

**Special Board Meeting of the Village of Solvay Board of Trustees
Friday, November 16, 2012**

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

The **SPECIAL BOARD MEETING of the SOLVAY VILLAGE BOARD OF TRUSTEES** was called to order by Mayor Marinelli at the Village Hall Conference Room, Basement, 1100 Woods Road, Solvay, NY at 12:30 p.m.

PLEDGE TO THE FLAG **Jamie Colucci**

ATTENDANCE ROLL CALL:	Trustees:	Jamie Colucci	Present
		Ronald Benedetti	Excused
		Daniel Bellotti	Excused
		Thomas Tarolli	Present
		John Fall, Sr.	Present
	Deputy Mayor	John McPeak	Present
	Mayor	Kathleen Marinelli	Present

RESOLUTIONS:

RESOLUTION VILLAGE BOARD MEETING

**GRANTING AN EASEMENT AGREEMENT TO
ROCKTENN-SOLVAY, LLC.**

The following resolution was made by Trustee Fall and was seconded by Trustee Tarolli:

WHEREAS, the Village of Solvay Zoning Board of Appeals (hereinafter the “Zoning Board”) received an application from RockTenn-Solvay, LLC (hereinafter the “Applicant”), dated June 21, 2012, requesting a special permit to construct a new boiler plant for a paperboard mill facility situated on a 4.48 acre parcel in the Industrial Zoning District located at 53 Industrial Drive; and

WHEREAS, on June 26, 2012, the Applicant appeared before the Village Board of Trustees and presented an overview of the proposed project, its surroundings, the potential impacts and mitigation efforts; and

WHEREAS, on July 5, 2012, the Village Code Enforcement Officer, in correspondence to counsel for Applicant, concluded that to situate the project’s pipe bridge as proposed, the Applicant was required to obtain an easement from the Village; and

WHEREAS, the Village of Solvay subsequently received an application (hereinafter “Application”) from Applicant, dated August 3, 2012, requesting an easement to construct, locate and maintain steam and condensate lines, a natural gas line, and associated pipe bridges (hereinafter collectively referred to as the “Pipe Facilities”), within the boundaries of Industrial Drive; and

WHEREAS, such Application incorporated by reference the aforementioned Special Permit Application and included a surveyor’s drawing and an engineering drawing package illustrating the proposed Pipe Facilities in plan and elevation; and

WHEREAS, due to the sophisticated nature of the Pipe Facilities to be located within the proposed easement area, the Village Board relied upon the professional advice of its Village Engineer and retained the engineering services of Barton and Loguidice; and

WHEREAS, on July 16, 2012, the Zoning Board declared the Applicant’s proposed boiler house project with pipeline/bridge transporting steam and condensate an Unlisted Action and, having identified and contacted the involved agencies for purposes of the New York State Environmental Quality Review Act (“SEQRA”), the Zoning Board assumed the role of lead agency and conducted a coordinated review; and

WHEREAS, the Village was identified as an involved agency and, as a result, included in the SEQRA process; and

WHEREAS, in accordance with its lead agency status, the Zoning Board, by resolution dated September 17, 2012, issued a “Findings Statement” and rendered a Negative Declaration; and

WHEREAS, due negotiations between the Village and the Applicant have resulted in a proposed “Pipe Facilities Easement Agreement” between the Village of Solvay and the Applicant; and

WHEREAS, the Village Board has duly considered the easement application and wishes to grant the Applicant the easement requested.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Solvay Board of Trustees hereby ratifies and reaffirms the SEQRA determination rendered by the Zoning Board on September 17, 2012; and be it further

RESOLVED, that the easement application for RockTenn – Solvay, LLC, in accordance with the survey titled “175 Scale of D.W. Hannig Solvay Mortgage Map for Easement Application, DWG 1AGG0030,” dated July 12, 2012, and “60 Scale Project Map of Steam Lines for Easement Application, DWG 1AGG0032,” and the following drawings prepared by C&S Companies:

- “Civil Details, C-107,” September 12, 2012;
- “Civil Details, C-106,” dated September 12, 2012;
- “Civil Gas Line Relocation Plan, C-105,” dated September 12, 2012;
- “Civil Steam and Condensate Plan, C-104,” dated September 12, 2012;
- “Civil Steam and Condensate Plan, C-103,” dated September 12, 2012;
- “Civil Steam and Condensate Plan, C-102,” dated September 12, 2012;
- “Civil Steam and Condensate Plan, C-101,” dated September 12, 2012; and
- “Civil General Notes, Legend & Schedules, C-001,” dated September 12, 2012;

is hereby approved, subject to the following conditions:

List of Conditions:

1. The submission and review of an engineering plan setting forth the Pipe Facilities’ construction details for review and approval by the Village Engineer.
2. Receipt by the Village of Solvay of an appraisal of the easement area and payment to the

Village of Solvay for the easement in the amount of the full appraised value.

3. Applicant’s receipt of any and all necessary permits and approvals from any other necessary governmental agencies and providing the Village of Solvay Code Enforcement Office with photocopies of same.
4. Payment of any and all developer fees due to the Village by the Applicant pertaining to the review of this application.

RESOLVED, that upon the Applicant satisfying the aforementioned conditions, the Village Board authorizes the Mayor of the Village to execute an easement agreement with RockTenn-Solvay, LLC, in a form approved by the Village, and to execute any other documents necessary to effectuate the granting of the easement on behalf of the Village of Solvay.

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

Jamie Colucci	Trustee	Voted	Yes
Ronald Benedetti	Trustee	Voted	Excused
Daniel Bellotti	Trustee	Voted	Excused
Thomas Tarolli	Trustee	Voted	Yes
John Fall, Sr.	Trustee	Voted	Yes
John McPeak	Trustee	Voted	Yes
Kathleen A. Marinelli	Mayor	Voted	Yes

The foregoing Resolution was thereupon declared duly adopted.

DATED: November 16, 2012

ADJOURNMENT:

The Special Board meeting of the Solvay Board of Trustees be adjourned at 12:55 p.m.

MOTION: John McPeak
SECOND: John Fall Sr
AYES: 5 NAYES: 0 MOTION CARRIED

Respectfully submitted,

Michael Fecco, Treasurer/Village Clerk