

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 July 27, 2015 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 Derek Bloomfield, Police Chief Michael Covert, and Village Clerk – Teri Barown. There were six (6) 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 thanked Village staff for their work and assistance in the past weekend's Hall of Fame Induction. He said it was a great weekend and everyone participating had a very enjoyable time.

Public Comment – Dorothy Naughton, Grove Street, stated that the traffic on Grove Street travels very fast, cars don't stop at the Stop sign and cars from out of the area continually travel the wrong way on the street. She said that part of the problem is there is no one with authority watching this issue.

She stated that another issue is the "forest" across the street is too high so that people walking can't see the ditch.

Dan Naughton, Grove Street, stated that travelling south on the left hand side of the road, the street is caving in. He said tourists walk the train tracks and the ditch and road caving in cause a very dangerous situation.

He stated that part of the problem is the storm drains are less than 2 feet underground and water from Maple Street travels onto Grove Street.

Minutes – Ms. Tillapaugh made a motion to accept the minutes of the June 22, 2015 regular Trustee meeting with corrections as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to accept the minutes of the June 29, 2015 special meeting as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

Zoning Official's Report – Mr. Austin reviewed the Zoning Official's Report as submitted with the Trustee packets.

He reviewed the proposed second and third floor addition to 134 Main Street and stated that in the early 2,000's a special use permit was approved by the Trustees for mixed occupancy for this property. He said the plan of the owner's is to utilize for long term apartments. He stated that the addition would not exceed the height limit, but they will be short the required parking when the addition occurs.

Discussion was held regarding adjudicating the non-compliant tourist accommodations through Justice Court or Supreme Court. Mr. Austin noted that they would need to be taken to court separately and to go through Supreme Court would cost the Village approximately \$300 per case. He stated however the injunctive relief would be \$2500 per day per accommodation.

Mayor Katz will discuss the issue with Mr. Tillapaugh for his recommendation and Trustee consensus was to defer to Mr. Tillapaugh's recommendation.

Mayor Katz appointed Joe Membrino as a member of the Planning Board to fill the unexpired term of Chuck Knull. Ms. Tillapaugh made a motion to ratify the appointment as made by Mayor Katz. Dr. Falk seconded the motion and a vote had the following results:

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

Mayor Katz noted that alternate members are needed for both ZBA and Planning Board.

Mr. Austin reviewed that the sign law doesn't allow for any portable signs and he would like to recommend that Planning Board take a look at this and make recommendations, particularly regarding the portable signs that are appearing at various business establishments this summer.

Mayor Katz noted that we are also still waiting for recommendations regarding the PUD law and Tree Law review from the Planning Board. He said he would also like to see something regarding the proposal regarding Bassett.

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, Nicols, Allstadt Motion carried.

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

Ms. Tillapaugh noted that we have received the four body cameras and also the donation from Sally and Steve Biertz to cover the entire cost of the cameras.

She stated that the department is currently reviewing the civil service list regarding filling the full-time vacancy.

She noted that the monthly call report for June was provided to the committee.

She also stated that as the Chief was absent from the June committee meeting, discussion was held later regarding tickets being down in 2015 from 2014, and that there be uniform ticketing by the Parking Enforcement Officers with no special consideration.

Mr. Allstadt stated that the problem would appear to be that 40% of the tickets are being dismissed or reduced. Mr. Tillapaugh stated that early this year there was a meeting with Complus and it was found that tickets were being dismissed by the Chief due to the program not clearly indicating dismissals. She stated that as the Chief is the first one to review complaints and has the ability to dismiss initially, however, if he checked no thinking this was rejecting an appeal he was providing a dismissal due to the way the program was set up. She stated that the more accurate information should be viewed from March, 2015 to the present as this was when the bugs had been ironed out of the program. She also noted that the Judges do not dismiss tickets, but are rather given instructions from the Assistant District Attorney to dismiss.

Dr. Falk inquired as to whether or not there are regular routes for the Parking Enforcement Officers when covering the streets. Ms. Tillapaugh stated that this issue was also addressed with the Chief and Parking Enforcement Officers.

She stated that the issue of raising and lowering the flag was also discussed with Chief Covert and he has ordered a solar light to be placed on the flag pole so that the flag can remain in place and alleviated the issue not having it raised in a timely manner in the morning hours.

Fire Committee – A copy of the July committee report was emailed to the Trustees and reviewed by Ms. Tillapaugh at the meeting.

She stated that the department discussed concerns with not being able to get a fire truck through Pioneer Alley due to businesses having tables in the fire lane. She said that the Village Attorney is looking at property lines regarding this issue.

Ms. Tillapaugh noted that building related issues are being clearly delineated in the minutes. She stated that the new windows have been installed and look great both inside and out. She said in the future the bay doors will need to be replaced. Mr. Allstadt suggested looking into grants for the replacement as it is a very costly item.

Ms. Tillapaugh stated that the Memorandum of Understanding with the County for the FOCUS calls was implemented July 1 for CMT to receive the calls and it has been very successful. She stated that to date the department has only received one call and it was due to CMT being 25 minutes away from FOCUS.

Ms. Tillapaugh noted that she is still working on the issue of relocating the bus stop away from the former annex building on Chestnut Street. She stated there was one issue with a trolley stopping on the fire department apron, but appears just to be a single incident of confusion and has been rectified. She stated that she is still encouraging the County to relocate the stop.

Chief Covert noted that if the police car is near the area, the buses are not blocking the apron.

Ms. Tillapaugh made a motion to accept the Police 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.

Public Hearings – Mayor Katz opened the following public hearings at 7:05 p.m.:

Special Use Permit Application – 1 Atwell Road – (MIBH) – hospital connector
CFA Funding Application – Proposed Projects for 22 Main Street, Fairy Spring and Waste
Water Treatment Plant to be included in 2015 CFA funding application

As there was no public comment regarding the public hearings, Mayor Katz proceeded with the agenda.

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

Mr. Maxson noted that lack of the signage for the field was a topic of discussion at the committee meeting. Discussion was held to remove the restroom placard and place a placard for Doubleday Field in its place as a temporary measure. This issue will be worked on as capital projects continue to progress.

Mr. Maxson stated that the committee reviewed a request from Northeast Sports Network regarding a filming proposal. Mr. Maxson made a motion to allow Northeast Sports Network one weekend during the month of August to make a demo at the field so that further review and discussion can occur. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to accept the Doubleday Field Advisory 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.

Streets Committee – A copy of the July committee report was provided in the Trustee packets.

Dr. Falk noted that the recommendation regarding hiring will be for a full-time HMEO as currently Mr. Hotaling is the only employee with experience in the operation of heavy equipment.

Discussion was held regarding street repairs following private utility digs. Dr. Falk stated that is the recommendation that the Village resume the repairs, as quote often following repairs made by private contractors the Village has to go in and redo the work. She stated that it is also recommended to lower the cost from \$25.00 per square foot to \$10-12 per square foot which would still more than cover the Village cost which is estimated at around \$6.00 per square foot.

Dr. Falk made a motion to revise the current policy to reflect road repairs be conducted by Village employees at a cost of \$10.00 per square foot. Mr. Dean seconded the motion and a vote had the following results:

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

Dr. Falk noted that the road repairs were complete prior to Induction weekend, oil and stone will occur in August, as well as hot mix of River Street and Beaver Street.

Dr. Falk stated that the signage noting the environmental benefits of the Main Street project should be in place soon. Discussion was also held regarding private funding of plaques for the recently planted trees to identify them. This will be looked into further.

Dr. Falk noted that the permit parking after 4 pm in Doubleday are in place and the trolley system signs should be in soon.

Dr. Falk stated that NYS Department of Transportation will be holding a public information meeting regarding the culvert project on Glen Avenue that will cause detours. She said the meeting will be July 30 from 5-7 p.m. at the fire hall.

Dr. Falk stated that paid parking revenue to date is \$193,151, which is a \$2,000 increase over last year.

Ms. Tillapaugh stated that with Mr. Busse conducting daily cleanup of the rain gardens, it is taking away from the 6 village parks, which is his responsibility to maintain and clean. She noted that Badger Park has not been cleaned and a group of volunteers took the responsibility to clean.

Dr. Falk noted that Mr. Busse is handling this as he also waters the trees and the water tank is on his truck. She stated that there are also only 3 full-time employees on the Streets crew at this time.

Ms. Tillapaugh made a motion to accept the Streets 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.

Public Hearings (continued) – Mayor Katz closed the following public hearings at 7:22 p.m.:

**Special Use Permit Application – 1 Atwell Road – (MIBH) – hospital connector
CFA Funding Application – Proposed Projects for 22 Main Street, Fairy Spring and Waste
Water Treatment Plant to be included in 2015 CFA funding application**

Ms. Tillapaugh made a motion to approve the special use permit application – 1 Atwell Road (MIBH) for a hospital connector as submitted. Mrs. Nicols seconded the motion and a vote had the following results:

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

Dr. Falk stated she feels that the Trustees need to reconsider the hospital zone with a smaller footprint as she feels that the process that Bassett had to follow for this application was more arduous than necessary.

Mr. Maxson made a motion to approve proceeding with the CFA funding Application – proposed projects for 22 Main Street, Fairy Spring and Waste Water Treatment Plant to be included in the 2015 CFA funding application. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

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

Mr. Allstadt stated that due to the shortage of employees in the Streets crew, a proposal will be reviewed at Finance for obtaining proposals for the attic insulation work at 22 Main Street.

He stated that we are following up with boiler servicing through P&J again this year.

Mr. Allstadt reported that the concrete retaining wall bids came in at over twice the estimate and range from \$60,000 - \$270,000 for the four bids received. Discussion has occurred regarding a change to the specifications and rebidding. It will be recommended during Finance to reject all bids and rebid with the change to specifications.

Solar Project – Mr. Allstadt stated that the consultants are struggling to get bidders as NYSEG is trying to avoid the grandfathering regulations. As we have our RFP out under the old rules, we will once again the timeframe for bidders to submit so that we don't lose being grandfather. The new submission date for proposals is October 15th.

Mr. Allstadt stated that the CFA application for 22 Main Street comes in at a \$500,000 grant, with local match costs bringing it to \$660,000, which puts us in good shape for the match.

Mrs. Nicols made a motion to accept the Buildings 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.

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

Mr. Bloomfield stated that he is continuing to work with the state regarding adjustment to equalization rate to reflect the reval that was conducted in the Village.

Mr. Bloomfield stated he will also be working with RBC regarding their expenditure ratios.

Finance and Personnel Committee:

Finance:

Trustees reviewed the tentative equalization rate information as received from NYS Office of Real Property Tax Services and the July 2015 RBC Wealth Management statement.

Ms. Tillapaugh made a motion to approve the proposed changes to the LOSAP Point System as proposed. Mr. Allstadt seconded the motion and a vote had the following results:

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

Trustees reviewed the sales tax report. Mr. Bloomfield will discuss the downward trend of the last few months with Mr. Crowell.

Ms. Tillapaugh made a motion to approve the Cyber Liability Insurance quote of \$418.00 through NYMIR. 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 accept the \$250.00 donation from Tourism Cares with the funds being returned back to the Doubleday Field budget for materials purchased for the event. 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 accept the donation of \$2914.84 from Sally and Steve Biertz and The Biertz Agency covering the cost of purchase of the body worn cameras for the Police Department. 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 award the low bid for fuel oil for the period of August 1, 2015 through July 31, 2016 to Bruce Hall Corp at a cost of \$2.03 per gallon. 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 award the low bid for concrete for the period of August 1, 2015 through July 31, 2016 to Cransville Block Company at cost of \$150.00 per cubic yard. 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 quotation from Kyle Fabiano for upgrades to the website in the amount of \$720.00. Dr. Falk seconded the motion and a vote had the following results:

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

Buildings:

Ms. Tillapaugh made a motion to reject all bids received for the concrete retaining wall at the Fire Department and to request that the engineer revise the specifications for rebid. 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 authorize expending up to \$3,000 for placement of insulation in the attic of 22 Main Street. Dr. Falk seconded the motion and a vote had the following results:

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

Streets:

Ms. Tillapaugh made a motion to go to RFP for painting rain garden fences. Mr. Allstadt seconded the motion and a vote had the following results:

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

Following discussion, Ms. Tillapaugh made a motion to go to RFP for 2016-17 for garbage pickup (Main Street, Parks, VOC buildings), leaf pickup and mowing, line painting (including parking lots) and additional tree work contracted out. Dr. Falk 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 conference requests:

- a. Dennis Elliott – SENYWWC – July 15, 2015 (retroactive)
- b. Dennis Elliott Line Location/Leak Detection – July 23, 2015 (retroactive)
- c. Teri Barown – NYCOM Fall Training School
- d. Derek Bloomfield – NYCOM Fall Training School

Following inquiring regarding acceptance of state contract pricing, 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 reimbursement for Scott Monington for training costs for EMS recertification of \$513.44. 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 following seasonal appointments:

- S. Clancy – Streets laborer- \$10.00/hr – 7/6/15 – 10/2/15
- B. Elliott – Streets laborer - \$10.00/hr – 7/6/15 – 8/21/15
- S. Mebust – lifeguard - \$9.25/hr – 7/9/15 – 9/7/15

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

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

Trustees reviewed the overtime analysis for payrolls #39, 40 and 41 and reviewed the June 2015 hours of leave report.

Ms. Tillapaugh made a motion to approve the following abstracts:

ABSTRACTS:

GENERAL

2a	33,949.97 PR # 39
2b	44,239.78 PR # 40
2c	41,066.84 PR # 41
A1a	25,044.18 Non-Payroll Expenses Paid
A1b	100,215.77 Non-Payroll Expenses

WATER

2a	6,717.37 PR # 39
2b	7,214.58 PR # 40
2c	7,273.84 PR # 41
F1a	2,972.56 Non-Payroll Expenses Paid
F1b	10,429.45 Non-Payroll Expenses

SEWER

2a	6,815.80 PR # 39
2b	6,917.31 PR # 40
2c	6,736.62 PR # 41
G2a	1,949.55 Non-Payroll Expenses Paid
G2b	10,862.59 Non-Payroll Expenses

TROLLEY

E2a	366.35 Non-Payroll Expenses Paid
E2b	5,169.20 Non-Payroll Expenses
ET2a	48.40 Non-Payroll Expenses Paid
ET2a	2,805.86 Non-Payroll Expenses

CAPITAL

HMS2b	10,862.59 Non Payroll Expense
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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 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, Nicols, Allstadt Motion carried.

Trolley Committee – A copy of the July committee report was provided in the packet and reviewed by Mrs. Nicols.

Ms. Tillapaugh made a motion to accept the Trolley 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.

Watershed Supervisory Committee – A copy of the July committee report was provided in the Trustee packet.

Mayor Katz noted a very productive meeting between Jim Miles, General Manager of the Otesaga and Win McIntyre regarding pesticide use on the golf course.

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

Discussion was held regarding having control over additional website domain names such as cooperstownny.gov. Dr. Falk will discuss this with Mr. Fabiano.

Discussion was held regarding statements released by County Officials for bed tax allocations for this year, that now appear not to be available until 2016 if they remain in the budget that is passed in December. Mayor Katz stated that all comments made and documented seemed to reflect funding availability for this year.

Ms. Tillapaugh made a motion to accept the Economic Development and Sustainability Committee report as presented. Dr. Falk 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 July board minutes was provided in the Trustee packets.

Discussion was held regarding the Cooper Lane tie in information and the issues regarding re-bid of the control panel.

Mr. Maxson made a motion to accept the Water Board report as submitted. Dr. Falk 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 July board minutes was provided in the Trustee packets.

Mrs. Nicols made a motion to accept the Sewer Board report as submitted. Mr. Maxson seconded the motion and a vote had the following results:

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

Permits:

Ms. Tillapaugh made a motion to approve the permit application of Leila Kirdani for use of the ballroom gallery space on August 10, 2015 as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

Following discussion, Dr. Falk made a motion to approve the permit application of Leo Milman for use of Pioneer Park one day in August, 2015 for the permit fee of \$25.00 and use fee for park being waived. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mayor Katz made a motion to adjourn to executive session at 8:12 p.m. to discuss the work history of particular individuals. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mayor Katz made a motion to return to regular session at 9:00 p.m. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Discussion was held concerning the merits of responding to a request for proposal from Brookwood Gardens regarding possible acquisition of property.

Dr. Falk made a motion to advertise for a full time HMEO and seasonal laborer positions for the Streets Department. Mr. Allstadt seconded the motion.

Discussion was held regarding the fact that the HMEO position is unfunded. It was discussed that funding could be utilized from current vacant positions for the time being so that further review regarding staffing at the Streets Department can occur. A vote on the motion had the following results:

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

Mayor Katz made a motion to adjourn the meeting at 9:18 p.m. Ms. Tillapaugh 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