

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 April 25, 2016 at 6:30 p.m. Members in attendance were Mayor Jeff Katz, Trustees Ellen Tillapaugh, Cynthia Falk, James Dean, Bruce Maxson, Louis W. Allstadt and Richard Sternberg. Also in attendance were DPW Superintendent Brian Clancy, Zoning Enforcement Officer Sheila Serbay, Village Treasurer Derek Bloomfield, Village Attorney Martin Tillapaugh (arrived at 7:05 p.m.) and Village Clerk – Teri Barown. There were three (3) members of the public present.

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

**Minutes** – Ms. Tillapaugh made a motion to accept the minutes of the February 25, 2016, March 3, 2016, March 11, 2016, March 17, 2016, March 28, 2016, March 31, 2016 and April 4, 2016 with corrections as submitted to the Clerk by Dr. Falk for the March 11, 2016, March 28, 2016 and April 4, 2016 minutes. Dr. Falk seconded the motion and a vote had the following results:

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

**Public Comment** –There was no public comment

**Zoning Official Report** – A copy of the Zoning Officer’s report as prepared by Zoning Enforcement Officer Sheila Serbay was provided to the Trustees by email prior to the meeting.

Mrs. Serbay stated that she will be speaking with Tony Gentile, County Codes Officer this week to see what information the Village can provide to him.

Trustees discussed the referral from HPARB regarding a metal roof at 47 Grove Street. HPARB denied the application, which was submitted after the project had been completed. Mayor Katz asked the Trustees to think about this and make a decision as how to proceed. Dr. Falk stated it could be taken to Court and the Court would decide.

Mayor Katz stated he has spoken with Mrs. Serbay regarding stepping up enforcement of zoning regulations.

Mrs. Serbay stated that she has prepared letters to be provided to applicants that come to the office when she is not here as well as an introductory letter that will be mailed with the May water and sewer bills.

Dr. Sternberg inquired as to the course of action regarding Alex Webster’s illegal signage. Mrs. Serbay stated she will be following up soon in regard to that issue.

Trustees reviewed the recommendation from Planning Board regarding revisions to the demolition regulations. Mayor Katz stated he was uncomfortable moving forward with this until the Trustees have received recommended guidelines from HPARB regarding demolitions as previously requested. Dr. Falk stated that this would only be to change the 62 days for action to after a public hearing is held, as the current timeline already created the necessity of holding a special meeting. She stated she has some questions regarding the order in the language presented and will speak to Mr. Berman before a recommendation to hold a public hearing is made.

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

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

Trustees discussed revisions made by the Police Committee to the proposed regulations for construction vehicle parking permits and reviewed recommended changes by Mr. Allstadt and Ms. Tillapaugh.

Following discussion, language as proposed by Mr. Allstadt, a calendar year annual registration process and a penalty clause regarding a \$75.00 fine for a first offense and a one-year (calendar) suspension of the construction vehicle parking permit was included in the regulations.

Ms. Tillapaugh made a motion to set a public hearing on May 23, 2016 at 7:00 p.m. or as soon thereafter as can be heard for the proposed regulations for construction vehicle parking permits with changes as noted tonight. Dr. Sternberg 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 April Fire Committee report was provided to the Trustees by email prior to the meeting.

Ms. Tillapaugh stated that the committee was provided with data for the calls, which included 91 calls in Cooperstown, 50 in Town of Otsego and 69 in Town of Middlefield.

Ms. Tillapaugh made a motion to accept the Fire 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.

**Doubleday Field Advisory Committee** – A copy of the April committee report was provided in the Trustee packets.

Mr. Maxson made a motion to reserve Doubleday Field for the Sunday of Memorial Day Weekend 2017 for the Wounded Warriors game. Dr. Falk seconded the motion.

Mayor Katz asked the Clerk to inquire of Ms. Davidson regarding Wounded Warriors Softball activities being separate from allegations of how money is being spent by the Wounded Warriors organization.

A vote on the motion had the following results:

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

Mayor Katz asked Mr. Maxson to look into a commercial being run by Royal Chrysler using Doubleday Field. Ms. Barown stated that Mr. Hasak inquired on behalf of Royal Chrysler shooting a commercial at the field and advised him there would be a location fee involved, and she had no further contact regarding this issue.

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

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

Dr. Falk noted that an email was received from NYS DOT that the culvert project and various other projects outside of the Village will be conducted prior to Memorial Day and after Labor Day. She said this was a good win for the Village as this request had been made to DOT.

Dr. Falk noted that unfortunately in speaking with Mr. Novak the wire baskets supporting the tree balls were removed when planting occurred for the Main Street project, eliminating the possibility of lifting them to shore up with additional soil.

She noted that the Arbor Day tree planting will take place on May 5 at 10:00 a.m. at 42 Beaver Street where a tree will be planted in honor of Milo Stewart, Sr. She said Dave Bertram's second grade class, the Mayor, and Scott Moxham a forester with NYS DEC will be in attendance.

She said she would like to discuss adding money to the budget for summer interns to count cars for the parking study.

She stated that regarding the barricade issue at the warehouse at the corner of Main and Grove Street, the owner's attorney is working this out with the Village Attorney.

Dr. Falk also noted that permanent flashing crosswalk pedestrian signs are being looked at for next year's budget as it is very difficult for pedestrians to cross anywhere on Chestnut Street other than the traffic light.

Dr. Falk noted that we are continuing to have issues with the TEP Project cultural resources report receiving approval. She stated that as discussed at Streets it was felt that if we removed the street reconstruction from the project it may be easier to obtain approval for the cultural resource report. She stated that our consultant is reluctant to do this. She said we need to push DOT to provide a rejection letter if the report has been rejected so that we can start to move forward from this issue.

Dr. Sternberg requested the committee look into repositioning the Stop sign on Lake Street near the intersection of Chestnut as he feels it is too far back from the intersection.

Mayor Katz made a reminder regarding pre-season check and set up of parking meters as well as providing a copy of the new paid parking law to the Police Department.

He noted some sidewalks still in need of repair. Dr. Falk stated that this issue will be better addressed once Mr. Clancy completes the ADA training with NYS DOT.

Dr. Sternberg made a motion to accept the Streets Committee report as presented. Ms. Tillapaugh 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 for proposed Local Law No. 4 of 2016 – Amend Zoning Law – to amend language for side yard setback requirements in the R-2 and R-3 residential districts and the Clerk read the public hearing notice.

As there was no public comment at this time, Mayor Katz resumed with the regular agenda.

**Building Committee** – A copy of the April committee minutes was provided in the Trustee packets.

Mr. Allstadt noted that our insurance representative, Michael Hutcherson, SEFCU agency, attended the meeting to provide information regarding insurance limits on the buildings. He stated that with the exception of the Fire Hall, which is insured under a separate policy, all building limits including the Village Hall, which is insured at a little over 3 million, is also covered up to the blanket limit of a little over 12 million.

Mr. Allstadt stated that the repairs and painting of the front entrance has been contracted out and that a separate contractor will be removing the front doors and hardware and repairing those.

Mr. Allstadt stated that the Friends of the Library shelving project will not occur as placing the moisture barrier for the shelving could result in damage to the front project. As an alternative pallets will be placed in the area for storage of books in boxes.

Mr. Allstadt noted completion of the electrical work at a large cost savings from numbers project in the budget. He said rather than a complete rewiring, grounded outlets were installed.

Mr. Allstadt said that the solar project is not dead, and there is still some interest by potential investors.

Mayor Katz stated he received an inquiry from Mr. McCarty at Otsego County when the project would begin. Mr. Clancy stated that weather permit it should start tomorrow. Mr. Allstadt noted an issue with NYSEG replacing a pole in the area of the wall. Mr. Clancy stated it has been resolved.

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

Mayor Katz provided Mr. Bloomfield with a Notice of Assessment from NYS Real Property Tax, showing our total assessed value at 109%. He asked Mr. Bloomfield to inquire regarding having the assessment accurately reflect 100% prior to the complaint hearing date.

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

##### **Finance:**

Trustees reviewed the March 2016 RBC Wealth Management LOSAP statement and the Sales Tax Report for February, 2016.

##### **Fire Department:**

Ms. Tillapaugh noted that at Fire Committee Mr. Tallman advised that the hoses for the Jaws of Life needed replacement as they failed inspection. She stated that emergency approval was

provided and made a motion to transfer funds within the fire department budget to cover the cost. Dr. Sternberg seconded the motion and a vote had the following results:

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

**Personnel:**

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

- a. Mitch Hotaling: Supervisor Training in West Oneonta 5/24/16—\$20 registration fee
- b. James Kelman: Law Enforcement training in Cobleskill 4/28/16—no charge
- c. Brian Clancy: ADA Training Workshop in Johnson City 5/17/16—meals expense
- d. Jo Alessi - Farmedic

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

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

Trustees reviewed the overtime report for payroll 59 and 60. It was noted that some accumulated hours appear to be higher than allowed limits and Mr. Bloomfield will look into this issue.

Trustees reviewed the March 2016 hours of leave report.

Ms. Tillapaugh made a motion to approve the seasonal appointment of summer park caretakers:

Susan Snelson, Three Mile Point, 5/27/16 – 9/5/16, \$6200 for season  
Dennis Callahan, Fairy Spring, 5/27/16 – 9/5/16, \$5250 for season  
Liz Callahan, Fairy Spring, 5/27/16 – 9/5/16, \$1,000 for season

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 approve the probationary appointment of Kevin Barrows to the position of Parking Enforcement Officer at a salary of \$13.00 per hour, one-year probation from the effective start date. Mayor Katz 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 Quentin Powers to the position of Parking Enforcement Officer (seasonal) at a pay rate of \$10.45 per hour, at a start date yet to be determined. Mayor Katz 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 Blake Elliott to the position of Laborer (seasonal) in the Streets Department at a pay rate of \$10.00 per hour, with a start date of May 16, 2016 and end date of August 16, 2016. 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 approve the following abstracts and transfers:

**Abstracts:**

General	9a	28,842	PR #59
	9b	33,431	PR #60
	A9a	1,178	Non-payroll expenses paid
	A9b	34,201	Non-payroll expenses
	A9c		
Water	9a	6,671	PR #59
	9b	8,936	PR #60
	F9a	712	Non-payroll expenses paid
	F9b	104,185	Non-payroll expenses
	F9c		
Sewer	9a	6,599	PR #59
	9b	8,291	PR #60
	G9a	0	Non-payroll expenses paid
	G9b	4,382	Non-payroll expenses
Trolley	E9a	15	E - Non-payroll expenses paid
	E9b	2,481	E - Non-payroll expenses
	ET9a	15	ET - Non-payroll expenses paid
	ET9b	46	ET - Non-payroll expenses

**Transfers:**

From A-1620-421 Buildings Heating Fuel	2,267	
To A-1620-480 Buildings Repairs	2,267	22 Main front porch

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 Finance and Personnel Committee report as presented. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mayor Katz noted that a special meeting will be held this Thursday, April 28 at 3:15 p.m. for the budget adoption review, where anticipated adjustments will be made, and then the Trustees will vote to adopt.

**Watershed Supervisory Committee** – Mayor Katz noted that Meg Tillapaugh has agreed to Chair this committee.

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

Dr. Falk stated that the Planning Board did not make recommendations to change the sign law regarding placement of business placards. She said although they were not opposed to it, but as they reviewed the law noted that it was specifically written for the business district and to re-write to allow Mr. Viek's sign would have would be a rethinking of promoting business within the residential district.

Dr. Falk noted that May 19<sup>th</sup>, Bassett, Cooperstown Chamber of Commerce, and the Village will be holding a "Get to Know Cooperstown" event in the lobby of the Bassett Clinic building where businesses and non-profits can set up tables and provide give-aways. She stated that the Village has reserved a 4 foot table and she will be working with Ms. Barown to provide information/applications for paid parking, outdoor eating, vending and other information.

She stated that discussion occurred regarding ways to make Cooperstown a destination for Memorial Day weekend.

She said that Joe Membrino noted interested in looking into hydropower as a source of renewal energy.

Ms. Tillapaugh made a motion to accept the Economic Development and Sustainability 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.

**Public Hearing (cont.)** – Mayor Katz closed the public hearing at 7:32 p.m. for proposed Local Law No. 4 of 2016.

Mr. Allstadt made a motion to adopt Local Law No. 4 – Amend Zoning Law – to amend language for side yard setback requirements in the R-2 and R-3 residential districts as submitted. Ms. Tillapaugh 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 April board report was provided in the Trustee packets.

Ms. Tillapaugh noted that the old dock has been removed and work will begin on the new dock in early May.

She stated that the dampness issue at Lake Front Park was addressed last fall and again this spring by Mr. Busse.

She noted a needed adjustment to the 16-17 budget as the Friends of the Park have agreed to provide a minimum \$10,000 donation towards the Fairy Spring retaining wall. She noted that they will be sending letters out regarding this project and there is a potential for additional funds for the project from that solicitation.

She noted that the Council Rock stairs and landing have not been budgeted but there may be sufficient funds left in this year's budget to address.

She stated that the idea of a dog park has been tabled this year and an article will be placed in Village Voices.

She also noted the discussion regarding tables and chairs for Pioneer Park and thoughts regarding making it more urban park.

Ms. Tillapaugh stated that she and Dr. Falk participated in a conference call with Jean Egeonhofer of NYS SHPO, who informed them that priorities of state funding for parks in now geared towards acquiring land and enhancing recreational uses to bring in revenue, and additionally disaster funding.

She stated that during discussion it was noted that there would be little change of obtaining funding for projects such as the retaining wall, but there would be consideration given for reformulating Pioneer Park into an urban park through a redevelopment grant. Other potentials including planning grants for the Lake Front boat launch and recreational uses for the Linden Avenue property.

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

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

**Water Board** – A copy of the April board minutes was provided in the Trustee packet.

Mr. Maxson noted that Water Board, as well as Sewer Board were receptive to the idea of joint meetings.

**Sewer Board** – A copy of the April board minutes was provided in the Trustee packets.

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

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

**New Business:**

Library Board Appointments – Dr. Sternberg made a motion to appoint James Gates and Kristen Walker to the Library Board, effective June 1, 2016 to replace Giles Russell and Orfa Hyman, whose terms expire. Dr. Falk seconded the motion and a vote had the following results:

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

**Permits:**

Dr. Falk made a motion to approve the outdoor eating area permit application from Firehouse Market with the condition that there must be a 5' clear path. Dr. Sternberg seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to approve the outdoor eating area permit application from Hardball Café for the front public space with the following conditions:

- 1) Any furniture including fencing and bases is restricted to the Village pavers and not to intrude on the concrete areas.
- 2) Any sandwich board sign must be contained on private property.
- 3) Plantings and benches cannot block access to parking spaces.

Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to approve the Cooperstown Country Club sponsored CCC/CBC Family Fun Run/Walk 5K on July 17, 2016 as submitted. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to approve the request of Dianne Feury to decorate lampposts and the flagpole for Paint the Town Purple as submitted, with the condition that tape not be used on the lampposts. Ms. Tillapaugh 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 particular individuals. Ms. Tillapaugh 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 8:12 p.m. Ms. Tillapaugh 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 temporary appointment of Debra Guerin to the position of Account Clerk-Typist (temporary hire) at a salary of \$17.50 per hour, effective April 25, 2016 and ending July 24, 2016. Ms. Tillapaugh 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 part-time appointment of Nancy Morton to the position of Clerk (PT) on a temporary hire basis, at a salary of \$15.00 per hour, effective April 27, 2016. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mayor Katz stated that as discussed with Ms. Serbay, Zoning Enforcement Officer and as part of office restructuring, Ms. Serbay will be taking minutes for the ZBA, HPARB and Planning Board as part of her responsibilities of her position.

Dr. Falk noted that she would like to add some funding to the 2016-17 budget for interns to count cars. This will be discussed at the budget review and adoption meeting.

Discussion occurred regarding financing and funding of the Sewer Plant Upgrade project.

Mr. Allstadt made a motion to adjourn the meeting at 8:32 p.m. Dr. Sternberg 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 Clerk, Village of Cooperstown