

Regular Board Meeting of the Village of Solvay Board of Trustees  
Tuesday, July 22, 2014

OFFICE OF THE CLERK  
GAIL M TAROLLI

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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** Daniel Bellotti

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

**PETITIONS:** Ty Marshal, Joe Fragnito and Mary Bosco

**CORRESPONDENCE:** Statement from Mayor Benedetti regarding the views of a resident and employee of the Village of Solvay

**PUBLIC HEARINGS:** Mayor Benedetti opened the Public Hearing regarding "Licensing". Thomas Tarolli reported that the fees for eatery establishments were dropped and this local law will reinstate them. No comments were made. John Fall Sr motioned to close the Public Hearing and Daniel Bellotti seconded it.

**COMMITTEE REPORTS:**

**Administrative** None at this time

**Legal** None at this time

**Treasurer** None at this time

**Police** Lt. Al Wood reported 658 calls for the month of June, 2014. Also, Lt Wood introduced James LaRose and Gabriel Storto, the Police department's two new part time police officers

**Electric** Joe Hawksby, Electric Superintendent reported Joe Hawksby reported the Electric Department will install six new LED all Pack lites for the library to be installed by line crews and paid for by IEEP. Also, HMT and the department will work on a "hot spot" found by HMT at Bridge Street substation. This will require PM3 to be taken off line, and the department has full cooperation from RockTenn.

During the storm of July 8, 2014, the breaker issue at Mathews was repaired by HMT. The new upgrade in storm communication will be installed at three substations. The Electric Department will critique the policies when there is a storm. They will use hand held walkie talkies, marker boards, and feeder maps which will be put at each station.

Mayor Benedetti complimented the Electric Department on their quick response after the July 8, 2014 storm. He stated they were the best crew in NYS.

**DPW/Highway** Mark Cazzolli, Highway Superintendent reported the Highway Department has been busy working on projects throughout the village. Their biggest project has been removing and installing new sidewalks in the village. Paving will begin in the Piercefield area and Wilshire Street. Mill and fill will begin shortly on Third and Second Streets. The swimming pool has been running smoothly with very few problems. The addition of four new entry doors has added much needed security and updated the building as a whole. There has been an increase in the sewer calls for the month of June with four digs. During the July 8, 2014 storm, the department had crews to keep the village clean from debris.

**Library** John Briggman, Library Trustee, reported:

- All of our summer programs are doing very well. The new weekly programs (The Teen program, Family Movie Night, Game Day, Crafts Day and Saturday morning program) have been well received and our special program with Moreland the Magician drew a crowd of about 60 people. The showing of The Lego Movie drew a record crowd on 6/25.
- Summer Reading Program - To date, over 90 children have signed up for the summer reading program. We're only about half way through the program and already this is a significant increase over last year.

The library staff has done a great job promoting the reading program as well as all the other programs offered this summer.

- The new Book Readers and Tail Waggers program where children sit and read to a certified therapy dog has gotten off to a good start. The parent of a child who attended the program let us know how much her son enjoyed the program. She said he was so enthused by it that he went home and read to his stuffed animals. She sent us a picture and thanked us for encouraging her kindergarten reader.
- Upcoming special programs include:
  - Showing of the movie “Heaven is for Real” on Wednesday, 7/23 at 6:00 pm
  - The MOST (Museum of Science & Technology) brings their traveling science show to the library on Thursday, 7/24 at 11:00 a.m.
  - CNY Central’s Reporter Kellie Cowan visiting the library for their “Book Breaks Program”
  - Dan the Snakeman will bring some of his collection of reptiles, amphibians, and invertebrates when he comes to the library on Monday, August 4 at 11:00 a.m.
  - The Rosamond Gifford Zoo will bring its popular Zoo-To-You program to the library on Friday, August 15 at 11:00 a.m.

**Solvay Books**

- Solvay America will be sending us copies of commemorative books from their 150<sup>th</sup> anniversary celebration. The books include photos taken of the Library archival items and some Village locations.

**Codes** Thomas Tarolli reported that the attorney fee may be a little higher than usual but the fees were for the Bridge Street clean legal fees.

**Stormwater** None at this time

**RESOLUTIONS:**

1. Authorization from the Board of Trustees to approve the minutes from the June 24, 2014 Regular Board Meeting and the Reading of the Minutes be herewith dispensed.

**MOTION: Daniel Bellotti**  
**SECOND: Derek Baichi**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

2. Authorization from the Board of Trustees to pay C&S Engineers \$9332.50 for services rendered from 06/01/14 to 6/30/14. (Invoices: 0147038, 0147039, 0147040, 0147041, 0147042, 0147043)

**MOTION: John Fall Sr**  
**SECOND: Daniel Bellotti**  
 A large portion of this bill will be reimbursed to the village.  
**AYES: 7 NAYES: 0 MOTION CARRIED**

3. Authorization from the Board of Trustees to approve the Budget Modifications:  
**There are none this month.**

4. Authorization from the Board of Trustees to pay Costello, Cooney & Fearon, PLLC \$19,511.96 for services rendered for the month of June, 2014.

**MOTION: Derek Baichi**  
**SECOND: John Cregg**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

5. 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/a/re 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.

STREET ADDRESS	TAX MAP	NAME OF OWNER
502 Fourth St	005.-08-11.0	Blair, James E. Sr.
406 Darrow Ave	003.-05-03.0	Buerkle, James J.
221 Lamont Ave	010.-06-29.0	Hurley Kathleen Revocable Trust
325 First St	007.-04-05.0	Daverso, Jeanette M.
208 Charles Ave	011.-08-06.0	Varughese, Mathew
200 Charles Ave	011.-08-02.0	Brink, Robert
125 Freeman Ave	010.-07-29.0	Matzke, Christ
104 William St	010.-02-11.0	Pascarella, Marie & Louis
221-223 William St	010.-03-03.0	Giachetti, Richard D.
321 Woods Rd	011.-04-12.0	Motell, Cody M.
325 Woods Rd	011.-04-11.0	Samuel, Deborah J.

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

6. The following resolution was offered by Thomas Tarolli who moved its adoption, seconded by John Fall Sr, to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. C-2014, to amend Chapter 109, titled "Licensing," 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 June 24, 2014; and

**WHEREAS**, a public hearing was held on such proposed local law on this 22nd day of July, 2014 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 June 24, 2014 meeting this Board determined that the enactment of Proposed Local Law No. C-2014 is a Type II Action that there are no other involved agencies, that this Board will act as lead agency for this application and rendered a negative declaration for purposes of SEQR; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. C of 2014.

**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 2014 as Local Law No. 3 of 2014 as follows:

**VILLAGE OF SOLVAY - PROPOSED LOCAL LAW NO. 3-2014**

**A Local Law Amending Chapter 109, titled "Licensing," of the Village of Solvay Code**

Be it enacted by the Trustees of the Village of Solvay, that this local law amends Chapter 109 of the Code of the Village of Solvay (hereinafter "Code"), titled "Licensing," to impose certain licensing obligations on individuals or entities operating a restaurant, eating place, lunch counter or similar place for the sale or consumption on the premises of food and beverage, as follows:

**SECTION 1.**

So that Section 109-1 of the Code of the Village of Solvay shall be amended so as to read, in its entirety, as follows:

"§ 109-1 LEGISLATIVE INTENT.

The purpose of this Chapter shall be to preserve the public peace and good order in the Village of Solvay and to contribute to the public welfare and good order of its people by enforcing certain regulations and restrictions, which shall include licensing and registration obligations, on hawkers, vendors, solicitors and peddlers in order to prevent fraud, crime and unethical and dishonest business practices within the Village of Solvay and to protect our citizens from such behavior."

**SECTION 2.**

So that Section 109-3 of the Code of the Village of Solvay shall be amended so as to read, in its entirety, as follows:

"§109-3LICENSE REQUIRED.

It shall be unlawful for any person to engage in, conduct, manage, operate or cause to be conducted, managed or operated within the limits of the Village the business of hawker, vendor, solicitor, peddler or charitable solicitor, or operate a restaurant, eating place, lunch counter or similar place for the sale or consumption on the premises of food and beverages, without first obtaining a license from the Village Clerk."

**SECTION 3.**

So that Section 109-5 of the Code of the Village of Solvay shall be amended so as to read, in its entirety, as follows:

"§109-5INFORMATION REQUIRED WITH APPLICATION.

Each applicant for a license shall file with the Village Clerk, on a form to be provided by the Village of Solvay, an application, in writing, which shall give the following information and be signed and affirmed by the applicant under the penalties of perjury:

If the applicant is a hawker, vendor, solicitor, peddler or charitable solicitor, the applicant shall provide the following information:

- the name, age and physical description of the applicant;
- his or her complete permanent home and local address and the telephone number at such address;
- the name and address of the organization or person for whom solicitation is being made and the telephone number at such address;
- a description of the nature of the business and the goods, services or wares to be sold and sufficient information to determine the business to be transacted;
- the days, dates and routes of business or solicitation in the Village of Solvay, which, unless special permission is granted by the Village Clerk, shall be between the hours of 9:00 a.m. and 7:00 p.m.;
- a statement as to whether or not the applicant has been convicted of a crime, misdemeanor or disorderly conduct offense, and where and when so convicted, the nature of the offense and the penalty, if any; and
- the make, model, year, color and license plate number of the automobiles used by the applicant during the period of solicitation in the Village and the driver identification number and state of issuance on applicant's driver's license.

If the applicant operates a restaurant, eating place, lunch counter or similar place for the sale or consumption on the premises of food or beverages, the applicant shall provide the following information:

- the name, address and telephone number of the business;
- the name, address and telephone number of the building owner;
- the hours and days of operation;
- if licensed by the New York State Alcoholic Beverage Control Board, the license number;
- a list of all State and County licenses held by the business;
- if the applicant is a partnership, association or LLC, a list of all partners or members, including address or, if a sole proprietorship, the name of the sole proprietor; and
- any assumed names of the business (D/B/A/)."

**SECTION 4.**

So that Section 109-8 of the Code of the Village of Solvay shall be amended so as to read, in its entirety, as follows:

"§109-8 INFORMATION ON LICENSE.

Each applicant shall be issued a license by the Village Clerk, upon which shall be impressed the Official Seal of the Village of Solvay and the period for which said license shall be valid. Licenses issued to a hawker, vendor, solicitor, peddler or charitable solicitor shall be valid for a period not to exceed thirty (30) calendar days from the date of issuance. Licenses issued to an applicant who operates a restaurant, eating place, lunch counter or similar place for the sale or consumption on the premises of food or beverages shall be valid for a period not to exceed one (1) year."

**SECTION 5.**

So that Section 109-9 of the Code of the Village of Solvay shall be amended so as to read, in its entirety, as follows:

"§109-9 DISPLAY OF LICENSE.

The licensee shall carry or display the license at all times when conducting business in the Village and shall exhibit it to any citizen or Village official upon request. At the conclusion of the period for which the license was issued, said license shall be returned to the Village Clerk."

**SECTION 6.**

So that Section 109-11 of the Code of the Village of Solvay shall be amended so as to read, in its entirety, as follows:

"§109-11 TRANSFER OF LICENSE PROHIBITED.

No license issued under the provisions of this Chapter shall be used at any time by any person or business other than the one to whom it was issued."

**SECTION 7.**

So that Section 109-12 of the Code of the Village of Solvay shall be amended so as to read, in its entirety, as follows: "§109-12 PROHIBITIONS. Every hawker, vendor, solicitor, peddler or charitable solicitor to whom a license is issued under the terms of this Chapter shall be governed by the following rules and regulations:

- A. Licensee shall not falsely or fraudulently misrepresent the quantity, character or quality of any article offered for sale.
- B. Licensee shall not stand or permit the vehicle used by them to stand in any public place or street for more than ten (10) minutes, or in front of any premises for any time if the owner or lessee objects.
- C. Licensee shall not create or maintain any booth or other obstruction upon any street or public place for the purposes of selling or exposing for sale any goods, wares or merchandise.
- D. Licensee shall not sell any merchandise within two hundred fifty feet (250') of any

school between the hours of 8:00 a.m. and 4:00 p.m. on school days.

- E. No person subject to the terms of this Chapter shall enter or attempt to enter the house or apartment of any resident in the Village without an express invitation from the occupant of the house or apartment.
- F. No person subject to the terms of this Chapter shall conduct themselves in such a manner as to annoy or harass any person while soliciting within the Village.

**SECTION 8.**

So that Section 109-15 of the Code of the Village of Solvay shall be amended so as to read, in its entirety, as follows:

“§109-15 APPEALS.

In the event that an application for a license is revoked or denied, the applicant may appeal to the Board of Trustees of the Village of Solvay, which shall set a time and place for a hearing. Such hearing shall be held within fifteen (15) days after a request for an appeal has been filed with the Village Clerk and at which hearing the applicant will be given an opportunity to present their reasons why the license should be issued. The decision of the Board of Trustees is final.”

**SECTION 9. EFFECTIVE DATE.**

This Local Law shall take effect upon its filing in the Office of the 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>Daniel Bellotti</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>Thomas Tarolli</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>John Cregg</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Derek Baichi</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Harry DeCarlo</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Ronald Benedetti</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing Resolution was thereupon declared duly adopted.

**DATED: July 22, 2014**

- 7. Having amended Chapter 109 of the Village Code to impose a licensing obligation upon individuals or entities operating a restaurant, eating place, lunch counter or similar place for the sale or consumption of food and beverage, the Village Board hereby establishes that the annual fee for such license shall be \$50.00.

**MOTION: Thomas Tarolli**  
**SECOND: Harry DeCarlo**  
**AYES: 7 NAYES: 0 MOTION CARRIED**

- 8. Authorization from the Board of Trustees to approve Joe Hawksby as the accredited delegate for the Village of Solvay at the annual MEUA Conference September 9,10,11,and 12, 2014 to be held at The Inn on the Lake, Canandaigua, New York.

**MOTION: John Cregg**  
**SECOND: John Fall Sr**

<b>Daniel Bellotti</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>Thomas Tarolli</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>John Cregg</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Derek Baichi</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Harry DeCarlo</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Ronald Benedetti</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing Resolution was thereupon declared duly adopted.

**DATED: July 22, 2014**

- 9. Authorization from the Board of Trustees to ratify and reaffirm the prior SEQRA determination and grant site plan approval to RockTenn Solvay LLC’s installation of a make-up unit on an external elevated structure, Project PM @West End Make-Up Air Unit, upon the June 2, 2014 Planning Board and Zoning Board of Appeals review of the application and unanimous recommendation that the Village Board (1) ratify and reaffirm the SEQRA findings rendered on September 17, 2012, noting the limited nature of the proposed improvement represented in the instant application and that no adverse environmental impacts were to be realized; and (2) grant site plan approval to allow the installation of the aforementioned equipment.

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

- 10. Authorization from the Board of Trustees to approve the Gertrude Park Pavilion Rehabilitation Project, approve the related Community Development Contract in the amount of \$28,000 and authorize the Mayor to sign said contract with the County, approving and authorizing a contract for this project with Paduana Brothers to complete this work in the amount not to exceed \$26,950 and authorizing the Mayor to sign an agreement with Paduana Brothers to complete the related work upon condition with Community Development signed contract.

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

- 11. Authorization from the Board of Trustees to approve the Annual MS-4 Report for the Village of Solvay, authorizing the Mayor to sign authorizing said report to be submitted to the NYSDEC.

**MOTION:** Harry DeCarlo  
**SECOND:** Thomas Tarolli  
**AYES:** 7      **NAYES:** 0      **MOTION CARRIED**

- 12. Approval and authorization for the Village of Solvay to participate, as a ‘participating employer’ in the New York State Health Insurance Program and to include in such plan its officers and employees and to (exclude from such plan) its retired officers and employees, subject to and in accordance with the provisions of Article XI of the Civil Service Law and the Regulations governing the New York State Health Insurance Program, as presently existing or hereafter amended, together with such provisions of the insurance contracts as may be approved by the President of the Civil Service Commission and any administrative rule or directive governing the plan and further, authorizing the Mayor to execute any and all documents needed to give full force and effect to this resolution.

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

- 13. Authorization from the Board of Trustees to approve to promote Angelina Lynch from Library Page to Part Time Library Clerk at a rate of \$10.67 per hour to replace Marie Burt effective July 29, 2014.

**MOTION:** Daniel Bellotti  
**SECOND:** Thomas Tarolli  
**AYES:** 7      **NAYES:** 0      **MOTION CARRIED**

- 14. Authorization from the Board of Trustees to approve to hire Carolyn Patapow as a Part Time Library Page at a rate of \$8.00 per hour to replace Angelina Lynch effective July 29, 2014.

**MOTION:** Harry DeCarlo  
**SECOND:** Daniel Bellotti  
**AYES:** 7      **NAYES:** 0      **MOTION CARRIED**

- 15. Introducing Proposed Local Law D of 2014, titled ‘A Local Law Amending Chapter 29 titled ‘procurement policy’ to Authorize Purchasing Based on Best Value and to Set Forth Requirements for ‘Piggybacking’ Purchases, determining that this is a Type 2 action for purposes of SEQRA, and scheduling a public hearing to consider said local law at this Board’s next regular meeting to be held on August 26, 2014 at the Geddes Town Hall, 1000 Woods Road in the Village at 6:00 pm or as soon thereafter as the matter can be reached.

**MOTION:** John Cregg  
**SECOND:** John Fall Sr

<b>Daniel Bellotti</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>Thomas Tarolli</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>John Cregg</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Derek Baichi</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Harry DeCarlo</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>Ronald Benedetti</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing Resolution was thereupon declared duly adopted.

**Dated: July 22, 2014**

**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 7:02 p.m.

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

Resolved that the Executive Session be closed and that this Board return to the regular meeting at 7:27 p.m.

**MOTION: Daniel Bellotti**  
**SECOND: Derek Baichi**  
**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 7:38 p.m.

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

Respectfully submitted,

Gail M Tarolli, Village Clerk