

Village of Aurora Board of Trustees February 24, 2020 Minutes

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

Present: Mayor Bonnie Bennett and Trustees Grace Bates, Matt Bianconi, Janet Murphy, and Kit Van Orman

Others Present: Village Clerk Ann Balloni, Planning Board member Pat Foser, ZBA member Laura Holland, and Village Historian Dr. Linda Schwab

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: No changes

Approval of Minutes

January 9, 2020: On motion by Trustee Van Orman, seconded by Trustee Bates, the Village Board voted to approve the January 9, 2020 work session minutes

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

NAYS: None

Motion carried unanimously.

January 15, 2020: On motion by Trustee Bates, seconded by Trustee Murphy, the Village Board voted to approve the January 15, 2020 regular meeting minutes

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

NAYS: None

Motion carried unanimously.

January 20, 2020: On motion by Trustee Van Orman, seconded by Trustee Bates, the Village Board voted to approve the January 20, 2020 work session minutes

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

NAYS: None

Motion carried unanimously.

Announcements

Mayor: Mayor Bennett reminded the Trustees of the Water Information meeting on March 3, 2020 at 6:00 p.m. and instructed the clerk to notify residents on the water meter email list.

Trustee Murphy: Trustee Murphy discussed with the Board, interest from a local Veterans agricultural group in selling their products in the village. Trustee Murphy suggested Patrick Tavern as a potential site, but The Board encouraged the group to contact Wells College about joining their Farmer's Market on Saturdays, April-October. Trustee Murphy will follow-up with them.

Trustee Bates: Trustee Bates notified the Board of a "Trees for Tribs" program sponsored by the Community Science Institute. Residents along stream beds may receive up to 3 trees to plant along their property to help alleviate run-off.

Visitor Welcome

Laura Holland: Ms. Holland referenced her recording of a November 8, 2006 Planning Board meeting where the Planning Board gave conditional site plan approval to the placement of her neighbor's house. Ms. Holland noted that her neighbor acknowledges in the recording that water run-off from one property to another is "illegal". Ms. Holland reiterated that water run-off from her neighbor's has been flooding her family's property for years and is now backing up on the village sidewalk creating a safety hazard. Ms. Holland submitted a USB copy of the recording for the Village Board.

Pat Foser: Ms. Foser commented on misinformation being spread throughout the village that accuses the Village Board of being anti-solar. Ms. Foser notes that land on Poplar Ridge Road, owned by Wells College, is under consideration for a 20-acre solar array and there is legitimate concern over allowing a large array within the village.

Ms. Foser explained that she consulted Cayuga County Real Property and noted that Wells College has millions of dollars' worth of property, including along Poplar Ridge Road that is tax exempt, though Trustee Van Orman an employee of Wells College questioned her figures. Ms. Foser added that the lack of taxes from Wells College and the decrease in water/sewer funds, due to empty houses and short-term rentals, is having a significant impact on the Village taxpayers.

Ms. Foser went on to address perceived lobbying of Wells College and the Inns of Aurora by Village Board members which, upon consultation with municipal attorneys, per Ms. Foser, opens the Village to an Article 78 lawsuit.

Reports

Code Officer (see attached): Officer Doyle reported on recent permit activity and monitoring of current projects.

Historian (see attached): Dr. Schwab reported on the "Scoundrels & Scamps" display at the History Center, grant preparation for Patrick Tavern, recent queries and Community Preservation Panel training.

Miscellaneous: Mayor Bennett is conferring with DPW Superintendent, Kurt Wilmot and Village Treasurer, Deborah Brooks, on a new flat rate for sewer charges, separate from the water rates.

Trustee Bates reported that she is working with the Cayuga Lake Watershed Intra-Municipal Organization to help recruit more municipalities. Mayor Bennett noted that Owasco Lake groups are very organized, and the IO should be consulting with them, especially given the recent County Water report which hardly acknowledges Cayuga Lake.

Old Business

Ethics Policy: The Village Board discussed revising the current policy, though Mayor Bennett noted that previously the Village Board requested that the Village Attorney be present for this discussion. Trustee Bates distributed an example that the New York State Conference of Mayors (NYCOM) recommends. Trustees Bates, Bianconi, and Van Orman believe the current policy is too strict, given how few people reside in the village. Mayor Bennett and Trustee Murphy countered that the current policy protects the

Board and only once in the past 8 years has a Trustee been asked to recuse themselves. The Board also disagreed on personal financial gain vs perceived impropriety.

New Business

Local Law #2 of 2020:

**VB RESOLUTION 20-04 OF 2020
RESOLUTION INTRODUCING LOCAL LAW #2 OF 2020 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 2020 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 24, 2020, the following members of the Village Board of Trustees being present:

GRACE BATES
MATTHEW BIANCONI
JANET MURPHY
KIT VAN ORMAN
BONNIE APGAR BENNETT, MAYOR

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 2020 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 Action ("SEQRA");

3. The Village Board of Trustees has properly noticed a Public Hearing on the Proposed Local Law #2 of 2020 to be held at the Village Hall on March 17, 2020 beginning at 5:30 p.m.;

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

Mayor Bennett	AYE
Trustee Bates	AYE
Trustee Bianconi	AYE
Trustee Murphy	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 24th day of February 2020.

Treasurer's Report: On motion by Trustee Van Orman, seconded by Trustee Bates, the Village Board voted to accept the January Treasurer's report.

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

NAYS: None

Motion carried unanimously.

Budget Modifications

Water Fund

\$1,870.00 From F9950.91 Water Improvement Reserve

\$1,870.00 To HA 1910.4 Water Improvement Engineering-Capital

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

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

NAYS: None

Motion carried unanimously.

Sewer Fund

\$400.00 From G1990.4 Contingent Account

\$200 To G8130.44 Sewage Treatment-Equipment

\$200 To G9040.8 Worker's Compensation

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

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

NAYS: None

Motion carried unanimously.

Bills

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

Voucher #306-308, 311-314, 316-321, 323-325, 328, 330, 331, 333-335, 338-342, and 344-347

Total: \$13,940.80

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

NAYS: None

Motion carried unanimously.

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

Voucher #309, 310, 322, 324, 325, 335, 337, and 343

Total: \$3,961.16

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

NAYS: None

Motion carried unanimously.

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

Voucher #311-315, 324-327, 329, 331, 332, 335, 336, and 346

Total: \$5,070.97

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

NAYS: None

Motion carried unanimously.

Water Improvement System: On motion by Trustee Murphy, seconded by Trustee Bianconi, the Village Board voted to approve the Sewer Fund Abstract #9 for payment.

Voucher #339

Total: \$1,870.00

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

NAYS: None

Motion carried unanimously.

Adjournment: On motion by Trustee Van Orman, seconded by Trustee Murphy, the Village Board voted to adjourn the meeting at 8:30 p.m.

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

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni
Village Clerk