

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 26, 2015 at 6:30 p.m. Members in attendance were Mayor Jeff Katz (arrived 6:50 p.m.), Trustees Ellen Tillapaugh, Cynthia Falk, James Dean, Bruce Maxson, Joan Nicols and Louis W. Allstadt. Also in attendance were Village Treasurer Derek Bloomfield, Planning Board Chair Eugene Berman, Zoning Officer Tavis Austin, and Village Clerk – Teri Barown. There were four (4) members of the public present.

As Mayor Katz was delayed due to welcoming NYCOM Public Works School at the Otesaga, Deputy Mayor Tillapaugh called the meeting to order at 6:30 p.m. and led the pledge of allegiance

**Public Comment** – There were no comments from the public.

**Minutes** – Mrs. Nicols made a motion to accept the minutes of the September 21, 2015 regular Board of Trustee meeting with corrections as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to accept the minutes of the October 8, 2015 special Board of Trustee meeting as submitted. Mrs. Nicols seconded the motion and a vote had the following results:

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

#### **Public Safety Committees:**

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

Ms. Tillapaugh stated that the Police Committee reviewed a request from Tom Redding, School Crossing Guard to purchase LED solar-lit stop signs at the intersection of Walnut and Delaware Street, for a total of two signs to be placed on Walnut Street at each side of the Delaware intersection. Dr. Falk stated that Streets Committee also reviewed and felt that this would be a good idea and that additional intersections may want to be considered in next year's budget for placement of the signs. Ms. Tillapaugh stated that Mr. Redding measured the signs at Center Street and that the 30" stop signs would be the correct size. The cost is \$1600.00 per sign. Dr. Falk made a motion to approve purchase of the two 30" signs for Walnut Street funding coming from the traffic control budget. Mr. Allstadt seconded the motion and a vote had the following results:

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

Ms. Tillapaugh noted that as the Complus contract expires in March of 2016, there is a presentation scheduled with SEI regarding ticketing software as this program would interface with the Court program, as well as providing direct reporting to Department of Motor Vehicles. She stated that she had a conversation with our parking meter company ATI and that at this time, they don't provide any ticketing software.

Mrs. Nicols made a motion to accept the Police 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.

**Zoning Official's Report** – A copy of the Zoning Official's Report was provided in the Trustee packet and reviewed by Mr. Austin.

Mr. Austin stated that the final 3 trees are being removed at 124 Main Street according to the site plan and due to moving the electric.

He stated that he has sent letters to tourist accommodations regarding renewals and there is one violation scheduled for Court later this week and two additional ready to go out.

Dr. Falk asked if Planning Board is looking at the tree ordinances for consolidation purposes. It was the consensus that as the Tree Committee has reviewed and made suggestions that it would be appropriate for Planning Board to provide a recommendation.

Mr. Allstadt made a motion to accept the Zoning Officials' Report as presented. Dr. Falk 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 October Fire Committee report was provided in the Trustee packets.

Ms. Tillapaugh noted that the cleaning service will be providing one additional day a week at the Fire Hall for cleaning.

It was noted that Central Paving was in the Village today and completed the majority of the Lakeland Shores sidewalk and will be completing the sidewalk at the Fire Hall tomorrow.

Ms. Tillapaugh noted that the procedure instituted with the 911 call center for callout to CMT first for FOCUS is continuing to work well as only two calls have come to the squad since September.

Ms. Tillapaugh noted that vehicles parking behind the fire hall is still an issue by individuals other than the Fire Dept. personnel as the towing service refuses to tow with Police Department approve and require indemnification from the Village if the vehicle is damaged during towing.

Dr. Falk made a motion to accept the Fire 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.

Mayor Katz arrived at the meeting at 6:50 p.m. and took over as presiding officer.

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

Dr. Falk made a motion to approve the conference request of Mr. Hasak to attend and speak at the Turf and Grounds conference in Rochester, NY on Tuesday, November 17, 2015. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mr. Maxson made a motion to refer the following items to the Streets Committee – reinforcement of the bank where the railroad ties and concrete are in poor condition and budget for engineering for Willow Brook. Mr. Allstadt seconded the motion and a vote had the following results:

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

As request by the Baltimore Orioles for a request for a credit in the amount of 2016 deposit was denied by the committee, no further action was taken by the Board of Trustees.

Mr. Allstadt made a motion to approve the use of the field by contract to the Dream Catchers Professional Women's Baseball Team for one time slot per day on June 20 – 23 and June 27 – 30, 2016 for a total of eight time slots. Dr. Falk seconded the motion and a vote had the following results:

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

Mr. Maxson made a motion not to review the banner sales contract with John Kosmer and to consolidate sale of banners with the Trolley Advertising Sign sales, with Doubleday Field to provide recommendations on placement of banners. 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 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 Streets Committee report was provided in the Trustee packets

Dr. Falk made a motion to adopt the Street Closure Procedures as provided in the Trustee packets and on file with the original minutes. Mr. Allstadt seconded the motion.

Following discussion and decision to add a No. 12 that states - *Failure to adhere to the procedures outlines above may result in rescinding of the permit*, a vote on the motion had the following results:

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

**Public Hearing** – Mayor Katz opened the public hearing at 7:00 p.m. on proposed Local Law No. 13 – Amend Village Zoning Law to establish a Planned Development District (PDD) regulations to replace the current Coordinated Development District (CDD) regulations, to provide procedures to amend existing Coordinated Development Districts, to amend final site development plan and procedures and to amend definitions.

Mayor Katz stated that the idea for the law came from the fact that some things didn't fall under the current language of the Coordinated Development District and just didn't work and there was a need for something that did work. He stated that this law would allow the Village to seek new businesses and attract developers to the Village. He stated that if someone came to us with a plan that worked this legislation would allow the Village to allow the use.

Mayor Katz opened the hearing to public comment.

Linden Summers, 1 Elk Street, stated that he reviewed the proposed law and feels that certain entities could use this law to create the hospital zone that was voted down.

Mayor Katz stated that this is not the intent of this law. He stated that it is more geared towards areas such as those where New York Pizzeria was a previously existing non-conforming use. He said it gives anybody the ability to make a proposal to change residential use to anything. He stated he would hope that sitting Trustees take the best interests of the residential neighborhood into consideration when allowing non-conforming business areas.

Mr. Dean stated he felt that this law would be for areas such as Railroad Avenue and Grove Street and asked if this law would allow for the possibility to take any residential area and provide for businesses in them.

Mayor Katz stated anyone coming in would have to be a pre-existing non-conforming use.

As there were no further comments from the public, Mayor Katz closed the public hearing at 7:10 p.m. and Dr. Falk conducted SEQR review of the project for Parts II and III. She reminded the Trustees that SEQR is conducted only on the language of the law.

Following review of Part II and III, Dr. Falk made a motion to Check Box A on Page 2 of the Part III of the SEQR – Determination of Significance stating that the project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared and according a negative declaration be issued. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mayor Katz recognized the receipt of the County Planning Department's Recommendation to the Trustees.

Mr. Allstadt reviewed suggested changes to the law with the Trustees. Specifically, changes as shown in bold below:

Sec 300-18 Planned Development Districts  
B.

- (2) The Village Board of Trustees ("Village Board"), **after appropriate review and recommendations from the Planning Board and Historic Preservation and Architectural Review Board**, shall have the sole authority to enact legislation establishing a PDD.

Section 300-20 – PDD Application Procedures and Review  
B. Application.

- (2) (b) (i) The Applicant(s) **including a description of the Applicant's experience and expertise in similar projects, whether or not within a PDD.**

Section 300-20 – PDD Application Procedures and Review

### C. Consultant Fees

- (3) Such consultants may include planners, engineers, attorneys or other experts and/or professionals retained to review the Applicant's plans, maps, studies, agreements, environmental assessment forms, environmental impact statements and all other proceedings required by the Village Board, the Planning Board, HPARB, or this Chapter. **Choice of consultant shall be at the Village's sole discretion. Consultants will only be used for analysis and advice on areas that are not within the expertise of the Village.**

Discussion was held whether the changes would require another public hearing. Dr. Falk felt that there were substantive enough that we should hold another public hearing and provide the language changes to the County Planning Department for their review and recommendation.

Mayor Katz made a motion to adopt Local Law No. 13 amend Zoning Law to establish a Planned Development District as submitted. Mr. Allstadt seconded the motion and a vote had the following results:

AYES: None NOES: Tillapaugh, Falk, Dean, Maxson, Nicols, Allstadt Motion failed.

Dr. Falk made a motion to set a public hearing for November 23, 2015 Board of Trustee meeting at 7:00 p.m. or as soon thereafter as can be heard to provide for the amendments to the Planned Development District Law as suggested by Mr. Allstadt and submit to Otsego County Planning Department for review of the suggested changes. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

**Streets Committee (cont.)** – Dr. Falk noted that the leaf pick up will be conducted this year according to established plow routes and notification of changes in routes will be provided on the Village website and the Fire Department sign.

Dr. Falk reviewed data for paid parking for the 2015 seasons with comparisons with 2014 and 2013 as provided by ATI and also reviewed a summary of recommendations for the 2016 season as made by the Streets Committee. It was noted that paid parking revenue saw an increase of over \$30,000 from 2014.

She stated that she feels that two Trustee workshops regarding paid parking are initially needed for review of recommendations, with the first workshop to be scheduled specifically for discussion of residential parking permits.

She stated that she has met with Mr. Tillapaugh and noted the following items must be met regarding residential parking permits, they must be approved by the State Legislature, permits cannot be used in areas zoned business or commercial, the Village must demonstrate a parking scarcity for residents and 20% of entire parking spaces must be reserved for non-residents.

She said that the second workshop would review whether or not the two hour limit should be extended, pay by phone options for paid parking, review potential locations to expand paid parking. Mr. Allstadt stated that also potentially extending the season.

Ms. Tillapaugh noted that related to the discussion regarding the solar light at the flagpole not being strong enough – a new light has been ordered.

Mr. Allstadt made a motion to accept the Streets Committee report as presented. Mr. Maxson 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 October committee minutes was provided in the Trustee packets.

Mr. Allstadt stated that the temporary, emergency repair to the worst columns have been made and the remaining columns will need to be addressed in the spring. He stated that snow will be removed from the roof to help alleviate the weight to the area supported by the columns.

Bruce Hall will be replacing sewer pipe in the building.

He stated that Central Paving showed up today (deadline provided to them by letter for finishing the project) and have nearly completed the Lakeland Shores sidewalk and will be completing the Fire Hall sidewalk tomorrow.

Discussion was held regarding the County not increasing their share towards the repair of the retaining wall behind the fire department that is a 50/50 ownership with the County and the Village. He stated that this was discussed at the special meeting held earlier this month and it was felt by Fire Department members as long as the snow is removed so that ambulances can get in and out, we should be okay to get through the winter.

Mr. Allstadt suggested that the Board consider attending the County Public Works committee that he will be attending with Mr. Clancy to request that the Village increase their share so that the project is a true 50/50 split between the two municipalities.

Mayor Katz inquired if the Board of Representatives is aware of the ownership of the wall. Dr. Falk stated she feels that they are not aware of it.

Discussion was held regarding potentially attending the Board of Representatives meeting the first Wednesday in November.

Mr. Allstadt stated that the Village is on the high ground here and he wants the residents to know the potential this situation has to affect ambulance service.

Mr. Allstadt stated that the solar proposal submission has been moved to December 2 as there is a potential for land acquisition prior to that date which would increase the number of proposals received.

Ms. Tillapaugh made a motion to accept the Buildings 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.

**Tree Committee** – It was noted that an additional member is needed due to Mrs. Ayres moving out of the area.

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

Mr. Bloomfield noted that the credit card readers and printers have arrived and once training has been completed use will start with Clerk Fees as they won't be ready in time for the November water and sewer billing.

Discussion was held regarding the LOSAP Management Fee Structures, recommendations will be made for next month's Finance and Personnel Committee meeting.

Mayor Katz asked Mr. Bloomfield to review budget status to date to determine where there are potential shortfalls in revenue and savings in appropriations, as we are now 5 months into the budget so that adjustments can be made if necessary.

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

#### **Finance:**

Trustees reviewed the September 2015 RBC Wealth Management report and the Sales Tax report.

Ms. Tillapaugh made a motion to reappoint Mostert, Manzanero & Scott for the annual financial audit and preparation of the Annual Update Document filing pursuant to their proposal as submitted. 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 authorize payment of Edmunds and Associates invoice for license and maintenance covering calendar year 2016 and pay in half yearly installments. Dr. Falk seconded the motion and a vote had the following results:

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

Trustees reviewed state aid check received for per capita and AIM funds.

Ms. Tillapaugh made a motion to request refunds from Bruce Hall and McCarthy Tire from prior years credits to be recorded as Miscellaneous Revenue and Refund of Prior Year's Expenses. 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 an expenditure of up to \$300 for the Town of Otsego Court Clerks for review of old Village court documents for shredding. Mr. Allstadt seconded the motion and a vote had the following results:

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

Ms. Tillapaugh stated that Finance Committee authorized having Edmunds enable remote access on a read only basis for viewing of the accounting system records.

Ms. Tillapaugh made a motion to accept the high bid for sale of the F350 surplus truck in the amount of \$8,611 and to reject the bid for the Ford Explorer of \$50.00 and to sell as scrap. 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 tree removal bid to Tallman Enterprises Tree Service for the total amount of \$21,490.00 plus \$260/hour emergency removal with a transfer of necessary funds from contingency to add to amount in budget. 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 main control bid to Aqualogics in the amount of \$98,390.00. Mr. Allstadt 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 authorize Bruce Hall to replace sewer line at 22 Main Street at a cost of \$2540.39. 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 proposal of Alternate Building Concepts for realignment of the insulation in the attic at 22 Main Street at a cost of \$2700 and covering of the skylight at a cost of \$938.88. 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 estimate of Glenn Falk (noted as 2<sup>nd</sup> estimate) for ceiling work in the meeting room of the Fire Department in the amount of \$13,375.00. Mr. Allstadt seconded the motion and a vote had the following results:

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

Invoice from Lamont Engineers was reviewed in the amount of \$705.50 for preparation of best value specifications for the main control panel bid. As the Clerk prepared the best value criteria, a letter will be sent requesting the invoice be withdrawn.

Ms. Tillapaugh made a motion to approve an additional amount of \$30.00 per week for one additional day for the Clean Solutions to clean at the Village Fire Hall. Mr. Allstadt 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 accept the donation from Thomas Lagan of \$1,000 for the Lake Front Summer Concerts and \$25.00 from Party of Two for CD Sales. Dr. Falk seconded the motion and a vote had the following results:

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







It was noted that one member of the Parks Board has resigned (Jennifer Amsden) and another may be looking to resign. Ms. Tillapaugh requested recommendations be provided for potential replacements.

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

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

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

Mayor Katz stated it was noted that the County broke one of our hydrants and inquired who was paying the cost of repair.

Dr. Falk made a motion to accept the Water Board report as submitted. 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 Board minutes was provided in the Trustee packet. Ms. Tillapaugh made a motion to accept the Sewer 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.

**Permits:**

Ms. Tillapaugh made a motion to approve the permit application of the Cooperstown Chamber of Commerce for the Halloween Parade as submitted. Dr. Falk 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 approve the permit application of the CNY Veterans Outreach for use of the small conference room on Thursdays from 10 – 2 through December 31, 2015 with the use fee for the room being waived for that period. 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 fireworks request for Friends of Bassett for a firework display at the golf course on New Year's Eve. 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 permit application of the Village Library for a Saturday Family Program on February 27, 2015 as submitted. Dr. Falk 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 8:35 p.m. to discuss the work history of particular individuals and union contract negotiations. Mr. Allstadt 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 return to regular session at 9:05 p.m. Mr. Dean 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 appoint the following as part-time police officers:

Christopher Burns, effective October 27, 2015 at a salary of \$17.50 per hour  
Rosario Cordoglio, effective October 27, 2015 at a salary of \$17.50 per hour  
Ashley Warren, effective October 27, 2015 at a salary of \$17.50 per hour

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 appoint Jolene Ward to the full-time position of Parking Enforcement Officer for a one year probationary period to be determined from her start date, at a salary of \$10.6591 per hour. 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 adjust the salary of Michael TenEyck, part-time police officer to \$20.00 per hour for assignment as detective. 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 the meeting at 9:12 p.m. 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