

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 29, 2018 at 6:30 p.m. Members in attendance were Mayor Ellen Tillapaugh, Trustees Cynthia Falk, James Dean, Bruce Maxson, Lou Allstadt, Richard Sternberg and Jeanne Dewey. Also in attendance were Village Attorney Martin Tillapaugh, Zoning Enforcement Officer Jane Gentile, and Village Administrator – Teri Barown. There was one (1) member of the public present.

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

Public Comment – There was no comments from the public.

Minutes – Dr. Falk made a motion to approve the minutes of the April 23, 2018 Trustee meeting with corrections as submitted. Ms. Dewey seconded the motion and a vote had the following results:

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

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

Ms. Gentile stated that Mr. Ferrara is seeking an expansion of his special use permit for 28 Railroad Avenue, but noted that there are conditions that have yet to be met from the originally approved special use permit.

Dr. Falk inquired if a public hearing would be required for the additional items Mr. Ferrara is seeking. Mr. Tillapaugh replied that there would need to be a public hearing.

Dr. Sternberg stated that he feels that the items not completed should be required to be completed prior to considering any additional expansion of the special use permit.

Dr. Falk stated either completion or submission of a new site plan accurately showing what the applicant is seeking to do at the property.

Dr. Falk made a motion to set a public hearing at the June 25 regular Trustee meeting at 7 pm or as soon thereafter as can be heard, for an amendment to the special use permit for 28 Railroad Avenue subject to either completion of the outstanding conditions of the original permit or submission of a new site plan and referral of the application to the Planning Board for recommendations to the Trustees. Mr. Dean seconded the motion.

Dr. Sternberg stated that he won't consider the expansion if the original conditions aren't met by the June meeting.

Dr. Falk stated or until a new plan showing intended changes is submitted to Planning Board.

A vote on the motion had the following results:

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

Dr. Falk made a motion to accept the Zoning Official's Report as presented. Mr. Allstadt seconded the motion and a vote had the following results:

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

Permits:

Mr. Allstadt made a motion to approve the permit application for temporary signage as submitted by the First Baptist Church. Mr. Maxson seconded the motion and a vote had the following results:

AYES: Dean, Maxson, Allstadt, Sternberg, Dewey ABSTAIN: Falk Motion carried.

Dr. Falk made a motion to approve the application of Global Impact Productions for a Braking Aids ride on September 14, 2018 as submitted. Mr. Dean seconded the motion and a vote had the following results:

AYES: Falk, Dean, Maxson, Allstadt, Sternberg, Dewey Motion carried

Dr. Falk made a motion to approve the outdoor eating area application submitted by Cooperstown Beverage Exchange with the condition that sale, service or consumption of alcohol is not permitted in the outdoor eating area. Mr. Allstadt seconded the motion and a vote had the following results:

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

Dr. Sternberg made a motion to approve the outdoor eating area application as submitted by Mt. Fuji. Mr. Dean seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to approve the outdoor eating area application for Hard Ball Café for the 99 Main Street location on Main Street contingent upon submission of a complete application, no impingement on the concrete sidewalk and that the sale, service or consumption of alcohol is not permitted in the outdoor eating area abutting Main Street. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Falk, Dean, Maxson, Allstadt, Dewey NOES: Sternberg Motion carried.

Dr. Falk made a motion to approve the outdoor display application for Coach's Corner. Mr. Dean seconded the motion and a vote had the following results:

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

Dr. Sternberg made a motion to approve the outdoor eating area application for Sal's Pizzeria as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

Public Hearing – Mayor Tillapaugh opened the public hearing on **Proposed Local Law No. 3 of 2018 – to amend Chapter 270-14 of the Village of Cooperstown Code, Vehicles and Traffic to**

reserve two parking spaces in Doubleday Field Parking Lot closest to NYSEG pole 101129220N for use by electric or hybrid-electric vehicles engaged in vehicle charging at 7:00 PM and Ms. Barown read the public hearing notice.

There was no public comment and Mayor Tillapaugh stated she would leave the hearing open at this point.

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

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

Dr. Sternberg made a motion to approve the expenditures as listed in the committee minutes. Dr. Falk seconded the motion and a vote had the following results:

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

Discussion was held regarding manpower, particularly for the Emergency Squad, and whether they should establish a Corp in order to conduct soft billing (meaning only submission to insurance where accepted, but not to individuals). Dr. Sternberg stated that the members felt this would enable an income to hire one staff person to stay in-house due to the fact that current volunteers have full-time jobs and that some volunteers are trained and then take full-time jobs with other medical transport agencies.

Mr. Tillapaugh relayed that there is currently legislation pending that would allow squads to bill. He said it has passed the Senate and is now in the Assembly.

Mr. Dean inquired if the perception was that individuals were going to get billed would they call an ambulance. Mr. Maxson felt they would not.

Ms. Tillapaugh asked Dr. Sternberg to check with NYCOM regarding requirements for a Corp.

Dr. Sternberg made a motion to accept the results of the election of fire department and emergency squad officers as submitted. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: Dean, Maxson, Allstadt, Sternberg, Dewey ABSTAIN: Falk Motion carried.

Dr. Falk 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: Falk, Dean, Maxson, Allstadt, Sternberg, Dewey Motion carried.

Public Hearing - Mayor Tillapaugh closed the public hearing at 7:15 p.m.

Mr. Maxson made a motion to adopt **Local Law No. 3 of 2018 – to amend Chapter 270-14 of the Village of Cooperstown Code, Vehicles and Traffic to reserve two parking spaces in Doubleday Field Parking Lot closest to NYSEG pole 101129220N for use by electric or**

hybrid-electric vehicles engaged in vehicle charging as submitted. Mr. Dean seconded the motion and a vote had the following results:

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

Doubleday Field Committee – A copy of the May committee minutes was provided with the Trustee packets.

Mr. Maxson made a motion to allow use of the Doubleday Field logo and wordmark by Friends of Doubleday for the purposes of fundraising subject to annual renewal of the license agreement. Mr. Allstadt seconded the motion and a vote had the following results:

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

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

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

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

Dr. Falk noted that the trolley season started this past weekend. She stated that the trolley has arrived and is currently being prepared. Once it is ready for the road, there will be a media rollout. She noted that Otsego County is due to vote on the trolley contract on June 6, which will be the last piece to be put in place for the season.

She reported that paid parking also began this past weekend with Sunday revenue at \$3800.

Dr. Falk stated that the punch list has been sent to the contractor for the Pioneer Street Infrastructure Project today so that the final items can be completed.

She said that the Streets Crew will soon be painting the lines for the parking spaces and crosswalks on Pioneer Street now that paving is complete. She said that head in parking is being considered on a portion of Pioneer Street from Lake Street to the Lake. She stated that the crew will measure and put in temporary striping to ascertain if additional spots can be obtained by having head in (diagonal) parking in this location. She stated it is felt that 3-4 spots could be obtained, even with elimination of parking on the west side of the street that would be necessitated by placing diagonal parking on the east side. Dr. Falk stated that the diagonal spaces would not begin until just before the end of the last house by the park to eliminate the possibility of headlights shining in the residences in this area. She noted that the ADA accessibility report noted that handicap spaces are needed for accessibility to the park, which would also be added in this location.

Dr. Falk stated the with passing the local law regarding the spaces designated for EV charging, the DEC grant will cover the majority of the equipment needed.

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

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

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

Mr. Allstadt stated that the Library Lease has been approved by the Library Board with a slight amendment to the language regarding scheduling the ballroom space. Rather than having all events scheduled by August 15 each year, they suggest August 15 for events from September 1 through December 31 and December 15 for events from January 1 through April 30. Following discussion it was suggested that the language include the wording state specific dates and events, rather than just specific dates.

Mr. Allstadt made a motion to approve the alternate language from the Library Board for reservations to include specific events. Dr. Falk seconded the motion and a vote had the following results:

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

Mr. Allstadt stated that Mr. Hotaling has been advised that the County has a second backup generator they would be willing to allow the Village to access in the event of an emergency. Mr. Preston will be adding wiring to accommodate this generator.

Mr. Allstadt made a motion to allocate \$4,000 from the 2017-18 Buildings budget for the generator wiring. Dr. Falk seconded the motion and a vote had the following results:

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

Mr. Allstadt noted the committee discussed updating the emergency disaster plan. Dr. Falk stated that Dan Crowell is willing to coordinate another scenario as he did last year. Mayor Tillapaugh asked that the existing plan be distributed to the Trustees for review.

Mr. Allstadt stated that Delaware Engineering is looking into solar for heating the sludge and at least putting connectors in place for future use.

Discussion was held regarding the numerous performance problems with the boiler at the firehouse. Mr. Tillapaugh stated he would take a look at the original contract.

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

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

Finance and Personnel Committee

Finance:

Trustees reviewed the April 2018 RBC Wealth Management Statement. Mr. Allstadt suggested that the Village make its contributions earlier in the year to gain additional interest. This will be reviewed in the June Finance meeting.

Trustees reviewed the sales tax report.

Mr. Allstadt made a motion to approve the 2018-19 tax warrant and authorize the Mayor and Trustees to sign the same. Dr. Falk seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to accept the Bank of Cooperstown recommendations and move the reserve accounts to ICS as indicated in the attachment to the packet. Dr. Falk seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to approve the insurance renewal with NYMIR from July 3, 2018 through July 3, 2019. Dr. Sternberg seconded the motion and a vote had the following results:

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

Trustees reviewed the reimbursement from NYMIR on the original capitalization in the amount of \$1983.37. It was noted that this is the third year the Village has received a reimbursement check and reimbursement thus far total \$7,993.48.

Mr. Allstadt made a motion to establish a capital project account for 22 Main Street capital projects at Bank of Cooperstown with associated capital project account numbers in the Edmunds accounting system. Dr. Sternberg seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to transfer the following monies into the 22 Main Street capital project account:

- a. Transfer from A1620-200 - \$26,430.71
- b. Transfer from A1620-460 - \$12,315.06

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

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

Dr. Sternberg made a motion to authorize the Mayor to sign a letter terminating the contract with Solomon Energy. Dr. Falk seconded the motion and a vote had the following results:

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

Water:

Mr. Allstadt made a motion to transfer \$72,026.20 from F5031 to A 5031 from water re-levys. Dr. Sternberg seconded the motion and a vote had the following results:

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

Doubleday:

Mr. Allstadt made a motion to approve the following budget modifications and transfers to fund the new scoreboard:

1. Budget modification \$20,000 from CVS for new scoreboard
 - a. Increase A2705-000 \$20,000
 - b. Increase A7140-200 \$20,000
 - c. Transfer \$677 from A7140-480 to A7140-200 for remainder of scoreboard purchase

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

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

Sewer:

Mr. Allstadt made a motion to authorize the Mayor to sign the wetlands monitoring agreement with SUNY BFS in the amount of \$3,000 for monitoring the wetlands. Dr. Sternberg seconded the motion and a vote had the following results:

AYES: Dean, Maxson, Allstadt, Sternberg, Dewey ABSTAIN: Falk Motion carried.

Personnel:

Trustees reviewed the overtime analysis for payrolls 113-115 and the leave analysis for May 2018.

Abstracts and Transfers:

Mr. Allstadt made a motion to approve the abstracts and transfers, which are contained with the original minutes. Dr. Falk seconded the motion and a vote had the following results:

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

Administrator's Report:

Ms. Barown reported that the parks opened this past weekend for the start of the summer season and we had adequate lifeguards to staff both parks. She noted that, however, Fairy Spring was unable to open for swimming as the swimming dock was not yet in place, which should occur by next weekend. The Fairy Spring caretaker, Jack Lowenguth, is handling the scheduling and once past the first couple of weekends, should be able to set a schedule for the entire season.

She stated that we are once again work with OCCA and OLA on the boat wash and that season has also begun.

Dr. Sternberg made a motion to approve the nepotism language below to be included in the Village Code of Ethics:

Nepotism. Except as otherwise required by law:

- 1) *In hiring, supervising or contracting no municipal official or employee, either individually or as a member of a board, may participate in any decision specifically to appoint, hire, promote, discipline or discharge an immediate family member for any position at, for, or within the municipality or a municipal board.*

Definition:

Immediate Family Member – Spouse or domestic partner, child, parent or sibling. Immediate family member shall also include any other relative or person not listed above that resides in the same household as an officer or employee of the Village.

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

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

Ms. Barown provided updates on the following projects:

WWTP Upgrade – Delaware Engineering is finalizing review of project components and preparing final cost estimate.

TEP Project – DOT has received FHWA authorization for bidding and construction phase for a bid opening by the end of June. BAN process will begin once bids are received and costs known.

22 Main Street restoration bid for window replacement, gutters and trenching and elevator replacement will open on June 14, 2018 at 3 PM.

Doubleday Field - \$1,000,000 SAM Grant through Dormitory Authority has been announced and preliminary application received.

Dr. Sternberg made a motion to authorize the following summer seasonal personnel with dates of hire and pay rates as listed on the employee status change forms:

Maddox Aramini, Lifeguard, Delilah Griger, Lifeguard, Alina Bischof, Lifeguard, Julia Bowers, Lifeguard, Tessa Griger, Lifeguard, Alisa Davine, Lifeguard Matilda Francis, Lifeguard, Katelyn Amsden, Lifeguard, Sean Mebust, Lifeguard, Alex Reynolds, Boat Wash Attendant.

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

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

Mr. Allstadt made a motion to approve the one year probationary appointment from the Otsego County Civil Service eligible list of Royce Terry to the position of full-time police officer at a salary of \$18.3131 per hour, with the probationary period to start effective the first day of full-time employment. Dr. Sternberg seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to authorize the part-time appointment of Vincent Cavalieri to the position of Police Officer (part-time) effective May 30, 2018 at a salary of \$17.50 per hour. Dr. Falk seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to authorize the Administrator to let an RFP for Audit Services for the Village of Cooperstown for the fiscal year end 2018. Dr. Sternberg seconded the motion and a vote had the following results:

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

Dr. Sternberg made a motion to accept the Finance and Personnel Committee report and the Administrator's Report. Dr. Falk seconded the motion and a vote had the following results:

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

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

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

Dr. Falk noted that websites and information regarding the trolley system has been updated to reflect two trolleys running in July and August, each with a different route.

She stated she is submitting the DRI application by the June 1, 2018 deadline.

Dr. Falk made a motion to hold a public hearing at the June 25, 2018 Trustee meeting at 7:00 p.m. or as soon thereafter as can be heard for the following CFA applications:

22 Main Street Skylight and Park Project: Office of Parks, Recreation & Historic Preservation (OPRHP) – Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF)

New Zero Sewer Plant: NYSERDA Net Zero Energy for Economic Development

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

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

Dr. Falk noted that review of the comprehensive plan continues.

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

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

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

Ms. Dewey stated that the kiosk move in Pioneer Park is waiting on plans from the Chamber. It is anticipated Mr. Hazzard will attend the June meeting.

It was noted that the summer concert series at Lake Front Park begins next month.

Dr. Falk made a motion to approve the Parks Board report as presented. Ms. Dewey seconded the motion and a vote had the following results:

AYESD: Falk, Dean, Maxson, Allstadt, Sternberg, Dewey Motion carried.

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

Mr. Allstadt made a motion to accept the report as submitted. Ms. Dewey seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to adjourn to executive session at 8:20 p.m. to discuss union contract negotiations and the work history of a particular individual. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to return to regular session at 8:40 p.m. Dr. Sternberg seconded the motion and a vote had the following results:

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

Dr. Sternberg made a motion to approve the union contract for the Police Teamsters Unit and the Village of Cooperstown for the period of June 1, 2017 – May 31, 2020 pursuant to the terms in the tentative agreement dated May 21, 2018. Mr. Dean seconded the motion and a vote had the following results:

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

Dr. Sternberg made a motion to adjourn the meeting at 8:44 p.m. Mr. Dean seconded the motion and a vote had the following results:

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

Respectfully submitted,

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