – Waive Vending Fees for Merchants – May 20, 21
- Hall of Fame Classic Weekend – May 26 -29, 2017 (Parking lot only days closed)
- Hall of Fame Induction Weekend – July 28-31, 2017 (parking lot only days closed)
- Vending Fees for Special Event weekends \$25 – nonprofit/\$100 for profit per event weekend
- 2017 Outdoor Eating Area Permits – Fee Waived

Mayor Katz made a motion to approve the above dates and fees for special events for 2017. Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Mayor Katz made a motion to adjourn to executive session at 8:31 p.m. to discuss the work history of particular individuals and potential litigation. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Mayor Katz made a motion to return to regular session at 8:58 p.m. Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Dr. Sternberg made a motion to accept the resignation of Richard Kimmerer from the position of Police Officer effective March 10, 2017. Ms. Tillapaugh seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg Motion carried.

Dr. Sternberg made a motion to accept the retirement of Brian Clancy from the position of DPW Superintendent effective April 28, 2017 with regret. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Mayor Katz made a motion to approve the use of the Fire Hall by Cooperstown Graduate Program students on April 6 from 6-10 pm and waive the use fees. Mr. Dean seconded the motion and a vote had the following results:

AYES: Tillapaugh, Dean, Maxson, Allstadt, Sternberg    ABSTAIN: Falk                      Motion carried.

Mayor Katz made a motion to authorize the Trustees to sign the sponsor approval form for LOSAP. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Tillapaugh, Dean, Allstadt, Sternberg    ABSTAIN: Falk, Maxson                      Motion carried.

Dr. Sternberg made a motion to adjourn the meeting at 9:05 p.m. Mr. Maxson seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Allstadt, Sternberg                      Motion carried.

Respectfully submitted,

Teri L. Barown, RMC  
Village Administrator, Village of Cooperstown