

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 February 22, 2016 at 6:30 p.m. Members in attendance were Mayor Jeff Katz, Trustees Ellen Tillapaugh, Cynthia Falk, James Dean, Bruce Maxson, and Richard Sternberg. Trustee Louis Allstadt was absent. Also in attendance were DPW Superintendent Brian Clancy, Fire Chief James Tallman, Village Treasurer Derek Bloomfield, Village Attorney Martin Tillapaugh (arrived at 7:05 p.m.) and Village Clerk – Teri Barown. There were three (3) members of the public present.

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

**Public Comment** – Scott Schwartz, 76 Fair Street, would like a policy considered for members of the Zoning Boards (ZBA, HPARB, and Planning Board) not to speak to the press or voice their individual opinion on projects or they will be asked to step down.

**Minutes** – Ms. Tillapaugh made a motion to accept the minutes of the January 25, 2016 meeting of the Board of Trustees with corrections as submitted to the Clerk. Dr. Falk seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to accept the minutes of the February 9, 2016 special meeting of the Board of Trustees as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

**Zoning Official Report** – No written report was submitted.

Mayor Katz recommended everyone read the minutes regarding the proposed demolition. He stated that this will support the Trustees requesting less discretion by a Board and establishing guidelines to be followed.

Mayor Katz requested that the Air BnB definition be referred back to Planning Board for further review.

**Police Committee** - A copy of the February committee minutes was provided in the Trustee packets.

Ms. Tillapaugh noted that Officer Voce did a nice job providing the report in Chief Covert's absence.

Ms. Tillapaugh reviewed revisions to the proposed temporary parking permits for construction vehicles in the paid parking areas during the timeframe paid parking is in effect.

Dr. Falk stated that she doesn't agree with the \$25.00 application fee as they would already be paying a daily rate and she said she also disagrees with a 7 day maximum. She said she feels it contradicts supporting private businesses making improvements to their buildings.

Mr. Dean stated he feels that the \$25.00 application fee is appropriate as it takes staff time to process and we are providing a service of providing reserved parking in front of the building their working on.

Mayor Katz stated we could encourage building owners to rotate the specific contractors in and out of a spot.

Ms. Tillapaugh stated she is not inclined to remove the \$25.00 application fee, however, would consider an option to waive similar to what we do for the outdoor eating permits.

Mr. Dean stated he is not inclined to waive, but doesn't feel we should put a time limit on it.

Dr. Falk stated she still believes it works at cross purposes with other stated goals – people improving their property.

Ms. Tillapaugh noted that the reason this subject was brought up is last year there was an abuse of parking cones to reserve spots.

Following revisions to the text of the resolution, Ms. Tillapaugh set a public hearing for the March 28 Trustee meeting at 7:00 p.m. or as soon thereafter as can be heard. Dr. Sternberg seconded the motion and a vote had the following results:

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

Ms. Tillapaugh 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, Sternberg                      Motion carried.

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

Mr. Maxson noted that Mr. Hasak will be working on the field and relocating the coaches' boxes to more appropriate locations.

Discussion was held regarding under utilization of the field mid-week. It was noted that in the past Mr. Hasak stated that the field needs time to recover between games and if this is something that should be scheduled into the usage. Mr. Hasak will continue to investigate this issue.

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

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

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

Dr. Falk made a motion to approve placement of a crosswalk from Leatherstocking Street to the unused driveway adjacent to Olin Realty and eliminate the crosswalk that crosses Chestnut Street near Susquehanna Avenue to Willow Brook. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Dr. Falk noted that the requests from the Hall of Fame for Classic and Induction weekends were received and will be reviewed under the action items.

She stated that discussion occurred regarding increasing parking fees on the Sunday of Induction in Doubleday Parking Lot, but due to a \$350.00 to change pricing on the meters, as well as the potential of displacement of employee parking for businesses open that day, it was decided to leave the fees as they are.

Dr. Falk stated that we have not received a final response on the cultural resources report from DOT, but it does need to be rewritten by Barton and Loguidice and resubmitted to DOT.

Dr. Falk noted that the pre-proposal meeting for the parking study was well attended.

Ms. Tillapaugh 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, Sternberg                      Motion carried.

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

Dr. Falk stated that the pre-bid meeting for the Exterior Paint and Repair Bid resulted in the issuance of two addendums and the pre-bid for the retaining wall at the Fire Department was well attended.

Dr. Sternberg made a motion to accept the Buildings Committee report as presented. Mayor Katz seconded the motion and a vote had the following results:

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

**Public Hearing** – Mayor Katz opened the public hearing at 7:02 p.m. and the Village Clerk read the public hearing notice for Proposed Local Law No. 2 of 2016, amending Chapter 240 (Streets, Sidewalks and Public Property), Chapter 258 (Trees) and Chapter 300 (Zoning) of the Code of the Village of Cooperstown to eliminate conflicting provisions concerning the removal of privately owned trees, to relocate and modify a provision concerning the removal of safety hazards caused by branches of privately owned trees, and to modify a provision concerning the Planning Board's authority to modify or waive tree removal restrictions during a final site development plan review.

As there were no public comments, Mayor Katz left the hearing open and returned to the regular agenda.

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

**Finance and Personnel Committee:**

**Finance:**

Mayor Katz noted that new procedures are in place for the RBC Wealth Management – LOSAP program and minimal losses occurred during the downturn in the market. Trustee reviewed the January 2016 statement.

Trustees reviewed the November 2015 sales tax report and outlook for full year.

**Buildings:**

Dr. Falk made a motion to award the low bid for electrical renovations for Village Hall to Williams Excavating and Electrical at the low bid submitted of \$8700, with \$950 for the alternate and \$47.25 for each of six outlets. Dr. Sternberg seconded the motion and a vote had the following results:

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

**Parks:**

Ms. Tillapaugh made a motion to award the bid for Lake Front Dock Replacement to Green Builders, Inc., for the wooden dock option in the amount of \$114,364. Dr. Sternberg seconded the motion.

Dr. Falk noted that she has concerns about placing a wooden dock to the varying lake levels. Ms. Tillapaugh stated that the warrantee for the wooden dock was 5 years longer than the floating dock option provided and was felt that replacement of individual boards would be easier.

Dr. Falk stated that it doesn't seem the ideal solution to her.

Ms. Tillapaugh noted that this dock came within the budget for this item and will be providing consistent sized slips as well as larger slips for renters.

Mayor Katz suggested holding off on budgeting for a second dock next year, to see how well the replacement dock works.

A vote on the motion had the following results:

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

**Streets:**

Dr. Falk reviewed requests to waive snow removal invoices issued on January 29, 2016. She stated she feels that there is an issue with the process and that the original premise was to provide notice to absentee owners. Mayor Katz stated he would be inclined to waive and refer back to Streets Committee to come up with a process that works. Dr. Falk agreed and stated she believes that we need to revisit the process and change some aspects of it.

Dr. Falk made a motion to cancel the 5 contested invoices and provide amnesty for the other 21 invoices issued in January. Mr. Maxson seconded the motion and a vote had the following results:

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

**Water and Sewer:**

Ms. Tillapaugh made a motion to approve a credit back to the average usage for the sewer portion of the contested water and sewer bill at 24 Mill Street. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Sternberg

Motion carried.

Ms. Tillapaugh made a motion to approve a credit back to the average usage for the sewer portion of the contested water and sewer bill at McChesney residence on Estli Avenue. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Sternberg

Motion carried.

Mayor Katz made a motion to approve the fire department insurance renewal as proposed through SEFFU insurance agency, effective renewal date March 1, 2016. Ms. Tillapaugh seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Sternberg

Motion carried.

Chief Tallman provided an overview of the recent house fire in Middlefield and the difficulty in fighting fire when the home was packed floor to ceiling with items. He stated that they had to fight the fire from the outside as there was no way to get through the residence to fight it from within. He stated that it became a matter of protecting the surrounding structures and letting it burn itself out. He stated that he discussed the issue with Mr. Tillapaugh.

Mr. Tillapaugh noted that we don't have a building code office within the Village and these matters are referred to the County Codes Office. He stated that unless a property is a health or safety issue there is little that can be done.

Ms. Tillapaugh thanked the department for all their dedication and hard work.

#### **Watershed:**

Ms. Tillapaugh made a motion to approve the non-budgeted printer for Mr. Keck's office at a cost not to exceed \$200. Dr. Falk seconded the motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Sternberg

Motion carried.

#### **Capital Projects:**

Mayor Katz made a motion to approve payment for Barton and Loguidice invoices Nos. 9 and 10 as submitted. Ms. Tillapaugh seconded a motion and a vote had the following results:

AYES: Tillapaugh, Falk, Dean, Maxson, Sternberg

Motion carried.

#### **Personnel:**

Mayor Katz made a motion to approve the following training and conference requests as submitted:

1. Conferences and Training:
  - a. Brian Clancy 2/9, 2/23 and 3/22 NYSDOT Compliance with ADA in Binghamton
  - b. Brian Clancy and Mitch Hotaling 3/3 Permit Workshop at Meadows Office Complex
  - c. Mitch Hotaling, Dennis Elliott, Chris Satriano, Byron Bubencik 3/16 Dig Safe NY SUNY
  - d. Scott Folts and Tom Kukenberger 3/24 NY AWWA Utica \$55 each

Poly

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

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

Trustees reviewed the overtime analysis for payrolls 55 and 56, and January 2016 hours of leave report.

Ms. Tillapaugh made a motion to advertise for summer caretakers, lifeguards, and boat launch attendants. Dr. Falk seconded the motion and a vote had the following results:

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

Dr. Sternberg made a motion to approve the part-time appointment to the position of police officer for Raymond Smith effective February 23, 2016 and Stephen Lansing on a date to be determined once approved by County Civil Service. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Dr. Sternberg made a motion to approve the training request of Byron Bubencik, Lloyd Stilson and Russ Adams for NIMS Training. Dr. Falk seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to approve the following abstracts and transfers:

**Abstracts:**

General	7a	29,113	PR #55
	7b	31,101	PR #56
	A7a	33,356	Non-payroll expenses paid
	A7b		Non-payroll expenses
	A7c		
Water	7a	6,550	PR #55
	7b	7,402	PR #56
	F7a	4,971	Non-payroll expenses paid
	F7b		Non-payroll expenses
	F7c		
Sewer	7a	6,520	PR #55
	7b	7,523	PR #56
	G7a	2,995	Non-payroll expenses paid
	G7b		Non-payroll expenses
Trolley	E7a	47	E - Non-payroll expenses paid
	E7b	47	E - Non-payroll expenses



Dr. Falk noted that the Chamber of Commerce suggested sidewalk vending during evening hours one night per week in conjunction with concerts in the park. Mayor Katz stated that he feels this is a good idea.

Mayor Katz provided Dr. Falk with information for a webinar on consolidation for efficiency.

Mayor Katz made a motion to accept the committee report as presented. Mr. Maxson seconded the motion and a vote had the following results:

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

**Parks Board** - A copy of the February Parks Board report was provided in the Trustee packets.

Ms. Tillapaugh noted that it has been a difficult skating season due to the weather, but with everyone working together a few good skating days occurred.

Ms. Tillapaugh 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, Sternberg Motion carried.

**Water Board** – A copy of the February board minutes was provided in the Trustee packets.

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

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

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

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

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

**New Business:**

Mayor Katz made a motion to adopt the following resolution:

VILLAGE ELECTION NOTICE 2016  
March 15, 2016

1. The Village of Cooperstown constitutes one election district and the polling place for such district shall be at the Village Fire Hall, 26 Chestnut Street, Cooperstown, New York.
2. The hours during which the polls shall be open for voting are 12:00 noon to 9:00 pm. on Tuesday, March 15, 2016.
3. The names of all those who have been duly nominated in accordance with the provisions of the New York State Election Law for the Village Office whose certificates of nomination have been duly filed with the Village Clerk, and that the office for which they have been nominated are as follows:



Mayor – Two (2) year term:

Democratic Party: Jeff Katz, 79 Chestnut Street, Cooperstown

Trustee: Two open positions – Three (3) year term:

Democratic Party: Bruce Maxson, 19 Delaware St., Cooperstown  
Richard Sternberg, 2 Westridge Road, Cooperstown

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

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

Dr. Falk made a motion to approve the Hall of Fame Use of Doubleday Field and Parking lot on May 27 and 28, 2016 and Fowler Way Parking lot on May 28, 2016. Dr. Sternberg seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to approve the Hall of Fame use of Doubleday Field on July 20 – 25, 2016, Doubleday Field Parking lot on July 22, 23 and 25 (return to Village by noon on 25<sup>th</sup>) and Fowler Way Parking lot on July 23, 2016. Dr. Sternberg seconded the motion and a vote had the following results:

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

Dr. Falk made a motion to set vending fees for special event weekends at \$25 for non-profits and \$100 for profits per event weekend and establishing vending dates as follows:

Classic Weekend – May 27 – 30, except Doubleday Field parking lot for May 27-28  
Induction Weekend – July 22 – 25, except Doubleday Field parking lot for July 22-23  
Tuesday evenings vending, Memorial Day through Labor Day from 5-10 p.m. at no fee

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

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

Ms. Tillapaugh made a motion to waive the outdoor dining permit fee for 2016. Dr. Falk seconded the motion and a vote had the following results:

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

**Permits:**

Dr. Falk made a motion to approve the Cooperstown Art Association permit application for 2016 events except for events to be held on the lawn and porch pending a determination of building repairs. Dr. Sternberg seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to approve the permit application for Growing Community for the Harvest Supper to be held on September 25, 2016. Dr. Sternberg seconded the motion and a vote had the following results:

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

Budget workshops were established for February 25 at 3:00 p.m., March 9 at noon and March 17 at 3:00 p.m.

Dr. Falk made a motion to set a public hearing on March 28, 2016 at 7:00 p.m. or as soon thereafter as can be heard to establish a local law providing for real property tax exemption under RPTL 485b. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mayor Katz made a motion to adjourn to executive session at 8:22 p.m. to discuss the work history of particular individuals. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mayor Katz made a motion to return to regular session at 9:03 p.m. Mr. Dean seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to rescind approval for award of the Lake Front Dock Replacement Bid to Green Builders, Inc. in the amount of \$114,364.00. Mayor Katz seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to reject all bids received for the Lake Front Dock Replacement Project and re-bid with a change to the specifications to add a third option for a permanent floating dock. Dr. Sternberg seconded the motion and a vote had the following results:

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

Mayor Katz made a motion to authorize an expenditure not to exceed \$1,500 for the purchase of a new computer for the Village Clerk. Dr. Sternberg seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to adjourn the meeting at 9:10 p.m. Dr. Sternberg seconded the motion and a vote had the following results:

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

The next regular Board of Trustee meeting will be held on Monday, March 28, 2016 at 6:30 p.m.

Respectfully submitted,

Teri L. Barown, RMC,  
Village Clerk, Village of Cooperstown