**Village of Aurora Board of Trustees July 18, 2018 Minutes**

The meeting was held at the Aurora Firehouse Meeting Room at 7:00 pm

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

**Others Present**

**Village Officials:** Clerk Ann Balloni, Treasurer Deborah Brooks, Planning Board members Pat Foser & Frank Zimdahl, ZBA member Laura Holland, and Historian Dr. Linda Schwab

**Members of the Public:** David Brooks, Megan Ehrhart (Citizen reporter), Sue Edinger (Inns of Aurora General Manager), Jay O’Hearn, and Gavin Van Horn

**Call to Order:** Mayor Bennett called the meeting to order at 7:00 pm and all rose for the Pledge of Allegiance

**Changes to the Agenda:** Dedication of Lafayette St is added to Old Business

**Approval of Minutes**

**June 20, 2018:** On motion by Trustee Bates, seconded by Trustee Ominsky, the Village Board voted to approve the June 20, 2018 meeting minutes.

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

NAYS: None

Motion carried unanimously.

**July 14, 2018 Work Session:** On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to approve the July 14, 2018 work session minutes.

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

NAYS: None

Motion carried unanimously.

**Announcements**

**Mayor:** Mayor Bennett reported on the Cayuga County Shared Services meeting and noted that the Village has signed onto the 8 initiatives identified by the municipal members, though added that they may not necessarily be implemented by the Village. The initiatives include health consortium, utilities, borrowing or buying equipment, testing chemicals, court facilities and assessments. Mayor Bennett noted that this plan needs to be done by September.

**Clerk:** Ms. Balloni noted a letter from Senator Helming to Governor Cuomo requesting funding for addressing Harmful Algal Blooms (HAB). Mayor Bennett added that the $500,000.00 in State funding (corrected from the $497,000,00 amount noted in the approval letter) must be received by the Village, and not Wells College, for the installation of the carbon filters.

Ms. Balloni read a resignation letter from Richard Kegler who regrets that he cannot fulfill the duties as a member of the Community Preservation Panel due to meeting conflicts.

**Visitor Recognition**

**Laura Holland:** Ms. Holland submitted a letter (attached) requesting that the Village Board address the lack of enforcement of illegal parking by her neighbors at 327 Main St. Ms. Holland notes that her neighbors were informed 10 years ago that an area of their front yard may be used as a turnaround and not for parking as Village Law prevents parking in the front yard. Ms. Holland added that, in 2009, the Village Planning Board denied the neighbor’s request to use the area for parking while applying for a Home Occupation Special Use Permit and reiterated that the spot can only be used as a turnaround.

Ms. Holland suggested that the Village revoke the Special Use Permit due to the violation or change the law. The Village Board agreed to discuss the issue under Old Business.

**Gavin Van Horn:** Mr. Van Horn introduced himself as a lifeguard for the Village Summer Swim Program and submitted a request (attached) listing several reasons why he believes the lifeguards should receive a raise, from $10.40/hour to $15.00/hour. Mr. Van Horn’s points included: the increasing costs for certification (which are not reimbursed), fewer than 40 hours per week, lack of hours when the dock is closed due to Harmful Algal Blooms (13 days so far this season) and increased work when there are only two lifeguards on duty instead of the usual three.

Mayor Bennett noted that the pay scale is competitive with area municipalities swim programs and reminded Mr. Van Horn that he was aware of the hours and pay when he accepted the job. However, Mayor Bennett suggested that Mr. Van Horn/the other lifeguards consider alternative activities to offer their patrons when the dock is closed so they are not losing hours.

Mr. Bianconi remarked that adding responsibilities to the lifeguard duties should be appropriately compensated.

**Pat Foser:** Ms. Foser followed up on her comments last month requesting that the Village institute a Deer Management Program and handed out to the Board copies of the Tompkins County Program. Mayor Bennett suggested that she also look into the program in Hamilton, form a committee and update the Board at the next meeting. A few residents in attendance expressed interest in joining the committee.

**Frank Zimdahl:** Mr. Zimdahl inquired if there was any follow-up to his concern regarding the condition/lack of lighting along the steps to the Village Park. Mayor Bennett replied that white strip grip tape has been added for better sight and safety, but the slope requires regrading and interferes with two trees if the steps were to be replaced.

Mr. Zimdahl also questioned if Pleasant Rowland could be persuaded to revisit installing attractive Village streetlights. Mr. Zimdahl noted that Ms. Rowland had offered to pay for new streetlighting in the village center several years ago, but the Village declined the offer. Mayor Bennett replied that the Village Board will review and consider this at their August meeting.

**Treasurer’s Report**: No report

**Bills**

**General:** On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to approve the General Fund Abstract #2 for payment.

Voucher #33-44, 46, 47, 49, 51-65, and 67-71

Total: $26,420.14

AYES: Bennett, Bates, Bianconi, 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 #2 for payment.

Voucher #45, 47, 48, 54, 57, 64 and 65

Total: $6,289.47

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

NAYS: None

Motion carried unanimously.

**Sewer:** On motion by Trustee Ominsky, seconded by Trustee Bates, the Village Board voted to approve the Sewer Fund Abstract #2 for payment.

Voucher #34-36, 47, 50-53 and 60

Total: $3,691.40

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

NAYS: None

Motion carried unanimously.

**Trust & Agency:** On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to approve the Trust & Agency Fund Abstract #2 for payment.

Voucher #43 and 57

Total: $731.00

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

NAYS: None

Motion carried unanimously.

**Water Improvement System:** On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to approve the Water Improvement System Fund Abstract #2 for payment.

Voucher #57

Total: $2,000.00

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

NAYS: None

Motion carried unanimously.

**Reports**

**Code Officer:** No report

**Historian** (see attached): Dr. Schwab reported on the newest display at the Aurora Historic Center, Aurora Ink! The Printers of Aurora, 1805-2018, continuing research projects and adding a page from an 1853 copy of Gleason’s Magazine depicting “Regatta Day, Aurora” into the Archives. Dr. Schwab remarked that they have good attendance on Tuesdays at the Center and Mayor Bennett added that the Book Arts Institute is this week.

**Trustee Bates:** Trustee Bates reported that the Cayuga Lake Intra-municipal Organization (IO) is working with the counties on regulating inspection of sewers as a condition of property transfers. Mayor Bennett added that the Hydrilla eradication by the Army Corps of Engineers is conducted on Thursday mornings again this year.

**Old Business**

**Enforcement of Village Laws:** Mayor Bennett remarked that, without a police force, the Village is limited in its ability to enforce laws such as restricting parking. The next step following a Cease and Desist notification, issued by the Code Officer, is an appearance ticket with attorney fees paid by village taxpayers. Mayor Bennett questioned when enforcement is worth the price of going to court.

Ms. Holland pointed out that the applicant’s Special Use Permit could be revoked, but Mayor Bennett countered that won’t solve the parking problem. Ms. Holland then suggested removing the law.

Trustees Bianconi remarked that the Village Attorney should be consulted and questioned if the attorney fees could be billed back to the violator if convicted. Trustee Van Orman added that there should be consequences for a resident who continually violates Village Law. The Board asked the Mayor to consult with Attorney Blair on the time frame to go to court, how much it would cost in Attorney and court fees and if we can charge back to the person.

**Lafayette St:** (see attached resolution #18-29)

The Village Board authorized permission for Ms. Edinger to sign the Dedication Agreement the next day to give the Inns of Aurora attorney time to review, via roll call vote of the Board:

Bates: AYE

Bennett: AYE

Bianconi: AYE

Ominsky: AYE

Van Orman: AYE

**New Business**

**Local Law #3 of 2018:** The Village Board discussed the “Applicability” clause of the proposed law and the differentiation between charging for potable water vs non-potable water. Trustee Van Orman expressed concern that the terms “consumer” and “user” are not included in the definitions. Mayor Bennett remarked that the Board has until 10 days before the public hearing to amend the proposed law.

On motion by Mayor Bennett, seconded by Trustee Van Orman, the Village Board voted to change the date of their August meeting to Thursday, August 16th at 7:00 pm due to Mayor Bennett being out of town on Wednesday, August 15th.

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

NAYS: None

Motion carried unanimously.

On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to schedule the Public Hearing for Local Law #3 of 2018 for Thursday, August 16, 2018 at approximately 7:00 pm.

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

NAYS: None

Motion carried unanimously.

**RESOLUTION #18-30 INTRODUING** **PROPOSED LOCAL LAW**

**TO REPEAL AND REPLACE LOCAL LAW REGARDING RULES AND REGULATIONS GOVERNING THE USE AND SUPPLY OF WATER**

At a regular meeting of the Board of Trustees of the Village Aurora, held on the 18th day of July 2018:

**WHEREAS,** the Village of Aurora Board of Trustees (“Board of Trustees”) seeks to promote and protect the public health, safety, and welfare by establishing regulations for the use of the public water system of the Village of Aurora; and

**WHEREAS,** the Board of Trustees has previously adopted Local Law #2 of 2016 (herein “Local Law #2”) regarding the regulations governing the use and supply of water; and

**WHEREAS**, the Board of Trustees deemed to be in the best interests of the Village of Aurora to conduct an in-depth review of said Local Law #2 and to revise and update the regulations contained therein in order to improve and enhance the Village’s ability to administer such regulations and to clarify the requirements expected of users of water both inside and outside the Village boundaries; and

**WHEREAS,** as a result of such review, the Board of Trustees deems it to be in the interests of the Village of Aurora to repeal and replace Local Law #2 with revised provisions introduced herein as Local Law #3 of 2018; and

**WHEREAS,** this is a policy making action which is a Type II action pursuant to 6 NYCRR §617.5(c) (27) and is otherwise exempt from environmental review pursuant to the New York State Environmental Quality Review Act (“SEQRA”);

**NOW, THEREFORE, BE IT RESOLVED**

1. The Village Board of Trustees hereby introduces Proposed Local Law # 3 of 2018 in the form annexed hereto for consideration and adoption.
2. The Board of Trustees hereby determines that the adoption of the aforementioned Local Law #3 of 2018 is a policy making action which is a Type II action as defined in 6 NYCRR §617.5(c)(27) and accordingly, the 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 Board of Trustees shall hold a public hearing on the 16th day of August 2018 at approximately 7:00 P.M., at the Village Office, at 456 Main Street, Aurora, New York, pursuant to Section 20 of the Municipal Home Rule Law, for the purpose of hearing all persons for or against the proposed Local Law which provides for the regulation of the use and supply of water through the Village Water System as well as the use of private water supply systems in the Village of Aurora.
4. That the Village Clerk is authorized and directed to cause a copy of the proposed Local Law in its final form to be mailed to each of the trustees at least ten (10) days exclusive of Sundays before final action shall be taken thereon; and to cause notice of the public hearing to be published at least five (5) days before the public hearing.

FIRST: Mayor Bennett

SECOND: Trustee Ominsky

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

NAYS: None

The foregoing resolution was unanimously adopted this 18th day of July 2018.

**Wedding Appointment:** Mayor Bennett received a request from a Justice of the Peace in New Hampshire to allow her to officiate at her nephew’s wedding in Aurora on August 25th. The request requires a resolution by the Board of Trustees and is limited to August 25th.

**VB Resolution #18-31: To Appoint Susan Batty Santoski as Authorized Marriage Officer**

**RESOLVED:** to appoint Susan Batty Santoski, Justice of the Peace in the State of New Hampshire, as Authorized Marriage Officer in the Village of Aurora, for a term limited to one day, August 26, 2018.

Mayor Bennett: AYE

Trustee Grace Bates: AYE

Trustee Matthew Bianconi: AYE

Trustee Alan Ominsky: AYE

Trustee Kit Van Orman: AYE

Vote: 5-0

**Community Preservation Panel Appointment:** On motion by Trustee Ominsky, seconded by Trustee Bates, the Village Board voted to appoint Jim Burkett to the Community Preservation Panel through April 30, 2019; fulfilling the term vacated by Richard Kegler.

AYES: Bennett, Bates, Bianconi, 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 8:25 pm.

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

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni

Village Clerk