

## **Village of Aurora Board of Trustees December 21, 2022 Minutes**

The meeting was held at the Aurora Firehouse Meeting Room at 6:00 p.m.

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

**Others Present:** Grace Bates, Arthur Bellinzoni, Sue Edinger, Jacci & Virgil Farlow, Laura Holland, Tee-Ann Hunter, Ken Larson, Tracy Leffingwell, Rebecca Ruggles, Dr. Linda Schwab, John & Sandy Wendler, and Stan Zabriskie

**Call to Order:** Mayor Orman called the meeting to order at 6:00 p.m. and all rose for the Pledge of Allegiance

**Changes to the Agenda:** Hiring an account clerk is added under New Business and Item "D" on the agenda to consider a land purchase option is moved to the beginning of the meeting.

**Land Purchase Option:** Several members of the public attended the meeting in support of a Village Park at the south end of town. The land is currently owned by Wells College and the Village has Right-of-First-Refusal to the property.

An Ad-Hoc Committee of Grace Bates, Bonnie Bennett, and Tee-Ann Hunter has been working with the Finger Lakes Land Trust to apply for grants to help with the cost of the purchase, and Ms. Bates has offered a significant personal contribution. The Village passed a resolution in July of 2022 in favor of the plan and talks are ongoing with Wells College.

On motion by Zimdahl, seconded by Bianconi, the Village Board voted to make a purchase offer to Wells College, with assistance from the Village Attorney and Finger Lakes Land Trust. The offer is for the ball field and lakefront across Rt. 90. Any such offer must be zero money down and two years contingent upon raising the money by the end of the two years.

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

NAYS: None

Motion carried unanimously.

**Approval of Minutes:** On motion by Trustee Zimdahl, seconded by Trustee Miller, the Village Board voted to approve the November 16, 2022 minutes

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

NAYS: None

Motion carried unanimously.

### **Announcements**

**Mayor:** Mayor Orman thanked Village Historian, Dr. Linda Schwab, for continuing to encourage the viability of Patrick Tavern. Dr. Schwab was instrumental in organizing the Tuesday Farmers Market, Christmas in Aurora vendors, Tuesday luncheons, and the recent art show.

Mayor Orman also thanked everyone who helped organize Christmas in Aurora and noted that the event was appreciated by out-of-town guests, as well as locals.

**Clerk:** King Ferry Food Pantry submitted two thank-you letters (attached), for donations of \$34 and \$74 received from the Patrick Tavern Farmers Market.

One quote was received from Hills Heating & Air Conditioning to replace the furnace in the post office. The Village is waiting on two more quotes. Trustee Miller noted that New York State is moving away from oil and propane and mandating alternative energy sources in the near future. Trustee Miller suggested researching a heat pump for the post office.

**Treasurer's Report:** On motion by Trustee Miller, seconded by Trustee Zimdahl, the Village Board voted to accept the November Treasurer's Report.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

### **Budget Modifications**

#### **General Fund**

\$ 1,051.56	FROM	A1990.4 Contingent Account
	TO	A1940.4 Purchase of Land

Reimbursement of funds for the purchase of the Sherwood Road land from the IOA.

On motion by Trustee Murphy, seconded by Trustee Bianconi, the Village Board voted to accept the Budget Modifications in the General Fund.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

#### **Sewer Fund**

\$ 347.50	FROM	G1990.4 Contingent Account
	TO	G8130.48 Sewage Treatment - Engineer

On motion by Trustee Murphy, seconded by Trustee Bianconi, the Village Board voted to accept the Budget Modifications in the Sewer Fund.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

#### **Bills**

**General:** On motion by Trustee Murphy, seconded by Trustee Bianconi, the Village Board voted to approve the General Fund Abstract #7 for payment.

Voucher #213-216, 219-224, 226, 228-238, 241, 242, and 244-246

Total: \$21,129.64

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None  
Motion carried unanimously.

**Water:** On motion by Trustee Murphy, seconded by Trustee Bianconi, the Village Board voted to approve the Water Fund Abstract #7 for payment.  
Voucher #212, 213, 223-225, 234, 239, 242, and 243  
Total: \$5,261.69  
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 #7 for payment.  
Voucher #213, 217, 218, 222-224, 226, 227, 239, 240, and 242  
Total: \$4,190.28  
AYES: Bianconi, Miller, Murphy, Orman and Zimdahl  
NAYS: None  
Motion carried unanimously.

**Water Improvement System:** On motion by Trustee Murphy, seconded by Trustee Bianconi, the Village Board voted to approve the Water Improvement System Fund Abstract #7 for payment.  
Voucher #239  
Total: \$480.00  
AYES: Bianconi, Miller, Murphy, Orman and Zimdahl  
NAYS: None  
Motion carried unanimously.

### **Reports**

**Code Officer:** No report

**Historian** (see attached): Dr. Schwab reported on Patrick Tavern updates and recent queries.

**Cayuga Lake Watershed Inter-Municipal Organization:** Ms. Balloni reported that the group is finalizing their annual report.

**Old Business:** No Old Business was discussed

### **New Business**

**Village/Inns of Aurora GEIS MOU:** Due to the Inns of Aurora withdrawing the project that triggered the Generic Environmental Impact Statement, an amended Memorandum of Understanding was drafted, discontinuing the GEIS.

## **Second Amended Memorandum of Understanding**

This Second Amended Memorandum of Understanding (“MOU”) by and between the Village of Aurora Board of Trustees (“Village Board”), having offices at 456 Main Street, Aurora, New York 13026, and the Inns of Aurora, LLC, a New York limited liability company with its principal office address at 391 Main Street, Aurora, New York 13026 (“Inns”).

**WHEREAS**, the Inns and the Village of Aurora (“Village”) entered into an original MOU on April 3, 2019, setting forth specific obligations on the Village and the Inns related to the Taylor House Conference Center and the preparation of a Draft Generic Environmental Impact Statement (“GEIS”), a copy of which is attached as Exhibit 1;

**WHEREAS**, after execution of the MOU, a First Amended MOU was executed on September 5, 2019, updated the obligations set forth in the MOU, a copy of which is attached as Exhibit 2;

**WHEREAS**, since the execution of the First Amended MOU, the Inns irrevocably transferred its Right of First Refusal (“ROFR”) rights (together with any option rights that may exist) on Wells College owned/controlled lands generally described as all real property west of NYS Route #90 and identified as the western portion of Tax Map Nos. 193.05-1-1 (170 Main Street), 193.05-1-1.-1 (139 Main Street), 193.05-1-2 (165 Main Street), 193.05-1-6.1 (185 Main Street) by a filing of an Assignment with the Cayuga County Clerk’s office in November 2019;

**WHEREAS**, since the execution of the First Amended MOU, the Inns has irrevocably transfer its ROFR rights (together with any options rights that may exist) on Wells College owned/controlled lands generally described as all lands to the north and adjacent to Poplar Ridge Road identified as Tax Map Nos. 193.09-1-4.1; 193.09-1-3; 193.09-1-4.2; and 193.00-1-5 by a filing of an Assignment with the Cayuga County Clerk’s office in November 2019;

**WHEREAS**, since the execution of the First Amended MOU, the Inns memorialize an Option to Purchase in October 2019 to sell a 2.5 acre portion of the Bush North parcel for \$5,000 for the construction of a new Village Hall;

**WHEREAS**, since the execution of the First Amended MOU, the Inns submitted a preliminary conceptual application for the construction of the administrative and maintenance buildings set forth therein as the basis for the GEIS in October 2019;

**WHEREAS**, since the execution of the First Amended MOU, the Inns submitted a preliminary draft of the DGEIS in January 2021;

**WHEREAS**, since the execution of the First Amended MOU, the Village provided the Inns with comments to the DGEIS, and based upon the input, the Inns prepared and formally submitted a revised DGEIS on April 29, 2022;

**WHEREAS**, the DGEIS contains information that will be useful for the Village as it update and amends its Zoning Code;

**WHEREAS**, since the execution of the First Amended MOU, the Inns has since abandoned any plans for the construction of the administrative and maintenance buildings in the Village, which abandonment is fully documented in the DGEIS dated April 29, 2022;

**WHEREAS**, since the execution of the First Amended MOU, the Inns in fact transferred title to the requested 2.5 acre parcel for \$5,000 in November 2022;

**WHEREAS**, the Inns have formally withdrawn its application submitted in October 2019 for the construction of the administrative and maintenance buildings in the Village; and

**NOW THEREFORE**, the parties hereto agree that:

1. There is no need for the Village to prepare a Final Environmental Impact Statement (“FEIS”) since the October 2019 application for the construction of the administrative and maintenance buildings has been formally withdrawn.
2. Since the parties have fulfilled with all the obligations set forth in the MOU and First Amended MOU, the MOUs are hereby concluded and terminated.

FIRST: Trustee Miller

SECOND: Trustee Zimdahl

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

NAYS: None

Motion carried unanimously.

**Village/Inns of Aurora Spa Water Agreement Amendment:**

(insert when received)

FIRST: Miller

SECOND: Bianconi

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

NAYS: None

Motion carried unanimously.

Mayor Orman noted the significant amount of time, effort, and funding that resulted in the above agreements and thanked the Inns of Aurora for their cooperation.

**Village/CCWSA IMA:** The Village Board discussed the Village Attorney’s revisions to the agreement (attached).

On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to enter into an Inter-Municipal Agreement with Cayuga County Water & Sewer Authority, to solicit funding for upgrades to the Village Wastewater Treatment Plant, in conjunction with a proposed sewer line expansion from Sunset Beach and Lake Road to Honoco Road, with the village attorney’s revisions and the understanding that the Village is under no financial commitment at this time.

FIRST: Murphy

SECOND: Miller

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

NAYS: None

Motion carried unanimously.

**Hiring a Zoning Enforcement Officer:** On motion by Trustee Zimdahl, seconded by Trustee Miller, the Village Board voted to hire Ben Garrett as a temporary Zoning Enforcement Officer for a period of 6 months, with potential 30-day extensions, at a rate of \$35/hour.

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

NAYS: None

Motion carried unanimously.

**Hiring an Account Clerk:** On motion by Trustee Miller, seconded by Trustee Bianconi, the Village Board voted to hire Christine Tanner as a part-time Account Clerk as a backup for the Village Treasurer.

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

NAYS: None

Motion carried unanimously.

**Miller Proclamation:** Trustee Miller submitted a proclamation (attached) recognizing village resident, Jeff Balloni, on his 66<sup>th</sup> birthday. Trustee Miller noted Mr. Balloni's years of commitment to the village as the chef at Blessing of the Boats, is the father of fire chief, JD Balloni, and husband the village clerk Ann Balloni.

On motion by Trustee Miller, seconded by Mayor Orman, the Village Board voted to recognize Jeff Balloni on his birthday, per Trustee Miller's proclamation.

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 6:35 p.m.

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

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni  
Village Clerk