

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 November 27, 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 Treasurer Debra Guerin, Village Attorney Martin Tillapaugh, DPW Superintendent Mitch Hotaling, Zoning Enforcement Officer Jane Gentile, and Village Administrator – Teri Barown. There were six (6) members of the public present.

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

Public Comment – Larry Bennett, Brewery Ommegang, stated that he would like to request use of Pioneer Park for a video by the brewery at the Santa house. He stated he has spoken to both Paul Kuhn and the 4C's who are in agreement with the idea presented for the video. He explained that the brewery will be casting a number of men in their 20's – 30's for the video, the men will enter the Santa house and Santa will provide them with a bottle of one of the brewery's selections. He stated that there will be no open alcohol or consumption of alcohol.

Following discussion, Dr. Falk made a motion that the proposal for use of Pioneer Park be approved with the donation of \$500 to the Village for use of the park and be designated for the Parks Reserve account. Ms. Tillapaugh seconded the motion and a vote had the following results:

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

Mayor Katz referred recommending location fees for the various Village parks to Economic Development and Sustainability Committee.

Minutes – Ms. Tillapaugh made a motion to approve the minutes of the October 23, 2017 Trustee 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 Officer's Report was provided in the Trustee packets.

Mrs. Gentile stated that New York Pizzeria continues to work on the exhaust fan issue. Mayor Katz stated that it is time to start exploring a decibel based noise law.

Discussion was held regarding the draft of the transient rental regulations. As the Planning Board had numerous comments and questions regarding the wording, the law was referred back to them for additional work and recommendation to the Trustees in December. Mayor Katz suggested that possibility a special meeting could be called to address the law.

Ms. Tillapaugh made a motion to accept the Zoning Official's Report as presented. Dr. Falk 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 November committee report was provided in the Trustee packets.

Dr. Sternberg noted that Officer Thornhill has resigned from her full-time position. He stated that additionally no parking signs on Route 28 were discussed at the committee.

Fire Committee – A copy of the November committee report was provided in the Trustee packets.

Ms. Tillapaugh made a motion to declare the 1972 Hale portable pump as surplus equipment. 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 Police and Fire 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 Committee – A copy of the November committee report was provided in the Trustee packets.

Dr. Sternberg made a motion to accept the committee report as submitted. Mr. Maxson 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 November committee minutes was provided in the Trustee packets.

Dr. Falk noted two bids were received for a new trolley and will be reviewed by the County for recommendation to the Village. She stated that the low bid of \$143,000 is within the anticipated cost, of which the Village would be responsible for 10%.

Dr. Falk made a motion to send in the renewal application for the Village to continue as a Tree City. Dr. Sternberg seconded the motion and a vote had the following results:

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

Dr. Falk noted that the Pioneer Street project is beginning to wrap up for the season and that the flag pole base will be installed tomorrow.

Dr. Falk reminded the Trustees that the TEP Project presentation meeting will be November 30th at the Fire Hall. An open house will be held from 6-7 pm and a brief presentation followed by questions will begin at 7 pm.

Dr. Falk made a motion to adopt the following resolution for the Right of Way Acquisition Phase of the TEP Project:

**Trustee Resolution No. 4
Village of Cooperstown
TEP Project 9009.32 – ROW Acquisition Phase**

Authorizing the implementation, and funding in the first instance 100% of the Federal-aid and State “Marchiselli” Program-aid eligible costs, of a transportation Federal-aid project, and appropriating funds therefore.

Whereas, a Project for the Cooperstown: Downtown Streetscape and Pedestrian Improvement (TEP), P.I.N. 9009.32 (“the Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

Whereas, the Village of Cooperstown desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering/Design, Right-of-Way Incidentals and Right-of-Way Acquisition work.

Now, therefore, the Village of Cooperstown Board of Trustees, duly convened does hereby

RESOLVE, that the Village of Cooperstown Board of Trustees hereby approved the above-subject project, and it is hereby further

RESOLVED, that the Village of Cooperstown Board of Trustees hereby authorizes the Village of Cooperstown to pay in the first instance 100% of the Federal and non-federal share of the cost of the Right-of-Way Acquisition work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$46,000 is hereby appropriated from Village of Cooperstown Capital Project Account HTP5110-200 and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that the Mayor of the Village of Cooperstown be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Village of Cooperstown with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of the Federal-aid and State-aid eligible Project costs and all Project costs with appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

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

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

Dr. Falk stated that the CGP students will present their findings regarding the transition plan in the ballroom on December 4.

Ms. Tillapaugh made a motion to accept the Streets 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.

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

Mr. Allstadt stated that the ballroom is seeing a lot of use. He said there is still some work to do and some funds left to cover the work.

He stated that the new boiler has been installed and some leaks have occurred, with an estimate for repair to be considered under Finance.

Mayor Katz stated that when work begins on next year's budget, consideration should be given to a generator for the building. Mr. Allstadt stated he has asked Mr. Tisdell to update the study he conducted regarding the generator.

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 Treasurer's Report was provided in the Trustee packets.

Finance and Personnel Committee:

Finance:

Trustees reviewed the October 2017 RBC Wealth Management Statement.

Trustees reviewed the September 2017 sales tax report.

Trustees reviewed the bond interest payment due in December.

Ms. Tillapaugh made a motion to approve payment to G. DeVincentis & Sons Construction – Pioneer Street Reconstruction Project – Pay Application No. 2 – in the total amount of \$252,744.93. 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 pay the invoice submitted by John Ryland for water/sewer line replacement in the amount of \$1315.00 as part of the TEP project. 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 authorize repair of leaks in the heating system pipes as proposed by A. Treffeisen and Son in an amount not to exceed \$9800. Mr. Allstadt seconded the motion and a vote had the following results:

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

Streets:

Ms. Tillapaugh made a motion to declare a plow as surplus equipment. Dr. Sternberg seconded the motion and a vote had the following results:

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

Parks:

Ms. Tillapaugh made a motion to award the bid for replacement of dock no. 1 and two dock gates in the total amount of \$131,925 to Green Builders, Inc., Cherry Valley, NY. Dr. Sternberg 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 conference and training request of Royce Terry and Emrah Latic for attendance at Datamaster School in Oneonta – December 18-20, 2017 as submitted. Dr. Sternberg seconded the motion and a vote had the following results:

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

Trustees reviewed overtime report for payrolls 100 and 101 and hours of leave report for October 2017.

Ms. Tillapaugh made a motion to approve the abstracts and transfers for November 2017 and the abstracts and transfers for fiscal year end 2017 as submitted and on file with the original minutes. Dr. Falk seconded the motion and a vote had the following results:

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

Administrator's Report:

Ms. Tillapaugh made a motion to approve the seasonal appointment of Clayton Truax as a laborer in the Streets Department from November 1, 2017 through January 10, 2018. Dr. Falk seconded the motion and a vote had the following results:

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

Ms. Barown noted that the resignation letter from Jessica Thornhill was included in the Trustee packets. She stated that the County will be giving the Police Officer exam on December 2 and we have one provisional officer taking the exam as well as our two part-time officers.

Ms. Barown noted inclusion of conference reports from Mitch Hotaling and Deb Guerin.

Ms. Tillapaugh made a motion to accept the Finance and Personnel Committee report and the Administrator's Report. Dr. Sternberg seconded the motion and a vote had the following results:

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

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

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

Dr. Falk stated that the committee was approached regarding partnering on the Cabin Film Festival as the Hall of Fame cannot participate this year. It was proposed for the Village to sponsor two or three films at a cost of \$150.00 per film. She felt that showing the films in the ballroom would be a great use of the space. Following discussion, Dr. Falk made a motion to authorize up to \$450.00 for three films in the Cabin Film Festival to be shown in the ballroom. 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 allow port-a-johns in Lake Front Park during winter carnival. Mr. Allstadt seconded the motion and a vote had the following results:

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

Dr. Falk stated that the committee will be looking at proposing a definition for light manufacturing to permit it in the business district combined with retail.

Ms. Tillapaugh 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 – Copies of the October 26 and November 14 Parks Board minutes were provided in the Trustee packets.

Ms. Tillapaugh made a motion to adopt the following salary schedule for the 2018 lifeguard season as recommended by the Parks Board at their October 26 meeting:

- Salary schedule for 2018 season:
 - 15 year old - \$10.50
 - Returning/1-2 yr experience - \$11.25 - \$12.25
 - Supervising Lifeguard - \$13.00

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 reimburse lifeguard recertification costs to lifeguards who provide at least 2200 hours a season in lifeguarding with the Village. Dr. Falk 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 Parks Board reports as presented. Dr. Sternberg seconded the motion and a vote had the following results:

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

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

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

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

New Business:

Mr. Tillapaugh noted that he has filed a brief with the Appellate Division for argument in early January regarding an Article 78 appeal on a tourist accommodation ruling.

Mayor Katz made a motion to adjourn to executive session at 7:30 p.m. for contract negotiations. 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 return to regular session at 7:59 p.m. 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 sign the incentive proposal for the WiFi Hot Spot project contingent upon the Village of Cooperstown's contribution being in an administrative capacity only with no financial commitment from the Village for the project and to ascertain what the administrative duties of the Village would be. 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 the meeting at 8:00 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 Administrator, Village of Cooperstown