

## Village of Aurora Board of Trustees March 17, 2020 Public Hearing and Regular Meeting Minutes

The meeting was held at the Aurora Firehouse Meeting Room at 5:30 p.m.

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

### **Others Present**

**Village Officials:** Clerk Ann Balloni, Treasurer Deborah Brooks, ZBA member Laura Holland, and Historian Dr. Linda Schwab

All rose for the Pledge of Allegiance.

(Clerks note: Due to Covid-19 concerns, all in attendance adhered to the social distancing guidelines recommended by the CDC/New York State Department of Health)

### **Public Hearing**

#### **Local Law #2 of 2020: The Waiver of the Maximum Real Property Tax Levy Limit**

On motion by Mayor Bennett, seconded by Trustee Murphy, the Village Board voted to open the Public Hearing for Local Law #2 of 2020 at 5:30 p.m.

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

NAYS: None

Motion carried unanimously.

**Public Comment:** No comments.

On motion by Mayor Bennett, seconded by Trustee Van Orman, the Village Board voted to close the Public Hearing for Local Law #2 of 2020 at 5:33 p.m.

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

NAYS: None

Motion carried unanimously.

Mayor Bennett called the regular meeting to order at 5:34 p.m.

### **Approval of Minutes**

**February 11, 2020 Special Meeting:** On motion by Trustee Murphy, seconded by Trustee Van Orman, the Village Board voted to approve the February 11, 2020 special meeting minutes.

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

NAYS: None

Motion carried unanimously.

**February 24, 2020 Regular Meeting:** On motion by Trustee Murphy, seconded by Trustee Van Orman, the Village Board voted to approve the February 24, 2020 regular meeting minutes.

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

NAYS: None

Motion carried unanimously.

**March 9, 2020 Special Meeting:** On motion by Trustee Van Orman, seconded by Trustee Bates, the Village Board voted to approve the March 9, 2020 special meeting minutes  
AYES: Bennett, Bates, Bianconi, Murphy, and Van Orman  
NAYS: None  
Motion carried unanimously.

**Changes to the Agenda:** CPP appointment is removed from New Business.

### **Announcements**

**Mayor:** Mayor Bennett gave a summary of guidelines from the State and County in response to the Covid-19 outbreak including social distancing, quarantine procedures, need for Personal Protective Equipment (PPE) and testing. It is not recommended that future Board meetings take place in person and Governor Cuomo has suspended that portion of the Open Meetings Law to allow for videoconferencing. Members of the public have a right to observe the meeting, though not participate, by joining the video conference.

**Clerk:** All County/State /Federal information, pertinent to the Coronavirus, is posted on the Village Website.

Village elections are postponed until April 28, 2020 and all current elected officials will hold over in office until after the election. Mayor Bennett added that the Annual Organizational meeting, scheduled for April 15, 2020, is postponed until after the village election.

**Trustee Murphy:** Trustee Murphy reported that the Veterans Farmers group is hoping to have produce available in the months before and after the Summer Farmers Market at Wells College. The group is considering distribution and drop-off sites and are hoping to expand their offerings to include meat and dairy products.

**Visitor Welcome:** Dr. Schwab noted that the King Ferry Food Pantry needs donations.

### **Reports**

**Code Officer:** No report

**Historian** (see attached): Dr. Schwab added that the History Center is maintaining regular hours for now and are in the process of serializing their stories.

### **Miscellaneous**

**Trustee Bates:** Trustee Bates reported that the Cayuga Lake Intra-Municipal Organization (IO) is researching funding for stream bank restoration and drainage plans to limit pipe overflow.

### **Old Business**

#### **Local Law #2 of 2020**

#### **VB RESOLUTION #20-06 ENACTING LOCAL LAW #2 OF 2020**

**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 2020/2021 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 5:30 p.m. on March 17, 2020, the following members of the Village Board of Trustees being present:

GRACE BATES  
MATTHEW BIANCONI  
JANET MURPHY  
KIT VAN ORMAN  
BONNIE APGAR BENNETT, MAYOR

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 2020.
2. 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”);
3. The Village Board of Trustees has properly noticed a Public Hearing on the Proposed Local Law #2 of 2020 held at Village Hall on March 17, 2020 beginning at approximately 5:30 p.m.;

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

Trustee Bates - AYE  
Trustee Bianconi - AYE  
Trustee Murphy - AYE

Trustee Van Orman - AYE  
Mayor Bennett - AYE

At least 3 of the above-named Village Board of Trustee members having voted in the affirmative, Local Law #2 of 2020 is adopted this 17<sup>th</sup> day of March 2020.

### **New Business**

#### **2020/2021 Budgets**

On Motion by Mayor Bennett, seconded by Trustee Murphy, the Village Board voted to introduce the 2020/2021 Budgets.

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

NAYS: None

Motion carried unanimously.

The Board discussed the following while reviewing the Budgets:

- Distributing DPW salaries through General/Water/Sewer funds
- Lawyer fees and reimbursements
- Post Office rent contract renewal
- Firehouse repairs
- 3% raise for employees
- Updating the village website
- Raises for the Village Historian and Board Chairpersons
- \$3.11/\$1,000 tax assessment rate

The Board discussed the proposed sewer budget given the change to a flat sewer rate; \$75 + \$25 access/quarter. For places using greater than 10,000 gallons/quarter, the fee is \$7.15/1,000 gallons, plus \$25 access fee.

On motion by Trustee Murphy, seconded by Trustee Bates, the Village Board voted to accept the tentative 2020/2021 budgets and schedule a Public Hearing for April 15, 2020 at 7:00 p.m.

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

NAYS: None

Motion carried unanimously.

**Treasurer's Report:** On motion by Trustee Van Orman, seconded by Trustee Bates, the Village Board voted to accept the February Treasurer's Report.

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

NAYS: None

Motion carried unanimously.

### **Budget Modifications**

#### **Water Fund**

\$2,768.60 From F9950.91 Water Improvement Reserve

To HA1910.4 Water Improvement Engineering-Capital

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

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

NAYS: None

Motion carried unanimously.

### **Sewer Fund**

\$85.84 From G1990.4 Contingent Account  
To G9040.8 Worker's Compensation

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

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

NAYS: None

Motion carried unanimously.

### **Bills**

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

Voucher #348-357, 359-370, 373, 375, and 376

Total: \$11,671.50

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

NAYS: None

Motion carried unanimously.

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

Voucher #355, 374, and 377

Total: \$3,634.48

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

NAYS: None

Motion carried unanimously.

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

Voucher #348, 354-356, 358, 362, 368, 371, and 372

Total: \$3,509.70

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

NAYS: None

Motion carried unanimously.

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

Voucher #359

Total: \$2,768.60

AYES: Bennett, Bates, Bianconi, Murphy, and Van Orman  
NAYS: None  
Motion carried unanimously.

**Water Plant SEQR Lead Agency**

**RESOLUTION #20-06 OF THE VILLAGE BOARD OF THE VILLAGE OF AURORA  
REGARDING THE VILLAGE OF AURORA WATER SYSTEM IMPROVEMENT PROJECT**

**March 17, 2020**

**WHEREAS**, on March 9, 2020, the Village of Aurora Board of Trustees [Village] met at a specially scheduled meeting in order to discuss and evaluate two potential water improvement projects to serve the Village; and

**WHEREAS**, at that meeting the Village of Aurora Board of Trustees elected to proceed with Alternative No. 1, as described in the Preliminary Engineering Report [PER] prepared by the Village dated October 2018, which entails a new water treatment facility and intake from Cayuga Lake (including a possible partnership with the Cayuga County Water and Sewer Authority [CCWSA] for a new alternative regional source) [Project]; and

**WHEREAS**, the Village also considered potential “Lead Agency” designation(s) and Action classification criteria pursuant to the State Environmental Quality Review Act ( SEQRA) as stated in NYCRR Part 617; and

**WHEREAS**, Part I of a Full Environmental Assessment Form (FEAF), as required by SEQRA, has been completed and reviewed by the Village:

**NOW THEREFORE BE IT RESOLVED,**

1. The proposed Project is deemed to be a Type I action as defined under SEQRA §617.4, due to exceeding the area threshold for physical alteration as a result of the Project.
2. The Village Board hereby announces its intention to serve as Lead Agency for purposes of SEQRA/SERP assessment of the Project and shall provide appropriate Lead Agency notification notices to other potentially Involved Agencies (see attached list) that could have the right to assert their desire to serve as Lead Agency, as well as notifying all Interested Agencies (see attached list) associated with the Project, under the cover of a “Notice of Intent to Establish Lead Agency” letter for the purpose of establishing Lead Agency status under SEQRA/SERP.
3. The Mayor of the Village of Aurora and the Village Board, together with the Village Attorney, Village Engineer (K. Teter Consulting) engineering consultant (Barton & Loguidice Engineers) are hereby authorized to undertake actions as needed to complete a coordinated review pursuant to SEQRA and to take all actions, serve all notices and complete all documents required to give full force and effect to this determination.

4. The Village Board shall send all related materials to the Cayuga County Planning Board for review and comment pursuant to Sections 239-l and 239-m of the New York State General Municipal Law.
5. The Mayor of the Village of Aurora is hereby authorized to sign Part 1 of the FEAF and any other documents associated with this process.

**BE IT FURTHER RESOLVED**, that this Resolution will be filed in the Office of the Village Clerk in files that are readily accessible to the public and made available upon request, subject only to the limitations established by the Freedom of Information Law.

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

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

Grace Bates, Trustee AYE  
Matthew Bianconi, Trustee AYE  
Janet Murphy, Trustee AYE  
Kit Van Orman, Trustee AYE  
Bonnie Apgar Bennett, Mayor AYE

The Resolution was thereupon duly adopted, March 17, 2020

**Adjournment:** On motion by Mayor Bennett, seconded by Trustee Van Orman, the Village Board voted to adjourn the meeting at 7:45 p.m.

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

NAYS: None

Motion carried unanimously.

Respectfully submitted,

Ann Balloni  
Village Clerk