

A regular meeting of the Board of Trustees of the Village of Cooperstown was held at the Village Office Building, 22 Main Street, Cooperstown, New York on November 24, 2014 at 6:30 p.m. Members in attendance were Mayor Jeff Katz, Trustees Ellen Tillapaugh, Cynthia Falk, James Dean, Bruce Maxson, Joan Nicols and Louis W. Allstadt. Also in attendance were Village Treasurer Ed Keator, Jr., DPW Superintendent Brian Clancy, Zoning Enforcement Officer Tavis Austin, Village Attorney Martin Tillapaugh and Village Clerk – Teri Barown. There were twenty five (25) members of the public present.

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

Mayor Katz reported that the Otsego County Board of Representatives, in their budget workshop, voted down redistribution to the generators of bed tax. He said that since he has been involved in the process, our County Representatives from Otsego and Middlefield have all publically supported it, democrats and republicans alike. He stated that he was disappointed that our Town of Otsego/Village of Cooperstown Representative, Rick Hulse voted no, especially after having several meetings with the Mayor regarding this issue. He thanked Beth Rosenthal, our Town of Middlefield representative who voted yes for the redistribution.

Mayor Katz then opened the meeting for comment from the public.

Helen Reese, on behalf of Friends of State Route 80 and Otsego Lake, thanked the Village for the proposed resolution and letter to NYS DOT that will be voted on later in the meeting. She said she feels they really nailed it.

She said that the group has foiled various records from DOT and have yet to receive a response. She stated that, however, SHPO, has responded to their FOIL request. She thanked the trustees for covering most of the points in the resolution.

Wendall Tripp, 88 Fair Street, stated that with all the concerns that the Trustees address over parking he would like to suggest that they would be well advised to change all parking in residential areas to all day parking which would solve the problem for the local institutions.

Frank Capozza, 116 Pioneer Street, stated that he appreciates the meeting that Bassett set up with the residential neighbors. He said it was the best opportunity to date to speak with Bassett. He said he is glad that the Institutional Zone law was tabled and hopes to see it stay that way until Bassett has revealed a plan.

Ann Capozza, 116 Pioneer Street, stated that many of the same people that were at the Village public hearing on the law were also at the meeting set up by Bassett. She said that it came out in the meeting with Bassett that the hospital never requested the zoning change from the Village. She stated she hopes the Trustees realize how much of an impact that Bassett has on the residential neighborhood. She said she is slightly offended that the Trustees did not consult or even take into consideration the residential neighbors when working on this law.

Mayor Katz stated that he doesn't believe that the largest entity in the Village should remain a non-conforming use and as far as public input that is the purpose of a public hearing.

Mayor Katz closed public comment at 6:40 p.m.

Mayor Katz made a motion to adopt the resolution (on file with original minutes) to New York State DOT, together with a letter (on file with original minutes) to be sent to DOT and legislators outlining

concerns regarding currently planned repairs along State Route 80 and asking they be addressed. Mr. Allstadt seconded the motion and a vote had the following results:

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

**Minutes** – Ms. Tillapaugh made a motion to accept the minutes of the October 27, 2014 regular Trustee meeting with corrections noted in an email to the Clerk from Trustee Falk. Dr. Falk seconded the motion and a vote had the following results:

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

**Zoning Officials Report** – Mr. Austin reviewed the Zoning Officials Report as provided in the Trustee packets.

Mr. Austin asked if the Trustees pass the Tourist Accommodation Regulations and Licensing Local Law that they consider moving the deadline for submitting applications from February 1 to the end of March or April to provide enough time for notification to the accommodations.

Mayor Katz appointed Ron Streek as an Alternate Zoning Board of Appeals member. Ms. Tillapaugh made a motion to ratify the appointment as made by Mayor Katz. Mr. Maxson seconded the motion and a vote had the following results:

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

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

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

**Police Committee** – A copy of the November committee report was provided in the Trustee packets.

Ms. Tillapaugh noted that the committee is reviewing the Chamber of Commerce's request for a trolley stop in front of their building. She stated that at this time it would be a safety issue with the current OPT and Otsego Express bus stop located directly across the street from the Chamber. She stated that she has discussed the potential to move the County stop; however, the County feels that there are financial implications to move the stop.

Ms. Tillapaugh stated the committee discussed removing the trolley stop at the corner of Main and Chestnut Streets as the trolley does not use the stop due to safety concerns.

Ms. Tillapaugh made a motion to set a public hearing for the December 22, 2014 Trustee meeting at 7:00 p.m. or as soon thereafter as can be heard to eliminate the trolley stop at the corner of Main and Chestnut Streets and replace with 2 hour diagonal parking. Dr. Falk seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to set a public hearing for the December 22, 2014 Trustee meeting at 7:00 p.m. or as soon thereafter as can be heard to establish 15-minute parking spaces on the west side of Chestnut Street from the corner of Main Street and Chestnut Street to the driveway

adjacent to building located at 22 Chestnut Street. Dr. Falk seconded the motion and a vote had the following results:

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

**Fire Committee** – There was no meeting held this month. Ms. Tillapaugh noted that vehicles are still encroaching on the exit path. Mr. Clancy stated that stripping could not occur until spring.

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

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

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

**Proposed Local Law #14 – Amendment to the Zoning Law to regulate and license Short Term Tourist Accommodations**

**Proposed Local Law #15 – Pre-existing Non-Conforming Short Term Tourist Accommodations Sunset Law**

**Proposed Local Law #16 – Amendments to Village Zoning Law concerning satellite antennas, supplementary regulations, accessory parking and loading requirements, site development plan review, and definitions**

**Proposed Local Law #17 – Sidewalk Maintenance Law, construction, maintenance and clearing of sidewalks, parking and driving prohibited**

**Proposed Local Law #18 – authorizing the use of the Best Value Procurement Standard**

Mayor Katz read the guidelines for public comment and asked Mr. Tillapaugh to provide information on how we got to the proposed local laws on tourist accommodations.

Mr. Tillapaugh stated that tourist accommodation regulations have been broken down into two separate laws, one for regulating and licensing and one providing for sunset or amortization of pre-existing, non-conforming tourist accommodations. He stated that he believes this originally was developed due to the fact that there are several accommodations with no owners on the premises, which turned out to be the most disruptive and it was felt by the Trustees that this was due to not being owner occupied.

He stated that in the process of looking at providing sunset provisions for the pre-existing, non-conforming accommodations there was a lot of discussion at public meetings from those affected by the law and their attorneys that the Village was being too harsh on the businesses. He stated that the Trustees took these comments into account and provided a mechanism that these establishments could continue as long as there are no complaints or finding of any problems.

He said that due process was developed within the language of the law that there has to be 5 complaints from 3 individuals which need to be found valid by the Police Department which would then trigger a review by the Zoning Board of Appeals, who would then make a determination regarding the continuation of the pre-existing, non-conforming status.

He stated that local law regarding regulating and licensing of tourist accommodations was developed due to safety issues. He stated that we have heard there are 40 some tourist accommodations some which are unregistered and the Trustees felt we need to know where they are and how they operate.

He stated that this law will assist in identifying the accommodations operating outside the law by requiring proof of property insurance and fire safety inspections, payment of County bed tax, limiting occupation to 10 individuals without a variance, a licensing fee and not allowing the rebate of rents. He stated that the pre-existing, non-conforming accommodations are exempted from the owner-occupied requirement unless there is a problem.

Mayor Katz then opened the hearings to public comment.

Sam Wilcox, 6 Pine Boulevard, stated that he is speaking as a neighbor of 2 Pine Boulevard and that if this hearing had taken place 2 years ago he would not have come as he would not have had a problem with the regulations.

He stated he is impressed with the upgrades to the house, the grounds and the parking. He said that there is someone at the property who is in charge and feels the operation is moving beautifully. He said that the Village needs facilities for short term stay.

Jim Potts, 14 Leatherstocking Street, stated he has spoken before regarding the instituting a sunset law and his points tonight are the same as in the past. He said he believes that there are already mechanisms in place for addressing the issues without instituting this law. He stated that the sunset period is egregiously short and 2019 is just around the corner. He said there are already limitations in place as short-term accommodations in the Village are not going to grow. He stated he spoke to the Police Chief and there is not one documented complaint against short term rentals.

Les Sittler, Attorney, stated he doesn't understand sunset provisions for just tourist accommodations. He stated that there are all sorts of grandfathered uses and doesn't see why tourist accommodations are being singled out. He said if the Village is going to sunset make it apply to all uses.

He stated that additionally he doesn't feel the timeframe for the sunset is long enough to recoup the investment in the property.

He said that Dreams Park revitalized the conditions of many properties by providing this use. He asked where the complaints are coming from as he is not aware of any documented complaints.

He stated that he also has a problem with the yearly registration procedures and asked why add another layer into what is already done by the State and County. He asked what the discretion of the Zoning Enforcement Officer means and he feels this is not made clear in the law.

He said this is the fourth public hearing he has attended on the subject and he still has concerns.

Joan Badgley, 64 Elm Street, stated she is attending on behalf of her son Brad Badgley, who owns 2 Pine Boulevard and who has submitted two letters to the Board of Trustees. She read the letters on file with the original Trustee minutes.

Doug Zamelis, attorney for 2 Pine Boulevard, LLC, stated he joins in all the comments made so far tonight. He said that the Village could address the nuisances with a hole punch but has rather chosen to hit the non-conforming accommodations with a sledge hammer.

He stated that sunset is a euphemism for taking property rights away which has already been judicially confirmed in his client's case.

He stated that he doesn't believe the Trustees understand what a minefield this could be. He said that they are raising a constitutional issue with an insufficient amortization to recoup an investment, which means a judicial challenge.

He stated that this would be passing a law with too heavy of an enforcement burden, which in all likelihood would result in a civil rights claim. He stated that there are current laws in existence to address the issues the Trustees are looking to address.

He stated he grew up and played in the neighborhood adjacent to 2 Pine Boulevard and the property was nothing like it is today. He stated that the current property owner has made a substantial investment in the community.

Margaret Savoie, Fly Creek, stated she is concerned that it was mentioned that there are 40 other properties that present other issues and asked how the law was going to address these properties.

Mr. Tillapaugh again provided an overview of the licensing and regulation law.

Ms. Savoie asked how this would address the illegal accommodations.

Mayor Katz stated that the hope is by having a master list of these accommodations that are legal, it will be easier to identify the accommodations not operating legally.

David Soule, 107 Pleasant Run Road, stated he is the former owner of 47 Chestnut Street and when the Dreams Park started he was the first to take on short term rentals. He stated that this issue was litigated and his property grandfathered. He stated that the new owner is Tyler Townsend, who provided a letter to the Trustees (on file with original minutes). He said that Mr. Townsend lives in Delaware and has concerns over the sunset provisions and owner occupancy.

Mr. Soule stated that he never received one formal complaint about his renters and checked with the Police Chief who stated that none are on file. He said that he received one complaint from a neighbor and that was addressed.

He asked where the supposed complaints are documented as one piece of paper has never been generated.

He stated he is in attendance tonight to represent Tyler Townsend and completely agrees with Doug Zamelis. He said that 2019 is not enough time to amortize the property and he is prepared to fight.

Wendall Tripp, 88 Fair Street, stated he is addressing Proposed Local Law No. 16 – regarding various amendments to the zoning law. He stated that he feels that this law is absolutely unnecessary and asked why the Trustees persist in getting involved in these matters.

Mayor Katz noted that this particular law is to try and make improvements with the existing zoning law.

Ron Streek, 202 Main Street, asked if the complaints are true regarding tourist accommodations why they haven't been enforced. He asked if the new law would be enforced any more than the existing laws have been and if not why bother to pass it.

Roger MacMillan, 12 Main Street, stated that no one has spoken in favor of this law, and in fact very sophisticated people have spoken against it. He said the Trustees are not appreciating what is being said to them.

Bernard Viek, Lake Street, asked the changes regarding the regulating and licensing of tourist accommodations be explained.

Mr. Tillapaugh stated that the only changes are that a maximum number of guests has been set, it now includes the R1A zoned and there is a licensing procedure.

Joan Clark, 90 Main Street, stated that the Trustees seem to have to have something to bring up and asked what else they are going to pick on.

Cathy Raddatz, Spring Street, stated the Cooperstown Graduate Program is very appreciative of 47 Chestnut Street and 2 Pine Boulevard providing 9 month housing accommodations for the students attending their program.

Teresa Drerup, Cooper Place, stated she is in favor of Local Law No. 16 making various amendments to the zoning law. She stated she sat on the committee that spent 14 months simplifying and getting rid of contradictory language in the zoning law. She stated that the change made by the Trustees last month to increase the lease time for offsite parking from 3 years to 20 years is ludicrous and urges them to change that to a shorter period of time.

Joan Badgley, 64 Elm Street, inquired that at the end of the sunset period 1/1/19 are the grandfathered properties exempt from the new regulations, only 10 people, owner-occupied, etc. She said that her son has spoken to Trustees and doesn't feel everyone on the Board is on the same page with these questions.

She said that there are significant financial implications regarding the grandfathered properties with the sunset clause and current owners wouldn't be able to sell their property in good faith.

Mr. Tillapaugh stated that yes they would be exempt as long as they don't run afoul of the complaint provisions.

Joe Membrino, inquired regarding the complaint procedures and asked if it was defined in the law.

Mr. Tillapaugh replied that it is defined, 5 complaints by 3 separate entities with Police action being taken and a ZBA determination.

Hearing no further public comment, Mayor Katz closed the public hearings at 7:55 p.m.

Mayor Katz asked for Trustee discussion on proposed Local Law No. 14 of 2014, Amendment to the Zoning Law to regulate and license Short Term Tourist Accommodations.

Mr. Dean requested explanation regarding excepting the non-conforming, pre-existing accommodations from the maximum limit of 10 guests. Mr. Tillapaugh explained that this is correct unless they have problems with complaints and the ZBA makes a determination they are no longer exempt.

Dr. Falk stated that currently it is almost impossible to enforce regulations without an annual registration and master list. She stated that this also assists the Fire Department and Emergency Squad in being better prepared.

Ms. Tillapaugh stated that until today she was unaware of who owned 47 Chestnut Street. She said she feels this law is particularly important for fire safety reasons and if this one little law saves one little life then it is worth it.

Mr. Dean stated that until we know where they are we don't know where they're putting people. He said the entire building changes tenants on a weekly basis. He stated he feels this will bring some order.

Mayor Katz asked how the Trustees felt about the ZEO's request to change the initial application deadline from February 1, 2015 to March 31, 2015.

Mrs. Nicols relayed information regarding documentation she needs to provide the Town of Milford in order to obtain a tourist accommodation permit.

Dr. Falk made a motion to adopt Local Law # 14 - Amendment to the Zoning Law to regulate and license Short Term Tourist Accommodations with the change that the initial application deadline be changed from February 1, 2015 to March 31, 2015. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mayor Katz asked for Trustee discussion on Local Law #15 - Pre-existing Non-Conforming Short Term Tourist Accommodations Sunset Law.

Dr. Falk stated we need to discuss if the time period is enough to recoup the investment.

Mr. Tillapaugh stated that the Trustees can go out farther to give more time without setting an additional public hearing and proceeded to explain what amortization means.

Mr. Allstadt stated that he was uncomfortable with the length of time as currently stated in the law and would like to provide additional time. He stated that he would be more comfortable with 10 years out rather than the 5 stated.

Mr. Allstadt said that he would also like to provide for some ability to let people know what is going on. Discussion occurred regarding publishing the law in the newspaper, as well as providing information in the next edition of Village voices, notifying local realtors and known accommodations.

Mayor Katz stated that as noted earlier by both Sam Wilcox and Doug Zamelis, properties change hands. He stated that he can say that complaints have been received on various properties as he has received phone calls regarding the issue. He believes not having a process to fall back on, the Police most likely request that people quiet down and this is why a process is needed.

He said that good actors and bad actors don't deserve the same protection. He said the Trustees are trying to find a way to balance the needs. He said we want to point out people who are operating illegally and make sure the list of legal establishments is available for everyone.

Mr. Dean stated he feels the law brings a level of safety to everyone.

Mr. Allstadt made a motion to adopt Local Law No. 15 - – Pre-existing Non-Conforming Short Term Tourist Accommodations Sunset Law with the change for the amortization/sunset date from January 1, 2019 to January 1, 2024. Dr. Falk seconded the motion and a vote had the following results:

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

Mayor Katz asked for Trustee discussion on proposed Local Law No. 16 - Amendments to Village Zoning Law concerning satellite antennas, supplementary regulations, accessory parking and loading requirements, site development plan review, and definitions.

Mayor Katz stated discussion needs to occur regarding the lease time for off-site parking pg. 4 C. (4) currently set at 20 years and determine if a reduction should be made as requested under public comment.

Mr. Dean stated he cannot support any lease no matter the timeframe. He stated he feels this can be manipulated to the Village's disadvantage.

Mr. Allstadt and Ms. Tillapaugh indicated that they both felt that non-renewal of the lease required would result in termination of the permit.

Mr. Dean asked who would shut them down after they made a substantial investment in their property.

Mayor Katz stated that the Board of Trustees should be enforcing the laws they enact, it's their responsibility and it is a condition of the permit.

Ms. Tillapaugh stated she felt that the Trustees recommended putting in 20 knowing they could reduce it. She said she feels that it should be longer than 3 years.

Dr. Falk stated she would advocate for 5 years.

Ms. Tillapaugh made a motion to adopt Local Law No. 16 - Amendments to Village Zoning Law concerning satellite antennas, supplementary regulations, accessory parking and loading requirements, site development plan review, and definitions with the term of the off-site parking lease on pg. 4 C. change from 20 years to 5 years.

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

Mayor Katz asked for Trustee discussion for proposed Local Law No. 17 - Sidewalk Maintenance Law, construction, maintenance and clearing of sidewalks, parking and driving prohibited.

Mayor Katz stated that he knows that there is a mistaken impression that the pavers cannot be shoveled.

Dr. Falk stated that the pavers can be shoveled, but businesses owners/residents are not required to shovel them.

Mr. Allstadt made a motion to adopt Local Law No. 17 - Sidewalk Maintenance Law, construction, maintenance and clearing of sidewalks, parking and driving prohibited changing the wording under G. Parking Prohibited from "No vehicle" to "No unauthorized motorized vehicle" to be consistent with letter H. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mayor Katz asked if there was any discussion regarding Proposed Local Law No. 18 - authorizing the use of the Best Value Procurement Standard.

Mr. Maxson made a motion to adopt Local Law No. 18 - authorizing the use of the Best Value Procurement Standard as submitted. Mr. Allstadt seconded the motion and a vote had the following results:

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

Discussion was held regarding adopting a fee schedule as required pursuant to Local Law No. 14 as just adopted.

Ms. Tillapaugh made a motion to set the fee for the first and then subsequent annual registration of tourist accommodations at \$75.00. Mrs. Nicols seconded the motion and a vote had the following results:

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

**Doubleday Field Advisory Committee** – There was no meeting held this month.

Discussion occurred regarding whether or not to extend the option of the Doubleday Sales Consultant Contract. Mayor Katz stated he would email the Trustees for their thoughts on this issue and any issues they felt needed addressing with the current consultant.

**Streets Committee** – A copy of the November committee report was provided in the Trustee packets.

Dr. Falk noted that a Trustee workshop needs to be scheduled for paid parking and suggested that this occur in January.

Dr. Falk made a motion to allow the adoption of fire hydrants/storm drains by residents for the purpose of clearing. Mrs. Nicols seconded the motion and a vote had the following results:

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

Discussion was held regarding the use of the Town of Otsego diesel fuel tanks for the purpose of fueling tanks as the County tanks contain contamination, which has resulted in costly repairs to our vehicles. It was noted that we will be submitting repair bills through our insurance company with the hopes of having them paid through the County's insurance.

Discussion was held regarding the temporary nature of the stop sign at West Beaver St and Chestnut Street. Temporary methods for securing have been put in place with a more permanent solution being investigated.

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

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

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

Mr. Allstadt noted that Finance Committee will handle lease negotiations with the Art Association and Library.

Mr. Allstadt stated that another provider for solar is being looked into. He said they have worked with Schoharie County who has wrapped in their local municipalities. A discussion will occur with the provider in hopes of looking at a similar project for Otsego County to include local municipalities including the Village and school and potentially non-profits including Bassett.

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

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

**Tree Committee** – A copy of the November Tree Committee report was provided in the Trustee packets which were reviewed by Mrs. Nicols.

Mrs. Nicols noted the committee will begin meeting again in March to properly prepare for Arbor Day in April.

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

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

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

Mr. Keator provided copies of the balance sheets and statement of revenue and expenditure reports for review by the Trustees.

Discussion occurred regarding making changes to the new water/sewer invoices to make the current charge stand out better, as many individuals have been paying the past due amount prior to it being required as it is listed as the last amount on the bill. Suggestions from Finance Committee will be instituted for the next billing.

Mr. Keator stated he received the 2015 Workers' Compensation rates from the County and they are less than was previously expected, however, rates will rise in 2016 as the Fire/EMS personnel will be included as they county no longer covers the expense for volunteer departments.

Mr. Keator stated that he is working with Munistat Services on a required bond update document.

Mayor Katz made a motion to approve the proposal from Barton and Loguidice from engineering for Pioneer Street Infrastructure to be completed in conjunction with the TEP Project at a cost of \$39,900 with \$13,300 from General Fund unappropriated surplus, \$13,300 from Water Administration Equipment and \$13,300 from Sewer Administration Equipment. Mr. Allstadt seconded the motion and a vote had the following results:

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

Dr. Falk requested discussion on item no. 1 under Water in the Finance Committee report. She stated that she disagrees with adding additional fees due to the need for economic development within the Village.

Ms. Tillapaugh stated that this was discussed at Finance and Mr. Keator feels that no one is notifying the Treasurer's Department when properties change owners.

Mr. Tillapaugh stated he doesn't know how this can be as it is a requirement to file a 5217 form or you cannot record a deed. He stated that a copy of this form goes to the municipal assessing unit.

Following discussion Ms. Tillapaugh made a motion to approve special read charges being increased to \$50.00 and increasing the deactivation fee to \$50.00 as of June 1 so that proper notification can be provided to property owners. Mr. Allstadt seconded the motion and a vote had the following results:

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

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

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

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

#### **Finance:**

Trustees reviewed RBC Wealth management September and October 2014 statements. Mr. Allstadt requested that Mr. Keator ask our consultants to provide information on how we are doing in relation to the market.

Trustees reviewed the Sales Tax comparison report.

Ms. Tillapaugh made a motion to approve the general code change order no. 2 with funding being transferred from contingency to finalize the codification of Village laws. Dr. Falk seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to approve the proposal from Postler and Jaeckle Corp for flue work in the amount of \$1,610.00. Dr. Falk seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to approve the proposal from Postler and Jaeckle Corp for boiler repair in the amount of \$3,562.00. Mr. Allstadt seconded the motion and a vote had the following results:

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

Personnel:

Ms. Tillapaugh noted that Finance Committee reviewed the attendance of Mr. Carmen at the Mirabito Fuel Summit which had been approved by the Trustees via email.

Trustees reviewed the October 2014 hours of leave report, overtime analysis for pay periods ending October 24 and November 7, NYCOM Fall Public Works Training School Report from Brian Clancy, Water Meter Design and Maintenance Report and Certificates of Complete – Drive to Survive received by Bob Busse, Mike Bosley and Quiton Hasak.

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

**ABSTRACTS:**

**GENERAL**

6a	32,040.60 PR # 22
6b	31,664.36 PR # 23
A6a	332,844.57 Non-Payroll Expenses

**WATER**

6a	6,866.76 PR # 22
6b	6,746.71 PR # 23
F6a	33,795.59 Non-Payroll Expenses

**SEWER**

6a	6,840.17 PR # 22
6b	6,756.13 PR # 23
G6a	20,171.50 Non-Payroll Expenses

**TROLLEY**

E6a	1,180.79 Non-Payroll Expenses
ET6a	1,296.93 Non-Payroll Expenses

**CAPITAL PROJECTS**

HMS6a	136,322.44 Non-Payroll Expenses
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**Budget Modifications & Transfers**

**General**

A -3620-470 Safety Inspections – Other Expenses	\$ 1,625.00 Increase
A -3089-000 Other General Government ( State Aid)	1,625.00 Increase
To recognize revenue for NYS Historic District Survey portion Completed	
A -5650-440 Off Street Parking – Contract Prof & Tech	\$ 2,500.00 Increase
A -2610-000 Fines, Forfeited Bails	2,500.00 Increase
To cover additional Parking Meter Issues not covered by contract	
A -7115-410 Parks Summer Recreation – Materials & Supplies	\$ 1,000.00 Increase
A -7115-421 Parks Summer Recreation – Propane	1,750.00 Increase

**A -7115-100 Parks Summer Recreation – Personal Services  
To Cover Overages in Recreation Budget**

**2,750.00 Decrease**

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

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

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

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

Watershed Supervisory Committee – A copy of this month's committee report was provided in the Trustee packets.

**Economic Development and Sustainability Committee** – Dr. Falk noted that there was no committee meeting in November.

**Parks Board** – A copy of the November Board minutes was provided in the Trustee packets and was reviewed by Ms. Tillapaugh.

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

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

**Water Board** – A copy of the November Board report was provided in the Trustee packets.

It was noted that a proposal will be requested from Lamont Engineers to re-bid the control panel with the provisions of the best value law once acknowledgement is received that it has been filed with the Department of state.

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

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

**Sewer Board** – A copy of the November Board report was provided in the Trustee packets.

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

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

**New Business:**

Mayor Katz made the appointment of Jill Fuery to the Library Board to replace Rosemary McCabe following her resignation. Ms. Tillapaugh made a motion to ratify the appointment as made by Mayor Katz. Dr. Falk seconded the motion and a vote had the following results:

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

**Procurement Policy** – Mayor Katz made a motion to adopt the amended procurement policy to contain the language provided for best value standards procurement as on file with the original minutes. Mr. Allstadt seconded the motion and a vote had the following results:

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

**Permits:**

Mayor Katz made a motion to approve the permit application for use of the ballroom as submitted by Nancy Tarr with the waiver of the \$25.00 application fee as this is a Library program. Mr. Allstadt seconded the motion and a vote had the following results:

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

Ms. Barown noted that she approved the permit application for the 4C's committee for the Santa House and the parade so that they had adequate time to advertise the event, as the permit application was not received in time for last month's meeting.

Mayor Katz made a motion to adjourn to executive session at 9:25 p.m. to discuss the work history of particular individuals. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mayor Katz made a motion to return to regular session at 10:05 p.m. Mrs. Nicols seconded the motion and a vote had the following results:

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

Mayor Katz stated he would like to see the vending law to be considered for public hearing prior to the start of the next season and requested that the Village Attorney look into where the residential permit process stands.

Mayor Katz made a motion to adjourn the meeting at 10:07 p.m. Mr. Dean seconded the motion and a vote had the following results:

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

Respectfully submitted,

Teri L. Barown, RMC  
Village Clerk  
Village of Cooperstown