

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 September 25, 2017 at 6:30 p.m. Members in attendance were Mayor Jeff Katz, Trustees Ellen Tillapaugh, Cynthia Falk, James Dean, Bruce Maxson, Lou Allstadt and Richard Sternberg. Also in attendance were Village Attorney Martin Tillapaugh (arrived 6:43 p.m.), Zoning Enforcement Officer – Jane Gentile, Public Works Superintendent Mitchell Hotaling and Village Administrator – Teri Barown. There were two (2) members of the public present.

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

Mayor Katz stated that the flag pole was taken down due to the Pioneer Street Construction project in that the previously planned location of the sewer line would have disrupted communications lines during the excavation in that area. He stated that the public should contact the Village Office or the Mayor or Trustees for the accurate information.

**Public Comment** – There was no public comment.

**Minutes:** Ms. Tillapaugh made a motion to accept the minutes of the August 28, 2017 meeting with corrections as submitted. Dr. Falk seconded the motion and a vote had the following results:

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

**Zoning Official Report** – A copy of the Zoning Official Report was provided in the Trustee packets.

Discussion was held regarding the new exhaust fan in place at New York Pizzeria, a previously existing non-conforming use, and a noise complaint received regarding the fan.

Mayor Katz asked Ms. Gentile if we could look into revising our noise ordinance and making it decibel related. Ms. Gentile stated some laws she has reviewed have certain decibel levels during the day and others at night.

Ms. Gentile stated she has spoken to Mr. Vezza regarding the complaint and he is working on a solution to the problem.

Mayor Katz stated regarding the CVS sidewalk, he is asking that the Planning Board meet as soon as possible to review the CVS site plan regarding the sidewalk installation as this is in their purview.

Dr. Falk made a motion to accept the Zoning Official's Report as presented. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

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

Dr. Sternberg stated that the committee discussed odd/even parking and would like additional input prior to making a recommendation.

He stated the committee recommended two additional 30 mph signs on Brooklyn Avenue.

Dr. Sternberg stated that the committee also recommended marking the diagonal spaces on Main Street adjacent to Pioneer Street on the southeast and southwest corners for compact cars only and also painting boxes in those spaces designating length.

(Mr. Tillapaugh arrived at 6:43 p.m.)

**Fire Committee** – A copy of the September committee minutes was provided in the Trustee packets.

Ms. Tillapaugh noted that a letter has been sent by the Fire Chief to NYS Department of Transportation regarding the accidents that have occurred near BOCCA and Upstate Bar and Grille requesting a reduction in speed limit and no parking on the street in this location.

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

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

**Public Comment** – Bill Rigby, 73 Elm Street, stated that the noise from the exhaust fan at NY Pizzeria is in the range of 75-78 decibels in front of his house and in New York City it can't be over 45 decibels. Mayor Katz stated that this issue was discussed earlier in the Zoning Official Report and Ms. Gentile is working with Mr. Vezza on a solution.

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

Dr. Falk noted that paid parking revenue is at \$403,000, which is approximately \$5,407 above last year's revenue at the same time. She said we could expect another \$27,000 by the end of the season, based on last year's revenue.

She stated that the Pioneer Street Reconstruction project is progressing. She noted that when work occurred in the intersection, the contractors had to remove the flag pole otherwise communications lines would have had to been disrupted and so the sewer line was moved. She stated that plans were already in place for the TEP project to take down and replace the flag pole.

She stated that Mr. Hotaling has obtained figures to purchase a new 50 foot flagpole and Jon McManus has donated his services to engineer the new pole and base used for plantings.

Dr. Falk made a motion to accept the donation of engineering services for the flag pole and base by McManus Engineering. Ms. Tillapaugh 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 purchase a new flag pole in an amount not to exceed \$2,900 to be delivered in no more than 3 weeks. 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 lighting options are being explored.

Dr. Falk stated that we have received the NEPA determination in the TEP project, which allows us to proceed to final design.

Dr. Falk made a motion to authorize Mayor Katz to sign the design approval memorandum to DOT to proceed to final design on the TEP project. Mr. Allstadt seconded the motion and a vote had the following results:

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

Mayor Katz asked Ms. Barown to have the Treasurer contact our bond counsel to discuss BAN options for the TEP project.

Dr. Falk noted that her students are working on the ADA transition plan and would like a public input session. A session is planned for the evening of November 30<sup>th</sup> beginning at 7PM in the fire hall.

Dr. Falk stated that as Ms. Barown has noted that the Grant Disbursement Agreement has been received from Dormitory Authority for the \$100,000 grant for sidewalk installation, she would recommend that this funding could be used for the construction observation contract for the Pioneer Street Reconstruction Project.

Dr. Falk reviewed the five year plan for street improvements with the Trustees. She noted sidewalk replacement on Main Street between Fair and River Streets and stair replacement at Main and River Streets has been removed from the TEP project due to accessibility issues. She stated that the stair replacement is included in the five year plan. She noted with the \$400,000 placed yearly in the budget for street improvement (\$200,000 in reserves and \$200,000 – immediate work) she would hope to get through the improvements without bonding.

Mr. Allstadt made a motion to accept the Street Committee report as presented. Dr. Sternberg seconded the motion and a vote had the following results:

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

**Public Hearing** – Mayor Katz opened the following public hearing at 7:09 p.m. and Ms. Barown read the public hearing notice.

**Proposed Local Law No. 13 of 2017 – to amend Chapter 270-12 Vehicle and Traffic of the Code of the Village to Cooperstown – Parking Prohibited in designated locations, to eliminate parking on the east side of Chestnut Street from the northern side of the parking lot entrance to Bank of Cooperstown and extending north 75 feet from said parking lot entrance.**

As there was no comment from the public, Mayor Katz closed the public hearing at 7:10 p.m.

Ms. Tillapaugh made a motion to adopt Local Law 13 of 2017 - to amend Chapter 270-12 Vehicle and Traffic of the Code of the Village to Cooperstown – Parking Prohibited in designated locations, to eliminate parking on the east side of Chestnut Street from the northern side of the parking lot entrance to Bank of Cooperstown and extending north 75 feet from said parking lot entrance as submitted. Mr. Allstadt 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 September committee minutes was provided in the Trustee packets.

Mr. Allstadt stated that the ordering and outfitting of the ballroom is ongoing.

Mr. Allstadt noted there has been no decision by the Art Association on a ramp vs. lift, there have been some issues with the gutters and drainage regarding materials and we will be deferring on signage until we see how current project costs come in.

Mr. Allstadt stated that the boiler replacement is scheduled for early October.

He said the Library lease was discussed today.

Mayor Katz stated that a generator as recommended by Mr. Dean, maybe a project to look into for a legislative award.

Dr. Falk 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, Allstadt, Sternberg                      Motion carried.

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

**Finance and Personnel Committee:**

**Finance:**

Trustees reviewed the August 2017 RBC Wealth Management Statement and the July 2017 sales tax report.

**Streets:**

Ms. Tillapaugh made a motion to award the bid for the garage truck for the low bid of \$96,611.68 with a transfer of \$50,000 from Street Equipment Reserve, subject to permissive referendum. Dr. Sternberg seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to award the bid for the painting of the rain gardens - \$11,600 for rain gardens from A5110-460 and following discussion for all fire hydrants as listed in the bid at

\$110 per hydrant with funds to be transferred from Water Surplus to F8320-480. Mr. Allstadt 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 authorize going to bid for tree removal, trimming and removal of stumps. Dr. Falk seconded the motion and a vote had the following results:

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

**Buildings:**

Ms. Tillapaugh made a motion to approve the quotation of Redpoint Builders for power washing the east side of the buildings at a cost of \$600. 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 authorize the expenditure of up to \$4450 for carpentry and painting needed on the west entrance of the building with the condition of obtaining two additional quotes. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Painting of the skylights was deferred until next year's budget and additional quotes will be obtained for painting the soffit, fascia and freeze.

Ms. Tillapaugh made a motion to authorize the transfer of \$20,000 from TE2705-952 to A1620-200 for AV/Acoustics/Seating/Curtain Project in the ballroom of 22 Main Street – budget modification. Mr. Allstadt seconded the motion and a vote had the following results:

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

**Trolley:**

Ms. Tillapaugh made a motion to authorize going to bid for the purchase of a new ADA compliant trolley – 80% federal funds – 10% state funds and 10% local Village share. Dr. Falk seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to award the high bids for sale of surplus trolley shelters - \$150 from David Allen for red lot shelter and \$150 from Mike Liner for yellow lot shelter. Dr. Falk seconded the motion and a vote had the following results:

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

**Water:**

Ms. Tillapaugh made a motion to authorize a transfer of \$244,000 from Water Fund Unappropriated Fund Balance to F8320-440 for the Water Department share of the Pioneer Street Reconstruction Project – budget modification. Dr. Sternberg seconded the motion and a vote had the following results:

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

**Sewer:**

Ms. Tillapaugh made a motion to authorize a transfer of \$207,000 from Sewer Fund Unappropriated Fund balance to G8120-440 for the Sewer Department share of the Pioneer Street Reconstruction Project – budget modification. Mr. Maxson seconded the motion and a vote had the following results:

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

**Personnel:**

Ms. Tillapaugh made a motion to approve the following training and conference requests:

- a. Steve Lansing to attend Interview and Interrogation – 11/13&11/14 in Onondoga
- b. Vital Signs Conference – October 25 – 29 – Walter Hogan, Bob Satriano, Andrew Lemister
- c. Cynthia Miller – NYS Retirement Reporting Requirements and Procedures, Oct. 13 – Cobleskill, NY
- d. Chris Satriano & Zach Crippen – Roadway and Roadside Damage – October 4, 2017 - Cooperstown

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

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

Trustees reviewed the overtime report for payrolls #96 and 97 and the hours of leave report for August 2017 and September 2017 through payroll 97.

Ms. Tillapaugh made a motion to approve the abstracts and transfers as listed in the original minutes on file in the Clerk’s Office. Dr. Falk seconded the motion and a vote had the following results:

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

Ms. Tillapaugh made a motion to accept the Finance and Personnel 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.



Ms. Tillapaugh reviewed the caretaker's report and season statistics for Three Mile and Fairy Spring parks.

She noted much discussion occurred regarding this year's lifeguard shortage and will continue at the next meeting. She said she feels we are very competitive with salary and the key is establishing a schedule at the beginning of the season.

Ms. Tillapaugh stated that the board will be working on the matrix of the Comprehensive Plan at future meetings.

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, Allstadt, Sternberg          Motion carried.

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

Mr. Allstadt made a motion to accept the report as submitted. Mr. Maxson 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 7:50 p.m. to discuss the work history of a particular individual. 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 return to regular session at 8:13 p.m. Mr. Maxson 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 probationary appointment of Scott Folts to the position of Streets Superintendent at an annual salary of \$47,000 for a one year probationary appointment from the start date to be determined and contingent upon obtaining a Class A or B CDL within 9 months from the start date. Mr. Maxson seconded the motion and a vote had the following results:

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

**New Business:**

Ms. Tillapaugh made a motion to declare Cooptoberfest as a special event weekend with vending allowed on Saturday, Sunday and Monday of the weekend and waiver of the vending fee. Mr. Allstadt 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 approve the Cupola 5K to be held on October 7 with the route as approved by Chief Covert. Mr. Allstadt 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 at 8:30 p.m. Ms. Tillapaugh 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 Administrator, Village of Cooperstown