

Village of Aurora Board of Trustees February 21, 2024, 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, L. John Miller, Janet Murphy, and Frank Zimdahl (via Zoom)

Others Present: See attached list

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

Village Zoning Law State Environmental Quality Review (SEQR): Cayuga County Planning consultant, Kari Terwilliger, explained the SEQR process, and read the SEQR resolution (attached). Trustee Miller confirmed that issuing a “neg dec” means no detrimental impacts to the environment. Village Attorney, Tom Blair, verified that the trustee’s agreed with the completion of the part 2 FEAF and issuing a negative declaration.

On motion by Trustee Zimdahl, seconded by Trustee Murphy, the Village Board voted to approve the SEQR Resolution, issuing a negative declaration.

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

NAYS: None

Motion carried unanimously.

Public Hearing for Village of Aurora Zoning Law

Mayor Orman explained the procedure for public comment: stating name and address, 3-minute time limit, comments limited to the public hearing topic of the Village Zoning Law.

Mr. Blair explained the options that the trustees have following the public comment session: leaving the public hearing open and adjourning it to another meeting, closing and deferring decision to a subsequent meeting, or closing and voting.

On motion by Trustee Miller, seconded by Trustee Bianconi, the Village Board voted to open the public hearing at 6:11 p.m. for the Village Zoning Law.

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

NAYS: None

Motion carried unanimously.

Mayor Orman read comments received from Wells College President, Jonathan Gibraltar, (attached) agreeing to the Open Space/Recreation zoning designation for the parcel on the west side of Rt 90 between the Theresa Hickey house and the Wells College President’s house.

Public Comment

Laurie Roberts: Ms. Roberts acknowledged President Gibraltar’s letter and revised her comments per the new information. Ms. Roberts questioned why the zoning map posted on the Village website on February 7 was completely different from the maps proposed at the January 24 information meeting.

Bill Roberts: Mr. Roberts requested a tabling of the vote to adopt the zoning law and expressed alarm that the Wells College parcel across from the campus was changed to a residential district, per the February 7, 2024, revision. Mr. Roberts urged community discussion prior to the Village Board making a decision.

Tee-Ann Hunter: See attached. Ms. Hunter agreed with Mr. Roberts that the vote to adopt the Village Zoning Law should be tabled.

Chris MacCormick: Mr. MacCormick suggested creating a “mini south business district”. Mr. MacCormick noted that the two businesses at the south end of the village are currently “non-conforming uses” and recommended that they simply be designated businesses. Additionally, Mr. MacCormick expressed concern over the suspicions and rumors around the village, consulting with professionals, and inconsistency within the law regarding the Community Preservation Panel designated as the Historic Presentation Panel.

Dr. Linda Schwab: See attached.

Bonnie Bennett: See attached.

Kevin Fitzgerald: Mr. Fitzgerald noted if Wells College properties are sold to private entities, the property is added to the tax rolls. Mr. Fitzgerald suggested that if the Village wants parkland along the lake, then they should purchase it.

Robin Driskel: Ms. Driskel questioned why the Village Zoning Law is “bigger than the City of Ithaca” and how it will be enforced. Ms. Driskel surmised that village tax increases are due to the village lawyer’s input on the Village Zoning Law.

Pat Foser: Ms. Foser asked for clarification on who owns the land between the Theresa Hickey house and Wells College boat house and the land from the Wells College president’s house to Paine’s creek. Ms. Foser added that the land should be historic properties.

Virgil Farlow: Mr. Farlow questioned the list of historic properties on Main Street and noted inaccuracies.

Frank Losurdo: Mr. Losurdo emphasized Wells College doing what is needed for their property and if selling off the green space benefits them then that is what they should do.

Ms. Terwilliger noted that she would make corrections to the FEAF and Mr. Blair noted that the corrections do not require the trustees to rescind the SEQR resolution vote, but they can if they believe changes are necessary. Mr. Blair added that he was not part of the zoning committee and did not draft the law, but he did review it. Additionally, Mr. Blair confirmed with the clerk that all letters received will be included in the record.

On motion by Trustee Murphy, seconded by Trustee Zimdahl, the Village Board voted at 6:49 p.m. to adjourn the public hearing for the Village Zoning Law to a special meeting on March 5, 2024, at 6:00 p.m.

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

NAYS: None
Motion carried unanimously.

Mayor Orman called the regular meeting to order at 6:50 p.m.

Changes to the Agenda: No changes.

Approval of Minutes

January 17, 2024 Regular Meeting: On motion by Trustee Miller, seconded by Trustee Murphy, the Village Board voted to approve the January 17, 2024 regular meeting minutes.

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

NAYS: None

Motion carried unanimously.

January 31, 2024 Special Meeting: On motion by Trustee Miller, seconded by Trustee Murphy, the Village Board voted to approve the January 31, 2024 special meeting minutes.

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

NAYS: None

Motion carried unanimously.

Announcements

Mayor: Mayor Orman formally announced the awarding of the \$10 million-dollar DRI grant for Aurora, Union Springs, and Cayuga. Applause, applause. Mayor Orman thanked Kari Terwilliger and Evan Tuthill from Cayuga County Planning for all their hard work.

Visitor Welcome: No comments.

Treasurer's Report: No report

Bills

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

Voucher #281, 283-287, 289-299, 301-305, 307-312, 314, 316, 317, and 319

Total: \$17,193.54

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

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

Voucher #282, 283, 298, 304, 309, 310, 313, and 318

Total: \$5,601.21

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

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

Voucher #284, 286, 288, 296, 298, 300, 304, 306, 310, and 315

Total: \$5,075.75

AYES: Bianconi, Miller, Murphy, Orman and Zimdahl

NAYS: None

Motion carried unanimously.

Reports

Historian (see attached): Dr. Schwab reported on research of Morgan House and Wavebank, recent queries, and committee work.

Old Business

New Boiler Proposals: Proposals were received from E&V Energy and Hills Heating to replace the oil burner with oil/propane. The Trustees are continuing to research grants or other funding to convert to a heat pump.

New Business

Community Preservation Panel (CPP) Landmark Recommendation: The CPP submitted a request (attached) to designate the open space between the Theresa Hickey House and the Wells College Boathouse a scenic landmark. Mayor Orman referred to the proposed Village Zoning Law which establishes the property as Open Space/Recreation and advised addressing the CPP request when the new law is adopted.

Right of First Refusal: Mayor Orman explained that Wells College received a purchase offer for the parcel heading east on the north side of Poplar Ridge Road, exclusive of the farmhouse. Grace Bates noted that the parcel requires subdivision first from the parcel on the west side of Rt 90 that she is purchasing and donating to the Village.

Mr. Blair reminded the Village Board of the deadline and suggested conferring with Wells College and tabling discussion to the March 5 special meeting.

Bates Donation Agreement: Mr. Blair recommended that the Village Board provide feedback to him once the Trustees have carefully reviewed his comments.

Local Law to Waive the Tax Cap Levy Limit:

VB RESOLUTION 24-05 OF 2024

RESOLUTION INTRODUCING LOCAL LAW #2 OF 2024 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 2024/2025 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 21, 2024, 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 #2 of 2024 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 2024 to be held on March 20, 2024 beginning at 6:00 p.m.;

Now upon the Motion of Trustee Miller and Seconded by Trustee Bianconi 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 21st day of February 2024.

Rev Theatre Contract: On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to share the cost of the Summer Youth Performance by the Rev Theatre Company with the Aurora Free Library, each entity paying \$275.

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

NAYS: None

Motion carried unanimously.

Adjournment: On motion by Trustee Miller, seconded by Trustee Murphy, the Village Board voted to adjourn the meeting at 7:20 p.m.

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

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni
Village Clerk