

The organizational meeting of the Board of Trustees of the Village of Cooperstown was held on Monday, April 3, 2017 at 6:30 p.m. in the Village Office Building, 22 Main Street, Cooperstown, New York. Members present were Mayor Ellen Tillapaugh, Trustees Cynthia Falk, James Dean, Bruce Maxson, and Lou Allstadt. Trustee Richard Sternberg was absent. Also present were Village Administrator Teri Barown. There was one (1) members of the public present.

Mayor Tillapaugh called the meeting to order at 6:30 p.m.

Mayor Tillapaugh appointed Jeanne Dewey, 15 Eagle Street, Cooperstown, to fill the vacant Trustee seat created by Ms. Tillapaugh’s election to the position of Mayor. Ms. Dewey will fill a one year term ending March 31, 2019, and the seat will be up for election for the remainder of the term, which will be one year. Ms. Dewey will be sworn into the position at a later date early this month.

Mayor Tillapaugh appointed Cynthia Falk as Deputy Mayor for a one year term ending March 31, 2019.

Mayor Tillapaugh acknowledged that there exists a relationship between herself as Mayor and the Village Attorney, Martin Tillapaugh who is her brother and stated she is recusing herself from any actions related to Mr. Tillapaugh

Deputy Mayor Falk appointed Martin Tillapaugh as Village Attorney. Mr. Allstadt made a motion to ratify the appointment. Mr. Maxson seconded the appointment and a vote had the following results:

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

Mayor Tillapaugh made the appointment of Village Officials and committee/board member members as outlined below, with the exception of Martin Tillapaugh as he was previously appointed above:

*** Indicates elected official.**

OFFICE	NAME	TERM EXPIRES
Mayor (2 yrs) *	Ellen Tillapaugh	April 1, 2020
Deputy Mayor (1 yr)	Cynthia Falk	April 1, 2019
Board of Trustees (3 yrs) *	Bruce Maxson	April 1, 2019
	Richard Sternberg	April 1, 2019
	Cynthia Falk	April 1, 2021
	James Dean	April 1, 2021
	Jeanne Dewey	April 1, 2019
	Louis W. Allstadt	April 1, 2020
Clerk/Administrator	Teri L. Barown	September 27, 2018
Treasurer/Tax Collector	Debra Guerin	April 1, 2019*

Deputy Clerk/Treasurer	Cynthia Miller	April 1, 2019*
Village Attorney	Martin Tillapaugh	April 1, 2019
Police Chief	Michael Covert	N/A
Public Works Superintendent	Mitchell Hotaling	N/A
Streets Superintendent		N/A
Water Superintendent	Dennis R. Elliott	N/A
Sewer Superintendent	John K. Cankar	N/A
Registrar	Teri L. Barown	December 1, 2019
Health Officer	Bill LeCates, M.D.	April 1, 2019
Village Assessor	Albert Keck	October, 2019
Codes Official	County	Contract
Zoning Enforcement Officer	Jane Gentile	n/a
Historian	Hugh MacDougall	April 1, 2019

*Still serving under a probationary period

Board of Water and Sewer Commissioners (3 yrs)	Bruce Maxson	September 1, 2019
	Paul Bedworth	September 1, 2018
	Joe Membrino	September 1, 2019
	Ron Streek	September 1, 2018
	Chair Anders Bergfjord	September 1, 2019
	Alternate Ann Brown	September 1, 2018
Alternate vacant	September 1, 2018	
Watershed Supervisory Committee (5 yrs)	Doug Willies	April 1, 2020
	Meg Tillapaugh, Chair	April 1, 2020
	Bennett Sandler	April 1, 2020
	Kevin Grady	April 1, 2020
	James Howarth	April 1, 2020

<p>Planning Board (3yrs)</p> <p style="text-align: right;">Chair Alternate Alternate</p>	<p>David Pearlman Joe Membrino Richard Blabey Fred Schneider Eugene Berman Ellen Pope vacant</p>	<p>October 2019 October 2018 October 2018 October 2020 October 2020 October 2021 October, 2021</p>
<p>Zoning Board of Appeals (3 yrs)</p> <p style="text-align: right;">chair</p>	<p>Susan Snell Frank Leo Marcie Schwartzman Ron Streek John Sansevere Joe Perdue (Alt) Dave Wood (Alt)</p>	<p>April 1, 2019 April 1, 2021 April 1, 2019 April 1, 2019 April 1, 2019 April 1, 2021 April 1, 2021</p>
<p>Doubleday Field Advisory Committee (3 yrs)</p> <p style="text-align: right;">chair</p> <p style="text-align: center;">[Friends of Doubleday-liaison]</p>	<p>Bruce Maxson Scot Mondore Ted Spencer Vincent Russo Peter Henrici Frank Capozza</p>	<p>April 1, 2019 April 1, 2019 April 1, 2019 April 1, 2019 April 1, 2021 April 1, 2020 April 1, 2021</p>
<p>Board of Park Commissioners (3 yrs)</p> <p>7 members one of which is FOP members</p>	<p style="text-align: right;">chair</p> <p>Jeanne Dewey Ron Lytel John Odell Rich McCaffery Lynne Mebust Jeanne Dewey Martha Membrino</p>	<p>April 1, 2021 April 1, 2020 April 1, 2021 April 1, 2021 April 1, 2021 April 1, 2020 April 1, 2020</p>
<p>Hist. Preservation & Arch. Review Board (3 years)</p>	<p>Liz Callahan, Chair David Sanford Brian Alexander</p>	<p>January 1, 2019 January 1, 2021 January 1, 2020</p>

	Roger MacMillan Mark Mershon Gary Kiss (alt) Joe Festa (alt)	January 1, 2020 January 1, 2019 January 1, 2019 January 1, 2020
Trustee Committees: (Chair listed first)		
Streets Committee Buildings Committee Finance and Personnel Public Safety (Police, Fire)	Falk, Allstadt, J. Dean Allstadt, Falk, Dean, Allstadt, Falk Sternberg	April 1, 2019 April 1, 2019 April 1, 2019 April 1, 2019
Economic Development and Sustainability Committee	Cynthia Falk, Chair Carolyn Lewis Richard Blabey Lou Allstadt Matt Hazzard Allen Ruffles Jeanne Dewey	April 1, 2019 April 1, 2019 April 1, 2019 April 1, 2019 April 1, 2019 April 1, 2019 April 1, 2019
Tree Advisory Committee	Dennis Tallman Peggy Poulson Christine Weiss	April 1, 2019 April 1, 2019 April 1, 2019

Dr. Falk made a motion to ratify the appointment of Village Officials and committee/board members as outlined above. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Falk, Dean, Maxson, Allstadt

Motion carried.

Mayor Tillapaugh made a motion to designate The Daily Star as the official newspaper for the Village of Cooperstown. Ms. Tillapaugh seconded the motion and a vote had the following results:

AYES: Falk, Dean, Maxson, Allstadt

Motion carried.

Dr. Falk made a motion to adopt Finance Resolutions No. 1 - 5 of 2018, which read as follows:

AUTHORIZING PAYMENT FOR PUBLIC UTILITY SERVICES, NEW YORK STATE & FEDERAL GOVERNMENT PAYMENTS, POSTAGE, FREIGHT, APPROVED CONFERENCE REGISTRATION FEES, VARIOUS DEPOSITS FOR SERVICES AND GROUP HEALTH INSURANCE

FINANCE RESOLUTION NO. 1 of 2018

WHEREAS the board of trustees has determined to authorize payment in advance of audit of claims for public utility services, New York State & Federal Government payments, postage, freight, approved conference registration fees, express charges, various deposits for services (e.g. curb cuts & Doubleday game refunds) and group health insurance; and

WHEREAS all such claims must be presented at the next regular meeting for audit; and

WHEREAS the claimant and the officer incurring or approving the claim are jointly and severally liable for any amount the board of trustees disallows.

NOW THEREFORE BE IT RESOLVED:

That the board of trustees authorizes payment in advance of audit of claims for public utility services, New York State & Federal Government payments, postage, freight, approved conference registration fees, express charges, various deposits for services (e.g. curb cuts & Doubleday game refunds) and group health insurance. All such claims must be presented at the next regular meeting for audit and the claimant and the officer incurring or approving the claims are jointly and severally liable for any amount the board of trustees disallows.

REIMBURSEMENT OF TRAVEL EXPENSE

FINANCE RESOLUTION NO. 2 of 2018

WHEREAS the board of trustees has determined to pay a fixed rate for mileage, as established by the Internal Revenue Service, as reimbursement to Village officers and employees who use their personal automobiles while performing their official Village duties.

NOW THEREFORE BE IT RESOLVED:

That the board of trustees will approve reimbursement to such officers and employees at the rate established by the Internal Revenue Service.

**INVESTMENT POLICY
VILLAGE OF COOPERSTOWN**

FINANCE RESOLUTION NO. 3 of 2018

I. SCOPE

This investment policy applies to all moneys and other financial resources available for deposit and investment by the Village of Cooperstown on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the Village of Cooperstown's investment activities are, in priority order:

- To conform with all applicable federal, state and other legal requirements (legality)
- To adequately safeguard principal (safety)
- To provide sufficient liquidity to meet all operating requirements (liquidity)
- To obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment policies. Such procedures shall include internal controls to provide a satisfactory level of accountability based upon records incorporating the description and amounts of investments, the fund(s) for which they are held, the place(s) where kept, and other relevant information, including dates of sale or other dispositions and amounts realized. In addition, the internal control procedure shall describe the responsibilities and levels of authority for key individuals involved in the investment program.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transactions that might impair public confidence in the Village of Cooperstown to govern effectively.

Investments shall be made with prudence, diligence, skill, judgment and care, under circumstances then prevailing, which knowledgeable and prudent persons acting in like capacity would use, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Village of Cooperstown to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

The governing board shall establish appropriate limits for the amounts of investments which can be made with each financial institution or dealer, and shall evaluate this listing at least annually.

VI. INTERNAL CONTROLS

It is the policy of the Village of Cooperstown for all moneys collected by any officer or employee of the government (excluding Justice(s) of the Peace) to transfer those funds to the Treasurer within 5 (five) days for deposit, or within the time period specified in law, whichever is shorter.

The Treasurer is responsible for establishing and maintaining internal control procedures to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization, properly recorded, and managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITARIES

The banks and trust companies that are authorized for the deposit of moneys, and the maximum amount which may be kept on deposit at any time are:

<u>Depository Name</u>	<u>Maximum Amount</u>
Bank of Cooperstown	\$ 7,500,000.00
Community Bank, N.A.	\$ 5,000,000.00
Key Bank of New York	\$ 3,500,000.00

VIII. SECURING DEPOSITS AND INVESTMENTS

All deposits and investments at a bank or trust company, including all demand deposits, certificates of deposit and special time deposits (hereinafter, collectively, "deposits") made by officers of the Village of Cooperstown that are in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured by:

1. A pledge of "eligible securities" with an aggregate "market value" (as provided by the GML Section 10) that is at least equal to the aggregate amount of deposits by the officers. See Schedule A of this policy for a listing of "eligible securities."
2. An "eligible surety bond" payable to the government for an amount at least equal to 100 percent of the aggregate amount of deposits and the agreed-upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations. The governing board shall approve the terms and conditions of the surety bond.
3. An "eligible letter of credit," payable to the Village of Cooperstown as security for the payment of 140 percent of the aggregate amount of deposits and the agreed-upon interest, if any. An "eligible letter of credit" shall be an irrevocable letter of credit issued in favor of the Village of Cooperstown, for a term not to exceed 90 days, by a qualified bank (other than the bank where the secured money is deposited). A qualified bank is either one whose commercial paper and other unsecured short-term debt obligations (or, in the case of a bank which is the principal subsidiary of a holding company, whose holding company's commercial paper and other unsecured short-term debt obligations) are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization, or one that is in compliance with applicable federal minimum risk-based capital requirements.

IX. COLLATERALIZATION AND SAFEKEEPING

Eligible securities used for collateralizing deposits made by officers of the Village of Cooperstown shall be held by (the depository or a third party) bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure such deposits together with agreed-upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon a default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the Village of Cooperstown to exercise its rights against the pledged securities.

In the event that the pledged securities are not registered or inscribed in the name of the Village of Cooperstown, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Village of Cooperstown or the custodial bank or trust company. Whenever eligible securities delivered to the custodial bank or trust company are transferred by entries on the books of a federal reserve bank or other book-entry system operated by a federally regulated entity without physical delivery of the evidence of the obligations, then the records of the custodial bank or trust company shall be required to show, at all times, the interest of the Village of Cooperstown in the securities as set forth in the security agreement.

The custodial agreement shall provide that pledged securities will be held by the bank or trust company as agent of, and custodian for, the Village of Cooperstown, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing for any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt, substitution, or release of the collateral and it shall provide for the frequency of revaluation of collateral by the custodial bank or trust company and for the substitution of collateral when a change in the rating of a security causes ineligibility. The security and custodial agreements shall also include all other provisions necessary to provide the Village of Cooperstown with a perfected security interest in the eligible securities and to otherwise secure the Village of Cooperstown's interest in the collateral, and may contain other provisions that the governing board deems necessary.

X. PERMITTED INVESTMENTS

As provided by General Municipal Law Section 11, the Village of Cooperstown authorizes the Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- Special time deposit accounts in, or certificates of deposit issued by, a bank or trust company located and authorized to do business in the State of New York
- Obligations of the United States of America
- Obligations guaranteed by agencies of the United States of America, where the payment of principal and interest are guaranteed by the United States of America
- Obligations of the State of New York

- With the approval of the State Comptroller, obligations issued pursuant to Local Finance Law Section 24.00 or 25.00 (i.e. Tax Anticipation Notes and Revenue Anticipation Notes) by any municipality, school district or district corporation in the State of New York other than the Village of Cooperstown
- Obligations of the Village of Cooperstown, but only with moneys in a reserve fund established pursuant to General Municipal Law Section 6-c, 6-d, 6-e, 6-f, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Village of Cooperstown within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable in any event at the option of the Village of Cooperstown within two years of the date of purchase. Time deposit accounts and certificates of deposit shall be payable within such times as the proceeds will be needed to meet expenditures for which the moneys were obtained, and shall be secured as provided in Section VIII and IX herein.

Except as may otherwise be provided in a contract with bondholders or noteholders, any moneys of the Village of Cooperstown authorized to be invested may be commingled for investment purposes, provided that any investment of commingled moneys shall be payable or redeemable at the option of the Village of Cooperstown within such time as the proceeds shall be needed to meet expenditures for which such moneys were obtained, or as otherwise specifically provided in General Municipal Law Section 11. The separate identity of the sources of these funds shall be maintained at all times and income received shall be credited on a pro rata basis to the fund or account from which the moneys were invested.

Any obligation that provides for the adjustment of its interest rate on set dates is deemed to be payable or redeemable on the date on which the principal amount can be recovered through demand by the holder.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

All financial institutions and dealers with which the Village of Cooperstown transacts business shall be creditworthy, and have an appropriate level of experience, capitalization, size and other factors that make the financial institution or the dealer capable and qualified to transact business with the Village of Cooperstown. The Treasurer shall evaluate the financial position and maintain a listing of proposed depositaries, trading partners, and custodians. Recent Reports of Condition and Income (call reports) shall be obtained for proposed banks and security dealers that are not affiliated with a bank shall be required to be classified as reposting dealers affiliated with the New York Federal Reserve Bank, as primary dealers.

The Village of Cooperstown shall maintain a list of financial institutions and dealers approved for investment purposes, and establish appropriate limits to the amounts of investments that can be made with each financial institution or dealer.

XII. PURCHASE OF INVESTMENTS

The Treasurer is authorized to contract for the purchase of investments:

1. Directly, from an authorized trading partner
2. By participation in a cooperative investment agreement with other authorized municipal corporations pursuant to Article 5-G of the General Municipal Law and in accordance with Article 3-A of the General Municipal Law.

All purchased obligations, unless registered or inscribed in the name of the Village of Cooperstown, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village of Cooperstown by the bank or trust company.

Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law Section 10(3)(a). The agreement shall provide that securities held by the bank or trust company, as agent of, and custodian for, the Village of Cooperstown, will be kept separate and apart from the general assets of the custodial bank or trust company and will not be commingled with or become part of the backing of any other deposit or other bank liability. The agreement shall also describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to secure the Village of Cooperstown's perfected interest in the securities, and the agreement may also contain other provisions that the governing board deems necessary. The security and custodial agreements shall also include all other provisions necessary to provide the Village of Cooperstown with a perfected interest in the securities.

The Treasurer can direct the bank or trust company to register and hold the evidences of investments in the name of its nominee, or may deposit or authorize the bank or trust company to deposit, or arrange for their deposit with a federal reserve bank or other book-entry transfer system operated by a federally regulated entity. The records of the bank or trust company shall show, at all times, the ownership of such evidences of investments, and they shall be, when held in the possession of the bank or trust company, at all times, kept separate from the assets of the bank or trust company. All evidences of investments delivered to a bank or trust company shall be held by the bank or trust company pursuant to a written custodial agreement as set forth in General Municipal Law Section 10(3)(a), and as described earlier in this section. When any such evidences of investments are so registered in the name of the nominee, the bank or trust company shall be absolutely liable for any loss occasioned by the acts of such nominee with respect to such evidences of investments.

XIII. COURIER SERVICE

The Treasurer may, subject to the approval of the governing board by resolution, enter into a contract with a courier service for the purpose of causing the deposit of public funds with a bank or trust company. The courier service shall be required to obtain a surety bond for the full amount entrusted to the courier, payable to the Village of Cooperstown and executed by an insurance company authorized to do business in the State of New York, with a claims-paying ability that is rated in the highest category by at least two nationally recognized statistical rating organizations, to insure against any loss of public deposits entrusted to the courier service for deposit or failure to deposit the full amount entrusted to the courier service.

The Village of Cooperstown may agree with the depository bank or trust company that the bank or trust company will reimburse all or part of, but not more than, the actual cost incurred by the Village of Cooperstown in transporting items for deposit through a courier service. Any such reimbursement agreement shall apply only to a specified deposit transaction, and may not be subject to such terms, conditions and limitations, as the bank or trust company deems necessary to ensure sound banking practices, including, but not limited to, any terms, conditions or limitations that may be required by the banking department or other federal or State authority.

XIV ANNUAL REVIEW AND AMENDMENTS

The Village of Cooperstown shall review this investment policy annually, and it shall have the power to amend this policy at any time.

XV DEFINITIONS

The terms “public funds,” “public deposits,” “bank,” “trust company,” “eligible securities,” “eligible surety bond,” and “eligible letter of credit” shall have the same meanings as set forth in General Municipal Law Section 10.

APPENDIX A

Schedule of Eligible Securities

- YES (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- NO (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.
- NO (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the market value of the obligation that represents the amount of the insurance or guaranty.
- YES (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of this State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- NO (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- NO (vi) Obligations of the Commonwealth of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

- NO (vii) Obligations of counties, cities and other government entities of another state having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- NO (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- NO (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.
- NO (x) Commercial paper and bankers' acceptances issued by a bank (other than the bank with which the money is being deposited or invested) rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- NO (xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

ESTABLISH BANK DEPOSITORY

FINANCE RESOLUTION NO. 4 of 2018

WHEREAS the board of trustees has determined that Village Law § 4-412(3)(2) requires the designation of banks or trust companies for the deposit of all village monies do hereby designate Bank of Cooperstown, Cooperstown, New York as the official depository for said Village for various funds with a maximum amount of \$7,500,000 as stated in the Village Investment Policy.

NOW THEREFORE BE IT RESOLVED that the Treasurer of said Village is hereby directed to deposit and keep the funds as designated above,

That the Treasurer of said Village be authorized to invest, for the 2018-19 fiscal year, whatever funds appear to be available in securities or accounts legal for investment by municipalities and as permitted by the Village of Cooperstown Investment Policy.

AUTHORIZING CASH ADVANCE FOR TRAVEL EXPENSE

FINANCE RESOLUTION NO. 5 of 2018

BE IT RESOLVED that cash advances be authorized to Village Officers and employees for necessary travel expenses subject to the following conditions:

1. Advances shall be made in an amount deemed appropriate by the Village Treasurer.
2. Persons receiving such advances shall obtain receipts for all expenditures.

- 3. **All receipts and balance shall be returned to the Village Treasurer without delay following return trip.**

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

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

Dr. Falk made a motion to adopt the following policies and procedures as submitted.

**VILLAGE OF COOPERSTOWN
 RULES OF PROCEDURE
 BOARD OF TRUSTEE MEETINGS**

REGULAR MEETINGS:

The Board of Trustees shall hold regular meetings on the 4th Monday of each month. Such regular meetings shall commence at 6:30 p.m. and be conducted in the Village Office Building, downstairs meeting room, 22 Main Street, Cooperstown, New York.

Any deviation of the foregoing paragraph shall be determined by the Board of Trustees.

SPECIAL MEETINGS:

Special meetings of the Board of Trustees are all those Board meetings other than regular meetings.

A special meeting may be called by the Mayor or two or more Trustees, upon notice to the entire Board of Trustees. Notice shall be given by telephone, in person, or in writing (including by email) at least 24 hours in advance unless an emergency exists.

QUORUM:

A quorum shall be required to conduct business. A quorum of the (7) seven member board of trustees shall be (4) four. In the absence of a quorum, a lesser number may adjourn and compel the attendance of absent members.

EXECUTIVE SESSIONS:

Executive sessions shall be held in accordance with NYS Public Officers Law §105. All executive sessions shall be commenced in a public meeting.

AGENDAS:

The agenda shall be prepared by the Clerk/Administrator at the direction of the Mayor. The Mayor, any Trustee, or member of the Public at large may have an item placed on the agenda. Items for the agenda shall be given to the Clerk at least two (2) business days before the meeting however, items may be placed on the agenda at anytime, including during the meeting by the Mayor or any Trustee.

VOTING:

Pursuant to Village Law each member of the Board shall have one vote. The Mayor may vote on any matter but **must** vote in case of a tie.

A majority of the totally authorized voting power is necessary to pass a matter unless otherwise specified by State law.

Abstentions and absences are neither positive nor negative votes; they are simply no vote at all. For the purpose of determining whether a matter passed, the clerk must tally the number of yes votes.

A vote upon any question shall be taken by ayes and nays, and the names of the members present and their votes shall be entered in the minutes.

MINUTES:

Minutes shall be taken by the Clerk/Administrator.

Minutes shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon. Minutes shall be taken at executive session of any action that is taken by formal vote, which shall consist of a record or summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter which is not required to be made public by the NYS Freedom of Information Law.

Minutes shall also include the following;

- Name of the Board
- Date, place and time of meeting
- Notation of presence or absence of Board members and time of arrival or departure if different from time of call to order and adjournment.
- Name and title of other village officials and employees present and approximate number of attendees.
- Record of communications presented to the Board
- Record of reports from Board/committee meetings or other village personnel
- Time of adjournment
- Signature of Clerk or person who took the minutes if not the Clerk.

Minutes shall not contain a summary of the discussion leading to action taken or include verbatim comments unless a majority of the Board shall resolve to have the Clerk do so.

Minutes shall be approved at the next board meeting. Amendments to the minutes shall require Board approval.

ORDER OF BUSINESS:

Call to order
Pledge
Public comment
Public Hearing(s) if applicable
Correspondence
Approval of minutes of previous meeting
Reports of officer, committees, boards
New business
Adjournment

This order is subject to change from time to time.

GENERAL RULES OF PROCEDURE:

The Mayor shall preside at meeting. In the Mayor's absence, the Deputy Mayor shall preside.

The presiding officer may debate, move and take other action that may be taken by other members of the Board.

Board members are not required to rise but must be recognized by the presiding officer before making motions.

Motions must have a second to proceed with debate.

A member, once recognized shall not be interrupted when speaking unless it is to call him/her to order. If a member, while speaking, is called to order, they shall cease speaking until the question of order is determined, and, if in order, he/she shall be permitted to proceed. A member may not be limited in the number of times they speak on a question.

Motion to close or limit debate requires a majority vote.

GUIDELINES FOR PUBLIC COMMENT:

The public shall be allowed to speak only during the Public Comment period of the meeting or at such other time as the presiding officer shall allow.

Speakers may be required to step to the front of the room.

Speakers must give their name, address, and organization, if any.

Speakers must be recognized by the presiding officer.

Speakers must limit their remarks to 5 minutes on a given topic.

Speaker will be permitted to speak one time on any given topic unless otherwise permitted by the presiding officer.

Speakers may not yield any remaining time they may have to another speaker.

Board members may, with the permission of the Mayor, interrupt a speaker during their remarks, but only for the purpose of clarification or information.

All remarks shall be addressed to the Board as a body and not to any member thereof.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste.

Interested parties or their representatives may address the Board by written communications.

GUIDELINES FOR USE OF RECORDING EQUIPMENT:

All members of the public and all public officials are allowed to tape or video record public meetings. Recording is not allowed during executive sessions. The recording should be done in a manner that does not interfere with the meeting. The mayor may make the determination that the recording is being done in an intrusive manner taking into consideration, but not limited to, brightness of lights, distance from the deliberations of the village board, size of the equipment, and the ability of the public to still participate in the meeting. If the mayor makes the determination that the recording is intrusive and has the effect of interfering with the meeting, the mayor may request an accommodation to avoid the interference and if not complied with ask the individual to leave the meeting room.

ADJOURNMENT:

Meetings shall be adjourned by motion.

AMENDMENTS TO THE RULES OF PROCEDURE:

The foregoing procedures may be amended from time to time by a majority vote of the Board.

Village of Cooperstown
Code of Ethics

WHEREAS, it is now necessary under Chapter 1019 of the Law of the State of New York for each municipality to enact a code of ethics,

BE IT RESOLVED, by the Board of Trustees of the Village of Cooperstown as follows:

Section 1. Pursuant to the provision of Section 806 of the General Municipal Law, the Board of Trustees of the Village of Cooperstown recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this resolution to promulgate these rules of ethical conduct for the officers and employees of the Village of Cooperstown. These rules shall serve as a guide for official conduct of the officers and employees of the Village of Cooperstown. The rules of ethical conduct of this resolution as adopted, shall not conflict with, but shall be in addition to any prohibition of Article 18 of the General Municipal Law or any other general or specific law relating to ethical conduct and interest in contracts of municipal officers and employees.

Section 2. Definitions:

- (a) "Municipal Officer or Employee: means an officer or employee of the Village of Cooperstown, whether paid or unpaid, including members of any administrative board, commission or other agency thereof. No person shall be deemed to be a municipal officer or employee solely by reason of being a volunteer firefighter or civil defense volunteer, except a chief engineer or assistant chief engineer.
- (b) "Interest" means a pecuniary or material benefit accorded to a municipal officer or employee unless the contract otherwise requires.

Section 3. Standards of Conduct. Every officer or employee of the Village of Cooperstown shall be subject to and abide by the following standards of conduct:

- (a) Gifts. An officer or employee shall not directly or indirectly, solicit any gift; or accept or receive any gift having a value of seventy-five dollars (\$75.00) or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence the officer or employee, or could reasonably be expected to influence the officer or employee, in the performance of his official duties or was intended as a reward for any official action of the part of the officer or employee.

- (b) Confidential Information. An officer or employee shall not disclose confidential information acquired by them in the course of their official duties or use such information to further their personal interest.
- (c) Representation before one's own agency. An officer or employee shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which they are an officer, member or employee or of any municipal agency over which they have jurisdiction or to which they have the power to appoint any member, officer or employee.
- (d) Representation before any agency for a contingent fee. An officer or employee shall not receive, or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any agency or their municipality, whereby their compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.
- (e) Disclosure of interest in legislation. To the extent that they know thereof, a member of the Board of Trustees and any officer or employee of the Village of Cooperstown, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board of Trustees of any legislation before the Board of Trustees shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest they have in such legislation.
- (f) Investments in conflict with official duties. An officer or employee shall not invest or hold any investment directly or indirectly in any financial, business, commercial or other private transaction, which creates a conflict with their official duties.
- (g) Private employment. An officer or employee shall not engage in, solicit, negotiate for or promise to accept private employment or render services for private interests when such employment or service creates a conflict with or impairs the proper discharge of official duties.
- (h) Future employment. An officer or employee shall not, after the termination of service or employment with such municipality, appear before any board or agency of the Village of Cooperstown in relation to any case, proceeding or application in which they personally participated during the period of their service or employment or which was under their active consideration.

Section 4. Nothing herein shall be deemed to bar or prevent the timely filing by a present or former municipal officer or employee of any claim, account, demand or suit against the Village of Cooperstown, or any agency thereof on behalf of themselves or any member of their family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Section 5. Distribution of Code of Ethics. The Mayor of the Village of Cooperstown shall cause a copy of this code of ethics to be distributed to every officer and employee of the Village of Cooperstown within 30 days after the effective date of this resolution. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment.

Section 6. Penalties. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of this code may be fined, suspended, or removed from office or employment, as the case may be, in the manner provided by law.

Section 7. Effective date. This resolution shall take effect immediately upon adoption and shall be reviewed and re-adopted on an annual basis.

**Village of Cooperstown
Procurement Policy**

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from all officers in the Village involved in the procurement process, now, therefore, be it

RESOLVED, that the Village of Cooperstown does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

PROCUREMENT POLICY FOR THE VILLAGE OF COOPERSTOWN

Pursuant to General Municipal Law Section 104-b(2)(f) the individual who is designated with the responsibility for purchasing for the Village of Cooperstown is Teri L. Barown, Village Administrator.

1. Every purchase to be made must be initially reviewed to determine where it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; certain municipal hospital purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under

State and county contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

- 2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other methods that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contract over \$20,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Finance Law; goods purchased from correctional institutions pursuant to Section 186 of the Correction Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under country contracts pursuant to Section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy.
- 3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

Estimated Amount of Purchase Contract	Method
\$250 - \$2,999	2 verbal quotations
\$3,000 - \$19,999	3 written/fax quotations or written request for proposals

Estimated Amount of Public Works Contract	Method
\$250 - \$2,999	2 verbal quotations
\$3,000 - \$4,999	2 written/fax quotations
\$5,000 - \$34,999	3 written fax quotations or written request for proposals

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar in the procurement.

4. Documentation is required of each action taken in connection with each procurement.
5. Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offeror. This documentation will include an explanation of how the award will achieve savings or how the offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
6. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Cooperstown to solicit quotations or document the basis for not accepting the lowest bid.
 - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Board of Trustees shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipality owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be

purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits. Once an emergency is determined by the Purchasing Agent, he/she will contact the Board of Trustees via email to obtain approval to make the purchase if time permits.

- c. Purchases of surplus and second-hand goods, from any source. If alternate proposals are required, the Village is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
 - d. Goods or services under \$300. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
 - e. *Purchase of items totaling \$500 or more requires obtaining a purchase order from the Purchasing Agent. A purchase order will not be issued if there are not adequate funds in the line item that the purchase falls under until a transfer of funds has been approved by the Board of Trustees.*
7. Standardization. Section 103 of the General Municipal Law makes it possible for the Village of Cooperstown to standardize on a particular type of material or equipment. The Resolution, approved by the Board of Trustees, shall state that for reasons of efficiency and economy there is a need for standardization. It shall contain a full explanation supporting such action.

The adoption of such a Resolution does not eliminate the necessity for conformance to the competitive bidding requirements.

Standardization, as the word implies, restricts a purchase to a specific model or type of equipment or supply. For example, to limit the purchase of trucks to particular make or model on the basis of past performance and/or future plans.

Previous experience may indicate that a certain vehicle is more economical to operate or functions more efficiently. A preventative maintenance program undertaken by the central garage may operate more efficiently and economically because of the ability to interchange parts.

The make or model may be stated in the specifications, and any vendor who can furnish the item may bid. There is no longer a need for the inclusion of the term “or equivalent” or “or equal.”

The Village Clerk will maintain a list of standardized equipment and accompanying resolution on file in the Village Office.

All requests for standardization should be made to the Village Clerk. The Village Clerk will then prepare a resolution to be submitted to the Finance Committee for review and recommendation to the Board of Trustees.

- 8. Prevailing Wages. Prevailing wages consist of pay scales that have been bargained for by the various unions throughout the State and are set by the New York State Department of Labor. Contactors must pay these rates to their employees who work on public works projects in any municipality. There is no dollar threshold where these wages do not apply. In having contractors/vendors submit quotes, it is extremely important to make sure that they understand that prevailing wages apply for any public works project regardless of the cost of the contract. Owners/operators, who have no employees, do not need to pay themselves prevailing wages. Certified payrolls are required to be kept on file by the Village Clerk for all Public Works Contracts.
- 9. Overtime regulations from New York State Department of Labor regarding Public Works Contracts. No laborer, worker, or mechanic in the employ of a contractor or subcontractor engaged in the performance of any public work project shall be permitted to work more than eight hours in any day or more than five days in any week, except in cases of extraordinary emergency. The contractor and the Department of Jurisdiction (Contracting Agency – Village of Cooperstown) may apply to the Bureau of Public Works for a dispensation permitting workers to work additional hours or days per week on a particular public work project. When submitting a “Request for Dispensation to Work Overtime” (PW-30) the contractor not only completes and signs the form, but must have it signed by a representative of the Department of Jurisdiction (Contracting Agency – Village of Cooperstown). Once this is done, it can be submitted to the NYSDOL Bureau of Public Work for review. Failure to have the Department of Jurisdiction complete and sign its portion of the PW-30 will delay the Bureau of Public Work’s possible approval.
- 10. This policy was originally adopted on January 1, 1992 and will be reviewed annually.

11. REGULATIONS
 PUBLIC ACCESS TO RECORDS OF
 12. VILLAGE OF COOPERSTOWN

13.

- 14. 1. Purpose and scope
 2. Designation of records access officer

3. Location
4. Hours for public inspection
5. Requests for public access to records
6. Subject matter list
7. Denial of access to records
8. Fees
9. Public notice
10. Severability
15. Section 1 Purpose and scope.
16. (a) The people's right to know the process of government decision-making and the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality.
17. (b) These regulations provide information concerning the procedures by which records may be obtained.
18. (c) Personnel shall furnish to the public the information and records required by the Freedom of Information Law, as well as records otherwise available by law.
19. (d) Any conflicts among laws governing public access to records shall be construed in favor of the widest possible availability of public records.
20. Section 2 Designation of records access officer.
21. (a) The Board of Trustees of the Village of Cooperstown is responsible for insuring compliance with the regulations herein, and designates the following person(s) as records access officer(s):
22. Village Administrator
23. 22 Main Street, PO Box 346
24. Cooperstown, NY 13326
25. Tele: (607) 547-2411
- e-mail: vcooperstown@stny.rr.com
26. (b) The records access officer is responsible for insuring appropriate agency response to public requests for access to records. The designation of a records access officer shall not be construed to prohibit officials who have in the past been authorized to make records or information available to the public from continuing to do so.
27. The records access officer shall insure that agency personnel:
28. (1) Maintain an up-to-date subject matter list.
29. (2) Assist persons seeking records to identify the records sought, if necessary, and when appropriate, indicate the manner in which the records are filed, retrieved or generated to assist persons in reasonably describing records.
- (3) Contact persons seeking records when a request is voluminous or when locating the records involves substantial effort, so that personnel may ascertain the nature of records of primary interest and attempt to reasonably reduce the volume of records requested.
30. (4) Upon locating the records, take one of the following actions:
31. (i) Make records available for inspection; or,
32. ii) Deny access to the records in whole or in part and explain in writing the reasons therefor.
33. (5) Upon request for copies of records:
- (i) Make a copy available upon payment or offer to pay established fees, if any, in accordance with Section 8; or,
34. (ii) Permit the requester to copy those records.
35. (6) Upon request, certify that a record is a true copy ; and
36. (7) Upon failure to locate records, certify that;
37. (i) Village of Cooperstown is not the custodian for such records, or
38. (ii) The records of which Village of Cooperstown is a custodian cannot be found after diligent search.
39. Section 3 Location.

40. Records shall be available for public inspection and copying at:
 - 22 Main Street
41. Cooperstown, NY 13326
42. Section 4 Hours for public inspection
43. Requests for public access to records shall be accepted and records produced during all hours regularly open for business.
44. These hours are:
 - Monday through Friday, 8:00 a.m. to 4:00 p.m.
45. Section 5 Requests for public access to records:
 - (a) A written request may be required, but oral requests may be accepted when records are readily available.
 46. (b) If records are maintained on the internet, the requester shall be informed that the records are accessible via the internet and in printed form either on paper or other information storage medium.
 47. (c) A response shall be given within five business days of receipt of a request by:
 48. (1) informing a person requesting records that the request or portion of the request does not reasonably describe the records sought, including direction, to the extent possible, that would enable that person to request records reasonably described;
 49. (2) granting or denying access to records in whole or in part;
 50. (3) acknowledging the receipt of a request in writing, including an approximate date when the request will be granted or denied in whole or in part, which shall be reasonable under the circumstances of the request and shall not be more than twenty business days after the date of the acknowledgment, or if it is known that circumstances prevent disclosure within twenty business days from the date of such acknowledgment, providing a statement in writing indicating the reason for inability to grant the request within that time and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part;
 51. (4) if the receipt of request was acknowledged in writing and included an approximate date when the request would be granted in whole or in part within twenty business days of such acknowledgment, but circumstances prevent disclosure within that time, providing a statement in writing within twenty business days of such acknowledgment specifying the reason for the inability to do so and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part.
 52. (d) In determining a reasonable time for granting or denying a request under the circumstances of a request, personnel shall consider the volume of a request, the ease or difficulty in locating, retrieving or generating records, the complexity of the request, the need to review records to determine the extent to which they must be disclosed, the number of requests received by the agency, and similar factors that bear on the ability to grant access to records promptly and within a reasonable time.
 53. (e) A failure to comply with the time limitations described herein shall constitute a denial of a request that may be appealed. Such failure shall include situations in which an officer or employee:
 54. (1) fails to grant access to the records sought, deny access in writing or acknowledge the receipt of a request within five business days of the receipt of a request;
 55. (2) acknowledges the receipt of a request within five business days but fails to furnish an approximate date when the request will be granted or denied in whole or in part;
 56. (3) furnishes an acknowledgment of the receipt of a request within five business days with an approximate date for granting or denying access in whole or in part that is unreasonable under the circumstances of the request;
 57. (4) fails to respond to a request within a reasonable time after the approximate date given or within twenty business days after the date of the acknowledgment of the receipt of a request;
 58. (5) determines to grant a request in whole or in part within twenty business days of the acknowledgment of the receipt of a request, but fails to do so, unless the agency provides the reason for its inability to do so in writing and a date certain within which the request will be granted in whole or in part;

59. (6) does not grant a request in whole or in part within twenty business days of the acknowledgment of the receipt of a request and fails to provide the reason in writing explaining the inability to do so and a date certain by which the request will be granted in whole or in part; or
60. (7) responds to a request, stating that more than twenty business days is needed to grant or deny the request in whole or in part and provides a date certain within which that will be accomplished, but such date is unreasonable under the circumstances of the request.
61. Section 6 Subject matter list.
62. (a) The records access officer shall maintain a reasonably detailed current list by subject matter of all records in its possession, whether or not records are available pursuant to subdivision two of Section eighty-seven of the Public Officers Law.
63. (b) The subject matter list shall be sufficiently detailed to permit identification of the category of the record sought.
64. (c) The subject matter list shall be updated annually. The most recent update shall appear on the first page of the subject matter list.
65. Section 7 Denial of access to records.
66. (a) Denial of access to records shall be in writing stating the reason therefor and advising the requester of the right to appeal to the individual or body established to determine appeals, [who or which] shall be identified by name, title, business address and business phone number.
67. (b) If requested records are not provided promptly, as required in Section 5 of these regulations, such failure shall also be deemed a denial of access.
68. (c) The following person or persons or body shall determine appeals regarding denial of access to records under the Freedom of Information Law:
69. Mayor
70. Village of Cooperstown
71. 22 Main Street
72. Cooperstown, NY 13326
73. Tele: (607) 547-2411
74. (d) Any person denied access to records may appeal within thirty days of a denial.
75. (e) The time for deciding an appeal by the individual or body designated to determine appeals shall commence upon receipt of a written appeal identifying:
76. (1) the date and location of requests for records;
77. (2) a description, to the extent possible, of the records that were denied; and
78. (3) the name and return address of the person denied access.
79. (f) A failure to determine an appeal within ten business days of its receipt by granting access to the records sought or fully explaining the reasons for further denial in writing shall constitute a denial of the appeal.
80. (g) The person or body designated to determine appeals shall transmit to the Committee on Open Government copies of all appeals upon receipt of appeals. Such copies shall be addressed to:
81. Committee on Open Government
Department of State
41 State Street
Albany, NY 12231
82. (h) The person or body designated to determine appeals shall inform the appellant and the Committee on Open Government of its determination in writing within ten business days of receipt of an appeal. The determination shall be transmitted to the Committee on Open Government in the same manner as set forth subdivision (f) of this section.
83. Section 8 Fees.
84. (a) There shall be no fee charged for:
85. (1) inspection of records;
86. (2) search for records; or
87. (3) any certification pursuant to this part.
88. (b) Copies may be provided without charging a fee.
- (c) Fees for copies may be charged, provided that:
89. (1) the fee for copying records shall not exceed 25 cents per page for photocopies not exceeding 9 by 14 inches. This section shall not be construed to mandate the raising of

- fees where agencies or municipalities in the past have charged less than 25 cents for such copies;
- 90. (2) the fee for copies of records not covered by paragraphs (1) and (2) of this subdivision, shall not exceed the actual reproduction cost which is the average unit cost for copying a record, excluding fixed costs of the agency such as operator salaries.
- 91. Section 9 Public notice.
- 92. A notice containing the title or name and business address of the records access officers and appeals person or body and the location where records can be seen or copies shall be posted in a conspicuous location wherever records are kept and/or published in a local newspaper of general circulation.
- 93. Section 10 Severability.
- 94. If any provision of these regulations or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of these regulations or the application thereof to other persons and circumstances.
- 95.
- 96.
- 97.

98. PUBLIC NOTICE
99. YOU HAVE A RIGHT TO SEE
PUBLIC RECORDS

- 100. The amended Freedom of Information Law, which took effect on January 1, 1978, gives you the right of access to many public records.
- 101. Village of Cooperstown has adopted regulations governing when, where, and how you can see public records.
- 102. The regulations can be seen at all places where records are kept. According to these regulations, records can be seen and copied at:
- 103. Village Office Building
- 104. 22 Main Street
- 105. Cooperstown, NY 13326
- 106. The following officials will help you to exercise your right to access:
- 107. 1. Agency officials who have in the past been authorized to make records available
- 108. 2. Records Access Officer(s)
- 109. Teri L. Barown, Village Administrator
- 110. 22 Main Street
- 111. Cooperstown, NY 13326
- 112. Tele: (607) 547-2411
- 113. If you are denied access to a record, you may appeal to the following person(s) or body:
- 114. Jeff Katz, Mayor
- 115. Village of Cooperstown
- 116. 22 Main Street
- 117. Cooperstown, NY 13326
- 118. Tele: (607) 547-2411
- 119.
- 120.

**Village of Cooperstown
Injury and Illness
Prevention Program
For**

Workplace Violence

Workplace Violence Prevention

Introduction

Workplace violence presents a serious occupational safety hazard for workers; during the last decade homicide was the third leading cause of death of all workers and the leading cause of occupational death for women workers.

Examples of high risk workplaces include healthcare settings, social services, working alone or in small numbers, service workers, public transportation drivers and many other types of public employment.

New York State requires public employers (with the exception of employers as defined in section twenty-eight hundred one-a of the education law) to perform a workplace evaluation of each worksite. The evaluation is intended to identify factors which may place the workforce at risk to occupational assaults or homicides. The results of the evaluation and the Risk Factors found should be shared with employees; this information should be reviewed initially and annually thereafter. Employers who have 20 or more full time employees are required to develop a written Workplace Violence Prevention Program.

This document is designed to assist employers and workers to more effectively reduce the potential problem of violence in the workplace.

What Is - Workplace Violence?

Workplace violence is physical assault, threatening behavior or verbal abuse occurring in the work setting.

Categorized As:

1. Non-specific threats of violence by employee
2. Specific threats of violence by employee
3. Threats of violence directed against an employee by a non-employee

4. Violent confrontation by a spouse or significant other with an employee over a personal/domestic dispute
5. Threats or threatening conduct by disgruntled or ex-employees
6. Violent altercations between two employees or employee and supervisor
7. Multiple assaults by intruder

INJURY AND ILLNESS PREVENTION PROGRAM FOR WORKPLACE VIOLENCE

Village of Cooperstown Safety Program addresses the hazards known to be associated with the three major types of workplace violence. Type I workplace violence involves a violent act by an assailant with no legitimate relationship to the workplace who enters the workplace to commit a robbery or other criminal act. Type II involves a violent act by a recipient of a service provided by our establishment, such as a client, patient, customer, passenger or a criminal suspect or prisoner. Type III involves a violent act by a current/former employee, department head or supervisory personnel, or other person who has some employment-related involvement with our establishment, such as an employee's spouse or lover, an employee's relative or friend, or another person who has a dispute with one of our employees.

RESPONSIBILITY

The Program Administrator for workplace security is Teri Barown and has the authority and responsibility for implementing the provisions of this program for the Village of Cooperstown.

All Department Heads and supervisors are responsible for implementing and maintaining this program in their work areas and for answering employee questions about the program. A copy of this program is available from your department head.

POLICY STATEMENT

Teri Barown of the Village of Cooperstown is responsible for ensuring that all safety and health policies and procedures involving workplace violence are clearly communicated and understood by all employees. Department Heads and supervisory personnel are expected to enforce the rules fairly and uniformly.

All employees are responsible for using safe work practices, for following all directives, policies and procedures and for assisting in maintaining a safe and secure work environment.

Our system of ensuring that all our employees, including supervisors and managers, comply with work practices that are designed to make the workplace more secure and do not engage in verbal threats or physical actions which create a security hazard for others in the workplace include:

1. Informing employees, supervisors and department heads of the provisions of our program for workplace security;
2. Evaluating the performance of all our employees in complying with our establishment's security measures;
3. Recognizing employees who perform work practices which promote security in the workplace;
4. Providing training and/or counseling to employees whose performance in complying with work practices designed to ensure workplace security is deficient;
5. Disciplining workers for failure to comply with workplace security practices; and the following practices ensure employee compliance with workplace security directives, policies and procedures.

APPENDIX I

The Village of Cooperstown Workplace Violence Policy

Nothing is more important to the Village of Cooperstown than the safety and security of our employees. Threats, threatening behavior, or acts of violence against employees, visitors, guests, or other individuals by anyone on the Village of Cooperstown's property will not be tolerated.

Any person who makes threats, exhibits threatening behavior, or engages in violent acts on the Village of Cooperstown's property will be removed from premises as quickly as safety permits and shall remain off the Village of Cooperstown's premises pending the outcome of an investigation. The Village of Cooperstown's response to incidents of violence may include suspension and/or termination of any business relationship,

reassignment of job duties, suspension or termination of employment and criminal prosecution of those involved.

All of the Village of Cooperstown personnel are responsible for notifying the contact person designated below of any threats they have witnessed, received, or have been told that another person has witnessed or received. Personnel should also report behavior they regard as threatening or violent if that behavior is job-related or might be carried out on a Village-controlled site.

An employee who applies for or obtains a protective or restraining order that lists village locations as protected areas must provide a copy of the petition and declarations used to seek the order and a copy of any temporary or permanent protective or restraining order that was granted. The Village of Cooperstown has confidentiality procedures that recognize and respect the privacy of the reporting employee(s)

Designated Contact Person:

Name: Teri Barown / Chair

Title: Village Administrator / Personnel Committee

Phone: 547-2411 / 547-2411

Sexual Harassment Policy - Zero Tolerance

The Village of Cooperstown operates under a Zero Tolerance Policy for anyone committing sexual harassment against a Village employee. Village employees are entitled to work in an environment, free from sexual harassment and free from a hostile or offensive working environment or conditions. The Village is responsible for and committed to taking immediate corrective action to stop sexual harassment in the workplace and to promptly investigate all allegations of work-related sexual harassment.

The Village of Cooperstown recognizes sexual harassment as unlawful discrimination, just as conduct that belittles or demeans any individual on the basis of race, religion, national origin, gender, genetics, sexual preference, age, disability, or other similar characteristics or circumstances.

A. Definition of Sexual Harassment

The Village of Cooperstown has adopted, and its policy is based on, the definition of sexual harassment set forth by the Equal Employment Opportunity Commission (EEOC). The EEOC defines sexual harassment as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of your employment.
2. Submission to or rejection of such conduct by you is used as the basis for employment decisions affecting you.
3. Such conduct has the purpose or effect of unreasonably interfering with your work performance or creating an intimidating, hostile or offensive working environment.

B. Prohibited Activities related to Sexual Harassment

Sexual harassment has been defined as a form of sex discrimination, consisting of unwanted sexual advances. The following are examples of prohibited sexual harassment:

1. Supervisors or Managers explicitly or implicitly suggesting sex in return for a hiring, compensation, promotion or retention decision.
2. Verbal or written sexually suggestive or obscene comments, or propositions.
3. Displaying sexually suggestive objects, pictures or magazines.
4. Continuing to express sexual or social interest after an indication by the other person(s) the sexual or social interest is not wanted.
5. Conduct by an individual with suggestive sexual implications when such conduct interferes with the other employee's work performance or creates an intimidating work environment.
6. Suggesting or implying that failure to accept a request for a date or sex would adversely affect the employee in respect to a performance evaluation or promotion.

C. Complaint Procedure-How to File a Complaint of Sexual Harassment

1. All complaints for sexual harassment must be entered into writing by the person who believes they have been sexually harassed. The "Issue Resolution Form" is to be obtained from the Village Administrator for this purpose. The completed form is to be submitted to the Village Administrator. A response will be provided to the complainant in writing. The written response will be coordinated by the Village Administrator and will be provided in a timely manner.

If for any reason the form cannot be filled out immediately, the complaint is to be entered into writing on the form as soon as possible. The employee is responsible for promptly reporting their complaint verbally and in writing.

In addition to entering the sexual harassment complaint into writing, on the appropriate form, the person who believes they were harassed should also inform and discuss the complaint with their immediate Supervisor unless the Supervisor is the person accused of the sexual harassment.

NOTE: Each complaint will be promptly and thoroughly investigated. The confidentiality of the complaint and investigation of sexual harassment will be maintained at all times. Additionally, the identity of the person filing the complaint will be protected and the complainant will not be retaliated against in any manner.

2. The "**Issue Resolution Process**" includes specific language designed to expedite the immediate investigation and recommended action essential to rectifying a sexual harassment complaint. However, the full investigation of a sexual harassment complaint will begin within 1 day to 30 days after the written complaint is filed with the Village Administrator.

The Village Administrator, a Supervisor, or other person designated by the Village of Cooperstown Mayor **in conjunction with the Village Attorney**, will investigate the complaint. The person investigating will speak with the complainant, possible witnesses and will speak with the person named as the person committing the sexual harassment. Again, the identity of the person filing the complaint will be protected to the extent possible.

3. Sexual harassment is a serious charge with potentially serious consequences. The seriousness of the charge demands a thorough investigation and appropriate action. The complainant can expect to be kept informed by the Village Administrator or the complainant's Supervisor as the investigation progresses. The determined action to be taken is targeted for completion in less than 60 days and will be shared with the person filing the sexual harassment charge.

D. Disciplinary Action- for a person committing an act of sexual harassment.

1. Village of Cooperstown Managers, Supervisors or employees who, after a thorough investigation, are found to have engaged in an act of sexual harassment of another employee may be subject to disciplinary action up to and including termination of employment.
2. If either party directly involved in a sexual harassment investigation is dissatisfied with the outcome or resolution such party has the right to appeal the decision. The dissatisfied party must file a written appeal using the "Issue Resolution Process" form and submit the form to the Village Administrator in no more than 7 business days after the decision is made known to the party.
3. Section 75 of Civil Service Law will be strictly adhered to by the Village of Cooperstown for any and all disciplinary proceedings.

E. Retaliation against an employee is strictly prohibited by Law and by Village Policy.

The Village will not in any way retaliate against an individual who verbally or in written form reports an act of sexual harassment nor will the Village Managers and Supervisors permit an employee to retaliate. An employee guilty of retaliation may be disciplined up to and including termination of employment. All employees share in the responsibility of reporting retaliation immediately to their immediate Supervisor or the Village Administrator. The Village policy for retaliation is the same as the policy against sexual harassment. Zero Tolerance is the policy against retaliation.

F. Sexual Harassment by anyone who is not a Village employee.

Non-village employees, who for any reason sexually harass Village employees will not be tolerated. The Village will immediately respond to a reported sexual harassment incident against a Village employee by a non-village employee. The harassed employee must immediately report such an incident to their immediate Supervisor and the incident must be entered into writing on the Issue Resolution Form. If the person committing the act of harassment is a contract worker for the Village the immediate action may include the dismissal of the person committing the act if deemed necessary by the immediate Supervisor and the Board of Trustees. A review of the written report will be conducted by the Board of Trustees who will provide an additional response to the employee and the employee's Supervisor if deemed necessary.

G. Filing a False Statement

While it will be assumed that any complaint that is filed is done so in good faith, there is the possibility that a complaint might be filed for an improper reason or reasons.

If it becomes clearly evident at any time during the course of an investigation that any allegation(s) made in the complaint are contrived and/or false, the complainant will be subject to formal disciplinary action which may result in termination from employment. Also, any employee witness who gives false statements during the course of an investigation will be subject to formal disciplinary action. The Village will not tolerate false accusation of harassment because such claims jeopardize the credibility of the entire complaint process.

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

AYES: Falk, Dean, Maxson, Allstadt

Motion carried.

Trustees reviewed samples of Nepotism language received from NYCOM to be added to the code of ethics. Trustees will review and have recommendations for the April 23, 2018 meeting.

Mayor Tillapaugh opened the public hearing for the 2018-19 tentative budget at 6:40 p.m. and Ms. Barown read the public hearing notice.

There were no comments from the public and Mayor Tillapaugh stated she would leave the hearing open for a time and continue with additional business.

Trustees reviewed recommended changes to the language of the proposed drone law, which a public hearing was originally held on March 26, 2018 with no Trustee action taken on the law. The language will be reviewed with the Village Attorney.

Dr. Falk made a motion to set a public hearing at the April 23, 2018 Trustee meeting at 7:00 p.m. or as soon thereafter as can be heard for the drone regulations with language as amended. Mr. Maxson seconded the motion and a vote had the following results:

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

Mayor Tillapaugh closed the public hearing on the 2018-19 Tentative budget hearing at 6:59 p.m.

Mr. Maxson made a motion to adjourn to executive session at 6:59 p.m. to discuss the work history of a particular individual. Dr. Falk seconded the motion and a vote had the following results:

AYES: Falk, Dean, Maxson, Allstadt Motion carried

Mayor Tillapaugh made a motion to return to regular session at 7:09 p.m. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to approve the probationary appointment of Chris Satriano the position of Street Superintendent effective April 16, 2018 for a one year probationary period at a salary of \$40,000. Mr. Maxson seconded the motion and a vote had the following results:

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

Respectfully submitted,

Teri L. Barown, RMC
Village Administrator
Village of Cooperstown