

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 December 21, 2015 at 6:30 p.m. Members in attendance were Mayor Jeff Katz, Trustees Ellen Tillapaugh, Cynthia Falk, James Dean, Bruce Maxson, Richard Sternberg and Louis W. Allstadt. Also in attendance were Zoning Enforcement Officer Tavis Austin, DPW Superintendent Brian Clancy, Police Chief Michael Covert, Village Treasurer Derek Bloomfield, Village Attorney Martin Tillapaugh (arrived at 6:43 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.

Mayor Katz appointed Richard Sternberg as Village Trustee to fill the unexpired term due to the resignation of Joan Nicols through March 31, 2016. Ms. Barown administered the oath of office to Dr. Sternberg.

Mayor Katz led the pledge of allegiance.

Mayor Katz noted that the Village did not receive any of the 500 million in state funding and that we were shut out of the CFA round this year as well. He stated that there are multiple options being worked on including the potential of 50 million in funding to each of the regions that did not receive URI funding.

Public Comment – Adam Yastremski, South Avenue and owner of Yastremski Sports at 134 Main Street, stated that at the very least the Main Street merchants should be made aware of meetings that will involve the closing of Main Street so that they can be part of the discussion.

Minutes – Ms. Tillapaugh made a motion to accept the minutes of the November 23, 2015 regular Trustee meeting with corrections as submitted. Mr. Maxson seconded the motion and a vote had the following results:

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

Zoning Officials Report – A copy of the Zoning Official's Report was included in the packet and reviewed by Mr. Austin. He noted that the Planning Board is working on the tree law revisions.

Ms. Tillapaugh made a motion to accept the Zoning Officials Report as presented. Mr. Allstadt seconded the motion and a vote had the following results:

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

Public Safety:

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

Ms. Tillapaugh noted a good initial meeting with the Parking Enforcement Officer, Phil Couse who is now out on the streets enforcing parking regulations. She stated he would also be attending the January meeting for a presentation on ticketing software.

Ms. Tillapaugh noted that the billing from Complus for sending out final notices exceeded the amount collected in back fines (\$577 vs. \$320 fines collected). She stated that there were also

issues with Complus sending delinquent notices to some individuals who had already had tickets dismissed.

Chief Covert addressed the Trustees regarding the “closest car concept” for non-emergency calls. He stated that the State Police meet with the Sheriff and E911 to discuss establishing a procedure that the agency with the closest car would respond regardless of jurisdiction. He stated that this has the potential to have another agency respond to the Village. He stated he is in the process of writing procedures for the call center on how this is to be addressed in the Village, as he feels that he can respond faster, even if it is from his residence.

Mayor Katz stated that in regard to parking enforcement, the uniform enforcement of parking regulations reflects on Village government and it is essential that everyone is treated equally.

Fire Committee – A copy of the December committee report was included in the Trustee packets.

Ms. Tillapaugh noted that in researching with our insurance company we were informed that the Fire Department Treasurer is covered for employee theft for up to \$250,000. She stated that the request to check on this came following an article regarding alleged theft by a department treasurer in another municipality.

She noted that the squad is happy that the protocol established for calls at FOCUS continues to be carried out by the call center.

Ms. Tillapaugh made a motion to accept the Public Safety committee reports 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 December committee minutes was provided in the Trustee packets.

Trustees addressed action items as submitted by the committee.

Mr. Maxson made a motion to approve advertising banners which are 3’x5’ for the fence above the grandstand seating, 4’x8’ for the fence above the bleacher seating along the first base line, and 6’x12’ for the fence above the bleacher seating along the third base line. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mr. Maxson made a motion to recommend that Mr. Hasak work with BOCES to develop signage as proposed. Dr. Sternberg seconded the motion. Dr. Falk stated she would work with Mr. Hasak to ensure that the uniform coordination with other signage continues to be taken into consideration. A vote on the motion had the following results:

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

Mr. Maxson made a motion to approve the request by Frank Miosek for use of the field by Cooperstown’s Legends on Saturday, June 11 at 10 am. Dr. Falk seconded the motion and a vote had the following results:

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

Motion carried.

Mr. Maxson made a motion to approve the request for Pitman High School to allow the use of the field for limited innings for both their Varsity and Jr. Varsity teams with the condition that the 3 hour time limited be enforced. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Motion carried.

Mayor Katz asked that he feels the time issue is more important that the number of games and doesn't agree with the wording in the contract giving two options with the shortest time prevailing. He stated he feels that giving a 3 hour time period should be the way to handle it.

Mr. Maxson made a motion to approve a December 1 cutoff for Cooperstown Central School for preferred scheduling. Mr. Allstadt seconded the motion. As no follow up with the school has occurred regarding the committee's recommendation on the December 1st cutoff, it was decided to table the motion and contact the school for their input on how the proposed cutoff date would affect their ability to provide the Village with schedules.

Mr. Maxson made a motion to follow up with our IT consultant Kyle Fabiano to study the concept of scheduling in conjunction with electronic payment via the web. Dr. Sternberg 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 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, Allstadt, Sternberg

Motion carried.

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

Trustees reviewed the provided breakdown of 2015 paid parking permits issued pertaining to multiples per household.

Trustees reviewed the draft proposed law and resolution and made minor language revisions. Dr. Falk made a motion to set a public hearing on the proposed law and resolution for Monday, January 25, 2016 at 7:00 p.m. or as soon thereafter as can be heard. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Motion carried.

Dr. Falk noted that the committee discussed a 10 year plan for streets, which has been reduced down to a workable 5 year plan. Mayor Katz noted that the recommendation for a 5 year plan also came in part from discussion with bond counsel on how to make a reasonable timeline and get there.

Parking Study – Dr. Falk noted that the Clerk provided sample RFP's from other municipalities. She stated that going ahead with an RFP was discussed a little at Streets Committee as well as Economic Development and Sustainability Committee. She said it is felt that we need a sense of the Trustees on whether this is where we want to go.

Mayor Katz stated he feels it would help us with obtaining real data.

Dr. Falk made a motion to proceeding with drafting an RFP for a parking study. Mr. Allstadt seconded the motion and a vote had the following results:

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

Dr. Falk noted that size adjustments are being made to the EFC sign, which is still scheduled to be in place by March.

Dr. Falk made a motion to declare the unused bricks stored at the Streets Garage as surplus equipment to be disposed of. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mr. Allstadt 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.

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

Mr. Allstadt noted that discussion occurred at committee that the costs associated with asbestos abatement monitoring and replacement of flooring if it is not possible to refinish the existing flooring would exceed the amount of grant funding for the main hallway flooring. He stated that it was the sense of the committee to go with pre-finished hardwood if the existing cannot be refinished. He stated that the committee also recommended the Village provide funding of \$4,000 - \$5,000 to assist with the unanticipated costs that won't be covered through the grant funding.

Mr. Allstadt made a motion to authorize the Village to expend up to \$5,000 towards uncovered costs associated with the floor replacement in the main hallway. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mr. Allstadt stated that the committee also established priorities for repairs and renovation to the building as a result of not receiving the CFA funding this year.

Mr. Allstadt made a motion to bid out restoration and painting of porch columns and concrete bases together with painting of the other side of building. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mr. Allstadt stated that in November the Village received a sense from the County that they would support \$34,000 in funding for their share of the retaining wall project, however, this amount did not get included in the 2016 budget. Mr. Allstadt stated he has spoken to Representative McCarthy and still feels he would be in favor, further discussions will be held.

Solar Project – Mr. Allstadt noted that following several delays, we may have found property within the school district, which would allow them to participate. He stated that there is a walk through with proposers tomorrow.

Ms. Tillapaugh made a motion to accept the Buildings 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.

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

Mr. Bloomfield noted that he has received a quote on an in-house server dedicated to managed email accounts for Village departments/employees and will follow up with Mr. Fabiano regarding details.

He also stated that the acceptance of credit/debit cards and electronic checks through the Muncipay program is proceeding. Staff training is scheduled for early January and it is hoped to have the program up by February.

Finance and Personnel Committee:

Finance:

Trustees reviewed the following items:

1. RBC Wealth Management LOSAP statement for November
2. Revised LOSAP Investment Range Allocation Legend (per RBC ETF Profile #2)
3. NYS Volunteer Firefighter LOSAP Statute December 11, 2015 Amendment
4. Sales Tax Report for September 2015 and run-rate scenario analysis

Water and Sewer – Discussion was held regarding a request from Constance Dinallo for an adjustment in water and sewer charges. It was initially felt that the water ran through both the water and sewer systems for treatment, however, due to a statement by the Sewer Plant Superintendent that he believed it did not go through the system further investigation will be conducted.

Parks – Ms. Tillapaugh made a motion to go to bid for replacement of the eastern most dock at Lake Front Park. Dr. Falk seconded the motion and a vote had the following results:

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

Trees – Ms. Tillapaugh made a motion to accept the tree donation of \$25.00 from Ted Peters, Jr. Mr. Allstadt seconded the motion and a vote had the following results:

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

Personnel:

Trustees reviewed the following items:

1. Conferences and Training
 - a. Brian Clancy feedback from NYCOM Public Works Training School (Otesaga Oct 25-28)
 - b. Brian Clancy feedback from Strategic Overview Disaster Management For Water & Wastewater utilities (Oriskany, NY November 9)
2. Overtime Analysis – Payroll #50, #51
3. Review Hours of Leave Report – November 2015

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

Abstracts:

General	6a	28,696	PR #50
	6b	28,472	PR #51
	A6a	137,414	Non-payroll expenses paid
	A6b	242,935	Non-payroll expenses
Water	6a	7,409	PR #50
	6b	7,758	PR #51
	F6a	35,749	Non-payroll expenses paid
	F6b	17,958	Non-payroll expenses
Sewer	6a	7,555	PR #50
	6b	7,500	PR #51
	G6a	33,568	Non-payroll expenses paid
	G6b	46,657	Non-payroll expenses
Trolley	E6a	52	E - Non-payroll expenses paid
	E6b	107	E - Non-payroll expenses
	ET6a	52	ET - Non-payroll expenses paid
	ET6b	107	ET - Non-payroll expenses

Budget modifications and transfers:

A-8560-440	Shade Trees – Contract Svcs	5,940	Increase
A-1990-470	Contingency	5,940	Decrease
<i>To fund Tallman Tree winning bid</i>			
HMS-5110-240	Construction costs	1,820	Increase
A-9950-900	Transfer to capital projects	1,820	Decrease
<i>To pay McManus invoice</i>			

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

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

Motion carried.

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

Dr. Falk noted discussion occurred regarding best locations for electric car charging stations and it was determined that Doubleday Field parking lot may offer the best possibilities. Mr. Maxson asked if we know what the demand might be. Dr. Falk stated that there is a station at SUNY Oneonta, which is being used by 2 or 3 vehicles, but it is not being advertised.

Dr. Sternberg stated he felt it would dependent on the availability of other stations in place within close proximity to the Village. Mr. Allstadt stated that the majority of the vehicles are hybrids that also can run on gas.

Dr. Falk stated that the committee also did discuss the parking study RFP and felt a survey would be useful, but also felt it would be outside the price range available for the study.

She stated discussion also included progress on the Comprehensive Plan and tweaks needed to the website.

Mayor Katz appointed Angelica Palmer as a member of the Economic Development and Sustainability Committee. Dr. Falk made a motion to ratify the appointment. Mr. Allstadt 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 accept the Economic Development and Sustainability 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.

Parks Board – A copy of the December committee minutes was provided in the Trustee packets.

Ms. Tillapaugh noted that the bid for the eastern most dock replacement will include alternatives for a permanent dock and a floating dock, based on investigation conducted into both systems.

Ms. Tillapaugh stated that the solar issue at Three Mile Point Park has been resolved, but we are working on a billing issue with the invoice.

Discussion was held regarding a skate rink attendant for Badger Park. Due to weather conditions so far this year not making it feasible to make ice, it was felt that existing staff could mostly likely handle staffing when conditions merit opening.

Ms. Tillapaugh will discuss a proposal for breaking up the ice at Lake Front with Paula Zoeller.

Dr. Falk 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 December board minutes was provided in the Trustee packet.

Ms. Tillapaugh made a motion to accept the report as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

Sewer Board – A copy of the December board minutes was provided in the Trustee packet.

Mayor Katz noted that he is still pursuing outside funding for the plant, even though the CFA did not come through for this round.

He requested that Mr. Maxson discuss with the Board next month conducting engineering on the first phase of the plant upgrade project. He stated that with money currently in reserves we should be able to handle engineering for a million dollar project. He stated that at least this would set a piece of the project in motion.

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

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

New Business:

Hawkeye Indoor Tennis Presentation – Mayor Katz noted that he was approached by this group regarding the possibility of building an indoor tennis facility on the property within the CIT project area for which we currently hold permanent easements from Cooperstown School and the Clark Foundation. He stated that in discussion with Mr. Tillapaugh the wording in both easements allow for use as either recreational facilities or athletic facilities. He stated that the Tennis Facility would be a permissible use. He stated the second factor to consider is this something that we want to see.

Mayor Katz noted it was determined that in order for the group to proceed to the Town of Otsego for the various zoning components that they need something from the Village stating that we are agreeable to the concept. Once permissions are obtained from the Town, then we could proceed to negotiating a lease. He stated the only question to be answered tonight is, are the Trustees agreeable to the concept of an indoor tennis facility on this property.

Mr. Tillapaugh gave a background on how the Village came to obtain permanent easements on the property through the CIT project process and stated that in addition to the Village agreeing in concept to the proposed tennis facility, approval would also need to be obtained through the current landholders, Cooperstown School and Clark Foundation as well. He stated that even though we have a permanent easement we do not own the land. He then reviewed the uses allowed under each permanent easement.

Peter Van Riet, Hawkeye Indoor Tennis, provided information on why the group felt the community would benefit from the facility and how the group envisions the facility as way to address needs for a facility for the local high school team as well as a facility for adaptive programs for all abilities including use by Springbrook and ARC groups. He stated it is felt that additionally it would include the broader community for all ages.

Mayor Katz stated that he had a conversation with Mr. Hazzard and stated that when people see a date announced for an event that has not received a permit or permission from the Village to go ahead, it rubs people the wrong way.

Discussion was held regarding suspension of open container law. Mr. Tillapaugh noted that the Trustees have no authority to suspend a law, but it does happen.

Mayor Katz stated that the Trustees did not waive the open container law last year, but permitted alcohol to be served in a designated area.

Discussion occurred regarding the revisions made to the proposal submitted by the Chamber by emails dated December 7 and December 16. Concerns were expressed regarding closeness of alcohol to the family area during this year's event.

Dr. Falk made a motion to approve the application for Cooptoberfest 2016 as outlined in emails dated December 7 and December 16 with the following conditions: that the area in the front of the post office cannot be closed off while the post office is open, the vendors for the Farmers Market need to have a way out at the end of the day, the Chamber must conduct a mailing to the businesses and residents in the event area showing tent locations and activities taking place in the event area and that the 2017 date cannot be advertised until a permit has been issued by the Village. Mr. Maxson seconded the motion and discussion occurred.

Following discussion, it was determined that layout no. 2 as provided by the Cooperstown Chamber was ruled out, which would have placed some events on Pioneer Street.

Mr. Dean made a motion to amend Dr. Falk's motion to include that the family portion of the event be contained on Main Street between Chestnut Street and Pioneer Street and that the alcohol related portion of the event be contained on Main Street from Pioneer Street to Fair Street, with Pioneer Street remaining open. Mr. Allstadt seconded the motion and discussion continued.

Following discussion, Mayor Katz further amended the original motion made by Dr. Falk, seconded by Mr. Maxson and the second motion by Mr. Dean and seconded by Mr. Allstadt to include that the Cooperstown Chamber of Commerce must following the street closure regulations adopted by the Board of Trustees. Dr. Falk seconded the motion and discussion continued.

Mayor Katz noted that once the event has been approved and conditions provided, we need to get the information online.

Mr. Yastremski, Yastremski Sports, inquired as to how the Chamber can receive a blanket vending permit. Mayor Katz stated that the idea behind this was the \$1,000 fee charged would include any merchant wishing to vend without them having to pay the additional vending permit fee.

Mr. Yastremski stated that he was never advised by the Chamber this year that merchants were allowed to vend.

Mayor Katz stated that if this is the case, it is a violation of the terms as far as he is concerned if some are told and others aren't. He stated that with communication regarding the event being required to be mailed by the Chamber, this should solve the issue.

Mr. Tillapaugh stated that if the Trustees find a violation of the conditions of the permit, they can then revoke it.

Mayor Katz made a motion to approve the application of the Cooperstown Chamber of Commerce for Cooptoberfest 2016 with all conditions as noted in the previous motions of Dr. Falk, seconded by Mr. Maxson, Mr. Dean seconded by Mr. Allstadt, and Mayor Katz seconded by Dr. Falk to be included as conditions of the permit. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Ugly Sweater Run 2016 – Mayor Katz noted that this event is already on the Clarks Sport Center website, which in and of itself is not allowed, without first obtaining a permit from the Village.

Discussion was held regarding the proposal to shut down Pioneer Street from Main Street to Lake Street and allowing alcohol to be purchased at the Tunnicliff and brought into the street.

Dr. Falk stated she would not be comfortable with allowing alcohol or closing the street without approval from the businesses and Santa.

Mayor Katz stated that again, the Village cannot waive the open container law. He suggested utilizing Pioneer Park for the closing ceremony and serving hot chocolate.

Following discussion, Mayor Katz made a motion to approve the run with the route as submitted to be coordinated with the Police Department, with the street remaining open and no alcohol. Dr. Falk seconded the motion and a vote had the following results:

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

Dr. Sternberg made a motion to approve the Children's Disco to be held at the Fire Hall in conjunction with Winter Carnival pursuant to the permit application submitted by Brookwood School with the associated use fee, clean-up fee deposit and insurance being submitted as required. Dr. Falk 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 Cooperstown Winter Carnival permit application for events 1-6 as listed on the attachment to the permit application. 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 9:05 p.m. to discuss the work history of particular individuals and union contract negotiations. 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 9:16 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 appointed David Pearlman as Planning Board member to fill the unexpired term created by the resignation of Richard Sternberg. Ms. Tillapaugh made a motion to ratify the appointment. Dr. Sternberg seconded the motion and a vote had the following results:

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

Mr. Allstadt made a motion to adjourn the meeting at 9:17 p.m. Mr. Maxson 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