

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 May 23, 2016 at 6:30 p.m. Members in attendance were Mayor Jeff Katz, Trustees Ellen Tillapaugh, Cynthia Falk, James Dean, Louis W. Allstadt and Richard Sternberg. Trustee Bruce Maxson was absent. Also in attendance were DPW Superintendent Brian Clancy, Zoning Enforcement Officer Sheila Serbay, Village Fire Chief, Village Treasurer Derek Bloomfield, Village Attorney Martin Tillapaugh and Village Clerk – Teri Barown. There were nineteen (19) 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 - Joseph and Janet (no last name given), advised they live across the street from the Hardball Café in an upstairs apartment. They stated that the café plays music on Wednesday, Thursday and Saturday and that Joseph works the overnight shift, so sleeps in the evening and the music disturbs his sleep. Mayor Katz stated that as long as Hardball Café is not in violation of the noise ordinance this cannot be regulated, but asked Chief Covert to contact them and ask to consider lowering the volume as a good neighbor.

Minutes – Ms. Tillapaugh made a motion to accept the minutes of the April 25, 2016 regular meeting, April 28, 2016 special meeting and May 4, 2016 special meeting with corrections as noted by Dr. Falk to the April 25, 2016 meeting. Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Allstadt, Sternberg

Motion carried.

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

Ms. Serbay noted that 2-4 Maple Street, 85 Chestnut Street and the Webster signage have all been addressed.

Ms. Serbay noted that past procedures regarding non-profit, temporary signage were provided to her.

She stated she will be communicating with the Village Attorney regarding fines.

Special Use Permit Application – 28 Railroad Avenue – conversion of former Agway (commercial building) to 22-guest room hotel - It was noted that recommendations regarding the special use permit application was received by the Planning Board noting sufficient detail was provided to recommend the applicant's concept to the Trustees with the recommendation that in the event the permit is granted that a designated crosswalk be established at the Railroad Avenue driveway to provide safer access "from the parking area to public sidewalks or other pedestrian ways."

Dr. Sternberg made a motion to set the public hearing for the special use permit application of 28 Railroad Avenue for Monday, June 27, 2016 at 7:00 p.m. or as soon thereafter as can be heard. Mr. Allstadt seconded the motion.

Dr. Falk stated that we need to ensure that the applicant is the owner of the building or at least under contract to purchase. Ms. Drerup, applicant's representative stated she believes that he is.

A vote on the motion had the following results:

AYES: Tillapaugh, Falk, Dean, Allstadt, Sternberg

Motion carried.

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

Fire Committee – A copy of the May committee report was provided in the Trustee packets.

Ms. Tillapaugh made a motion to declare the old stabilization unit as surplus equipment and offer it free to a neighboring fire department with the stipulation that the department have it upgraded and inspected/certified prior to use. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Allstadt, Sternberg

Motion carried.

Discussion of rental of the fire hall at a discount to members was discussed at the committee meeting. Dr. Falk noted that volunteers do put a lot of time in. Chief Tallman stated that this used to be a benefit of membership. Mayor Katz suggested the committee look at developing a policy that won't be viewed as favoritism. Ms. Tillapaugh suggested a policy be developed based on hours of activity. She stated that the committee will work on this issue.

It was noted at the committee meeting that the cleaning service is sometimes not at the hall an hour, when they should be providing an hour and a half of service. A meeting will be set up with the cleaning service to discuss.

A question came up regarding fire department members using their own boats on Otsego Lake for rescues. Ms Barown will look into whether this is an insurance issue. It was also questioned whether there could be a discount for members for renting a slip at the Village boat docks due to their responding to rescues.

Ms. Tillapaugh 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, Allstadt, Sternberg

Motion carried.

Doubleday Field Committee – A copy of the May committee report was provided in the Trustee packet.

Rockland Boulders – Mayor Katz made a motion to approve the same requests for the Rockland Boulders as stated in the February 23, 2015 Board of Trustee minutes with a reminder of expectation of professional behavior due to issues raised in the August 11, 2015 Doubleday Committee minutes with the assessment of a \$100 refundable fee to address proper cleanup of the field and dugout areas. Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Allstadt, Sternberg

Motion carried.

As noted last month a commercial is being aired by Royal Chrysler with Doubleday Field in its advertising. Mr. Tillapaugh will contact Royal Chrysler regarding location fees.

Mayor Katz stated that he and Ms. Tillapaugh had a meeting with the Executive Director of Susquehanna SPCA regarding a dog walk event at Doubleday Field. Mr. Maxson will check with

Mr. Hasak his thoughts on this event for the weekend after Columbus Day. It was noted that several years ago Winter Carnival held a dog sled event on the warning track.

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

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

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

Dr. Falk stated that the committee discussed application of pesticides in the tree lawn and the potential of establishing regulations regarding this issue. She said there is some difficulty in that some properties ownership ends at the sidewalk and some the curb. She stated that the committee felt the first course of action is education through Village Voice articles and if that doesn't seem sufficient through regulations established by local law.

Dr. Falk noted that the unveil of the trolley app (FollowtheTrolley) will occur on May 25 at 10:00 a.m. in front of the Hall of Fame.

She noted that ATI has begun servicing the meters and will be back this week to complete.

Driveway Boxes – It was noted that we have started receiving requests for driveway boxes and in researching how this is handled by other municipalities this is normally handled by painting the curbs yellow. Dr. Falk stated that she will draft regulations for review at next month's meeting as well as providing to Police Committee for input.

Dr. Falk stated that the new sidewalk on River Street is on hold, as DOT has indicated we may be eligible for a waiver from ADA on this requirement for the TEP project.

Mayor Katz noted that there was a good meeting with DOT regarding resolving the Cultural Resources report for the TEP project, however, two weeks later we are still waiting on recommendations.

It was noted at the Arbor Day event that we need to have a proclamation and an advisory committee for trees. Dr. Falk will discuss further at next month's committee meeting.

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, Allstadt, Sternberg Motion carried.

Public Hearing – Mayor Katz opened the public hearing on proposed local law no. 5 of 2016 – establishing regulations for issuance of parking permits for construction vehicles in the Village of Cooperstown. The Clerk read the public hearing notice and Mayor Katz read guidelines for public comment.

Glenn Falk, 4 Grove Street, stated he is a resident and self-employed contractor. He said he has no employees and occasionally uses sub-contractors. He said 90% of the work he does is in the Village of Cooperstown. He said he feels the abuse seen in the past in paid parking areas is not

by contractors, but non-contractors using cones behind their vehicles and something does need to be done about that.

He noted his issues with the law is he feels it is geared towards larger contractors, but will affect all and that it is written for the entire Village rather than just the paid parking areas. He asked how contractors from other areas will be made aware of the law. He said he would like to see provisions contained for a contractor permit, use of cones and contacting the police.

He stated that he believes the fines in the law are too low for abuse of cones and should be \$500 to be a good deterrent of breaking the law.

Mr. Falk said that contractors need to be able to place cones to preserve spot as often they need to get materials and then return to the job site.

Steve Eldred, Hartwick, New York, stated that he has the same concerns as Mr. Falk regarding the law. He said often he has to run to other companies for materials and leave the space. He said he doesn't have problems with the fees proposed and even feels they could be raised. He said he also feels that the fine is too low, as out of town contractors will just pay it.

John Phillips, Fly Creek, New York, stated he appreciates all the time and effort put in by the Mayor and Trustees. He said he was asked if he would be available to provide input on the law, but was never contacted. Mr. Phillips read a statement, a copy of which was provided to the Clerk and is on file with the original minutes.

Tom Lagan, 24 Lake Street, stated that he owns property in the Village. He said we need the contractors to fix the infrastructure and feels that the contractors are being penalized for improving the look of the buildings in the Village. He said we should be supporting this effort and just allow them to call into the police department when they will be on a job.

Anne Geddes Atwell, 24 Delaware Street, stated she thinks it is only fair for the contractors to pay for a permit as she understands the public side of things as well. She feels the proposed law is good with a little tweaking needed.

Jim Tallman, 5429 St. Hwy. 28, Cooperstown, suggested that the Village supply marked cones for contractors and store in a central place, so that when on a job they can pick up and contact the Police Department.

Hearing no further public comment, Mayor Katz closed the public hearing at 7:20 p.m. and asked for Trustee comment.

Mr. Allstadt stated that he feels we should sit with the contractors and get specific input on the law and see if there is a way to do permitting with the cones. He said he feels there has been abuse and that needs to be dealt with. He said he feels the coming and going that contractors need to do have not been addressed in the law.

Dr. Sternberg stated he has heard complaints that there are specific classes that the laws don't apply too. He said if we do nothing with this law tonight, then the contractor's will need to abide by time limits and pay the meters. He felt that the previous law considered dealt with the concerns he is hearing tonight.

Mr. Dean stated that we need to make it simpler for the contractors.

Dr. Falk recused herself from discussion.

Ms. Tillapaugh stated that Police Committee developed the proposed law with input from the Trustees. She stated that the contractors were asked to get in touch with her and could have done so. She stated she feels it is not an issue regarding money. She noted that Cathe Ellsworth brought up the issue of not enforcing throughout the whole Village in the previous law.

She said the law was prepared to try and facilitate the contractors and address the issue of flagrant use of cones by those who are not contractors. She said she feels that the current law proposed law will make it easier for the contractors to work more efficiently and still obey the law.

Mr. Dean asked if it makes sense to block the spots.

Dr. Sternberg stated that the previous law proposed just that and he felt Ms. Tillapaugh came up with a good original plan.

Mayor Katz thanked those who attended tonight and at the previous meeting. He stated this is how the process is supposed to work. He stated that the Village's hand was forced on finding a way to make this work, due to complaints received about those parking, blocking spaces with cones and not obeying time limits and disregarding paid parking fees. He said Bassett employees receive a lot of tickets for the same thing the contractors have not been ticketed for. He said basically it is allowing one subset of people to not have to obey the same rules everyone else does.

He stated that he appreciates Mr. Lagan's point and we do want contractors in the Village to assist owners in improving their property. He said the question is how we codify the exception into a law. He said we need to get something that works and until there is something on the books, he can't support the police department allowing the contractors to continue as they have done in the past.

Ms. Tillapaugh stated that if there is enough viability to this law she feels we could do some revisions tonight and proceed with adoption.

Mayor Katz made a motion to adopt Local Law No. 5 of 2016 – establishing regulations for issuance of parking permits for construction vehicles. Ms. Tillapaugh seconded the motion and discussion occurred.

Following discussion, the following revisions were made to the proposed local law:

- First bullet – commutation was changed to commuting
- Second bullet – (vehicle owner) was added after company in second sentence
- First bullet (second page) was changed to read “Cones may only be used for safety reasons or to preserve a parking space at a job site.”
- Last bullet (second page) the word “Abuse” in two places was changed to “Violations”

Mayor Katz amended his motion to include the revisions and Ms. Tillapaugh seconded the amendment and a vote had the following results:

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

Buildings Committee – A copy of the May committee minutes was provided in the Trustee packet.

Mr. Allstadt stated that representatives from our insurance company attended the meeting to discuss historical value for 22 Main Street and the Doubleday Field grandstand. They are obtaining estimates and will provide additional information for next month.

Mr. Allstadt noted that the front entrance to the building is closed for the renovation work. He stated that after an initial delivery of bases that weren't prepared accurately, the carpenters have now defined them properly. He noted issues with the paintings prepping the columns to spec and this is also being addressed.

Mayor Katz made a motion to set a public hearing for June 27, 2016 at 7:00 p.m. or as soon thereafter as can be heard for multiple applications for the CFA application process. Dr. Falk seconded the motion and a vote had the following results:

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

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

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

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

Mr. Bloomfield noted that the tax bills have been printed.

Finance and Personnel Committee:

Finance:

Trustees reviewed the April 2016 RBC Wealth Management Statement and Sales Tax Report.

Ms. Tillapaugh made a motion to authorize the Mayor and Trustees to sign the tax warrant for the collection of the 2016-17 taxes. Dr. Falk seconded the motion and a vote had the following results:

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

Police/Parks:

Ms. Tillapaugh made a motion to declare six police department radios and base station as surplus equipment and transfer to Parks Department. Dr. Sternberg seconded the motion and a vote had the following results:

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

Transfers:

From A-889-A00 Reserve for Village Equipment	79,962	
To A-911-000 Fund Balance	79,962	New Streets Vehicle (A-5110-200)
From A-1990-470 Contingency	4,000	
To A-7110-100 Parks Personal Services	4,000	For Payroll #62
From A-1990-470 Contingency	2,535	
To A-7111-200 Docks Equipment	2,535	For new dock cost increment

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

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

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

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

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

Mayor Katz noted that DOT may need to occasionally use an alternate product to combat poison ivy.

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

Dr. Falk noted the submission of the application for the Downtown Revitalization Initiative. She stated that one proposal will be chosen from the regional for 10 million dollars. She said that this will letter the Department of State know we have an interest in economic development.

Dr. Falk noted the Village’s participation in the Get to Know Cooperstown event at the Bassett Clinic building, sponsored by the Cooperstown Chamber of Commerce and felt this was a very worthwhile experience.

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

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

Parks Board – A copy of the May board minutes was provided in the Trustee packets.

Ms. Tillapaugh stated that as there was a delay in receiving the dock material from the supplier, the contractor has stated that the docks will now be complete no later than June 9.

