**Village of Aurora Board of Trustees March 15, 2017 Minutes**

Meeting held at the Aurora Firehouse Meeting Room at 7:00 pm

**Present:** Mayor Bonnie Bennett, Trustees Grace Bates, Janet Murphy, Alan Ominsky, and Kit Van Orman

**Others Present:** Village Clerk Ann Balloni**,** Village Historian Linda Schwab, Planning Board Members Pat Bianconi and Pat Foser, CPP member Dan DiSanto, and Village Residents Jim Burkett, John Dentes, and Ethan MacCormick

**Call to Order:** Mayor Bennett called the meeting to order at 7:03 pm and all rose for the Pledge of Allegiance

**Public Hearing for Local Law #3 of 2017: Regarding Regulation of Cherry Ave as a One-Way Village Street**

Mayor Bennett called the public hearing for Local Law #3 of 2017 to order at 7:04 pm.

Mayor Bennett acknowledged that the Village Board of Trustees declared themselves lead agency for the coordinate State Environmental Quality Review (SEQR) and the village board proceeded to complete part 2 of the Full Environmental Assessment Form (see attached), noting no significant environmental impacts.

On motion by Trustee Ominsky, seconded by Trustee Murphy, the Village Board voted to issue a Negative Declaration for Local Law #3 of 2017, completing the SEQR process.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

The trustees then discussed a question on the wording in section 2 regarding the direction of the one-way traffic. For better clarification, the village board changed the end of the first sentence to read (changes in bold): “in an **eastward** direction only from its point of intersection with **State Route 90,** while areas east of **the intersection with Court Street** will remain two-way”.

**Public Comment:** Mayor Bennett read letters (attached) from Rufus Bates (366 Main St), Kit Kalfs (Bet the Farm winery), Steve Taylor (21 Cherry Ave), Elaine Myers (Aurora Free Library), Randi Zabriskie (Jane Morgan’s Little House), Jacci Farlow (Aurora Arts & Design Center), Carolyn Connors (37 Cherry Ave) and Mark Bailey (Aurora Fire Department Chief) in favor of Local Law #3 of 2017.

Mayor Bennett then read letters (attached) from the Brooks/Cooper family (54 Cherry Ave), Anne Brodie & Jeri Vargo (65 Cherry Ave), and Jeff Blum & John Wedler (288 Main St) in favor of Cherry Ave as a two-way street.

Mayor Bennett also noted that she received a phone call from Linda Kabelac (39 Cherry Ave) in favor of the law.

**Dan DiSanto** (representing the Aurora Volunteer Fire Department): Mr. DiSanto, referring to Chief Bailey’s letter, recommended amending Local Law #3 of 2017 to allow for parking on the north side of Cherry Ave, rather than the south side. Mr. DiSanto explained that it is easier for the fire trucks to make the swing from Main St onto Cherry with parking on the north side. He also noted that the fire hydrant is located on the south side of Cherry and it is easier for the fire department to access it with parking on the north. Mr. DiSanto remarked that designating parking on the north side adds more parking places as well.

**Jim Burkett** (representing the Aurora Free Library): Mr. Burkett read a letter submitted by Tom & Maralee Gunderson (attached) in support of Local Law #3 of 2017. Mr. Burkett emphasized the needed library parking for parents and seniors and deferred decision on the north or south side to the fire department.

**Ethan MacCormick** (speaking for the Morgan Opera House): Mr. MacCormick noted the difficulty for parents and handicapped patrons accessing the library and Morgan Opera House. Mr. MacCormick questioned the benefit of north side parking vs south side parking for handicapped drivers and suggested researching the Americans with Disabilities Act (ADA) recommendations.

On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to close the public hearing for Local Law #3 of 2017 at 7:50 pm.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Public Hearing for Local Law #1 of 2017:** **Regarding the Mandated Training for members of the Community Preservation Panel**

Mayor Bennett called the public hearing to order for Local Law #1 of 2017 to order at 7:51 pm.

**Public Comment:**

**Dan DiSanto** (speaking as a Community Preservation Panel member): Mr. DiSanto questioned if mandated state training that he attends for his profession as a real estate appraiser would count toward his Community Preservation Panel (CPP) training. Mr. DiSanto noted that the training is partly designed to address board members lack of knowledge if they do not have any expertise, as is recommended, to be a CPP board member. Mr. DiSanto remarked that he does have the expertise recommended for the panel and believes his professional training should suffice.

Mayor Bennett acknowledged that training hours could be applied, but noted that members also require education in how to understand zoning/preservation laws and how to apply and defend them when reviewing applications and making decisions.

On motion by Trustee Van Orman, seconded by Trustee Bates, the Village Board voted to close the public hearing for Local Law #1 of 2017 at 7:55 pm.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Public Hearing for Local Law #2 of 2017: Regarding the Waiver of the Maximum Real Property Tax Levy Limit**

Mayor Bennett called the public hearing to order for Local Law #2 of 2017 at 7:56 pm.

**Public Comment:**

**Dan DiSanto:** Mr. DiSanto expressed opposition to the tax levy and questioned why the village tax rate should increase when the village is receiving increased taxes due to higher assessments. Mr. DiSanto acknowledged infrastructure issues and noted that the village water problem was partly due to the increase in seasonal residents and views that as detrimental to the year-round residents of the village.

On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to close the public hearing for Local Law #2 of 2017 at 7:58 pm.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Public Hearing for the 2017/2018 Budgets**

Mayor Bennett called the public hearing to order for the 2017/2018 proposed budgets at 8:00 pm.

Mayor Bennett described big issues such as maintenance and infrastructure and sewer/water rates. The discrepancy between year-round and seasonal water/sewer users was discussed and how they can fairly be addressed.

Mayor Bennett noted the standard 3% pay raise, a new copier for the office, and painting the sewage tank and Patrick Tavern in the proposed budgets.

**Public Comment:**

**John Dentes** (425 Main St)**:** Mr. Dentes commended the discussion on addressing the sewer rates, but cautioned burdening seasonal residents who don’t have a vote in the process. Mr. Dentes also requested that a narrative accompany the posting of the village budgets for a clearer understanding.

On motion by Trustee Van Orman, seconded by Trustee Murphy, the Village Board voted to continue the public hearing for the 2017/2018 budgets at the April 19, 2017 village board meeting.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

Mayor Bennett called the March 15, 2017 regular Village Board of Trustees meeting to order at 8:14 pm.

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

**Approval of Minutes:** On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to approve the February 15, 2017 meeting minutes.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Announcements**

**Mayor:** Mayor Bennett read a letter of complaint from Laura Holland (attached) regarding the village code enforcement officer.

**Changes to the Agenda:** No changes

**Visitor Recognition:** Mayor Bennett welcomed all visitors.

**Treasurer’s Report**: On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to accept the January Treasurer’s report.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Budget Modifications**

**General:**

$199.29 From: A1990.4 Contingent Account

$155.41 To: A1410.42 Clerk/Treasurer – Telephone

$17.21 To: A1620.4 Buildings – Contractual

$26.67 To: A1920.4 Municipal Association Dues

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

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Water:**

$45.91 From: F1990.4 Contingent Account

$35.96 To: F8310.4 Water Administration – Contractual

$10.35 To: F9040.8 Worker’s Compensation

On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to accept the Budget Modifications in the Water Fund.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Sewer:**

$586.28 From: G1990.4 Contingent Account

$539.95 To: G8130.4 Sewage Treatment Contractual

$46.33 To: G9040.8 Worker’s Compensation

On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to accept the Budget Modifications in the Sewer Fund.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Bills**

**General:** Trustee Bates questioned voucher #361 from the Aurora Historical Society requesting matching grant funds. Mayor Bennett reminded Trustee Bates that the village board approved the funding in the agreement between the Village Board and the Aurora Historical Society signed in February 2016.

On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to approve the General Fund Abstract #10 for payment.

Voucher #356-359, 361, 362, 364, 366, 367, 369-378, 380, 382, 383, 385, and 386

Total: $10,513.03

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Water:** On motion by Trustee Murphy, seconded by Trustee Ominsky, the Village Board voted to approve the Water Fund Abstract #10 for payment.

Voucher #365, 366, 372, 373, 376, 377, and 384

Total: $6,528.43

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Sewer:** On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to approve the Sewer Fund Abstract #10 for payment.

Voucher #358, 360, 363, 364, 366-369, 372-374, 376, and 379-381

Total: $5,057.32

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Committee Reports**

**Code Officer** (see attached): Mr. Doyle reported on recent permit activity.

**Historian** (see attached): Dr. Schwab reported on recent queries, that the current display has been extended to April 29th, that the Aurora Historical Society continues to expand with active citizen participants, and the ongoing repairs at Patrick Tavern.

Trustee Ominsky questioned the credentials of the preservation expert hired for the Patrick Tavern grant funding project. Dr. Schwab replied that Charles Pomada participated in the original village house documentation report and won the 2016 Preservation Excellence Award from Historic Ithaca.

Trustee Bates questioned why the village was providing matching funds for the Community Fund grant. Ms. Bates remarked that she spoke with a member of the Community Fund who told her that the committee does not fund matching grants. Mayor Bennett replied that, as a member herself of the committee, some projects do not require matching funds but the Aurora Historical Society grant had that requirement because the Community Fund was not able to fund the entire project.

**Buildings and Grounds:** Trustee Ominsky reported that the post office has requested new carpet and interior painting. DPW employee, Mike White, is soliciting bids and one bidder suggested replacing the carpet with tile at an approximate cost of $7,000.00. Mayor Bennett noted that Treasurer Brooks informed her that there is money in the oil budget that could be used for the project. Mayor Bennett suggested having the village cleaning person clean the interior paneling and then determine if it still requires painting.

On motion by Trustee Ominsky, seconded by Trustee Murphy, the village board voted to authorize Mayor Bennett to spend up to $8,000.00 for the interior post office renovations.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Parks and Recreation:** Trustee Murphy reported that she and Carolyn Connors have started discussing the swim program for this summer.

**Streets and Public Safety:** No report

**Water and Sewer:** Trustee Bates reported that she would contact Hillary Lambert from the Cayuga Lake Watershed Network for an update on hydrilla.

Mayor Bennett remarked that the Cayuga County Department of Health is investigating the extent of the hydrilla problem and have discovered a 1/3 mile infestation that may require chemical eradication.

**Old Business**

**VILLAGE OF AURORA RESOLUTION #17-05**

**TO ADOPT LOCAL LAW # 1 OF 2017: REGARDING THE MANDATED TRAINING FOR MEMEBERS OF THE AURORA COMMUNITY PRESERVATION PANEL**

FIRST: Kit Van Orman

SECOND: Alan Ominsky

Dated: March 15, 2017

**WHEREAS**, the Village of Aurora Zoning Board of Appeals and Planning Board are mandated by the New York State Department of State to complete four hours of training per year, and the Aurora Community Preservation Panel is not; and

**WHEREAS**, it is deemed to be in the best interests of the Village of Aurora for all zoning boards to benefit from such training;

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Village of Aurora, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the enactment of said Local Law, with the result that the Village Board of Trustees acted as lead agency in this matter; and

**WHEREAS,** the Village Board of the Village of Aurora held a Public Hearing at the Village Municipal Building on March 15, 2017 at approximately 7:00 p.m., that was properly noticed in the official newspaper; and

**WHEREAS,** that a copy of said Local Law was available at the Village Clerk’s Office for public inspection during regular business hours and posted on the village website;

**NOW, THEREFORE BE IT RESOLVED,** that the Village Board of the Village of Aurora hereby adopts Local Law #1 of 2017

 Upon Roll Call Vote:

Mayor Bonnie Bennett AYE

Trustee Grace Bates AYE

Trustee Janet Murphy AYE

Trustee Alan Ominsky AYE

Trustee Kit Van Orman AYE

Resolution #17-05 is carried by a vote of 5 to 0.

**VB RESOLUTION #17- 06 of 2017 ENACTING LOCAL LAW #2 OF 2017**

**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 2017/2018 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 Village Hall, 456 Main Street, Aurora, New York, at 7:00 p.m. on March 15, 2017, the following members of the Village Board of Trustees being present:

BONNIE APGAR BENNETT, MAYOR

GRACE BATES

JANET MURPHY

ALAN OMINSKY

KIT VAN ORMAN

 **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 adopts Local Law #2 of 2017.

1. 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”);
2. The Village Board of Trustees has properly noticed a Public Hearing on the Proposed Local Law #2 of 2017 held at Village Hall on March 15, 2017 beginning at 7:00 p.m.;

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

Mayor Bennett - AYE

Trustee Bates - AYE

Trustee Murphy - AYE

Trustee Ominsky - AYE

Trustee Van Orman - AYE

At least 3 of the above-named Village Board of Trustee members having voted in the affirmative, Local Law #2 is adopted this 15th day of March, 2017.

**Local Law #3 of 2017 Discussion:**

The Village Board discussed the one-way vs. two-way issues as well as the comments submitted during the public hearing, specifically the fire department recommendation. The board members then considered Resolution #17-07 as follows:

**VILLAGE OF AURORA RESOLUTION #17-07**

**ADOPTING LOCAL LAW # 3 OF 2017: REGARDING REGULATION OF CHERRY AVENUE AS A ONE-WAY VILLAGE STREET**

FIRST: Janet Murphy

SECOND: Kit Van Orman

Dated: March 15, 2017

**WHEREAS**, the Village of Aurora seeks to promote and protect the health, safety, and welfare of the residents of and visitors to the Village of Aurora by regulating traffic and parking on local streets in consideration of existing conditions; and

**WHEREAS**, it is deemed to be in the best interests of the Village of Aurora to authorize a one-way only traffic pattern on the local street, Cherry Avenue, west of its intersection with Court Street, and to allow parking only on the south side of that section of Cherry Avenue; and

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Village of Aurora, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the enactment of said Local Law, with the result that the Village Board of Trustees shall act as lead agency in this matter; and

**WHEREAS,** that the Village Board of the Village of Aurora conducted a Public Hearing at the Village Municipal Building on March 15, 2017 at approximately 7:00 p.m. , that was properly noticed in the official newspaper, for the purpose of taking public comment on, and giving due consideration to, the enactment of Proposed Local Law #3 of 2017; and

**WHEREAS,** that a copy of said Local Law was available at the Village Clerk’s Office for public inspection during regular business hours and posted on the village website;

**NOW, THEREFORE BE IT RESOLVED,** that the Village Board of the Village of Aurora hereby adopts Local Law #3 of 2017

 Upon Roll Call Vote:

Mayor Bonnie Bennett NAY

Trustee Grace Bates NAY

Trustee Janet Murphy NAY

Trustee Alan Ominsky NAY

Trustee Kit Van Orman NAY

Vote: Resolution denied by a vote of 5 to 0.

Trustee Bates recommended amending Local Law #3 of 2017 per the fire department’s suggestion of having the parking on the north side of Cherry Avenue.

On motion by Trustee Van Orman, seconded by Trustee Ominsky, the village board voted to re-introduce Local Law #3 of 2017 with an amendment of moving the parking from the south side of Cherry Avenue to the north side and schedule a public hearing on April 19, 2017 at approximately 7:00 pm.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**VILLAGE OF AURORA RESOLUTION #17-08**

**RE-INTRODUCING PROPOSED LOCAL LAW # 3 OF 2017**

**AND SCHEDULING A PUBLIC HEARING ON PROPOSED**

**LOCAL LAW # 3 OF 2017 AS AMENDED**

Introduced by: Kit Van Orman

Seconded by: Alan Ominsky

Dated: March 15, 2017

**WHEREAS**, the Village of Aurora seeks to promote and protect the health, safety, and welfare of the residents of and visitors to the Village of Aurora by regulating traffic and parking on local streets in consideration of existing conditions; and

**WHEREAS**, it is deemed to be in the best interests of the Village of Aurora to authorize a one-way only traffic pattern on the local street, Cherry Avenue, west of its intersection with Court Street, and to allow parking only on the **north side** (March 15, 2017 amendment) of that section of Cherry Avenue; and

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Village of Aurora, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQRA) with respect to the enactment of said Local Law, with the result that the Village Board of Trustees shall act as lead agency in this matter: and

**NOW, THEREFORE BE IT RESOLVED,** that the Village Board of the Village of Aurora hereby determines that:

1. The action is an Unlisted Action under SEQRA;
2. The Village Board of the Village of Aurora shall act as lead agency;
3. The Town of Ledyard, Village of Aurora Planning Board, Village of Aurora Community Preservation Panel and the Cayuga County Planning Board are interested agencies in connection with the SEQRA review;
4. The action will require the preparation of a Full Environmental Assessment Form to provide information with regard to the environmental issues pertinent therein; and it is further

**RESOLVED**, that the Village of Aurora shall hereby notify all interested agencies that it shall be lead agency for this action unless it receives written objection to this determination within thirty (30) days from the date of mailing of such notice; and be it further

**RESOLVED**, that the Village Board of the Village of Aurora will conduct a Public Hearing at the Village Municipal Building on April 19, 2017 at 7:00 p.m., or as soon thereafter as the matter can be heard, for the purpose of taking public comment on, and giving due consideration to, the enactment of Proposed Local Law #3 of 2017; and be it further

**RESOLVED**, that a copy of said Local Law is available at the Village Clerk’s Office for public inspection during regular business hours; and

**BE IT FURTHER RESOLVED**, that the Village Clerk be and hereby is authorized and directed to publish notice of said Public Hearing in the official newspaper.

 Upon Roll Call Vote:

Mayor Bonnie Bennett AYE

Trustee Grace Bates AYE

Trustee Janet Murphy AYE

Trustee Alan Ominsky AYE

Trustee Kit Van Orman AYE

Vote: Resolution carried by a vote of 5 to 0.

**New Business**

**Aurora Historical Society Budget Review:** The village board accepted the budget report submitted by the Aurora Historical Society (attached). Mayor Bennett noted that funding/donations are received regularly and commended the society on their efforts.

**2017-2018 Proposed Budgets** (attached)**:** The Village Board reviewed the 2017-2018 proposed budgets line by line. Discussion ensued regarding the direction of the village and the current assessment rates, as well as, how to address the water/sewer billing for year-round vs. seasonal residents. The trustees agreed that a water/sewer rate change is premature until all the data is in from the Cayuga County water/sewer infrastructure study.

Trustee Bates questioned budget line items regarding the village historian, the Aurora Historical Society, and Preservation. Mayor Bennett reminded Ms. Bates that the historian is paid and annual stipend, that the village board voted last year to give funding to the Aurora Historical Society as it does for the Aurora Free Library and the Morgan Opera House, and the budgeted amount for preservation is for CPP members to attend training sessions.

The proposed budgets include a tax increase to $2.80/$1000.00 of assessment with a projected revenue increase of $13,000.00.

On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to continue the public hearing and propose the tentative 2017-2018 budgets for adoption with a village tax rate of $2.80/$1000.00 at the April 19, 2017 Village Board meeting.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Jury Duty Policy** (attached): On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to adopt a Jury Duty policy for village employees.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

**Adjournment:** On motion by Trustee Van Orman, seconded by Trustee Ominsky, the village board voted to adjourn the meeting at 10:40 pm.

AYES: Bennett, Bates, Murphy, Ominsky, and Van Orman

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk