

Village of Aurora Board of Trustees March 28, 2019 Work Session Minutes

The meeting was held at the Aurora Firehouse Meeting Room at 4:00 p.m.

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

Others Present: Village Clerk Ann Balloni, Inns of Aurora General Manager Sue Edinger, Citizen Reporter Megan Ehrhart, Planning Board member Pat Foser, ZBA member Laura Holland and local resident Dr. Margaret Flowers

Call to Order: Mayor Bennett called the work session to order at 4:08 p.m.

Draft Fireworks Law Review

The Village Board discussed Attorney Tom Blair’s recommendations for the “Definitions” section. The Trustees felt that, at 6 pages, it is overly complicated, too detailed, hard to follow and will have minimal effect. Mayor Bennett noted that the definition is from the State and seeks to differentiate between those allowed for private use in NY and those set off by professionals.

The Trustees reviewed Section B.2. of the proposed law and discussed the 200’ limit, effect on livestock, wind, aerial salutes and finales. The Board also discussed fireworks that have bright displays but diminished noise with some members commenting that they would like to see such a display. Trustee Bianconi again brought up instituting a moratorium on fireworks for time to review alternate displays and to continue researching. Mayor Bennett countered that Dr. Flowers has submitted sufficient, factual evidence and that enacting the law has the same result as a moratorium.

**VB RESOLUTION 19-07 OF 2019
RESOLUTION INTRODUCING LOCAL LAW #2 OF 2019
OF THE VILLAGE OF AURORA TO AMEND ITS ZONING LAW IN ORDER TO REGULATE THE USE OF
FIREWORKS IN THE VILLAGE OF AURORA**

WHEREAS, it is the intention of the Village of Aurora (“Village”) to maintain a viable land use and zoning law known as the “Village of Aurora Zoning Law” (hereinafter, “Zoning Law”); and

WHEREAS, pursuant to the Municipal Home Rule and Village Law of New York State, the Village of Aurora Board of Trustees (“Village Board”) has the legislative authority to update, amend and enact laws to promote the safety, prosperity and welfare of the Village on behalf of Village residents, property owners, and visitors; and

WHEREAS, it is the Village Board’s intent to regulate fireworks displays and usage in the Village of Aurora in order to preserve and protect public safety, tranquility, and property values within the Village; and

WHEREAS, the Village Board has identified that the Village’s current Zoning Law (Local Law #1 of 2018, as amended) does not contain adequate provisions for the regulation of fireworks and/or fireworks displays in the Village, and the Village Board finds that it is in the best interests of the Village to provide for well-reasoned regulations pertaining to the same; and

WHEREAS, the Village Board is prepared to determine that the amendment(s) to the Village Zoning Law herein described are not subject to the State Environmental Quality Review Act (“SEQRA”) pursuant to 6 NYCRR §617.2 as the contemplated amendments to the Village Zoning Law will not affect the environment, such that the Village Board will not be required to complete an environmental review pursuant to SEQRA; and

WHEREAS, the Village Board intends to refer the proposed Local Law #3 of 2019 to the Cayuga County Planning Board for General Municipal Law § 239 (l) and (m) review and comment; 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 20, 2019, the following members of the Village Board of Trustees being present:

BONNIE APGAR BENNETT, MAYOR
TRUSTEES
GRACE BATES
MATTHEW BIANCONI
ALAN OMINSKY
KIT VAN ORMAN

The instant 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:

1. The Village Board hereby introduces Proposed Local Law #2 of 2019 in the form annexed hereto for consideration and potential adoption.
2. The Village Board hereby determines that the adoption of the proposed Local Law #3 is not subject to the requirements of SEQRA, pursuant to 6 NYCRR §617.2 as the contemplated amendments to the Village Zoning Law will not affect the environment, and thus, the Village Board will not be required to conduct an environmental review of the same.
3. The Village Board shall refer this proposed Local Law #2 of 2019 to the Cayuga County Planning Board for General Municipal Law §239(1) and (m) review and comment.
4. The Village Board of Trustees shall notice a Public Hearing to be held on proposed Local Law #2 of 2019 at Village Hall on April 17, 2019 beginning at approximately 7:00 p.m., and shall ensure the requisite notice is placed in the Village’s designated newspaper(s) of record and also upon the Village's bulletin board and website.

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

Trustee Bates	NAY
Trustee Bianconi	NAY
Trustee Ominsky	AYE
Trustee Van Orman	NAY
Mayor Bennett	AYE

Vote: Resolution defeated by a vote of 3 to 2

On motion by Trustee Bianconi, seconded by Trustee Van Orman, the Village Board voted to introduce a local law for a 9-month Moratorium on Fireworks at the April 3, 2019 Special Meeting.

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

NAYS: None

Motion carried unanimously.

MOU with the Inns of Aurora: The Trustees discussed with Ms. Edinger a Memorandum of Understanding between the Village and the Inns of Aurora outlining each party’s goals, moving forward with the Generic Environmental Impact Statement. Items discussed included:

- Changing “retreat center” to “conference center”
- Striking “to construct a new Village Hall” for broader interpretation
- Allowing 3 years for decision on location of property purchase option

The Board discussed financial reimbursements with Ms. Edinger, noting some conflict with invoices from Attorney Blair submitted for reimbursement that haven’t been paid. Referencing Local Law #3 of 2012, Mayor Bennett explained that applicants are responsible for consulting costs associated with their project. Ms. Edinger agreed to reimburse the Village

for costs associated with the GEIS, but any cost incurred by the Village working with the same consultants on the Village Comprehensive Plan/Zoning Law are the responsibility of the Village. Ms. Edinger agreed to review the unpaid invoices with the Inns accountant.

Trustee Bianconi noted that the list of Inns of Aurora properties does not include the barn next to EB Morgan, the outbuildings behind Taylor House and the former railroad strip off of Lafayette St Ext. Ms. Edinger will correct.

Ms. Edinger requested that the proposed local law to allow conference centers to be amended to allow for 100 attendees rather than 50. Ms. Edinger explained that they would like to hold community events and allow for guests of conference attendees to join them for afternoon/evening cocktail parties. Mayor Bennett noted that building code regulations may determine the number of people allowed and that the Planning Board will ultimately decide if specific applications meet the criteria set forth in the law. The request was left open for further discussion.

Trustee Van Orman questioned disallowing conference centers in the Institutional Zone, noting that Wells College often hosts conferences. Mayor Bennett replied that conferences are integral to the campus and they would only have to apply for a permit if they were building/designating a building specifically as a conference center. Mayor Bennett noted, though, that to avoid confusion, it should be amended from NP (not permitted) to SP (Special Permit) in the Institutional Zone.

On motion by Trustee Ominsky, seconded by Trustee Van Orman, the Village Board voted to authorize Mayor Bennett to sign the Memorandum of Understanding with the Inns of Aurora, once the changes have been made and the Board has a final chance to review.

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

NAYS: None

Motion carried unanimously.

Adjournment: On motion by Trustee Van Orman, seconded by Trustee Bianconi, the Village Board voted to adjourn the meeting at 6:15 p.m.

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

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni
Village Clerk