

Village of Aurora Board of Trustees September 21, 2022, Public Hearing and Regular Meeting Minutes

The meeting was held at the Aurora Firehouse Meeting Room at 5:30 p.m.

Present: Mayor James Orman, Trustees Matt Bianconi, L. John Miller, Janet Murphy, and Frank Zimdahl (video)

Others Present: Village Clerk Ann Balloni, Village Historian Dr. Linda Schwab, and local resident John Wendler

Call to Order: Mayor Orman called the meeting to order at 5:30 p.m. and all rose for the Pledge of Allegiance.

Public Hearing for the Charter Communications Franchise Agreement

On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to open the Public Hearing for the Charter Communications Franchise Agreement at 5:31 p.m.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Public Comment: No Public Comment

On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to close the Public Hearing for the Charter Communications Franchise Agreement at 5:32 p.m.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Public Hearing for Local Law #2 of 2022: Establishing a Local Government Code Enforcement Program

On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to open the Public Hearing for Local Law #2 of 2022 at 5:33 p.m.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Public Comment: John Wendler questioned if the law will change the permit and review process for applications. Ms. Balloni responded that the new law is a minor amendment of the current law, mandated by NY State. The process will not change.

On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to close the Public Hearing for Local Law #2 of 2022 at 5:34 p.m.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Public Hearing for Local Law #3 of 2022: Videoconference Attendance at Village Board Meetings

On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to open the Public Hearing for Local Law #3 of 2022 at 5:35 p.m.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Public Comment: No public comment

On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to close the Public Hearing for Local Law #3 of 2022 at 5:36 p.m.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Regular Meeting

Changes to the Agenda: No changes.

Approval of Minutes

August 17, 2022: On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to approve the August 17, 2022, regular meeting minutes.

AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl

NAYS: None

Motion carried unanimously.

August 22, 2022: On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to approve the August 22, 2022, special meeting minutes.

AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl

NAYS: None

Motion carried unanimously.

Announcements

Mayor: Mayor Orman reported that Jaci Farlow informed him that her recent application review with the Village Planning Board and Community Preservation Panel was the most positive experience that she has had with the process.

Clerk:

- The 2022/2023 fire department lease agreement was sent to the fire commissioners for approval
- Dan Green resigned as the Village Zoning Enforcement Officer but will remain the Village Code Enforcement Officer, for now
- Cayuga Lake Watershed Inter-Municipal Organization sent a letter reminding municipalities that dues will be mailed in January and, per the Fair Funding Formula, 75% is due for 2023.
- Cayuga County Scat Van sent a letter of thanks to the Village for continuing to support their mission

Total: \$11,142.89

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Sewer: On motion by Trustee Murphy, seconded by Trustee Bianconi, the Village Board voted to approve the Sewer Fund Abstract #4 for payment.

Voucher #103-107, 110, 114, 118, 120, 121, 123, and 132

Total: \$5,147.62

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Reports

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

Historian (see attached): Dr. Schwab reported that she is presenting a program on the history of the Aurora Free Library, set up a display at AuroraFest on the float rivalry between Tudy Kenyon and Stan Zabriskie, attended a webinar on "Haudenosauee Agroforestry and Forest Relations", responded to a query on the African-American history of the "Hickey Houses", and is proposing a "Senior Lunch Program" at Patrick Tavern.

Miscellaneous: Ms. Balloni reported that the Cayuga Lake Watershed Inter-Municipal Organization is having their October 26 meeting at Taylor House, courtesy of the Inns of Aurora. The Village Board is invited to attend but it is not open to the public.

Old Business: No Old Business was discussed.

New Business

Local Law #2 of 2022 (Amending Local Law #1 of 2007): Establishing a Local Government Code Enforcement Program

**VILLAGE OF AURORA BOARD OF TRUSTEES
RESOLUTION #22-35 ADOPTING LOCAL LAW #2 OF 2022 ENTITLED
"A LOCAL LAW ESTABLISHING A LOCAL GOVERNMENT CODE ENFORCEMENT PROGRAM"**

Introduced by: Trustee Bianconi

Seconded by: Trustee Miller

Dated: September 21, 2022

WHEREAS, pursuant to New York Executive Law § 381(1) and Energy Law § 11-107, the New York State Department of State is authorized to promulgate regulations establishing minimum standards for administration and enforcement of the Uniform Code and Energy Code; and

WHEREAS, the Department of State has announced that new minimum standards for administration and enforcement of the Uniform Code and the Energy Code have been adopted with an effective date of December 30, 2022; and

WHEREAS, Executive Law § 381(2) requires local governments to administer and enforce the Uniform Code and Energy Code and the Village of Aurora is required to adopt the aforementioned new minimum standards prior to December 30, 2022; and

WHEREAS, consistent with these considerations, the Village Board has considered replacing and superseding in its entirety its previously adopted Local Law #1 2007 entitled “Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code” to incorporate the new statutory requirements set forth in New York Executive Law § 381(1) and Energy Law § 11-107; 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, therefore the Village of Aurora Board of Trustees shall act as lead agency in this matter; and

WHEREAS, the Local Law is not deemed to have any impact on the environment and thus is not subject to SEQRA pursuant to 6 NYCRR 617.2(b); and

WHEREAS, pursuant an Agreement between the Cayuga County Planning Board and the Village of Aurora adopted on June 25, 2014, the adoption or amendment of a zoning ordinance or local law that does not increase the type or number of uses permitted within a particular zoning district or increase the intensity or density of development permitted within a particular zoning district is not subject to review by the Cayuga County Planning Board pursuant to General Municipal Law § 239(l-m):

NOW, THEREFORE BE IT RESOLVED, as follows:

1. The foregoing recitals are hereby incorporate as if set forth herein at length.
2. The Board of Trustees deem that the adoption of the proposed Local Law is not an “action” as defined by SEQRA in that it will not have an effect on the environment, and thus, is not subject to SEQRA.
3. The Board of Trustees held a Public Hearing at the Village of Aurora Municipal Building on September 21, 2022, at approximately 6:00 p.m., or immediately following a scheduled Public Hearing at 5:30 p.m. for the purpose of taking public comment on, and giving due consideration to, the enactment of proposed Local Law #2 of 2022.

BE IT FURTHER RESOLVED, that the Village Board of Trustees of the Village of Aurora hereby adopts Local Law #2 of 2022

Upon Roll Call Vote:

Trustee Matt Bianconi AYE
Trustee John Miller AYE
Trustee Janet Murphy AYE
Trustee Frank Zimdahl AYE
Mayor James Orman AYE
Vote: Carried 5-0

Local Law #3 of 2022: Videoconference Attendance at Village Board Meetings

VILLAGE OF AURORA RESOLUTION #22-36

ADOPTING LOCAL LAW #3 OF 2022: VIDEOCONFERENCE ATTENDANCE AT VILLAGE BOARD MEETINGS

Introduced by: Trustee Miller
Seconded by: Trustee Bianconi
Dated: September 21, 2022

WHEREAS, the Village Board of Trustees of the Village of Aurora (“Village Board”) has determined that it is necessary to enact a local law addressing attendance at board meetings via videoconference; and

WHEREAS, it is occasionally necessary for Trustees of the Village Board to attend board meetings remotely for various reasons including but not limited to inclement weather, illness, or travel plans and the Village Board wishes to enact a local law allowing for Trustees to attend board meetings via videoconference, with limitations; 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, if applicable, in this matter; and

WHEREAS, the Local Law is not deemed to have any impact on the environment and thus is not subject to SEQRA pursuant to 6 NYCRR 617.2(b); and

WHEREAS, pursuant an Agreement between the Cayuga County Planning Board and the Village of Aurora adopted on June 25, 2014, the adoption or amendment of a zoning ordinance or local law that does not increase the type or number of uses permitted within a particular zoning district or increase the intensity or density of development permitted within a particular zoning district is not subject to review by the Cayuga County Planning Board pursuant to General Municipal Law § 239(l-m):

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

1. The foregoing recitals are hereby incorporated as if set forth herein at length.
2. The Village Board hereby adopts Proposed Local Law #3 of 2022 in the form annexed hereto for consideration and adoption.

3. The Board of Trustees deem that the adoption of the proposed Local Law is not an “action” as defined by SEQRA in that it will not have an effect on the environment, and thus, is not subject to SEQRA.

BE IT FURTHER RESOLVED, that the Village Board of the Village of Aurora held a Public Hearing on September 21, 2022 at approximately 6:00 p.m., or immediately following Public Hearings scheduled at 5:30 p.m. for the purpose of taking public comment on, and giving due consideration to, the enactment of Proposed Local Law #3 of 2022; and be it further

BE IT FURTHER RESOLVED, that the Village Board of Trustees of the Village of Aurora hereby adopts Local Law #3 of 2022.

Upon Roll Call Vote:

Trustee Matt Bianconi AYE
Trustee John Miller AYE
Trustee Janet Murphy AYE
Trustee Frank Zimdahl AYE
Mayor James Orman AYE
Vote: Carried 5-0

Charter Communications Franchise Agreement (see attached resolution): On motion by Trustee Murphy, seconded by Trustee Bianconi, the Village Board voted to approve the Charter Communications Franchise Agreement.

AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl

NAYS: None

Motion carried unanimously.

NY Forward Grant Projects: Mayor Orman explained the process of consulting with Cayuga County Department of Planning & Economic Development on project ideas for the grant. Projects included are:

- Public Waterfront Park
- Community Center with Municipal Offices
- Aurora Forward Investment Fund
- Village Park Improvements
- Waterfront Gateway Entrance
- Memorial Playground Improvements
- Historical Walking Tour
- Sidewalk and streetscape Improvements
- Patrick Tavern Improvements

At a public hearing held on September 19, 2022, representatives of the Aurora Free Library requested that an energy upgrade to the library/Morgan Opera House building be considered for funding.

On motion by Trustee Miller, seconded by Trustee Murphy, the Village Board voted to include the energy upgrades to the Aurora Free Library/Morgan Opera House in the NY Forward Grant Application for a total funding request of \$5,000,000.00.

AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl
NAYS: None
Motion carried unanimously.

Adjournment: On motion by Trustee Bianconi, seconded by Trustee Murphy, the Village Board voted to adjourn the meeting at 6:00 p.m.

AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl
NAYS: None
Motion carried unanimously.