

A regular meeting of the Board of Trustees of the Village of Cooperstown was held at the Village Office Building, 22 Main Street, Cooperstown, New York on February 23, 2015 at 6:00 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 DPW Superintendent Brian Clancy, Village Treasurer Ed Keator, Police Chief Mike Covert, Police Officer Kevin Voce, Village Attorney Martin Tillapaugh and Village Clerk – Teri Barown. There were twenty-five members of the public present.

Mayor Katz called the meeting to order at 6:00 p.m. and led the pledge of allegiance.

**Public Comment** – Mayor Katz asked if there were any comments from the public unrelated to tonight's public hearings.

Glenn Falk, 4 Grove Street, stated that he was attending on behalf of Betty O'Brien, 14 Grove Street, and that since the completion of the Irish Hill project she has had major problems with freezing pipes. He stated that he worked for 3 hours on Friday to try and thaw the pipes with no success and Ms. O'Brien was forced to stay at her granddaughter's house for the weekend. He stated that today pipes were finally able to be thawed and is hoping that the Village will give consideration to reimbursing Ms. O'Brien for the required work. He said he will be attending Water Board next month to discuss this issue.

**Correspondence** – Mayor Katz noted that correspondence regarding the paid parking laws set for public hearing later tonight was received from the following individuals and organizations:

Joint letter from Christ Episcopal Church, First Presbyterian Church and Cooperstown Food Pantry

Catherine Lake Ellsworth  
Wayne Bunn  
Ron Johnson.

**Minutes** – Ms. Tillapaugh made a motion to accept the minutes of the January 26, 2015 regular Trustee meeting with the corrections as noted by Dr. Falk in her email to the Clerk. Dr. Falk seconded the motion and a vote had the following results:

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

**Zoning Official's Report** – Mayor Katz stated that the Zoning Official's Report was included in the Trustee packets and asked if there were any questions from the Trustees.

Mayor Katz noted that County Planning Department sign off on the two Tourist Accommodation Laws on tonight's agenda for public hearing was also included in the Trustee packets.

Mayor Katz made a motion to accept the Zoning Official's Report as submitted. Ms. Tillapaugh 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 February committee minutes was included in the Trustee packets.

Mayor Katz noted that the attachment to the minutes regarding department staffing would be discussed as part of the 2015-16 budget preparation process.

**Fire Committee** – A copy of the February committee minutes was included in the Trustee packets.

Discussion was held regarding the no smoking signs posted at the fire hall and the possibility of designating an area, possibly the back-bay, as a designated area for smoking.

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

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

**Doubleday Advisory Committee** – A copy of the February committee minutes was included in the Trustee packet.

Mr. Maxson noted that the committee did not have a quorum present for the meeting this month.

Following discussion regarding requests from the Rockland Boulders for their July game, Mr. Maxson made a motion to approve the following requests placement of signage can occur on private property, not public/village property. It will be the team's responsibility to contact private property owners to obtain their permission for placement of signs and Use of the Doubleday Field Trademark – use of the trademark for the day of the event and only on any materials that would be solely used in advertising the event. Trademark use is specifically prohibited for any materials that would be marketed for sale. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Items requested by the Rockland Boulders that were not approved are the following two items:

Alcoholic Beverages - sale/serving of alcoholic beverages was not approved during the team's use of the field

Use of the PA for play by play during your scheduled games was also not approved and can only be utilized as currently authorized under the contract.

Team USA – Mr. Maxson made a motion to provide a 50% reduction in fee for the additional games requested that can be played on the Wednesday time slot prior to the tournament. Dr. Falk seconded the motion and a vote had the following results:

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

Mayor Katz stated that he, Mr. Clancy and Chief Covert will be meeting with the Hall of Fame regarding this year's induction weekend planning. He stated that they are currently in favor of continuing the street closure and have need for additional handicap spots.

Discussion was held regarding moving the Pioneer Park vendors to different locations, potentially on-street parking spaces as the street will be closed.

Decisions regarding this year's vending, i.e. fees, dates and locations will be decided at the March Trustee meeting.

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

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

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

Dr. Falk noted that purchase of diesel fuel has been worked out so that it can be obtained from Taylors rather than traveling to the Town of Otsego to utilize their tank.

Dr. Falk stated that we did receive a letter from our insurance company that coverage is not provided for the repairs to the vehicles necessitated by the fuel contamination.

Dr. Falk noted that due to the severe winter, we may have issues starting the GIGP project by April and that it may need to be finished following Labor Day.

Dr. Falk stated that after review by the TEP engineers, it was recommended that the Parking on Main Street between Fair and River remain parallel as there is not adequate clearance for diagonal parking.

Dr. Falk stated that the street lights on the south side of Main Street are out mostly likely due to an issue in the line caused by the thaw/freeze cycle. She stated that this was intended as a temporary measure until completion of the north side of the project. She stated in discussing with our electrician there is no potential overhead solution to the problem so if corrected at this time it would involve going underground and digging up some of the project area that has been completed.

TEP Project – Dr. Falk noted that the Trustees have the draft design report from the engineers and she is collecting comments to provide back to the engineers prior to submission of the report to DOT.

Paid Parking – Dr. Falk noted that a map of the meter location will be provided to visitors to alleviate confusion of where meters are located. She stated that this will be placed on-line, but discussion should occur regarding distribution of hard copies, possibly through a map with the County Chamber. She said this discussion will continue depending on the outcome of tonight's public hearing.

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 February committee minutes was provided in the Trustee packets.

Mr. Allstadt noted that the minutes incorrectly stated that the skylight was interior and it is actually exterior. He stated that the best alternative solution at this point is covering with standing seam metal which will not be seen from the outside and it will be lit with LED lights which from the inside will give appearance of daylight and also lighting during the evening.

He stated that insulation of the attic is currently underway.

Mr. Allstadt stated the Solomon Energy is investigating NYSEG's REV project, which they don't feel would have a significant impact for the Village but want to collect all information available before making a recommendation.

He said that they are also continuing with analyzing our needs and gathering assessment information from other entities joining in on the project with us.

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.

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

Mr. Keator reviewed submissions provided with the Trustees and stated that the official audit report should be in their mailboxes by the end of the week.

Mr. Keator stated that money is available from fund balance if needed for the purchase of additional parking meters.

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

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

## **Finance and Personnel Committee:**

## **Finance:**

Trustees reviewed the following items:

RBC Wealth Management Period Ending January 2015 Statement  
RBC Wealth Management Portfolio 2014 Annual Statement  
Sales Tax Comparison Report (No Change)

Ms. Tillapaugh made a motion to approve the renewal of the Fire Department/Women's Auxiliary liability insurance policy with Utica National as presented by SEFCU. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mr. Tillapaugh made a motion to authorize the Mayor to sign a contract with Otsego County Board of Elections for use of voting machine and services provided for the March 18 Village election. Mrs. Nicols 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 request for purchase of non-budgeted item – pagers for the Emergency Squad. Dr. Falk seconded the motion and a vote had the following results:

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

# **Buildings:**

Ms. Tillapaugh made a motion to approve non-budgeted items – conference table and chairs in the amount of \$2,141.49 for the former Court Office space. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mayor Katz stated that once we have fully converted this to a meeting space, a press release will need to go out so that the community is aware the room is available for use.

Doubleday:

Ms. Tillapaugh made a motion to approve the non-budgeted item of a gator at a cost of \$6,527.16. Mr. Allstadt seconded the motion and a vote had the following results:

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

## **Streets:**

Ms. Tillapaugh made a motion to approve a non-budgeted item – 5500 Dodge Ram Dump Truck at a cost of \$64,482 with a transfer from vehicle equipment reserve subject to permissive referendum. 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 low bid from T & T Sales in the amount of \$20,558 for a dump truck box. Dr. Falk seconded the motion and a vote had the following results:

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

## Water:

Ms. Tillapaugh made a motion to authorize the Mayor to sign the proposal from Lamont Engineers for re-bid of the Water Control Panel Upgrade. Mr. Maxson seconded the motion and a vote had the following results:

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

## **Capital Projects:**

Ms. Tillapaugh made a motion to approve Denicola Design LLC estimate as provided for signage required by EFC for the GIGP project. 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 Barton & Loguidice pay application No. 3 as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

## **Personnel:**

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

- A) Thomas Kukenberger – NYRWA Lab
  - B) Kurt Carman – Dig Safe NY
  - C) Andrew Lemister – American Heart Association Course
  - D) Victor Jones, Alicia Lasher, Victor Carrascoso, Monica Carrascoso & Andrew Lemister – Spring Fling
  - E) Heather Stickles & Donna Hribar – Albany Medical EMS Education Day
  - F) Brian Clancy – Advocacy Day

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

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

Trustees reviewed the January 2015 hours of leave report and the overtime analysis for pay periods ending 1/16, 1/30 and 2/13.

Ms. Tillapaugh made a motion to approve the probationary appointment of Russell Adams as full-time Heavy Motor Equipment Operator at a pay rate of \$16.1259 per hour, said probationary appointment to be for one year, commencing with Mr. Adam's first day of work. Dr. Falk seconded the motion and a vote had the following results:

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

## **Finance:**

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

## ABSTRACTS:

## **GENERAL**

**9a** **29,980.85 PR # 29**  
**9b** **33,643.90 PR # 30**  
**A9a** **66,841.69 Non-Payroll Expenses**

## WATER

**9a** **6,616.04 PR # 29**  
**9b** **8,688.96 PR # 30**  
**F9a** **12,319.61 Non-Payroll Expenses**

## SEWER

**9a** **6,463.41 PR # 29**  
**9b** **7,184.68 PR # 30**  
**G9a** **11,597.02 Non-Payroll Expenses**

TROLLEY

## E9a 54.57 Non-Payroll Expenses

ET9a

## **54.56 Non-Payroll Expenses**

## Budget Modifications & Transfers

## General

A -1410-200 Clerk – Equipment \$ 120.00 Increase  
A -1490-200 Public Works Admin – Equipment 60.00 Increase  
A -1990-470 Contingency 180.00 Decrease  
To Cover Battery Backups for the above Departments

**To Cover Battery Backups for the above Departments**

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

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

Trustees reviewed the NYS Fiscal Street Monitoring Report specific to the Village.

Ms. Tillapaugh made a motion to authorize the Mayor to sign the new LOSAP Investment Policy subject to corrections being made in the executive summary replacing 100% where indicated to 62%. 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 sign the Penflex Sponsor Approval Form. Mr. Allstadt seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to authorize the Treasurer to send a spending freeze memorandum to departments which will be effective March 15, 2015. Mayor Katz 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 March 23, 2015 (regular Trustee meeting) at 7:00 p.m. or as soon thereafter as can be heard for a local law to exceed the 2% tax cap. Dr. Falk seconded the motion.

Mayor Katz stated that the past two years this has been adopted as a precaution so as to not accidentally exceed the cap. He said that the difference this year is that if we adopt the law we will need to repeal so that property owners are eligible for a tax credit.

A vote on the motion had the following results:

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

Mr. Allstadt made a motion to accept the Finance and Personnel 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.

**Trolley Committee** – A copy of the February Trolley Committee minutes were provided in the Trustee packet and reviewed by Mrs. Nicols.

Mrs. Nicols made a motion to continue the early bird rate for trolley advertising signs for the entire 2015 season and to change wording on the letter of intent to reflect that after purchasing 4 signs, the 5<sup>th</sup> sign will be free. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mrs. Nicols noted that the charter rates will also potentially be recommended to be adjusted to make an allowance for the wait time of drivers and indicate that the initial 2 hour rate is for consecutive hours only. Ms. Bush of Birnie Bus is working on this issue.

Mrs. Nicols noted that the committee members present felt that the current trolley brochure is a more clear information piece for the trolley ridership rather going solely with the map as presented by the Cooperstown Chamber of Commerce.

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

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

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

Dr. Falk stated that discussion occurred regarding the \$600,000 grant from Mohawk Valley Economic Development Council that resides with Otsego County. The County has been unable to find anyone to take the project on and it was suggested that a non-profit be looked at for the local share portion of the project.

She stated that discussion also occurred regarding how to be more proactive in making requests known to the County for bed tax funds and we should be working on this in the very near future.

Dr. Falk noted that Mr. Tillapaugh is working on a nuisance property ordinance.

Dr. Falk stated that the Draft Vending Law and Planning Board Report and recommendations were included in the Trustee packet for review.

Following discussion, Dr. Falk made a motion to set a public hearing for the March 23 Trustee meeting at 7:00 p.m. or as soon thereafter as can be heard for amending the vending law as provided with incorporation of the Planning Board recommendations. Mr. Allstadt seconded the motion and a vote had the following results:

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

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

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

**Public Hearings** - Mayor Katz opened the public hearing for the following proposed local laws at 7:00 p.m. and read the guidelines for public comment. The Village Clerk read the notice of public hearing:

**Proposed Local Law No. 1 of 2015, establishing paid parking regulations for on-street paid parking, Doubleday Field Parking lot paid parking and parking permit system.** More specifically this local law establishes an hourly paid/metered/paid permit parking system on the north side of Main Street from Pine Boulevard east to River Street, on the south side of Main Street from approximately 175 Main Street east to River Street, the east and west sides of Pioneer Street from the northern boundary of the business district south to Church Street, east and west sides of Fair Street from Main Street to Lake Street, north side of Church Street from River Street to Pioneer Street, east side of River Street from Mill Street to Main Street, and east side of Chestnut Street from Main Street to Lake Street. This law also establishes paid/metered parking in the Village's Doubleday and its Fowler Way parking lots.

**Proposed Local Law No. 2 of 2015, establish 2 hour parking on the east side of Chestnut Street, between Main Street and Lake Street, 7 days a week, between the hours of 9:00 a.m. and 6:00 p.m.**

Patti Ashley, 78 Chestnut Street and owner of a business at 29 Pioneer Street, stated she was making a comment regarding the proposed paid parking on Lake Street. Ms. Ashley was informed that there is not a proposal for paid parking on Lake Street.

Rich Jagels, 22 Nelson Avenue, stated that he is a parishioner at Christ Episcopal Church and his wife Kathy is a former volunteer at the Cooperstown Food Pantry. He stated that he is concerned with the proposal for paid parking on Church Street as the individuals who need to park in this area are patrons and volunteers for the food pantry and individuals who are in need of spiritual advice. He feels that these are not the individuals who should be targeted or financially burdened with paying for parking as this is not something they can afford.

He stated that the current 2 hour parking regulations provide for movement and turnover of spaces on the street.

Sharon Oberitter, Board Member, Cooperstown Food Pantry, stated that the people the food pantry serves are under great financial stress and she doesn't want to risk seeing them not get this important service that they need due to having to pay for parking.

She stated that it also makes it difficult for the volunteers who are generously giving of their time and we shouldn't have to ask them to pay to park to do so.

She stated that she is asking for Church Street to be removed from the proposed local law.

Ms. Oberitter provided information which is on file with the original minutes.

Father Mark Michael, Rector, Christ Episcopal Church, stated that a letter and packet of statistical information regarding use of Christ Episcopal Church, First Presbyterian Church and Cooperstown Food Pantry has already been provided to the Board of Trustees.

He stated that this area has constituted the congregational life of the community located in the most historic core of the Village for the past 200 years. He stated that the pews in Christ Church's chapel flip for the purpose of holding community meetings.

He stated that this restriction would be an on-going burden to the many and vast participants of these organizations and would not contribute to the public good.

Susan Snell, 23 Delaware Street, stated that she is specifically against the inclusion of Church Street for paid parking and objects on the grounds that she feels it is establishing a business in a residential zone.

Richard Blabey, 90 Grove Street, stated that he is also objecting to paid parking being established on Church Street, he read a prepared statement and provided a copy which is on file with the original minutes.

Milo Stewart, 15 Church Street, stated that he would echo the sentiments already stated and he also feels this is encroaching on the residential streets, which he doesn't feel should happen. He stated that paid parking seems to be working in business district and feels that is where it should remain. He stated it seems to be good without expanding and the Trustees need to look at the residential quality of the Village.

Nicole Retzler, 71 Fair Street, stated she would like to reiterate the comments already stated. She said that this will only push more traffic to the adjacent unpaid streets such as hers. She said she already has the problem of cars blocking her driveway and when she calls the police to report it, no one ever picks up.

John Lambert, 48 River Street, stated that he objects to the paid parking based on a deep residential character issue. He said that the Trustees are attempting to establish a commercial activity in a residential area. He said that the Trustees have a duty to recognize the residential character comes first. He said he would argue that this is the most historic district of the Village.

He asked that the Trustees look at what the area will turn into. He said 2 hour parking is in place already. He said this is not what Cooperstown is about. He said he realizes who the Village is targeting, but the residents are who it will be affecting.

He asked that the Trustees balance the money issue with the resident's concerns.

Jonathan Becker, 43 Pioneer Street, stated he rents his residence and parking is not included at the property he rents. He said as it is can't park until 6:00 p.m. at night and if paid parking is instituted it will push those who utilized the newly created paid parking areas to the streets it is not included. He asked that the Trustees consider a residential parking permit.

Matt Hazzard, Executive Director the Cooperstown Chamber of Commerce, stated that he is in attendance to speak on behalf of the business community. He stated that the Chamber put out a survey regarding the expansion of paid parking, as well as seeking opinion on the current paid parking locations and the affect it has had on the business community, from members, non-members and businesses outside of the Village. He stated that the results were shared with Mayor Katz and Dr. Falk, and he understands the Mayor has shared the results with the entire Board.

Mr. Hazzard stated that 4 out of 5 businesses feel that they would be negatively impacted by expansion of the paid parking areas. He stated that 79 businesses against the expansion is not an insignificant number. He stated that current trolley system cannot accommodate employees who work all hours of the day and night.

He reiterated that 4 out of 5 against speaks loudly.

Betty Giffin, 90 Fair Street, stated she understood a letter had been submitted by Cathe Ellsworth and asked that it be read aloud. The Village Clerk read the letter submitted by Ms. Ellsworth.

Ellen Morris, Fair Street, stated that she opposes the expansion of paid parking to Fair Street. She said it is a residential street and that is why they bought their house when it is so close to Main Street and the business district.

Linden Summers, 1 Elk Street, stated that he feels this will be one more layer of inconvenience and asked why paid parking is being moved out of the downtown area where there is some basis for it. He stated he feels it is important not to make the expansion into residential areas, as it will then only be the beginning of adding more residential streets.

He stated he can hear people knocking on his door already who will be looking for assistance with the meters.

Jeannine Webster, Main Street, stated that the paid parking on Main Street is challenging for those individuals who make their home on Main Street. She stated just transporting young children and unloading groceries is extremely difficult to accomplish.

Marion Karl, Mill Street, asked if instituting paid parking would require a change in zoning as it is essentially taking privileges away from the residents.

Alex Webster, owner of Alex and Ika's, stated that paid parking is terrible all year around. He said it is no problem for the tourists as they are used to it, but it has essentially eliminated the incidental business from those in surrounding communities. They won't pay in the summer so they have found other places to eat and shop for the rest of the year.

Joan Clark, 90 Main Street, stated she agrees with Matt Hazzard and Mr. Webster. She said there were 700 people in the high school auditorium asking that this not happen and the Village did not listen. She said she knows that the Village needs the money, but asked that it not be placed in the residential districts.

Hearing no further public comment regarding proposed Local Laws No. 1 and 2 of 2015, Mayor Katz closed the public hearing at 7:40 p.m.

Mayor Katz asked for feedback from the Board of Trustees.

Ms. Tillapaugh stated that she knew coming into tonight's public hearing that Church Street was off the table for her. She said that streets were proposed based on feedback of tickets written as reported by the Police Chief.

She said she would consider taking River Street off as well.

Dr. Falk stated that she agrees with Ms. Tillapaugh in many respects.

She said that she and Mayor Katz met with representatives of the churches and the Food Pantry and didn't realize the uses that occur on Church Street. She said that she is also in favor of removing Church Street from the paid parking area.

She said that she thinks it is time to re-visit residential parking permits. She said this is not an easy proposition and that it needs to be approved by the state legislature, but it may help in easing some of the tension.

She said that she feels that Chestnut and Fair streets as proposed in the law and largely used by tourists now.

She said that she also realizes the push effect that this has and feels that it is happening now.

She said she has mixed feelings on removing River Street.

Mr. Dean stated that he would not consider including Church Street in the paid parking areas and would consider part of River Street from Church Street to Main Street only.

Mr. Maxson stated he would be in favor of removing Church, River and Fair Streets.

Mrs. Nicols stated that she agrees with Mr. Maxson on the streets to be removed.

Mr. Allstadt stated that his home is on Main Street and he has a paid parking meter right in front of it.

He stated that once he saw the data regarding Church Street that was off the table for him

He said that he has difficulty in removing River Street as it is 2 hour parking now and is for the most part taken up by Bassett Hospital, but hears the consensus of the residents in this area.

He said he would leave the remainder of the streets added.

Mr. Allstadt stated that he feels residential permits should be pursued in a way that residents can use them to park wherever they wish in the Village.

Mayor Katz stated he is the only person still on the Board who was on in 2007 when paid parking was first instituted. He stated that from that point forward every board since has met every year to work on the paid parking law. He said it has always been very much a living law.

He stated that the reasons for including the streets that were chosen was based on information from the Police Chief regarding tickets and not based on a whim.

He stated that residential permits have been discussed and the sticking point is how to lay them out so that residents have access to park in front of their own house.

Mayor Katz stated that public parking is for the public.

He asked if there were any motions to be made regarding proposed Local Laws No. 1 and 2 of 2015.

Dr. Falk made a motion to adopt Local Law No. 1 of 2015 with the elimination of the north side of Church Street from River Street to Pioneer Street and the east side of River Street from Mill Street to Main Street as the only changes from the proposed law submitted. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to adopt proposed Local Law No. 2 of 2015 – instituting 2 hour parking on the east side of Chestnut Street between Main Street and Lake Street, seven days a week

between the hours of 9:00 a.m. and 6:00 p.m. as submitted. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mayor Katz stated as there was still some time prior to the opening of the next public hearing, we would continue with the regular agenda.

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

Discussion was held regarding placement of a new section of the Village dock in the 2015-16 budget with further expansion being conducted as a phase project in future budgets.

Ms. Tillapaugh made a motion to accept the Parks Board report as submitted. 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 February board report was provided in the Trustee packets.

Ms. Tillapaugh made a motion to accept the Water Board report as submitted. Mr. Maxson 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 February board report was provided in the Trustee packets.

Mrs. Nicols made a motion to accept the board report as submitted. Mr. Maxson seconded the motion and a vote had the following results:

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

**Permits:**

Ms. Tillapaugh made a motion to approve the request from Cooperstown Art Association to revise their permit to include an additional ballroom exhibit as outlined in the email from Janet Erway to the Village Clerk. Mr. Allstadt 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 approve the Country Club Run/Walk permit application as submitted for the event to be held on July 3, 2015. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to approve the permit request for the Stephens Wedding at Lake Front Park on August 22, 2015 as submitted. 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 8:05 p.m. and the Clerk read the remainder of the public hearing notice:

**Proposed Local Law No. 3 of 2015 – Amendment to the Zoning Law to regulate and license Short Term Tourist Accommodations**

**Proposed Local Law No. 4 of 2015 – Pre-existing Non-Conforming Short Term Tourist Accommodations Sunset Law**

Doug Zamelis, 6729A State Highway 80, Springfield Center, stated that he is the attorney for 2 Pine Blvd LLC and thanked Mr. Tillapaugh for advising him that the Trustees would be considering re-adoption of the local laws regarding tourist accommodations tonight.

He stated that he would like it known that all his previous comments made at various public hearings in objection to these two laws are still valid for tonight's public hearings.

He stated that the sunset law is taking vested property rights away from the property owners that were already judicially confirmed and that this is a constitutional issue. He stated that the Trustees are passing laws that are specifically taking away property rights when they could simply pass legislation that abates property nuisances.

He said that during the numerous public hearings he has heard plenty of people in opposition to the legislation and none for it. He said that the Trustees should be enforcing existing laws against any confirmed nuisances.

He said that 2 Pine Blvd LLC is asking that the Board table the laws until after the upcoming election or vote no on them.

Hearing no further public comment, Mayor Katz closed the public hearing at 8:07 p.m.

Mayor Katz asked Mr. Tillapaugh to review the reason for proposed re-adoption of the two tourist accommodations tonight.

Mr. Tillapaugh stated that it was discovered that the Village had failed to submit the two tourist accommodations laws to the County Planning Department for review under GML 239-m, which is required for any amendments to zoning law. He said the laws have been submitted for review and were found to have no impact and are now being brought back to the Village for a re-vote.

He stated as Mr. Zamelis indicated any comments made a previous public hearings are valid for tonight's hearing as well.

Dr. Falk read the concluding paragraph included in the County Planning Department's report regarding proposed Local Law No. 3 of 2015 on file with the original minutes and made a motion to adopted Local Law #3 of 2015 – amendment to the Zoning Law to regulate and license Short Term Tourist Accommodation as submitted. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Motion carried.

Dr. Falk read the concluding paragraph included in the County Planning Department's report regarding proposed Local Law No. 4 of 2015 on file with the original minutes and made a motion to

adopted Local Law #4 of 2015 – pre-existing non-conforming Short Term Tourist Accommodations Sunset Law as submitted. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

## New Business:

Mayor Katz shared a solicitation to join the Otsego County Historical Associate and NYCOM Legislative Program information with the Trustees.

First budget workshop meeting for the 2015-16 tentative budget was scheduled for March 3, 2015 at 2:30 p.m.

Mayor Katz made a motion to adjourn to executive session at 8:15 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 8:31 p.m. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mrs. Nicols made a motion to adjourn the meeting at 8:32 p.m. Dr. Falk 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