

Regular Board Meeting of the Village of Solvay Board of Trustees  
Tuesday August 27, 2013

OFFICE OF THE CLERK/TREASURER  
David Terrell

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

**PLEDGE TO THE FLAG** Harry DeCarlo

**ATTENDANCE ROLL CALL:** Trustees Harry DeCarlo Present  
Daniel Bellotti John  
Present  
Fall Sr Present  
Derek Baichi Present  
John Cregg Present  
Deputy Mayor Thomas Tarolli Present  
Mayor Ronald Benedetti Present

**PETITIONS:** None at this time

**CORRESPONDENCE:** None at this time

**PUBLIC HEARINGS:** None at this time

**COMMITTEE REPORTS**

**Administrative** None at this time

**Legal** None at this time

**Treasurer** None at this time

**Police** Lt Al Woods reported there were 978 calls for July 2013. The Mayor thanked the Police Department for a terrific job for all their efforts and appreciates all the work the Police Department does.

**Electric** Superintendent Joe Hawksby introduced David Au, our new Assistant Superintendent, to the Mayor and Board of Trustees. He also extended his appreciation to the Police and Electric Department for their quick response to the fire on Driscoll Ave in July. HMT is continuing the industrial substation work. They have brand new breakers. The Electric Department has crews working at the State Fair and per HMT report, the State Fair has replaced a lot of the equipment. The Electric Department talked to Gary Warner who looked at a ten year plan for the Village electric. Most of the items are 98% complete and they will address the others. Also, they are continuing the cutout replacement. They are rebuilding Freeman Ave to Woods Road to the Solvay Bank parking lot with three or four poles and a new secondary. The last two pickups have been ordered in the next two or three weeks. Joe would like his department trained on fire extinguishers and all Red Cross CPR training courses are up to date.

**DPW/Highway** Trustee John Cregg reported for Mark Cazzolli that all summer employment has ended as of August 23, 2013 and the pool closed on August 18 and has been drained and shut down completely. Paving on Boyd Ave and Huntshill Rd will begin on July 28, 2013 and the driveway and lawn repairs on Brooks Street will begin the second week of September. The Highway equipment is in good running condition and the "prepping" for the salt trucks will begin the second week of September. The highway will continue to pick up brush and grass as usual. Trustee Tom Tarolli also reported that the Solvay pool is now closed and there was a savings of \$900.

**Library** Loretta Hughes reported about the **SUMMER READING PROGRAM**

≡ This year's Summer Reading Program has ended. We had 68 participants who recorded reading a total of 674 books.

≡ During July and August we hosted four special programs: Moreland the Magician, Museum of the Earth, The MOST and Zoo to You. Approximately 225 people attended and we received many favorable comments about the programs and the library staff.

- ≡ The MOST – The County Library system has subscribed to an online reservation program and using your library card people can check out free passes to The MOST. Each pass admits four people. Patrons will be able to reserve and print out passes from home as well as in the library. They're hoping to add more to the list soon – Beaver Lake and the Zoo.

**OTHER**

- ≡ On August 7 we had a visit from a group of people from Solvay America in Houston, Texas. They were here on behalf of their corporate office in Belgium to do some filming around the Village for a DVD they're putting together for the company's 150<sup>th</sup> anniversary. Since Solvay Process was where it first began for the company in the United States, our Village plays a prominent role in the book they recently published and the DVD they're in the process of filming. They toured the library and spent some time looking at the Solvay Process archives. They're sending us copies of the book and once the DVD is finished for the October anniversary, they will send us copies of that as well. Following their trip they sent me a letter letting me know that they might be making another trip here sometime in September and perhaps would try to meet with Hank Antonini.

**NEW THIS FALL**

- ≡ The Saturday after Labor Day starts to return to our regular weekend hours where we'll be open from 10-5 on Saturdays and 1-5 on Sundays.
- ≡ Starting in September we'll be offering some new programs:
  1. **Story Hour** – On Tuesdays we will begin offering two story hours. A pre-school story hour at 10:30 a.m. and a pajama time story hour at 6:30.
  2. **Tuesday After School Program** - We'll have a new program the first and second Tuesday of the Month called "Blast Off With Brian" It will be an after school gaming and activity hour for kids ages 5-17. Depending on the week, kids may be using our new Nintendo Wii gaming system that was purchased for us by the Friends of the Library, or they may be playing board games, outdoor games or watching a newly released popular movie. The third Tuesday will continue to be "Mike Carter's Magic & More" and the last Tuesday will be "Out of the Box Day"
  3. **Adult Social** – For adults, we're going to begin hosting a Library Social Hour. It will be an opportunity for adults to get together in the library's community room for coffee and refreshments. In addition to socializing, we may have speakers from time-to-time, show a new movie, play games including using the Nintendo WII. The first social will be held on Thursday, September 26<sup>th</sup> a 1:00 pm.
  4. **Creative Writer's Group** - On Saturday, September 14 at 1:00 p.m. we'll be debuting our new creative writer's group which will meet the second Saturday of every month. It's for anyone 16 yrs. or older who's interested in writing and would like to get together with other writers.
  5. **Sunday Movie Matinee** – with the return to being open on Sundays, we'll once again show a movie on the second Sunday of each month. On September 8 at 2:00 we'll be showing the movie, "The Great Gatsby".

**Codes** None at this time

**Stormwater** Village Engineer, Anthony Destefano reported the Stormwater Report:

**August 6<sup>th</sup> CNY Stormwater Coalition Meeting Highlights:**

- ✓ Non-Traditional MS4s identified: The Solvay School District and Post Office exist within the Village's corporate limits. This information will be used to update the Watershed Treatment Model by excluding these parcels from the Village's MS4 area. It should also be noted that the Village does not have stormwater jurisdiction over these properties.
- ✓ Technical Committee is still investigating the process for ensuring No Net Increase in Pollutants of Concern from new development projects. A standard procedure is being developed which will only take into account land use changes of one acre or more.
- ✓ Round 11 of the NYSDEC Water Quality Improvement Projects grant has been announced. CNYRPDB will be investigating possible opportunities to fund Coalition activities. A 25% funding grant match is required and applications are due November 8<sup>th</sup>.

**August 26<sup>th</sup> CNY Stormwater Coalition TMDL Committee Highlights:**

- ✓ Still in fact-finding mode about how compliance with the TMDL requirements might be achieved.

- ✓ One potential cost of compliance is development of the required Watershed Improvement Strategy (WIS) by June, 2015.
- ✓ CNYRPDB has drafted an outline of the potential content of the WIS.
- ✓ Still to be decided is whether a collective approach to compliance is the best way to go.

**Emerald Ash Borer Update:**

- ✓ Reported on this issue many times before. Impact: loss of canopy and the many beneficial stormwater qualities of trees in general.
- ✓ August 4<sup>th</sup> Post-Standard: On July 29<sup>th</sup>, the City of Syracuse and Onondaga County were notified of the first find of the pest.
- ✓ Beetles were discovered in traps located in Eastwood, the University area and near Carrier Circle. With the discovery, the pest is now in 16 New York counties.
- ✓ Homeowners with ash trees should consult a certified tree expert concerning care of their trees.

**Clean Water Fair:**

- ✓ Onondaga County will be hosting a "Clean Water Fair" on September 7<sup>th</sup> at the Metropolitan Treatment Plant on Hiawatha Boulevard from 9:00 AM to 2:00 PM.
- ✓ Activities include learning more about Onondaga Lake's recovery, a tour of the Treatment Plant, a green infrastructure project tour and a rain barrel workshop.

**RESOLUTIONS:**

1. Authorization from the Board of Trustees to approve the minutes from the July 23, 2013 Regular Board Meeting and the Reading of the Minutes be herewith dispensed.

**MOTION: Daniel Bellotti**

**SECOND: John Cregg**

**AYES: 7                      NAYES: 0                      MOTION CARRIED**

2. Authorization from the Board of Trustees to pay Costello, Cooney & Fearon, PLLC \$ 9,841.89 for services rendered for the month of July 2013.

**MOTION: John Fall Sr**

**SECOND: Derek Baichi**

**AYES: 7                      NAYES: 0                      MOTION CARRIED**

3. Authorization from the Board of Trustees to pay C&S \$212.50 for services 1/1/13-1/31/13.

**MOTION: Daniel Bellotti**

**SECOND: John Cregg**

**AYES: 7                      NAYES: 0                      MOTION CARRIED**

4. Authorization from the Board of Trustees to pay C&S \$5290.64 for services 7/1/13 – 7/31/13.

**MOTION: Daniel Bellotti**

**SECOND: John Fall Sr**

**AYES: 7                      NAYES: 0                      MOTION CARRIED**

5. **Authorization from the Board of Trustees to reschedule the Local Law No 4 in the Year 2013 to the**

**September 2013 Regular Board meeting listed below.**

**MOTION: Daniel Bellotti**

**SECOND: Derek Baichi**

**AYES: 7                      NAYES: 0                      MOTION CARRIED**

The following resolution was offered by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_

\_\_\_\_\_, to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. C-2013, to amend Chapter 157 (titled "Outdoor Storage of Motor Vehicles, Mechanized Equipment or Other Material") of the Code of the Village of Solvay to include boats, or parts thereof was presented and introduced at a Regular Meeting of the Village Board of the Village of Solvay held on July 23, 2013; and

**WHEREAS**, a public hearing was held on such proposed local law on this 27<sup>th</sup> day of August, 2013 by the Village Board of the Village of Solvay and proofs of publication of notices of such public hearings, 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 July 23, 2013 meeting this Board determined that the enactment of Proposed Local Law No. C-2013 is an unlisted action that there are no other involved agencies, that this Board will act as lead agency for this application and determined that this action would result in

no adverse environmental impacts, therefore rendering a negative declaration for purposes of SEQR; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. C of 2013.

**NOW, THEREFORE**, it is

**RESOLVED**, that the Village Board of the Village of Solvay, Onondaga County, New York, does hereby enact Proposed Local Law C of 2013 as Local Law No. 4-2013 as follows:

**VILLAGE OF SOLVAY**

**LOCAL LAW NO. 4 IN THE YEAR 2013**

**A Local Law Amending Chapter 157 of the Village of Solvay Code to Include Boats, or Parts Thereof**

Be it enacted by the Village of Solvay Board of Trustees, that this Local Law amends Chapter 157 of the Code of the Village of Solvay (hereinafter "Code"), titled "Outdoor Storage of Motor Vehicles, Mechanized Equipment or Other Material," to include boats, or parts thereof, as follows:

**Section 1.**

So that Chapter 157, Section 1 of the Code, titled "Purpose," is hereby amended so that it shall now read in its entirety as follows:

"§157-1. Purpose.

The outdoor storage of abandoned, unlicensed, junked or discarded motor vehicles or any parts thereof, boats, or any parts thereof, mechanized equipment or other material upon public or private property within the Village of Solvay is dangerous, unsightly and a detriment to the preservation of public health, the protection of property and the safety and welfare of the residents of the Village of Solvay. The outdoor storage of abandoned, unlicensed, junked or discarded motor vehicles or any parts thereof, boats, or any parts thereof, mechanized equipment or other material upon such properties constitutes an attractive nuisance to children and adults and a peril to the safety and welfare of the residents of the Village of Solvay, since the fuel tanks frequently contain gasoline or gasoline fumes and may be subject to explosion in case of fire. Such storage depreciates the value of neighboring properties and is unsightly and discourages the orderly, progressive development of the Village Solvay, the control of the outdoor storage of abandoned, unlicensed, junked or discarded motor vehicles or any parts thereof, boats, or any parts thereof, mechanized equipment or other material upon public or private property is, therefore, regulated for the preservation of the health, safety and welfare of the residents of the Village of Solvay."

**Section 2.**

So that Chapter 157, Section 2 of the Code, titled "Definitions," is hereby amended to include the following definition of "boat" and revise the definitions of "abandoned," "discarded," and "junked" as follows:

"ABANDONED – With regard to a motor vehicle, the intent of the owner of the motor vehicle not to use the motor vehicle on the public highways. With regard to a boat, the intent of the owner of the boat not to use the boat on a waterway. The intent of an owner may be determined by the physical condition of the motor vehicle or boat, the length of time since the motor vehicle has last been used on a public highway or the length of time since the boat has last been used on a waterway, and whether the motor vehicle is licensed or unlicensed or the boat is registered or unregistered.

BOAT – Any construction designed for use on water.

DISCARDED – Any motor vehicle or boat which the owner thereof does not intend to recover possession thereof or any motor vehicle or boat to which ownership cannot be reasonably determined.

JUNKED – Any motor vehicle or boat in such condition as to cost more to repair or place such motor vehicle or boat in operating condition than the maximum retail value of the motor vehicle or boat."

**Section 3.**

So that Chapter 157, Section 3 of the Code, titled "Outdoor storage prohibited," is hereby amended to read in its entirety as follows:

"It shall be unlawful for any person, firm or corporation, either as an owner of a motor vehicle or boat, or as an owner, occupant, lessee or tenant of any public or private property within the Village of Solvay, to store or deposit or cause or allow or permit to be stored or deposited, an abandoned, unlicensed, junked or discarded motor vehicle or any parts thereof, boat or any parts thereof, mechanized equipment or other material upon any public or private property outdoors, within the limits of the Village of Solvay."

**Section 4.**

So that Chapter 157, Section 4 of the Code, titled "Notice," is hereby amended to read in its entirety as follows:

"A. If the provisions of the foregoing section are violated, the Chief of Police or Code Enforcement Officer or any other Village employee charged with giving such notices shall serve written notice, either personally or by certified mail, upon the owner of the motor vehicle or boat or on the owner, occupant, lessee or tenant of such public or private property to comply with the provisions of this Chapter. The notice shall be in substantially the following form:

TO THE OWNER OF THE MOTOR VEHICLE OR BOAT, OR THE OWNER, OCCUPANT, LESSEE OR TENANT OF THE PROPERTY WITHIN THE VILLAGE OF SOLVAY, KNOWN AS \_\_\_\_\_

NOTICE IS HEREBY GIVEN that an abandoned, unlicensed, junked or discarded motor vehicle or boat (or any parts thereof, mechanized equipment or other material) has been stored or deposited

on the above-described property in the Village of Solvay in violation of Chapter 157 of the Code of the Village of Solvay. Violation of Chapter 157 constitutes an offense. The motor vehicle or boat (or any parts thereof, mechanized equipment or other material) must be removed within 10 days from the date of this notice. Failure to remove in accordance with the notice may subject you to a fine not to exceed \$250 and/or imprisonment not to exceed 15 days, or both.

Please advise the following of your compliance with this notice:

Village Department: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Dated: \_\_\_\_\_

B. In addition, a copy of said notice shall be served upon the last known owner of the motor vehicle or boat (according to New York Department of Motor Vehicles records) or the owner, occupant, lessee or tenant of such real property upon which the offending motor vehicle, boat, equipment or material is located.”

**Section 5.**

So that Chapter 157, Section 5 of the Code, titled “Powers of Chief of Police,” is hereby amended to read in its entirety as follows:

“In addition to any other remedies provided herein, and in furtherance of the purposes herein stated, to preserve the public health, safety and welfare, the Chief of Police is hereby authorized and empowered to remove and dispose, in accordance with the New York Vehicle and Traffic Law, of any motor vehicles, boats, equipment or material found to be in violation of this Chapter.”

**Section 6.**

So that Chapter 157, Section 7 of the Code, titled “Penalties for offenses,” is hereby amended to read in its entirety as follows:

“An owner of a motor vehicle or boat, or an owner, occupant, lessee or tenant who shall neglect or refuse to remove an abandoned, unlicensed, junked or discarded motor vehicle, or any parts thereof, or boat, or any parts thereof, or who fails to remove mechanized equipment or other material as directed by this Chapter, shall be, upon conviction thereof, fined a sum of not more than \$250 or imprisoned for not more than 15 days, or both. Each day’s continued violation shall be considered a separate violation.”

**Section 7.**

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

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

<b>Daniel Bellotti</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes/No</b>
<b>John Fall, Sr.</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Thomas Tarolli</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes/No</b>
<b>John Cregg</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Derek Baichi</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Harry DeCarlo</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes/No</b>
<b>Ronald Benedetti</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes/No</b>

The foregoing Resolution was thereupon declared duly adopted.

DATED: August 27, 2013

6. 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>STREET ADDRESS</i>	<i>TAX MAP</i>	<i>NAME OF OWNER</i>
<b>406 Darrow Ave</b>	<b>003.-05-03.0</b>	<b>James J. Buerkle</b>
<b>25 Heritage Circle</b>	<b>014.-04-20.0</b>	<b>John W. Burch III</b>
<b>317 Fay Rd.</b>	<b>016.-01-27.0</b>	<b>Daniel B. Barry</b>
<b>709 Second St</b>	<b>004.-09-06.0</b>	<b>Brian Hunt</b>
<b>319 Caroline Ave</b>	<b>011.-04-24.1</b>	<b>Marguerite E. Newman</b>

**MOTION:** Daniel Bellotti  
**SECOND:** Harry DeCarlo

**AYES:** 7                      **NAYES:** 0                      **MOTION CARRIED**

7. Authorization from the Board of Trustees to award the low bidder for the Pavilion at Woods Road Park to

Fingerlakes Construction Company, Inc. at \$27,419 for a 24x60 ft structure.

Other bids were as follows: Amish Structures - \$39,946, Woodford Bros., Inc - \$40,799

**MOTION: John Fall Sr**

**SECOND: Derek Baichi**

**AYES: 7 NAYES: 0 MOTION CARRIED**

**NEW BUSINESS**

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Resolved that this Board of Trustees move into Executive Session to discuss a contract and/or personnel matter at 6:46 p.m.

**MOTION: Daniel Bellotti**

**SECOND: Derek Baichi**

**AYES: 7 NAYES: 0 MOTION CARRIED**

Resolved that the Executive Session be closed and that this Board return to the regular meeting at 7:13 p.m.

**MOTION: Daniel Bellotti**

**SECOND: Harry DeCarlo**

**AYES: 7 NAYES: 0 MOTION CARRIED**

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**No action was taken at the Executive session meeting.**

**ADJOURNMENT:**

The regular meeting of the Solvay Board of Trustees be adjourned at 7:16 p.m.

**MOTION: Daniel Bellotti**

**SECOND: Derek Baichi**

**AYES: 7 NAYES: 0 MOTION CARRIED**

Respectfully submitted,

David Terrell II, Village Clerk/Treasurer  
Village of Solvay