

**Regular Board Meeting of the Village of Solvay Board of Trustees  
Tuesday, November 26, 2019**

**OFFICE OF THE CLERK  
HARRY DECARLO**

---

Today, Tuesday, November 26, 2019 the **REGULAR BOARD MEETING** of the **SOLVAY VILLAGE BOARD OF TRUSTEES** was called to order by Mayor Derek Baichi at the Town of Geddes Court Room, 1000 Woods Road, Solvay, NY 13209 at 6:00 p.m.

**PLEDGE TO THE FLAG**

<b>ATTENDANCE ROLL CALL:</b>	<b>Trustees</b>	<b>William McVicker Daniel Bellotti Thomas Tarolli Raymond Fournier John Cregg</b>	<b>Present Present Present Present Present</b>
	<b>Deputy Mayor</b>	<b>John Fall Sr</b>	<b>Present</b>
	<b>Mayor</b>	<b>Derek Baichi</b>	<b>Present</b>

**PUBLIC HEARING:**

Open Public Hearing regarding Local Law D

**MOTION: John Fall Sr**

**SECOND: William McVicker**

**7-0, Motion Carried**

A discussion regarding definitions of a “minor” and how it effects law enforcement took place. An amendment of Chapter 62 and 111 was addressed. Adoption of the proposed local law will amend the definition of “minor” to be consistent with New York State Law.

Close Public Hearing

**MOTION: William McVicker**

**SECOND: Daniel Bellotti**

**7-0, Motion Carried**

Open Public Hearing regarding Local Law E

**MOTION: William McVicker**

**SECOND: Raymond Fournier**

**7-0, Motion Carried**

A discussion took place regarding small cell wireless facilities “5G” technology within the village right-of-way. The issue of current infrastructure located within the village right-of-way was raised and the need to protect the health and safety of village electric employees. Pictures of sample 5G technology to be installed within the right-of-way were provided to the village board and public for purposes of reference. Within the limited authority the FCC has allowed the village to regulate the deployment of small cell wireless facilities, the local law addresses aesthetic concerns, application requirements and the imposition of fees.

**MOTION: Daniel Bellotti**

**SECOND: William McVicker**

**7-0, Motion Carried**

**MAYOR’S COMMENTS/CORRESPONDENCE:**

Congratulations was given to our new Linemen for our Electric Department: Bryan Griffen and Bradley McBride. The Tyrol Club was recognized with a proclamation for 90 years in the Village of Solvay. The Solvay Football Team was recognized for an exceptional season and provided a plaque. The Tree Lighting in on Friday December 13<sup>th</sup> at 5:30 and Joe Britton won the Best Pet Photo Contest.

**COMMITTEE REPORTS:**

<b>Administrative</b>	<b>Mayor Derek Baichi</b> – Edits to RFQ/RFP’s are being made.
<b>Legal</b>	<b>Village Attorney</b> – Nothing besides what is on the agenda.
<b>Treasurer</b>	<b>Cheryl Visconti, Treasurer</b> – Nothing to report.
<b>Police</b>	<b>Allen Wood, Police Chief</b> – Reported 1096 calls for the month of October. 22 Follow Up investigations, 5 felonies, 94 misdemeanors and 4 DWI’s. Trustee McVicker stated that our PT Police Officers should be paid more.
<b>Electric</b>	<b>John Kurtz, Asst. Electric Superintendent</b> – Reported that decorations for holidays are close to complete. Hoping the resolution for Mac Sutton passes this evening. Completed small job in Lakeland and the Village. Recognized Brad and Bryan as our newest Journeyman Lineman as of October 2019. The Public Hearing was discussed and putting a temporary hold on any vote about fiber companies in the right of way. Joe will meet with DC Lawyers and PSC with concerns. November 1 <sup>st</sup> wind storm was discussed. 3 streets with large tree damage and multiple outages at around 6 am. All customers were restored before noon. Bridge Street Broken pole with damage to 3 UG feeds to transformers was brought up. Restored last 3 customers Monday evening.
<b>DPW/Highway</b>	<b>John Cregg, Trustee</b> – A discussion about no longer picking up mattresses with the increased fees from OCCRA (\$15/per). Options to offset this new fee were discussed. Over 200 bulk pick-ups were done including brush and leaves.
<b>Library</b>	<b>Dan Golden, Library Director</b> - The Solvay Public Library will be closed on Thursday, November 28 and Friday, November 29 for the Thanksgiving Holiday. Here at the Solvay Public Library, our goal is to be a leader of and catalyst for programs and services that promote a favorable business climate and support the continuing growth and development of the Village of Solvay. Although Solvay does not currently have a Chamber of Commerce, we hope we can fulfill some of the functions of a Chamber by providing collections and public programs that are helpful to local business proprietors and investors, including possibly another Open House/ Mixer for local proprietors in the late spring/ early summer 2020. We would like to know if the Village of Solvay can help us with these efforts. The Director is still searching for volunteers to assist the Annual Friends Booksale, scheduled to take place May 15-17. Chair Yoga at the Library-every Wednesday at 4pm. Learn to stretch and relax at your local library. Friends of the Library Holiday Open House- Sunday, December 15, 2 p.m. The Friends of the Solvay Public Library invite you to Friends of the Solvay Public Library Holiday Open House. Please join us for a fun family holiday tradition with refreshments and the raffle drawing. Armchair Travel and Coffee- Every first Tuesday of the month at 2pm. Monthly series of travel programs at the Solvay Public Library. The next Armchair Travel will be in Ireland on Tuesday, January 7 at 2pm. At the Solvay Library, we are proud of 115 years of service to Solvay and the Town of Geddes.
<b>Codes</b>	<b>Anthony Alberti</b> – Reported 17 complaints, 27 electrical inspections completed, 2 fire and 13 trash. In the process of updating vacant home list. Idea of having a new program to give a way smoke detector donated by local and national companies.
<b>Stormwater/Montrose Ave Celebrations Buildings</b>	<b>Mark Malley, Village Engineer</b> - None <b>Mayor Derek Baichi</b> - None <b>John Fall Sr, Trustee</b> – Addressed Resolution #8 and nothing has been updated from Westrock land.
<b>Friends of Charles Ave Park Cost Cutting</b>	<b>Residents Report</b> - None <b>Mayor Derek Baichi</b> – Discussed codes, refuse fees and ways to save during budget season.

**Additional Resolutions from the Village Board: None**

**PETITIONS:**

(Five Minute Time Limit Per Petitioner)

**John McPeak, Resident** addressed Resolution #7 and how all resolutions that were originally passed were illegal.

**John Maestri, Resident** addressed our Police Chief returning to work and questioned whether a report is or will be available.

**Joe Britton, Resident** addressed Resolution #7 and being a taxpayer, he is ok with reimbursing legal fees for Trustee Bellotti if found “not guilty”.

**Jeffrey Smith, Resident** thanked the village for safety issues being taken care of.

**RESOLUTIONS:**

1. Authorization from the Board of Trustees to pay C&S Engineers \$23,126.62 for services rendered from 10/1/19 to 10/31/19. (Total Cost to the Village is: \$13,526.00)

Below are the specific projects that will be reimbursed through Grant or the County:

- Invoice No. 0183096 – Project No. 114.222.001 – Aquatic Spray Park – Sam Grant
- Invoice No. 0183097 – Project No. 114.224.001 – Gere Lock Rd. Culvert Replacement – Belle-Isle Tree Replacement Grant
- Invoice No. 0183100 – Project No. 114.228.001 – CHIPS Paving – Reimbursed under CHIPS
- Invoice No. 0183103 – Project No. 114.233.001 – Electric Department
- Invoice No. 0183104 – Project No. 114.235.001 – West End Lighting Phase I - Community Development Grant

**MOTION: John Cregg**

**SECOND: Raymond Fougner**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

2. Authorization from the Board of Trustees to pay Costello, Cooney & Fearon, PLLC \$16,867.25 for services rendered for the month of October 2019. A detailed list of charges has been provided to the Board of Trustees.

**MOTION: John Fall Sr**

**SECOND: Raymond Fougner**

William McVicker	Trustee	Voted	No
Daniel Bellotti	Trustee	Voted	No
Thomas Tarolli	Trustee	Voted	Yes
Raymond Fougner	Trustee	Voted	Yes
John Cregg	Trustee	Voted	Yes
John Fall Sr	Trustee	Voted	Yes
Derek Baichi	Mayor	Voted	Yes
			<b>Motion Carried</b>

3. Authorization from the Board of Trustees to approve the minutes from the October 22, 2019 Regular Village Board Meeting and the Reading of the Minutes be herewith dispensed.

**MOTION: Raymond Fougner**

**SECOND: John Cregg**

William McVicker	Trustee	Voted	Yes
Daniel Bellotti	Trustee	Voted	Yes*
Thomas Tarolli	Trustee	Voted	Yes
Raymond Fougner	Trustee	Voted	Yes
John Cregg	Trustee	Voted	Yes
John Fall Sr	Trustee	Voted	Yes
Derek Baichi	Mayor	Voted	Yes
			<b>Motion Carried</b>

\*With change made to resolution #5 to “No” Vote

4. Authorization from the Board of Trustees to declare the intermunicipal agreement with the Town of Geddes relating to Codes Enforcement service to be a Type 2 action and authorizing renewal of the intermunicipal agreement with the Town of Geddes pertaining to shared Codes Enforcement Officer (CEO) services between the two municipalities, for the period October 22, 2019 through December 31, 2020 in accordance with the proposed Agreement which has been circulated to the Board of Trustees and further authorizing the Mayor to sign such Agreement on behalf of the Village.

**MOTION: William McVicker**

**SECOND: Thomas Tarolli**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

5. Authorization from the Board of Trustees to adopt the revised version of the Village of Solvay Employee Handbook.

**MOTION: John Fall Sr**

**SECOND: Thomas Tarolli**

No Vote Took Place.

**MOTION TO TABLE: William McVicker**

**SECOND: Daniel Bellotti**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

6. Authorization from the Board of Trustees to renew the Excellus and MVP Platinum Health Plans effective January 1, 2020

**WHEREAS** the Village of Solvay currently offers health insurance plan options to its active full-time employees through Excellus BCBS and MVP Healthcare, and

**WHEREAS** the Village of Solvay currently offers a group Medicare health insurance plan to its eligible retired employees through Excellus BCBS, and

**WHEREAS** the effective date of the Village health insurance plans from Excellus BCBS and MVP Health Plan is January 1, 2020, and

**WHEREAS** effective January 1, 2020, the Group Medicare health plan, and Platinum health plans from Excellus BCBS and MVP Healthcare are renewing, and

**WHEREAS** effective January 1, 2020, the renewal health plans from Excellus BCBS and MVP Healthcare are being offered at a total monthly premium of:

<b>TIER OF COVERAGE</b>	<b>MVP</b>	<b>Excellus</b>	<b>Excellus Medicare Plan</b>
<b>Employee / Single</b>	<b>\$966.63</b>	<b>\$890.12</b>	<b>\$416.97</b>
<b>Employee + Spouse</b>	<b>\$1,933.26</b>	<b>\$1,780.23</b>	<b>\$833.94</b>
<b>Employee + Child(ren)</b>	<b>\$1,643.27</b>	<b>\$1,513.20</b>	<b>N/A</b>
<b>Full Family</b>	<b>\$2,754.90</b>	<b>\$2,536.83</b>	<b>N/A</b>

as is, therefore be it,

**RESOLVED** that it is hereby decided by the Village of Solvay to renew these policies effective January 1, 2020.

**MOTION: John Cregg**

**SECOND: John Fall Sr**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

7. Authorization from the Board of Trustees to rescind resolutions numbered 10, 11 and 12, as passed by the Village Board during its regularly scheduled meeting on October 22, 2019, which had authorized the following individuals for the reimbursement of reasonable legal fees: Trustee Bellotti, for an incident that occurred in August 2019; Village of Solvay employees, for allegations relating to harassment by a Trustee; and, Mayor Baichi, for an alleged hate crime.

**MOTION: John Cregg**

**SECOND: Raymond Fournier**

No Vote Took Place.

To amend and make separate resolutions.

**MOTION: Daniel Bellotti**

**SECOND: William McVicker**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

Authorization from the Board of Trustees to rescind resolutions numbered 10 as passed by the Village Board during its regularly scheduled meeting on October 22, 2019, which had authorized the following individuals for the reimbursement of reasonable legal fees: Trustee Bellotti, for an incident that occurred in August 2019

**MOTION: John Cregg**

**SECOND: Raymond Fournier**

William McVicker	Trustee	Voted	No
Daniel Bellotti	Trustee	Voted	Abs.
Thomas Tarolli	Trustee	Voted	Yes
Raymond Fournier	Trustee	Voted	Yes
John Cregg	Trustee	Voted	Yes
John Fall Sr	Trustee	Voted	Yes
Derek Baichi	Mayor	Voted	Yes
			<b>Motion Carried</b>

8. Authorization from the Board of Trustees to rescind resolution numbered 11 as passed by the Village Board during its regularly scheduled meeting on October 22, 2019, which had authorized Village of Solvay employee's reimbursement of reasonable legal fees for allegations relating to harassment by a Trustee.

**MOTION: John Cregg**

**SECOND: Raymond Fournier**

William McVicker	Trustee	Voted	Yes
Daniel Bellotti	Trustee	Voted	Abs.
Thomas Tarolli	Trustee	Voted	Yes
Raymond Fournier	Trustee	Voted	Yes
John Cregg	Trustee	Voted	Yes
John Fall Sr	Trustee	Voted	Yes
Derek Baichi	Mayor	Voted	Yes
			<b>Motion Carried</b>

9. Authorization from the Board of Trustees to rescind resolution numbered 12 as passed by the Village Board during its regularly scheduled meeting on October 22, 2019, which had authorized Mayor Baichi the reimbursement of reasonable legal fees for an alleged hate crime against him.

**MOTION: John Cregg**

**SECOND: Raymond Fougner**

<b>William McVicker</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>Raymond Fougner</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>John Cregg</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>Derek Baichi</b>	<b>Mayor</b>	<b>Voted</b>	<b>Abs.</b>
			<b>Motion Carried</b>

10. Authorization from the Board of Trustees to have C&S Engineers provide a detailed survey of the subsurface conditions including depth to bedrock as required by the Village Codes Office and samples analyzed for New York State Department of Environmental Conservation Part 375 volatile organic compounds (VOC's); semi volatile organic compounds (SVOCs); polychlorinated biphenyls (PCBs); pesticides; herbicides; and metals (including hexavalent chromium and cyanide), for the Industrial Drive Parcels, Village of Solvay, New York. The cost of the Survey which includes Borings, Laboratory Sampling and Final Engineering Report will not exceed \$10,800.00.

**MOTION: John Cregg**

**SECOND: John Fall Sr**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

11. Authorization from the Board of Trustees to approve Officer Michael Niedzialek for 207-C as a result of sustained injuries while on duty on October 2, 2019.

**MOTION: William McVicker**

**SECOND: John Cregg**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

12. Authorization from the Board of Trustees for the enactment of Local Law D-2019, as Local Law No. 5 of 2019, amending Chapters 62 and 111 of the Code of the Village of Solvay to revise the definition of the term "Minor," and the Board of Trustees having rendered a negative declaration on October 22, 2019 for purposes of SEQR, and having held a public hearing to consider such Local Law on November 26, 2019.

**MOTION: Raymond Fougner**

**SECOND: Thomas Tarolli**

<b>William McVicker</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>Raymond Fougner</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>John Cregg</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>Derek Baichi</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>
			<b>Motion Carried</b>

13. Authorization from the Board of Trustees for the enactment of Local Law E-2019, as Local Law No. 6 of 2019, creating a new Chapter 131 of the Code of the Village of Solvay to regulate the deployment of small cell wireless facilities throughout the Village, and the Board of Trustees having rendered a negative declaration on October 22, 2019 for purposes of SEQR, and having held a public hearing to consider such Local Law on November 26, 2019.

**MOTION: John Cregg**

**SECOND: Raymond Fournier**

<b>William McVicker</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>Raymond Fournier</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>John Cregg</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>Derek Baichi</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>
			<b>Motion Carried</b>

14. Authorization from the Board of Trustees to introduce Local Law F-2019 to create a new Chapter 159A in the Code of the Village of Solvay to establish a vacant building registry and maintenance obligations, declaring the matter an Unlisted Action for purposes of SEQRA and rendering a negative declaration, and scheduling a public hearing to consider such Local Law for December 17, 2019.

**MOTION: Thomas Tarolli**

**SECOND: Daniel Bellotti**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

15. Authorization from the Board of Trustees to approve the following findings and determinations with respect to the NYSDEC 2019 Urban and Community Forestry Grants Program. The NYSDEC Urban Forestry is an involved agency (as the funding source); this SEQR review will be conducted on an uncoordinated basis; the Village Board of Trustees will act as lead agency; that this action is an unlisted action; that based upon review of the EAF submitted in connection with this project, the Board hereby determines that there will be no adverse environmental impacts emanating from the proposed activity; and therefor renders a negative declaration for purposes of SEQR compliance; further, that the Board hereby authorizes the "Boyd Park and West End Tree Planting Grant Application" and finally, authorizes the Mayor to sign any and all documents in order to give full force and effect to this resolution."

**MOTION: John Cregg**

**SECOND: William McVicker**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

16. Authorization from the Board of Trustees to promote Mac Sutton to the position of Electric Maintenance Worker at a pay rate of \$35.87 per hour and an effective date of January 4, 2020. This position is equal pay to a Line Worker II.

**MOTION: Thomas Tarolli**

**SECOND: John Fall Sr**

<b>William McVicker</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>Raymond Fournier</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>John Cregg</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>Derek Baichi</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>
			<b>Motion Carried</b>

- 17. Authorization from the Board of Trustees to discontinue the pick-up of mattresses and box springs by the DPW effective December 2, 2019. This is due to new \$15 fee per mattress being charged by OCCRA.

**MOTION: Raymond Fournier**

**SECOND: John Cregg**

No Vote Took Place.

**MOTION TO TABLE: John Cregg**

**SECOND: Raymond Fournier**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

- 18. Authorization from the Board of Trustees to promote Emanuele "EJ" Falcone III to the position of MEO I at a pay rate of \$21.16 per hour and an effective date of January 4, 2020. There is a 120-day probationary period for this position.

**MOTION: John Fall Sr**

**SECOND: John Cregg**

No Vote Took Place.

**MOTION TO TABLE: John Cregg**

**SECOND: Raymond Fournier**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

Resolved that this Board of Trustees move into Executive Session to discuss a contract and personnel matter at 8:18 p.m.

**MOTION: William McVicker**

**SECOND: Raymond Fournier**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

Resolved that the Executive Session be closed and that this Board return to the regular meeting at 8:54 p.m.

**MOTION: John Cregg**

**SECOND: William McVicker**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

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

**NEW BUSINESS:**

- 1. Authorization from the Board of Trustees to promote Emanuele "EJ" Falcone III to the position of MEO I at a pay rate of \$21.16 per hour and an effective date of January 4, 2020. There is a 120-day probationary period for this position.

**MOTION: John Cregg**

**SECOND: William McVicker**

<b>William McVicker</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>Raymond Fournier</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>John Cregg</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>Derek Baichi</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>
			<b>Motion Carried</b>



2. Authorization from the Board of Trustees to promote Michael Niedzialek to the rank of Sergeant For the Solvay Police Department. This will fill the Sergeants position vacated by Sgt. Stala. Officer Niedzialek’s pay increase is per contract and will take effect upon his return to work from his injury.

**MOTION: John Fall**

**SECOND: John Cregg**

<b>William McVicker</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>Raymond Fougner</b>	<b>Trustee</b>	<b>Voted</b>	<b>Yes</b>
<b>John Cregg</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>Derek Baichi</b>	<b>Mayor</b>	<b>Voted</b>	<b>Yes</b>
			<b>Motion Carried</b>

**ADJOURNMENT:**

The regular meeting of the Solvay Board of Trustees be adjourned at 9:01 p.m.

**MOTION: John Fall Sr**

**SECOND: John Cregg**

**AYES: 7**

**NAYES: 0**

**MOTION CARRIED**

Respectfully submitted,

Harry DeCarlo, Village Clerk