

**Regular Board Meeting of the Village of Solvay Board of Trustees  
Tuesday, August 23, 2011**

**OFFICE OF THE CLERK/TREASURER  
MICHAEL FECCO**

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The **REGULAR BOARD MEETING of the SOLVAY BOARD OF TRUSTEES** at the Solvay Village Library, 615 Woods Road, Solvay, NY 13209 at 6:00 p.m.

**PLEDGE TO THE FLAG**

*A moment of silence for Paul Valenti's father who passed away this week.*

|                              |                     |                           |                |
|------------------------------|---------------------|---------------------------|----------------|
| <b>ATTENDANCE ROLL CALL:</b> | <b>Trustees:</b>    | <b>Jamie Colucci</b>      | <b>Present</b> |
|                              |                     | <b>Ronald Benedetti</b>   | <b>Present</b> |
|                              |                     | <b>Daniel Bellotti</b>    | <b>Present</b> |
|                              |                     | <b>Thomas Tarolli</b>     | <b>Present</b> |
|                              |                     | <b>John Fall, Sr.</b>     | <b>Present</b> |
|                              |                     | <b>John McPeak</b>        | <b>Present</b> |
|                              | <b>Deputy Mayor</b> | <b>Kathleen Marinelli</b> | <b>Present</b> |
|                              | <b>Mayor</b>        |                           |                |

**PRESENTATIONS:** Debbie Kogut from the Onondaga County Traffic Safety Advisory Board spoke on healthy living and to encourage municipalities to look at how they are planning and developing the road systems for walking, exercising, bicycling as well as having good nutrition.

**PETITIONS:** Sergey Molchanovich of 316 Darrow Ave spoke on damage in their basement from flooding. The family feels the Village of Solvay caused the problems and should pay for all the damages. Mark spoke on behalf of the village and said the County responded to a sewer putting in a main on Darrow Ave and in the event, surcharged this gentleman's basement. The County is held hold harmless so it is the village's responsibility. The Village paid for everything except the loss of personal property which the homeowners should contact their own insurance company. The village removed everything. Pictures were taken and categorized, then Mark Cazzolli forwarded everything to our insurance company. The village is held hold harmless for personal property. The DPW and the village did everything they could have possibly have done for this residence. The homeowner doesn't want to pay anything and says it is the village's responsibility. The Mayor read a letter from our insurance company.

Kevin Gilligan stated that there are two different claims. The claim against the village was for negligence under our Liability portion of our coverage. The claim against the home insurance doesn't have anything to do with negligence. It has to do with loss property. Everyone has homeowner policy that has two items of real property insurance and contents of the property. This is contents a claim and their insurance company should cover it.

The owner should go back and contact his own homeowner insurance company for personal property.

**PUBLIC HEARINGS** None at this time

**COMMITTEE REPORTS**

*Administrative* None at this time

*Legal* It is on the agenda

*Treasurer* Meetings were set up for the month of September  
Unemployment, ball fields between Woods Rd and Mountain Top, HD health insurance plan, pension estimates are all up. Mayor suggested a freeze on unnecessary spending.

*Police* Police Chief Cox reported:  
57 follow up investigations;  
7 felony arrests,  
62 misdemeanors and other arrests,  
210 vehicle traffic tickets,  
1 DWI,  
1 juvenile arrests,  
46 parking tickets issued  
20 investigated car accidents and  
2172 business checks

**1170 Total calls for month of July 2011**

There was only one other agency in Onondaga County, other than the Sheriff's Department and City of Syracuse Police, that wrote more speeding tickets. The Village of Solvay wrote 92 speeding tickets and the Town of Manlius wrote 140 tickets. In comparison, Camillus wrote 72 speeding tickets,

Baldwinsville 24, Cicero 14, Dewitt 28, East Syracuse 5, Town of Geddes 22, Jordan 2 and Liverpool wrote 23 tickets compared to Solvay's 92 tickets. Our Police Department is doing their job.

Anthony Alberti was complimented by Chief Cox. The Summer Festival had one minor arrest of trespassing. Another issue was a skateboarder giving the police a hard time. The mother felt she didn't have to obey the law regarding skateboarding.

Questions about parking on sidewalks were also brought up.

**Electric:** As reported last meeting, NYPA will begin the process to adjust the hydropower rates. NYPA, needs these rate adjustments for the proposed capital projects at the Power Authority's St. Lawrence and Niagara hydro projects and also the relicensing cost of both facilities. They plan on investing \$490 million in ongoing capital improvements that are designed to keep the projects operating reliably and efficiently well into the future.

The adjustment in the hydro preference rates will apply to sales to the state's 51 municipal electric systems, such as Solvay. They will also apply to National Grid, NYSEG, and RGE. The proposed increase would be phased in starting in the fall of this year and 2012-2014. The rate increase will be minimal to Solvay's customers bill. (Very small%). I will be attending a public rate forum on the Authority's proposed rates sometime in September and will have more details.

As some of you are aware our marketing and regulator for NYPA, will be retiring at the end of the month. (Felix) I have an idea who his replacement will be and when I know for sure, I will set a time to meet with him and the commission.

IEEP – Insulation program will do bill stuffers to promote the program further. We have done well over 100 homes within the system and the funds are in place.

The MEUA annual conference will be September 13, 14, 15, and 16, 2011 at Saratoga Springs, NY.

Mathews substation project, public notices will go out to inform people when and where the change over and outages will take place.

**DPW/Highway:** Mark Cazzolli thanked the Board of Trustees and the Mayor for the new sweeper. The village can now be cleaned in a week with the new sweeper.

FEMA: Mark Cazzolli worked with FEMA and the Village is waiting for the amount they will give and how much they will reimburse the village for what the DPW already spent on streets, sidewalks, catch basins and paving repairs.

Summer employees employment help will come to an end this week. They did a great job for the village.

**Library:** Cara Burton thanked the Electric Department for using their car in the parade.

Transportation: The Solvay Library was selected from the County to receive a Federal Grant for a field trip for the kids to go to the MOST. The library had ninety four (94) kids join the Summer Reading program and read over 939 books. The rain garden sign was donated by the Friends of the Solvay Library and Home Depot donated materials. They are reusing two glass cases in front which will be used for flyers, etc.

**Codes:** Jim Stevers has been working with the rental program and it is going great. The majority is not having smoke detectors and most are minor. The Codes Department have seventy three properties set up for inspections and have had better response this time.

#### ***Stormwater Report:***

##### **FEMA Floodplain Maps**

At the December 2010 Board meeting, the Board authorized W-M Engineers to submit a request to convene a Scientific Resolution Panel (SRP) concerning preliminary maps which would have required certain property owners along Belle Isle Road to purchase flood insurance.

In an August 3, 2011 correspondence, FEMA concurred with our appeal that the floodplain was inaccurately modeled and in lieu of using automated methods (i.e. digital information & software), the floodplain in this area will be revised manually to reflect actual conditions in this area.

Per FEMA's letter, a SRP will not be needed to be convened.

##### **ARRA Green Infrastructure & Stormwater Management Planning Project**

☺ Central New York Regional Planning & Development Board (CNYRPDB) responded with some potential green infrastructure practices that might be implemented at the various sites we visited back in April, 2011. Those practices and sites showing the most promise include:

Installation of an underground filtering system in the vacant area east of the Highway Garage. Although OCWA has 2-15" water mains in this area, installing a liner would probably ease any objections they might have to stormwater being directed to an area where potable water is conveyed.

Bio retention or possibly rain gardens at the “V” and the other vacant Village property to the east. Stabilizing the steep eroded slopes at the southeast corner of Montrose Avenue/West Genesee Street and behind the Youth Center

Ⓢ Additional assessments are to be scheduled and will be funded under CNYRPDB’s existing grant. If, at a later date, the Village wants to move into the design phase, CNYRPDB has offered to help find financial assistance.

**Stormwater Training**

Online training is provided by the New York State Association of Regional Councils directed at municipal planning and zoning boards. This information will be forwarded the Planning Board members. (Free)

An all-day Construction Site Inspection Workshop for Municipal Code Enforcement Officers on September 8th. Presented by the CNYRPDB, the NYSDEC and the Onondaga County Soil & Water Conservation District (SWCD), the workshop will include both classroom and field training components. And although we intend to the SWCD perform these inspections, it’s important that our codes personnel be familiar with the process. (Free)

Pollution Prevention / Good Housekeeping Workshop for Municipal Employees on October 13th. This workshop will provide valuable training on maintenance and operations to reduce stormwater runoff including information on pollution prevention procedures that can be adopted into daily operations and maintenance measures to control erosion and sedimentation. This training is being provided by CNYRPDB as part of the year-three MS4 program. (Free)

**Storm Intensity**

Per Trustee McPeak’s recent inquiry, there is evidence that we are experiencing more rainstorms of a higher intensity. Whether it is cyclic or due to global warming is at debate.

**RESOLUTIONS:**

1. Authorization from the Board to approve the minutes from the January 25, 2011 Regular Board Meeting be accepted and the Reading of the Minutes be herewith dispensed. After discussion, the following amendments to the proposed minutes were proposed: Resolution #4 had motion carried when there were 3 Ayes and 4 Noes. Motion is denied. The Proposed changes were accepted by those making and seconding the resolution.  
**MOTION: John Fall Sr**  
**SECOND: Ronald Benedetti**  
**AYES: 7 NAYES: 0 MOTION CARRIED**
  
2. Authorization from the Board to approve the minutes from the February 8, 2011 Special Board Meeting be accepted and the Reading of the Minutes be herewith dispensed.  
**MOTION: John McPeak**  
**SECOND: Ronald Benedetti**  
**AYES: 7 NAYES: 0 MOTION CARRIED**
  
3. Authorization from the Board to approve the minutes from the February 22, 2011 Regular Board Meeting be accepted and the Reading of the Minutes be herewith dispensed.  
**MOTION: John McPeak**  
**SECOND: Ronald Benedetti**  
**AYES: 7 NAYES: 0 MOTION CARRIED**
  
4. Authorization from the Board to approve the minutes from the March 8, 2011 Special Board Meeting be accepted and the Reading of the Minutes be herewith dispensed.  
**MOTION: John McPeak**  
**SECOND: John Fall Sr**  
**AYES: 7 NAYES: 0 MOTION CARRIED**
  
5. Authorization from the Board to approve the minutes from the July 26, 2011 Regular Board Meeting be accepted and the Reading of the Minutes be herewith dispensed.  
**MOTION: John McPeak**  
**SECOND: Ronald Benedetti**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

6. Authorization from the Board to approve John Montone as Delegate for the Annual MEUA Conference, September 13<sup>th</sup>, 14<sup>th</sup>, 15<sup>th</sup> and 16<sup>th</sup>, 2011 in Saratoga Springs, New York.

**MOTION:** John Fall Sr  
**SECOND:** Daniel Bellotti  
**AYES:** 7      **NAYES:** 0      **MOTION CARRIED**

7. Authorization from the Board to pay Costello, Cooney & Fearon, PLLC \$10,092.36 for services rendered for the month of July, 2011.

**MOTION:** Ronald Benedetti  
**SECOND:** John Fall Sr  
**AYES:** 7      **NAYES:** 0      **MOTION CARRIED**

8. Authorization from the Board to pay WM Engineers \$7171.49 for services rendered for the month of July 2011.

**MOTION:** Ronald Benedetti  
**SECOND:** John Fall Sr  
**AYES:** 7      **NAYES:** 0      **MOTION CARRIED**

9. Authorization from the Board of Trustees to approve  
**WHEREAS**, the property described by the following tax map number(s) and located at the following address(s) is/are in the Village of Solvay, is/are owned by the following owner(s); and

**WHEREAS**, as the aforesaid property owner(s) allows the property to accumulate high weeds, brush, grass, trash, debris, or other matter, in a manner that is unhealthy, hazardous, or dangerous and in violation of Chapter 56; and

**WHEREAS**, the owner(s) was notified by certified mail and/or posted on site and a follow up revealed the violation still exists

**NOW**, be it resolved that the Village of Solvay Board shall authorize the property to be cut, trimmed, and removed by the Village Representatives, and all actual costs of work or services rendered at the direction of the Village Board, shall be assessed and collected in the same manner and time as the taxes levied on the premises.

| <i><b>STREET ADDRESS</b></i> | <i><b>TAX MAP</b></i> | <i><b>NAME OF OWNER</b></i> |
|------------------------------|-----------------------|-----------------------------|
| 109 Draper Ave               | 015.-02-14.1          | Richard Maselli             |
| 123 South Ave                | 005.-06-31.0          | Marlene Renzi               |
| 410 Abell Ave                | 005.-03-09.0          | Thomas Howland              |

**MOTION:** John McPeak  
**SECOND:** John Fall Sr  
**AYES:** 7      **NAYES:** 0      **MOTION CARRIED**

10. Authorization from the Board of Trustees for the Village's \$3,000,000 umbrella requirement be waived with respect to a contract with the Onondaga County Water & Soil Conservation District, for professional services rendered in connection with the review of Stormwater Pollution Prevention Plans and on-site construction inspection of erosion and sediment control measures on an as needed basis.

**MOTION:** Jamie Colucci  
**SECOND:** Tom Tarolli  
**AYES:** 7      **NAYES:** 0      **MOTION CARRIED**

11. VILLAGE OF SOLVAY RESOLUTION VILLAGE BOARD MEETING

**John McPeak** introduced proposed Local Law No. D-2011 A Local Law Amending Chapter 134 (Stormwater Management) of the Village of Solvay Code seconded by **John Fall Sr** :  
**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Village of Solvay.

**NOW, THEREFORE**, it is  
**RESOLVED AND DETERMINED**, that there are no other involved agencies, the Village Board shall act as lead agency, and that the enactment of proposed Local Law D-2011 is a Type II action in accordance with 6NYCRR Part 617.5(20), and will have no significant effect on the environment in accordance with 6NYCRR Part 617, thus concluding the environmental review process; and it is further

**RESOLVED**, that the Village Board conduct a public hearing as to the enactment of proposed Local Law No. D-2011 at the Solvay Village Library, 615 Woods Road, in the Village of Solvay,

on September 27, 2011, at 6:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

|                              |                |              |            |
|------------------------------|----------------|--------------|------------|
| <b>Jamie Colucci</b>         | <b>Trustee</b> | <b>Voted</b> | <b>Yes</b> |
| <b>Ronald Benedetti</b>      | <b>Trustee</b> | <b>Voted</b> | <b>Yes</b> |
| <b>Daniel Bellotti</b>       | <b>Trustee</b> | <b>Voted</b> | <b>Yes</b> |
| <b>Thomas Tarolli</b>        | <b>Trustee</b> | <b>Voted</b> | <b>Yes</b> |
| <b>John Fall, Sr.</b>        | <b>Trustee</b> | <b>Voted</b> | <b>Yes</b> |
| <b>John McPeak</b>           | <b>Trustee</b> | <b>Voted</b> | <b>Yes</b> |
| <b>Kathleen A. Marinelli</b> | <b>Mayor</b>   | <b>Voted</b> | <b>Yes</b> |

The foregoing Resolution was thereupon declared duly adopted.

**DATED: August 23, 2011**

**VILLAGE OF SOLVAY PROPOSED LOCAL LAW D-2011**

**A Local Law Amending Chapter 134 (Stormwater Management)  
of the Village of Solvay Code**

Be it enacted by the Village of Solvay, that this Local Law amends Chapter 134 of the Code of the Village of Solvay (hereinafter "Code"), titled "Stormwater Management," as follows:

**Section 1.**

Section 134-14 of the Code of the Village of Solvay shall be amended so that paragraph B thereof shall be amended to read, in its entirety, as follows:

- "B. Maintenance Guarantee.
- (1) Where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by an entity that owns or manages a commercial or industrial facility, the developer or entity, prior to construction, may be required to provide the Village of Solvay with an irrevocable letter of credit from an approved financial institution or surety to ensure proper operation and maintenance of all stormwater management and erosion control facilities both during and after construction, and until the facilities are removed from operation. If the developer or entity landowner fails to properly operate and maintain stormwater management and erosion and sediment control facilities, the Village of Solvay may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs.
  - (2) In addition to or in lieu of the foregoing, where stormwater management and erosion and sediment control facilities are to be operated and maintained by the developer or by an entity that owns or manages a commercial or industrial facility, the developer or entity landowner prior to construction, may be required to enter into an Agreement with the Village of Solvay setting forth maintenance and operation requirements for said stormwater management and erosion and sediment control facility and enforcement alternatives, in a form acceptable to the Village. If said stormwater management and erosion and sediment control facilities are not properly operated and maintained in accordance with said Agreement or approved plans, the Village shall give the developer and/or entity landowner thirty (30) days written notice to comply with the operation and maintenance provisions of the said Agreement or approved plans. If the developer and/or entity landowner shall fail to so comply with the operation and maintenance provisions of the said Agreement or approved plans within said thirty (30) day period, the Village may take such remedial steps as are necessary to bring said facility into compliance with the said operation and maintenance requirements of said Agreement or approved plans and the cost of such

remedial measures shall be assessed as a lien on the property and shall be charged to the landowner's tax bill."

**Section 2. Effective Date.**

This Local Law shall take effect upon its filing with the New York Secretary of State.

12. Authorization from the Board of Trustees to request Proposals for MWBE Professional Land Surveying Services  
**NOW, THEREFORE, BE IT:**

**RESOLVED** that Village of Solvay Board of Trustees request proposals from MWBE Professional Land Surveyors for Services for the Mathews Avenue Phosphorus Removal and Stormwater Filtration Project. This is in compliance with the provisions of the Minority and Women's Business Enterprise-Equal Employment Opportunity Work Plan signed by the Mayor of the Village of Solvay. This is a requirement of the New York State Executive Law Article 15-A as prescribed by New York State Environmental Facilities Corporation. Projects receiving funds from the CWSRF Green Innovation Grant Program must demonstrate compliance and maintain the necessary records and actions in the project file. The Village of Solvay must provide a Certificate of Title and a property survey to the Environmental Facilities Corporation.

**MOTION: Jamie Colucci**  
**SECOND: Ronald Benedetti**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

13. Authorization by the Board of Trustees that the Village Board authorize the hiring of one to three (1-3) temporary positions, to be paid by the Electric Department, in order to accelerate the input of data into the inventory system under the direction of Mike Fecco for a period of time up to one year and not to exceed one year at which time we will re-evaluate how much data entry was completed.

**MOTION: Ronald Benedetti**  
**SECOND: John Fall Sr**

*This resolution was amended by Ronald Benedetti to say:*

Authorization by the Board of Trustees that the Village Board authorize to solicit bids for temporary service, at the rate to be determined, to hire one to three (1-3) temporary positions, to be paid by the Electric Department, in order to accelerate the input of data into the inventory system under the direction of Mike Fecco for a period of time up to one year and not to exceed one year at which time we will re-evaluate how much data entry was completed.

**MOTION: Ronald Benedetti**  
**SECOND: John Fall Sr**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

14. Authorization for representative to sign Agreement

**NOW, THEREFORE, BE IT:**

**RESOLVED** by the Village of Solvay's Board of Trustees that the Mayor of the Village of Solvay, Kathleen Marinelli is authorized to execute a Grant Agreement with the Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to complete the project and fulfill the Village of Solvay's obligations under the GIGP Grant Agreement.

**MOTION: Jamie Colucci**  
**SECOND: John McPeak**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

15. Authorization by the Board of Trustees to hire Nancy Warner as a part time Library Clerk I at a rate of \$10.87 and Jelka Dusper as a part time Library Page at a rate of \$7.25 effective August 29, 2011 for the Solvay Public Library. These positions are filling vacancies and will not affect the library's budget.

**MOTION: John McPeak**  
**SECOND: Tom Tarolli**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

16. Authorization by the Board of Trustees to purchase through State Bid one Ford F350 truck and one Ford F150 truck for the Electric Department for a total of \$44,159.58.

**MOTION: John Fall Sr**  
**SECOND: Jamie Colucci**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

**NEW BUSINESS**

**None at this time**

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Resolved that this Board move into Executive Session to discuss a contract and personnel matter. Time 8:05 p.m.

**MOTION: Ronald Benedetti**  
**SECOND: John McPeak**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

Resolved that the Executive Session be closed and that this Board return to the regular meeting. Time 8:40 p.m.

**MOTION: John Fall Sr**  
**SECOND: Ronald Benedetti**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

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**ADJOURNMENT:**

The regular meeting of the Solvay Board of Trustees be adjourned at 8:41 p.m.

**MOTION: John McPeak**  
**SECOND: Ronald Benedetti**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

Respectfully submitted,

Michael Fecco, Treasurer

Village Clerk