

## **Village of Aurora Board of Trustees February 15, 2023 Public Hearing and Regular Meeting Minutes**

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

**Present:** Mayor James Orman, Trustees Matt Bianconi (video-conference), L. John Miller, Janet Murphy (left the meeting at 6:45 p.m.), and Frank Zimdahl

### **Others Present**

**Village Officials:** Clerk Ann Balloni, Historian Dr. Linda Schwab, and Engineer Ken Teter

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

Mayor Orman asked for a moment of silence for Aurora resident, Doris Brooks.

### **Public Hearing for Local Law #2 of 2023: Property Tax Exemption for Volunteer Firefighters & Ambulance Workers**

On motion by Trustee Murphy, seconded by Trustee Zimdahl, the Village Board voted to open the Public Hearing for Local Law #2 of 2023 at 6:07 p.m.

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

NAYS: None

Motion carried unanimously.

**Public Comment:** No public comment

Mayor Orman requested that the Public Hearing be kept open until the vote under New Business.

On motion by Trustee Miller, seconded by Trustee Zimdahl, the Village Board voted to close the Public Hearing for Local Law #2 of 2023 at 6:42 p.m.

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

NAYS: None

Motion carried unanimously.

**Changes to the Agenda:** No changes.

**Approval of Minutes:** On motion by Trustee Zimdahl, seconded by Trustee Bianconi, the Village Board voted to approve the January 18, 2023 minutes

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

NAYS: None

Motion carried unanimously.

### **Announcements**

**Mayor:** Mayor Orman noted that he is meeting with Senator Rachel May and the CCWSA on February 23, 2023 to discuss the Honoco Road sewer project.

### **Clerk:**

- Currently, there are four Planning Board members and one ZBA member signed up for the NY Planning Federation conference

- Mr. Teter is increasing his hourly rate from \$110.00 to \$120.00.
- NYCOM continues to maintain their annual dues at \$727.00. There has not been an increase in thirteen years.
- Tee-Ann Hunter is working with the Central New York Regional Planning & Development Board to further the Village Climate Smart Community Pledge. Students from Syracuse University will visit the Village to do a Green House Gas (GHG) inventory and present their findings to the Village Board sometime in late April or early May.

**Treasurer’s Report:** No report.

**Budget Modifications**

**Sewer Fund**

\$ 383.00	FROM G1990.4 Contingent Account
	TO G8130.45 Sewage Treatment – Chemicals
\$ 1,371.92	FROM G1990.4 Contingent Account
	TO G8130.48 Sewage Treatment - Engineer

On motion by Trustee Murphy, seconded by Trustee Miller, 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**

Ms. Balloni noted that voucher #296 is added to the General Fund Abstract increasing the payment total to \$18,046.35.

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

Voucher #273, 275-280, and 282-296

Total: \$18,046.35

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

**Water:** On motion by Trustee Murphy, seconded by Trustee Zimdahl, the Village Board voted to approve the Water Fund Abstract #9 for payment.

Voucher #277, 278, 280, 281, and 286

Total: \$1,903.09

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

**Sewer:** On motion by Trustee Murphy, seconded by Trustee Zimdahl, the Village Board voted to approve the Sewer Fund Abstract #9 for payment.

Voucher #274, 277, 280, 286, and 289

Total: \$6,731.15

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

### **Reports**

**Historian** (see attached): Dr. Schwab reported that she filed the annual report with NY State (attached) and continues responding to queries, working with committees, and planning events.

**Cayuga Lake Watershed IO:** Ms. Balloni reported that the annual report is complete and there is a copy on file at the Village Office. Membership dues of \$472.00 for 2023 are due by June 30.

### **Old Business**

**Wastewater Treatment Plant/Honoco Road Project:** Mayor Orman introduced Village Engineer, Ken Teter, to discuss updates on the Cayuga County Water & Sewer Authority (CCWSA) plan to extend sewer service from the village to Lake Road, Sunset Beach, and Honoco Road.

Mr. Teter informed the Village Board that the CCWSA is considering extending the sewer line to the Tompkins County border. The initial proposal indicated an increase of approximately 30,000 gallons/day at the Village Wastewater Treatment Plant (WWTP), but the new extension would double the amount to an estimated 60,000 gallons/day.

The Village Board signed an Inter-Municipal Agreement with the CCWSA to apply for grant funding for the project which includes upgrades to the WWTP, based on a study by the MRB Group Engineering firm, hired by the CCWSA. A new updated study by MRB is underway and will be available shortly. Given the new extension planned, and the need for a Preliminary Engineering Report (PER) for any submission to the funding agencies, Mr. Teter recommends that the Village hire Barton & Loguidice Engineering Firm to determine the WWTP upgrades based on the estimated 60,000/day increase. Barton & Loguidice, along with Mr. Teter, provided the 2018 Preliminary Engineering Report for the Village Water Project which resulted in a 3-million-dollar WIIA grant for the Village.

Mr. Teter noted that a decision to hire Barton & Loguidice, at a cost of \$35,000.00 is needed at the March 15, 2023 Village Board meeting due to upcoming grant submission deadlines. Based on the signed IMA, the CCWSA will reimburse the Village for 50% of the upfront costs for reports, applications etc.

The Village Board discussed the merits of improving Cayuga Lake quality and indicated interest in moving forward with the project.

### **New Business**

**Post Office Boiler Bids:** Tabled

**Introduction to Local Law #3 of 2023: Waiver of the Tax Levy Limit**

**VB RESOLUTION 23-03 OF 2023  
RESOLUTION INTRODUCING LOCAL LAW #3 OF 2023 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 2023/2024 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 Aurora Firehouse meeting room, 456 Main Street, at 6:00 p.m. on February 15, 2023, the following members of the Village Board of Trustees being present:

JIM ORMAN, MAYOR  
MATTHEW BIANCONI  
L. JOHN MILLER  
JANET MURPHY  
FRANK ZIMDAHL

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 #3 of 2023 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 #3 of 2023 to be held on March 15, 2023 beginning at 6:00 p.m.;

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

Mayor Orman	AYE
Trustee Bianconi	AYE
Trustee Miller	AYE
Trustee Murphy	AYE
Trustee Zimdahl	AYE

At least 3 of the above-named Village Board of Trustee members having voted in the affirmative, this resolution is adopted this 15th day of February 2023.

**Adoption of Local Law #2 of 2023: Property Tax Exemption for Volunteer Firefighters and Ambulance Workers**

**VILLAGE OF AURORA BOARD OF TRUSTEES  
RESOLUTION ENACTING LOCAL LAW #2 OF 2023 ENTITLED  
“A LOCAL LAW ENACTING A PROPERTY TAX EXEMPTION FOR VOLUNTEER FIREFIGHTERS AND  
AMBULANCE WORKERS PURSUANT TO SECTION 466-a OF THE REAL PROPERTY TAX LAW”**

Introduced by: Trustee Miller  
Seconded by: Trustee Bianconi  
Dated: February 15, 2023

**WHEREAS**, pursuant to New York State legislation enacted in late 2022, local governments are now permitted to provide a real property tax exemption to volunteer firefighters and/or volunteer ambulance workers on the assessed valuation of their primary residence pursuant to Section 466-a of the New York State Real Property Tax Law; and

**WHEREAS**, the Board of Trustees of the Village of Aurora has caused there to be prepared Local Law #2 of 2023 entitled “A Local Law Enacting a Property Tax Exemption for Volunteer Firefighters and Ambulance Workers Pursuant to Section 466-a of the Real Property Tax Law” to establish such exemptions and to set forth the requirements for eligibility for the same; and

**WHEREAS**, the within action is not an “action” reasonably anticipated to “affect the environment” pursuant to 6 NYCRR §617.2(b)(3) of SEQR, and thus is exempt from environmental review thereunder; 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):

**WHEREAS**, the Village Clerk caused a notice of the public hearing in this matter to be published at least five (5) days before such public hearing in accordance with Municipal Home Rule Law § 20; and

**WHEREAS**, a properly noticed and convened public hearing was held by the Board of Trustees on February 15, 2023, commencing at 6:00 pm, and proof of publication of notice was submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard.

**NOW, THEREFORE BE IT RESOLVED**, as follows:

1. The foregoing recitals are hereby incorporated as if set forth herein at length.
2. The Board of Trustees hereby determines and affirms that Local Law #2 of 2023 will not have a significant adverse impact on the environment such that the issuance of a negative declaration is appropriate and justified.
1. The Board of Trustees finds and determines that it has properly noticed and held a public hearing on the proposed Local Law #2 of 2023 on February 15, 2023, and that sufficient consideration has been given to all comments and written submissions, if any, received during the public hearing stage.
2. Proposed Local Law #2 of 2023, in its final form, has been in the possession of the members of the Board of Trustees in the manner and duration required by Section 20 of the Municipal Home Rule Law of the State of New York prior to adoption.
3. Proposed Local Law #2 of 2023, set forth in its entirety as attached hereto, as so designated above **is hereby enacted**, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.
4. The Village Clerk is hereby authorized and directed to file a copy of said Local Law #2 of 2023 with the Secretary of State.

Upon Roll Call Vote:

Trustee Matt Bianconi AYE  
Trustee John Miller AYE  
Trustee Janet Murphy ABSENT  
Trustee Frank Zimdahl ABSTAIN  
Mayor James Orman AYE

At least 3 of the above-named Village Board of Trustee members having voted in the affirmative, this resolution is adopted this 15th day of February 2023.

**Aurora Historical Society Sign for Patrick Tavern:** AHS member, Ken Larson, brought the proposed sign for the Board to review (picture attached). The sign was originally at St. Paul's Episcopal Church.

On motion by Trustee Zimdahl, seconded by Trustee Miller, the Village Board voted to approve the Aurora Historical Society sign for placement on the west side of Patrick Tavern, and instructed the AHS to submit to the Community Preservation Panel for a courtesy review.

AYES: Bianconi, Miller, Orman, and Zimdahl

NAYS: None  
ABSENT: Murphy  
Motion carried.

**Adjournment:** On motion by Trustee Zimdahl, seconded by Trustee Bianconi, the Village Board voted to adjourn the meeting at 7:00 p.m.

AYES: Bianconi, Miller, Orman, and Zimdahl

NAYS: None

ABSENT: Murphy

Motion carried.

Respectfully submitted,

Ann Balloni  
Village Clerk