

DRAFT

Village of Aurora Board of Trustees December 19, 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 Chairperson Pat Bianconi, ZBA member Laura Holland and Historian Dr. Linda Schwab

Inns of Aurora: General Manager Sue Edinger

The Citizen: Megan Ehrhart

Members of the Public: Barbara Blom, David Brooks, Marie Dentes and Dr. Margaret Flowers

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: No changes

Approval of Minutes: On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to approve the November 14, 2018 meeting minutes.

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

NAYS: None

Motion carried unanimously.

Announcements

Mayor: Mayor Bennett announced that the contract with Charter Communications (formerly Time-Warner Cable) is up for renewal. Mayor Bennett is consulting with Cayuga County Legislator Keith Batman, as well as, former Village Trustee Janet Murphy, who was involved with the last contract renewal, to determine if there is room for negotiation.

Mayor Bennett was informed by Barton & Loguidice that our application for water plant funding from the EFC met the "hardship" threshold. Mayor Bennett noted that this is good news for receiving grant funding and Village Engineer Ken Teter is researching the next steps.

Mayor Bennett is working with the DPW Supervisor, Kurt Wilmot, to assist the consultant hired by the Cayuga Lake Watershed Intra-Municipal Organization (IO) to write their grant funding application.

Clerk: Ms. Balloni read a letter (attached) from retiring Sheriff David Gould thanking the Village officials for their cooperation and assistance through the years.

Trustee Bates: Trustee Bates noted an article in the Citizen newspaper announcing that the Aurora Masonic Center was a recipient of \$168,000 in grant funding for their building renovation project.

Visitor Welcome

Dr. Margaret Flowers: Dr. Flowers gave an update of her November letter that detailed the death of her Icelandic sheep on October 20, 2018 following a fireworks display at Wells College. Dr. Flowers informed the Board that she lost a total of 7 rare sheep, 3 lambs and 4 rams, and the financial loss from future earnings is “hundreds of thousands of dollars”.

Dr. Flowers and Dr. Schwab submitted a letter (attached) from a fireworks expert, Dr. Schneider, and an article explaining how exposure to decibels above 100 can cause physiological stress on animals.

Barbara Blom: Ms. Blom commended the Board on their work towards updating the Village Comprehensive Plan and suggested consulting with the Cayuga County Planning Board for the revisions.

Marie Dentes (speaking for John Dentes): Ms. Dentes agreed that outside professionals should be consulted to amend the Village Comprehensive Plan.

Treasurer’s Report: On motion by Ms. Bates, seconded by Mr. Ominsky, the Village Board voted to approve the October & November Treasurer’s reports.

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

NAYS: None

Motion carried unanimously.

Budget Modifications

General: \$103.04 From A1990.4 Contingent Account
\$103.04 To A1910.4 Unallocated Insurance

On motion by Trustee Ominsky, seconded by Trustee Bianconi, the Village Board voted to accept the Budget Modifications in the General Fund.

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

NAYS: None

Motion carried unanimously.

Sewer: \$11.35 From G1990.4 Contingent Account
\$11.35 To G8130.2 Sewage treatment – Equipment

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

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

NAYS: None

Motion carried unanimously.

Bills

General: On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to approve the General Fund Abstract #7 for payment.

Voucher #246-251, 253-260, 263-277, 279, 280 and 281

Total: \$9,258.27

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 #7 for payment.

Voucher #244, 245, 259, 263, 270, 271, 277, 278 and 282

Total: \$4,535.55

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

NAYS: None

Motion carried unanimously.

Sewer: On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to approve the Sewer Fund Abstract #7 for payment.

Voucher #244, 249-252, 259-263, 268, 275, 277 and 282-284

Total: \$5,804.83

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

NAYS: None

Motion carried unanimously.

Trust & Agency: On motion by Trustee Bates, seconded by Trustee Ominsky, the Village Board voted to approve the Trust and Agency Fund abstract #7 for payment.

Voucher: 273

Total: \$335.43

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

NAYS: None

Motion carried unanimously.

Water Improvement System: On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to approve the Water Improvement System Fund abstract #7 for payment.

Voucher: 273

Total: \$534.00

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

NAYS: None

Motion carried unanimously.

Reports

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

Historian (attached): Dr. Schwab read from her year-end report emphasizing the importance of maintaining and recording local history and the enthusiastic response from locals and tourists to the Aurora Historical Center. She noted that they have had six (6) months of weekly presentations on various topics by varied presenters. Dr. Schwab, Planning Board Chairperson Pat Bianconi and Mayor Bennett sincerely thanked Ms. Edinger for the Inns of Aurora's support of the Center and providing them space for their office and displays.

Miscellaneous: Mayor Bennett asked for an update on the health insurance research and Trustee Van Orman replied that she will have a report ready in time for budget discussions.

Trustee Ominsky reported that he received notice that the LED lighting project at the Post Office is scheduled for January 8, 2019. He added that he will contact NYSEG after the new year for an update on converting the Village streetlights to LED lighting.

Trustee Bates reported that the Cayuga Lake Watershed IO is considering a sliding fee schedule for municipal dues at the request of the Village of Aurora. Mayor Bennett noted that the Village's contribution is the same as the Town of Ithaca despite the significant discrepancy in budgets.

Old Business

Taylor House: Mayor Bennett referred to letters (attached) from the Inns of Aurora and the Village Planning Board. The Inns of Aurora are requesting a change to the Table of Uses in the Village Zoning Law allowing conference centers in the residential zone. The Planning Board is recommending re-zoning the north side of Cherry Ave, Main St to Court St, through the Shakelton House property, on the north side of Lafayette St, from a residential district to a commercial district.

Ms. Edinger explained that the Inns of Aurora submitted an application in August 2017 to convert Taylor House (396 Main St) to a conference center. The application was denied by the Village Code Enforcement Officer because the Village Zoning Law Table of Uses does not allow conference centers in the Residential Zone.

The Inns of Aurora requested that the Village Board amend the Table of Uses to allow conference centers, but the law has not been amended. Ms. Edinger reiterated that the Village has requested a Generic Environmental Impact Study (GEIS) for all the Inns properties, but the Inns can only proceed with a GEIS if there is a current project proposed. As the Inns of Aurora's plan is to use residential property that they own for commercial purposes not allowed in the Village Zoning Law, the process is at a standstill.

Trustee Ominsky questioned Ms. Edinger on a potential event center along the lake on the former Eldred property. Ms. Edinger explained that a GEIS will encompass all the Inns properties/projects and will require Board review, but does not guarantee CPP and Planning Board approval for any given project. It is an all-inclusive environmental review exempting each individual project from the State Environmental Quality Review (SEQR) process.

Ms. Edinger further noted that, at the November 28, 2018 Planning Board meeting, two neighboring Court St residents expressed their preference for Taylor House as a conference center as opposed to its current use as office space.

Ms. Bianconi, reading from the Planning Board letter, notes that all but one of the properties on the block currently have commercial uses or are proposed for commercial purposes.

Ms. Edinger stressed that she is agreeable to either changing the Table of Uses or re-zoning to commercial.

On motion by Mayor Bennett, seconded by Trustee Ominsky, the Village Board voted to move forward with a consideration of Taylor House as a change to the zoning law with a public hearing tentatively planned for February.

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

NAYS: None

Motion carried unanimously.

New Business

Re-Appointment of Pat Bianconi to the Cayuga County Planning Board: On motion by Trustee Van Orman, seconded by Trustee Ominsky, the Village Board voted to re-appoint Pat Bianconi as the Village of Aurora representative on the Cayuga County Planning Board.

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

NAYS: None

Motion carried unanimously.

Revised Solar Permit: Mayor Bennett noted that New York State revised the Solar Permit by increasing to a 25-kw limit, from 12-kw, for residential roof panels due to improved technology.

On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to approve the revised solar permit application, with the addition of the applications requiring Community Preservation Panel approval.

Fireworks Law: The Board discussed continuing to allow fireworks in the Village, with a permit, regulating fireworks or banning them. Mayor Bennett noted that the Town of Ledyard does not permit fireworks and, upon discussion with the Town Supervisor Mark Jordan, stated that “Ledyard will follow the Village’s lead” with regulating/banning fireworks. Mayor Bennett has contacted the Village Attorney to review other municipal fireworks regulations for a potential local law.

The fireworks display which occurred on October 20, 2018 was in celebration of Wells College 150th anniversary. Several residents in and around the Village of Aurora expressed surprise/concern with the intensity of the display and Dr. Flowers submitted documentation at the November 14, 2018 Village Board meeting supporting her contention that the fireworks were the cause of the death of her sheep.

Mayor Bennett referred to the death of Dr. Flowers sheep, as well as, a cow stampede at Mark Jordan’s farm during a 2015 fireworks display noting that now that the Village is aware of potential damage from fireworks that they might be held liable for any future damages.

Trustee Ominsky motioned to allow colorful fireworks without noise which was seconded by Mayor Bennett. The following was discussed before the motion was tabled:

- Fireworks complaints
- The devastation of Dr. Flowers’ loss, financially and emotionally
- Animal’s sensitivity to sounds
- Respecting the rural character and livelihood of the surrounding agricultural lands
- Loud noises occur from other events such as parades and hunting

- Allowing less intense fireworks with the understanding that some noise is part of the thrill
- Disallowing “salutes” as inappropriate for a small village
- Reviewing other municipalities fireworks permits

Dr. flowers noted that there is little case law in New York State, but Maryland has an example of damage to animals from fireworks if the trustees want to review.

Trustee Van Orman commented that she would like to continue to research fireworks information and Dr. Schwab pointed out that she and Dr. Flowers have spent weeks documenting the available information and that the trustees all have copies of their research. Trustee Van Orman indicated that she preferred to do her own research. Dr. Schwab took offense, but reiterated that the letter she submitted from Dr. Schneider included his phone number. The trustees agreed to have Trustee Bianconi contact Dr. Schneider.

Adjournment: On motion by Trustee Ominsky, seconded by Trustee Bates, the Village Board voted to adjourn the meeting at 8:25 p.m.

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

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni
Village Clerk