

Regular Board Meeting of the Village of Solvay Board of Trustees
Tuesday, January 28, 2020

OFFICE OF THE CLERK
HARRY DECARLO

Today, Tuesday, January 28, 2020 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

ATTENDANCE ROLL CALL:	Trustees	Deborah DeGilio	Present
		Raymond Fournier	Present
		William McVicker	Present
		John Cregg	Present
		James Cometti	Present
	Deputy Mayor	John Fall Sr	Present
	Mayor	Derek Baichi	Present

MAYOR’S COMMENTS/CORRESPONDENCE:

The Mayor introduced the newly elected Trustees: Deborah DeGilio and James Cometti. The State of the Village will take place at next month’s regular board meeting. The two new capital projects were discussed as well as the surplus. A decision needs to be made on the Village Hall. Either it has to be rehabilitated or a new one needs to be built. The updated committee rosters should be completed in March. Interested candidates are encouraged to send in resumes for consideration.

PUBLIC HEARING: None

COMMITTEE REPORTS:

Administrative	Mayor Derek Baichi – There will be an Administrative/Budget Meeting at 5:30 on February 24 th .
Legal	Nadine Bell, Village Attorney – None from Counsel, J. Maestri inquired about results of former Trustee Bellotti’s investigation. Referenced the penal law in regards to harassment and the consequences.
Treasurer	Cheryl Visconti, Treasurer – Presented the budget modifications and provided a few corrections. Line items were questioned by Trustee McVicker. Those items were resolved.
Police	Allen Wood, Police Chief – There were 1045 calls in December. This included 11 follow ups, 4 felonies, 50 misdemeanors, 157 traffic, 4 DWI, 68 parking, 17 moving violations and 1 stolen vehicle.
Electric	Joe Hawksby, Electric Superintendent – Welcomed new board members. Discussed the reliability of the department. 19 outages in 365 days for 2019. 7 of which were equipment related. All communication providers attaching to our poles will no longer be drilling holes but will be using a pole pan or belly ban attachment. We have our new Electric Maintenance Worker in place. Mac Sutton, formerly our Line Worker II is really making tremendous progress. We are looking at next month for the hot water tank program. The PSC new frame work for pole attachment process was mentioned.
DPW/Highway	Charles Orr Jr, DPW Superintendent – Discussed the ongoing issue of mattress removal and the new fees associated with doing so. 10 plus mattresses a week are being picked up. 22 sewer calls for the month. A major issue over on Bailey Street is being resolved with the sewer system. 4 new speed limit signs have been put up. Mayor Baichi proposed a resolution to charge a \$30 fee to pick up mattresses.

Authorization from the Board of Trustees to charge a fee of \$30 to pick up mattresses payable at the Village Hall. The effective date is January 28, 2020.

MOTION: John Fall Sr

SECOND: Raymond Fournier

AYES: 7

NAYES: 0

MOTION CARRIED

- Library** **Dan Golden, Library Director** - We have scheduled the next Solvay Local Business Mixer and Networking for Tuesday, May 12 at 2pm. We ask the help of the Village of Solvay, the Town of Geddes and local businesses to make this program a success, thereby showcasing all the Library and the Village have to offer. Here are some upcoming programs: Armchair Travel and Coffee – First Tuesday of every month- 2:00p.m. – 4:00 p.m. A monthly travel program where we will “visit” different countries and learn about different cultures at the comfort of our library. The next stop is Italy. Chair Yoga at the Library-every Wednesday at 4p.m. Learn to stretch and relax at your local library. After School Gaming and Streaming - Every Thursday from 4:00 p.m. – 4:45 p.m. This is a new program by our Own Brian Rowlands. Starting in February, kids and teens can come play games on their phones, tablets, Nintendo Wii or Switch, Beyblades, Pokemon cards or even old school board games. There will also be time when we stream Netflix and your favorite channels on YouTube. Irish Dance with Rince Na Sonas- Saturday, March 7, 2p.m. An afternoon of traditional Irish dance and folk music.
- Codes** **Anthony Alberti** – Reported that the new software “Citygov” is now working to assist codes department.
- Stormwater/Montrose Ave Celebrations** **Mark Malley, Village Engineer** - None
Mayor Derek Baichi – With the proposed extension of the NYS Fair, the field days has been moved to August 6th, 7th and 8th. Plan on 3 days of rides, bands, fireworks and so much more.
- Buildings** **John Fall Sr, Trustee** – A meeting with the GM of WestRock will take place in February.
- Cost Cutting** **Mayor Derek Baichi** – The next meeting is February 10th at 5:30.

Additional Resolutions from the Village Board:

Trustee Fougner motioned for three additional resolutions:

Authorization from the Board of Trustees to collect expenses related to the investigation exonerating Chief Wood of wrongdoing and finding Mayor Baichi the cause of the illegal and unjustified actions taken with respect to the Chiefs employment status. Reimburse the village for the cost of the investigation and attorney’s fees costing \$9262.50. Funds shall be received no later than March 2nd and deposited in the appropriate budget categories to offset the expenses.

Authorization from the Board of Trustees to collect legal expense related to personal matters of Mayor Derek Baichi. The expenses of \$829.25 shall be received no later than March 2nd for improperly investigating slander, defamation and the discipline of an employee who justifiably recorded the Mayor during a department wide meeting impropriety investigating ranting about his sexuality and how he engages with women in a derogatory manner.

Authorization form the Board of Trustees to lodge a vote of no confidence of Mayor Baichi.

No Second was made for the above resolutions.

PETITIONS:

John McPeak, Resident expressed that Trustee Fougner could get 4 votes and this is a very serious matter. You are asking the mayor to pay back money used for a third-party investigation.

Resolved that this Board of Trustees move into Executive Session to discuss a personnel matter at 7:10 p.m.

MOTION: John Fall Sr

SECOND: John Cregg

AYES: 7

NAYES: 0

MOTION CARRIED

Resolved that the Executive Session be closed and that this Board return to the regular meeting at 7:52 p.m.

MOTION: John Fall Sr

SECOND: John Cregg

AYES: 7

NAYES: 0

MOTION CARRIED

No action was taken at the Executive session meeting.

PETITIONS (Continued):

Mayor Baichi stated that there was miscommunication and we are now working together. No problem with Chief Wood, you are doing a good job. Please remove the three additional resolutions motioned for by Trustee Fougner and 17 and 18 that were already on the agenda. We are not going to discuss any further. They are now off the docket and are retracted.

Jeffrey Smith, Resident discussed Neighborhood Watch and how the program is progressing. In the process of joining the national sheriff's department neighborhood watch. We have already joined the Onondaga County Sheriffs Neighborhood Watch. We have been provided new signs. Additional information and stickers are available to the public. The Solvay Neighborhood Watch is on Facebook.

Joe Britton, Resident stated that some items I cannot discuss because they are no longer resolutions. Questioned the actual dollar amount we have spent on legal, specifically investigating trustee misconduct. What are the village tax payer responsible for after this investigation? These next items are just observations. Body language and party line voting was brought up. Specifically, Trustee Cregg and how he may not always agree to vote party line. Also discussed how Mr. Maestri and how he was referencing legal bills and his interaction with Trustee Fougner. I felt intimidated by Trustee Fougner by the way he was staring Mr. Maestri down. He would not want anyone to feel intimidated.

Unknown, discussed article in Syracuse.com. Asked if Lisa Ligoci and Bill Ekstrand were still on the codes committee.

RESOLUTIONS:

1. Authorization from the Board of Trustees to pay C&S Engineers \$7187.50 for services rendered from 12/1/19 to 12/31/19. (Total Cost to the Village is: \$5267.50)

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

- Invoice No. 0184670 – Project No. 114.222.001 – Aquatic Spray Park – Sam Grant
- Invoice No. 0184675 – Project No. 114.233.001 – Electric Department

MOTION: John Fall Sr

SECOND: William McVicker

AYES: 7

NAYES: 0

MOTION CARRIED

2. Authorization from the Board of Trustees to pay Costello, Cooney & Fearon, PLLC \$10,870.75 for services rendered for the month of December 2019. A detailed list of charges has been provided to the Board of Trustees.

MOTION: William McVicker

SECOND: John Cregg

AYES: 7

NAYES: 0

MOTION CARRIED

3. Authorization from the Board of Trustees to approve the minutes from the December 17, 2019 Regular Village Board Meeting and the Reading of the Minutes be herewith dispensed.

MOTION: John Fall Sr

SECOND: Raymond Fougner

AYES: 7

NAYES: 0

MOTION CARRIED

4. Authorization from the Board of Trustees to approve the minutes from the January 7, 2020 Special Board/Organizational Meeting and the Reading of the Minutes be herewith dispensed.

MOTION: Raymond Fougner

SECOND: William McVicker

AYES: 7

NAYES: 0

MOTION CARRIED

5. Authorization from the Board of Trustees to approve Anthony Alberti as a Part Time Codes Enforcer with an effective date of January 29, 2020.

MOTION: John Fall Sr

SECOND: James Cometti

AYES: 7

NAYES: 0

MOTION CARRIED

6. Authorization from the Board of Trustees to send the 2011 Ford Crown Victoria 4DSD, Vin # 2FABP7BV2BX114405 to Auctions International.

MOTION: John Cregg

SECOND: James Cometti

AYES: 7

NAYES: 0

MOTION CARRIED

7. Authorization from the Board of Trustees declaring a Salting Agreement with the Solvay Fire Dept. to be a Type 2 action for purposes of SEQR and authorization to renew an Agreement with the Solvay Fire Dept. whereby, the Village may use the Fire Dept. building for some meetings, as needed and in return, the Village agrees to conduct salting operations at the Fire Dept.'s parking lots at 1925 Milton Ave. all in accordance with the proposed Salting Agreement which has been circulated to the Village Board of Trustees.

MOTION: James Cometti

SECOND: John Cregg

AYES: 7

NAYES: 0

MOTION CARRIED

8. Authorization from the Board of Trustees declaring an Intermunicipal Agreement between the Village and the Town of Geddes related to the sharing of equipment to be a Type 2 action for purposes of SEQR and authorization to renew the Intermunicipal Agreement with the Town of Geddes with regard to sharing DPW/Highway equipment, all in accordance with a proposed Intermunicipal Agreement that has been circulated to the Village Board of Trustees.

MOTION: John Cregg

SECOND: Raymond Fougner

AYES: 7

NAYES: 0

MOTION CARRIED

9. Authorization from the Board of Trustees declaring an Intermunicipal Agreement between the Village and the Town of Geddes related to the disposal of yard waste to be a Type 2 action for purposes of SEQR and authorization to renew an agreement with the Town of Geddes for the disposal of Village yard waste, all in accordance with a proposed Agreement that has been circulated to the Village Board of Trustees.

MOTION: Raymond Fougner

SECOND: John Fall Sr

No Vote Took Place.

MOTION TO TABLE: John Fall Sr

SECOND: Raymond Fougner

7-0 Vote, Motion Carried

10. Authorization from the Board of Trustees to approve and ratify the County's determination that adoption of the "2019 Onondaga County Multi-Jurisdictional Hazard Mitigation Plan Update" is a Type II action pursuant to the State Environmental Quality Review Act (SEQRA) and an exempt activity pursuant to the National Environmental Policy Act (NEPA), therefore concluding the environmental review of this action and further authorization for the Village of Solvay to adopt in its entirety, the 2019 Onondaga County Multi-Jurisdictional Hazard Mitigation Plan Update (the "Plan") as the Village's Natural Hazard Mitigation Plan and resolves to execute the actions identified in the Plan that pertain to the Village of Solvay.

MOTION: John Cregg

SECOND: William McVicker

AYES: 7

NAYES: 0

MOTION CARRIED

11. Authorization from the Board of Trustees to approve the following budget modifications:

Village of Solvay General Fund

Account	Title	(as modified) Current Budget	Proposed Budget Mod	Newly Modified Budget Amount
Revenues				
425500 A	Permits	5,000	1,000	6,000
426200 A	Forfeited Deposits	0	8,027	8,027
420250 A	Pool Fees	5,000	322	5,322
426800 A	Insurance Recoveries	0	5,000	5,000
426900 A	Other Compensation for Loss	0	1,000	1,000
430050 A	State Aid-Mortgage Tax	40,000	(5,157)	34,843
	Total	50,000	10,192	60,192
Expenses				
551101 A	Street Maintenance-Wages	200,000	20,000	220,000

581701 A	Street Cleaning-Wages	78,760	(20,000)	58,760
514304 A	Personnel-Other	15,000	10,000	25,000
514404 A	Park & Rec-Other	40,000	60,000	100,000
519504 A	Taxes on Village Property	8,400	505	8,905
571204 A	Pool-Other	17,760	1,310	19,070
581404 A	Storm Sewer-Other	5,500	2,000	7,500
599019 A	Interfund Transfers	23,300	32,140	55,440
599000 A	Appropriated Fund Balance	(187,287)	(95,763)	(283,050)
	Total	201,433	10,192	(211,625)

MOTION: John Fall Sr

SECOND: William McVicker

AYES: 6

NAYES: 1 (Fougner)

MOTION CARRIED

12. Authorization from the Board of Trustees to approve the first DASNY Grant Disbursement in the amount of \$63,375.00 for the Gertrude Park Swimming Pool and Aquatic Spray Park, located on 601 Gertrude Street, Village of Solvay. The Village of Solvay's total grant amount from the Dormitory Authority of the State of New York is \$ 250,000.00.

MOTION: Raymond Fougner

SECOND: John Cregg

AYES: 7

NAYES: 0

MOTION CARRIED

13. Authorization from the Board of Trustees to award the Village of Solvay Gertrude Park Pool Pavilion Rehabilitation to McGinnis Nelson Construction, the only bidder, for the total Lump Sum Price of \$16,000.00. The Pavilion Rehabilitation is part of the Gertrude Park Swimming Pool and Aquatic Spray Park Project. The cost of the pavilion rehabilitation will be reimbursed through the DASNY grant.

MOTION: William McVicker

SECOND: John Fall Sr

AYES: 7

NAYES: 0

MOTION CARRIED

14. Authorization from the Board of Trustees to approve and authorize the Mayor's execution of a revocable "License, Indemnification and Hold Harmless Agreement Relating to Encroachment Upon Village Property" to allow a residential garage situated on property located at 409 Center Street, Tax Map No. 005.-07-05.0 to encroach on Village property, such agreement constituting an Unlisted Action for purposes of SEQRA and the Board of Trustees, as Lead Agency, hereby issuing a Negative Declaration relative to same.

MOTION: Deborah DeGilio

SECOND: Raymond Fougner

AYES: 7

NAYES: 0

MOTION CARRIED

15. Authorization from the Board of Trustees to retain the services of a licensed land surveyor and a licensed appraiser to provide certain surveys for three properties in the Village in an amount not to exceed \$10,000 and appraisals for those surveyed properties in an amount not to exceed \$10,000, all costs to be paid from the Village Electric Fund.

MOTION: John Cregg

SECOND: Raymond Fougner

AYES: 7

NAYES: 0

MOTION CARRIED

16. Authorization from the Board of Trustees for legal counsel for the Village to proceed with settlement negotiations for a tax certiorari matter, in accordance with correspondence, dated January 27, 2020, from Attorney John Langey.

MOTION: James Cometti

SECOND: John Fall Sr

AYES: 7

NAYES: 0

MOTION CARRIED

The following resolutions were retracted from the original agenda:

17. Authorization from the Board of Trustees to approve:

WHEREAS, it has been established that during his term of office, Trustee Bellotti repeatedly demanded confidential information from two (2) separate Village employees and officers in a manner that was both hostile and intimidating; and

WHEREAS, such conduct is detrimental to the Village and in violation of several of the Village’s policies, including but not limited to the Village’s Vision, Mission and Values Statements and Code of Conduct;

NOW, THEREFORE, BE IT RESOLVED, that Trustee Bellotti be censured for such actions.

MOTION:

SECOND:

Deborah DeGilio	Trustee	Voted	Yes/No
Raymond Fougner	Trustee	Voted	Yes/No
William McVicker	Trustee	Voted	Yes/No
John Cregg	Trustee	Voted	Yes/No
James Cometti	Trustee	Voted	Yes/No
John Fall Sr	Trustee	Voted	Yes/No
Derek Baichi	Mayor	Voted	Yes/No

18. Authorization from the Board of Trustees to approve:

WHEREAS, it has been established that Trustee William McVicker publicly identified two (2) Village officers/employees who had filed complaints alleging misconduct by another trustee; and

WHEREAS, such conduct is detrimental to the interests of the two individuals and the Village and in violation of several of the Village’s policies, including but not limited to the Village’s Vision, Mission and Values Statements. Code of Conduct and Complaint Procedures;

NOW, THEREFORE, BE IT RESOLVED, that Trustee McVicker be censured for such actions.

MOTION:

SECOND:

Deborah DeGilio	Trustee	Voted	Yes/No
Raymond Fougner	Trustee	Voted	Yes/No
William McVicker	Trustee	Voted	Yes/No
John Cregg	Trustee	Voted	Yes/No
James Cometti	Trustee	Voted	Yes/No
John Fall Sr	Trustee	Voted	Yes/No
Derek Baichi	Mayor	Voted	Yes/No

ADJOURNMENT:

The regular meeting of the Solvay Board of Trustees be adjourned at 8:17 p.m.

MOTION: John Fall Sr

SECOND: Raymond Fougner

AYES: 7

NAYES: 0

MOTION CARRIED

Respectfully submitted,

Harry DeCarlo, Village Clerk