

**Regular Board Meeting of the Village of Solvay Board of Trustees  
Tuesday, September 27, 2011**

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

---

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** **John Fall Sr**

<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>Excused</b>
		<b>Thomas Tarolli</b>	<b>Present</b>
		<b>John Fall, Sr.</b>	<b>Present</b>
	<b>Deputy Mayor</b>	<b>John McPeak</b>	<b>Present</b>
	<b>Mayor</b>	<b>Kathleen Marinelli</b>	<b>Present</b>

**PETITIONS:** **None**

**PUBLIC HEARINGS:** Mayor Marinelli opened the Public Hearing. Attorney Gilligan spoke on Local Law 5-2011 (Stormwater Management) of the Village of Solvay Code. See Resolution #7  
Closed the Public Hearing Meeting.

**MOTION:** **John Fall Sr**

**SECOND:** **Ronald Benedetti**

**AYES:** **6** **NAYES:** **0** **MOTION CARRIED**

**COMMITTEE REPORTS:**

**Administrative:** We received a thank you note from St. Cecilia Catholic Church thanking the Village for joining “hearts” with the Church for the 9/11 ceremony.

**Legal:** Inquiry from Tri-Star regarding our water tower property. Mike will look at the materials to analyze financially and provide information to the village. Also, we received a request for an easement from AT&T to develop the area with fiber optic cable from the South towers.

**Treasurer:** There was an increase of \$7500 from public safety for high grass and weeds that were cut. The pool fees were also up by \$7589. Miscellaneous- Sales Other has increased revenue of \$4300 from steel scrap.

We received a \$173,000 check for State Aid per capita - \$2,000 less than budget. The Budget Modifications include increases resulting from high grass cutting, scrap sales and pool fees but were offset by real estate taxes, real property rental and reduced State Aid.

We overestimated the amount for the Field Days income by \$300 which includes the \$3500 check we received from the ride company which was presented tonight by Joe Sofo. We may get a donation from Berry Plastics and Solvay Paperboard.

We have an Electric Serial bond that goes to year 2019, with a 7.75% interest rate with a balance of \$380,000. Mike Fecco talked to Municipal Solutions, and if we pay this off with funds from the electric debt reserve A/C in three years, we would save \$51,000.

Anthony Alberti made all the street signs and saved the Village \$16,950 by making our signs in house compared to the lowest price quoted by sign companies.

Frank Klock is donating his tree from his yard for Christmas to the Village.

**Police:** Police Chief Cox reported the police department had 1037 calls for the month of August 2011. The Chief compared the statistics to other police agencies.

There is also other revenue from the Police department. – They “booted”(parking boot) a pick up truck with \$1900 in fines. Another \$1600 was owed in fines for a car that was also booted. They both were owned by the same person. The pick up truck is impounded and is in negotiations. The owner will be charged \$600 to pick it up as well as storage fees. He no longer owns the car.

Two police conferences were cancelled and the police department saved \$1400.

Donald Craven and Bill Fougner will resign from the part time positions in the police department.

**Electric:** Ronald Benedetti reported for John Montone that there will be outages in the Village. The news media will be contacted of the outages to alert the residents and it will be printed on the electric bills.

Joe Hawksby Sr, our new Assistant Electric Department Superintendent, will be at the next board meeting to meet the Mayor and Board of Trustees and will begin work on October 11, 2011.

**DPW/Highway:** John Fall Sr reported for Mark Cazzolli. FEMA should be sending money to the Village for damages from the flood in April 2011. The Highway Department is getting the plows and trucks ready for winter. Various projects were also discussed.

Mark Cazzolli and Sandy LoVine were complimented for their dedication and hard work with FEMA.

**Library:** Families took advantage of the programs the library offered over the summer. The library will have movies within the library at a relatively low cost and the community can show movies at the Library. Every Tuesday and Wednesday afternoon, movies will be shown after school at the library.

There was a discussion on ways to save money at the Library.

**Codes:** Six properties were sited. The Fire Department and Police Department helped the Codes Department with property in the Village on various occasions.

Donna Taggart also reported that the rental properties are continuing to be inspected by the Code Officers.

***Stormwater: Village of Solvay September 27, 2011 Regular Board Meeting  
Stormwater Report***

**CNY Stormwater Coalition September 14, 2011 Meeting**

The Year-4 Education and Outreach Assistance Program for 2012 was presented. Copies are to be distributed to Stormwater Committee members, Treasurer and Attorney for review. This program is not a Coalition initiative but is financed with an Environmental Project Fund grant. Cost has been averaging about \$3,500 a year for this service. Resolutions to participate in the program are due back to Central New York Regional Planning & Development Board (CNYRPDB) by December 1st.

Due to changes in the 2010 stormwater construction permit, some provisions of the local law the Village adopted are inconsistent with that permit that could create loopholes for developers and contractors. The Coalition has developed a list of those inconsistencies which will be forwarded to the Stormwater Committee and Attorney for their review. Revisions to our local law may be forthcoming.

A template for maintenance agreements for stormwater practices on private property was distributed. Copies to be distributed to Stormwater Committee and Attorney. Further refinement is expected from the Coalition’s Technical Committee.

The Technical Committee continues to research the modeling requirements to meet the “No Net Increase in Pollutants of Concern” required by the current MS4 permit.

Municipal Facilities Assessment forms were distributed. These forms are used to tabulate and assess what stormwater management practices and pollution prevention measures are utilized by the Village. This self-assessment is required by the MS4 permit so I’ll be meeting with Department heads who will need to perform this review.

**Environmental Facilities Corporation Funding**

Applications for projects to be considered for Round 3 of the Green Innovation Grant Program (GIGP) are due October 31st. Green infrastructure practices to be implemented include,

but are not limited to: permeable pavement, bioretention, green roofs or walls, street trees and downspout disconnection. With the assistance of W-M Engineers, we're investigating possible projects to be applied for.

**RESOLUTIONS:**

1. Authorization from the Board to approve the minutes from the September 6, 2011 Special Meeting be accepted and the Reading of the Minutes be herewith dispensed.

**MOTION:** John Fall Sr  
**SECOND:** Ronald Benedetti  
**AYES:** 6 **NAYES:** 0 **MOTION CARRIED**

2. Authorization from the Board to pay Costello, Cooney & Fearon, PLLC \$10,643.13 for services rendered for the month of August, 2011.

**MOTION:** John McPeak  
**SECOND:** John Fall Sr.  
**AYES:** 6 **NAYES:** 0 **MOTION CARRIED**

3. Authorization from the Board to pay WM Engineers \$6,717.98 for services rendered for the month of August, 2011.

**MOTION:** Ronald Benedetti  
**SECOND:** John Fall Sr  
**Roll call vote:**

Jamie Colucci	Naye
Ronald Benedetti	Naye
Daniel Bellotti	Excused
Thomas Tarolli	Aye
John Fall, Sr.	Aye
John McPeak	Naye
Kathleen Marinelli	Naye

**AYES:** 2 **NAYES:** 4 **MOTION DENIED**

4. 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>
312 Hall Ave	010.-01-11.0	Mark Kosturik
330 First Street	007.-01-31.0	Wolfgang VonRanke
332 First Street	007.-01-26.0	Noodle Group LLC
334 First Street	007.-01-32.0	Lottie Wisneski
210 Lamont Ave	010.-05-10.0	Mercedes Jones
113 Charles Ave	010.-09-09.0	Patrick LeBlanc

**MOTION:** Jamie Colucci  
**SECOND:** Ronald Benedetti  
**AYES:** 6 **NAYES:** 0 **MOTION CARRIED**

5. Authorization from the Board of Trustees to approve an amendment of Resolution #15 of the August 23, 2011 Regular Board Meeting which stated to hire Nancy Warner as a part time Library Clerk I at a rate of \$10.87 effective August 29, 2011 for the Solvay Library.

The correct Resolution should state for the Board of Trustees to authorize to hire Nancy Warner as a part time Library Clerk I at a rate of \$10.67 effective August 29, 2011 for the Solvay Public Library.

**MOTION: John McPeak**

**SECOND: Thomas Tarolli**

**AYES: 6 NAYES: 0 MOTION CARRIED**

- 6. Authorization from the Board of Trustees to change the October Regular Meeting from Tuesday, October 25, 2011 to Tuesday, October 18, 2011 at the Solvay Public Library, 615 Woods Road, Solvay, NY 13209.

**MOTION: Ronald Benedetti**

**SECOND: Jamie Colucci**

**AYES: 6 NAYES: 0 MOTION CARRIED**

7. RESOLUTION VILLAGE BOARD MEETING September 27, 2011

The following resolution was offered by John Fall Sr., who moved its adoption, seconded by Jamie Colucci, to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, proposed Local Law No. D of 2011, titled “A Local Law Amending Chapter 134 (Stormwater Management) of the Village of Solvay Code”, was presented and introduced at a regular meeting of the Village Board of the Village of Solvay held on August 23, 2011; and

**WHEREAS**, a public hearing was held on such proposed local law on the 27th day of September, 2011 by the Village Board of Trustees of the Village of Solvay and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Village Board of the Village of Solvay in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

**WHEREAS**, at its August 23, 2011 meeting, this Board determined that the enactment of Proposed Local Law D of 2011 is a Type II action thus concluding the SEQR review process; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. D of 2011.

**NOW, THEREFORE**, it is

**RESOLVED**, that the Village Board of the Village of Solvay, Onondaga County, New York, does hereby enact Proposed Local Law No. D of 2011 as Local Law No. 5 of 2011 as follows:

**VILLAGE OF SOLVAY  
LOCAL LAW 5-2011**

**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.

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>Excused</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: September 27, 2011**

8. Authorization from the Board of Trustees to approve that once Kevin Gilligan approves the bid package from W.M. Engineers, that the Village goes out to bid for the sale of the Freeman Ave. fire house.

**MOTION: Jamie Colucci**

**SECOND: Ronald Benedetti**

**AYES: 6 NAYES: 0 MOTION CARRIED**

9. Authorization from the Board of Trustees to approve the budget modifications:

To: Mayor Marinelli & Trustees

September 27, 2011

From: Mike Fecco

**Village of Solvay General Fund  
Schedule of Proposed Budget  
Modifications  
For Approval at the September 2011 Regular Board Meeting**

Account	Title	(as modified )		newly modified Budget Amount
		Current Budget	proposed Budget Mod	
<b><u>Revenue</u></b>				
410010A	Real Estate Taxes	2,957,009	(3,500)	2,953,509
415210A	School Resource Officer			0
415890A	Other Public Safety Income	1,000	7,500	8,500
420250A	Pool Fees	3,500	4,089	7,589
424100A	Rental of Real Property	12,000	(3,500)	8,500
425550A	Permits	2,500	2,110	4,610
426550A	Misc. Sales – Other	2,500	4,282	6,782
426800A	Insurance Recoveries		307	307
426900A	Other Compensation for Loss		65	65
427050A	Gifts & Donations - Field Days	7,000	(300)	6,700
427700A	Other Authorized Revenues		552	552
430010A	State Aid - Per Capita	175,000	(1,907)	173,093
				0
				0
	<b>Total</b>	<b>3,160,509</b>	<b>9,698</b>	<b>3,170,207</b>

**Expenses**

551103A	Street Maintenance - CHIPS	100,000	(5,124)	94,876
551104A	Street Maintenance - Other	180,000	5,124	185,124
590508A	NYS Unemployment		9,698	9,698
				0
				0
				0
				0
				0
	<b>Total</b>	<b>280,000</b>	<b>9,698</b>	<b>289,698</b>

**MOTION: John McPeak**  
**SECOND: John Fall Sr**  
**AYES: 6 NAYES: 0 MOTION CARRIED**

10. Authorization from the Board to approve the DPW put the following five (5) vehicles up for auction.

- 1999 Dodge Pick – Up
- 2000 Chevy Silverado
- 2008 F-350 (2)
- 2003 Ford Crown Victoria

**MOTION: John Fall Sr.**  
**SECOND: Ronald Benedetti**  
**AYES: 6 NAYES: 0 MOTION CARRIED**

11. Authorization from the Board of Trustees that the Village's \$1,000,000 Owners & Contractors Protective liability insurance 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: John McPeak**  
**SECOND: Ronald Benedetti**  
**AYES: 6 NAYES: 0 MOTION CARRIED**

**NEW BUSINESS**

Residents from Montrose Ave were present regarding the flooding in their homes from the storm in April, 2011. The residents were told they can apply for a loan for their homes from FEMA.

The Village needs to find money to help solve the flooding issue on Montrose Ave.

The Village will hold a meeting and have a representative from the State Assembly, our Congressman, Senator, City DOT, Mayor Miner, the Town of Geddes and a representative from the Westvale Plaza attend regarding the situation.

\*\*\*\*\*

Resolved that this Board move into Executive Session to discuss a contract and personnel matter.  
Time 8:40 p.m.

**MOTION: John McPeak**  
**SECOND: John Fall Sr**  
**AYES: 6 NAYES: 0 MOTION CARRIED**

Resolved that the Executive Session be closed and that this Board return to the regular meeting.  
9:20 Time p.m.

**MOTION: John McPeak**  
**SECOND: John Fall Sr**  
**AYES: 6 NAYES: 0 MOTION CARRIED**

\*\*\*\*\*

ADJOURNMENT:

The regular meeting of the Solvay Board of Trustees be adjourned at 9:22 p.m.

**MOTION: John McPeak**  
**SECOND: Thomas Tarolli**  
**AYES: 6 NAYES: 0 MOTION CARRIED**

Respectfully submitted,

Michael Fecco, Treasurer/Village Clerk