

Village of Aurora Board of Trustees April 3, 2019 Public Hearing and Special Meeting Minutes

The meeting was held at the Aurora Firehouse Meeting Room at 5:00 p.m.

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

Others Present

Village Officials: Clerk Ann Balloni, Treasurer Deborah Brooks, Historian Dr. Linda Schwab, Planning Board members Pat Bianconi and Pat Foser and ZBA members Alexis Boyce and Laura Holland

Wells College: President Jonathan Gibraltar, Sustainability Director Marian Brown, John Callahan Esq, Chris Carrick from NYSERDA, Melissa Clark from Abundant Solar, and Brody Smith Esq.

Inns of Aurora: General Manager Sue Edinger

Members of the Public: Marie Dentes, Robin Driskel, Margaret Flowers and Patty Mattingly

Call to Order: Mayor Bennett called the meeting to order at 5:00 p.m. and all rose for the Pledge of Allegiance

Public Hearing for the 2019/2020 Budgets

On motion by Mayor Bennett, seconded by Trustee Van Orman, the Village Board voted to open the Public Hearing for the 2019/2020 Budgets at 5:01 p.m.

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

NAYS: None

Motion carried unanimously.

Mayor Bennett and Ms. Brooks noted that the Village health insurance representatives sent inaccurate figures to Ms. Brooks, as they mistakenly believed that the Village was in the Rochester region when in fact, we are in the Syracuse region. Rochester region rates decreased, but Syracuse rates increased. Ms. Brooks explained that the line item amounts in the Budgets were revised but the total amount of expenditures remains the same as documented in the Tentative Budget.

Public Comment: No Public Comment

On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to close the Public Hearing for the 2019/2020 Budgets at 5:05 p.m.

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

NAYS: None

Motion carried unanimously.

On motion by Trustee Ominsky, seconded by Trustee Bianconi, the Village Board voted to accept the 2019/2020 Budgets, as amended, for adoption.

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

NAYS: None

Motion carried unanimously.

Visitor Recognition: Mayor Bennett noted that President Gibraltar from Wells College and Margaret Flowers submitted written requests, in advance, to speak at this meeting.

President Gibraltar: President Gibraltar read from a letter (attached) requesting that the Village Board reintroduce the proposed solar law and consider allowing for large solar arrays so that Wells College can move forward with their NYSERDA grant and lease agreements with Abundant Solar. President

Gibraltar also strongly emphasized that, despite the rumors and speculation, “Wells College is not closing.”

Dr. Margaret Flowers: Dr. Flowers read a statement (attached) thanking the Village Board for their consideration on the potential consequences of fireworks display on area livestock. However, Dr. Flowers reminded the Trustees to focus on the reality of the effects of fireworks displays, given the local topography, on livestock rather than personal enjoyment of such displays.

Old Business

**VILLAGE OF AURORA RESOLUTION #19-07
INTRODUCING PROPOSED LOCAL LAW #2 OF 2019
AND SCHEDULING A PUBLIC HEARING ON PROPOSED
LOCAL LAW #2 OF 2019**

Introduced by: Trustee Bianconi
Seconded by: Trustee Ominsky
Dated: April 3, 2019

WHEREAS, the Village Board of Trustees of the Village of Aurora finds that it is in the best interests of the Village to adopt a local law imposing a 9-month moratorium on the filing, acceptance and/or, approval of applications for Fireworks Permits in the Village of Aurora, pursuant to New York State Constitution Article IX, Municipal Home Rule Law §§ 10, 20 and 22, the relevant provisions of the Village Law of the State of New York, the law of the Village of Aurora and the general police power vested with the Board of Trustees of the Village of Aurora to promote the health, safety and welfare of the residents and property owners in the Village of Aurora; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Village of Aurora, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the enactment of said Local Law, with the result that the Village Board of Trustees shall act as lead agency in this matter: and

NOW, THEREFORE BE IT RESOLVED, that the Village Board of the Village of Aurora hereby determines that:

1. The action is a Type II action, and is not subject to SEQRA;
2. It is in the best interests of the Village to adopt a local law imposing a 9-month moratorium on the filing, acceptance and/or, approval of Fireworks Permits within the Village of Aurora.

RESOLVED, that the Village Board of the Village of Aurora will conduct a Public Hearing at the Village Municipal Building on April 17, 2019 at 7:00 p.m., or as soon thereafter as the matter can be heard, for the purpose of taking public comment on, and giving due consideration to, the enactment of Proposed Local Law #2 of 2019; and be it further

RESOLVED, that a copy of said Local Law is available at the Village Clerk’s Office for public inspection during regular business hours; and be it further

RESOLVED, the Village Board shall forward a copy of proposed Local Law #2 of 2019 to the Cayuga County Department of Planning and Economic Development for General Municipal Law §239(l) and (m) review and comment, and

BE IT FURTHER RESOLVED, that the Village Clerk be and hereby is authorized and directed to publish notice of said Public Hearing in the official newspaper.

Upon Roll Call Vote:

Mayor Bonnie Apgar Bennett AYE

Trustee Matthew Bianconi AYE

Trustee Kit Van Orman AYE

Trustee Grace Bates AYE

Trustee Alan Ominsky AYE

Vote: 5-0

Mayor Bennett added that the Village Board will continue discussions on the Fireworks Law once the season has ended, probably in October.

New Business

Memorandum of Understanding with the Inns of Aurora (attached): Mayor Bennett noted a few minor changes from Village Attorney Tom Blair and Ms. Edinger noted, in WHEREAS #6, a “Future Option to Purchase Property” from the Inns, by the Village.

Mayor Bennett and Ms. Edinger signed the Memorandum of Understanding.

Local Law #3 of 2019 To Amend its Zoning Law in Order to Allow Conference Centers:

VB RESOLUTION #19-08 TO INTRODUCE LOCAL LAW #3 OF 2019 TO AMEND THE ZONING LAW TO ALLOW CONFERENCE CENTERS

At a special meeting of the Board of Trustees of the Village of Aurora held on the 3rd day of April 2019:

WHEREAS, the Village of Aurora Board of Trustees (“Village Board”) seeks to promote and protect the public health, safety, vitality and welfare by establishing regulations for the use of lands within the Village of Aurora (“Village”),

WHEREAS, it is the intention of the Village Board to maintain a viable land use law in the form of Local Law #2 of 2018 entitled the “Village of Aurora Zoning Law”, (hereinafter, “Zoning Law”), and

WHEREAS, the Village Board of Trustees wishes to amend certain sections of the Zoning Law to better regulate the use of conference centers within the Village, and

WHEREAS, this is a policy making action which is considered to be a Type II Action pursuant to 6 NYCRR §617.5 and is otherwise exempt from environmental review pursuant to the New York State Environmental Quality Review Act (“SEQRA”), and

WHEREAS, at a special 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 5:00 p.m. on April 3, 2019, the following members of the Village Board of Trustees being present:

BONNIE APGAR BENNETT, MAYOR
GRACE BATES
MATT BIANCONI
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 hereby introduces Proposed Local Law #3 of 2019 in the form annexed hereto for consideration and adoption;
2. The Village Board hereby determines that the adoption of the aforementioned Local Law #3 of 2019 is a policy making action which is a Type II action as defined under SEQRA §617.5(c)27 and accordingly, the Village Board expressly determines that this action is not one that requires review pursuant to the provisions of SEQRA,
3. The Village Board shall forward a copy of proposed Local Law #3 of 2019 to the Cayuga County Department of Planning and Economic Development for General Municipal Law §239(l) and (m) review and comment, and
4. The Village Clerk is authorized and directed to cause a copy of proposed Local Law #3 of 2019, in its final form, to be mailed to each of members of the Village Board of Trustees at least ten (10) days exclusive of Sundays before final action shall be taken thereon; and to cause notice of a public hearing on the Proposed Local Law #3 of 2019 to be held at Village Hall on April 17, 2019, beginning at approximately 7:00 p.m.,

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

Mayor Bennett	AYE
Trustee Bates	AYE
Trustee Bianconi	AYE
Trustee Ominsky	AYE
Trustee Van Orman	AYE

At least 3 of the above-named Village Board of Trustee members having voted in the affirmative, this resolution is adopted this 3rd day of April, 2019.

Mayor Bennett questioned Trustees on their thoughts about the request from the Inns of Aurora to change the allowed number of conference attendees from “50” to “100”. The Board agreed that the Law should remain at 50 attendees.

The Village Board tentatively scheduled a work session for adoption of Local Laws #2 and #3 for April 22 at 4:30 if the County 239 review of the laws occurs after the April 17 Village Board meeting.

The Village Board scheduled a work session for April 9, 2019 at 7:00 p.m. to continue discussion on regulating solar arrays.

Brody Smith, an attorney representing Wells College, asked to address the Village Board and Mayor Bennett agreed.

Mr. Smith read a letter (attached) explaining his opposition to the proposed solar law as it is his belief that “the current zoning law allows solar development”. Mr. Smith argues that the zoning law covers public utilities and falls under the Special Use Permit criteria for consideration by the Village Planning Board. Mr. Smith also encourages community solar projects.

Adjournment: On motion by Trustee Van Orman, seconded by Trustee Bianconi, the Village Board voted to adjourn the meeting at 5:50 p.m.

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

NAYS: None

Motion carried unanimously.