

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 October 27, 2014 at 6:30 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 Village Treasurer Ed Keator, Jr., DPW Superintendent Brian Clancy, Zoning Enforcement Officer Tavis Austin, Village Attorney Martin Tillapaugh and Village Clerk – Teri Barown. There were twenty six (26) members of the public present.

Mayor Katz called the meeting to order at 6:30 p.m. and led the pledge of allegiance. Mayor Katz stated that in remembering Dick Miller, Mayor of Oneonta, he will personally remember him as a colleague that along with Mayor Katz believed that the health of Otsego County was based on the health of the City of Oneonta and the Village of Cooperstown. He stated that although that had differing views they were able to find common ground. He stated that Mayor Miller will be missed.

Public Comment – Mayor Katz asked for comments from the public unrelated to tonight's scheduled public hearing.

David VanHuesen, 159 Webster Road, Schoharie, New York, member of Friends of Otsego Lake and Route 80, provided a picture of the DOT placed rip rap in a view from 3 Mile Point Park. He stated that the continued maintenance with placement of rip rap by DOT will have a detrimental effect on the water, tourism and the ability of homeowners to sell property.

He stated the picture shown is what DOT termed as a temporary fix in an emergency that has never been replaced.

He stated that the County of Otsego and Town of Otsego will be passing resolutions and he urged the Village to pass a similar resolution.

Nicole Dillingham, PO Box 101, Springfield Center, New York, stated that the Mayor's remarks at the beginning of the meeting that everything in the County is led by the Village are very true and that we need that leadership with this particular issue. She stated that DOT is managing by emergency response, watching and doing nothing. She stated that the Village must step into help and support the work of a small group of neighbors.

She stated that the group has had three landscape architects inspect the areas in question and that they can be repaired from the roadside in a less expensive manner than the rip rap placement by DOT.

Ms. Dillingham also noted that Dominion Resources is also planning a major expansion in Montgomery County which will produce 96,000 tons of greenhouse gas. She asked that the Village pay attention to the FERC proceedings.

Mayor Katz stated that he, as well as Mr. Allstadt and Mr. Tillapaugh have attended meetings held by the Friends of Otsego Lake and Route 80 and that it is his plan to roll out a resolution next month relevant to the Village.

Teresa Drerup, 21 Cooper Place, stated she was in attendance to inquire as to the status of the turnover of Cooper Lane to the Village.

Mr. Tillapaugh replied that an accurate survey map had to be developed, which has now been completed. He stated he is in the process of conducting the closings for the property and is representing both sides on the closings.

Dr. Falk noted that although it is too late in the season for placement of the water line and permanent paving, temporary repairs will be made this fall and the street will be plowed this winter.

Joan Clark, 90 Main Street, stated she was inquiring as to when the trees are to be planted on the north side of Main Street.

Dr. Falk noted that the trees must be completely dormant before fall planting and it is hoped that this will occur in time for planting next week.

Minutes – Mr. Allstadt made a motion to approve the minutes of the regular September 29, 2014 Trustee meeting with corrections as noted by Dr. Falk. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Zoning Official Report – Mr. Austin reviewed the report that was provided in the Trustee packets.

Dr. Falk noted that the various zoning law changes proposed last month and included with the Institutional Zone District Law have been removed from the Institutional District portion of the law, so that they are now two standalone proposals.

Dr. Falk made a motion to set a public hearing for the November 24, 2014 Trustee meeting at 7:00 p.m. or as soon thereafter as can be heard, for the proposed zoning law amendments as indicated in the proposal included with tonight's agenda and that the proposed changes be declared a Type II action under SEQR. Mayor Katz seconded the motion.

Discussion occurred and Dr. Falk noted two changes from the previous proposal when it was included in the public hearing for the Institutional Zone she stated that there were regarding electrical and a type regarding footage under the site development plan review.

Ms. Tillapaugh inquired regarding setbacks for penthouse or rooftop chimneys. She noted that the elevator penthouse was a concern in a particular project.

Dr. Falk noted that this could be moved back up in the law. It was the consensus to make this change.

Mr. Dean inquired regarding provisions in the proposal for off street parking. He stated that the language indicated deeded ownership or three year lease and that termination of the lease would result in termination of the permit. He asked what will happen if at the end of the lease it is not renewed.

Mayor Katz stated that the law provides language that can be enforced. He stated it can be as much a political issue as a legal one.

Mr. Dean stated that he has a problem with three years and would rather see ownership required.

Mayor Katz stated that the law makes the owner aware ahead of time what the requirements are going to be.

Mr. Dean stated that he feels a permanent structure should have permanent use.

Mr. Allstadt stated that an applicant will have a strong interest in providing parking for their customers.

Mr. Dean stated that he can't go along with the leasing of parking as part of the law.

Dr. Falk noted that deeded access has been a problem over and over.

Discussion was held regarding changing the length of the lease for additional years, consensus was to make the change to a 20 year lease and parking within ½ mile of the property.

A vote on the motion amended to include the changes discussed had the following results:

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

Mayor Katz noted that the Trustees would not be setting a public hearing at this time on the Institutional District Law that has been removed from the remainder of the zoning changes originally proposed, but encouraged the public to request copies of the proposal to review.

Public Hearing – Mayor Katz opened the public hearing at 7:08 p.m. for Proposed Local Law No. 15 Amend Parking Regulations – eliminate current bus parking and create two hour parking spaces on the south side of Main Street from the southeast corner of Main Street and Cooper Park 140 feet east and eliminate two hour parking and create loading and unloading areas for buses and trolleys on the south side of Main Street from the southwest corner of Main Street and Cooper Park 140 feet west and the Clerk read the notice of public hearing.

Before entertaining public comment, Mayor Katz requested that Ms. Tillapaugh provide background on why this law is being proposed.

Ms. Tillapaugh stated that the issue of bus traffic on River Street was originally brought to the attention of the Village by the residents back in 2009 and no action was taken by the Village at that time.

Ms. Tillapaugh noted that the Village has no authority to restrict traffic on state routes. She stated that in recent months, Chief Covert has provided a summary of several weeks of traffic data of not only tour buses, but delivery trucks, trolleys and school buses traveling in this area. She stated that the most frequent traffic is from the Dreams Park bus that makes 10 trips a day down River Street.

Ms. Tillapaugh that she has met with representatives of the Dreams Park and that they are seriously considering the use of trolleys for transport of their families to and from the Village. She stated that they are considering a couple of different proposals from Birnie Bus. She noted that use of the trolleys would also assist the Village by increasing ridership numbers of the trolley and also increase the federal and state aid received for the trolleys.

She stated that she has also met with Hall of Fame officials and discussions occurred regarding moving the loading/unloading farther back so it is in front of the Hall of Fame entrance, which

would result in the loss of 8 paid parking spaces. She stated that part of the recommendation is to eliminate the bus parking in front of the Leatherstocking Corporation building, which would regain 5 paid parking spaces if they remain parallel parking. It was noted that diagonal parking would be looked into for this area by the engineers for the TEP project if the law is passed.

Mayor Katz stated that he would now entertain comments from the public regarding the proposed law changes.

Jim LaCava, 30 River Street, inquired where the buses would be directed to go after unloading, Fair Street or River Street.

Ms. Tillapaugh stated that no where do we dictate the routes that buses need to take, but this proposal would give more options to bus drivers in exiting the Village.

Dr. LaCava stated that he doesn't feel the buses should be turning left down past any residences nor does he feel that they should exit down Estli Avenue off of Main Street. He stated he feels they should discharge their passengers in Doubleday Parking Lot as suggested by Mr. Manno's letter to the editor.

Joan Clark, 90 Main Street, stated that regarding Mr. Manno's letter in the paper, she feels that his proposal makes complete sense. She stated that the Manno plan provides for better exposure to Main Street and the stores. She asked that before making the change proposed take a look at this plan.

Roger MacMillan, 12 Main Street, stated that the law is not changing the problem and that the buses contribute to the wear and tear on the roads.

He stated he doesn't understand why it is a difficult concept to grasp by mandating the buses park in the trolley lots and have their passengers ride downtown on the trolleys.

He said that the buses destroy the ambiance of the Village.

He stated that this proposal only is changing the direction the buses take instead of eliminating the traffic into the Village.

Ken Meifert, representative from the Baseball Hall of Fame, stated that the Hall is in favor of the proposed law changes and that from a customer service stand point it is important to load and unload as close as possible to the destination that visitors are going to. He stated that yearly there are about 180 tour buses a year, but there are 220 school buses coming to the Hall of Fame. He said that folks are very impacted by the customer service provided. He said that having a convenient drop off and pick up location is extremely important.

He stated that loading and unloading is a very quick process and can occur in 10-15 minutes. He noted that the Hall has staff designated to be outside to assist with this process. He stated that he appreciates the customer friendly solution suggested by the Village.

Jim Donnelly, 93 Chestnut Street, inquired as to if this would change the view of the Hall of Fame with buses being parked in front of the entrance. He stated that he did like Mr. Manno's suggestion and feels that a drop off/pick up at Doubleday parking lot would be a more central location.

He said that as a resident of Chestnut Street he is much more affected by noisy traffic and would like to see more enforcement of motorcycles and trucks making load noise.

Hearing no additional comments from the public, Mayor Katz closed the public hearing at 7:21 p.m. and asked for comment from the Trustees.

Mr. Dean stated that he realizes the bus traffic is a big problem and feels that this is a small change that won't hurt the situation. He stated that he does support the proposal but recognizes the problem in the summer.

Mr. Maxson asked where the diagonal parking suggestion stands so that we don't lose as many paid parking spaces.

Dr. Falk stated that if the law passes, she will be discussing this with the engineer's working on the TEP project.

Mrs. Nicols inquired as to whether or not the trolley would still have their stop in this location. Ms. Tillapaugh indicated that it is a trolley/bus loading/unloading zone.

Dr. Falk stated that there is summer and winter seasons and most of the concerns address issues from the summer season. She stated that she would like to see school groups, the elderly and those with mobility issues dropped off at the Hall of Fame. She said she thinks the proposal is the best solution for now.

Mr. Allstadt stated he feels that it improves the situation for now and we can continue to look at other solutions.

He said that he feels that the photographs will be better without cars parked in front of the Hall of Fame.

Ms. Tillapaugh noted that Cathe Ellsworth submitted a letter in support and spoke regarding people with limited mobility.

She stated that the first step is the proposal to reduce the Dreams Park bus by encouraging their utilization of the trolley system and second is to try and provide alternatives for the remainder of the buses by rearranging the loading and unloading zones.

Mayor Katz stated that the proposal to utilize the outer lots for bus parking and bringing visitors in by trolley needs to take into consideration that the Village only has ownership of the blue lot the remaining two trolley lots are under private ownership.

Ms. Tillapaugh made a motion to adopt Local Law No. 13 (the proposed Local Law No. 15 as accurately number to reflect previous laws were not passed) – Amend Parking Regulations – eliminate current bus parking and create two hour parking spaces on the south side of Main Street from the southeast corner of Main Street and Cooper Park 140 feet east and eliminate two hour parking and create loading and unloading areas for buses and trolleys on the south side of Main Street from the southwest corner of Main Street and Cooper Park 140 feet west. Mr. Allstadt seconded the motion and a vote had the following results:

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

Motion carried.

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

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

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

Doubleday Field Advisory Committee – A copy of the October committee minutes was provided in the Trustee packets.

Mr. Maxson stated that the facebook page has been started up.

It was noted that specifications for a tractor for the field will be drawn up to provide for a new or used tractor. Mr. Clancy will provide information to the Clerk regarding this so that bids can be solicited.

Wounded Warriors – Mr. Maxson made a motion to approve the request for a Wounded Warriors Baseball game the Sunday of Memorial Day weekend in 2015 with the fee for field usage being waived. Mrs. Nicols seconded the motion and a vote had the following results:

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

Mr. Maxson stated that the discussion regarding age restriction became somewhat philosophical and discussion occurred regarding tying this in with a mission statement for the field.

Ms. Tillapaugh asked if the committee discussed the Trustee suggestion from last month to provide additional language on the application to address this issue. Mr. Maxson replied that he had forgotten to relay the suggestion.

Mayor Katz stated the consensus has been that if the field is not altered then requests are usually approved when the Trustees are directly asked to consider them.

Mayor Katz stated that he felt estimates should be obtained for replacement of the grandstand netting. As it was determined that the cost will most likely necessitate bidding, specifications will need to be drawn up for this project.

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 November Streets Committee report was provided in the Trustee packets.

Dr. Falk stated that the contractor's will be stopping at the wax museum for the winter with the remainder of the project being completed in the spring. She stated that it is hoped trees will be planted next week and lampposts are slated to be returned the week of November 7.

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

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

Mr. Keator provided information regarding additional items for consideration under the Finance portion of the agenda and action was taken as follows:

Ms. Tillapaugh made a motion to approve allocation \$22,291 for the purchase of a new truck box under Oneida County contract at a cost of \$22,291. 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 approve payment applications for Central Paving, payment application no 2 in the amount of \$19,000.00 and payment application no. 3 in the amount of \$106,863.36. Dr. Falk seconded the motion and a vote had the following results:

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

Mr. Keator provided a statement of revenue and expenditure report generated by the new accounting system and reviewed with the Trustees.

Mr. Keator noted that he is currently working on alternatives in providing for Workers' Compensation.

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 September 2014 RBC Wealth Management Statement.

Ms. Tillapaugh made a motion to accept the bench donation from Susan E. Hopkins in honor of John D. Craven. Dr. Falk seconded the motion and a vote had the following results:

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

Trustees reviewed sales tax comparison report.

Ms. Tillapaugh made a motion to authorize going to bid for annual tree removal and trimming work. 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 set a public hearing on the Best Value Procurement Standard Local Law for November 24, 2014 at 7:00 p.m. or as soon thereafter as can be heard. Dr. Falk seconded the motion and a vote had the following results:

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

Parks:

Ms. Tillapaugh made a motion to approve the purchase of a non-budgeted item conversion kit for 3 mile generator in the amount of \$379.89, funds to be re-appropriated from parks budget. 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 declare the 200 ford extended cab pickup and plow as surplus to be put out for bid. Mr. Allstadt 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 declare the boss power v-plow as surplus and put out to bid. Mr. Allstadt seconded the motion and a vote had the following results:

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

Sewer:

Ms. Tillapaugh made a motion to declare the 2003 ford pickup and plow as surplus and put out to bid. Mr. Allstadt 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 requests:

- Community IPM Coordinating Council – Q. Hasak (retroactively)
- Drive to Survive – S. Folts, D. Sullivan, R. Busse, W. Griffith, M. Bosley
- NYRWA – S. Folts, T. Kukenberger
- Taser Recertification – K. Voce

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

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

Trustees reviewed the September 2014 hours of leave report and the overtime analysis for pay periods ending September 26 and October 10.

Ms. Tillapaugh made a motion to advertise for seasonal skate rink attendants. 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

5a	38,175.80 PR # 72
5b	37,760.46 PR # 73
A5a	229,087.81 Non-Payroll Expenses

WATER

5a	6,654.54 PR # 72
5b	6,640.36 PR # 73
F5a	79,688.49 Non-Payroll Expenses

SEWER

5a	6,606.59 PR # 72
5b	6,364.81 PR # 73
G5a	65,617.13 Non-Payroll Expenses

TROLLEY

5a	2,605.78 PR # 72
5b	2,278.89 PR # 73
E5a	3,554.36 Non-Payroll Expenses
ET5a	1,299.39 Non-Payroll Expenses

CAPITAL PROJECTS

TRANSFERS:

Edward Keator, Jr., Treasurer

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 purchase of the cloud crashplan pro as recommended by Kyle Fabiano for \$120 per year. 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 approve the amended FEMA equipment requests as authorized by FEMA for fire department purchases. Dr. Falk seconded the motion and a vote had the following results:

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

Trustees reviewed the Complus ticket revenue collection.

Dr. Falk made a motion to accept the Finance and Personnel 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.

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

Dr. Falk noted that the design charrette was very successful and that the design company is currently waiting on CFA results.

She stated that the committee is seeking guidance from the Trustees on the role they would like this committee to play in major project review, unrelated to zoning issues.

Mr. Allstadt stated that he feels committee should consider the broad economic impact of major projects in the Village.

Dr. Falk stated committee felt it makes sense to update the trolley radio loop.

Dr. Falk made a motion to forward the setback proposal to the Planning Board and Zoning Board of Appeals for review and input. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mr. Allstadt stated that Mr. Scalici, Cooperstown School Board Member, is seeking clarification regarding easements obtained by the Village for the CIT project.

Mr. Allstadt made a motion to accept the Economic Development and Sustainability 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.

Water Board – A copy of the October minutes was provided in the Trustee packets.

Mr. Maxson reviewed the minutes and made a motion to accept the board report as presented. Ms. Tillapaugh 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 October minutes was provided in the Trustee packets.

Mr. Maxson reviewed the minutes and made a motion to accept the board report as presented. Mr. Allstadt seconded the motion and a vote had the following results;

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

New Business:

Mayor Katz made a motion to adopt the following resolution:

Village Election Resolution 2015
DATE OF 2015 VILLAGE ELECTION

WHEREAS, pursuant to New York State Election Law Section 15-104(a), March village elections are generally held on the third Tuesday of March; and

WHEREAS, when the third Tuesday of March falls on March 17th (St. Patrick's Day), the Village Board of Trustees must adopt a resolution providing that the village election will be held on March 18th (NYS Election Law Section 15-104(1)(b), therefore, be it

RESOLVED, that the 2015 village election for the Village of Cooperstown will be held on March 18, 2015 from 12 noon to 9:00 p.m., at the Village Fire Hall, Chestnut Street, Cooperstown, New York

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

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

Permits:

Mayor Katz made a motion to approve the permit application of the Cooperstown Art Association for the holiday dance performance on December 12, 2014 contingent upon recognition of fire code requirements. Dr. Falk 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 adjourn to executive session at 9:08 p.m. to discuss the work history of a particular individual. 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 return to regular session at 9:16 p.m. and adjourn the meeting. Mr. Allstadt 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