**Village of Aurora Board of Trustees September 20, 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 Officials:** Clerk Ann Balloni, Treasurer Deborah Brooks, Planning Board Chairperson Pat Bianconi, Planning Board member Pat Foser, ZBA member Laura Holland, Historian Dr. Linda Schwab

**Aurora Historical Society:** Tracy Leffingwell

**Members of the Public:** David Brooks, Larry Church, G. Alan Clugston, and Michael Peter

**Call to Order:** Mayor Bennett called the meeting to order at 7:02 pm and all rose for the Pledge of Allegiance

**Changes to the Agenda:** Resolution #17-36 is added under New Business

**Approval of Minutes**

**August 16, 2017:** On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to approve the August 16, 2017 meeting minutes.

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

NAYS: None

Motion carried unanimously.

**September 10, 2017:** On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to approve the September 10, 2017 special meeting minutes.

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

NAYS: None

Motion carried unanimously.

**Announcements**

**Mayor:** Mayor Bennett announced the following:

* The historic marker is installed in front of the village post office denoting the first post office west of Canajoharie.
* The railings are installed along the steps to the village park.
* A grant for funding for new trucks for the DPW was submitted to Assemblyman Finch’s office
* The Cayuga County Water & Sewer Authority will be scheduling public hearings regarding their needs and assessment project. Maps will be available on-line.
* Four village officials, Mayor Bennett, Clerk Balloni and Trustees Bates and Ominsky, attended the NYCOM conference in Saratoga. Mayor Bennett inquired about funding for water projects at the conference and noted that an income survey will be conducted to determine median income in the village.
* Verizon is currently in the village installing fiber optic lines for Wells College.
* The Zoning Board of Appeals submitted a follow-up letter (attached) regarding the board’s response to their inquiry in July on the status of the zoning amendments. Mayor Bennett noted that there is a copy of the letter in the meeting packets and there were no comments from the trustees.

**Clerk:** Ms. Balloni read thank you letters (attached) received from the Aids Red Ribbon Ride, the Cayuga Lake Watershed Network, and the Aurora Free Library.

**Visitor Recognition:** Mayor Bennett welcomed all visitors and there were no comments.

**Public Hearing**

**Local Law #4 of 2017 To Amend Local Law #2 of 1998 to Designate Certain Landmarks in the Village of Aurora**

On motion by Trustee Ominsky, seconded by Trustee Bates, the Village Board voted to open the public hearing for Local Law #4 of 2017.

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

NAYS: None

Motion carried unanimously.

Mayor Bennett read letters (attached) from the Aurora Historical Society, Deborah Brooks, Karen Hindenlang & Crawford Thoburn, and Victor Munoz all in favor of updating the village landmark list.

**Public Comment**

**Dr. Linda Schwab (318 Main St, Aurora):** Dr. Schwab submitted comments (attached), in her role as village historian, explaining the process of choosing landmarks and the benefit to the property owners. Dr. Schwab also added a personal comment concerning the direction of the village and ways to preserve our “livable community”.

**Pat Bianconi (401 Main St, Aurora):** Ms. Bianconi supports Local Law #4 of 2017 as it “enriches the community”.

**Tracy Leffingwell (348 Main St, Aurora):** Ms. Leffingwell stated that “the Aurora Historical Society unanimously supports Local Law #4 of 2017”.

**Michael Peter (461 Main St, Aurora):** Mr. Peter confirmed with the village clerk that the address of one of the sites listed on the proposed law was corrected from 461 Main St to 491 Main St.

On motion by Trustee Ominsky, seconded by Trustee Murphy, the Village Board voted to close the public hearing for Local Law #4 of 2017 at 7:30 pm.

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

NAYS: None

Motion carried unanimously.

**Treasurer’s Report**: No report.

**Bills**

**General:** On motion by Trustee Ominsky, seconded by Trustee Murphy, the Village Board voted to approve the General Fund Abstract #4 for payment.

Voucher #115-121, 124-129, 134, 136-138, 140, 143-146, 148, 149, 151-153, 155, and 156.

Total: $11,140.48

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

NAYS: None

Motion carried unanimously.

**Water:** On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to approve the Water Fund Abstract #4 for payment.

Voucher #129, 143, 150, and 154

Total: $7,179.77

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 #4 for payment.

Voucher #115, 118, 119, 121-123, 129-136, 139, 142, and 147

Total: $7,711.34

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

NAYS: None

Motion carried unanimously.

**Trust & Agency:** On motion by Trustee Murphy, seconded by Trustee Ominsky, the Village Board voted to approve the Trust & Agency Fund Abstract #4 for payment.

Voucher #143

Total: $334.24

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

NAYS: None

Motion carried unanimously.

**Park/Playground Renovation:** On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to approve the Park/Playground Renovation Fund Abstract #4 for payment.

Voucher #141

Total: $4,050.00

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

NAYS: None

Motion carried unanimously.

**Committee Reports**

**Code Officer** (see attached): Officer Doyle submitted a report outlining recent permit activity.

**Historian** (see attached): Dr. Schwab noted the continuing work at Patrick Tavern and will submit a detailed report next month on additional projects.

**Buildings and Grounds:** Trustee Ominsky reported the painting has begun for Patrick Tavern, the porch has been removed and repairs are underway in other parts of the building.

**Parks and Recreation:** Trustee Murphy reported thatCarolyn Connors submitted her final report on the summer swim program (attached) noting that, despite the algae and hydrilla concerns, there were 1,000 visitors and 30 children passed the raft test. Ms. Connors also thanked Wells College for the use of the pool when the dock was closed.

**Streets and Public Safety:** Trustee Van Orman reported that the speed bumps on Court street have been removed. Mayor Bennett noted that they should re-visit whether to install the speed bumps next year as they may be a liability issue.

Trustee Ominsky noted that he attended a workshop on LED lighting while at the NYCOM conference and is pursuing funding with assistance from the New York State Power Authority.

**Water and Sewer:** Trustee Bates reported that the tank cleaning is complete. Mayor Bennett noted that there is a concern about the electrical panel alarms activating causing false alarms.

**Old Business:** No Old Business was discussed.

**New Business**

**Resolution #17-34:**

**RESOLUTION ENACTING LOCAL LAW #4 OF 2017 ENTITLED**

**TO AMEND LOCAL LAW #2 OF 1998 DESIGNATING CERTAIN PROPERTIES AS VILLAGE LANDMARKS**

**WHEREAS:** the Village of Aurora is listed on the National Historic Register as an historic district with certain properties designated as local landmarks; and

**WHEREAS:** it is a duty of the Village of Aurora Community Preservation Panel to update the local landmark list; and

**WHEREAS:** the Community Preservation Panel approved additions to the list at their July 2, 2014 and July 5, 2017 regular meetings and submitted the following recommendations to the Village Board of Trustees for consideration:

**Special Sites**

* Chonodote Site (northeast of the firehouse; original site of Peachtown)
* Site of Roswell Franklin’s cabin (next to green barn at 491 Main St)
* Cooper-Cromwell House (237 Main St)
* Marriott-Gifford House (78 Court St)
* Franklin-Richmond Tavern (488 Main St)
* Barn at Phelps-Swan House (21 Cherry Ave)
* Avery-Arms House (358 Main St)
* Chimney Corner (348 Main St)
* Benjamin Ledyard House (334 Main St)
* Stack House, “Paul Jones” – 326 Main St

**200 + Years Old**

* Leddra Wood House (425 Main St)
* Jedediah Morgan House (280 Main St)
* Peter Fort House (268 Main St)
* Richmond House (19 Wells Rd)

**Selected Trees**

* Oak on Franklin Hill (curve on north end of Aurora)
* Council Tree (Chonodote Site)
* Harris-Thompson Gingkoes (418 Main St, 425 Main St, 453 Main St,)
* Sycamore at 358 Main St
* Black Walnut at 311 Main St

**WHEREAS:** the village zoning law (local law #4 of 2016), per section 705.B. requires the Village Board of Trustees to update the village landmark list by local law; and

**WHEREAS:** this is a Type 2 Action pursuant to the New York State Environmental Quality Review Act (“SEQRA”) section 617.5(32) requiring no further environmental review; 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 July 19, 2017, Local Law #4 of 2017 was introduced and a public hearing was scheduled for August 16, 2017 at approximately 7:00 pm; and

**WHEREAS:** the Village Board, at their August 16, 2017 meeting voted to re-schedule the Public Hearing to their September 20, 2017 meeting at approximately 7:00 pm; and

**WHEREAS:** The Village Board of Trustees has properly noticed a Public Hearing on the Proposed Local Law #4 of 2017 to be held at the Village Hall on September 20, 2017 beginning at approximately 7:00 p.m.; 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 September 20, 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

The 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:

 The Village Board of Trustees hereby adopts Local Law #4 of 2017

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

Trustee Bennett AYE

Trustee Bates AYE

Trustee Murphy AYE

Trustee Ominsky AYE

Trustee Van Orman NAY

At least 3 of the above-named Village Board of Trustee members having voted in the affirmative, this resolution is adopted this 20th day of September, 2017.

**Hills Heating Contract:** On motion by Trustee Murphy, seconded by Trustee Ominsky, the Village Board voted to approve the annual Hills Heating contract for the post office ($456.00) and the firehouse ($823.00).

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

NAYS: None

Motion carried unanimously.

**Firehouse Lease Agreement:** The Village Board reviewed the annual lease agreement with the Aurora-Ledyard Fire District and there were no questions or comments.

**Civil Service Vacant Positions Resolution:**

**Resolution #17-35: To Remove Vacant Positions from Civil Service Records**

**WHEREAS:** the village was notified by the Cayuga County Civil Service Commission that there are several vacant positions in their files going back to 1992; and

**WHEREAS:** the village office reviewed the list and identified positions held by former village employees determined to be redundant/obsolete; and

**WHEREAS:**  the positions identified are as follows:

001481-SYS Clerk PT

001475-SYS Village Treasurer & Tax Collector

000622-SYS Village Clerk

003596-SYS Village Clerk Sub;

**NOW THEREFORE BE IT RESOLVED:** that the Village of Aurora Board of Trustees remove the above listed positions from the Civil Service Commission list of vacancies.

FIRST: Trustee Ominsky

SECOND: Trustee Van Orman

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

NAYS: None

Carried unanimously.

**Planning Board Alternate:** On motion by Trustee Murphy, seconded by Trustee Ominsky, the Village Board voted to accept Mayor Bennett’s appointment of Thea Miller as alternate to the Planning Board.

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

NAYS: None

Motion carried unanimously.

**Resolution requesting a thorough environmental review of the Cargill Salt Mine expansion:**

The trustees discussed the intent of the resolution which is to ensure that the expansion of the salt mine under Cayuga Lake is given an extensive environmental review via the State Environmental Quality Review Act. Trustee Van Orman noted that the expansion is for the miners to have an additional means of egress and is a safety issue. Mayor Bennett explained that the expansion impacts all of Cayuga Lake and the full review process should be undertaken before any permits are issued.

The Board discussed the $2000.00 allocation noted in the resolution and decided to decrease the amount to $200.00.

On motion by Trustee Ominsky, seconded by Trustee Murphy, the Village Board voted to amend Resolution #17-36 to allocate $200.00 of discretionary funding.

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

NAYS: None

Motion carried unanimously.

**VB Resolution #17-36: Objecting to the DEC Permitting Cargill’s Proposed Shaft #4**

**Without Proper Environmental Review**

WHEREAS the first Cayuga Salt Mine shaft was drilled in 1915 and Cargill, Inc. (“Cargill”)’s permitted mining reserves currently extend under Cayuga Lake northward to within 11 miles of the Village of Aurora, and southward to within one mile of the City of Ithaca; and

WHEREAS mining reserves are likely to be expanded in a northward direction in the future if Shaft 4 is built in the currently proposed location; and

WHEREAS, the Village of Aurora recognizes the economic, social, recreational, and ecological importance of Cayuga Lake and its watershed to the State and to the local community; and

WHEREAS the Village of Aurora draws drinking water for its residents, Wells College, local water haulers from the surrounding area and the four hotels and restaurant of the Inns of Aurora; and

WHEREAS New York has established the State Environmental Quality Review (SEQR) process to systematically consider environmental factors early in the planning stages of actions and projects that are directly undertaken, funded or approved by local, regional and state agencies;[[1]](#footnote-1) and

WHEREAS environmental review early in the planning stages allows a project to be vetted, and modified as needed, to avoid adverse impacts on the environment;[[2]](#footnote-2) and

WHEREAS Cargill’s proposed shaft construction, the mining of the one-mile connecting tunnel, and expanded salt mining have potential adverse impacts that have not been properly reviewed and vetted under SEQR in contrast to the Hampton Corners Salt Mine in Livingston County which is carrying out its second Draft Environmental Impact Statement; and

WHEREAS adverse impacts include impacts on local water resources, including groundwater and the waters of Cayuga Lake and various ways in which substantial quantities of salt would be incidentally brought into contact with such local water resources, not only during current mining operations but also during the post-operational period after the mine is closed and abandoned; and

WHEREAS “the abandonment of dry salt mines raises a difficult problem, as post-abandonment mine flooding is, in most cases, highly probable, with possible severe consequences at ground level;”[[3]](#footnote-3) and

WHEREAS “the majority of salt mines succumb to collapse and flooding”[[4]](#footnote-4) and “flooding, whether intentional or inadvertent, is …‘game over’ for successful containment or control of the salinity associated with the brine that will inevitably be squeezed out of the mine;”[[5]](#footnote-5) and

WHEREAS since 1975, and despite several applications for mine expansion by Cargill, the NYSDEC has never requested a full environmental impact study of the mining risks; and

WHEREAS the 1994 collapse and flooding of the Retsof salt mine in Livingston County and subsequent salinization of an adjacent fresh water aquifer provide an example of various adverse impacts and some of the factors implicated in salt-mine collapse; and

WHEREAS these and other potential adverse impacts on the environment should be subject to full and proper environmental review under SEQR; and

WHEREAS the NYSDEC reviewed the Cargill Shaft 4 project and concluded that the action meets their standards, and on 16 August 2016 issued an applicable permit without full environmental review of the project in its entirety;

now therefore, be it RESOLVED that the Village of Aurora joins in an Article 78 proceeding to require environmental review under SEQR; and allocate $200 of discretionary funds to cover associated legal costs; and be it further

RESOLVED that a copy of this resolution be forwarded by the Village Clerk to Governor Andrew Cuomo, NYSDEC Commissioner Basil Seggos, State Senators Patricia Helming and Thomas O’Mara, Senate Leader John Flanagan, Senate Minority Leader Andrea Stewart-Cousins, Assemblyman Gary Finch, Assembly Speaker Carl Heastie, Assembly Minority leader Brian Kolb, Chair of the Assembly’s Standing Committee on Environmental Conservation Steve Englebright, and Cayuga County Legislature Chair Keith Batman

FIRST: Trustee Bates

SECOND: Trustee Ominsky

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

NAYS: None

Carried unanimously.

**Executive Session:** On motion by Trustee Murphy, seconded by Trustee Ominsky, the Village Board voted to enter into executive session at 8:10 pm to discuss a personnel issue.

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

NAYS: None

Motion carried unanimously.

The Village Board took no action during executive session and on motion by Trustee Van Orman, seconded by Trustee Ominsky, voted to adjourn the session at 9:15 pm.

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

NAYS: None

Motion carried unanimously.

**Adjournment:** On motion by Trustee Murphy, seconded by Trustee Ominsky, the Village Board voted to adjourn the meeting at 9:16 pm

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

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk

1. 6 NYCRR Part 617; SEQR Handbook, 3rd Edition, 2010, Introduction [↑](#footnote-ref-1)
2. *Ibid.* [↑](#footnote-ref-2)
3. P. Bérest, B. Brouard, and B. Feuga, Dry Mine Abandonment, Abstract, Solution Mining Research Institute (SMRI) Technical Conference Paper, Wichita, KS, Spring 2004. (<http://www.brouard-consulting.com/sites/default/files/smri-wichita.pdf>) [↑](#footnote-ref-3)
4. [A. Michalski, 1/31/17 comment letter to DEC](http://www.cayugalake.org/files/all/comments_by_michalski.pdf). [↑](#footnote-ref-4)
5. [↑](#footnote-ref-5)