

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 October 24, 2016 at 6:30 p.m. Members in attendance were Mayor Jeff Katz, Trustees Ellen Tillapaugh, Cynthia Falk, James Dean, Bruce Maxson, Louis W. Allstadt and Richard Sternberg. Also in attendance were DPW Superintendent Brian Clancy, Village Treasurer Derek Bloomfield, and Village Administrator – Teri Barown. There were eleven (11) 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 – Scott Schwartz, 76 Fair Street, stated he is aware that the Village of Cooperstown hires an independent company to check for leaks and has been advised that they discovered a leak in the line from the middle of the road to his house. He has been told that this is his responsibility to repair. He said he cannot control who drives on the road and it could have been caused by the Village not repairing potholes.

He said he cannot control maintenance of the pipes and suggested the Village charge residents \$20.00 extra in addition to their water and sewer usage to cover the cost of maintenance. He said he has been provided with an estimate of \$3,000 to repair the leak.

Minutes – Ms. Tillapaugh made a motion to accept the minutes of the September 26, 2016 meeting with corrections as submitted to the Clerk. Dr. Falk seconded the motion and a vote had the following results:

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

Motion carried.

Zoning Officials Report – Minutes of the various boards were provided by email to the Trustees and posted on the website.

Permits:

Karen Katz and Jim Howarth from Cooperstown Rotary Club were present to speak regarding the permit application submission for the Spring Fling event on May 20 and 21, 2017. Mr. Howarth noted that the event is proposed to be moved to Doubleday Parking lot due to the unavailability of Railroad Avenue now that the new hotel is planning to open by that date.

He said this is an opportunity to centralize the event and make it more of a community event. Mrs. Katz stated that they are hopeful that the Village will also agree to make it a special event weekend to include business participation. She noted that the individual who has been organizing the community yard sales is also interested in coordinating Village wide yard sales that weekend.

Dr. Falk noted that teams need to have access to the field to drop off equipment. Discussion was held regarding ways to accommodate this need.

Dr. Falk asked if Rotary would need Village electric for the event. Mr. Howarth noted that they would.

Mayor Katz noted if alcohol will be part of the event, Rotary will need to specifically request permission from the Trustees for that aspect.

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

Doubleday Field Committee – A copy of the October committee minutes were provided in the Trustee packet.

Mr. Maxson noted the bird netting quotes are being obtained and concrete has been repaired.

Ms. Barown noted there will be a pre-proposal meeting on the Doubleday Field Rental and Game Scheduling RFP on Wednesday.

Mayor Katz made a motion to accept the Doubleday Field Committee report as presented. Dr. Sternberg seconded the motion and a vote had the following results:

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

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

Mary Beth Bianconi from Delaware Engineering who is assisting the Village with financing improvements to the Waste Water Treatment Plant was in attendance to assist the Village through the SEQR process on this project.

She stated that this is an unlisted action which would be treated as Type 1 action under SEQR.

She noted that they have provided a resolution to the Village to declare lead agency under SEQR and will send on to involved agencies. She stated that this project will also require a Phase IA an IB archaeological under SHPO regulations. She said 5 firms were solicited and the low quote came in from SUNY Binghamton.

Trustees reviewed questions under Part 1 of the SEQR EAF with a couple of changes to the Part 1, which will be made by Delaware Engineering before sending with the intent of the Trustees to declare lead agency.

Dr. Falk made a motion to adopt Resolution No. 1 of 2016, which reads as follows:

RESOLUTION NO. 1 OF 2016

**VILLAGE OF COOPERSTOWN
WASTEWATER TREATMENT PLANT UPGRADE
INTENT TO DECLARE LEAD AGENCY UNDER SEQRA**

WHEREAS the Village of Cooperstown, Otsego County, New York (hereinafter the “Village”) has established the public benefit to the Village residents of upgrades to the Wastewater Treatment Plant (hereinafter the “WWTP”); and

WHEREAS the WWTP is in need of improvements to ensure the public safety and protect surface waters and the environment; and

WHEREAS the Village has conducted various studies of the condition of the system and the means for improvements; and

WHEREAS the action of improving the WWTP is an Type I Action under the State Environmental Quality Review Act (SEQRA) and must be treated as a Type I Action due to requirements of the NYS Clean Water State Revolving Loan Fund; and

WHEREAS Part I of the Long Environmental Assessment Form (hereinafter “EAF”) has been completed by the Village Engineering Consultant, Delaware Engineering,

NOW, THEREFORE, BE IT RESOLVED that the Cooperstown Village Board proposes to act as Lead Agency in the coordinated review of the WWTP Upgrade Project and shall distribute the attached Notice of Intent, Part I of the EAF, and project description and map to all potentially involved and interested agencies.

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

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

Mayor Katz made a motion to approve Phase I archaeological by accepting the proposal from SUNY Binghamton. Mr. Allstadt seconded the motion and a vote had the following results:

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

Public Hearings - Mayor Katz opened the following public hearings at 7:10 p.m. and the Clerk read the public hearing notice:

Proposed Local Law No. 9 of 2016 – to amend Chapter 270-14 F. of Vehicle and Traffic – Parking Reserved for Village Officials

Proposed Local Law No. 10 of 2016 – regulating the placement and/or use of Temporary Mobile Storage Units

Ms. Barown noted that the public hearing for the temporary mobile storage units cannot be voted on this evening as referrals are needed to Planning Board and County Planning.

Mayor Katz asked for public comment.

Scott Schwartz, 76 Fair Street, asked for the definition of Village Official and questioned the time frame for parking through 9 p.m.

Ms. Barown stated that the Village can set aside spaces so that the officials and employees of the Village can conduct Village business and as with tonight, there are often evening meetings. She noted that this parking has always been allowed to be used by those coming to the Village to conduct business.

Hearing no further public comment, Mayor Katz left the hearing open for the time being.

Street Committee (Cont.) – Dr. Falk noted that \$417,847.25 in revenue was realized from paid parking this season. She stated that 57% of the revenue was on-street, with the remainder from Doubleday Parking lot. She stated she would like the Trustees to schedule a workshop late November or early December to discuss parking for next season.

She noted that as the Village has purchased stone for the oil and stone work on the streets, which is now not felt to be the best method for streets with 2 hour parking, discussion has occurred on uses for the stone. She stated that as there are several resurfacing projects for the parks, it is felt that the stone can be utilized for these projects,

Dr. Falk made a motion to set a public hearing for the November 28, 2016 Trustee meeting at 7 pm or as soon thereafter as can be heard to eliminate parking on Main Street between Grove Street and Railroad Avenue. Dr. Sternberg seconded the motion and a vote had the following results:

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

Dr. Falk suggested placing signage regarding the public hearing in this area so those affected can provide comments if they wish.

Mr. Dean stated he would like to see a separate website with audio and video for the trolley. Mayor Katz noted the most recent issue of the NYCOM publication has an article regarding municipal apps and suggested discussing with Mr. Fabiano our IT consultant.

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

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

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

Mr. Allstadt noted that the committee discussed a lift vs. ramp with the Art Association and noted the comments made by the CGP students in discussing the ADA transition plan that a ramp would be more inclusive to everyone. Dr. Sternberg stated he disagrees and believes a lift would take care of everyone.

Mr. Allstadt stated also discussed at the meeting was a quote for a new elevator for the building installed in the existing chase. He stated this is included in the CFA and if we do not receive it will be included in next year's budget.

He noted that part of the Library construction project was LED's on the west side and that we should start to see energy savings from this. He said at this point it looks unlikely the Library project will need any Village funds to complete.

Mr. Allstadt stated he received a call today from NYSERDA to discuss what we have done to date to provide for energy savings, which will be included in their newsletter.

Mr. Allstadt made a motion to approve the extension of the Janitorial Services Contract with Jonathan Rogers. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

It was noted that Mr. Clancy will review the monthly, semi-annual and annual requirements with Mr. Rogers.

Public Hearing (cont.) – Hearing no additional public comment, Mayor Katz closed the public hearing at 7:25 p.m. and asked for Trustee comment.

Dr. Falk stated she could not support adoption of the law if it is to include Fowler Way.

Mayor Katz stated he agrees regarding Fowler Way. He said the Village is not here to provide parking for employees and there are plenty of all day parking spots further away from the business area.

Dr. Falk stated that there are 40 spaces in Fowler Way and we sold over 900 permits last year. She said she feels these are the last two spaces employees would use.

Ms. Tillapaugh stated that if this law passes she would like to see employees park in the further spaces first leaving those closest to the building for individuals who need to conduct business at the Village to use.

Mayor Katz stated the Police Department has been told to enforce the two hour parking uniformly. He said it is a problem to not enforce with some and flaunt it in front of residents.

Dr. Sternberg stated he has spoken to some in the neighborhood and told them we need to have places for our employees to park.

Mr. Allstadt asked if we should consider Church Street to designate some employee parking.

Ms. Tillapaugh stated she would not support Church Street due to issues brought up last year by the churches and the Food Bank.

Ms. Tillapaugh made a motion to adopt Local Law No 9 – to amend Chapter 270-14 F. of Vehicle and Traffic – Parking Reserved for Village Officials as submitted. Dr. Sternberg seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to adopt Local Law No. 9 – to amend Chapter 270-14 F. of Vehicle and Traffic – Parking Reserved for Village Officials by deleting the parking designated in Fowler Way parking lot. Mr. Maxson seconded the motion and a vote had the following results:

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

Treasurer's Department – A copy of the Treasurer's Report was provided in the Trustee packets.

Mr. Bloomfield stated he is in the process of the obtaining additional proposals for the audit of the LOSAP program.

Finance and Personnel Committee:

Finance:

Trustees reviewed the September RBC Wealth Management Statement.

Ms. Tillapaugh made a motion to approve the Penflex Service Fee & Audit Package agreement for the calendar year 2017. Mr. Allstadt seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to authorize payment of the 2016-17 fee of \$65,659 Village contribution for LOSAP. Dr. Falk seconded the motion and a vote had the following results:

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

Discussion was held regarding a staged divestment from fossil fuel investments in the LOSAP portfolio. Mr. Allstadt stated that this has had much discussion at numerous meetings including those of Finance, Economic Development and Sustainability and Trustees. He noted that the replacement would be as shown on page 4 of the RBC Wealth Management Plan from the S& P 500 to S& P excluding fossil fuels, which drops out about 25 companies. He said it shifts out 5% in the total package going from 500 companies to about 475.

He stated that concerns over fossil fuel investments by mainstream analysts and foundations have been increasing.

Mr. Allstadt stated this should be conducted as a staged divestment and recommended proceeding with 25% of the fund every 3 months so as to spread it out over a year.

Dr. Sternberg stated it is not the only place in the portfolio where we are in fossil fuels. Mr. Allstadt concurred but said this is the easiest place in the portfolio in which to divest. Dr. Sternberg said his feeling is to go all the way or not at all.

Mayor Katz stated that Mr. Bloomfield expressed concerns regarding this move at Finance Committee and asked if he wished to express them here.

Mr. Bloomfield stated that he would strongly recommend against the divestment and if the Trustees choose to go forward then he feels that we should agree to disagree.

He stated that this completely goes against his CFA (Certified Financial Analyst) training and if one part of the portfolio zigs the other zags. He said to remove an entire class will reduce the expected return. He said he believes it is a departure from correct benefit planning.

He said if the Trustees feel the need to do this should they discuss with the Fire Department members as it could affect their benefits.

Ms. Tillapaugh stated that this is a defined benefit program for the members and their benefits will not change no matter how the investments are handled.

Mr. Bloomfield stated that this goes against his CFA curriculum. He stated that if the Trustees want to make a social statement they should do it with their own funds. He said that fossil fuels have done more to uplift humanity than any other industry.

Dr. Sternberg said Mr. Bloomfield's statement about social investments was Mr. Bloomfield's personal opinion.

Mr. Allstadt stated that he disagrees with Mr. Bloomfield. He said there is a growing list of investment advisors, pension funds and foundations that are considering environmental issues as part of their investment decisions. He said that Yale University Foundation has stated that low carbon footprint investments are likely to outperform investments in fossil fuels over the long term.

He stated he also disagrees with the statement made about fossil fuels uplifting humanity as they have created a serious crisis with the environment. He noted that the Village has adopted a resolution regarding climate change and this is in keeping with following through on that resolution.

Mr. Allstadt made a motion to immediately carry out the staged divestment from IVV (S&P 500) to SPYX (S&P 500 excluding fossil fuel) at 25% every 3 months over the next year. Ms. Tillapaugh seconded the motion and discussion followed.

Ms. Tillapaugh stated that she agrees with Mr. Allstadt and believes it is not being fiscally irresponsible particularly when the Attorney General of our state and others are encouraging this move.

Dr. Sternberg stated he feels it is the correct social move, but feels Mr. Bloomfield is correct financially.

Mr. Dean stated he agrees with everyone.

Mr. Allstadt stated that eventually there will be the opportunity to do this with other investments and until the S&P 500 excluding Fossil Fuels came along moving the investment was difficult.

A vote on the motion had the following results:

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

Dr. Sternberg stated our State Comptroller is looking at moving out of fossil fuel investments.

Trustees reviewed sales tax report.

Ms. Tillapaugh made a motion to authorize obtaining credit cards from NBT Bank for Derek Bloomfield, Teri Barown and Brian Clancy with limits on each not to exceed \$3500 to replace the debit cards currently in effect for those individuals through Bank of Cooperstown. Dr. Falk seconded the motion and a vote had the following results:

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

Shade Trees:

Ms. Tillapaugh made a motion to award the tree bid to Tallman Enterprises at the low bid of \$31,515 for the base bid and \$260 hourly rate for emergency work, with the trimming and pruning bids not to be awarded and re-bid at a later date. Mr. Allstadt seconded the motion and a vote had the following results:

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

Police:

Ms. Tillapaugh made a motion to authorize the request of an OGS mini-bid for the police vehicle based on research provided by the Police Chief. Mr. Allstadt seconded the motion and a vote had the following results:

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

Personnel:

Trustees reviewed overtime report for payrolls 72 and 73 and the hours of leave report for September.

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

Treasurer's report Oct 20, 2016

Abstracts:

General	35,570	PR #72
	34,774	PR #73
	6,466	Non-payroll expenses paid
	26,575	Non-payroll expenses
Water	7,618	PR #72
	7,325	PR #73
	2,274	Non-payroll expenses paid
	3,279	Non-payroll expenses
Sewer	6,489	PR #72
	6,447	PR #73
	1,060	Non-payroll expenses paid
	8,139	Non-payroll expenses
Trolley	4,329	E - Non-payroll expenses paid
	929	E - Non-payroll expenses
	0	ET - Non-payroll expenses paid
	0	ET - Non-payroll expenses

Transfers:

From: Sewer Fund Surplus (Fund Balance)	12,500	
To: G-8120-440 Sanitary Sewers Contract P&T	12,500	To fund Del Eng. P.O*
From A-1990-470 Contingency	3,980	
To: A-7110-440 Parks Contract P&T	3,980	For purchase of fans
From: A-1990-470 Contingency	5,618	
To: A-8710-100 Conserv NR Boatwash	5,618	To fund PR's 72 & 73**
From: A-1990-470 Contingency	2,423	
To: A-7140-470 Doubleday Other Expenses	2,423	To fund invoice #092216

**Approved at Sept BOT meeting*

***NYSDEC grant reimbursement pending*

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

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

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

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

Watershed Supervisory Committee – A copy of the October committee report was provided in the Trustee packets.

Parks Board – A copy of the October committee minutes were provided in the Trustee packets.

Ms. Tillapaugh noted discussion regarding increasing the lifeguard salary rates due to difficulties occurring this year in providing end of season staffing, although it was noted that other area beaches saw the same difficulties.

Ms. Tillapaugh made a motion to establish the following rates for the 2017 season:

VOC proposal - 2017 season, hourly rate	last two weeks of season (8/21-9/4 2017) +\$1 hr
15 year old: \$ 9.50	10.50
Returning/1-2 yr experience: 10.25-11.25	11.25-12.00
Supervising Lifeguard: 12.00 13.00	
(supervising lifeguard= monitor lifeguards who cannot work solo under DOH regulations)	

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

Ms. Tillapaugh made a motion to return to regular session at 9:01 p.m. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mayor Katz made a motion to appoint Jane Gentile to the part-time position of Zoning Enforcement Officer at a date to be determined, with a one year probationary appointment from the effective date of appointment with an hourly rate of \$21.00 per hour. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to approve the probationary appointment of Lloyd Stilson to the position of HMEO effective October 25, 2016 and ending October 24, 2017 at a pay rate of \$16.9259 per hour. Dr. Falk seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to approve the probationary appointment of Robert Cocivi to the position of MEO effective October 31, 2016 and ending October 30, 2017 with an hourly rate of \$14.00 per hour. Dr. Falk seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to approve the low quote for bird netting as submitted. Dr. Sternberg seconded the motion and a vote had the following results:

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

Dr. Sternberg made a motion to authorize Ms. Barown becoming a member of the NYS Association of City, Village and County Manager's at a membership fee of \$400. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Dr. Sternberg made a motion to adopt the Organizational Chart for the Village of Cooperstown as submitted by the Village Administrator. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to adjourn the meeting at 9:17 p.m. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Respectfully submitted,

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