

Village of Aurora Board of Trustees July 24, 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 JD Balloni, Matt Bianconi, John Miller, and Janet Murphy

Others Present

Village Officials: Clerk Ann Balloni, Planning Board Chairperson Pat Bianconi, CPP Chairperson Jim Burkett, ZBA members Karen Hindenlang (Chair) & Laura Holland, Historian Dr. Linda Schwab, and DPW Operator Mike White

AuroraFest: Anastasia Benson

Aurora Historical Society: President Shirley Egan and Treasurer Ken Larson

Cayuga County Planning: Evan Tuthill

Inns of Aurora: Corey Guerrette

Peachtown Elementary: Alyssa Gunderson

Members of the Public: Kay Burkett, Virgil Farlow, Lydie Haenlin, Anne Richards, Bruce Spiegel, and Katie Trojnor-Riley

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

Public Hearing for Local Law #2 of 2024: The Village Zoning Law

On motion by Trustee Murphy, seconded by Trustee Bianconi, the Village Board voted to open the Public Hearing for Local Law #2 of 2024 at 6:02 p.m.

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

NAYS: None

Motion carried unanimously.

Public Comment

Wells Legacy Society – See attached letter

No other comments were received.

SEQR: The Village Board reviewed Part 2 of the Full Environmental Assessment Form (FEAF).

RESOLUTION #2024-27

DETERMINATION OF NO SIGNIFICANT ENVIRONMENTAL IMPACT FROM THE ADOPTION OF LOCAL LAW #_ OF 2024 ADOPTION OF A NEW ZONING LAW FOR THE VILLAGE OF AURORA

WHEREAS, the Board of Trustees of the Village of Aurora (“Village”) is considering adoption of Local Law #_ of 2024 which constitutes a new zoning law for the Village (“the Law”); and

WHEREAS, the Village, in considering adoption of the Law, is required to comply with the requirements of Article 8 of the New York State Environmental Conservation Law, known as the State Environmental Quality Review Act, and regulations at 6 NYCRR Part 617 adopted thereunder (collectively, “SEQRA”); and

WHEREAS, the Board of Trustees by resolution on July 3, 2024 declared its intent to be Lead Agency under SEQRA and began an environmental review; and

WHEREAS, the Village has prepared a Full Environmental Assessment Form (“FEAF”) including Parts 1, 2, and 3, attached hereto and made part of this resolution; and

WHEREAS, the Board of Trustees has reviewed the information provided in the FEAF, in supporting documentation, as well as in the Law itself to identify all relevant areas of environmental concern and to determine if adoption of the Law may have a significant adverse impact on the environment; and NOW THEREFORE, BE IT

RESOLVED, by the Board of Trustees of the Village of Aurora that based on the FEAF and other supporting information, the Village Board of Trustees determines that adoption of the Law will result in no significant adverse impacts on the environment, and accordingly issues a Determination of No Significance, Negative Declaration, as their findings for the environmental review of this action; and

BE IT FURTHER RESOLVED, that the Mayor is authorized and directed to sign and execute any documents necessary to publish, file, and circulate the negative declaration; and

BE IT FURTHER RESOLVED, that the Village Clerk is authorized and directed to send a copy of the negative declaration to the New York State Environmental Notice Bulletin; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

FIRST: Trustee Murphy

SECOND: Trustee Miller

Balloni – AYE

Bianconi – AYE

Miller – AYE

Murphy – AYE

Orman - AYE

Carried unanimously.

Mayor Orman signed Part 3 of the FEAF for filing on the Environmental Notice Bulletin, concluding the SEQR process.

On motion by Trustee Balloni, seconded by Trustee Murphy, the Village Board voted to close the Public Hearing for Local Law #2 of 2024 at 6:05 p.m.

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

NAYS: None

Motion carried unanimously.

Regular Meeting

Changes to the Agenda: Add post office repair and AuroraFest funding request to New Business.

Trustee Murphy requested an executive session following the regular meeting to discuss the “proposed acquisition, sale, or lease of real property”.

Approval of Minutes

June 5, 2024: On motion by Trustee Miller, seconded by Trustee Murphy the Village Board voted to approve the June 5, 2024 special meeting minutes.

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

NAYS: None

Motion carried unanimously.

June 12, 2024: On motion by Trustee Miller, seconded by Trustee Murphy the Village Board voted to approve the June 12, 2024 special meeting minutes.

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

June 19, 2024: On motion by Trustee Miller, seconded by Trustee Murphy the Village Board voted to approve the June 19, 2024 regular meeting minutes.

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

June 26, 2024: On motion by Trustee Miller, seconded by Trustee Murphy the Village Board voted to approve the June 26, 2024 special meeting minutes.

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

July 3, 2024: On motion by Trustee Miller, seconded by Trustee Murphy the Village Board voted to approve the July 3, 2024 special meeting minutes.

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

Announcements

Mayor: Mayor Orman announced that paving on Rt 90 will begin on July 29.

Clerk: The Village received correspondence from the Cayuga County Sheriff's Office (attached), concerned about budget cuts in relation to public safety. The Southern Cayuga School District notified the Village that they are opting out of Real Property Tax Law subsection 487 (attached).

Visitor Welcome

Alyssa Gunderson (Peachtown): Ms. Gunderson thanked Trustee Murphy for the follow-up letter to State officials, clarifying the Village's preference for Peachtown Elementary and the Community Medical Center to remain as is on Wells campus.

Corey Guerrette (Inns of Aurora): Mr. Guerrette questioned the status of the Village taking over the water treatment plant from Wells College. Mayor Orman replied that there is no timeline, he has met with Wells president and trustees along with county and State Department of Health representatives, and the Village and Wells attorneys are negotiating a license agreement.

Bruce Spiegel (522 Main St): Mr. Siegel noted the parking issues and pedestrian safety in the middle of town. Mr. Spiegel suggested researching grant funding for "solar crosswalks".

Treasurer's Report: No report

Budget Modifications

General Fund

\$ 63,477.13 FROM A599 Fund Balance

TO Water Fund

Reports

Ad-Hoc Committee: The committee is looking for direction from the Village Board of Trustees on how to proceed with addressing the future of Wells campus.

Aurora Historical Society: Ms. Egan explained the society's plan to assist the Village with record storage by applying for a \$373,000 grant. A goal of the society is to acquire the Village/Wells historical records stored on Wells campus. The AHS is looking for village support in advocating that Wells College donates the historical collection to the village. A letter and copy of AHS resolutions were distributed to the trustees (attached).

Historian (see attached): Dr. Schwab's report supported the Aurora Historical Society request for the donation of Village/Wells College archives.

The exhibit "Unfinished Work: Class Meets Closure" will close at the end of July, followed by "A Visual History of St Patrick's Church from 1874-the Present."

Old Business

Village Zoning Law: Cayuga County Planning 239 Committee recommended a few changes to the law (attached), mainly corrections regarding storm water regulations.

On motion by Trustee Murphy, seconded by Mayor Orman, the Village Board voted to accept the 239 committee recommended changes to the Village Zoning Law.

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

NAYS: None

Motion carried unanimously.

RESOLUTION #2024-28

ADOPTION OF LOCAL LAW #2 OF 2024 ADOPTION OF A NEW ZONING LAW FOR THE VILLAGE OF AURORA

WHEREAS, the Board of Trustees of the Village of Aurora tasked an Ad-Hoc Committee, with the assistance from Cayuga County Department of Planning & Economic Development, to prepare amendments to the existing zoning law ("Law") which include regulations for new zoning districts, new uses including solar energy systems, revising subdivision regulations, revising confusing or contradictory regulations, and clarifying powers and duties of the various boards and approval processes; and

WHEREAS, on August 30, 2022 the Village of Aurora contracted with the Cayuga County Department of Planning & Economic Development (CCPED) to provide the technical assistance, staffing, and resource commitment to the Village to prepare amendments to the existing Zoning Law; and

WHEREAS, the proposed amendments to the existing Law include extensive formatting and organizational changes which necessitate the repeal of the existing Law and adoption of a new Law as its replacement; and

WHEREAS, the Ad-Hoc Committee held their final meeting on June 26, 2024 and officially recommended that the Board of Trustees adopt said proposed Law; and

WHEREAS, the Village Board of Trustees held a Public Hearing on the proposed Law on July 24, 2024 to consider adoption of the Law as Local Law #2 of 2024, taking into consideration comments received from the public during the Public Hearing; and NOW THEREFORE BE IT

RESOLVED, that the Board of Trustees of the Village of Aurora hereby adopts Local Law #2 of 2024 Adoption of a New Zoning Law for the Village of Aurora; and

BE IT FURTHER RESOLVED, that the Board of Trustees hereby repeals all local laws listed in Section 21.02 - Repealer of the now adopted new Zoning Law; and

BE IT FURTHER RESOLVED, that the Village Clerk is authorized and directed submit a copy of the Law to New York State Department of State for official filing as required; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

FIRST: Trustee Bianconi

SECOND: Trustee Balloni

Balloni – AYE

Bianconi – AYE

Miller – AYE

Murphy – AYE

Orman – AYE

Carried unanimously.

Mayor Orman thanked Cayuga County Planners, Kari Terwilliger and Evan Tuthill, along with the Village Zoning Committee.

Basketball Court: On motion by Trustee Bianconi, seconded by Trustee Murphy, the Village Board voted to accept the bid from Tom Trufant to remove the basketball court located at 323 Main St, store at the WWTP, and install behind the firehouse for a cost of \$9,575.00.

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

NAYS: None

Motion carried unanimously.

New Business

AuroraFest Funding Request: On motion by Trustee Murphy, seconded by Trustee Balloni, the Village Board voted to donate \$1,500.00 to the AuroraFest Committee, for this year's AuroraFest on August 24.

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

NAYS: None

Motion carried unanimously.

Pro-Housing

RESOLUTION No: 24-29

WHEREAS, the Village of Aurora (hereinafter "local government") believes that the lack of housing for New York residents of all ages and income levels negatively impacts the future of New York State's economic growth and community well-being;

WHEREAS, the housing crisis has negative effects at regional and local levels, we believe that every community must do their part to contribute to housing growth and benefit from the positive impacts a healthy housing market brings to communities;

WHEREAS, we believe that supporting housing production of all kinds in our community will bring multiple benefits, including increasing housing access and choices for current and future residents, providing integrated accessible housing options that meet the needs of people with sensory and mobility disabilities, bringing economic opportunities and vitality to our communities, and allowing workers at all levels to improve their quality of life through living closer to their employment opportunities;

WHEREAS, we believe that evidence showing that infill development that reduces sprawl and supports walkable communities has significant environmental and public health benefits; and

WHEREAS, we believe that affirmatively furthering fair housing and reducing segregation is not only required by law, but is essential for keeping our community strong and vibrant;

NOW, THEREFORE, IT IS HEREBY RESOLVED that Village of Aurora, in order to take positive steps to alleviate the housing crisis, adopts the Pro-Housing Communities pledge, which will have us endeavor to take the following important steps:

1. Streamlining permitting for multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.
2. Adopting policies that affirmatively further fair housing.
3. Incorporating regional housing needs into planning decisions.
4. Increasing development capacity for residential uses.
5. Enacting policies that encourage a broad range of housing development, including multifamily housing, affordable housing, accessible housing, accessory dwelling units, and supportive housing.

Moved: Trustee Murphy

Seconded: Trustee Miller

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

NAYS: None

Carried unanimously.

Energy Benchmarking

IN THE MATTER

OF

**THE VILLAGE OF AURORA ESTABLISHING ENERGY
BENCHMARKING REQUIREMENTS FOR CERTAIN MUNICIPAL
BUILDINGS**

RESOLUTION 24-30

The **VILLAGE OF AURORA BOARD OF TRUSTEES OF THE VILLAGE OF AURORA**, in the County of Cayuga, State of New York, met in regular session at the Municipal Building, located at 456 Main Street, in the Village of Aurora, County of Cayuga, State of New York, on July 24, 2024 at 6:00 p.m.

The meeting was called to order by Mayor Orman, and the following were present, namely: Trustee Balloni, Trustee Bianconi, Trustee Miller, and Trustee Murphy

Also Present:

Village Officials/Staff: Clerk Ann Balloni, Planning Board Chairperson Pat Bianconi, Community Preservation Chairperson Jim Burkett, ZBA Chairperson Karen Hindenlang, and ZBA member Laura Holland, Historian Dr. Linda Schwab, and DPW Employee Mike White

Members of the Public: Anastatia Benson, Kay Burkett, Shirley Egan, Virgil Farlow, Corey Guarrette, Alyssa Gunderson, Lydie Haenlin, Ken Larson, Anne Richards, Bruce Spiegel, Katie Trojnor-Riley, and Evan Tuthill

Absent: All present

The following resolutions were moved, seconded, and adopted:

WHEREAS, buildings are the single largest user of energy in the State of New York; the poorest performing buildings typically use several times the energy of the highest performing buildings—for the exact same building use; and

WHEREAS, collecting, reporting, and sharing building energy data on a regular basis allows municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings nationwide, and equipped with this information the Village of Aurora is able to make smarter, more cost-effective operational and capital investment decisions, reward efficiency, and drive widespread, continuous improvement; and

WHEREAS, the Village of Aurora Board of Trustees desires to use Building Energy Benchmarking, a process of measuring a building’s energy use, tracking that use over time, and comparing performance to similar buildings, to promote the public health, safety, and welfare by making available good, actionable information on municipal building energy use to help identify opportunities to cut costs and reduce pollution in the Village of Aurora; and

WHEREAS, as such the Village of Aurora Board desires to establish procedure or guideline for Village staff to conduct such Building Energy Benchmarking; and

NOW THEREFORE, IT IS HEREBY RESOLVED AND DETERMINED, that the following specific policies and procedures are hereby adopted and imposed as active and affirmative financial internal control procedures of the Village of Aurora;

Building Energy Benchmarking POLICY/procedures

§1. DEFINITIONS

(A) “Benchmarking Information” shall mean information generated by Portfolio Manager, as herein defined including descriptive information about the physical building and its operational characteristics.

(B) “Building Energy Benchmarking” shall mean the process of measuring a building’s Energy use, tracking that use over time, and comparing performance to similar buildings.

(C) “Commissioner” shall mean the head of the Department.

(4) “Covered Municipal Building” shall mean a building or facility that is owned or occupied by the Village of Aurora that is 1,000 square feet or larger in size.

(5) “Department” shall mean the Village of Aurora Clerk’s Office.

(6) “Energy” shall mean electricity, natural gas, steam, hot or chilled water, fuel oil, or other product for use in a building, or renewable on-site electricity generation, for purposes of providing heating, cooling, lighting, water heating, or for powering or fueling other end-uses in the building and related facilities, as reflected in Utility bills or other documentation of actual Energy use.

(7) “Energy Performance Score” shall mean the numeric rating generated by Portfolio Manager that compares the Energy usage of the building to that of similar buildings.

(8) “Energy Use Intensity (EUI)” shall mean the kBtUs (1,000 British Thermal Units) used per square foot of gross floor area.

(9) “Gross Floor Area” shall mean the total number of enclosed square feet measured between the exterior surfaces of the fixed walls within any structure used or intended for supporting or sheltering any use or occupancy.

(11) "Portfolio Manager" shall mean ENERGY STAR Portfolio Manager, the internet-based tool developed and maintained by the United States Environmental Protection Agency to track and assess the relative Energy performance of buildings nationwide, or successor.

(12) "Utility" shall mean an entity that distributes and sells Energy to Covered Municipal Buildings.

(13) "Weather Normalized Site EUI" shall mean the amount of Energy that would have been used by a property under 30-year average temperatures, accounting for the difference between average temperatures and yearly fluctuations.

§2. APPLICABILITY

(1) This policy is applicable to all Covered Municipal Buildings as defined in Section 1 of this policy.

(2) The Commissioner may exempt a particular Covered Municipal Building from the benchmarking requirement if the Commissioner determines that it has characteristics that make benchmarking impractical.

§3. BENCHMARKING REQUIRED FOR COVERED MUNICIPAL BUILDINGS

(1) No later than May 1 every year, the Commissioner or his or her designee from the Department shall enter into Portfolio Manager the total Energy consumed by each Covered Municipal Building, along with all other descriptive information required by Portfolio Manager for the previous calendar year.

(2) For new Covered Municipal Buildings that have not accumulated 12 months of Energy use data by the first applicable date following occupancy for inputting Energy use into Portfolio Manager, the Commissioner or his or her designee from the Department shall begin inputting data in the following year.

§4. DISCLOSURE AND PUBLICATION OF BENCHMARKING INFORMATION

(1) The Department shall make available to the public on the internet Benchmarking Information for the previous calendar year:

(a) no later than September 1 each year for Covered Municipal Buildings; and

(2) The Department shall make available to the public on the internet and update at least annually, the following Benchmarking Information:

(a) Summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information; and

(b) For each Covered Municipal Building individually:

(i) The status of compliance with the requirements of this Policy; and

(ii) The building address, primary use type, and gross floor area; and

(iii) Annual summary statistics, including site EUI, Weather Normalized Source EUI, annual GHG emissions, and an Energy Performance Score where available; and

(iv) A comparison of the annual summary statistics (as required by Section 4(2)(b)(iii) of this Policy) across calendar years for all years since annual reporting under this Policy has been required for said building.

§5. MAINTENANCE OF RECORDS

The Department shall maintain records as necessary for carrying out the purposes of this Policy, including but not limited to Energy bills and other documents received from tenants and/or Utilities. Such records shall be preserved by the Department for a period of three (3) years.

§6. ENFORCEMENT AND ADMINISTRATION

(1) The Commissioner or his or her designee from the Department shall be the Chief Enforcement Officer of this Policy.

(2) The Chief Enforcement Officer of this Policy may promulgate regulations necessary for the administration of the requirements of this Policy.

(3) Within thirty days after each anniversary date of the effective date of this Policy, the Chief Enforcement Officer shall submit a report to the Village of Aurora including but not limited to summary statistics on Energy consumption for Covered Municipal Buildings derived from aggregation of Benchmarking Information, a list of all Covered Municipal Buildings identifying each Covered Municipal Building that the Commissioner determined to be exempt from the benchmarking requirement and the reason for the exemption, and the status of compliance with the requirements of this Policy.

FURTHER RESOLVED, the Village Board, in regular session duly convened, does hereby authorize and direct the Mayor or Clerk-Treasurer of the Village of Aurora to execute such other and additional documents as may be required for to perfect the resolutions herein;

The adoption of the foregoing Resolution was moved by Trustee Miller, seconded by Trustee Bianconi, and duly put to vote, which resulted as follows

Trustee Balloni AYE
Trustee Bianconi AYE
Trustee Miller AYE
Trustee Murphy AYE
Mayor Orman AYE

THIS RESOLUTION WAS ADOPTED.

Executive Session: On motion by Trustee Murphy, seconded by Trustee Balloni, the Village Board voted to enter into Executive Session at 7:02 p.m. to discuss a proposed sale/lease of real property.

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

NAYS: None

Motion carried unanimously.

On motion by Trustee Murphy, seconded by Trustee Miller, the Village Board voted to adjourn the Executive Session at 7:46 p.m.

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

NAYS: None

Motion carried unanimously.

Adjournment: On motion by Trustee Murphy, seconded by Mayor Orman, the Village Board voted to adjourn the meeting at 7:47 p.m.

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

NAYS: None

Motion carried unanimously.