

**Regular Board Meeting of the Village of Solvay Board of Trustees  
Tuesday, December 18, 2012**

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

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The **REGULAR BOARD MEETING of the SOLVAY VILLAGE BOARD OF TRUSTEES** was called to order by Mayor Marinelli at the Town of Geddes Court Room, 1000 Woods Road, Solvay, NY 13209 at 6:00 p.m.

**PLEDGE TO THE FLAG** **John Fall Sr**

*There was a moment of silence for Lucy Mamarelli, Edward Albrigo, the twenty children and 6 adults that were killed in Newtown, Connecticut, and Marc Mallaro, a village employee who died four years ago*

|                              |                     |                           |                |
|------------------------------|---------------------|---------------------------|----------------|
| <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>Deputy Mayor</b> | <b>John McPeak</b>        | <b>Present</b> |
|                              | <b>Mayor</b>        | <b>Kathleen Marinelli</b> | <b>Present</b> |

**PETITIONS:** *None at this time*

**CORRESPONDENCE:** Mayor Marinelli received a resignation letter from Cara Burton, Librarian, effective 12/31/12. The Mayor thanked her for a job well done

**PUBLIC HEARINGS:** *None at this time*

**COMMITTEE REPORTS:**

*Administrative None at this time*

**Legal** On Agenda with new resolutions.

**Treasurer** Cheryl Visconti reported for Michael Fecco that the State comptroller audit covered the period from 6/1/10-12/31/11 and addressed the following: the Board of Trustees adopt realistic budgets that are structurally balanced routinely monitored financial operations and take appropriate actions to maintain the Village’s financial stability and internal controls over the claims audit function appropriately designed and operating effectively to adequately safeguard village assets.

Due to a clerical error, the Treasurer understated expenses of \$50,000 which should have increased the tax rate .23/1000. The village finished with a 21.751 surplus (5/31/12). Mike Fecco sent out the state report to the state auditor. The state said that any borrowing from other funds must be repaid by the end of that fiscal year.

**Police** Chief Cox reported there were 525 calls for November 2012 (partial) Also, Chief Cox reported that after the tragedy in Connecticut, the Solvay Schools are safe and anyone entering the schools must show proof before entry.

**Electric** John Montone reported that Mathew’s substation is complete. The village electrical feeder project is 95% complete and the electric department is doing year end maintenance at Industrial Drive substation and Lakeland substation. Oil test for all substation transformers will be complete in January and the conversion of the Scada Master station should be complete by February 2013. All of this work and projects were based on what is described in the 2008 system wide study. All of this put us in compliance with the North American Electric Reliability Corporation, for Operations and procedures, and for future audits with FERC.

**DPW/Highway** Mark Cazzolli reported the salt shed is still full. Since the weather has been good, the highway department has been working on sidewalks. The night shift employees have been checking the Montrose Ave drains and they have been refurbishing the trucks.

**Library** Cindy Cook reported Cara Burton resigned effective 12/31/12. They will be looking for a replacement for the Librarian and will post the job with Civil Service.

**Codes** *None at this time*

**Stormwater** *None at this time*

**RESOLUTIONS:**

1. Authorization from the Board of Trustees to approve the minutes from the November 27, 2012 Regular Board Meeting and the Reading of the Minutes be herewith dispensed.

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

2. Approving a contract between the Village and the Onondaga County Soil & Water Conservation District for services in connection with implementation of the stormwater pollution prevention program, a renewal of the 2012 agreement between the parties, and authorizing the Mayor to sign the agreement on behalf of the Village of Solvay.

**MOTION:** Jamie Colucci  
**SECOND:** Daniel Bellotti  
**AYES:** 7 **NAYES:** 0 **MOTION CARRIED**

3. Authorization from the Board of Trustees to approve the Budget Modifications:

**Village of Solvay General Fund  
 Schedule of Proposed Budget Modifications  
 For Approval at the December 2012 Regular Board Meeting**

| <b>Account</b> | <b>Title</b>               | <b>(as modified )<br/>Current Budget</b> | <b>proposed<br/>Budget<br/>Mod</b> | <b>newly modified<br/>Budget Amount</b> |
|----------------|----------------------------|--|------------------------------------|---|
| <b>Revenue</b> |                            |  |                                    |   |
| 424600A        | Internet Service Comm      | 16,000                                   | 8,555                              | 24,555                                  |
| 425550A        | Permits                    | 22,435                                   | 6,870                              | 29,305                                  |
| 428000A        | Interfund Transfers        |  | 740,000                            | 740,000                                 |
| 430050A        | State Aid - Mortgage Tax   | 35,000                                   | (3,000)                            | 32,000                                  |
| 433890A        | State Aid - Police Special | 810                                      | 2,700                              | 3,510                                   |
|                |                            |  |                                    | 0                                       |
|                | <b>Total</b>               | <b>74,245</b>                            | <b>755,125</b>                     | <b>829,370</b>                          |

**Expenses**

|         |                           |                |                |                  |
|---------|---------------------------|----------------|----------------|------------------|
| 519904A | Contingent Account        | 20,875         | (20,875)       | 0                |
| 581601A | Refuse Collection - Wages | 254,113        | (190,044)      | 64,069           |
| 581604A | Refuse Collection - Other | 157,283        | 190,044        | 347,327          |
| 597306A | BAN - Principle           | 85,966         | 776,000        | 861,966          |
|         |                           |                |                | 0                |
|         |                           |                |                | 0                |
|         |                           |                |                | 0                |
|         |                           |                |                | 0                |
|         | <b>Total</b>              | <b>518,237</b> | <b>755,125</b> | <b>1,273,362</b> |

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

4. **Daniel Bellotti** introduced proposed Local Law No. F-2012, authorizing the Village of Solvay, Board of Trustees to override the limit on the amount of real property taxes that may be levied by the Village of Solvay pursuant to General Municipal Law § 3-c, and to allow the Village of Solvay to adopt a Village budget for the fiscal year 2013 which is in excess of the “tax levy limit,” and made the following motion, which was seconded by **Thomas Tarolli**:

**WHEREAS**, the Village Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria;

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED**, that 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, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with

respect to the proposed enactment of said Local Law, with the result that the Village Board shall act as lead agency in this matter; and it is further

**RESOLVED AND DETERMINED**, that the enactment of said Local Law is a Type II action for purposes of environmental review under SEQR and will have no adverse environmental impact, thus concluding the SEQR review process; and it is further

**RESOLVED**, that the Village Board shall conduct a public hearing as to the enactment of proposed Local Law No. F-2012 at the Geddes Town Hall, 1000 Woods Road, in the Village of Solvay, at its regular meeting to be held on January 22, 2013, at 6:00 p.m. Hall, 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: December 18, 2012**

**VILLAGE OF SOLVAY  
PROPOSED LOCAL LAW NO. F-2012  
A Local Law Overriding the Tax Levy Limit Established in the  
New York General Municipal Law §3-c in and for the Village of Solvay**

Be it enacted by the Village of Solvay, Board of Trustees, as follows:

**Section 1. LEGISLATIVE INTENT**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Village of Solvay, County of Onondaga pursuant to New York General Municipal Law § 3-c, and to allow the Village of Solvay to adopt a Village budget for Village purposes and for any other special or improvement district governed by the Village Board for the fiscal year 2013, that requires a real property tax levy in excess of the “tax levy limit” as defined by the General Municipal Law § 3-c.

**Section 2. AUTHORITY**

This local law is adopted pursuant to Subdivision 5 of the New York General Municipal Law, § 3-c, which expressly authorizes the Village Board 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.

**Section 3. TAX LEVY LIMIT OVERRIDE**

The Village Board of the Village of Solvay, County of Onondaga, is hereby authorized to adopt a budget for the fiscal year 2013 that requires a real property tax levy in excess of the limit specified in the New York General Municipal Law § 3-c.

**Section 4. SEVERABILITY**

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

**Section 5. EFFECTIVE DATE**

This Local Law shall take effect immediately.

5. Authorization from the Board of Trustees to pay Costello, Cooney & Fearon, PLLC \$13,317.27 (\$7450.00 paid by RockTenn and grants) (\$5,867.27 paid by general fund) for services rendered for the month of November, 2012.

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

6. Authorization from the Board of Trustees to pay C&S Engineers \$4987.50 for the Landfill Environment Monitoring Program for services rendered between June 16, 2012 through October 19, 2012.

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

7. Authorizing the Mayor to appoint Mark Cazzolli, Highway Superintendent, as the alternate Village of Solvay representative to the Central New York Stormwater Coalition through December 31, 2013. The alternate representative has all the rights and responsibilities of the primary representative including the power to vote on issues that come before the Coalition.

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

8. Authorization from the Board of Trustees to approve payment to Cara Burton any sick /vacation days she has accrued for 2012.

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

9. Authorization from the Board of Trustees to approve the renewal from Excellus BC/BS PPO for the Village's Health Insurance Plan for the year 2013 and authorize Mayor Marinelli to sign the contract. The new monthly rates are individual - \$821.94 and family - \$2125.98.

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

10. Authorization from the Board of Trustees to approve the renewal from MVP for the Village's Health Insurance Plan for the year 2013 and authorize Mayor Marinelli to sign the contract. The new monthly rates are individual - \$670.62 and family - \$1676.55

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

11. Authorization from the Board of Trustees to approve the renewal from EBS RMSCO for the Village's Dental Insurance Plan for the year 2013 and authorize Mayor Marinelli to sign the contract. The new monthly rates are individual - \$35.09 and family - \$95.70.

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

12. Approving and authorizing the Mayor to sign letters of Authorization with C&S Engineers, Inc. for LOA 3 relating to on-call services and LOA 5 relating to the Landfill Monitoring Program for 2013, in accordance with the proposed LOAs circulated to the Village Board and the designation of the DPW Superintendent as the Village representative with respect to LOA#3 between C&S Engineers and the Village of Solvay, pertaining to "on-call services.

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

13. Authorization from the Board of Trustees to identify the Solvay Community Youth Center as the polling place for the Village of Solvay Elections on March 19, 2013 from 12:00 p.m. to 9:00 p.m. for all the wards in the village in determining there will be no separate village registration day for this election.

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

**NEW BUSINESS**

*None at this time*

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Resolved that this Board of Trustees move into Executive Session to discuss a personal matter at 6:45 p.m.

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

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

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

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14. Approving the invoice and voucher submitted by Independent Title for abstracting work performed related to the Mathews Ave. bio infiltration project in the amount of \$2,000 and authorizing payment of same.

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

15. Authorizing an agreement between the Village of Solvay and the Onondaga County Comptroller’s Office to conduct an accounting audit of the fiscal impacts upon the Village of abolishing the Village Justice Court and related offices and authorizing the Mayor to initiate same at no cost to the Village.

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

ADJOURNMENT:

The regular meeting of the Solvay Board of Trustees be adjourned at 7:10 p.m.

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

Respectfully submitted,

Michael Fecco, Treasurer/Village Clerk