

Village of Aurora Board of Trustees April 19, 2023 Regular and Organizational Meeting Minutes

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

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

Others Present

Village Officials: Clerk Ann Balloni, ZBA member Laura Holland, and Historian Dr. Linda Schwab

Members of the Public: Grace Bates, Shirley Egan, Alicia Kirk, Ken Larson, Tracy Leffingwell, and Ed & Louise Rossmann

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

Changes to the Agenda: Add date change for the May Village Board meeting under New Business.

Approval of Minutes

March 15, 2023: On motion by Trustee Miller, seconded by Trustee Zimdahl, the Village Board voted to approve the March 15, 2023 regular meeting minutes

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

NAYS: None

Motion carried unanimously.

March 20, 2023: On motion by Trustee Miller, seconded by Trustee Zimdahl, the Village Board voted to approve the March 20, 2023 special meeting minutes

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

NAYS: None

Motion carried unanimously.

March 29, 2023: On motion by Trustee Miller, seconded by Trustee Zimdahl, the Village Board voted to approve the March 29, 2023 special meeting minutes

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

NAYS: None

Motion carried unanimously.

Announcements

Clerk: Ms. Balloni relayed that the new heat pump is installed at the post office at a cost of \$13,024.00.

Treasurer's Report: On motion by Trustee Murphy, seconded by Trustee Zimdahl, the Village Board voted to accept the February Treasurer's Report.

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

NAYS: None

Motion carried unanimously.

Budget Modifications

General Fund

\$142.64 from A1990.4 Contingent Account

To A1620.42 Buildings-water/sewer

On motion by Trustee Murphy, seconded by Trustee Zimdahl, 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.

Bills

General: On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to approve the General Fund Abstract #11 for payment, including additional voucher #363.

Voucher #329-331, 334-339, 341-347, 350-356, 358-360, 362, and 363.

Total: \$18,091.38

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Water: On motion by Trustee Bianconi, seconded by Trustee Murphy, the Village Board voted to approve the Water Fund Abstract #11 for payment.

Voucher #332, 333, 340, 345, 346, 353, 357, 360, and 361

Total: \$7,567.00

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Sewer: On motion by Trustee Bianconi, seconded by Trustee Zimdahl, the Village Board voted to approve the Sewer Fund Abstract #11 for payment.

Voucher #334, 343, 345, 346, 348, 349, 352, 356, 359, and 360

Total: \$6,306.40

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Reports

Ad Hoc – Lakefront Park: Grace Bates informed the Village Board that she is setting up a trust to help fund a village lakeshore park. Ms. Bates requested a meeting with herself, her attorney, the village trustees and the village attorney on how to move forward, given that the village has Right of First Refusal on the lakefront property owned by Wells College. A purchase offer for a 300' parcel of the property has been submitted to Wells by Kevin Fitzgerald/Aurora Rt 90 Group, LLC. Mayor Orman questioned if Wells College, Kevin Fitzgerald and their attorneys should be included in the meeting, but the trustees agreed that the village should discuss first, then meet with Wells College and Aurora Rt 90 Group, LLC.

On motion by Trustee Zimdahl, seconded by Trustee Miller, the Village Board voted to schedule a working meeting with the village attorney, Grace Bates, and Ms. Bates attorney to discuss moving forward on a village lakefront park.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

The trustees thanked Ms. Bates for her generosity.

Historian (see attached): Dr. Schwab reported on queries, research, and the continuing saga of village record storage. In an addendum, Dr. Schwab referenced her work as historian, the MOU between the Village and the Aurora Historical Society, and her appreciation for the working relationships with the Community Preservation Panel and office staff.

Old Business

Summer Swim Program: Trustee Miller discussed conversations with Wells College swim coach, Trish George, regarding potential lifeguards for the summer. Ms. Balloni had correspondence from Ms. George inquiring about a partnership for the program between Wells and the village. Ms. Balloni suggested offering the program director position to Ms. George and the Village Board agreed. Ms. Balloni will schedule a meeting with Ms. George and Carolyn Connors (swim instructor) to work out the details.

New Business

May Village Board Meeting: Ms. Balloni noted that she and Mayor Orman are both out of town for the regular May Village Board meeting and requested moving the date from May 17 to May 24.

On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to change the May Village Board meeting date to May 24, 2023

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Court St re-paving: The trustees discussed traffic calming options and decided to move forward with the speed bumps, but to consider for the future Trustee Zimdahl's idea of a barrier north of Lafayette St upon consultation with the DPW, the fire department, and the Inns of Aurora. Additionally, the trustees would like a 15mph sign posted at the south end of Court St.

On motion by Trustee Zimdahl, seconded by Trustee Bianconi, the Village Board voted to move forward with re-paving Court St, including permanent speed bumps.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Barton & Loguidice Proposal: B&L submitted a proposal of \$5,000.00 for consultation on the preparation of the NYSDEC SPDES permit application. The proposal is part of the process of determining upgrades to the Village Wastewater Treatment Plant (WWTP) based on increased sewage intake from the Cayuga County Water & Sewer (CCWSA) expansion from the south end of the village to King Ferry. Trustee Miller requested assurance that the B&L proposal will not be a "rubber stamp" of the proposal submitted by MRB Group, on behalf of the Cayuga County Water & Sewer Authority.

On motion by Trustee Miller, seconded by Trustee Zimdahl, the Village Board voted to hire Barton & Loguidice for consultation on the NYSDEC SPDES permit application, at a cost of \$5,000.00.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

ARPA Funding: On motion by Trustee Murphy, seconded by Mayor Orman, the Village Board voted to schedule a special meeting on April 27, 2023 at 5:30 p.m. to discuss how to spend the American Recovery Program Act (ARPA) funding.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Executive Session: On motion by Trustee Murphy, seconded by Trustee Zimdahl, the Village Board voted to enter into Executive Session at 7:00 p.m. to discuss the employment history of a particular person.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

No action was taken during Executive Session.

On motion by Trustee Murphy, seconded by Trustee Bianconi, the Village Board voted to adjourn the Executive Session at 7:25 p.m.

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 regular meeting at 7:26 p.m.

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

NAYS: None

Motion carried unanimously.

Annual Organizational Meeting

Call to Order: On motion by Trustee Zimdahl, seconded by Trustee Bianconi, the Village Board voted to open the Annual Organizational Meeting at 7:27 p.m.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Appointments

Deputy Mayor: On motion by Trustee Bianconi, seconded by Trustee Miller, the Village Board voted to approve Janet Murphy as Deputy Mayor.

AYES: Bianconi, Miller, Orman and Zimdahl

NAYS: None

ABSTAIN: Murphy

Motion carried unanimously.

Village Historian & Planning Board Alternate: On motion by Mayor Orman, seconded by Trustee Zimdahl, the Village Board voted to table the appointments of Village Historian and Planning Board Alternate to the May 24, 2023 meeting.

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

VB RESOLUTION NO. 23-07 DESIGNATION OF OFFICIAL NEWSPAPER

BE IT RESOLVED that *The Citizen* is hereby designated to be the official newspaper of the Village of Aurora.

BE IT ALSO RESOLVED that this resolution shall take effect immediately.

Motion moved by Trustee Murphy

Seconded by Trustee Miller

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

NAYS: None

Motion carried unanimously.

VB RESOLUTION NO. 23-08
DATES OF REGULAR and SPECIAL MEETINGS

WHEREAS; the Open Meetings Law requires that the news media and public must have at least 72 hours notice prior to the holding of any regularly scheduled meeting [Public Officers Law 104(1)]. This can be accomplished by notifying the public and the news media of each specified meeting. Alternatively, the board may authorize the clerk to send a single letter to the news media, with a corresponding public posting of a notice indicating the schedule of the regular board meetings, as adopted by the board of trustees at the organizational meeting. This notice to both the news media and the public should state the dates of the meetings, the place of the meetings, and the times at which the meetings will be held, and

WHEREAS; no state law prescribes the number of frequency of meetings which must be held by a board of trustees. The board of trustees decides, by resolution adopted at the organizational meeting, when they will meet, and also,

WHEREAS; no state law prescribes the procedure for calling or holding a special meeting of the board of trustees. There is often confusion as to who can call or require a special meeting. With regard to special meetings, the Open Meetings Law requires that notice be given to the news media and to the public as soon as practicable after the calling of the special meeting. See Public Officers Law 104(2), and

WHEREAS; notice requirements to village officials are not stated in stature, but case law has indicated that any notice procedure adopted must be reasonably calculated to ensure that all members of the board of trustees have notice of the meeting. This may be accomplished by having the village clerk contact each member individually, or by having individual trustees contact other trustees by letter, phone, or personally. In adopting such rules, it is wise to remember that in some emergency situations it may be necessary to call a special meeting on quite short notice. Thus, the procedure should be flexible, without any provisions which might delay the meeting. Thus, a mailing is usually not a good method of calling a special meeting, and

BE IT RESOLVED that the Board of Trustees of the Village of Aurora shall meet on the third (3rd) Wednesday of the month at 6:00 PM in the Firehouse Meeting Room. Notification of a change in date, time or place shall be timely.

BE IT ALSO RESOLVED that Special Meetings of the Aurora Board of Trustees of the Village of Aurora may be called by the Mayor or by the Clerk upon request of two members of the Board. If called by the Clerk or the Mayor, the remaining Board Members and the Public shall be given three (3) days notice unless an emergency exists, in which case notice shall be given as early as possible.

BE IT FURTHER RESOLVED, that the Organizational Meeting for 2024 shall be held on the third Wednesday in April (April 17, 2024).

Moved by Trustee Murphy

Seconded by Trustee Miller

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

NAYS: None

Motion carried unanimously.

**VB RESOLUTION NO. 23-09
RULES and PROCEDURES**

BE IT RESOLVED that the meetings of the Board of Trustees of the Village of Aurora shall be governed by Roberts' Rules of Order.

Moved by Trustee Murphy

Seconded by Trustee Miller

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

NAYS: None

Motion carried unanimously.

**VB RESOLUTION NO. 23-10
PROCUREMENT POLICY**

PURCHASING PROCEDURES AND POLICIES AS OF August 19, 2015

All requests for Purchases of goods and services shall be referred to the Clerk. Whenever possible, purchases shall be procured under county/state contracts.

I. COMPETITIVE PROCUREMENTS:

A. A determination shall be made on the basis of estimates as to whether competitive bidding is necessary as follows:

1. Public Works (including Services) over \$35,000.00
2. Purchase Contracts over \$ 20,000.00

II. NON-COMPETITIVE (NON-Bid) PROCUREMENTS:

A. Estimated amount of Purchase Contract	Method*
\$1,000 - \$4,999	2 Verbal Quotations
\$5,000 - \$9,999	2 Written/Fax Quotations
\$10,000 - \$20,000	3 Written/Fax Quotations or Written requests for quotations
B. Estimated amount of Public Works Contracts Method	
\$1,000 - \$9,999	2 Verbal Quotations
\$10,000 - \$19,999	2 Written/Fax Quotations
\$20,000 - \$35,000	3 Written/Fax Quotations or Written requests for quotations

A good faith effort shall be made to obtain the required number of proposals or quotations. If unable to obtain the required number of proposals or quotations, documentation of the attempt made is required.

* Photocopied catalog pages will suffice as quotations.

III. OFFICE PROCEDURES:

A. No Purchase shall be made until:

1. Clerk checks availability of funds.
2. Clerk provides Purchase Order Number, Vouchers and Tax Exemption Certificate.
3. If purchasing by PHONE, give vendor Purchase Order Number assigned by Clerk.
4. If purchasing in PERSON, have Vendor note Purchase Order Number on sales receipt. Check sales receipt before signing to be sure items being charged are what is received.
5. Forward delivery receipts and/or invoice to the Clerk.

B. Awards to other than the lowest priced Vendors:

Whenever any contract is awarded to other than the lowest responsible dollar offered, reasons shall be documented. The documentation will include an explanation of how the award will achieve savings or how the offered is not responsible. A determination that the offered is not responsible shall be made by the purchaser and may not be challenged under any circumstances.

All problems with vendors or service matters must be reported to the Clerk/Treasurer for reference in future procurement activities.

BE IT RESOLVED that the Board of Trustees continue the Procurement Policy which was adopted on August 19, 2015.

Motion Moved by Trustee Murphy

Seconded by Trustee Miller

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

NAYS: None

Motion carried unanimously.

**VB RESOLUTION NO. 23-11
ADVANCED APPROVAL OF CLAIMS**

WHEREAS the Board of Trustees has determined to authorize payment in advance of audit of claims for public utility services, postage, freight and express charges, and credit card claims so as not to incur penalty fees, and

WHEREAS, all such claims shall be presented at the next regular meeting for audit, and

WHEREAS, the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

NOW, THEREFORE BE IT RESOLVED:

Section 1: that the Board of Trustees authorizes payment in advance of audit or claims for public utility services, postage, freight and express charges and all such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board of Trustees.

Section 2: that this resolution shall take effect immediately.

Motion made by Trustee Murphy
Seconded by Trustee Miller
AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl
NAYS: None
Motion carried unanimously.

**VB RESOLUTION 23-12
MILEAGE ALLOWANCE**

WHEREAS, the Board of Trustees has determined to pay a fixed rate for mileage as reimbursement to officers and employees of the Village who use their personal automobiles while performing their official duties on behalf of the Village;

NOW THEREFORE BE IT RESOLVED,

Section 1. that the Board of Trustees shall approve reimbursement to such officers and employees at the current IRS rate per mile.

Section 2. That this resolution shall take effect immediately.

Motion made by Trustee Murphy
Seconded by Trustee Miller
AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl
NAYS: None
Motion carried unanimously.

**VB RESOLUTION NO. 23-13
ATTENDANCE AT SCHOOLS AND CONFERENCES**

WHEREAS, there is to be held during the coming official year a) the New York State Conference of Mayors Annual Meeting and Training School, b) The New York Conference of Mayors and Fall Training School for fiscal officers and municipal clerks; c) County Association Meetings; d) Annual Meetings; e) Training Schools, and f) etc.

WHEREAS, it is determined by the Board of Trustees that attendance by certain municipal officials and employees at one or more of these meetings, conferences or schools, benefits the municipality.

NOW THEREFORE BE IT RESOLVED:

Section 1. That the following officers and employees are hereby authorized to attend the following schools: the mayor, trustees, clerk/tax collector, treasurer, WWTP operators, members of the Zoning Board of Appeals, Planning Board and Community Preservation Panel, Village Attorney and Code/Zoning Officers/Inspectors.

Section 2. That this Resolution shall take place immediately.

Motion made by Trustee Murphy
Seconded by Trustee Miller
AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl
NAYS: None

Motion carried unanimously.

**VB RESOLUTION NO. 23-14
DESIGNATION OF DEPOSITORIES**

WHEREAS, the Board of Trustees have determined that Village Law 4-412 (3) 2 required the designation of banks or treasuries for the deposit of all village monies:

NOW THEREFORE BE IT RESOLVED:

Section 1. That the Board of Trustees does hereby designate the following institutions as depositories of all monies received by the Village Treasurer, Clerk and Receiver of Taxes.

Names of institutions: **CAYUGA LAKE NATIONAL BANK
TOMPKINS TRUST COMPANY**

Section 2. That this resolution shall take effect immediately.

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

**VB RESOLUTION NO. 23-15
BENEFITS PACKAGE**

HOLIDAYS

- * New Years Day
- * Martin Luther King, Jr Day
- * Presidents Day
- * Memorial Day
- * Independence Day
- * Labor Day
- * Columbus Day
- * Veterans Day
- * Thanksgiving Day and Friday
- * Christmas Day

When News Year Day, Independence Day and Christmas Day fall on Sunday, employees shall have Monday off. When they fall on Saturday, they shall have Friday off.

When Christmas falls on a Tuesday, Wednesday, Thursday or Friday, employees shall have one-half (1/2) day on December 24th.

VACATIONS - NON-CUMULATIVE:

Ten (10) days after first year of employment
Fifteen (15) days after five (5) years of employment

Twenty (20) days after ten (10) years of employment

Vacation dates to be set in consultation with supervisor.

PERSONAL TIME - NON-CUMULATIVE:

Two (2) days in each of first five (5) years

Three (3) days in each year thereafter

SICK TIME – NON-CUMULATIVE

One day per month worked, cumulative to a total of sixty (60) working days.

*Non-cumulative - Not reimbursable if not used.

HEALTH INSURANCE (1/16/94):

1. Active Employees:

a. Full-time: village will pay full cost of individual or family policy, as provided through Excellus of Central New York.

b. Part-time: part-time employees are eligible for coverage but must pay the premium through payroll deduction.

2. Retirees:

Full-time employees who have served the village faithfully and conscientiously for at least 20 years and choose retirement at age 62 shall have coverage continued until age 65 at which time the retiree shall be provided with individual medicare supplementary coverage.

RETIREMENT:

Coverage under the New York State and Employees Retirement System Tier III, Tier IV, Tier V, and Tier VI. Coverage paid – 97% by the Village and 3% by the employee.

SOCIAL SECURITY:

Employer pays 7.65% of income earned by employee into system. Employee has a like amount deducted from earnings.

WORKERS' COMPENSATION:

Coverage paid in full by employer for injury or illness of employee that occurs while at work.

NEW YORK DISABILITY INSURANCE:

Coverage paid in full by employee for injury or illness of employee that occurs while not at work.

Motion by Trustee Murphy

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

**VB RESOLUTION NO. 23-16
WORKPLACE VIOLENCE PREVENTION POLICY &
INCIDENT REPORTING**

BE IT RESOLVED that the Board of Trustees continue the Workplace Violence Prevention Policy which was adopted on June 16, 2010.

Motion Moved by Trustee Zimdahl
Seconded by Trustee Murphy
AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl
NAYS: None
Motion carried unanimously.

**VB RESOLUTION NO. 23-17
DISCRIMINATION AND HARASSMENT POLICY**

BE IT RESOLVED that the Board of Trustees continue the Sexual Harassment Policy which was adopted on November 14, 2018 and revised July 15, 2020.

Motion Moved by Trustee Zimdahl
Seconded by Trustee Murphy
AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl
NAYS: None
Motion carried unanimously.

**VB RESOLUTION NO. 23-18
AMERICANS WITH DISABILITIES ACT (ADA) EMPLOYMENT POLICY**

BE IT RESOLVED that the Board of Trustees continue the American with Disabilities Employment Policy which was adopted on October 18, 2000.

Motion Moved by Trustee Zimdahl
Seconded by Trustee Murphy
AYES: Bianconi, Miller, Murphy, Orman, and Zimdahl
NAYS: None
Motion carried unanimously.

**VB RESOLUTION NO. 23-19
RIGHT TO KNOW POLICY**

WHEREAS New York State mandated local municipalities inform employees of the New York State Right to Know Policy regarding health effects and hazards of toxic substances and,

WHEREAS the Village of Aurora has continuously and conspicuously posted the New York State Right to Know Policy on Village properties,

BE IT RESOLVED that the Board of Trustees adopt the New York State Right to Know Policy.

Motion Moved by Trustee Zimdahl

Seconded by Trustee Murphy

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

NAYS: None

Motion carried unanimously.

**VB RESOLUTION NO. 23-20
AUTHORIZING ADOPTION OF STANDARD WORKDAY AND REPORTING RESOLUTION**

WHEREAS the Village of Aurora is mandated by New York State to adopt a Standard Workday and Reporting Resolution; and

WHEREAS the Village of Aurora Board of Trustees considered Resolution #23-21 at their April 19, 2023 Organizational Meeting; and

NOW THEREFORE BE IT RESOLVED that the Village of Aurora, Location code 40420, hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body and post Resolution #23-21 on the Village of Aurora office website for 30 days.

Motion Moved by Trustee Zimdahl

Seconded by Trustee Murphy

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

NAYS: None

Motion carried unanimously.

**VB RESOLUTION #23-21
JURY DUTY POLICY**

BE IT RESOLVED that the Board of Trustees follow the Jury Duty Policy which was adopted on March 15, 2017.

Motion Moved by Trustee Zimdahl

Seconded by Trustee Murphy

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

NAYS: None

Motion carried unanimously.

Adjournment: On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to adjourn the Annual Organizational meeting at 7:30 p.m.

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

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk