

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 November 23, 2015 at 6:30 p.m. Members in attendance were Mayor Jeff Katz, Trustees Ellen Tillapaugh, Cynthia Falk, James Dean, Bruce Maxson, Joan Nicols and Louis W. Allstadt. Also in attendance were Village Treasurer Derek Bloomfield, Planning Board Chair Eugene Berman, Village Attorney Martin Tillapaugh (arrived at 6:53 p.m.) and Village Clerk – Teri Barown. There were two (2) 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** – There were no comments from the public.

**Minutes** – Ms. Tillapaugh made a motion to accept the minutes of the October 26, 2015 meeting with corrections as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

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

It was noted that the County Planning Department referred the revised Planned Development District Law back to the Village for local action and a copy of their report was provided in the Trustee packet.

Mayor Katz noted that there will be a meeting set up regarding the proposed Tennis Facility so that everyone is clear on the status.

The Planning Board Memorandum regarding removal of privately owned trees and proposed changes to the local law(s) was reviewed by the Trustees.

Following questions and discussion suggested revisions were made by the Trustees. Mr. Berman will take suggested revisions back to the Planning Board to be re-drafted.

Ms. Tillapaugh made a motion to accept the Zoning Official's Report as presented. Mrs. Nicols seconded the motion and a vote had the following results:

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

**Police Committee** – A copy of the Police Committee minutes for November was provided in the Trustee packet.

Ms. Tillapaugh noted she has provided the lock smith contact so that the Chestnut Street signs can be made operational.

She stated that some comments were received regarding the flashing LED stop signs at Walnut and Delaware Street and an article will be submitted for Village Voices. She stated that as the crossing guard requested due to a couple of close calls with cars running the stop signs, the committee received a thank you from him for their installation. He noted that it has made a positive difference at this intersection since their installation. It was also noted that these particular signs cannot be turned off on a timer as they operate on a cell battery.

**Fire Committee** – Ms. Tillapaugh stated that there has been damage to one of the bay doors from the ambulance backing in before the door was completely raised. Mr. Clancy will have the door secured by tomorrow and one of the ambulances will need to be in the rear bay.

Ms. Tillapaugh made a motion to accept the Public Safety committee reports as presented. Dr. Falk seconded the motion and a vote had the following results:

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

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

Action Items were reviewed as submitted and the following action taken:

Mr. Maxson made a motion to purchase new batteries for the field groomer with a transfer of funds from Doubleday Field Repairs to Doubleday Vehicle/Equipment Repairs. Mr. Allstadt seconded the motion and a vote had the following results:

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

No action was taken by the Trustees regarding (1) Thom Lach – Scheduling Conflict or (2) Bob Barasch – Special Request for Use of the Field by a 12 year old team.

Dr. Falk stated that she would like to see some sort of experience being offered to 12 year old teams even if it isn't an actual game due to the influx of this age group into the Village during the summer. Mayor Katz referred this request to Doubleday Field Committee.

It was noted that the banners purchased are intended to stay up even during special events. Mayor Katz noted that the Hall of Fame is aware and ok with it.

Mayor Katz appointed Matt Hazzard to the Doubleday Committee. Ms. Tillapaugh made a motion to ratify the appointment. Mr. Maxson seconded the motion and a vote had the following results:

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

Mayor Katz noted that the announcement regarding update revitalization funding will be made on December 10, along with CFA funding.

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

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

**Streets Committee** – A copy of the Streets Committee minutes for November was provided in the Trustee packets.

Dr. Falk noted that after discussing various potential options for contracting out work through RFP, it was decided to obtain estimates for line painting by an outside contractor for the 2016-17 budget.

Dr. Falk stated that Mr. McCaffery is close to being ready to roll out the Adopt-A-Fire Hydrant program for the New Year. He will be working up a new year's resolution and asking that the

Trustees adopt it. The program will then be monitored prior to instituting the “Adopt-A-Storm Drain” program.

Dr. Falk stated she would like to recognize and thank May Britt-Joyce for all her hard work in painting the black and white street signs and also thank Bill Rigby for sandblasting the signs in preparation for the painting.

GIGP – Dr. Falk noted that the last item for this project is to put up the sign between the General Store and Hall of Fame. As it is not anticipated to be in place prior to the winter weather, the base will need to be covered to protect those walking as well as the protecting the base from snow removal.

Dr. Falk noted that the TEP project is almost to the final report stage.

Ms. Tillapaugh inquired as to how it was determined that the contractor’s did not damage the lateral during construction of the Main Street project. Mr. Tillapaugh stated that the break in the lateral would not have occurred during construction.

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

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

**Public Hearing** - Mayor Katz opened the public hearing at 7:05 p.m. for Proposed Local Law No. 13 of 2015 – Amend Village Zoning Law to establish Planned Development District (PDD) regulations to replace the current Coordinated Development District (CDD) regulations, to provide procedures to amend existing Coordinated Development Districts, to amend the final site development plan review and approval provisions, and to provide additional definitions. The Clerk read the public hearing notice.

Mayor Katz reviewed the background for the development of the Planned District Development proposal and opened the meeting for public comment.

Linden Summers, 1 Elk Street, stated that the comments he made at last month’s public hearing regarding this proposal still stand.

As there were no further public comments, Mayor Katz closed the public hearing at 7:09 p.m.

Mr. Tillapaugh stated that he had some questions regarding how the sub-division applied to the Planned Development District. He stated that it appears that this law is eliminating the filing of the final plat map and that this is required by State law. He noted that a deed cannot be filed without it.

Eugene Berman, Planning Board Chair, stated that this is not the case. He stated that the proposed law is only stating that you don’t have to file a separate application for a sub-division as it would be part of the PDD application.

Mr. Tillapaugh noted that Fernleigh Drive is an established Coordinated Development District and if we are completely eliminating this law we are also eliminating the amendment procedures. Mr. Berman stated that the Planned Development District amendment procedure replaces the CDD amendment procedures.

Mr. Tillapaugh noted a couple of corrections needed changing roman numerals from XIII to VIII and providing some clarifying language to the last sentence in 300-19(D).

Mrs. Nicols made a motion to adopt Local Law No. 13 of 2015 – Amend Village Zoning Law to establish Planned Development District (PDD) regulations to replace the current Coordinated Development District (CDD) regulations, to provide procedures to amend existing Coordinated Development Districts, to amend the final site development plan review and approval provisions, and to provide additional definitions with corrections as noted by Mr. Tillapaugh. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mayor Katz noted he will discuss with Mr. Austin how to proactively get this information out to developers.

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

Mr. Allstadt stated that the committee met with representatives from the Library and Art Association regarding coordination for the upcoming construction project on the main floor in January.

He stated that the Library is looking into a “maker space” concept that would provide for setting aside a space for technological projects such as 3D printers and enhancement of the STEM program. He stated the Library will be seeking potential grants. The former janitor’s office would be one space to be considered for this type of activity.

Mr. Allstadt stated that the Friends of the Library have stated that they would fund construction for conversion of some space under the front porch for temporary book storage which would include a vapor barrier, and shelving. He noted that if the Trustees approve there should be a time limit for storage as well as not accepting moldy items.

Mr. Allstadt noted that the library construction grant project will begin January 3 and that the main floor and top floor will not be accessible.

Mr. Allstadt provided copies of leases between the Village and the Art Association and the Library, which have been reviewed by the Village Attorney. Mayor Katz asked that the Trustees review and the leases can be voted on at the special meeting held on November 30.

Solar Project – Mr. Allstadt stated that the consultant is working with a land owner and there is a meeting tomorrow to see if the land can be acquired which would make the project more attractive to proposers.

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

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

**Tree Committee** – Mayor Katz appointed Christine Weiss and Peggy Poulson to the Tree Committee.

Ms. Tillapaugh made a motion to ratify the appointments. Mrs. Nicols seconded the motion and a vote had the following results:

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

**Treasurer's Report** – Mayor Katz made a motion to send uncollected taxes to Otsego County. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to shift to ETF Profile II for LOSAP fees. Mr. Allstadt seconded the motion and a vote had the following results:

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

#### **Finance and Personnel Committee:**

##### **Finance:**

Trustees reviewed October 2015 RBC Wealth Management statement and updated sales tax report.

Mr. Bloomfield reported that Kyle Fabiano is looking into managed email options for consideration.

##### **Water and Sewer:**

Ms. Tillapaugh made a motion to credit sewer charges at 11 Lakeview Drive for the November billing back to average usage. Mr. Maxson seconded the motion and a vote had the following results:

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

##### **Fire Department:**

Ms. Tillapaugh made a motion to reject all bids for the fire department retaining wall opened on September 22, 2015. Mr. Allstadt seconded the motion and a vote had the following results:

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

##### **Parks:**

Ms. Tillapaugh made a motion to approve the offer of \$25.00 for purchase of the old Fairy Spring refrigerator. Mr. Allstadt seconded the motion and a vote had the following results:

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

##### **Trolley:**

Ms. Tillapaugh made a motion to increase charter fees to \$350.00 for the first two consecutive hours, with \$150.00 for each additional hour and to increase opera charters to \$300 per performance. Mrs. Nicols seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Nicols, Allstadt

Motion carried.

**Capital Projects:**

Ms. Tillapaugh made a motion to approve payment requisition no. 7 to Central Paving in the amount of \$49,913.03 representing retainage and final payment. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Nicols, Allstadt

Motion carried.

Ms. Tillapaugh made a motion to approve payment request no. 8 to Barton & Loguidice as submitted. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Nicols, Allstadt

Motion carried.

**Personnel:**

Discussion was held regarding providing longevity increases to those non-bargaining unit personnel who would qualify according to the longevity schedule outlined in the current DPW bargaining unit contract.

Following discussion Dr. Falk made a motion to provide longevity to the Deputy Clerk and Deputy Treasurer of \$250.00 each added to their base pay as hourly employees retroactive to June 1, 2015 and to the Village Clerk in the amount of \$500 and DPW Superintendent in the amount of \$1250 as lump sum amounts as these two employees are salaried. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Nicols, Allstadt

Motion carried.

Trustees reviewed overtime analysis for payrolls 48 and 49, October 2015 hours of leave report and conference report of Quentin Hasak.

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

**Abstracts:**

General	5a	28,018	PR #46
	5b	27,084	PR #47
	A5a	26,503	Non-payroll expenses paid
	A5b	130,765	Non-payroll expenses
Water	5a	6,739	PR #44
	5b	6,726	PR #45
	F5a	4,688	Non-payroll expenses paid
	F5b	10,365	Non-payroll expenses
Sewer	5a	6,525	PR #44

	5b	6,642	PR #45
	G5a	3,977	Non-payroll expenses paid
	G5b	11,806	Non-payroll expenses
Trolley	E5a	88	E - Non-payroll expenses paid
	E5b	1,441	E - Non-payroll expenses
	ET5a	26	ET - Non-payroll expenses paid
	ET5b	1,109	ET - Non-payroll expenses
Capital projects <i>Central Paving invoice</i>	HMS5a	94,618	Non-payroll expense (pending)

**Budget modifications and transfers:**

A-5112-490	Streets Perm Improvement – Other	8,600	Increase
A-9950-900	Transfers to capital projects fund	8,600	Decrease

*Painting of rain garden fence*

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

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

**Trolley Committee** – A copy of the Trolley Committee report for November was provided in the Trustee packets.

Mrs. Nicols stated that discussion occurred regarding the possibility of utilizing the Cooperstown Chamber of Commerce Area Map for trolley information this coming season rather than publishing a separate brochure. She referred to the Trolley minutes for the details and committee recommendations regarding taking this avenue rather than having our own brochure.

Mrs. Nicols made a motion to accept the Trolley Committee report as presented. Dr. Falk seconded the motion and a vote had the following results:

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

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

Dr. Falk noted that the committee discussed the Cooperstown Chamber's proposal to Parks Board regarding hosting musical performances in Pioneer Park this summer. She stated that the committee recommended that the Chamber be charged a \$25.00 permit fee, that musicians be allowed to have a donation jar or instrument case for donations, that signage be placed indicating that the music is sponsored by the Cooperstown Area Chamber of Commerce and the Village of Cooperstown and that musician applications be contained in the kiosk in the event of questions.

She stated that utilizing Pioneer Park for chess games as is currently done in Albany and Schenectady was also discussed by the committee.

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

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

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

Ms. Tillapaugh made a motion to allow the Cooperstown Chamber of Commerce to organize music in Pioneer Park for July and August, two time slots a day, 7 days a week for a \$25.00 permit fee, that musicians be allowed to have a donation jar or instrument case for donations, that signage be placed indicating that the music is sponsored by the Cooperstown Area Chamber of Commerce and the Village of Cooperstown and that musician applications be contained in the kiosk in the event of questions. Mr. Allstadt seconded the motion and a vote had the following results:

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

Discussion was held regarding a pulley system for Pioneer Park for signage purposes.

Ms. Tillapaugh noted that paving estimates were reviewed by the Board and will be discussed further during the 2016-17 budget discussions.

Ms. Tillapaugh stated that Mr. Clancy is obtaining information from the sailing club regarding floating docks in preparation for the bid for the village dock budgeted for replacement.

Ms. Tillapaugh stated that an article will be placed in Village Voices regarding the potential for a dog park.

She noted that Mr. McCaffery was thanked for his 12 years of service as Parks Board secretary.

Dr. Falk made a motion to accept the Parks Board report as presented. Mrs. Nicols seconded the motion and a vote had the following results:

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

**Water Board** – A copy of the November board minutes was provided in the Trustee packet and reviewed by Mr. Maxson. It was noted that hydrants have been inspected and tested.

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

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

**Sewer Board** – A copy of the November board minutes was provided in the Trustee packet and reviewed by Mr. Maxson. It was noted that there is approximately 1.3 million in Sewer reserves in the event funds are needed for repair/replacement.

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

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

**New Business:** Mayor Katz noted that he had received an email from Joe Mamorato regarding drones. Mr. Tillapaugh stated that up to 400 feet it is open game and after that there are FAA regulations involved.

Mr. Tillapaugh noted that lawsuit filed by Price Chopper regarding their tax assessment has been dropped and been dismissed by the motion that he filed.

**Permits:**

Ms. Tillapaugh made a motion to approve the permit application of the Cooperstown Christmas Committee for the Santa Parade on November 27 as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to approve the permit application of the Clark Sport Center for the Ugly Sweater Run to be held on December 5, 2015 as submitted. Mr. Maxson seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to approve the permit application of the Cooperstown Art Association for the Ceili Dance on December 18, 2015 with a reminder regarding the room occupancy limit of 49. Mayor Katz seconded the motion and a vote had the following results:

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

**Cooperstown Chamber of Commerce – 2015 Cooptoberfest Review and 2015 Cooptoberfest Request**

Matt Hazzard, Executive Director, Cooperstown Chamber of Commerce stated he had provided a proposal for next year's Cooptoberfest to be held on October 8, 2016 and the Main Street Satisfaction Results for the 2015 Cooptoberfest.

He stated he feels that overall the event was a success, even though there were a few negative emails.

Dr. Falk noted that the family portion was met with overwhelming support but there were concerns about the open container aspect.

Mayor Katz noted that the Trustees did not suspend the open container law and that this is a law enforcement issue. He stated he would like to see where we can make this better to lessen complaints.

Mr. Hazzard stated that the tent locations were strategically placed to lessen the impact on open businesses. He noted that the location of the beer/music tent only impacted two open businesses. He stated that the post office is only open until noon and the VIP event doesn't start until 4:00 p.m., with the public event starting at 5:00 p.m.



Mr. Allstadt made a motion to return to regular session at 9:45 p.m. Mrs. Nicols seconded the motion and a vote had the following results:

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

Mayor Katz made a motion to appoint Jessica Thornhill from the Otsego County Civil Service eligible list to the position of full-time police officer at a salary of \$17.9540 per hour for a one year probationary appointment beginning December 1, 2015 and ending November 30, 2016. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to appoint Teri Barown as Registrar of Vital Statistics effective December 1, 2015 through December 31, 2017. Mr. Maxson seconded the motion and a vote had the following results:

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

Mr. Maxson made a motion to adjourn the meeting at 9:50 p.m. Mrs. Nicols seconded the motion and a vote had the following results:

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

Respectfully submitted,

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