

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 March 26, 2018 at 6:30 p.m. Members in attendance were Mayor Jeff Katz, Trustees Ellen Tillapaugh, Cynthia Falk, James Dean, Bruce Maxson, Lou Allstadt, and Richard Sternberg. Also in attendance were Village Treasurer Debra Guerin, Zoning Enforcement Officer Jane Gentile, DPW Superintendent Mitch Hotaling and Village Administrator – Teri Barown. There were nine (9) 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 – In advance of the meeting Trustees received correspondence from William Dornburgh regarding a proposal for affordable housing. Mr. Dornburgh was present and stated he would answer any questions regarding the proposal.

Mayor Katz thanked Mr. Dornburgh for the time and effort put into the proposal and noted that as Economic Development and Sustainability is working on this issue, we would refer the proposal to that committee.

Minutes – Ms. Tillapaugh made a motion to approve the February 26, 2018 Trustee minutes with corrections as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

Zoning Official Report – A copy of the Zoning Official's Report was provided in the Trustee packets and reviewed by Mrs. Gentile as the meeting.

Mrs. Gentile reviewed two matters that would require special use permits from the Board of Trustees. First was 64 Chestnut Street, revisions to an existing special use permit to allow for outdoor weddings and receptions on site. Dr. Falk made a motion to set a public hearing for the revisions to the special use permit as presented for April 23, 2018 at 7:00 p.m. or as soon thereafter as can be heard. Dr. Sternberg seconded the motion and a vote had the following results:

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

Mrs. Gentile then stated an application for a special use permit has been submitted by the owners of 133 Chestnut Street, the former Mang Insurance to convert from office space to a two family residence. Jon McManus, owner's representative, provided drawings for the project. Dr. Sternberg made a motion to set a public hearing for the special use permit as presented for April 23, 2018 at 7:00 p.m. or as soon thereafter as can be heard. Mr. Allstadt seconded the motion and a vote had the following results:

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

Permits:

Ms. Tillapaugh made a motion to approve the permit application of the Morrismen Dancers as submitted, waiving the park use fee. Dr. Falk seconded the motion and a vote had the following results:

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

Fire Committee – A copy of the March meeting minutes was provided in the Trustee packets.

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

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

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

Dr. Falk made a motion to authorize the Mayor to sign the EV Charger grant as accepted by NYS DEC on the grants gateway. Dr. Sternberg seconded the motion and a vote had the following results:

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

Dr. Falk stated that in Finance the Trustees will be considering a proposal for conducting the tree inventory and management plan. She stated this is proprietary software and there would be an annual fee for continued usage after the first year.

Dr. Falk stated planning has begun for Arbor Day and the date is pending.

Dr. Falk noted that the new trolley is currently in production and as the company needed the name for the Trolley to finish production, Mr. Hotaling provided the name, "Kingfisher."

Discussion was held to include a family rate trolley pass at a fee of \$5.00 to cover two parents and minor children. Mr. Allstadt made a motion to approve a family rate pass as presented. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Dr. Falk stated we will be seeking proposals from Birnie Bus for trolley management both for one route and two routes.

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

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

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

Mr. Allstadt noted that the closet for the chairs in the ballroom is under construction and the ceilings will be patched soon.

He stated that there was a walk through with 22 Main occupants for way-finding signage.

The bid specs for the windows, gutters and elevator will be combined as feedback was that separately the projects did not attract bidders as each stand alone project was too small.

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

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

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

Finance and Personnel Committee:

Finance:

Trustees reviewed the February 2018 RBC Wealth Management Statement and the sales tax update.

Ms. Tillapaugh made a motion to approve authorizing Munistat to perform the SEC Filing Requirement. Dr. Sternberg seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to authorize the following transfers:

Transfers:

- a. To pay MMS Audit Invoice \$14,000 transfer to A1325-440 from:
 - A-1990-470 Contingency \$7000.00
 - F-8320-440 Contract Prof & Tech \$3500.00
 - G-8130-440 Contract Prof & Tech \$3500.00
- b. To pay Phoenix Graphics Invoice \$850.00 transfer to A1450-470 from:
 - A-1410-401 Clerk Schools, Dues, Conf \$457.25
- C: Transfer to pay - Rose & Kiernan Insurance - \$14,000.00 transfer to A1910-470 from:
 - Contingency - \$8,200.00
 - Fund Balance - \$5,800.00

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

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

Parks:

Ms. Tillapaugh made a motion to approve the quote received from Redpoint Builders for stairway repair at Fairy Spring not to exceed \$7,477. Dr. Sternberg seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to approve the quote received from Rifanburg's Law and Landscapes for extension of the retaining wall at Fairy Spring at a cost of \$7,600.00. Dr. Falk seconded the motion and a vote had the following results:

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

Trees:

Ms. Tillapaugh made a motion to authorize proceeding with the Tree Inventory and Management Proposal as submitted by Davey Resource Group at a cost of \$13,000, which is 100% reimbursable by a NYS DEC grant. Dr. Falk seconded the motion and a vote had the following results:

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

Capital Projects:

Ms. Tillapaugh made a motion to authorize payment of project invoices for the TEP Project from Barton & Loguidice, Estimates No. 31 – 34 at a total cost of \$88,836.59. Dr. Falk seconded the motion and a vote had the following results:

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

Personnel:

Trustees reviewed the overtime analysis for payrolls 109 and 110 and leave analysis for February and March 2018.

Ms. Tillapaugh made a motion to approve the conference and training requests as submitted by John Cankar and Tom Kukenberger for attending at the New York Rural Water Technical Training Workshop. Dr. Sternberg seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to approve the seasonal appointment of Clayton Truax, as Laborer at Doubleday Field starting April 9, 2018 and ending October 31, 2018 at a salary of \$10.00 per hour. Mr. Maxson seconded the motion and a vote had the following results:

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

Abstracts and Transfers – Ms. Tillapaugh made a motion to approve the abstracts and transfers dated March 22, 2018 and on file with the original minutes. Dr. Falk seconded the motion and a vote had the following results:

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

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

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

Administrator's Report:

Ms. Barown stated that the tentative 2018-19 budget was posted to the website on March 19 and the budget hearing is scheduled on April 2, 2018 at 6:30 p.m., together with the organizational meeting for the new Village year.

Ms. Barown provided updates on various grants and projects including the WWTP Upgrade Project, TEP Project and Grove Street culvert project. She noted that reimbursement has been received from DOT for the ROW acquisitions as well as reimbursement from EFC for the first round of invoices submitted on the WWTP Upgrade project.

Dr. Falk made a motion to authorize the Mayor to sign the Grove Street Culvert Project Engineering Proposal as submitted by Delaware Engineering. Mr. Allstadt seconded the motion and a vote had the following results:

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

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

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

Public Hearing - Mayor Katz opened the public hearing at 7:00 p.m. for proposed local law no. 2 of 2018 –regulating the use of drones in the Village of Cooperstown. Ms. Barown read the public hearing notice and Mayor Katz read the guidelines for public comment.

Mayor Katz gave some background to the development of the proposed regulations, stating that he had been approached by the Hall of Fame with thoughts of public safety at the forefront of the discussions.

He stated that due to the State Police mandating garbage cans being removed from Main Street prior to the HOF Induction Parade; the Village is looking at placing lockable trash cans in the TEP Project. He stated ignoring safety concerns doesn't make sense.

He noted that Mr. Tillapaugh has conducted a lot of research and made contact with the FAA and due to regulations being overturned in other municipalities that have focused on flight, Mr. Tillapaugh has drafted the regulations as a zoning issue regulating use of property, i.e. where drones can be launched, landed and special event regulations.

Mayor Katz asked for comments from the public regarding the drone regulations.

Bill Waller, 66 Beaver Street, stated that the law is unnecessary and not needed in the Village of Cooperstown. He stated that FAA regulations provide for enforcement. He said he is worried about the motivation for instituting the law and if it is Hall of Fame related it won't prohibit drones in the Town of Middlefield as this is out of our jurisdiction.

He stated that drones are controlled by radio and that the Police Department has the ability to detect them. He said there is already a law in place that drones cannot be flown over people and any law enforcement agency can enforce this regulation, issues tickets and even seize the drones.

He stated that the federal government would like to see this law in place, as they won't enforce due to being afraid of being sued over damage to personal property.

He stated he hopes the Trustee will reconsider and not adopt the law.

Evan Chase, National Baseball Hall of Fame, stated that there over 285,000 visitors to the Village each year, thousands on Classic Weekend and the primary concern is the safety of visitors and residents. He stated he feels we need this law on the books to ensure safety.

Lt. Christopher Zaba, NYS Police, stated that drones are a big safety concern not only for the Village and Town of Middlefield, but for the heliport across from the Sports Center. He stated that drones would be in the path of incoming NYS helicopters and could cause problems in getting helicopters up from the helipad.

He stated that the flight plans would not be filed by drone operators and the helicopters would not be aware of them.

Mr. Chase stated that the drone regulations would cover this, as a flight plan would need to be filed.

Mayor Katz closed the public hearing at 7:15 p.m. and asked for comments from the Trustees.

Dr. Sternberg stated that if Mr. Waller's comments are correct he still doesn't see a problem with the Village law.

Mr. Allstadt stated he has severe reservations regarding the language in the law. He stated that the FAA can issue temporary flight restrictions and suggested that the Hall of Fame seek this during the Induction weekend. He suggested if the Village, County and State Police reinforce this with the FAA they should be able to get this established.

Lt. Zaba stated that the FAA has already stated that they would only establish temporary flight restrictions if the President of the United States was present.

Mr. Allstadt stated he feels the language needs some clean up, particularly the items being asked to be provided to the Village.

Mr. Maxson stated he is also not feeling comfortable with this version of the law. He said he is concerned about enacting a law if there is already the ability for enforcement by the State or Federal agencies.

Mr. Dean stated he is in support of the law as the Village would have the best interest of looking out for the Village.

Dr. Falk stated she is generally in favor of the draft and there are issues with drones beyond special events. She stated that a young man stopped in the middle of Main Street to launch a drone. She said she is in favor of some revisions to the current version.

Ms. Tillapaugh stated she was on the fence regarding the regulations until Lt. Zaba spoke as she felt that temporary flight restrictions may have been a possibility. She stated that safety and invasion of privacy of residents are some concerns. She stated she also thinks some revisions need to be made to the regulations.

Mayor Katz stated that the Village is not alone with concerns regarding drones. He stated is not just Induction, but other mass gatherings that occur in the Village. He stated that limited use of public property occurs all the time. He said he appreciates all the feedback.

Following discussion, revisions discussed will be made and circulated to the Trustees and Village Attorney who will determine if an additional public hearing should be called.

Economic Development and Sustainability Committee – A copy of the March committee minutes was provided at the Trustee meeting.

Dr. Falk noted that the Chamber of Commerce has offered to develop a community calendar, which can be utilized through a link on the website.

Dr. Falk stated that there have been 11 responses so far to the loading zone survey, which would suggest that they work as currently configured.

She said that the committee discussed a Think Differently program and are pleased with the initiative, but don't know what the Village's role would be.

Dr. Falk stated that the committee is suggesting the development of a Housing Working Group with members from the Board of Trustees, ZBA, HPARB and Planning Board, along with recommended community members.

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

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

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

Ms. Tillapaugh noted that the board had an end of the season de-briefing on the skating rink. She stated that the rink advocate was invited to attend meetings from November through March and only attended November and March.

She stated a suggestion was offered for the Think Rink advocates to bring their own equipment for use on the rink and in checking with our insurance agent, they would need to provide insurance naming the Village of Cooperstown as additional insured.

She stated that three dying pine trees on Fish Road have been removed.

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

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

Water and Sewer Board – A copy of the March board minutes was provided in the Trustee packets.

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

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

Mayor Katz made a motion to adjourn to executive session at 7:50 p.m. to discuss the work history of a particular individual and for contract negotiations. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mayor Katz made a motion to return to regular session at 8:05 p.m. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mayor Katz made a motion to approve the probationary period of Steven Lansing to the position of full time police officer for a 12 week probationary period beginning March 26, 2018 and appointment from the Civil Service List provided by Otsego County at the salary established under the union contract. Dr. Sternberg seconded the motion a vote had the following results:

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

Mayor Katz thanked the Trustees for their support throughout their tenure with him.

Dr. Sternberg made a motion to thank Mayor Katz for his service to the Village of Cooperstown. Mr. Maxson seconded the motion and a vote had the following results:

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

Dr. Sternberg made a motion to adjourn the meeting at 8:08 p.m. Mr. Allstadt seconded the motion and a vote had the following results:

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

Respectfully submitted,

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