**Village of Aurora Board of Trustees March 21, 2018 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, Historian Dr. Linda Schwab, Planning Board members Pat Bianconi and Pat Foser, and ZBA member Laura Holland

**Inns of Aurora representatives:** Sue Edinger and Wendy Marsh

**Members of the Public:** David Brooks, Trustee Elect Matt Bianconi and AHS President Tracy Leffingwell

**Call to Order:** Mayor Bennett called the public hearings to order at 7:00 pm.

**Public Hearings**

**2018/2019 Budgets**

On motion by Trustee Van Orman, seconded by Trustee Ominsky, the village board voted to open the public hearing for the 2018/2019 budgets at 7:02 pm.

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

NAYS: None

Motion carried unanimously.

**Public comment**

**Pat Foser:** (see attached) Ms. Foser discussed election materials distributed by Trustee Bates, indicating Ms. Bates misunderstanding of the funding/nature of the Aurora Historical Society (AHS) renovation project for Patrick Tavern. Ms. Foser noted her support for both the AHS and, specifically, the Patrick Tavern Project and recommends that the village board continue their support of the village historian, the AHS and Patrick Tavern while considering the tentative budgets.

On motion by Trustee Van Orman, seconded by Trustee Ominsky, the village board voted to close the public hearing for the 2018/2019 budgets at 7:05pm.

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

NAYS: None

Motion carried unanimously.

**Local Law #2 of 2018**

On motion by Trustee Van Orman, seconded by Trustee Ominsky, the village board voted to open the public hearing for Local Law #2 of 2018: Regarding the Waiver of the Maximum Real Property Tax Levy Limit at 7:06 pm.

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

NAYS: None

Motion carried unanimously.

**Public comment**

No public comment

On motion by Trustee Ominsky, seconded by Trustee Bates, the village board voted to close the public hearing for Local Law #2 of 2018 at 7:07pm.

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

NAYS: None

Motion carried unanimously.

Mayor Bennett called the regular meeting to order at 7:08 pm and all rose for the Pledge of Allegiance.

**Changes to the Agenda:** Under Old Business, add Donor Gift Agreement resolution and under New Business add Standard Contract Form. Also, the Inns of Aurora request will be reviewed before Old Business.

**Approval of Minutes:** On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to approve the February 21, 2018 meeting minutes.

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

NAYS: None

Motion carried unanimously.

**Announcements**

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

* A letter was sent from Mayor Bennett to the Preservation League of New York State on behalf of the Masonic Lodge
* Letters were sent from Mayor Bennett to Assemblyman Finch and Senator Helming in support of the Safe Water Infrastructure Action Program (SWAP)
* The contract with GHD was signed by Mayor Bennett, the Inns of Aurora and Wells College for the feasibility study to implement a carbon filter system at the Wells College Water Treatment Plant
* Senator Helming is sponsoring a resolution introduced by County Legislator Keith Batman requesting funds for the water filtration system
* Following a meeting with Mayor Bennett and Wells College President Gibralter, Senator Helming is negotiating to include $500,000.00 in the State budget for carbon filters for the Wells College Water Treatment Plant
* Senator Gillibrand is spearheading an effort for small municipalities to apply for grants to improve water infrastructure

Mayor Bennett also corrected misinformation reported around the village during the election campaign:

1. The village is not considering section 8 housing but is researching affordable housing opportunities for employees of the Inns, Wells College and Mackenzie Childs.
2. Every board meeting is open to the public and allows for comment during visitor recognition.
3. And items for board **agendas** should be submitted 7 days in advance because the agenda is posted 5-6 days prior to the meeting and board members need time to review.

**Clerk:** Ms. Balloni announced that she, Mayor Bennett and Trustee Van Orman are attending the March 26, 2018 village association dinner hosted by the village of Cayuga.

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

**Treasurer’s Report**: On motion by Trustee Bates, seconded by Trustee Ominsky, the village board voted to accept the January & February treasurer’s reports.

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

NAYS: None

Motion carried unanimously.

**Budget Modifications**

**General:** $83.50 From: A1990.4 Contingent Account

$83.50 To: A1010.4 Board of Trustees - Contractual

On motion by Trustee Ominsky, 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.

**Bills**

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

Voucher #336-342, 344-347, 349, 350, 352-354, 356-363 and 365-368

Total: $11,737.88

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

NAYS: None

Motion carried unanimously.

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

Voucher #339, 348, 349, 355, 358, 362 and 364

Total: $4,532.98

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 #338, 340-344, 350, 351 and 362

Total: $3,822.34

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

NAYS: None

Motion carried unanimously.

**Committee Reports**

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

**Historian:** Dr. Schwab expressed her gratitude to the Cayuga County Community Fund for the gala held at Auburn Public Theater on March 16. Dr. Schwab noted the excitement of committee members regarding the Patrick Tavern project, a recipient of community funds, including an on-line interview between committee member Michael O’Gorman and former Auburn Mayor, Guy Cosentino.

Dr. Schwab, also noting campaign misinformation, requested that the record reflect that updates on the Patrick Tavern project were noted in the village board minutes from March, June, September, October and November 2017, via the historian’s report and/or Trustee Ominsky’s reports. The plans for Patrick Tavern are also available for viewing at the Village office.

**Buildings and Grounds:** Trustee Ominsky reported that electricity is installed at Patrick Tavern and footings to support the first floor will soon be in place.

**Parks and Recreation:** Trustee Murphy reminded the board members that she has been working on several projects that now require their attention:

* Summer youth program– Carolyn Connors is willing to continue as Director; Letter to Wells needs to be done for use of the dock and the swimming pool for lessons.
* Fitness trail– consult with the DPW on installing the signs
* Merry-Go-Round Playhouse children’s theater
* Memorial Day celebration
* July 4 celebration

**Streets and Public Safety:** No report

**Water and Sewer:** No report

**Inns of Aurora Zoning Law Change Request:** General manager Sue Edinger and Attorney Wendy Marsh requested that the village board consider allowing conference centers in residential zones via a change to the village zoning law Table of Uses (section 405). Ms. Marsh explained that the law could be tailored to fit the Inns of Aurora’s desire to turn Taylor House into a small conference center.

Ms. Edinger responded to board member concerns regarding interpreting the zoning change too broadly by reiterating Ms. Marsh’s assertion that the language of the law should alleviate any concerns and that they will consult with the village attorney on the wording.

Ms. Edinger explained that she had preliminary meetings with the Community Preservation Panel and village Planning Board presenting their intent to increase occupancy at the Inns during the off season by hosting conferences. The application was denied by the village code enforcement officer because village law does not allow for conference centers in residential zones.

On motion by Mayor Bennett, seconded by Trustee Ominsky, the village board voted to forward the Inns of Aurora request to the village planning board for their input and consultation with the village attorney.

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

NAYS: None

Motion carried unanimously.

**Old Business**

**Local Law #2 of 2018** (attached):

**VB RESOLUTION #18- 06 of 2018 ENACTING LOCAL LAW #2 OF 2018**

**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 2018/2019 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 21, 2018, 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 2018.

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 2018 held at Village Hall on March 21, 2018 beginning at approximately 7:00 p.m.;

Now upon the Motion of Mayor Bennett and Seconded by Trustee Ominsky, 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 of 2018 is adopted this 21st day of March, 2018.

Trustee Ominsky questioned if the budget exceeds the tax cap and Mayor Bennett responded that it does by $3,600.00. Mayor Bennett and Trustee Van Orman noted the significant cuts in State funding for the village summer youth program and the Consolidated Local Street and Highway Improvement Program (CHIPS) fund, as well as unfunded State mandates contributing to the necessity for the override.

**Sewer User Fee Relief Request:** The village board considered a request submitted last month from Mr. Kegler, account #1145, that a portion of the sewer charge on his water bill be waived. Mr. Kegler noted in his letter a bill close to $1000.00 and questioned if the garden hose left on overnight a couple times while filling his pool could result in such a dramatic increase. Mr. Kegler acknowledged the lack of oversight but reasoned that the garden hose does not run through the sewer, hence the relief request.

It was noted that Mr. Kegler’s quarterly reading has been estimated for the past two years due to the DPW’s inability to access the meter and Mr. Kegler not returning the water meter card when it was the property owners responsibility to read the meter.

Mayor Bennett suggested that the amount of relief for the sewer charge reflect the number of gallons of water required to fill the pool. Mr. Kegler’s pool holds 13,950 gallons of water which results in a $76.73 refund. Mayor Bennett also recommended that a letter be sent to Mr. Kegler explaining the importance of receiving accurate water meter reads and advising him to contact the DPW when he is filling his pool.

On motion by Mayor Bennett, seconded by Trustee Van Orman, the village board voted to grant Mr. Kegler partial relief of his water/sewer bill for account #1145 in the amount of $76.73 and inform Mr. Kegler of village procedure regarding meter readings and swimming pools.

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

NAYS: None

Motion carried unanimously.

**New Business**

**Resolution #18-07: Donation Acceptance Agreement**

Mayor Bennett explained that the village board must pass a resolution to accept donations from the Inns of Aurora and Wells College to help defray the cost of the feasibility study for a municipal water system.

**RESOLUTION AUTHORIZING ACCEPTANCE OF DONATION**

**TO DEFRAY COST OF PRELIMINARY ENGINEERING REPORT**

This **AGREEMENT** (“Agreement”) made this 21st day of March 2018 by and between the **VILLAGE OF AURORA, NEW YORK,** a municipal corporation situate in Cayuga County and having an address of 456 Main Street, Aurora, New York, 13026 (hereinafter, “Village”); and

**WHEREAS**, **WELLS COLLEGE**, a duly formed non-profit corporation pursuant to the New York State Education Law, situate in the Village of Aurora, New York and having a mailing address of 170 Main Street, Aurora, New York 13026 (hereinafter, the “College”) currently owns and operates a water supply, treatment and distribution plant (“Water Plant”) and certain transmission and distribution lines which serve the College and the Village, for the purposes of maintaining, constructing and operating facilities to acquire, improve, treat and distribute water, and

**WHEREAS,** the Village of Aurora (the “Village”) currently owns and operates a series of water mains and distribution lines for the purpose of delivering water to the residents and other users within and without the Village; and

**WHEREAS**, **THE INNS OF AURORA**, a domestic corporation having a mailing address of 391 Main Street, Aurora, New York 13026 (herein, the “Inns”) own and operate several commercial establishments located within the Village and which together constitute a substantial user and consumer of water supplied by the College and delivered by the Village; and

**WHEREAS**, the parties recognize that facilities and equipment which comprise the Water Plant are generally beyond their useful service life and will require a substantial capital investment to either repair or replace; and

**WHEREAS**, the College has expressed interest in no longer being a water supplier and becoming a water customer; and

**WHEREAS**, the Village wishes to engage the services of K. TETER CONSULTING at a not to exceed cost of forty thousand dollars ($40,000) for the purpose of developing a preliminary engineering report (“PER”) that will evaluate the feasible alternatives for a municipally owned water source that will provide water in a sustainable quantity and sufficient quality for current Village and College demands, as well as providing for future development in the surrounding vicinity; and

**WHEREAS**, both the College and the Inns recognize that obtaining a PER is an essential first step in preparing for the creation of a municipal water system that will provide critically needed services to the community and therefore believe that donating toward the cost of such a PER is an appropriate use of funds that such a donation meets their respective goals as community minded organizations; and

**WHEREAS**, the Village is authorized pursuant to Village Law § 1-102(2) to accept gifts of real or personal property for any public purpose and upon such conditions as the donor(s) may prescribe;

**NOW, THEREFORE**, **BE IT RESOLVED** as follows:

1. The Board of Trustees hereby authorizes the Village to accept the gift from Wells College in the amount of $13,333 upon the sole condition that the funds will be applied toward the cost of obtaining a preliminary engineering report for the purpose of evaluating the feasibility of developing a municipally owned water supply system sufficient to meet current Village demands (including both the College and the Inns), as well as providing for future development in the surrounding vicinity.
2. The Board of Trustees further authorizes the Village to accept the gift from The Inns of Aurora in the amount of $13,333 upon the sole condition that the funds will be applied toward the cost of obtaining a preliminary engineering report for the purpose of evaluating the feasibility of developing a municipally owned water supply system sufficient to meet current Village demands (including both the College and the Inns), as well as providing for future development in the surrounding vicinity.
3. The Board of Trustees agree to accept the aforesaid gifts upon the stated condition and affirm that the funds will be used solely for the purpose of defraying the cost of the Preliminary Engineering Report to be prepared by K. TETER CONSULTING.
4. The Board of Trustees hereby authorizes the Mayor to execute such agreements or any other documentation that is necessary to carry out the intent of this Resolution.

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

The adoption of the foregoing Resolution was moved by Trustee Ominsky, seconded by Trustee Van Orman, and duly put to vote, which resulted as follows:

Trustee Bates AYE

Trustee Murphy AYE

Trustee Ominsky AYE

Trustee Van Orman AYE

Mayor Bennett AYE

The Resolution was thereupon duly adopted.

Dated: March 21, 2018

**Tentative 2018/2019 Budgets**

The village board reviewed the tentative budgets for the 2018/2019 fiscal year.

**General Fund:** Mayor Bennett noted a village tax increase of 15 cents which results in $2.95/$1000.00 of assessment. Village of Aurora taxes continue to be the lowest in Cayuga County; Fair Haven is next at $3.68/$1000.00 and Union Springs at $4.00/$1000.00.

Ms. Brooks noted that the cost for planning/zoning consultation with LaBella Associates is dispersed throughout several accounts.

Trustee Bates questioned the village fund balance policy. Mayor Bennett explained that the fund balance is necessary to keep taxes low and Ms. Brooks noted that it is 25% of the budget. Ms. Bates suggested charging hotel room rental fees to increase revenue and Mayor Bennett explained that room rental fees require approval of the State legislature.

Ms. Brooks noted purchasing a new raft for the summer swim program as a budget line. Trustee Bates remarked that she has a raft and will contact the DPW to see if it will work for the Village’s program.

**Water Fund:** Ms. Brooks noted a transfer of funds to “Trucks-Apparatus” for the purchase of new DPW trucks.

**Sewer Fund:** Ms. Brooks noted that sewer pumps need to be replaced this year. Also, revenue is down 2.94% due to a decrease in usage at Wells College of 11,300 gallons of water distribution through the sewer system.

On motion by Trustee Ominsky, seconded by Trustee Van Orman, the village board voted to accept and propose for adoption the tentative 2018/2019 budgets with a village tax rate of $2.95/$1000.00 at the April 18, 2018 village board meeting.

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

NAYS: None

Motion carried unanimously.

Trustee Van Orman suggested allowing for additional public comment now that the budgets are available for review. The village board agreed to post on the website and bulletin boards a deadline of April 11, 2018 for any written comments regarding the 2018/2019 village budgets.

**Aurora Historical Society Annual Report and Budget Review:** AHS president, Tracy Leffingwell, submitted the annual report (attached) and welcomed any questions from the board members. Mayor Bennett thanked Ms. Leffingwell and did note that, per the Memorandum of Understanding between the village and the AHS, the report should be submitted in time for the January village board meeting.

Mayor Bennett also suggested that the AHS consider fundraising to build a reserve specifically for storage units to house various archives from throughout the village and Wells College.

Dr. Schwab added that the AHS center saw an increase in visitors this year and more than 30 people submitted items for the World War II display which was held over twice due to significant public interest.

Dr. Schwab also thanked Pat Foser for organizing the Doug’s Fish Fry fundraiser and Ms. Bianconi thanked the village board for their support and noted that the interest in the AHS displays from local residents and tourists contributed to the financial support of the AHS.

**Standard Contract Form:** Mayor Bennett distributed a standard contract form that village attorney, Tom Blair, recommends that the village adopt for all contracts. Mayor Bennett noted that it is the form Mr. Blair used for the agreement with village engineer, Ken Teter, for his consultation on the water project.

On motion by Mayor Bennett, seconded by Trustee Ominsky, the village board considered the standard contract form recommended by village attorney, Tom Blair. Upon further discussion, on motion by Trustee Van Orman, seconded by Trustee Bates, the village board voted to table the motion on the standard contract form to give time for further review, but agreed to use it for the agreement with village engineer, Ken Teter.

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 8:15 pm.

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

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk