**Village of Aurora Board of Trustees Regular Meeting Minutes February 17, 2016**

Meeting held at the Aurora Firehouse Meeting Room at 7:00 pm

**Present:** Mayor Bonnie Bennett, Trustees Grace Bates, Alan Ominsky, and Kit Van Orman

**Absent:** Janet Murphy and Village Treasurer Deborah Brooks

**Others Present:** Village Clerk Ann Balloni, Village Historian Dr. Linda Schwab, Planning Board member Pat Foser, ZBA alternate Laura Holland, Aurora Historical Society members Pat Bianconi, Jim & Kay Burkett, Peggy Dupee, Greg & Ginger Johnson, Linda Kabelac, and Ann Tobey, Town of Ledyard Historian Judy Furness, and local residents Barbara Blom, Michael Coia, Margaret Flowers, and Lili MacCormick

**Call to Order:** Mayor Bennett called the meeting to order at 7:00 pm and all rose for the Pledge of Allegiance

**Approval of Minutes:** On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to approve the January 20, 2016 meeting minutes.

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Changes to the Agenda:**  No changes

**Announcements:** Mayor Bennett announced that an archeological report was received from Wells College declaring that no archeological sensitive areas were noted in the location of the new athletic field.

**Visitor Welcome:** Town of Ledyard resident Margaret Flowers inquired if the Village had received a water quality report from Wells College documenting the percentage of chemicals (including zinc, lead and hydrocarbons) in the run off from the artificial turf of the new athletic field. Per a Memorandum of Understanding between the Town of Ledyard and Wells College, the mayor of the Village of Aurora is to receive a copy of the report to be conducted by an independent source. Mayor Bennet replied that a report has not been received.

Mayor Bennett reminded those present that the discussion of the agreement with the Aurora Historical Society was tabled last month in order to set aside time for public comment regarding the use of Patrick Tavern. Mayor Bennett explained that the Aurora Historical Society received grant funding from the Preservation League of New York State and the New York State Council of Arts for a Specialized Conservation Study of Patrick Tavern. The goal of the grant funding is to bring Patrick Tavern up to code in order to host educational programs. A long term goal is to use the space as a local history museum and to house historic archives.

Two members of the public questioned why the building couldn’t be used for a commercial purpose in order to put the property on the tax rolls or as a partnership with the village to receive economic development funding. Mayor Bennett explained that the village would not get their investment back by selling the property, that the Aurora Historical Society has to fulfill the grant stipulations, that economic development isn’t limited to businesses, but can be museums, fitness trails, etc. and the lot behind Patrick Tavern provides public parking for St. Patrick’s church as well as Dories employees.

**Treasurer’s Report**: On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to accept the January Treasurer’s Report.

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously

**Budget Modifications**

**General Fund:** On motion by Trustee Ominsky, seconded by Trustee Bates, the village board voted to approve the Budget Modifications in the General Fund.

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously

$109.95 From A1990.4 Contingent Account

To A1410.4 Clerk/Treasurer Contractual

$642.93 From A1990.4 Contingent Account

To A5110.4 Street Maintenance - Contractual

**Bills**

**General:** On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to approve the General Fund Abstract #9 for payment.

Voucher #327, 329-337, 341-346, 348, 349, 351-353, 355, and 356

Total: $12,991.12

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Water:** On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to approve the Water Fund Abstract #9 for payment.

Voucher #328, 335, 338, 350, 352, and 354

Total: $3,526.22

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Sewer:** On motion by Trustee Ominsky, seconded by Trustee Bates, the Village Board voted to approve the Sewer Fund Abstract #9 for payment.

Voucher #329, 335, 336, 339, 340, 343, 347, 350, and 352

Total: $3,547.62

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Aurora Historical Society Account:** On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to remove Mayor Bennett as a signatory on the Aurora Historical Society bank account as the society is now an independent 501c3 non-profit and the Village Board no longer oversees the account.

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously

**Committee Reports**

**Code Officer** (see attached): Officer Doyle submitted the annual report with the Department of State and conducted 9 inspections.

**Historian** (see attached): Dr. Schwab worked on an agreement between the Aurora Historical Society and the Village Board of Trustees and researched three queries.

**Buildings and Grounds:** Trustee Ominsky reported that he is working on installation of the village office security camera

**Parks and Recreation:** No report

**Streets and Public Safety:** Trustee Van Orman reported that the streets are plowed and that she attended the joint Community Preservation Panel/Planning Board meeting on the Lafayette St project and that the project was approved.

**Water and Sewer:** Trustee Bates reported that the New York State Department of Transportation designated the repair of the culvert under State Rt 90 in front of 348 Main St as a high priority. Mayor Bennett added that the village had the lowest water usage on record last quarter.

**Old Business**

**Street Specs:**

**Resolution #16-04 To Adopt the Street Specifications Prepared by the Village Engineer**

**WHEREAS:**  the Village of Aurora requires revised specs for village streets; and

**WHEREAS:** the Village of Aurora Board of Trustees unanimously approved an agreement with Village Engineer, Ken Teter, to prepare the updated street specs at their regular meeting on December 17, 2014; and

**WHEREAS:** the street specs prepared by the Village Engineer were approved by the Village Department of Works Superintendent;

**NOW THEREFORE BE IT RESOLVED:** that the Village of Aurora Board of Trustees adopt the street specs prepared by the Village Engineer.

FIRST: Trustee Van Orman

SECOND: Trustee Bates

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Aurora Historical Society Agreement** (see attached)**:** Issues addressed by the village board included:

* Grant funding
* Fundraising
* Future Use of Patrick Tavern
* Code requirements
* Liability
* Education and Cultural exhibits
* Village Attorney Tom Blair’s revisions

Members of the Aurora Historical Society requested a recess in order to discuss amongst themselves the potential revisions to the agreement.

At 8:15 pm the Village Board recessed the meeting and at 8:22 pm Mayor Bennett reconvened the meeting.

Aurora Historical Society (AHS) president, Pat Bianconi, informed the village board that the AHS agrees to take responsibility for annual liability insurance, but would only agree to the agreement being terminated by mutual consent, not solely by the Village Board as Mr. Blair recommended. The Village Board agreed that mutual consent was reasonable.

**Resolution 16-05: to Appoint the Village of Aurora Historical Society Steward of the Village’s Historic Resources and Establish a Budget Line in the Municipal Budget to Assist in Funding Historical Resources Management**

**WHEREAS:** the Village of Aurora Board of Trustees wishes to enter into a contract with the Village of Aurora Historical Society entrusting into its custody and care certain village historic resources commonly defined to include documents, artifacts, objects, buildings and sites for the purposes of maintaining and preserving the same and continuing to manage them at the village’s direction; and

**WHEREAS:** the Village of Aurora Historical Society has adopted a mission indicating a desire to maintain and preserve the historical records, artifacts, and other property that document the history of the village; and

**WHEREAS**: the Village of Aurora Board of Trustees has entered into an agreement dated February 17, 2016, with the Village of Aurora Historical Society and wishes to assist in the maintenance, acquisition, preservation and exhibition of village historical resources; and

**WHEREAS:** the President of the Aurora Historical Society shall present a detailed report of the previous year’s finances and activities of the Aurora Historical Society to the Village Board of Trustees at each January meeting of the Aurora Village Board of Trustees;

**WHEREAS:** The President of the Aurora Historical Society shall present a detailed accounting of prosed activities and anticipated expenses for the upcoming fiscal year at the February meeting of the Aurora Village Board of Trustees each year in order to assist in the budget process, and the necessary planning for the care, protection, maintenance and disposition of the resources; and

**NOWTHEREFORE BE IT RESOLVED THAT:** the Village of Aurora Board of Trustees and the Village of Aurora Historical Society enter into the attached agreement and that the Village of Aurora Board of Trustees establish a budget line in the municipal budget to assist in funding historical resources management as outlined in the Agreement signed February 17, 2016

FIRST: Trustee Ominsky

SECOND: Trustee Van Orman

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Carried unanimously.

**Public Hearing for Local Law #1 of 2016: to Amend Local Law #2 of 2012 Regarding the Appointment of Alternates to Village Boards**

Mayor Bennett called the Public Hearing to order at 8:40 pm, asked for public comment and there was none.

On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to close the Public Hearing at 8:41 pm.

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**VB Resolution #16-06: To Adopt Local Law #1 of 2016 – To amend Local Law #2 of 2012: Regarding the Appointment of Alternate Members to the Municipal Planning Board and Zoning Board of Appeals**

**WHEREAS:** Local Law #2 of 2012 does not include appointing an alternate to the Community Preservation Panel; and

**WHEREAS:** It is sometimes difficult for the Community Preservation Panel to maintain a quorum sufficient to address various issues, including those for which the law may require a super-majority vote, due to illness, extended vacation(s) or conflict(s) of interest on specific matter before said boards; and

**WHEREAS:** In such instances, official business cannot be effectively conducted which may delay or impede adherence to required timelines or cause hardship(s) to applicants or appellants, as the case may be; and

**WHEREAS:** The use of Alternate Members in such instances is hereby deemed advisable and authorized pursuant to the provisions of this Local Law; and

**WHEREAS:** the action is a Type 2 under the State Environmental Quality Review Act (SEQRA) requiring no further environmental review;

**NOW THEREFORE BE IT RESOLVED:** that the Village Board of Trustees adopt Local Law #2 of 2012 to include appointing an alternate to the Community Preservation Panel.

FIRST: Trustee Van Orman

SECOND: Trustee Ominsky

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Carried unanimously

**Public Hearing for Local Law #2 of 2016: To Amend Local Law #4 of 2015 To Govern the Use and Supply of Water**

Mayor Bennett called the Public Hearing to order at 8:42 pm, asked for public comment and there was none.

On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to close the Public Hearing at 8:43 pm.

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Resolution #16-07: to Adopt Local Law #2 of 2016 To Amend Local Law #4 of 2015 Governing the Use and Supply of Water**

**WHEREAS:** The Village of Aurora wishes to adopt a policy for second water meters “outdoor use water meters” to provide water usage for irrigation purposes; and

**WHEREAS:** The policy is an amendment to Local Law #4 of 2015; and

**WHEREAS:** A public hearing is scheduled for February 17, 2016 at approximately 7:00 pm; and

**WHEREAS:** the action is a Type 2 under the State Environmental Quality Review Act (SEQRA) requiring no further environmental review;

**NOW THEREFORE BE IT RESOLVED:** that the Village of Aurora Board of Trustees introduce Local Law #2 of 2016.

FIRST: Trustee Van Orman

SECOND: Trustee Ominsky

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Carried unanimously.

**New Business**

**VB RESOLUTION 16-08 OF 2016 INTRODUCING LOCAL LAW #3 OF 2016 ENTITLED THE WAIVER OF THE MAXIMUM REAL PROPERTY TAX LEVY LIMIT**

**WHEREAS,** the recent enactment of Chapter 97 of the Law of 2011 placed limits on the amount of real property taxes that may be levied by or on behalf of any local government thereby place a “tax levy limit” on municipalities that is found in General Municipal Law § 3-c; and

**WHEREAS**, subdivision 5 of General Municipal Law § 3-c expressly authorized the Village Board of Trustees to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Village Board of Trustees for one fiscal year; and

**WHEREAS,** by adoption of this local law, the Village Board of Trustees hereby reserves the right to override the limit on the amount of real property taxes that may be levied by the Village of Aurora and authorized the Village Board of Trustees to adopt a budget for fiscal year 2016 in excess of the “tax levy limit” as defined by General Municipal Law

§ 3-c; and

**WHEREAS**, this is a Type II action pursuant to 6 NYCRR §617.5(c) (20 & 27) and is otherwise exempt from environmental review pursuant to the New York State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS,** At a regular meeting of the Village Board of Trustees of the Village of Aurora, County of Cayuga, State of New York, held at the Village Hall, 456 Main Street, Aurora, New York, at 7:00 p.m. on February 17, 2016, the following members of the Village Board of Trustees being present:

BONNIE APGAR BENNETT, MAYOR

GRACE BATES

ALAN OMINSKY

KIT VAN ORMAN

The instant Resolution came to be heard and considered:

**NOW THEREFORE, BE IT RESOLVED**, by the Village Board of Trustees of the Village of Aurora as follows:

1. The Village Board of Trustees hereby introduces Proposed Local Law #3 of 2016 in the form annexed hereto for consideration and adoption.

1. The Village Board of Trustees hereby determines that the aforementioned Local Law is a Type II action as defined in 6 NYCRR §617.5(c)(20&27) and accordingly, the Village Board of Trustees expressly determines that this action is not an action that requires review pursuant to the provisions of the New York State Environmental Quality Review Action (“SEQRA”);
2. The Village Board of Trustees has properly noticed a Public Hearing on the Proposed Local Law #3 of 2016 to be held at Village Hall on March 16, 2016 beginning at 7:00 p.m.;

Now upon the Motion of Trustee Van Orman and Seconded by Trustee Ominsky a roll-call vote is tallied by the Village Clerk as follows:

Trustee Bennett AYE

Trustee Bates AYE

Trustee Murphy ABSENT

Trustee Ominsky AYE

Trustee Van Orman AYE

At least 4 of the above named Village Board of Trustee members having voted in the affirmative, this resolution is adopted this 17th day of February, 2016

On motion by Trustee Ominsky, seconded by Trustee Bates, the Village Board voted to schedule a Public Hearing for Local Law #3 of 2016 on March 16, 2016

AYES: AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Cayuga County Planning Board Appointment:** On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to re-appoint Pat Bianconi as the village representative to the Cayuga County Planning Board

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Adjournment:** On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to adjourn the meeting at 8:45 pm.

AYES: Bennett, Bates, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk