

Village of Aurora Board of Trustees February 25, 2019 Minutes

The meeting was held at the Aurora Firehouse Meeting Room at 7:00 p.m.

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

Others Present

Village Officials: Clerk Ann Balloni, Historian Dr. Linda Schwab, Planning Board member Pat Foser, and ZBA member Laura Holland (Absent: Treasurer Deborah Brooks)

Inns of Aurora: General Manager Sue Edinger

Members of the Public: Barbara Blom (7:30), Marie Dentes (7:10) and Robin Driskel (7:10)

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

Changes to the Agenda: Mayor Bennett noted that the Public Hearing for Local Law #1 of 2019 To Regulate Solar Arrays that the Trustees scheduled for tonight at the January 16, 2019 meeting is postponed and Local Law #1 of 2019 will be re-introduced at a later date.

Approval of Minutes

January 9, 2019 Work Session, January 15, 2019 Work Session, January 16, 2019 Regular Meeting, January 28, Work Session and February 5, 2019 Work Session: On motion by Trustee Ominsky, seconded by Trustee Bianconi, the Village Board voted to approve 1/9/19, 1/15/19, 1/16/19, 1/28/19 and 2/5/19 meeting minutes.

AYES: Bennett, Bianconi, Ominsky, and Van Orman

NAYS: None

ABSTAIN: Bates

Motion carried.

Announcements

Clerk: Ms. Balloni noted a letter (attached) from Senator Helming to Governor Cuomo requesting reconsideration of his plan to decrease AIM Funding to villages and towns, and a copy of Village of Cayuga Mayor Sherman's letter (attached) to Governor Cuomo, on behalf of the Cayuga County Association of Villages, also asking for re-instatement of AIM Funding.

An announcement (attached) came from the NY State Comp Alliance that all villages and towns will be receiving a First Aid Kit in commemoration of their 25th anniversary.

The Cayuga County Planning Board 239 Committee determined that the proposed Village Solar Law is of local concern only with no Intra-Municipal impacts (attached).

The Trustees also received a letter (attached) from Trustee Van Orman addressing recusals, conflict of interest and the Village Code of Ethics Policy.

Mayor: Mayor Bennett read a letter (attached) from Village Resident, Jim Wilcox, outlining several concerns with current Village business. Mayor Bennett noted multiple inaccuracies in the letter and questioned the Trustees on how Mr. Wilcox was so misinformed. Trustee Bates admitted to speaking with him but noted that the information in meetings is public and she can have discussions with residents about Village issues. Mayor Bennett acknowledged Free Speech rights but reminded Trustee Bates that if she is unclear about issues, she needs to clarify the facts rather than spread misinformation. (see amendment in April 17, 2019 minutes) Mayor Bennett then addressed Mr. Wilcox's concerns individually and submitted her comments in writing (attached).

Due to continued misunderstanding of the point of the Generic Environmental Impact Study and the effect on the Village, the Trustees discussed how the idea of purchasing property from the Inns of Aurora for the purpose of constructing a Village Hall fits into the GEIS. Mayor Bennett and Inns of Aurora General Manager, Sue Edinger, explained that the Generic Environmental Impact Study that the Inns are initiating will aid the Village with their Comprehensive Plan update by outlining the projects that the Inns are considering. Ms. Edinger noted that the GEIS will take approximately 6-9 months and the resulting planning will be a multi-year process. Part of that planning includes negotiating for land for a new Village Hall. Mayor Bennett and Ms. Edinger reiterated repeatedly that the idea is just an option to negotiate, not an obligation. Ms. Edinger also reiterated that the GEIS negates the need for a State Environmental Quality Review (SEQR) for each proposed project but does not exempt the Inns from review or guarantee approval from the Community Preservation Panel/Planning Board/Zoning Board of Appeals on any individual project. Ms. Edinger also noted that the Inns planners involved with the GEIS are meeting with the Village Board to give a preliminary presentation and, when the date is finalized, notice will be posted.

Visitor Welcome

Pat Foser: Ms. Foser expressed concern regarding the spread of misinformation throughout the village which creates unnecessary controversy. Ms. Foser noted that all village business is discussed in public at Village Board meetings and minutes from those meetings, as well as, pertinent information is available on the Village Website.

Ms. Foser also advocated for applying for grant funding for a new Village Hall and thanked the Inns of Aurora for their generosity of spirit regarding potential land negotiations with the Village for a Village Hall.

Marie Dentes: Ms. Dentes echoed Ms. Foser's comments on the dangers of spreading misinformation and gossip. Ms. Dentes expressed interest in future town hall type meetings, like the Water Information meeting held in November to help curb village gossip.

Barbara Blom: Ms. Blom noted her lack of attention to village gossip as she is often out of town but encouraged the Village Board to continue their work on updating the Comprehensive Plan.

Mayor Bennett thanked everyone for their comments and explained that there will be Village informational meetings in the future when current projects and ideas are past the preliminary stage and there is solid information to report.

Treasurer's Report: On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to accept the December and January Treasurer's Reports.

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

NAYS: None

Motion carried unanimously.

Budget Modifications

General:

\$2,049.50 From: A1990.4 Contingent Account

To: A1420.4 Law - Contractual

On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to accept the Budget Modifications in the General Fund.

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

NAYS: None

Motion carried unanimously.

K. Teter Consulting: Mayor Bennett noted that Village Engineer, Ken Teter, has increased his hourly fee from \$100 to \$110. The rate increase is noted on the invoice included on this month's abstract.

On motion by Mayor Bennett, seconded by Trustee Ominsky, the Village Board voted to approve the \$10 hourly rate increase for K. Teter Consulting and pay the current invoice.

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

NAYS: None

Motion carried unanimously.

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 #319-323, 325-330, 332-338, 343-346, 348-350, 352-355, 357, 358, 360 and 361

Total: \$13,638.91

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

NAYS: None

Motion carried unanimously.

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

Voucher #317, 318, 337-339, 346, 348, 358 and 359

Total: \$3,874.31

AYES: Bennett, Bates, Bianconi, 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 #324-327, 331, 337, 338, 340-342, 346, 351, 356 and 358

Total: \$7,154.20

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

NAYS: None

Motion carried unanimously.

Water Improvement System: On motion by Trustee Ominsky, seconded by Trustee Bianconi, the Village Board voted to approve the Trust and Agency abstract #9 for payment.

Voucher #352

Total: \$385.00

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

NAYS: None

Motion carried unanimously.

Reports

Code Officer (see attached): Officer Doyle reported on recent permit activity.

Historian (see attached): Dr. Schwab reported on the current display at the Historical Center, planning for a display to recognize the Aurora Volunteer Fire Department in honor of their 100-year anniversary, recent queries and grant research.

Old Business

Aurora Historical Society Management Policy: Mayor Bennett noted that the management policy came before the Village Board previously but required minor tweaking and was re-submitted by the Aurora Historical Society. On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to accept the Aurora Historical Management Policy.

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

NAYS: None

Motion carried unanimously.

New Business

Declare the 2008 Dodge Pick-Up Truck as Surplus Equipment:

VB Resolution #19-03: To Declare the 2008 Ford Pickup Truck as Surplus Equipment

WHEREAS: the Superintendent of Public Works requests that the Village Board of Trustees declare the 2008 Ford pickup truck as surplus equipment; and

WHEREAS: the Village of Aurora Board of Trustees authorize the sale of the 2008 Ford pickup truck via sealed bid;

NOW THEREFORE BE IT RESOLVED: that the Board of Trustees declare the 2008 Ford pickup truck surplus equipment and instruct the Village Clerk to notice that the truck is for sale via sealed bid.

First: Mayor Bennett

Second: Trustee Bates

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

NAYS: None

Motion carried unanimously

Introduction to Local Law #2 of 2019:

VB RESOLUTION 19-03 OF 2019

**RESOLUTION INTRODUCING LOCAL LAW #2 OF 2019 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 2019 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 25, 2019, the following members of the Village Board of Trustees being present:

BONNIE APGAR BENNETT, MAYOR
GRACE BATES
MATTHEW 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 of Trustees hereby introduces Proposed Local Law #2 of 2019 in the form annexed hereto for consideration and adoption.
2. 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 Act (“SEQRA”);
3. The Village Board of Trustees has properly noticed a Public Hearing on the Proposed Local Law #2 of 2019 to be held at Village Hall on March 20, 2019 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:

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 25th day of February 2019.

Zoning Board of Appeals Application Form: The ZBA submitted a revised appeal form for the Village Board to review. ZBA Chairperson, Karen Hindenlang, noted in her submission that the current form is lacking in pertinent information necessary for the ZBA to consider for the appeal process.

On motion by Mayor Bennett, seconded by Trustee Bianconi, the Village Board voted to approve the revised Appeal Form and authorized the ZBA to make minor revisions as needed.

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

NAYS: None

Motion carried unanimously.

Proposal to designate “kicking tree” Village Historical Site: Mayor Bennett read a proposal (attached) by Village Resident G. Alan Clugston to erect a marker or plaque designating the site on the Village sidewalk where Wells College students would walk until they came to the tree, kick it, and turn around and return to campus.

The Village Board discussed options such as placing a plaque in the sidewalk or noting the site with a historical marker. Mayor Bennett suggested contacting the Pomeroy Foundation and Dr. Schwab volunteered to pursue and consult with Mr. Clugston.

Mr. Clugston also requested changing “You Imagined It” to “Better than You Imagined It” on the Village of Aurora signs at the north and south ends of the Village. The Village Board decided to consider the proposal when the signs require re-painting/repair.

Water Plant Project: Trustee Bates inquired on the status of the grant application for the Water Plant Project and the Cayuga County Water and Sewer Authority report. Mayor Bennett replied that Village Engineer, Ken Teter, is the point person and will update the Village Board as information is received.

The Village Board briefly discussed two possible options of a plant specific to Aurora or aligning with Cayuga County for a regional plant located in the Village. The Village cannot afford to construct a new plant without significant grant funding and, Mayor Bennett pointed out, Aurora’s needs could improve Cayuga County’s chances for a regional plant and help streamline the cost.

Adjournment: On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to adjourn the meeting at 8:15 p.m.

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

NAYS: None

Motion carried unanimously.