

INDEX – January 12, 2009

VISITORS: Brian Campbell, *Hamburg Sun*; Stephen Brachman, *Buffalo News*; Richard and Joyce Bulera; Laurie Rietz

COMMUNICATIONS: Association of Erie County Governments meeting January 22nd; Village Officials meeting on January 15th; NYCOM Legislative meeting February 22-24th; Hamburg Sun article on Desperado's BBQ; nomination requests for Citizen of the Year; Justice Court grant; low-income housing grants that are available; working on making the Emblem Building available for buyers; no dental insurance rate increase; National Grid overpayment; Engineer report on South Main waterline break; ad in Penny Saver regarding Wal Mart costing Village Tax Payers money; storm-water and drainage issues

TRUSTEE HOUSTON: Proposed tax initiative to homeowners remodeling their homes; designate annual NEST Representative; Southtowns Rural Preservation meeting on 2/13; green arrow on Eden-Evans Center and Route 20; Christmas in the Village report; Angola Theatre expanded hours; completed NIMS training through FEMA

TRUSTEE DEJOHN: Excused

TRUSTEE WILSON: NEST meeting report; encouraged all to review Wal Mart plans before January 15th; Grant for Generator lower than requested;

TRUSTEE TUBINIS: No report

MAYOR FRAWLEY: Congratulated Trustee Houston, Jack Heinrich and Richard Carlson for 50 years of service to Angola Fire Department; Façade extension to January 16th

ATTORNEY: prepared local law for water policy; Sale of Water Plant

POLICE: High Street tenant issues; traffic study done on Franklin and Mark Lane; commended DPW and Fire Dept for snow melt-down performance at Herman Park; traffic light at Eden Evans-Center and Route 20; Magnetometer at Town Hall for protection during Court & Board Meetings

GENERAL CREW CHIEF: Snow plowing doubled; Salt supply still good; commended by Mayor for great service; dead tree removal completed;

FIRE COMMISSIONERS: High School Band can and bottle drive report; EMT training conducted upstairs; Thanked Fire Department for pumping out basements during flood; Siren on Commercial Street fixed, working on time issue; Question as to why Evans Center did not call out Angola's aerial truck for a fire on Sturgeon Point road;

CODE ENFORCEMENT: Excused – People Inc. has received their permit and should start Senior Housing in February

CLERK TREASURER: Clerks' Luncheon on January 13th; on-line training for Planning and Zoning Board members;

PLANNING: Will be preparing something for the Village newsletter

ZONING: Thanked those involved in the flooding issue

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Veterans Exemption; Library Addition; Railroad Ave Streetlight Study

NEW BUSINESS: Gallo-Goya waterline; Engine Room heaters

RESOLUTIONS:

- 1) **Declaring Slum and Blight on a Spot Basis**
- 2) **Authorize Clerk to Publish Election Notice**
- 3) **Authorize Clerk to Publish Election Notice in Angola Penny Saver**

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MEETING MINUTES
Village of Angola Board Meeting
Monday January 12, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on January 12, 2009 at 7:00 PM, there were

PRESENT: Mayor – Howard Frawley; Trustees – William Houston; Anne Marie Tubinis; and John Wilson. Excused was Trustee Denise DeJohn

ALSO PRESENT: Linda Giancarlo – Clerk-Treasurer; Jeffrey Kaminski-DPW Crew Chief; Andrew Yusick, Village Attorney; Lynne Kaminski – Fire Department Commissioners; Paul Cooper- Zoning Board Chairman; William Herold-Planning Board Chairman; Chief Ernest Masullo-Evans Police Department; Donald Gallo-Village Engineer. Excused Charles LaBarbera-Code Enforcement Officer

GUESTS: Brian Campbell-Hamburg Sun; Stephen Brachman-Buffalo News; Richard and Joyce Bulera; Alice Douglas; Laurie Rietz.

PLEDGE OF ALLEGIANCE: was led by Alice Douglas.

MEETING CALLED TO ORDER AT 7:00PM:

APPROVAL OF MEETING MINUTES OF DECEMBER 8th and DECEMBER 17th 2008, MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED

VISITORS:

1. Laurie Reitz- 70 Terrylynn-

- Complained of unusual large amount of flooding at her home which caused her to lose many valuables and appliances in basement, she voiced her concern of this being caused by the new layout for the Beachwood Harbour subdivision and questioned whether the plans were put together correctly.
- Complained of lack of development in the Franklin Street subdivision, she thinks that this is causing weather damage to her home as well.

2. Richard Bulera-72 Terrylynn-

- Voiced same complaint for flooding in the area. They stated that it has not been this bad the past forty years that they know of.

Donald Gallo-Village engineer-reported: there was an unusual amount of snow melting and some rain which caused severe flooding in many areas.

William Herold-Planning Board-reported: according to the details of the plans, they went through the planning process and the engineering process and then to the developer. He is not sure if the layout has anything to do with the flooding or if it was caused by a change in the parking lots on the school property which runs behind this area, but will look at complaint.

The Board requested that the Planning Board Chairman, the Engineer and the Developer work on a report on this area and the flooding and drainage problems and supply said report to the Village Board. The Clerk will submit report to the above owners.

3. Alice Douglas-76 Railroad-

- reported that she is a girl scout leader and the girl scouts are planning an "Amazing Race" in the Village of Angola. She wants to use Gazebo and Herman Parks. The Clerk informed her of the permits to fill out and explained there was no charge to use the Gazebo. The board commended the girl scouts for such a project and welcomed this event. It will be held in May.
- Complained that it took 3 months to get a school bus turn-around re-established on Railroad Avenue. Was concerned as to the children's safety with no sidewalks, only a few streetlights and a sex offender living in the area.
- Ms Douglas Commended Trustee DeJohn for pushing this along and stated that we need more Trustees like her on the Board.

Mayor Frawley- explained the process of getting a new location and an easement for the new turnaround area, this trouble as to the need for a new turnaround was due to a uncooperative neighbor.

Ms Douglas stated that the turnaround is now working well, the buses are using it, and she extended her gratitude.

Trustee Houston stated that the Board is waiting for a reply from National Grid as to adding some more streetlights on Railroad Avenue.

No other comments from the floor.

COMMUNICATIONS:

Mayor Frawley reported the following:

- Association of Erie County Governments dinner, January 22, 2009 at Romanello's South.
- He will be attending the Village Officials meeting January 15.
- Reported that the NYCOM Winter legislative meeting will be held February 22-24 in Albany, he will be attending and plans to travel by train.
- Commented on the nice, large article the Hamburg Sun had in their January 1st edition regarding Desperado's BBQ located in the Village of Angola.
- Read a notice from the Evans Brant Chamber of Commerce requesting nominations for Citizen Of The Year.
- Mentioned that the New York State Justice Court Assistance Program awarded nine area Justice court grants, one being the Village of Angola.

Clerk Giancarlo commended the Court Clerk Terri Bergum for her work on the grant and the award

of approximately \$5100.00 which has already been received from the State.

Mayor Frawley continued

- The Mayor announced that the Southtowns Rural Preservation Company is accepting application for low income homeowners for grants to assist with needed home repairs, the paperwork is available at the Village Hall.
- Reported that he is working with Erie County, the Town of Evans, the Erie County Task Force and Community Development on getting the Emblem building, located on York Street (LaSalle Street) ready and affordable for interested buyers.

Trustee Houston reported the following:

- Commented on the letter the Village received from the current dental insurance carrier, Delta Dental, that there will be no rate increase for the Village this year.
- Reported on a notice from National Grid Corporation regarding a reimbursement from the Village for overpayment of utility taxes. This error of National Grid has affected all municipalities.

Attorney Yusick reported that he had been made aware this via the Clerk, and reported that NYCOM and more highly effected forms of government are handling the claim, the Village will wait for a report.

- Trustee Houston continued his report: mentioned a report generated by the Village Engineer pertaining to the South Main water line break, the engineers report stated that this is a part of the old water line, which he reports is not attributed with the new lines put in on Friend Street 4 years ago.
- Stated his disappointment of a small ad put into the Angola Pennysaver referring to the Walmart Project and how page 14 of the plans shows the cost to Village taxpayers at \$40,000.
- He said the ad was completely wrong, and anyone can see in the plan book, located at the Village Hall on page 14 the plans calls for Walmart to tap into the Village Water lines which will cost Walmart approximately \$40,000 for engineering services through the Village. He stated that the cost is to Walmart not the Village, and expressed his disappointment over how small comments like this in the paper can be totally wrong and misinforms the public and causes negative impact. Reported that the plans are at the Village Hall for anyone to review.

Mayor Frawley continued

- Discussed legislative initiatives and grant moneys available for storm-water and drainage issues. These could be positive projects to help with some of the water and storm-water plans being generated for the Walmart Project and can also impact drainage issues on Terrylynn Drive previously discussed in the visitor's section.

DEPARTMENT HEADS COMMITTEE REPORTS:

TRUSTEE HOUSTON

- Reported that Town of Evans Economic Development has met with the Lake Shore School Board to discuss their plans regarding a property tax initiative to homeowners for remodeling or upgrading their homes, this initiative will apply only to the cost of the *new* work that is done on their homes, does not include existing structure assessment. This program is only in a discussion phase and he will report as things progress.
- Attended the NEST meeting, with Trustee Wilson. Stated that it is time for the Village to designate the annual NEST representatives from the board, this should be done at the next board meeting.
- There will be a Southtowns Rural Preservation meeting Friday, February 13th to discuss agri-tourism.
- Reported that the green arrow installed on the Traffic Light on Eden-Evans Center Road at Route 20 is working well, he will be working with Chief Masullo to generate a letter requesting an arrow on both sides.

- Announced that the celebration of Christmas in the Village went very well. Thanked the Friends of the Village organization for an outstanding job.
- Reported that the Angola Theater is expanding hours and will have a second (9PM) show on Friday and Saturday nights.
- Reported that he has completed the required NIMS training course through FEMA emergency Management Institute and turned in a copy of the certificate to the Village Clerk.

This course has now been completed by all employees and Board members as required by FEMA.

TRUSTEE DEJOHN –EXCUSED

TRUSTEE WILSON –

- Reported that he and Trustee Houston attended the NEST meeting, and commented on the NEST organizations information regarding recycling and the importance and benefits of recycling in the home. He found it very interesting. He also reported that they held their annual elections, and all went well.
- Informed the Board and the Clerks Office, that the Walmart Plans as displayed in the book at the Village Hall, must be reviewed and any input or comments need to be made to the Town Planning Board before Thursday morning, January 15th. The Board requested that Engineer Donald Gallo review these plans before this date and reply as may be so required.
- The Village received a \$6,600 grant for a new generator which is well under the approximately \$20,000 request. Trustee Wilson asked the DPW Crew Chief to see what kind of generator we can get with this money and report to the board.

TRUSTEE TUBINIS: No report

MAYOR FRAWLEY –

- Congratulated Trustee Houston, Jack Hienrich and Richard Carlson for there 50 years of service celebration with the Angola Fire Department.
- The Façade program, offered through Economic Development of Erie County, has offered an extension to the Village Business's until January 16th. He is hoping the local business's get on board with this program. Has talked to several interested business owners, and is hoping the County will still offer this program if the Village does not get the 5 needed business's up front. He stated that the Village may end up with only 3 interested parties, but others may join once the project is started.

ATTORNEY YUSICK-

- Prepared a local law for the water policy, there was a conflict of the Code verses the adopted Policy- will have it prepared for the next board meeting.
- Sale of Water Plant- near completion.

POLICE- Chief Ernie Masullo

- Reported his concern of the quality of life on a High Street property in the Village. There have been many issues and the police have answered over 100 calls to this residence. He has been working with the Code Department and the Owners, and violations have been issued. He hopes this is resolved soon.
- Conducted a traffic survey on Franklin and Mark Lane as requested by the Safety Committee and the Village Board, in response to a letter generated by a concerned resident, Jonica DiMartino. The survey reports a large amount of traffic and approves the need for the requested 3 way stop sign.

Trustee Houston asked Attorney Yusick to prepare a local law for 3 way stop signs, at Franklin Street and Mark Lane, and also to include the northern portion of Parkside Avenue from it's intersection with Woodland Pkwy north to dead-end to establish "No-Parking on both the East and West sides of Parkside" to it's dead end. The original thought of changing parking regulations on Lorain Street is not needed at this time.

(Chief Masullo cont'd)

- Commended the Village DPW, the Angola Fire Department and the residents for working with the Police Department during the big snow meltdown and flooding throughout the Village and for the closing of Herman Park were the water in the creek became very high and safety became a big concern. They were able to put the "Emergency Management System" into effect and he was happy to report it worked very well, everything was resolved very quickly.
- Will be asking for Trustee Houston's assistance in revisiting the traffic light on the corner of Eden-Evans Center Road and Route 20. He has seen a significant drop in fatality's at this location and would like to lower the accident rate even more by having an arrow on both sides of the light, currently the DOT has installed a green arrow on one side only.
- Announced that the Town Hall will be installing a Magnetometer to be used for Court nights and Town Board Meeting nights, to serve as a cautionary protection device.

GENERAL CREW CHIEF –

- Snow plowing has doubled up this year, but the road salt supply is still good. He has not needed much salt yet.

Mayor Frawley commended The Crew Chief and stated that he has received many calls from residents stating how nice the DPW Crew has been doing in clearing the snow throughout the Village.

Trustee Houston reported that the removal of deed Trees has been completed, the stumps will be removed after the winter.

Trustee Wilson thanked the DPW for the sidewalks being cleared and for maintaining open communications with the board.

FIRE COMMISSIONERS – (Commissioner Beck-Excused)

Lynne Kaminski-

- Reported that the High School Band can and bottle drive on January 10 went very well
- Reported that EMT training is being conducted upstairs.
- Thanked the Fire department for handling the flooding issue, they were moving quickly to pump out basements.

Trustee Houston commented that the Main siren on Commercial Street has now been repaired. It still goes off at 11:15 instead of noon. Commissioner Kaminski said she was working on this problem.

Trustee Wilson reported that he has talked to a gentleman who is coming in to check the clock setting on the siren. He may be able to correct the problem.

Trustee Houston questioned why he heard of a report of a Fire at Sturgeon Point on January 2 at 5:30 and Scranton Fire Department was called for a piece of aerial equipment in instead of Angola. It took them ½ hour to get to the area and still did not know the exact location right away. He thought this was a safety concern for the local residents, and asked why Evans Center didn't call Angola for the same equipment.

Commissioner Kaminski reported that this has been an issue right along, when a call for a fire at the Town Barns is made, Angola is the third call out, and Angola is the closest to the location.

Paul Cooper-as Town Councilman- offered his report that he feels there are some issues going on between the companies, but is aware that it is the Fire Chiefs call.

Chief Masullo- will look into this and report to the Board.

CODE ENFORCEMENT – excused.

Mayor Frawley reported that he received a call from Code Enforcement Officer Chuck LaBarbera stating that People Inc. has received their permit to get started on the Senior Housing Project, it should be starting in early February, and they expect to be completed in 10 months.

PLANNING – Chairman William Herold reported –

- He will be preparing something for the Village newsletter, as requested.

ZONING – Chairman Paul Cooper reported-

- Thanked the Evans Police Chief Masullo, the Evans Police Department and Fire Companies and all involved with the quick response to flooding in the Village. He stated that Chief Masullo was right in there in knee deep water helping with the situations.

CLERK-TREASURER –

- Reported she will be attending a Clerks luncheon tomorrow, January 13, in Blasdell, and will be discussing the new election machines.
- Reported that the board received a letter from Dept. of Environment and Planning offering on-line training courses for the needed 4-hour training for the Planning and Zoning Boards, but board approval is needed to accept this form of training.

MOTION MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE WILSON TO ACCEPT THE ON-LINE TRAINING COURSES AS VIABLE TRAINING FOR BOTH THE PLANNING BOARD AND THE ZONING BOARD, UNANIMOUSLY CARRIED.

Attorney Yusick will talk to Sandra Brant about this and related training given by the Town of Evans Planning Office.

OLD BUSINESS:

1. Sale of Water Plant-discussed
2. Thruway Water- Mayor Frawley, Trustee DeJohn and Trustee Houston met with Bonnie Lockwood of Congressman Brian Higgins office, and Tom Pericak from the NYS Thruway Authority to resolve this issue. Some proposals to settle have been brought forth, will report as things progress.
3. Senior Housing-February ground breaking planned
4. Intercontinental Building could be sold, need Erie County to work on settling.
5. Letter to Town/Veterans Exemption-discussed, decision to be handled at next board meeting.
6. Library addition- Library may need to generate letter to organizations for financial assistance.
7. Railroad Ave Streetlight Study-discussed

NEW BUSINESS:

1. Gallo-Goya waterline- Trustee Houston and Grant writer Lori Szewczyk meeting with ECIDA on Tuesday January 13th. This can go onto next month agenda for a Member Item request.
2. Engine Room Heaters-Trustee Wilson and Mayor Frawley reported the Fire department is in need of new heating, the current heat is not working properly and the type of heat is drying out and damaging the hoses. Follow-up to come at the February meeting to resolve issue.

MAYOR FRAWLEY reported that Lori Szewczyk, of the Town of Evans, is looking for the support of the Village Board in applying for an environmental study on some of the vacant and abandoned properties located in the Town and Village. This would be a phase 1 and phase 2, site assessment study, and the Town would act as lead agency in applying for the study grant. This will be a first step in removing the obstacles that are keeping these properties from potential buyers. The Emblem and the Duriron properties are under consideration for this project.

Attorney Yusick- reported that Lori Szewczyk is not ready for the resolution yet. He will review the legalities, talk with the town, and inform the board.

RESOLUTIONS BEING OFFERED JANUARY 12, 2009

Offered by Mayor Frawley

#1 Declaring Slum and Blight on a Spot Basis

WHEREAS, the Village of Angola is concerned about the economic viability of slum and blighted areas within its municipal limits, and

WHEREAS, the slum and blighted area projects a negative visual image of the community and has a negative impact on surrounding property values, and

WHEREAS, the economic, social, physical, and cultural well being of the Village is adversely affected by the conditions of this slum and blighted area, and

WHEREAS, the following detrimental conditions have been identified which qualify the area under the State law and Community Development Block Grants requirements:

The Industrial structure located on the property have been vacant for approximately 15 years; the property has been subject to vandalism; 90% of the windows and doors have been broken, pipes smashed and some signs of roof damage - looters have stripped the electrical wire, pipe and conduit; there has been a significant decrease in property value in relation to comparable industrial properties; the property is subject to significant tax, mortgage and utility liens; there is unknown/suspected environmental contamination; and, the property has been secured to prevent further damage and deterioration.

NOW THEREFORE, BE IT RESOLVED, that the following area is designated a "Slum and Blighted Spot" 1.10 acres of Industrial land located on LaSalle Street (**SBL# 235.20-1-**

21), Angola, commonly referred to as the former Emblem Bicycle Facility, which consists of a 57,000 square feet – four floor Industrial building. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED**

#2 AUTHORIZE CLERK TO PUBLISH ELECTION NOTICE

Be It Resolved that the Village of Angola Board of Trustees does hereby authorize the Clerk-Treasurer to publish, pursuant to Section 15-104(3)(b) and Section 15-104(4) of the Election Law that:

1. The General Village Election of the Village of Angola will be held Wednesday, March 18th, 2009, and
2. The polling place for the single Village Election District shall be the Village Hall, 41 Commercial Street, Angola, New York, and;
3. The hours during which the polls will be open shall be from 12:00 O'clock noon until 9:00 PM in the evening.

MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

#3 AUTHORIZE CLERK TO PUBLISH ELECTION NOTICE IN ANGOLA PENNYSAYER

RESOLVED the Clerk is Hereby authorized to publish the November election notice stating offices to be filled at the march 18, 2009 general Village Election, into the Angola Penny Saver as follows:

RESOLVED, pursuant to Section 15-104 Subdivision 3(a) of the Election Law, the following offices will be vacant and are to be filled at the Wednesday March 18th 2009 election in the Village of Angola.

VILLAGE JUSTICE - Four-Year Term

VILLAGE MAYOR –Four Year Term

TRUSTEE - Four-Year Term

TRUSTEE - Four-Year Term

TRUSTEE - Two-Year unexpired Term

MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

AUDIT OF BILLS – MOTION MADE TO APPROVE THE BILLS BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED MOTION APPROVING THE FOLLOWING: General Fund Abstract #013, Checks #6724 to #6739 in the total amount of \$24,749.52 and General Fund Abstract #014, Checks #6740 to #6788 in the total amount of \$46,706.43 and plus Payroll #26 & #27; Water Fund Abstract #013, Checks #1725 to #1731 in the total amount of \$1,546.77 and Water Fund Abstract #014, Checks #1732 to #1742 in the total amount of \$33,397.29 plus Water Payroll #26 & #27.

ADJOURN to next scheduled Board meeting February 9, 2009 at 7:00PM and a 6:30 workshop if needed **MOTION TO ADJOURN MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED, MEETING ADJOURNED AT 8:15PM**

Submitted By



Linda Giancarlo

Village Clerk-Treasurer

INDEX – February 9, 2009

VISITORS: Karen and Meagan Ryerse, 594 Herr Road; James Fessell, 139 South Main

COMMUNICATIONS: NYCOM Winter Legislative meeting Feb 22-24; Bed and Breakfast walk through at 311 North Main Street; Rural Transit letter regarding New Freedom Fund; NFTA installation of Park and Ride Shelter; Southtowns Rural Development low-income grants; Engineer report regarding Terrylynn Drive; Southtowns Coalition recognized by County Executive; Mark Engler pay request submitted; SEQRA for Wal-Mart; Hamburg Sun Memorial Stone article

TRUSTEE HOUSTON: NYCOM publication featuring photos of Mayor Frawley; Association of Erie County Governments Installation Dinner; Town of Evans Local Waterfront Committee; Goya Public Hearing with Empire State Development; Southtowns Development meeting

TRUSTEE DEJOHN: No Report; requested Executive Session

TRUSTEE WILSON: Condolences to former Trustee Michael Stockman; WNY Law Center Foreclosure Prevention; Bed and Breakfast open house; Angola Fire Department Installation Dinner

TRUSTEE TUBINIS: No Report

MAYOR FRAWLEY: Angola Volunteer Fire Department Installation Dinner; Façade program report; 5yr tax break for Village Businesses; flooding grant monies; workshop with Manning and Napier; Village Association meeting report; conference call with Gov. Patterson representative; President of the Association of Erie County Governments; working with Legislator Reynolds on Distressed Properties; guest speaker at Evans Township Lions Club; working on Village Newsletter; attended State of the County Address; congratulated Senator Kirsten Gillibrand; nationally distributed Goya booklet

ATTORNEY: Prepared two Local Laws; 39 South Main Street requirements needed; National Grid over-payment of Utility Taxes; nothing new on Water Plant

POLICE: No Report

GENERAL CREW CHIEF: No Report

FIRE COMMISSIONERS: Lee Widmer-Wick as "Citizen of the Year"; Fire/Ambulance contracts from the Town; Time Clock for daily test; ongoing issue between Evans Center and Angola

CODE ENFORCEMENT: Submitted monthly report; High Street problems should end.

CLERK TREASURER: Preparing budget with Mayor; all office staff recognized by Fire Department at Installation Dinner

PLANNING: Absent

ZONING: Evans Conservation Commission GREEN event at Evans Center Fire Hall on April 18

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Veterans Exemption; Library Addition;

NEW BUSINESS: Letter to Legislator Reynolds – Mill Street Bridge painting; FD Engine Room Heaters; Easement for Storm Drain on South Main Street

RESOLUTIONS:

- 1) Approve Appointment N.E.S.T. Representatives
- 2) Approve Proclamation World Kidney Day
- 3) Appoint Election Inspectors
- 4) Approve Water Shut-Offs
- 5) Approve Public Hearing Notice for Proposed LL#1-2009 Traffic/Vehicle
- 6) Approve Public Hearing Notice for Proposed LL#2-2009 Water Distribution System
- 7) Approve Railroad Avenue Street Lights
- 8) Approve Assemblage Application – Family Fun Walk
- 9) Approve Herman Park and Angola Gazebo Application – Amazing Race

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MEETING MINUTES
Village of Angola Board Meeting
Monday February 9, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on February 9, 2009 at 7:00 PM, there were

PRESENT: Mayor – Howard Frawley; Trustees – William Houston; Denise DeJohn; Anne Marie Tubinis and John Wilson.

ALSO PRESENT: Linda Giancarlo – Clerk-Treasurer; Jeffrey Kaminski-DPW Crew Chief; Andrew Yusick-Village Attorney; Lynne Kaminski-Fire Department Commissioner; Paul Cooper-Zoning Board Chairman; Chief Ernest Masullo-Town of Evans Chief of Police; and Charles LaBarbera-Code Enforcement Officer.

GUESTS: Brian Campbell-Hamburg Sun; Karen and Meagan Ryerse; James Fessell.

PLEDGE OF ALLEGIANCE: was led by Brian Campbell.

MEETING CALLED TO ORDER AT 7:00PM:

APPROVAL OF MEETING and WORKSHOP MINUTES OF JANUARY 12th 2009, MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, Trustee DeJohn abstained because she was not in attendance for that meeting. OTHERS AYED, UNANIMOUSLY CARRIED

VISITORS:

1. Karen Ryerse- 594 Herr Rd.

- Read a letter that her daughter Meagan (in attendance) wrote regarding a Village Snow Plow backing into her vehicle on January 13, 2009, totaling her vehicle beyond repair. The letter asks for some explanation as to why the Village insurance carrier denied her claim due to the plow driver's showing "Reckless Disregard". She asks why the employee was not following NY State Commercial Drivers Manual section 2.2.4-Backing Safety. She asked why the Village Employee is not liable. The board directed the Village Attorney to explain.
- Andrew Yusick Explained: That the New York State law protects the Village and it's employees when working under dangerous situations such as plowing snow in inclement weather, and this is why her claim was denied. He suggested that her remedy is to file an official claim with the Village, or if her insurance company felt that there was a claim, they can pursue it.
- Trustee DeJohn asked Ms. Ryerse if she was satisfied with the answer. She answered yes.
- The Clerk received a copy of the letter for the file.

2. James Fessell-139 S. Main-

- Voiced his concern over an old, large drainage pipe that has created a sink-hole between his property and the Clark-Brant Garage property. He is concerned for his

children's' safety. He is not sure who owns the pipe, but he thinks it runs under his garage and out to the road.

- Trustee Houston reported that the DPW has been looking into the history of this drainpipe, and it is on tonight's Agenda under New Business.
- Attorney Yusick asked for a copy of Mr. Fessell's survey and he will work on an easement.
- Trustee DeJohn is concerned if the homeowner or we are responsible if someone gets hurt.
- Attorney Yusick stated that we first need to determine who owns the line, and whether it serves a public purpose. Then, if we do own it, we need to get an easement done and take care of it. If we do not own it, then the property owner is responsible to take care of it.
- The DPW will do some more research on the history of the line, and the Village will then contact Mr. Fessell.

No other comments came from the floor.

COMMUNICATIONS:

Mayor Frawley reported the following:

- Will be attending the NYCOM Winter Legislative Meeting in Albany Feb 22-24
- Attended a walk through of the new Bed and Breakfast Facility at 311 North Main. He reported that the facility was beautiful and suggested that everyone stop in and see it. He commended Ms MacLeod and Ms Baxter on the beautiful job they did. He stated he was very impressed.
- Read the Rural Transit letter regarding the New Freedom Fund. He submitted a support letter.
- NFTA is scheduling the installation of the new Park and Ride Shelter for the Village. It will be done as soon as the snow clears from the site.
- Reported the Southtowns Rural Development program offering assistance to low-income homeowners for home repairs. The clerk has this info available at the Village Hall.
- Read the report from Village Engineer Donald Gallo regarding the complaint from the Rietz family of Terrylynn Drive at the last board meeting, in regard to flooding. Donald Gallo reported that the excess snow melting and the record breaking rain for the date in question was the cause of the flooding issue. His report stated this was an unexpected issue in many areas. The Mayor reported that they will continue to work on the flooding issue with Lake Shore Schools. Their new parking area and soccer field areas may be some of the cause.
- Announced he will not be able to attend a Directors Meeting for the Village Officials Association.

Trustee Houston reported the following:

- Mentioned that Lori Szewczyk- Town of Evans Community Development attended the State of the County program and was pleased to announce that the Southtowns Coalition and the Agri-tourism program was recognized by Executive Collins during his speech.
- Reported that Meter Reader Mark Engler submitted a pay request for the clerk to look at while preparing the budget.
- Filed the SEQRA from the Town of Evans Walmart project with the Clerk.

- Commented on the nice article the Hamburg Sun published regarding the Memorial Stones program throughout the Business District in the Village of Angola.

DEPARTMENT HEADS COMMITTEE REPORTS:

TRUSTEE HOUSTON

- Commented that a recent NYCOM Publication showed about 2-3 pictures of Mayor Frawley!
- Attended the Association of Erie County Governments dinner/meeting where Mayor Frawley was sworn in as President of the Association.
- Mentioned he has been nominated to serve on the Board for the newly re-formed Town of Evans Local Waterfront Committee.
- Announced that Empire State Development held a Public Hearing for the Goya Expansion at the Village Hall, 3 representatives and himself were in attendance, but no one from the public showed up. The ECIDA (Erie County Industrial Development Agency) will be holding a Public Hearing for GOYA in Early March at the Village Hall.
- Attended the Southtowns Development meeting in Eden.

TRUSTEE DEJOHN –No Report

Requested to enter into executive Session to discuss a personnel manner.

MOTION TO ENTER INTO EXECUTIVE SESSION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED AT 7:30PM

NO ACTION TAKEN IN EXECUTIVE SESSION:

MOTION TO RE-ENTER REGULAR BOARD MEETING MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED 7:40PM

TRUSTEE WILSON –

- Reported that he sent condolences to former Village of Angola Trustee Michael Stockman and family on behalf of the Village Board for the passing of his father-in-law.
- Attended the Southtowns Rural Development meeting in Eden, and it was very interesting. Announced WNY law center is sponsoring a program for foreclosure prevention. This program is offering free services to help homeowners to prevent foreclosing on their homes. The Clerk will post this program at the Village Hall and have something put on the Village website.
- Attended the open house for the Bed and Breakfast. Was very impressed with the nice work they did in updating the home at 311 North Main Street.
- Attended the Angola Volunteer Fire Department's Installation dinner, it went very well, he was able to swear in the Benevolent Officers.

Mayor Frawley- also mentioned his role in swearing in the officers.

TRUSTEE TUBINIS: No report

MAYOR FRAWLEY –

- Attended the Angola Volunteer Fire Department's Installation dinner, commended the wonderful job and how well everything went.
- Reported the Façade program is going well, still looking for a few more business to join in, the county will be here for 2 years on this program. Made note that earlier attendee James Fessell may be interested in opening a business of Main Street.
- Looking into Tax Breaks for village businesses, some sort of 5-year program.
- Discussed flooding grant monies
- Mentioned brokers for medical insurance Manning and Napier, and stated that he had attended a workshop with them.
- Had a meeting with the Erie County Supervisors and Mayors, discussed infrastructure and Goya .
- Attended the Village Association meeting in Orchard Park mentioned NFTA and Bike Paths.
- Sat in on a conference call with Governor Patterson's representative, Tim Hilcrest, regarding infrastructure money.
- Announced as President of the Association of Erie County Governments, he is working with Legislator Reynolds in preparing a resolution regarding distressed properties.

Trustee DeJohn asked Attorney Yusick if the Village had any laws regarding distressed or vacant properties.

Attorney Yusick replied that the Village has no such law, unless property is considered dangerous.

Trustee Tubinis -asked about Eminent Domain-can the Village purchase these vacant properties.

Mayor Frawley replied that the Village would need lots of money to do this.

Mayor's report continued:

- Mentioned he was the guest speaker at a recent Evans Township Lions Club meeting.
- Working on a Village Newsletter
- Reported that he attended the State of the County Address, given by Erie County Executive Collins, with over 300 attendees there. Commended the Southtowns Community leaders for being there, the Southtowns were very well represented. Chris Collins emphasized on a brighter future and is putting panels together to work on several areas of interest.
- Congratulated New State Senator Kirsten Gillibrand.
- Showed a booklet he received from Goya that is distributed Nationally, there is a picture of the Angola Plant with the Mayor and Executive Collins from the date they visited the plant.

ATTORNEY YUSICK-

- Prepared 2 local laws see resolutions: #1 Stop Signs and #2 Water Regulations.
- Reported that 39 South Main requires \$1000.00 for "deed stamps" and \$5,000.00 for the lot.
- Issue regarding the National Grid overpayment of utility taxes, is being investigated by NYCOM, we will wait to hear how they resolve this issue.
- Nothing new on water plant-waiting for papers back from the NYS Attorney General

POLICE- Chief Ernie Masullo-No Report

GENERAL CREW CHIEF – Jeffrey Kaminski-No Report

FIRE COMMISSIONERS – (Commissioner Beck-Excused)

Lynne Kaminski-

- Reported that the Evans Brant Chamber of Commerce elected Lee Widmer-Wick as "Citizen of the Year". The Board will put a proclamation together.
- Reported that the Clerk has told her that the Village did not receive the Fire/Ambulance contracts yet from the Town of Evans.

Town Councilman Paul Cooper and Mayor Frawley both stated that they will look into this.

Trustee Houston mentioned how nice the Installation Dinner went and how it was very well attended.

Trustee Houston also asked about the Time Clock for the daily test of the Fire Siren

Trustee Wilson will look into a new siren control clock.

Lynne Kaminski continued-

- Asked about the neighboring Fire Department call to Scranton and if we resolved anything.

Councilman Cooper said that there is an ongoing issue between the 2 Fire Chiefs and this should be resolved at the next Chiefs meeting.

CODE ENFORCEMENT – Charles LaBarbera

- Submitted monthly report
- Reported that the High Street problems should see an end, 3 trouble maker tenants have been evicted and are moved out.

PLANNING – Absent

ZONING – Chairman Paul Cooper-no report-

- Mentioned the April 18th Evans Conservation Commission is holding a free event at the Evans Center Fire Hall promoting Evans and Angola as a GREEN Community.

CLERK-TREASURER –

- Reported she is working on preparing the budget with the Mayor
- Commented that she attended the Angola Fire Department's Installation Dinner, and was happy to announce that she and the girls in the office Michelle Warren and Christine Mittner were all recognized by the Fire Company.

Member Items were discussed:

The Board discussed many issues in the Village that are in need of applying for Member Items money for:

1 – South Main/Goya waterline they reported that the Village received \$200,000 and this is not enough to complete the project. The Board suggests applying for \$35, 000 from Senator Volker and \$50,000 from Senator Stachowski

2- Emergency Generator- money is needed to complete the purchase an emergency generator for the Fire Hall/Village Hall building, the Village received \$6,600 towards this last year, but it's not enough to get what is needed. The Board suggested applying for \$17,000 from Senator Volker.

3-Drainage issues- the Board discussed the Stormwater and Drainage issues that are affecting some areas of the Village.

DPW Crew Chief Kaminski stated he can put together a list of areas, but he is not an engineer and cannot detail what needs to be done.

Mayor Frawley stated that there may not be enough time to put something together before he leaves for Albany in 2 weeks.

Trustee DeJohn voiced her disappointment that the storm drainage issues have low priority.

Mayor Frawley stated that this is a very big issue and he applied for Stimulus Package monies for this. This is a 3 million dollar project and you cannot get member item money enough for this type of project.

After brief disagreement the Board moved onto Old Business

OLD BUSINESS:

- | | |
|---|---|
| 1. Sale of Water Plant- <i>discussed</i> | 5. Veterans/Seniors Exemption-
<i>working on</i> |
| 2. Thruway Water- <i>pending</i> | 6. Library addition- <i>pending mtg. with</i>
<i>Gallo</i> |
| 3. Senior Housing- <i>March date</i>
<i>planned for groundbreaking</i> | |
| 4. Intercontinental Building-
<i>nothing new</i> | |

NEW BUSINESS:

1. Letter to County Legislator Reynolds-Mill Street Bridge Painting-Houston; Okay to send letter from Village Board
2. FD-Engine Room Heaters-Frawley; heating system is fixed, but the contractor Donald Timm suggested that the current heat is drying out and damaging the hoses and trucks, it would cost about \$2500-\$3000 with a National Fuel rebate of \$1000.00 to put in proper heating.
3. Easement for Storm Drain-South Main Street-Houston - discussed at visitor section
Crew Chief Kaminski will get a map of area and work with the attorney on an easement.

RESOLUTIONS BEING OFFERED FEBRUARY 9, 2009

#1 APPROVE APPOINTMENT N.E.S.T. REPRESENTATIVES

WHEREAS, the Village of Angola has received notification from NEST (North East Southtowns-Solid Waste Management) that according to Bi-Laws of N.E.S.T. the Village must appoint a representative to sit on the N.E.S.T. Board,

THEREFORE, BE IT RESOLVED that the Village Board of the Village of Angola, hereby appoints Trustee William Houston as said representative. The Village also appoints Trustee John Wilson as an alternative representative for the Year 2009.

MOTION MADE BY MAYOR FRAWLEY, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

#2 APPROVE PROCLAMATION WORLD KIDNEY DAY

**Village of Angola
PROCLAMATION
Recognizing March 12th, 2009 as
"World Kidney Day"**

WHEREAS, healthy kidneys are essential to regulate the body by water and other chemicals in your blood, remove fluids, waste, toxins and drugs introduced to the body, release hormones that regulate blood pressure, make red blood cells and promote strong bones, and,

WHEREAS, more than 26 million Americans, about one in nine adults, suffer from chronic kidney disease and,

WHEREAS, 170,000 Western New Yorkers have chronic kidney disease and another 170,000 are at risk and don't know it,

WHEREAS, 1,600 Western New Yorkers are on dialysis,

WHEREAS, nearly 500 Western New Yorkers are awaiting a kidney transplant,

WHEREAS, approximately 40 percent are African American and 16 percent are Hispanic, and

WHEREAS, the two main causes of chronic kidney disease are diabetes and high blood pressure, which are responsible for up to two-thirds of the cases,

WHEREAS, the National Kidney Foundation of WNY has a health screening program to identify people in the early stages of kidney disease, and,

WHEREAS, the mission of the National Kidney Foundation of WNY is to prevent kidney and urinary tract diseases, improve the health and well-being of individuals and families affected by these diseases, and increase the availability of all organs for transplantation,

WHEREAS, early detection including regular reporting of the GFR calculation through a simple blood test, currently the best indication of kidney disease staging, can help prevent the progression of kidney disease to kidney failure, which requires continual dialysis or kidney transplant to maintain life, and,

WHEREAS, the cost of treatment for kidney disease patients is disproportionately higher than any other chronic disease, and,

WHEREAS, most patients who have end-stage renal disease rely primarily on Medicare and Medicaid to cover the costs of their life-sustaining care, which includes dialysis treatment, medications, laboratory testing, and as necessary, transportation services to the dialysis facility, and as a consequence, any changes in Medicare and Medicaid eligibility, significantly put them at risk,

NOW, THEREFORE BE IT RESOLVED, that March 12th is recognized as "World Kidney Day" in New York State and the Village of Angola in the hope that all possible support will continue to be extended to Chronic Kidney Disease patients in New York and throughout the country and the world. **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#3 APPOINT ELECTION INSPECTORS

Be It Resolved that the Following persons be appointed inspectors for the March 18, 2009 Village Election:

1. Theresa Jerozal 18 Lerczak Drive, Angola NY 14006
2. Gary Tribula 47 Maple Street, Angola NY 14006 as chairman
3. Diane Volker 20 Loraine Street, Angola NY 14006
4. Susan Peterson 89 Center Street, Angola NY 14006

Be it Further Resolved that said election inspectors will be compensated at a rate of \$7.15 per hour, except chairman at \$7.50 per hour. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

#4 APPROVE WATER SHUT-OFFS

RESOLVED that the Angola Village Board does hereby authorize the water clerk to issue water shut-offs per the attached list of delinquent water accounts unless paid in full by Tuesday

February 17, 2009. These residents have all been duly notified with plenty of time to respond and are scheduled for shut-off due to non-payment of two or more water bills as per Village regulations. Total amount of delinquency is \$11,105.08 (eleven thousand-one-hundred-five-dollars and eight-cents)

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

**#5 APPROVE PUBLIC HEARING NOTICE FOR PROPOSED LL#1-2009
TRAFFIC/VEHICLE**

BE IT RESOLVED that the Village Clerk-Treasurer is hereby directed to publish, pursuant to law the attached Notice of Public Hearing on proposed Local Law number 1 for the year 2009 entitled Traffic and Vehicles. Said hearing will be held on 9th day of March, 2009 at 8:00 PM, at which time all interested persons shall be heard. A copy of the proposed Local Law number 1 is attached hereto.

**NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW NUMBER 1 FOR THE
VILLAGE OF ANGOLA
CHAPTER 60, ARTICLE II AND III
SECTIONS 60.22Q and 60.43(P)
TRAFFIC AND VEHICLES**

PLEASE TAKE NOTICE there has been introduced before the Board of Trustees of the Village of Angola on the 9th day of February 2009 a proposed Local Law number 1 for the year 2009 amending Chapter 60, Article II and III of the Village of Angola Municipal Code entitled Traffic and Vehicles by adding 60.22(Q) and repealing §60.43(P) and replacing it with a new Section 60.34(P) said proposed law establishes stop signs at the intersection of Franklyn Drive and Mark Lane and establishes a no parking zone on Parkside Avenue.

PLEASE TAKE FURTHER NOTICE that pursuant to Section 20 of the New York Home Rule Law, a Public Hearing will be held on the aforesaid proposed Local Law before the Board of Trustees of the Village of Angola, New York at the Village Hall, 41 Commercial Street, Angola, New York at 8:00PM. on the 9th day of March, 2009 at which time all interested persons will be heard.

**Local Law Number 1
For the Year 2009
"Traffic and Vehicles"**

Proposed Local Law for the year 2009 amending chapter 60 of the Angola Municipal Code Article II and III by adding a new §60.22(Q) and repealing §60.43(P) and replacing it with a new §60.43(P).

§60.22(Q) the intersection of Franklyn Drive and Mark Lane is hereby designated a stop intersection and a stop sign shall be erected on Franklyn Drive at its entrance to said intersection from the north and south and on Mark Lane at its entrance to the intersection from the West.

§60.43(P): on the east and west sides of Parkside Avenue north from Woodland Parkway to its terminus. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#6 PUBLIC HEARING PROPOSED LL#2 2009 WATER DISTRIBUTION SYSTEM:

BE IT RESOLVED that the Village Clerk-Treasurer is hereby directed to publish, pursuant to law the attached Notice of Public Hearing on proposed Local Law number 2 for the year 2009 entitled Water Distribution System. Said hearing will be held on 9th day of March, 2009, at 8:10PM at which time all interested persons shall be heard. A copy of the proposed Local Law number 2 is attached hereto.

**NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW NUMBER 2 FOR THE YEAR 2009
WATER DISTRIBUTION SYSTEM
VILLAGE OF ANGOLA**

PLEASE TAKE NOTICE there has been introduced before the Board of Trustees of the Village of Angola on the 9th day of February 2009 a proposed Local Law number 2 for the year 2009 exhibited Water Distribution System repealing Chapter 45 of the Village of Angola Municipal Code entitled Water Distribution System and replacing it with a new Chapter 45. The Local Law provides for Rules and Procedures for the Angola Water System.

PLEASE TAKE FURTHER NOTICE that pursuant to Section 20 of the New York Home Rule Law, a Public Hearing will be held on the aforesaid proposed Local Law before the Board of Trustees of the Village of Angola, New York at the Village Hall, 41 Commercial Street, Angola, New York at 8:10PM on the 9th day of March, 2009 at which time all interested persons will be heard.

**MOTION MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE WILSON,
UNANIMOUSLY CARRIED**

#7 APPROVE RAILROAD AVE STREET LIGHTS

BE IT RESOLVED that the Village of Angola Board of Trustees hereby approves National Grid proposal to install three (3)- 100 watt -high-power sodium street lights on Railroad Avenue, at a cost of \$157.95 per year. This amount will be added to the current yearly contract for street lighting.

**MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON,
UNANIMOUSLY CARRIED**

#8 APPROVE ASSEMBLAGE APPLICATION-FAMILY FUN WALK

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from the Lake Shore Family Support Center/Senior High School, for an assemblage/parade of approx. 300 people, on Saturday April 4th 2009 from 10AM-11AM for the Celebration of a "Family Fun Walk". A 2-mile walk to start at the High School, up N. Main to Center, to Park St, to Sunset to Eagle Drive and back to High School. Some participants will be riding bikes and scooter and skates.

**MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON,
UNANIMOUSLY CARRIED**

**#9 APPROVE HERMAN PARK AND ANGOLA GAZEBO APPLICATION-AMAZING
RACE**

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from the Brant-Evans Girl Scouts, Tonya Flinkinger for use of **Centennial Park and**

the William G. Houston Gazebo, and for the use of Herman Park and Shelter (a \$50.00 refundable deposit has been received by the Village Clerk) for an "Amazing Race" fundraiser, on Saturday May 16th 2009, scheduled to be an all day event. MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED

AUDIT OF BILLS – MOTION MADE TO APPROVE THE BILLS BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED
MOTION APPROVING THE FOLLOWING: General Fund Abstract # 015, Checks #6789 to #6802 in the total amount of \$4,664.61 and General Fund Abstract #016, Checks #6803 to #6842 in the total amount of \$36,504.71 and plus Payroll #1& #2; Water Fund Abstract #015, Checks #1743 to #1747 in the total amount of \$1,375.53 and Water Fund Abstract #016, Checks #1748 to #1758 in the total amount of \$29,627.23 plus Water Payroll #1 & #2.

ADJOURN to next scheduled Board meeting at 7:00pm March 9, 2009. MOTION TO ADJOURN MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED, MEETING ADJOURNED AT 8:50PM

Submitted By



**Linda Giancarlo
Village Clerk-Treasurer**

VISITORS: Carole Kin; Bradly LoGalbo; Maria Carlson

COMMUNICATIONS: Village Officials Meeting 3/19; Douglas family 'Thank You'; NFTA Senior Services 'Thank You'; "Mayors for Meals"; Lake Shore Family Fun Walk; NYCOM Main Street Conference 4/30; NYCOM 100yr Anniversary 6/28-7/1; 24hr Time Warner News Channel 9; NYCOM "Stop the Tax Shift"

TRUSTEE HOUSTON: MacBaxter's Bed and Breakfast tour; Evans-Brant Chamber Award Dinner; "Sowing Seeds" Information; Business First article on GOYA; ECIDA Public Hearing canceled; Erie County take-over of the Town Water System; TOE Economic Development Committee workshop 4/13 Board Meeting; Association of Erie County Governments 2/26 meeting & Rural Transit Service meeting reports

TRUSTEE DEJOHN: Thanked all Constituents for allowing her to serve; Commended the work of all Departments

TRUSTEE WILSON: Thanked Trustees DeJohn and Tubinis; Village Elections 3/18; Chamber Dinner photos; NEST Organization report; CSX Bridge repair update

TRUSTEE TUBINIS: Wished best of luck to new Trustees

MAYOR FRAWLEY: Thanked Trustees DeJohn and Tubinis; New York Power Authority and GOYA meeting; Database for County Distressed Properties; Land Banking Bill by Assemblyman Hoyt; Evans-Brant Chamber Awards; NYCOM Winter Legislative meeting; County-wide Planning Board discussion; WNY DDSO volunteers; won a \$1500 Grant from TVGA; Façade update; Holiday Decoration discussion

ATTORNEY: No Report; Reeves Road accident

POLICE CHIEF: Excused

GENERAL CREW CHIEF: No Report; Main Street flower-box repair request

FIRE COMMISSIONERS: <Beck> Eden-Evans Center and North Main street-light; Chief's Truck window damage; Fire Drill report; <Kaminski> Thanked Board for Citizen of the Year recognition; suggested contacting Ms. Wick regarding fundraisers for holiday decorations; <Goodway> No Report

CODE ENFORCEMENT: Monthly Report; building between 120 and 130 South Main demolition request; NYCOM Main Street Conference motion to attend carried

PLANNING: Absent

ZONING: No Report; GOYA expansion next year

CLERK-TREASURER: February end-of-month report; upcoming Crash Cadillac shows; MAOA Clerks Luncheon 3/10; Election machine training 3/13; Village Elections 3/18; New Angola Theatre CDBG project underway

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Veterans Exemption; Library addition; Fire Department Heater; Letter to Legislator Reynolds regarding Bridge Painting and paving

NEW BUSINESS: Shed between 120-130 South Main Street; Clark-Brant Garage drainage; Wilson co-op electric and Gas; 86 Center Street

RESOLUTIONS:

- 1) Set Public Hearing Tentative Budget for April 13, 2009 – 7:45pm
- 2) Proposed LL #3-2009 Cold War Veterans Exemption
- 3) Adopt LL #1-2009 Traffic and Vehicle
- 4) Adopt LL #2-2009 Water Distribution System
- 5) Increase Senior Property Tax Exemption Income Limit
- 6) Approve Notice of Public Hearing for Senior Income Limit
- 7) Approve 30 Day Posting for Firemen's Service award Program

MEETING MINUTES
Village of Angola Board Meeting
Monday March 9, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on March 9, 2009 at 7:00 PM, there were

PRESENT: Mayor – Howard Frawley; Trustees – William Houston; Denise DeJohn; Anne Marie Tubinis and John Wilson.

ALSO PRESENT: Linda Giancarlo – Clerk-Treasurer; Jeffrey Kaminski-DPW Crew Chief; Andrew Yusick-Village Attorney; Lynne Kaminski; Mark Goodway and Robert Beck-Fire Department Commissioners; Paul Cooper-Zoning Board Chairman; Charles LaBarbera-Code Enforcement Officer and Donald Gallo-Village Engineer.

GUESTS: Carole Kin, Bradly LoGalbo and Maria Carlson.

PLEDGE OF ALLEGIANCE: was led by Mark Goodway.

MEETING CALLED TO ORDER AT 7:00PM:

APPROVAL OF MEETING and WORKSHOP MINUTES OF FEBRUARY 9th 2009, MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

Trustee DeJohn asked that this meeting be dedicated in memory of her mother RoseMarie Vassallo who recently passed. Board agreed

VISITORS: No comments

COMMUNICATIONS:

Mayor Frawley reported the following:

- Announced the Village Officials Association meeting will be on March 19th at the Whistle Stop, Exchange Street in Alden NY
- Received a thank you letter from the Douglas family regarding quick action of the Village, Town and School in the construction of a school bus turnaround at the end of Railroad Avenue for their children to be dropped off safely from school.
- NFTA Senior Services sent a letter to Mayor Frawley thanking him for his support of their "New Freedom Project"
- Meals on Wheels sent literature to the Mayor announcing a "Mayor's for Meals" delivery, where the mayor's deliver meals to the shut-ins and elderly.
- Announced that Lake Shore Central is looking for walkers for their family fun walk.
- NYCOM Main Street conference will be held April 30th in Canandaigua, focusing on distressed properties and foreclosures.
- NYCOM is celebrating the 100th year this year, June 28-July1, in Saratoga Springs.
- Reported that Time Warner will be airing a new 24hr news Channel number 9 offering local news, weather and community events.

Trustee Houston reported the following:

-(1)-

March 9, 2009

- Reported that the NYCOM legislative program the Mayor gave to the Trustees, has a lot of interesting legislation pending information.
- Commented on the nice article in the Hamburg Sun, Dunkirk Observer and the Angola Pennysaver regarding the Picture of Mayor Frawley and County Executive Collins, at the Association Dinner where Mayor Frawley was Elected President of the Association of Erie County Governments.
- Stated that the NYCOM "stop the tax shift" regarding Taxing Agencies, is something the Village practiced for years. Many years ago an arrangement was made with Lake Shore Central Schools so the Village did not have to pay school taxes on the old water plant.

DEPARTMENT HEADS COMMITTEE REPORTS:

TRUSTEE HOUSTON

- Commented on the new Bed and Breakfast at 311 N. Main Street, he took a tour and was impressed.
- Will attend the NYCOM Main Street conference on April 30th.
- Attended the Evans Brant Chamber Dinner, honoring Lee Widmer-Wick as 2008 Citizen of the Year. Also honored were Goya Foods Great Lakes, Angola Physical Therapy, Dan's Restaurant and others.
- Handed the clerk a "Sowing Seeds" booklet provided by the Southtowns Coalition.
- Business First article mentioned the food industry being a big part of New York and they included a nice article about Goya.
- The EDICA meeting, he was to attend at the Village hall, for Goya last Thursday was cancelled. The Clerk posted a notice, but he and a few other attendees were unaware.
- Met with Gifford Swyers of the Town regarding the County take over of the Town's Water System as it effects the Village water system.
- Town of Evans Economic Development Committee will be holding a workshop at the village hall on April 13th prior to our board meeting. To discuss tax breaks on home improvements.
- Attended the Association of Erie County Governments meeting on February 26th they discussed an update on the Erie county planning board situation. Many are for and many are against a county wide planning board.
- Discussed the Rural Transit Service meeting he recently attended and gave reports that chart the many services they provide and the areas they cover to the Clerk-Treasurer.

TRUSTEE DEJOHN –

- Stated that this being her last meeting, she thanked the people for trusting her to serve. She briefed the candidates present on the challenge in learning and getting guidance if they need it. Said it is important for them to be their own person, and learn to respectfully disagree. Mentioned that NYCOM is a good source for information, and discussed her concerns of a tax break incentive for new businesses and asked them to watch the budget and keep in mind the economic conditions.
- Commended the hard work of the DPW, the Engineer, the Fire Department and all the departments. Wished all the best.

TRUSTEE WILSON –

- Thanked Trustee Tubinis and Trustee DeJohn for their involvement and their attention to detail.
- Stated that the Board is here to perform an important job, and occasionally there are times the board will disagreed. But we do it in a way we do our homework, we sometimes believe in a different way.
- Mentioned Village Elections will be March 18th and the Friend of the Village will be having a spaghetti dinner at Most Precious Blood that day as well from 4-6:30.
- Laughed as he reported that the best thing about the board meeting is Trustee Houston's report, he leaves very little for anyone else to report on, which makes it easier on all.
- Stated that his wife Debi will email pictures to the Clerk taken at the Chamber Dinner.
- The NEST organization continues to move forward in a positive direction in recycling ideas.

Trustee Houston asked about the CSX railroad bridge repairs. Trustee Wilson stated he has made contacts, and is trying to resolve issues and will follow up. May have our Engineer or Code Enforcer call them.

Trustee Houston complained as to the Town of Evans, regarding the bad condition of the fire hydrants in the retail district that were long ago maintained by the Town of Evans.

TRUSTEE TUBINIS:

- Announced this will be her last meeting and she wished best of luck to the new Trustees, she stated that it is very challenging.

MAYOR FRAWLEY –

- Thanked both Trustee DeJohn and Tubinis for their service to the board. Stated that he thought the differences made government better.
- Reported that he is still working with the New York Power Authority to schedule a meeting with Mr. Drago, regarding power savings for Goya.
- Working on Distressed Properties, and putting together a database for business tax breaks. Discussed a circuit Judge to oversee the whole county regarding these properties. Meeting with Legislator Reynolds, and the Erie County Comptroller for financial breaks/assistance in regard to these properties. Stated that one of the big holdups is Joseph Madgieski of Erie County Real Property division, he has control of these properties and is difficult to work with. We also have other counties involved, due to them having the same issues. Erie County will be acting as a pilot program for the whole state. All of this will be discussed at the NYCOM Main Street conference at the end of April.
- Assemblyman Sam Hoyt is introducing another bill regarding Land Banking. The last time he introduced one it was Vetoed by the Governor, because only 3 counties at the time were involved. He is hoping it will be passed now that it is statewide.
- Reported he attended the Chamber Dinner, honoring Lee Widmer Wick and several local business including Dan's restaurant and Goya. Everything went well. Thanked Trustee Wilson and his wife Debi for taking pictures.
- Attended the Winter Legislative meeting in Albany. Returned with information for the County Executive regarding breakdown of stimulus money. Some of the money is being allocated for Village Block Grants. Chips money has also been reinstated. Also

worked on the previous Member Item money from 2006 for the depot project, and the tax stamp issue for property.

- Association of Erie County Governments meeting went well. Discussed a county wide planning board. Discussed cost to county so perhaps volunteering this position would be better. Also concerned of control when local governments want to do anything. Suggested an advisory Board might be better.
- The DPW has been contacted by an organization called Western NY DDSO. They offered to volunteer their time to maintain the flowers and the boxes on Main Street in the Village.
- Presented a dial card for Water Waste information.
- Won a \$1500.00 grant writing voucher at the Winter Legislation meeting from TVGA.
- Façade program for the Village is now in affect, we need 2 more businesses to make it happen, the county will be here for 2 years for this project.
- Met another Frawley (an engineer) in Albany
- Discussed doing something different with Holiday Decorations for the Village this year. Asked DPW Crew Chief to check the outlets in the light poles that are not working, Crew Chief will call Power Company.

ATTORNEY YUSICK- No Report

Trustee Houston asked about vehicle hit on Reeves Road. Attorney stated that this is ordinary procedure when an accident occurs, the Village however is not responsible for this road, so we must notify the insurance company. DPW Crew Chief already did this.

POLICE- Excused

GENERAL CREW CHIEF – No report

Trustee Houston asked the DPW crew to work on fixing the tree base flower boxes on Main Street from Center Street to Maple Street, some may have been hit by the sidewalk plow, mentioned he should look into making them smaller if they are too big and interfere with the plow.

FIRE COMMISSIONERS –

Robert Beck reported:

- Street light on N. Main and Eden Evans Center needs to be addressed.
Town Councilman-Paul Cooper stated he will contact Councilman Dash to look into
- The Back window of the Chiefs Truck was blown out and is to be replaced. He struck a cable hanging down on Lake Street.
- Had a fire drill, everything went well. 95 firemen were at the drill, They may also burn the vacant homes when the senior housing project is ready to begin.

Lynne Kaminski reported-

- Thanked the Village Board for their involvement in recognizing Lee Widmer-Wick as Evans-Brant Chamber of Commerce "Citizen of the Year".

- Announced that Ms Wick does many fundraisers throughout the year, and looks for projects to donate to, she thought the Village Christmas Decorations may be of interest to her.

Mark Goodway – No Report

CODE ENFORCEMENT – Charles LaBarbera

- Submitted monthly report
- Discussed brown building between 120 and 130 S. Main, stated cannot be demolished due to ownership and asbestos issues.

Trustee Houston reported that he may have the wrong location he will get him more information.

MOTION to allow the Code Enforcement Officer to attend the Main Street Conference on April 30th in Canandaigua. MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED.

PLANNING – Absent

ZONING – Chairman Paul Cooper-no report-

Mayor Frawley-Goya is planning their next expansion for next year.

CLERK-TREASURER –

- Reported end of month for February reports have been distributed.
- Stated she will be performing for the Lions Club Oldies dance and the VFW post the next two weekends.
- Will be attending the MAOA clerks luncheon tomorrow, will be discussing elections.
- Will be attending a training on the new automark election machine on Friday, March 13th in Blasdell with the inspectors.
- Reminded all that Village Elections will be next week, Wednesday March 18th
- New Angola Theater improvement project through CDBG is underway

Trustee Houston thanked the Clerk and the Mayor for putting together one of the nicest budgets in years. Everything went well.

OLD BUSINESS:

- | | |
|---|---|
| 1. Sale of Water Plant-pending | 5. Veterans/Seniors Exemption-
See resolution |
| 2. Thruway Water- may be
receiving a counter offer for
settlement of this pending issue | 6. Library addition- pending |
| 3. Senior Housing- extended to
April. Due to county control
board. | 7. Fire Dept. Heater- still waiting to hear
from National Fuel regarding rebate |
| 4. Intercontinental Building- pending
due to Erie County | 8. Letter to County Legislator Reynolds-
Bridge Painting and paving-Trustee
Houston sent a letter |

NEW BUSINESS:

Asked Clerk to include these items under old business for next board meeting:

1. Houston-Shed between 120-130 S. Main
2. Houston-Drainage Clark-Brant Garage Area
3. Wilson-co-op electric and gas
4. 86 Center Street (Commissioner Beck mentioned) broken drain pipe?

RESOLUTIONS MARCH 9, 2009

#1- SET PUBLIC HEARING TENTATIVE BUDGET FOR APRIL 13, 2009 - 7:45PM

RESOLVED that pursuant to Village Law Section 5-504 the 2009-2010 tentative budget for the Village of Angola was completed and filed with the Village Clerk at the Village Clerk's Office, 41 Commercial Street, Angola, NY on March 9th, 2009. The budget may be inspected between the hours of 9:00 AM and 5:00 PM on or after March 19th. Said Tentative Budget includes maximum compensation for the Mayor of \$5,000 per annum and for the Trustees of \$2,700 per annum. **The 2009-2010 Budget reflects a decrease in the Village Tax Rate from \$7.50 per thousand to \$4.97 per thousand, which is a savings of \$2.53 per thousand. A summary of the tentative budget is as follows:**

General Fund Appropriations	\$1,139,965.00
Water Fund Appropriations	\$ 726,750.00

FURTHER BE IT RESOLVED that a Public Hearing on the budget will be held at the Village Office, 41 Commercial Street, Angola New York on Monday, April 13th 2009 at 7:45 PM to consider same before final adoption. Village Clerk is hereby authorized to publish notice in The paper of record (Hamburg Sun) and in the Angola Penny Saver. **MOTION MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#2- PROPOSED LL #3-2009 COLD WAR VETERANS EXEMPTION

WHEREAS, Proposed Local Law Number 3 for the year 2009 has been presented to the Village Board of the Village of Angola on the 9th day of March, 2009,

BE IT RESOLVED that the Village Clerk-Treasurer is hereby directed to publish, pursuant to law the attached Notice of Public Hearing on proposed Local Law Number 3 for the year 2009 entitled Cold War Veterans Tax Exemption. Said hearing will be held on 13th day of April, 2009 at 8:00PM at which time all interested persons shall be heard. A copy of the proposed Local Law Number 3 is attached hereto.

Proposed Local Law Number 3 For the Year 2009 Chapter 84 of the Angola Village Code Cold War Veterans Tax Exemption

Proposed Local Law 3 for the year 2009 adding Chapter 84 of the Angola Municipal Code. Said proposed law establishes real property tax exemption for Cold War veterans.

§84.1B Definitions.

As used in this section:

- a. "Cold War Veterans" means a male or female, who served on active duty in the United States Armed Forces, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one and was discharged or released therefrom under honorable conditions.

- b. "Armed Forces" means the United States army, navy, marine corps, air force, and coast guard.
- c. "Active Duty" means full-time duty in the United States armed forces other than active duty for training.
- d. "Service Connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty or active military, naval or air service.
- e. "Qualified Owner" means a Cold War Veteran, the spouse of a Cold War Veteran, or the un-remarried surviving spouse of a deceased Cold War Veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the un-remarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.
- f. "Qualified Residential Real Property" means property by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and the only remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War Veteran or the un-remarried surviving spouse of a Cold War Veteran; unless the Cold War Veteran or un-remarried surviving spouse is absent from the property due to medical reasons or institutionalization for up to five years.
- g. "Latest State Equalization Rate" means the latest final equalization rate established by the state board pursuant to article twelve of this chapter.
- h. "Latest Class Ratio" means the latest final class ratio established by the state board pursuant to title one of article twelve of this chapter for use in a special assessing unit as defined in section eighteen hundred one of this chapter.

§84.2 Exemption Granted

- a. Qualified residential real property shall be exempt from taxation to the extent of either:
 - (i). ten percent of the assessed value of such property; provided, however that such exemption shall not exceed eight thousand dollars or the product of eight thousand dollars multiplied by the latest state equalization rate of the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less or;
 - (ii). fifteen percent of the assessed value of such property; provided however, that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate of the assessing unit, the latest class ratio. whichever is less?
- b. In addition to the exemption provided by paragraph (a) of this subdivision, where the Cold War veteran received a compensation rating from the United States veterans affairs or from the United States department of defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars, or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special

assessing unit, the latest class ratio, whichever is less.

c. Limitations.

- (i). The exemption from taxation provided by this subdivision shall be applicable to county, city, town, and village taxation, but shall not be applicable to taxes

levied

for school purposes.

- (ii) If a Cold War veteran receives the exemption under section four hundred fifty-eight or four hundred fifty eight-a of this title, the Cold war veteran shall not be eligible to receive the exemption under this section.
- (iii) The exemption provided by paragraph (a) of this subdivision shall be granted for a period of ten years. The commencement of such ten year period shall be governed pursuant to this effective date of this section such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this section. Where a qualified owner does not own qualifying residential real property on the effective date of this section, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of residential real property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten year period, such exempt property is sold and replaced with other residential property, such exemption may be granted pursuant to this subdivision for the unexpired portion of the ten year exemption period.

§84.3 Taxable Status Date

Notwithstanding the foregoing provisions of this section, any exemption shall be granted pursuant to this section shall be effective and apply to properties effected by the taxable status date next occurring at least ninety days following the adoption of this local law.

§84.4 Application for Exemption

- (a) Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. The owner or owners of the property shall be required to re-file each year. Applicants shall re-file on or before the appropriate taxable status date.
- (b) Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.

§84.5 Repeal

This local law adopted be repealed by the Village Board of the Village of Angola at any time. Such repeal shall occur at least ninety days prior to the taxable status date of each Village.

**NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW NUMBER 3 FOR THE
YEAR 2009
VILLAGE OF ANGOLA
CHAPTER 84**

PLEASE TAKE NOTICE there has been introduced before the Board of Trustees of the Village of Angola on the 9th day of March, 2009 a proposed Local Law Number 3 for the

year 2009 adding Chapter 84 of the Village of Angola Municipal Code entitled Cold War Veterans Tax Exemption. Said proposed law establishes real property tax exemption for Cold War veterans.

PLEASE TAKE FURTHER NOTICE that pursuant to Section 20 of the New York Home Rule Law, a Public Hearing will be held on the aforesaid proposed Local Law before the Board of Trustees of the Village of Angola, New York at the Village Hall, 41 Commercial Street, Angola, New York at 8:00 p.m. on the 13th day of April, 2009 at which time all interested persons will be heard. **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#3 ADOPT LL#1-2009 TRAFFIC AND VEHICLE

WHEREAS, there was introduced before the Angola Village Board at its meeting on February 9, 2009 Proposed Local Law Number 1 for the year 2009 entitled Traffic and Vehicles, and

WHEREAS, a public hearing was held on the 9th day of March, 2009.

NOW, THEREFORE, BE IT RESOLVED that Proposed Local Law Number 1 for the year 2009 is hereby adopted as Local Law Number 1, 2009 and is entitled "Traffic and Vehicles." A copy of said Local Law is attached hereto. **Local Law Number 1**

For the Year 2009

"Traffic and Vehicles"

Proposed Local Law for the year 2009 amending chapter 60 of the Angola Municipal Code Article II and III by adding a new §6022(Q) and repealing §60.43(P) and replacing it with a new §60.43(P).

§60.22(Q) the intersection of Franklyn Drive and Mark Lane is hereby designated a stop intersection and a stop sign shall be erected on Franklyn Drive at its entrance to said intersection from the north and south and on Mark Lane at its entrance to the intersection from the West.

§60.43(P): on the east and west sides of Parkside Avenue north from Woodland Parkway to its terminus.

MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED

#4 ADOPT LL#2-2009 WATER DISTRIBUTION SYSTEM

WHEREAS, there was introduced before the Angola Village Board at its meeting on February 9, 2009 Proposed Local Law Number 2 for the year 2009 entitled Water Distribution System, and

WHEREAS, a public hearing was held on the 9th day of March, 2009.

NOW, THEREFORE, BE IT RESOLVED that Proposed Local Law Number 2 for the year 2009 is hereby adopted as Local Law Number 2, 2009 and is entitled "Water Distribution System." A copy of said Local Law is attached hereto.

VILLAGE OF ANGOLA

**LOCAL LAW NUMBER 2 FOR THE YEAR 2009
WATER DISTRIBUTION SYSTEM**

1. Purpose.

The purpose of this chapter is to promote and protect the public health, welfare and safety, by regulating the use of the public water system of the Village of Angola by residents of the Village, and by residents located outside the Village of Angola.

2. Title.

This chapter shall hereafter be known and cited as the "Water Distribution System."

3. Statutory authority.

This chapter is adopted under the authority of Article II of the Village Law of the State of New York.

4. Repealer.

This chapter repeals and replaces Chapter 45, of the Code of the Village of Angola.

5. Rules and regulations for use of public water system.

This chapter establishes the rules and regulations for the use of the public water system of the Village of Angola. Said water system consists of any and all water treatment facilities and connecting water lines operated and maintained by the Village of Angola. This chapter further applies to any water lines located on private property, connecting individual units to the public water system of the Village of Angola.

6. Definitions.

For application of this chapter, the following definitions will prevail:

BUILDING -- Includes any structure or enclosure to which water is supplied, whether attached to realty or not, whether the same be occupied or vacant, and shall include boats and vessels.

OWNER -- The legal owner of premises supplied with water.

PREMISES -- Includes all places to which water is supplied, whether the same be occupied or vacant.

USER -- A tenant, lessee, occupant, undertenant, receiver or assignee of premises supplied with water, and also includes a consumer of water irrespective of his legal status with respect to the realty.

WATER DEPARTMENT -- Refers to the person or persons in charge of, or responsible for, the furnishing of water by the municipality, or any person designated to act on their behalf.

7. Application for water supply.

A. All applications for the introduction of supply of water to any premises, and for replacement and modifications of existing installation, or for the extension of any pipe or line for the conveyance of water, must be made in writing to the Village, upon such forms as shall be approved and provided by the Village, by the owner or user of the premises supplied. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application.

B. A fee as established by the Village Board shall be paid upon the filing of each application for each specific service line.

C. The Village reserves the right to refuse any application if, in its judgment, it shall be for the best interest of the Village.

D. No permit shall be granted for the installation, replacement, extension or modification of water supply without Village Board approval. No water service will be turned on until fees for tapping mains, connection for service, deposits and all other authorized charges have been paid.

8. Installation and maintenance.

A. No private service line from a municipal water main shall be installed, altered, or replaced until a permit shall have been obtained. Immediately after the service connection is completed by the Water Department, applicant shall complete the following steps:

Disconnect all auxiliary water sources, including wells (A connection to an auxiliary water source is allowed only if a backflow preventer is installed in accordance with an approved Application for Approval of Backflow Prevention Devices.).

For services with backflow preventers, the applicant shall complete the following steps within 45 days of the service connection:

1. Initial test by a NYS Certified Tester.

2. Approval of the installation by the Design Engineer/Architect

3. Submittal of completed Form DOH-1013, Report on Test and

Maintenance of Backflow Prevention Device, to the Water Department

B. No opening shall be made in any municipal street, except in full compliance with all municipal laws, rules and regulations, and the payment of the fees and the posting of the bond therein specified.

C. All connections or taps of water mains shall be made by the Water Department, after receipt by the Water Department of proof that a permit has been obtained, and the required fee paid at least 24 hours in advance of the time it is requested such connection or taps be made. Such connections and taps will be made at the convenience of the Water Department. For taps 1 1/2" or larger- a cost estimate will be prepared by the Village Water Department with appropriate charges assessed to the builder/developer.

D. All private service lines shall hereafter be installed, maintained, and replaced with approved materials laid out as approved by the Water Department. Service lines 3/4-inch through 2-inch diameter shall be the type K soft copper tubing. Service lines 4-inch diameter and larger shall be Class 52 ductile iron pipe. The Water Department will not make any connections to plastic pipe. All lines must meet specifications of the Water Department. The sizing of the service line is the responsibility of the customer.

E. The Water Department shall designate the point at which the water main is to be tapped. The Village shall make the necessary excavations for all taps, the cost of which shall be paid by the owner or applicant.

F. No new tap shall be made to a water main to connect with a service line which is intended to replace an existing service line, unless the existing service line is properly disconnected at its tap to the main. The expense of such disconnection shall be borne by the owner or applicant.

G. There shall be a separate and distinct tap for the service of each building (other than an accessory building) or separate premises supplied with water, and no service line shall be connected to any building or premises other than herein provided.

H. The sharing of service is prohibited. Where there are separate and distinct establishments and/or apartments, stores or other places of business contained within one building, separate and distinct taps shall be provided for each store or place of business. No in-house or private water system shall in any way be interconnected or capable of being interconnected with the Village water system. Interconnection of a private water system with the Village water system, or installation of a device or means for so interconnecting, shall immediately revoke the owner's or applicant's permit, and water service to such owner or applicant may be discontinued without notice.

I. All outside service lines, building and service pipes, outlets, and fixtures, shall be maintained in good order and repair, protected from frost, leaks and breaks, and must be promptly repaired if not in good order to prevent waste of water. If an owner or applicant fails to observe these requirements, after due notice, the Water Department may discontinue the water supply to such owner or applicant and assess the cost thereof against the real property affected.

J. Whenever a water service pipe becomes frozen between the main and the building service, the Water Department shall be authorized to shut off or disconnect service, and such services shall not be resumed until the water service line is thawed by the owner or applicant, and an inspection has been made determining that the service line has not been damaged by reason of such freezing. The cost of disconnecting or discontinuing the water service and the inspection and reconnection shall be borne by the owner or applicant.

K. Owners will install, or have installed at their expense, a curb valve shutoff, as specified by Village Foreman, beyond the Village's curb valve.

9. Water meters.

A. Water meters and outside readers of a type approved by the Village, on recommendation of the Water Department, shall be installed in all buildings (except where the distance from the right-of-way to the front wall of the building exceeds 150 feet, the meter shall be located in a tile setting, meter pit or backflow preventer enclosure (such as a hotbox), as applicable, on the applicant's property near the right-of-way) and for all services to which water is supplied.

B. Ownership.

(1) Water meters and outside water readers shall be purchased by the Village for the exclusive use of the Water Department, to be installed by or under the direction of the Water Department. Water meters or outside readers installed other than by the Water Department must be installed by a person, firm or corporation approved by the Water Department.

(2) Title to any water meter shall remain in the Village of Angola and the installation by the Village of Angola or the Water Department, or by a person, firm or corporation approved by the Water Department, of a water meter on any private property shall not affect ownership of the water meter by the Village of Angola. Each owner of real property, or person having an interest in real property, shall be deemed to have consented to the retention of ownership of the water meter in the Village of Angola by requesting, allowing or permitting water service to be installed to that property, or allowing the property to be occupied by someone with apparent authority to request, permit or allow installation of a water service to that property, and such meter shall never be considered a fixture attached to the real property.

- C. Installation of meters shall be pursuant to regulations of the Water Department. No person other than an employee of the Water Department shall interfere with or remove any water meter, sealing device or coupling from any meter installation after it has been placed in service by the Water Department. Any meter damaged by frost, hot water, steam or any careless or negligent acts of the owner or applicant, and such costs shall be a charge upon the real property. Any willful acts by the owner or applicant resulting in injuries to a water meter, or any acts designed to interfere with the proper operation of a water meter shall be cause for a discontinuance of water service, and the cost of such discontinuance shall be assessed to the owner and charged to the real property.
- D. The submetering or sale of water by water consumers to others is strictly prohibited and shall be cause for the Village to discontinue service and charge the cost of such discontinuance to the owner, and such costs shall be a charge against the real property.
- E. Theft of water. No person, user or owner shall tamper with a water meter or install lines, hoses, pipes or connections routing water around a water meter, or attempt in any manner to prevent the meter or device from performing its measuring function, without the consent of the Village. Theft of water shall be a misdemeanor, punishable by a definite sentence of imprisonment not to exceed one year, and/or a fine not to exceed \$1,000.
- F. Notwithstanding the foregoing, theft of water may be prosecuted pursuant to § 165.15 of the Penal Law of the State of New York, entitled "Theft of services." All rules contained thereunder shall be a part of this chapter.
10. Water rates.
- A. Water rates shall be fixed and established by the Village Board of Trustees for consumers within the Village and for consumers outside the Village, as determined by the Village, except that if no action is taken by the Village, the most recently adopted schedule shall continue in effect. Water rates shall be established pursuant to §§ 11-1118 and 11-1120 of the Village Law of the State of New York.
- B. All water rates shall be charged on the basis of the amount registered on the meters installed, as herein provided, or a minimum charge, or on any combination of these methods as established and fixed by the Village.
- C. The minimum service charge rate shall be payable even though no water is consumed.
11. Water use by consumers outside Village limits.
- A. Water supplied to consumers outside the boundaries of the Village shall be on such terms and such conditions as may be fixed by the Village Board. The Village Board may require that there be deposited with the Village a sum equivalent to the estimated cost of water to be supplied to an applicant for each ensuing six-month period, and that such deposit to be held as securities for collection of the water rent.
- B. Any water supplied to consumers outside the Village limits shall be furnished only upon an agreement that the Village assumes no obligation to maintain any facility not owned by the Village.
- C. All water supply contracts for outside users may be reviewed yearly for updating and approval.
- D. The minimum service charge and/or water rates payable by consumers outside the Village may be at a greater rate than the current water rates payable by consumers within the Village, and such outside water rates shall be established by the Village Board.
- E. Consumers to whom water is supplied outside the boundaries of the Village shall be subject to disconnection of such service as provided in the rules and regulations for any and all consumers.
- F. Nothing contained in this section shall be construed to relieve consumers of water outside the Village boundaries from any liabilities or obligations, imposed by law or ordinance, upon resident users of water.
- G. Nothing contained in this section shall be construed to give any person or persons any right or rights to water from the Village, and the granting of each such temporary permit shall be by the Village Board.
12. Billing for water rents.
- A. The water rent charge shall be billed in the following manner:
On a bi-monthly basis or at another interval determined by resolution of the Village Board.
- B. Each separate facility for which water is furnished, used or supplied, in any and all categories, will be considered a separate water service and will be billed accordingly.
- C. Water rents, shut off procedures, charges for meters and outside readers, labor charges, shut off charges and penalties shall be determined by the Village Board from time to time by Resolution.
13. Delinquent water rents; enforcement.
- A. If the water rent is not paid prior to the first day of the next succeeding month in which the charge was due, a penalty of 10% of the charge shall be added thereto. If the water bill, including penalty, is unpaid on the 10th day of the second month after payment is due, water to such property shall be shut off, and an additional charge of \$50 shall be imposed and designated a shutoff charge. Water service will only be restored after the entire bill, including all penalties and charges, shall be paid in full.
- B. Notwithstanding the foregoing, collection of delinquent water rents may be enforced pursuant to Village Law § 11-1118, as enacted and amended now and hereinafter. All attorney's fees and costs incurred by the Village of Angola in collecting any delinquent water rent more than 45 days past due shall be charged against, and added to, the amount of the unpaid bill and shall be a part of any lien therefore.
- C. Notwithstanding the foregoing, delinquent water rents and penalties remaining unpaid on April 1st of each year shall become a lien and added to the Village real estate tax levied against the property, as provided in Village Law § 11-1118.
- D. The Village Board of the Village of Angola is hereby authorized to enforce this chapter in all respects, including the full power to collect rents, and its decision shall be final and binding.
14. Waste of water.
- Unless in actual use, all hydrants, taps, fixtures or other outlets must be securely shut off. Any unnecessary waste of water is strictly prohibited.
15. Water shortage.
- If the Village Board at any time determines that an emergency exists threatening a shortage of water supply, the Board may prescribe emergency rules for further regulation and restriction of the use of the water supply, and such rules shall have the force and effect of a rule or regulation duly adopted.
16. Power and authority of inspectors.
- A. The Village Foreman and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this chapter. The Village Foreman or his representatives shall have no authority to inquire into any process, including metallurgical, chemical, oil, refining, ceramic, paper, or other industries, beyond that point having a direct bearing on the water system of the Village of Angola.
- B. The Village Foreman and other duly authorized employees of the Village bearing proper credentials and identification shall be permitted to enter all private properties through which the Village holds a duly negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the waterworks lying within said easement. All entry and subsequent work, if any, on said easement, shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.
17. Severability.
- If any clause, sentence, paragraph, section or part of this chapter 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 and apply in its operation only to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.
18. Penalties for offenses.

A. No person, firm, hospital, association, corporation, whether public or private, partnership, or any agent, employee, builder, plumber or contractor therefor, or any of their agents, employees, or subcontractors, shall in any way violate or assist, solicit, request, command or aid in any violation of any of the provisions of this chapter. A violation shall include, but is not limited to, the refusal, neglect or omission to do any act or obtain any permit required by any of the provisions of this chapter. All owners of each parcel of realty and all users of the system where a violation occurs shall each be fully responsible for each said violation under this chapter in addition to the actual violators thereof. In addition, a person is liable for conduct constituting a violation of this chapter which he performs or causes to be performed in the name of or on behalf of a corporation to the same extent as if such conduct were performed in his own name or behalf.

B. An action or proceeding may be maintained in the name of the Village of Angola in any court of competent jurisdiction to compel compliance with, or to restrain by injunction, the violation of any portion, section or any part of any section of this chapter.

C. Nothing herein shall limit the authority or right of the Village Board of Trustees to disconnect the premises affected from the Village water supply system as provided in this chapter.

D. In addition to any and all remedies, penalties, charges and interest set forth herein, a violation of any of the provisions of this chapter shall be a criminal violation and, upon conviction thereof, each such violation shall be punished by a fine not to exceed \$250, or by imprisonment of not more than 15 days, or by both such fine and imprisonment.

E. In addition, all violators may be proceeded against by the Village or by the Village Foreman, or by the owner of any property in the Village affected by such violation, by appropriate action or by proceeding in equity or otherwise to prevent, enjoin, remove, and/or discontinue any violation or potential violation of this chapter, and/or to recover a money judgment.

F. The Village shall be entitled to recover from any person found in violation, and from the owner of the property on which the violation has occurred, all attorney's fees, Village foreman's fees, and other costs to the Village of ascertaining and remedying violations of this chapter and enforcing the rights of the Village and penalties hereunder.

G. The imposition of all penalties for any violation of this chapter shall not excuse the violation thereof or permit it to continue. The application of all penalties hereinabove and herein provided shall not prevent the enforced removal and termination of conditions, acts, and omissions prohibited by this chapter, the enforced adherence thereto, or the taking of such other action as may be authorized by this chapter or any other law.

H. The remedies under this chapter may be used singly, concurrently and sequentially in any combination and the use of one remedy shall not exclude the exercise of any other remedy hereunder.

I. Each day that a violation under this chapter shall be allowed to exist shall be deemed a separate violation.

19. When effective. This chapter shall be effective upon filing with the Secretary of State.

**MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON,
UNANIMOUSLY CARRIED**

#5 INCREASE SENIOR PROPERTY TAX EXEMPTION INCOME LIMIT

WHEREAS, the Village has a senior citizens real property tax exemption which presently has a maximum income exemption level of \$13,000.00, and

WHEREAS, it is desirous to increase the exemption to reflect the present economic conditions.

NOW, THEREFORE, BE IT RESOLVED that the senior citizen real property tax exemption income level is increased from \$13,000.00 to \$24,000.00 for income for the 12 months immediately preceding the date of making application for the exemption. Where is title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, rental income, salary or earnings and income from self-employment, but shall not include gifts or inheritances. Said exemptions shall be effective the next taxable status date. **MOTION MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

#6 APPROVE NOTICE OF PUBLIC HEARING FOR SENIOR INCOME LIMIT

WHEREAS, a resolution has been presented to the Village Board to increase the maximum income level for real property senior citizen exemptions, and

WHEREAS, effectiveness of such exemption is subject to a public hearing.

BE IT RESOLVED that the Clerk/Treasurer is hereby authorized and directed to publish pursuant to law, the attached notice of public hearing on resolution to increase senior citizen exemption.

NOTICE OF PUBLIC HEARING

ON PROPOSED RESOLUTION TO INCREASE SENIOR CITIZEN REAL PROPERTY TAX EXEMPTION

PLEASE TAKE NOTICE there has been introduced before the Board of Trustees of the Village of Angola on the 9th day of March, 2009 a proposed resolution increasing the

maximum income level for the real property senior citizen exemption from \$13,000 to \$24,000.

PLEASE TAKE FURTHER NOTICE that pursuant to Law, a Public Hearing will be held on the aforesaid proposed resolution before the Board of Trustees of the Village of Angola, New York at the Village Hall, 41 Commercial Street, Angola, New York at 8:10PM on the 9th day of April, 2009 at which time all interested persons can be heard. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

#7 APPROVE 30 DAY POSTING FOR FIREMENS SERVICE AWARD PROGRAM

RESOLVED that the Angola Village Board does herein approve the Volunteer Firefighter Service Award Program list of all 2008 active volunteer firefighters of the Angola Volunteer Fire Department, Inc. for posting in the fire station(s) for a period of at least 30 days for review by member. The listing must be returned to the Village Board after the expiration of the 30-day period with all changes to the listing fully documented on the listing. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**

Offered By Mayor Frawley

PROCLAMATION FOR PAUL WOODS

WHEREAS, on February 20, 1923 there came into this world an exceptional individual, and

WHEREAS, he served his Country in WWII and was honored with 3 Bronze Metals, and

WHEREAS, this individual, with his loving wife Mary of 59 years, has been the foundation of leadership, pride and dedication to his family of fourteen children, twenty grandchildren and eight great-grandchildren, and

WHEREAS, this individual was honored as Foster Parent of the year, and has instilled in his family these words "*When you are sitting at the table of knowledge, eat hearty*" and

WHEREAS, the Village of Angola, proudly recognizes the accomplishments and is greatly honored to have such an individual a part of their community,

NOW THEREFORE BE IT RESOLVED, that I Howard M. Frawley, as Mayor of the Village of Angola on behalf of the Village Board of Trustees and all Village residents do hereby congratulate and honor, Paul Woods as he gracefully celebrates 86 years of life as a shining star, glowing with honor, respect and admiration for his family, his community and his country.

AUDIT OF BILLS – MOTION MADE TO APPROVE THE BILLS BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON,

Poll: Trustee Wilson aye- Trustee Houston –aye Trustee DeJohn – abstain because she didn't get to see them, Trustee Tubinis- abstain because she didn't get to see them, Mayor Frawley-aye, 3 ayes 2 abstain SO CARRIED

MOTION APPROVING THE FOLLOWING: General Fund Abstract #17, Checks #6842 to #6851 in the total amount of \$6,119.38 and General Fund Abstract #18, Checks #6852 to #6888 in the total amount of \$19,933.21 plus Payroll #3 & #4; Water Fund Abstract #17,

Checks #1759 to #1762 in the total amount of \$1,728.13 and Water Fund Abstract #19,
Checks #1763 to #1771 in the total amount of \$26,181.60 plus Water Payroll #2 & #3.

ADJOURN to next Board meeting and Public Hearings, April 13, 2009 at 7:00PM with a workshop at 6:00 for organizational, and 6:30 with Lori Szewczyk. **MOTION TO ADJOURN IN MEMORY OF THE LATE ROSEMARIE VASSALLO MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED, MEETING ADJOURNED AT 8:55PM**

MOTION TO RE-OPEN BOARD MEETING AT 9:05 PM Made by Trustee Wilson, seconded by Trustee DeJohn
Resolution

WHEREAS, the Village Board received a request from Fire Commissioner Beck to pay a bill coming into the Village hall for the purchase of "Top 10 Responder Jackets", and

WHEREAS, Commissioner Beck requests this expense come out of the Fire Chief's budget in the amount of approximately nine-hundred-thirty dollars (\$930.00)


WHEREAS, the Village Board states that this is a special circumstance, original bill is not in hand, and this **WILL NOT BE PRACTICE, NOW**

THEREFORE, BE IT RESOLVED, the Village Board hereby approves that this bill be paid not to exceed nine-hundred-fifty-dollars (\$950.00), and

FURTHER RESOLVE, the Village Board will ratify this expense at the next board meeting.

MOTION TO CLOSE MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED CLOSED AT 9:10PM

Submitted By



Linda Giancarlo
Village Clerk-Treasurer

**ANNUAL ORGANIZATIONAL MEETING
VILLAGE OF ANGOLA
MONDAY, APRIL 13, 2009**

At an organizational meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on April 13, 2009 at 6:00 PM, there were

PRESENT: Mayor – Howard Frawley; Trustees – William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

The Following is the adopted organizational for 2009-2010

Mayor Frawley appointed the following people to the following offices for the following terms. These appointments are not subject to board approval:

TITLE	NAME	TERM	EXPIRATION
Deputy Mayor	William G. Houston	1 yr.	3/31/10
Clerk-Treasurer	Linda D. Giancarlo	4 yr.	3/31/13
Deputy Clerk/Water Clerk	Michelle F. Warren	1 yr.	3/31/10
Tax Collector	Linda D. Giancarlo	4 yr.	3/31/13
Streets Commissioner	William G. Houston	1 yr.	3/31/10
Water Commissioner	John D. Wilson	1 yr.	3/31/10
Police Liaison	Howard M. Frawley	1 yr.	3/31/10
Budget Director	Howard M. Frawley	1 yr.	3/31/10
Fire Dept. Liaison	John Wilson	1 yr.	3/31/10
House Numbering Officer	William G. Houston	1 yr.	3/31/10
Historian	Joan M. Houston	1 yr.	3/31/10
Fixed Assets Officer	Linda D. Giancarlo	4 yr.	3/31/13
Affirmative Action Officer	Linda D. Giancarlo	4 yr.	3/31/13
Records Mgmt/Licensing Officer	Linda D. Giancarlo	4yr.	3/31/13
Southtowns Plng. & Development	Bradly LoGalbo	1 yr.	3/31/10
Southtowns Solid Waste Mgmt.	William G. Houston	1 yr.	3/31/10
Southtowns Plng. & Rural Develop.	Bradly LoGalbo	1 yr.	3/31/10
Parks and Recreation Commissioner	Carole Kin	1 yr.	3/31/10
Garbage Liaison	William G. Houston	1 yr.	3/31/10
Library Liaison	Carole Kin	1 yr.	3/31/10
Zoning Board of Appeals Chairman	Paul Cooper	1 yr.	3/31/10
Planning Board Chairman	William Herold	1 yr.	3/31/10
Centennial Park Charman	William G. Houston	1 yr.	3/31/10
Centennial Park Committee stands as last year			

The following appointments, designators and regulations were made by Mayor Frawley and Board approved.

Fire Commissioners	Robert Beck Jr	2 yr.	3/31/11
	Lynn Kaminski	1 yr.	3/31/10
	Mark Goodway	3yr.	3/31/12
Village Attorney/Prosecutor	Andrew D. Yusick	1 yr.	3/31/10
Acting Village Justice	Michael Cooper	1 yr.	3/31/10
Court Clerk	Terri Bergum	1 yr.	3/31/10
Code Enforcement Officer	Contracted/Town	1 yr.	3/31/10
Insurance Agent, Consultant, Broker	ENB Insurance Group	1 yr.	3/31/10
Assessor	Town of Evans		
Budget Consultant	Elmar Keifer	1 yr.	3/31/10
Energy Advisor	Chuck Wilson	1 yr.	3/31/10

PLANNING BOARD

William Herold, Chair.	1 yr.	3/31/10
Jonica DiMartino	2 yr.	3/31/11
Maria Carlson	3 yr.	3/31/12
Louis Atti	4 yr.	3/31/13
Cheyenne Saunders	1 yr.	3/31/10
Gregory O'Connor	1 yr.	3/31/10
Paul Cooper, Chair	1 yr.	3/31/10
John E. Kinn	3 yr.	3/31/12
Scott Addison	4 yr.	3/31/13
Scott Russell	1 yr.	3/31/10
Richard Barlett	2 yr.	3/31/11

Alternate

ZONING BOARD OF APPEALS

1. OFFICIAL BANK: Evans National Bank, and Evans National & HSBC as depositories.
2. OFFICIAL NEWSPAPER: The Hamburg Sun.
3. REGULAR BOARD MEETINGS: Second Monday of each month, if holiday, meeting will be the following monday. See meeting schedule. Five-minute limit for visitors as per NYCOM.
4. GRIEVANCE DAY: Town of Evans Schedule.
5. Mayor and Trustees, attend conferences and meetings with expenses paid by the village as per budgeted accounts.
6. Authorize Fire Line Officers attending Fire Training Schools and meetings with expenses paid by the village.
7. New York State Conference of Mayors and Fiscal Officers School to be attended by either the Clerk-Treasurer or Deputy Clerk, expenses paid by the village per Board approval.
8. Department Heads, Committee Chairmen and other officers submit written request for approval to attend conferences and meetings, expenses to be paid by the village as per budgeted account.
9. Mileage reimbursement for official village business, .45 with Clerk-Treasurer's authorization to issue travel advances as provided by law; all other expenses, i.e. tolls, meals, etc. will be reimbursed at actual cost when accompanied by receipts.
10. Authorize the Clerk-Treasurer to pay utility and contracted bills as they become due.
11. VILLAGE OFFICE HOURS: 9 AM to 5 PM Monday thru Friday.
12. Schedule of fees for village services and permits as on file in the Village Clerk's Office.
13. Safety Committee will be comprised of: Streets Commissioner, DPW Crew Chief, Mayor
14. Management Committee will be comprised of: Streets Commissioner and Mayor.
15. Authorize Clerk-Treasurer to obtain quotations for certificates of deposit; deposit and invest monies not required for immediate expenditure with the approval of the Budget Director and Water Commissioner as provided in the General Municipal Law in accordance with the adopted Village Investment Policy.
16. Village Office will be closed on the following holidays:

LEGAL HOLIDAYS

Memorial Day	Monday, May 25, 2009
Independence Day	Friday, July 3, 2009
Labor Day	Monday, September 7, 2009
Columbus Day	Monday, October 12, 2009
Veteran's Day	Wednesday, November 11, 2009
Thanksgiving Day	Thursday, November 26, 2009
Day After Thanksgiving	Friday, November 27, 2009
Christmas Eve	Thursday, December 24, 2009
Christmas Day	Friday, December 25, 2009
New Year's Eve	Thursday, December 31, 2009
New Year's Day	Friday, January 1, 2010
Martin Luther King Day	Monday, January 18, 2010
Presidents (Patriot's) Day	Monday, February 15, 2010
Good Friday	Friday, April 2, 2010

MEETING SCHEDULE 2008-2009

May 11, 2009

June 8, 2009

July 13, 2009

August 10, 2009

September 14, 2009

October 19, 2009

November 9, 2009

December 14, 2009

January 11, 2010

February 8, 2010

March 8, 2010

April 12, 2010 regular and organizational

RESOLUTIONS OF THE 2009-2010 ORGANIZATIONAL MEETING

#1- BE IT RESOLVED:

That the board of trustees authorizes payment in advance of audit of claims for public utility services, postage, freight and express charges, and all such claims shall be presented at the next regular meeting for audit and claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the board of trustees.

That this resolution shall take effect immediately

#2-BE IT RESOLVED:

That the board of trustees shall approve mileage reimbursement to officers and employees at a rate of .45 per mile for the fiscal year 2009-2010 for Village officers and employees who use their personal automobiles while performing their official duties on behalf of the Village.

That this resolution shall take effect immediately.

#3-WHEREAS:

there is to be held during the coming officials year the NYS Conference of Mayors Annual Meeting and Training School the NYS Conference of Mayors and Fall Training School for Fiscal Officers and Municipal Clerks the County Association meetings, now

BE IT RESOLVED that officers and employees are hereby authorized to attend the one or more of these meetings, conferences or schools as hereby directed and approved by the board per written request. That this resolution shall take effect immediately.

#4-BE IT RESOLVED:

That the board of trustees does hereby designate the following institutions as depositories of all moneys received by the village clerk-treasurer and receiver of taxes: Official bank: Evans National Bank, and depositories Evans National Bank and HSBC. That this resolution shall take effect immediately

#5-BE IT RESOLVED, the Village Board approves Mayor Howard M. Frawley to appoint three Fire Commissioners, Lynn Kaminski, Robert Beck Jr. and Mark Goodway, terms as indicated above.

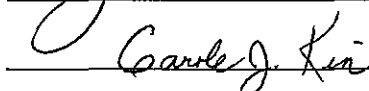
Motion to set next organizational meeting for April 12, 2010 at 6:30 PM to be followed by regular board meeting

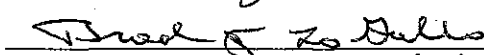
WHEREAS, The Village Board of the Village of Angola, held this organizational meeting on April 13, 2009 and hereby approves this organizational 2009-2010 and all authorizations and appointments contained herein;

 Mayor Howard Frawley

 Trustee Houston

 Trustee Wilson

 Trustee Kin

 Trustee LoGalbo

as witness to above signatures
Treasurer Linda Giancarlo



Village Clerk-

April 27, 2009

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VISITORS: Lynda Mason; Debra Wilson; Zachary Wilson; Brian Campbell; Arlene Vail; April Perna; Ben and Jennifer Torres; Christine Taylor; Erica LoGalbo; Larry Hussey and Carmen Garozzo

COMMUNICATIONS: Military Youth Camp; Congratulations Mr. And Mrs. Houston; letter from Dorothy Szablicki; Joint Board Meeting on June 23; Association of Erie County Governments meeting; Penny Saver article from NFTA Park-n-Ride; letter from Library regarding graffiti cleaning; letter from Time Warner; letter regarding the “Great American Clean-up”; letter to Governor Patterson; Rural Transit meeting; Hamburg Sun tax-cut article; XSPAND Auction on May 6

TRUSTEE HOUSTON: TVGA Workshop; streetlight installation on Railroad Avenue; installation and replacement of “Welcome to Village” sign; brush chipping ad in Penny Saver; pancake breakfast at Evans Center Fire Hall; property maintenance handbook given to Trustees; letter to Legislator Reynolds

TRUSTEE KIN: Angola Library activities

TRUSTEE WILSON: interested parties in Old Town Hall and Variety Store; Meter Reading Software; Angola Fire Department December election results; spoke with Channel 4 media regarding CSX Trestle

TRUSTEE LoGALBO: TVGA Workshop; letter to Governor Patterson regarding state budget; graffiti on Library; Re-establishment of Angola Businessmen’s Association; NHCR winterization program

MAYOR FRAWLEY: Reid Petroleum interested in re-opening Yellow Goose Store; new sign at MacBaxter’s B&B; meeting with NYCOM regarding Distressed Properties; Association of Erie County Governments tax exempt status; met with representatives of NYPA and GOYA regarding Power reduction; XSPAND Auction; proposed changes to the County Tax Act; Mayors and Supervisors meeting with County Executive; County Planning Board discussion

ATTORNEY: requested a scheduled meeting to review all Capital projects; inter-municipal water agreement paperwork

POLICE CHIEF: two-hour parking issue on Main Street; crosswalks complaint; Beach and North Main traffic light; new signs for Franklin Drive; green arrow at Eden Evans Center and Route 20

GENERAL CREW CHIEF: bathrooms, benches and shelters for Herman Park; storm water on Henry Drive; paving

FIRE COMMISSIONERS: <Kaminski> Asst. Chief Kris Young to train; new tires received Truck #1; memorial bench for late Mayor Walters; <Beck> OSHA regulations; FEMA grant <Goodway> No Report; <Mayor> new generator priced

CODE ENFORCEMENT: Monthly Report; building permit needed when generator to be installed

PLANNING: Absent

ZONING: Absent

CLERK-TREASURER: March end-of-month report; New Angola Theatre CDBG project underway; Façade update

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Library addition; Fire Department Heater; Mill Street Bridge Painting and paving

NEW BUSINESS: Houston reply from County; 120 S Main shed; drainage Clark-Brant Garage; co-op electric & gas; 86 Center St drainage; old FD hose dryer

RESOLUTIONS:

- 1) Approve Water Shut-Offs Outside Water Customers
- 2) Approve Delinquent Water Bills/Clean-Up to Taxes
- 3) Approve Notice to Bidders for Water Meter Reading System
- 4) Adopt LL #3-2009 Cold War Veterans Exemption
- 5) Approve Purchase of Backhoe and GPS Unit Needed for DPW
- 6) Approve Donald Gallo Engineering Services for South Main Waterline
- 7) Approve Bond Resolution Authorizing the Purchase of Two Trucks
- 8) Motion to Approve Income Limit for Senior Citizens Tax Exemption
- 9) To Execute and End Contribution to Intermunicipal Water Agreement

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MEETING MINUTES
Village of Angola Board Meeting
Monday April 13, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on April 13, 2009 at 7:00 PM, there were

PRESENT: Mayor – Howard Frawley; Trustees – William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

ALSO PRESENT: Linda Giancarlo – Clerk-Treasurer; Jeffrey Kaminski-DPW Crew Chief; Andrew Yusick-Village Attorney; Lynne Kaminski; Mark Goodway and Robert Beck–Fire Department Commissioners; Ernie Masullo-Evans Police Chief; Charles LaBarbera-Code Enforcement Officer and Donald Gallo-Village Engineer.

GUESTS: Lynda Mason; Debra Wilson; Zachary Wilson; Brian Campbell (Sun); Arlene Vail; April Perna; Ben and Jennifer Torres; Christine Taylor; Erica LoGalbo; Larry Hussey and Carmen Garozzo.

PLEDGE OF ALLEGIANCE: was led by Carole Kin.

MEETING CALLED TO ORDER AT 7:00PM:

APPROVAL OF MEETING MINUTES OF MARCH 9th 2009, MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

TONIGHT'S Meeting is dedicated to the passing of Joseph LaBarbera (father of Code Enforcement Officer Chuck LaBarbera) Joseph LoGalbo (father of Trustee Bradly LoGalbo) and James Myers (uncle of Clerk-Treasurer Linda Giancarlo). Board approved

VISITORS:

Marlene Vail - 45 School Street – has been trying to sell her home, and has lost sales because of the things going on at the Angola Moose located at 159 N. Main Street, adjacent to her property. She had a showing on Palm Sunday and during the showing there was a domestic fight at the Moose. She has called the police several times for domestics fights, foul language, loud music and the mess and weeds in the back yard infringing on her property. This is the second time she has been at the board meeting complaining about this location, and she wants something done.

Ben and Jennifer Torres- 151 N. Main Street-concerned of issues going on at the Angola Moose. Their patrons are throwing glass into the yard, the music has been very loud, and the language has been very vulgar. They even caught them urinating in their yard. Stated that they have children and are concerned of their safety with all the broken glass, and also are concerned of anyone else getting hurt on glass on their property, they do not want to be liable. Asked if a privacy fence can be put up to block the patrons from having access to their yard and to act as a barrier. The patrons are also walking through their yard to get to the Moose Lodge instead of using the sidewalk.

April Perna-45 School Street-verified the others complaints.

Kris Taylor-Realtor for Mrs. Vail-indicated she has lost any possible buyers because of the way the Moose patrons have conducted themselves. The building and yard is an eyesore, and the noise is loud and vulgar.

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Responses from Mayor Frawley, Attorney Yusick, Chief Masullo and CEO LaBarbera were addressing the importance of calling the Village Hall, the Town of Evans Building Department and the Evans Police every time there is an issue to record the complaint so that it is rectified as soon as possible.

Chief Masullo- will investigate the complaints on the Lodge and follow through with action.

Mayor Frawley- suggested a meeting between the board and the Moose Officials to discuss these issues.

The Board promised to act on resolving this complaint.

COMMUNICATIONS:

Mayor Frawley reported the following:

- Camp Announcement is hosting a "Take a Break Camp" for Military youth. July 12-17th
- Congratulated Trustee Houston and his wife Joan for celebrating their 55th wedding anniversary.
- Read a letter from resident Dorothy Szablicki supporting the increase of the senior income level for property tax exemption, and the proposed Walmart. The Clerk will send a response
- Announced a joint meeting with Lake Shore Central Schools will be held on June 23 at 7:00PM at the Senior High School.
- Mentioned a meeting for the Association of Erie County Governments will be held April 23rd. Buffalo Mayor Byron Brown will be the guest speaker.
- Commented on the nice pennysaver article regarding the new NFTA Park-n-Ride that was installed on the corner of N. Main and Center Street.

Trustee Houston mentioned he would like to see it moved in the future to the opposite corner in front of the Taste of the Midway, where the original bus stop location was.

- Read a letter from the Angola Library thanking the Board, the Office Staff and the DPW Crew for their assistance in cleaning up some graffiti on the Library Building.
- Read a notification from Time Warner regarding their publicly traded stock opportunities.
- Received a letter regarding the "Great American Cleanup" asking the Mayor to appoint a board member to act as coordinator on the Village's behalf for a clean-up project.

Trustee Houston reported the following:

- Complimented on the letter to the Governor sent out by Trustee LoGalbo and Mayor Frawley, thought it was well done.
- Attended a Rural Transit meeting, filed the minutes with the Village Clerk
- Complimented on the nice article the Hamburg Sun had on the Village regarding our Tax cut for a second year in a row.
- Announced the XPAND tax certificate county sale of 93 Commercial, 55 S. Main and the Duriron Plant to be held on May 6th.

DEPARTMENT HEADS COMMITTEE REPORTS:

TRUSTEE HOUSTON

- Attended the TVGA workshop, discussed funding and drainage issues, suggested that the Village have plans prepared and ready for projects, such as drainage, so that we are

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ready to file for next years funding. They also discussed benefits that are available for old Buildings prior to 1936. Filed information with the Clerk.

- Contacted National Grid to follow up on the Streetlight installation for Railroad Ave.
- Commented on the installation of the replacement of the damaged "Welcome to the Village of Angola" sign.
- Mentioned the Brush Chipping ad that was published in the pennysaver.
- Announced the Pancake Breakfast for the Northeast Southtowns Solid Waste Management program to be held at the Evans Center Fire Hall on Saturday. Appreciated that our contractor, Allied Waste offered to set up and man a display for this event.
- Reported that he gave a "Property Maintenance Handbook" to the new Trustees to familiarize them of the property maintenance laws.
- Wrote a letter to Legislator Bob Reynolds regarding his concerns of the County Painting the yellow lines on the County Roads located in and around the Village such as North and South Main Street before the summer activities and traffic starts. And also, mentioned the bridge painting.

TRUSTEE KIN –

- Reported the many activities going on at the Angola Library this season. Such as a story telling, soil testing clinic, and a book signing by Cheryl DeLano.
- Mentioned her excitement to be here.

Trustee Houston- gave Trustee Kin information regarding Rural Development and opportunities for libraries.

TRUSTEE WILSON –

- Mentioned some interested parties in the Old Town Hall and the Variety Store. Informed the parties to contact the Building Department for information. He heard the prices for the buildings were decreased. One as restaurant and one as storefront.
- Announced the Meter Reading Software that will be on tonight's resolutions, as per the grant received by the State Archives. This will move the Village into the 21st century.
- Read a letter from the Secretary of the Angola Fire Company, Megan Southworth announcing the December election results. Chief Todd Dybdahl; 1st Assistant Chief Christopher Young; second Assistant Chief Jason Davis and 3 year commissioner Mark Goodway.
- Spoke to the Media, Channel 4 news, regarding the CSX Trestle, work will be going on starting this summer. The Camera's caught the debris falling off the rebar.

7:45 MOTION TO CLOSE BOARD MEETING AND OPEN PUBLIC HEARING #1

2009-2010 Budget Hearing

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED - Clerk read the Notice of Public Hearing for Tentative Budget.

The Mayor Asked for any comments from the floor regarding the Budget:

The clerk read an adjustment on the Justice line and will have it prepared for the next board meeting.

No other comments came from the floor.

Trustee Houston commented on the excellent Budget process done this year by the Clerk and the Mayor

April 13 2009

MOTION TO CLOSE PUBLIC HEARING AND REOPEN REGULAR BOARD MEETING, MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

Department Head reports continued:

TRUSTEE LOGALBO:

- Attended the TVGA grant workshop with Trustee Houston, and Grant Writer Lori Szewczyk, found it very informative.
- Wrote a letter to Governor Patterson, protesting and opposing the proposed state budget.
- Reported graffiti on the library and commented on the quick action of the DPW Crew to get it cleaned up.

Mayor Frawley laughed because some residents called the Police on the DPW Crew while they were cleaning the graffiti thinking they were the ones putting graffiti on the Library.

- Has been in contact with resident Tim Murphy, he has an interest in re-establishing the Angola Businessmen's Association with hopes to meet every 2-months. He will work with Mayor Frawley to start the process.
- Reported on a NHCR New York State winter weatherization program offered to low income households. This program offers an incentive to low-income property owners to save of energy costs associated with, hot water tanks, heating, water etc.

MAYOR FRAWLEY –

- Reported that Reid Petroleum may be interested in re-opening the old Yellow Goose store on North Main Street.
- The new MacBaxter's Bed and Breakfast has there new sign in place, The DPW Crew Chief is scheduling the crew to repair a water issue near the Bed and Breakfast sight at 311 N. Main
- Reported a meeting with NYCOM regarding Distressed Properties.
- Attended a press release regarding and apposing the proposed state budget.

8:00PM MOTION TO CLOSE BOARD MEETING AND OPEN PUBLIC HEARING #2

LL#3 Cold War Veterans Exemption

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED - Clerk read the Notice of Public Hearing for Proposed Local law #3 Cold War Veterans Exemption.

The Mayor Asked for any comments from the floor regarding the Proposed Local Law:

Larry Hussey-9 Oatman: wanted to know why we are doing this and asked if any other communities are offering this exemption. Mayor Frawley responded that the Town of Evans is offering this, and we are trying to offer the same exemptions as the Town. Mr. Hussey questioned if this is going to effect the low tax rate the board just announced at 4.97 per thousand. Mayor Frawley stated that there is only 6 or 8 veterans that qualify so the numbers are low.

No other comments came from the floor.

MOTION TO CLOSE PUBLIC HEARING AND REOPEN REGULAR BOARD MEETING, MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED

Mayor report continued:

- Association meeting on March 26 discussed the status on assessments that are not yet at 100%. Tax exempt status is pending for the Association.

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- Met with Legislator Reynolds, Robert Gibson (controller of Goya Foods Great Lakes) and James Kessell (of the New York Power Authority) to discuss reduction in power costs for GOYA. The meeting resulted in a possible future offer of reduction per KW for GOYA.
- Erie County Auction will offer 2 properties in the Village of Angola. This will be held on May 6, there are residents already interested in the properties.
- Distressed Property Task Force is making recommendations to the Legislator for a change the Tax Act to decrease the number of years to 2 for delinquent taxes to avoid Large tax liens on properties so they will sell more quickly.
- Attended the meeting with the Mayors and Supervisors on March 1st. Had a tour of the new Fire Building

**8:10PM MOTION TO CLOSE BOARD MEETING AND OPEN PUBLIC HEARING #3
Senior Income Limit Increase for Property Tax Exemption**

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED - Clerk read the Notice of Public Hearing for Senior Income Limit Increase for Tax Exemption.

The Mayor Asked for any comments from the floor regarding the senior exemption:

Larry Hussey 9 Oatman- how many seniors will benefit from this in the Village. Mayor Frawley responded about 60 and they certainly need the help. Trustee Houston and Mayor Frawley stated that this complies with the same exemptions the Town of Evans offers.

No other comments came from the floor.

- **MOTION TO CLOSE PUBLIC HEARING AND REOPEN REGULAR BOARD MEETING, MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

Mayor Continued:

- During the press conference, they discussed the Erie County Planning Board, many municipalities are not in favor of a County Planning Board. Reports show that 59 out of 62 Counties in New York State that have Planning Boards. Still pending decision. The big question is who is going to pay for it?

ATTORNEY YUSICK-

- Talked with the Village Clerk regarding scheduling a meeting with the Engineer and Grant Writer to follow up and review all the capital projects. Will schedule for the April 27th meeting at 6:15.

Trustee Houston mentioned the inter-municipal water agreement paperwork.

- Attorney Yusick stated that after reviewing this agreement, the Village does not have to continue this agreement, the Village does not benefit from it, and advised the Village to opt out of it. The Board agrees. Attorney Yusick will prepare a resolution.

POLICE- Chief Ernest Masullo:

- Have addressed several issues regarding the 2hr parking on Main Street during business hours. The police monitored the situation and asked the person to use the municipal lot, the tenant said they were plowed in.

DPW Crew Chief argued that issue, and stated that they never plow a vehicle in.

Mayor Frawley suggested to contact the landlords to tell them that their tenants should use the municipal lot.

- Chief Masullo also reported the complaint regarding the crosswalks. The drivers need to be reminded that by state law pedestrians have the right-a-way.

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- Reported that the traffic signal at Beach and North Main will be replaced with new LED lights, a new box, and a new generator box.

Trustee Houston mentioned the new stop signs are up on Franklin, the "Children at play" or the "slow down-be a good neighbor" signs are ready to go up. The Board agrees that the "Slow Down Be A Good Neighbor" sign would be more appropriate. The DPW will install as directed.

- Also the green arrow on Eden Evans Center and Route 20 will be addressed.

Chief Masullo may work with Trustee Houston if needed, to write a letter to request a green arrow on the other side of the light.

GENERAL CREW CHIEF –

- Bathrooms, shelters, benches have been ordered and coming in slowly, for Herman Park. As soon as weather clears they will start construction.
 - Henry drive storm water should be taken care of in a few weeks.
 - He has reviewed streets with Trustee Houston, and hopes to work on Orchard Avenue before Memorial Day. Once paving starts, he has to get it all done.
- The Crew Chief, will further discuss paving with Trustee Houston and Mayor Frawley.

FIRE COMMISSIONERS –

Commissioner Lynn Kaminski reported:

- Assistant Chief Kris Young is going for training in Montour Falls NY
- Truck #1 has received new tires on state bid.
- Mentioned a donation for a memorial bench for late Mayor Michael Walters, they are looking at a granite bench, discussion of locations and ideas with the board. The Board concerned about setting precedence and may need to make available a memorial for other past mayors as well. Will be further discussed.

Commissioner Bob Beck reported-

- Discussed OSHA regulations, and the order of safety vests from DiVal Safety. This cost came out of the DiVal grant credit.
- New FEMA grant is for Air Packs

Trustee Houston reminded that the Fire Department needs to take care of a large piece of Aluminum that fell off the South Main Street Station #2, **Commissioner Beck** reported he will have someone fix it, Crew Chief Will check on it. **Trustee Houston** also mentioned the proposed rules regarding a CDL license for all firemen.

Commissioner Mark Goodway – No Report

Mayor Frawley stated that he was told by Chief Dybdahl that he found a price of a new Generator at about \$6,500, the new generator is about 600 lbs, and was suggested that it be put on the roof, near the gas line. He asked the Chief to submit the estimates, and get a cost for installation. The board mentioned concern of the weight and maintenance issues if it is on the roof, especially during bad weather. DPW Crew Chief mentioned that the original location was to be put in the parking lot between the 2 signs. They will follow up for a future board meeting.

Trustee Houston asked if this generator will run the whole building.

Commissioner Beck replied yes, it will run everything except the air conditioning.

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CODE ENFORCEMENT -- Charles LaBarbera

- Submitted monthly report
- Discussed a building permit for the Village when they are ready to install the generator.

Trustee Houston asked about South Main- CEO stated that it will cost a couple thousand dollars, there is a whole process to go through. It's a concrete building, and there should be no asbestos.

PLANNING -- Absent

ZONING -- Absent

CLERK-TREASURER --

- Reported end of month for March reports have been distributed.
- Stated that the Angola Theater Improvement is moving along, some contractors have been paid, awaiting reimbursement for the County CDBG.

Mayor Frawley- reported that calls have been coming in from the businesses asking for an update on their deposit for the Façade Program. The Clerk responded that their were only 3, the county needs 5. Kim from Shear Expressions, has indicated that she is interested but the owner needs to fill out the paperwork, once this is received, then Tim Hoelzle from the Angola Laundromat, stated that he will be the 5th.

OLD BUSINESS:

- | | |
|---|--|
| 1. Sale of Water Plant- no additional news | 4. Intercontinental Building- interest pending |
| 2. Thruway Water- engineers suggested the thruway put in a holding tank. Pending. | 5. Library addition-no news |
| 3. Senior Housing- pending, houses being emptied. May start between April-June | 6. Fire department heater-pending |
| | 7. Mill Street Bridge Painting/Paving-pending |

NEW BUSINESS:

1. Houston reply from County-waiting for reply
2. Houston Shed- 120 S. Main area-Building inspector is taking care of
3. Houston Drainage Clark-Brant Garage-pending
4. Wilson co-op electric & gas-remove, we purchase with Erie County now
5. 86 Center Street drainage (Beck)- all draining will be addressed, pending
6. Houston-Declare old hose dryer surplus and dispose as junk- Commissioner Beck will dispose

Member Item requests- The board discussed and agreed to the following:

- #1- Assemblyman Quinn- \$7,000- historic street signs
- #2- Senator Volker- \$10,000 Oil Water Separator
- #3- Senator Stachowski-\$100,000 South Main Waterline

#1 APPROVE WATER SHUT-OFFS OUTSIDE WATER CUSTOMERS

RESOLVED that the Village of Angola Board of Trustees hereby authorizes the Water Clerk to issue water shut offs per the attached list of delinquent water accounts unless paid in full by April 27, 2009. These residents have all been duly notified with plenty of time to respond and are scheduled for shut off due to non-payment of two or more water bills as per Village regulations. Total amount of delinquency is \$2,512.84 **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED.**

2 APPROVE DELINQUENT WATER BILLS /CLEAN UP TO TAXES

RESOLVED that the Village of Angola Board of Trustees hereby authorizes all delinquent water account charges not paid by April 15th 2009 and all property cleanup/stub searches be sent to Erie County Department of Finance for collection on the 2009-10 Village Tax Bills. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

3 APPROVE NOTICE TO BIDDERS FOR WATER METER READING SYSTEM

WHEREAS, the Village of Angola received a grant from the New York State Archives for Radio Based Automatic water meter reading system and software,

BE IT RESOLVED that the Village of Angola Board of Trustees hereby authorizes the Village Clerk-Treasurer to advertise a "Notice to Bidders" for Radio Based Meter Reading System and Software,

BE IT FURTHER RESOLVED that all sealed bids will be accepted until 10AM on May 18th 2009 at which time they will be publicly opened and read aloud. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#4- ADOPT LL #3-2009 COLD WAR VETERANS EXEMPTION

WHEREAS there has been introduced before the Board of Trustees of the Village of Angola on the 9th day of March, 2009 a proposed Local Law Number 3 for the year 2009 adding Chapter 84 of the Village of Angola Municipal Code entitled Cold War Veterans Tax Exemption. Said proposed law establishes real property tax exemption for Cold War veterans.

WHEREAS pursuant to Section 20 of the New York Home Rule Law, a Public Hearing was held on the aforesaid proposed Local Law before the Board of Trustees of the Village of Angola, New York at the Village Hall, 41 Commercial Street, Angola, New York at 8:00 PM on the 13th day of April, 2009 at which time all interested persons were heard.

THEREFORE, BE IT RESOLVED that the Village of Angola Board of Trustees hereby adopts proposed Local Law #3 as Local Law #3 for the year 2009 adding Chapter 84 of the Village of Angola Municipal Code entitled Cold War Veterans Tax Exemption. A copy of said Local Law is attached hereto.

LL#3 - 2009

Chapter 84 of the Angola Village Code

Cold War Veterans Tax Exemption

Local Law 3 for the year 2009 adding Chapter 84 of the Angola Municipal Code.

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Said law establishes real property tax exemption for Cold War veterans.

§84.1B Definitions.

As used in this section:

- a. "Cold War Veterans" means a male or female, who served on active duty in the United States Armed Forces, during the time period from September second, nineteen hundred forty-five to December twenty-sixth, nineteen hundred ninety-one and was discharged or released therefrom under honorable conditions.
- b. "Armed Forces" means the United States army, navy, marine corps, air force, and coast guard.
- c. "Active Duty" means full-time duty in the United States armed forces other than active duty for training.
- d. "Service Connected" means, with respect to disability or death, that such disability was incurred or aggravated, or that the death resulted from a disability incurred or aggravated, in line of duty or active military, naval or air service.
- e. "Qualified Owner" means a Cold War Veteran, the spouse of a Cold War Veteran, or the un-remarried surviving spouse of a deceased Cold War Veteran. Where property is owned by more than one qualified owner, the exemption to which each is entitled may be combined. Where a veteran is also the un-remarried surviving spouse of a veteran, such person may also receive any exemption to which the deceased spouse was entitled.
- f. "Qualified Residential Real Property" means property by a qualified owner which is used exclusively for residential purposes; provided, however, that in the event that any portion of such property is not used exclusively for residential purposes, but is used for other purposes, such portion shall be subject to taxation and the only remaining portion used exclusively for residential purposes shall be subject to the exemption provided by this section. Such property shall be the primary residence of the Cold War Veteran or the un-remarried surviving spouse of a Cold War Veteran; unless the Cold War Veteran or un-remarried surviving spouse is absent from the property due to medical reasons or institutionalization for up to five years.
- g. "Latest State Equalization Rate" means the latest final equalization rate established by the state board pursuant to article twelve of this chapter.
- h. "Latest Class Ratio" means the latest final class ratio established by the state board pursuant to title one of article twelve of this chapter for use in a special assessing unit as defined in section eighteen hundred one of this chapter.

§84.2 Exemption Granted

- a. Qualified residential real property shall be exempt from taxation to the extent of either:
 - (i). ten percent of the assessed value of such property; provided, however that such exemption shall not exceed eight thousand dollars or the product of eight thousand dollars multiplied by the latest state equalization rate of the assessing unit, or in the case of a special assessing unit, the latest class ratio, whichever is less or;
 - (ii). fifteen percent of the assessed value of such property; provided however, that such exemption shall not exceed twelve thousand dollars or the product of twelve thousand dollars multiplied by the latest state equalization rate of the assessing unit, the latest class ratio, whichever is less?
- b. In addition to the exemption provided by paragraph (a) of this subdivision, where the Cold War veteran received a compensation rating from the United States veterans affairs or from the United States department of defense because of a service connected disability, qualifying residential real property shall be exempt from taxation to the extent of the product of the assessed value of such

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property, multiplied by fifty percent of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars, or the product of forty thousand dollars multiplied by the latest state equalization rate for the assessing unit, or, in the case of a special assessing unit, the latest class ratio, whichever is less.

c. Limitations.

- (i). The exemption from taxation provided by this subdivision shall be applicable to county, city, town, and village taxation, but shall not be applicable to taxes levied for school purposes.
- (ii) If a Cold War veteran receives the exemption under section four hundred fifty-eight or four hundred fifty eight-a of this title, the Cold war veteran shall not be eligible to receive the exemption under this section.
- (iii) The exemption provided by paragraph (a) of this subdivision shall be granted for a period of ten years. The commencement of such ten year period shall be governed pursuant to this effective date of this section such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring on or after the effective date of this section. Where a qualified owner does not own qualifying residential real property on the effective date of this section, such ten year period shall be measured from the assessment roll prepared pursuant to the first taxable status date occurring at least sixty days after the date of purchase of qualifying residential real property provided, however, that should the veteran apply for and be granted an exemption on the assessment roll prepared pursuant to a taxable status date occurring within sixty days after the date of purchase of residential real property, such ten year period shall be measured from the first assessment roll in which the exemption occurs. If, before the expiration of such ten year period, such exempt property is sold and replaced with other residential property, such exemption may be granted pursuant to this subdivision for the unexpired portion of the ten year exemption period.

§84.3 Taxable Status Date

Notwithstanding the foregoing provisions of this section, any exemption shall be granted pursuant to this section shall be effective and apply to properties effected by the taxable status date next occurring at least ninety days following the adoption of this local law.

§84.4 Application for Exemption

- (a) Application for exemption shall be made by the owner, or all of the owners, of the property on a form prescribed by the state board. The owner or owners shall file the completed form in the assessor's office on or before the first appropriate taxable status date. The owner or owners of the property shall be required to re-file each year. Applicants shall re-file on or before the appropriate taxable status date.
- (b) Any applicant convicted of willfully making any false statement in the application for such exemption shall be subject to the penalties prescribed in the penal law.

§84.5 Repeal

This local law adopted be repealed by the Village Board of the Village of Angola at any time. Such repeal shall occur at least ninety days prior to the taxable status date of each Village.

**MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON,
UNANIMOUSLY CARRIED**

#5 APPROVE PURCHASE OF BACKHOE AND GPS UNIT NEEDED FOR DPW

WHEREAS, the Village Board received a request from the Village DPW Crew Chief for the purchase of one backhoe in the amount of approx \$25,000 and one GPS unit in the amount of approx \$4,500, as both are needed to fulfill New York State requirements relative to

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compliance with the new Stormwater regulations,

WHEREAS, after reviewing remaining funds in the budget appropriations in the general and water fund, there are remaining funds available to cover these two expenses,

NOW THEREFORE BE IT RESOLVED that the Village of Angola Board of Trustees hereby authorizes the purchase of one backhoe and one GPS unit for a total amount not to exceed \$30,000, and authorizes the Village Clerk to charge said expenses to the current budget, part general and part water as follows:

General:

A1910.4 Unallocated Insurance \$14,000

A1620.2 Buildings Equipment \$ 1,000

A5110.4.2 Streets Equipment \$ 2,000

Water:

F1910.4 Unallocated Insurance \$ 1,100

F8340.2 Equipment Repairs \$ 3,000.

F8340.4 Supplies Materials \$ 8,900

total amount \$30,000

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

#6 APPROVE DONALD GALLO ENGINEERING SERVICES FOR SOUTH MAIN WATERLINE

WHEREAS, The Village of Angola Board of Trustees has applied for CDBG (Community Development Block Grant) Funds and Federal Stimulus Funds for a South Main Street waterline Improvement, and

WHEREAS, this project would involve installing a 12" waterline from the south side of Railroad Right-of-way to the existing 10" waterline just north of Hardpan Road, and

WHEREAS, the Village has received a proposal from Village Engineer, Donald Gallo, PE for engineering services, design and bid assistance for said projects in the amount of \$40,000,

NOW

THEREFORE BE IT RESOLVED, that Donald Gallo, PE is hereby retained to provide engineering services for the South Main Street waterline replacement project to conform to the Grant requirements for an amount not to exceed \$40,000 and the Mayor is authorized to execute an agreement for such services.

BE IT FURTHER RESOLVED, that any further work will be specifically directed by the Village Board, and said agreement is subject to funding for the remainder of said project.

MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

#7 APPROVE BOND RESOLUTION AUTHORIZING THE PURCHASE OF TWO TRUCKS

WHEREAS, the Board of Trustee of the Village of Angola (the "Board") is considering the authorizing the purchase of two trucks for use by the Department of Public Works, consisting of a dump truck and a 4x4 with cab, at a total estimated combined maximum cost of \$120,000 ("the Project"); and

WHEREAS, the Project constitutes an "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and therefore no further action under SEQRA with respect thereto needs be taken by the Board of Trustees; and

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WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the issuance of the Village's serial bonds and bond anticipation notes to be issued to finance said appropriation;

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE VILLAGE OF ANGOLA, ERIE COUNTY, NEW YORK (the "Village") HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

Section 1. The Village is hereby authorized to undertake the purchase of two trucks for use by the Department of Public Works, consisting of a dump truck and a 4x4 with cab, at a total estimated combined maximum cost of \$120,000 ("the "Project"), and is hereby authorized to issue up to \$120,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the ALaw@) to finance the estimated cost of the Project.

Section 2. It is hereby determined that the maximum estimated aggregate cost of the aforementioned specific objects or purposes is \$120,000, said amount is hereby appropriated therefore, and the plan for the financing thereof shall consist of the issuance of up to \$120,000 principal amount of serial bonds of the Village authorized to be issued pursuant to Section 1 of this resolution or bond anticipation notes issued in anticipation of such serial bonds.

Section 3. It is hereby determined that the period of probable usefulness of the aforementioned specific objects or purposes is fifteen (15) years, pursuant to subdivision a.28. of Section 11.00 of the Law.

Section 4. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Section 1 of this Resolution.

Section 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to subdivision d.3(1) of Section 107.00 of the Law.

Section 6. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in Section 1 of this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

Section 7. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village without legal or constitutional limitation as to rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest

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on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Treasurer of the Village, as the chief fiscal officer of the Village (the "Village Treasurer").

Section 9. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the ACode@) and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as Aqualified tax-exempt bonds@in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 10. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 11. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.

Section 12. The Village Clerk is hereby authorized and directed to cause a copy of this resolution to be published in full in the official newspaper of the Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

Section 13. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED WITH EXPLANATION THAT THIS IS THROUGH STATE CONTRACT

#8 MOTION TO APPROVE INCOME LIMIT FOR SENIOR CITIZENS TAX EXEMPTION

WHEREAS, a resolution was submitted to the Village Board of Trustees for the increase of the Senior Citizens Real Property Exemption, and
WHEREAS, pursuant to proper notice, a public hearing was held on the proposed resolution on the 13th day of April, 2009, and
WHEREAS, any comments submitted were considered,
NOW THEREFORE BE IT RESOLVED, the attached resolution is hereby approved.

*WHEREAS, the Village has a senior citizens real property tax exemption which presently has a maximum income exemption level of \$13,000.00, and
WHEREAS, it is desirous to increase the exemption to reflect the present economic conditions.*

NOW, THEREFORE, BE IT RESOLVED that the senior citizen real property tax exemption income level is increased from \$13,000.00 to \$24,000.00 for income for the 12 months immediately preceding the date of making application for the exemption. Where title is vested in either the husband or the wife, their combined income may not exceed such sum. Such income shall include social security and retirement benefits, interest, dividends, rental income, salary or earnings and income from self-employment, but shall not include gifts or inheritances. Said exemptions shall be effective the next taxable status date

MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN UNANIMOUSLY CARRIED

#9 TO EXECUTE AND END CONTRIBUTION TO INTERMUNICIPAL WATER AGREEMENT

WHEREAS, the Village of Angola joined the Towns of Eden, Brant, North Collins and Collins and the Village of North Collins to perform a Regional Water Supply Project, and

WHEREAS, the Villages' participation was for the purpose of determining the feasibility of a region water supply system, and

WHEREAS, the Village has made contributions as required by the memorandum of understanding, and

WHEREAS, the Villages has determined that it is in the best interest of the Village to maintain its existing water system, and

WHEREAS, the Village has been requested to execute the attached municipal cooperation agreement memorializing the prior action of the parties and it is determined that it is in the best interest of the Village to execute said agreement. **NOW**

THEREFORE, BE IT RESOLVED the Mayor is authorized to execute the attached Municipal Cooperation Agreement with the understanding that the Village contribute no further funds in recognition of the Villages' prior contributions and its determination to maintain its present system.

MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON UNANIMOUSLY CARRIED

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AUDIT OF BILLS –MOTION APPROVING THE FOLLOWING: General Fund Abstract #19, Checks #6889 to #6911 in the total amount of \$27,733.26 and General Fund Abstract #20, Checks #6913 to #6963 in the total amount of \$31,876.20 plus Payroll #6 & #7; Water Fund Abstract #19, Checks #1772 to #1777 in the total amount of \$2,051.68 and Water Fund Abstract #20, Checks #1778 to #1795 in the total amount of \$33,938.26 plus Water Payroll #6 & #7.

MOTION MADE TO APPROVE THE BILLS BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED

ADJOURN to special Board meeting April 27, 2009 at 6:00PM. **MOTION TO ADJOURN IN MEMORY OF THE LATE JOSEPH LABARBERA, THE LATE JOSEPH LOGALBO AND THE JAMES MYERS, MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED, MEETING ADJOURNED AT 9:15PM**

Submitted By



Linda Giancarlo
Village Clerk-Treasurer

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VISITORS: Charles LaBarbera; Donald Gallo; Lori Szewczyk; Jim Sellers; Charles Klepfor II; Charles Klepfor III; Raymond Hesslinger

COMMUNICATIONS:

TRUSTEE HOUSTON: Angola Moose; parking issues between tenants at Daisy's Consignment

TRUSTEE KIN: Angola Moose; parking issues between tenants at Daisy's Consignment

TRUSTEE WILSON: support of Angola SPCA request; Angola Moose; parking issues between tenants at Daisy's Consignment

TRUSTEE LoGALBO: Angola Moose; parking issues between tenants at Daisy's Consignment

MAYOR FRAWLEY: noise level complaints of the Angola Moose; parking issues between tenants at Daisy's Consignment

ATTORNEY: requested a scheduled meeting to review all Capital projects; inter-municipal water agreement paperwork

DONALD GALLO, Engineer: Grant Capital Projects report; GOYA Waterline, Herman Park Streambank

CODE ENFORCEMENT: asbestos abatement on 120 S Main; interested party in Town Crier building

LORI SZEWCZYK, Grant Writer: Capital project funding; Oil-Water separator; Cement Pad; Tree Grant; Herman Park; member item requests; recommend tri-board meeting for tax enhancements

CLERK-TREASURER: Capital projects

RESOLUTIONS:

- 1) **Changes to 2009-2010 Tentative Budget Prior to Adoption**
- 2) **Adopt 2009-2010 Budget**
- 3) **Approve Use of Centennial Park and William G Houston Gazebo**
- 4) **Approve Use of Centennial Park and William G Houston Gazebo**
- 5) **Approve Assemblage Application**
- 6) **Approve Use of Centennial Park and William G Houston Gazebo**

MEETING MINUTES
Village of Angola Special Board Meeting
Monday April 27, 2009 6:00PM

At a special meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on April 27, 2009 at 6:00 PM, there were

PRESENT: Mayor – Howard Frawley; Trustees – William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

ALSO PRESENT: Linda Giancarlo – Clerk-Treasurer; Andrew Yusick-Village Attorney; Charles LaBarbera-Code Enforcement Officer and Donald Gallo-Village Engineer; Lori Szewczyk-Grant Writer.

GUESTS arrived at 6:15 as scheduled: Jim Sellers; Charles Klepfor II; Charles Klepfor III and Raymond Hesslinger – all representing the Angola Moose, as requested by the Village Board to address some complaints.

CALL MEETING TO ORDER by Trustee Wilson, Seconded by Trustee Kin, Unanimously Carried:

RESOLUTIONS BEING OFFERED APRIL 27, 2009

#1 CHANGES TO 2009-2010 TENTATIVE BUDGET PRIOR TO ADOPTION

WHEREAS, the Village of Angola Board of Trustees held a public hearing on the 2009-2010 Budget on April 13, 2009 at 7:45 PM as specified in the Notice of Public Hearing 2009-2010 Budget, and

WHEREAS, the Budget director made the following changes to the tentative budget prior to adoption:

<i>From:</i>	<i>To:</i>	<i>Amount:</i>
A1110.1.3 Acting Justice	A1110.1 Personnel Services Justice	\$500
A1110.4.3 Court stenographer	A1110.1 Personnel Services Justice	\$1,500
A1110.4.5 Schools & Travel	A1110.1 Personnel Services Justice	\$1,000
A5182.4 Street Lighting	A1620.4.1 Buildings-Gas	\$4,000
A2701 Refunds of Prior year	to increase fund balance	\$9,000
F1990.4 Contingent	F9060.8 Medical Insurance	\$1,357

NOW, THEREFORE, BE IT RESOLVED that the Village of Angola Board of Trustees, hereby approves the above changes prior to adoption of the tentative budget and said changes will be reflected in the final adopted budget for the fiscal year 2009-2010. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**

#2 ADOPT 2009-2010 BUDGET

WHEREAS, the Village of Angola Board of Trustees held a public hearing on the 2009-2010 Budget on April 13, 2009 at 7:45 PM as specified in the Notice of Public Hearing 2009-2010 Budget,

NOW, THEREFORE, BE IT RESOLVED that the budget as set forth is hereby adopted and that the several amounts stated together with the amount set forth as required for the payment of principal and interest on indebtedness, do and hereby are appropriated for the objects and purpose specified and the salaries and wages stated in such budget shall be and are

April 27, 2009.SM

hereby affixed at the amounts shown therein effective on respective anniversary dates and June 1, 2009.

Total General Fund Appropriations	\$1,139,965.00		
Less Estimated Revenues	\$670,396.00	Taxable Valuation	\$82,609,458.00
Less Appropriated Fund Balance	\$59,000.00	Tax Rate	\$4.97
Amount to be raised by taxes	\$410,569.00	Garbage Fee	\$179.00
Total Water Fund Appropriations	\$726,750.00		
Less Estimated Revenues	\$726,750.00		
Less Appropriated Fund Balance	\$0.00		

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED

#3 APPROVE USE OF CENTENNIAL PARK AND WILLIAM G HOUSTON GAZEBO

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from Pastor Steve Ridge on behalf of the Lake Shore Association of Churches for the use of Centennial Park Facilities and the William G. Houston Gazebo, on Thursday May 7, 2009, 6-9PM to hold a National Day of Prayer Service. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#4 APPROVE USE OF CENTENNIAL PARK AND WILLIAM G HOUSTON GAZEBO

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from Tony Troidl on behalf of Taste of the Midway and CRC, for the use of Centennial Park Facilities and the William G. Houston Gazebo, on Saturday June 20, 2009, 11AM to hold a Bike Rodeo and Safety Event.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

#5 APPROVE ASSEMBLAGE APPLICATION

RESOLVED that the Village of Angola Board of Trustees hereby approves assemblage application from Tony Troidl on behalf of Taste of the Midway and CRC for the purpose of holding a weekly Cruise Night on Thursday evenings from 6-9PM starting May 21, 2009 through September 24, 2009, with street closing at 5:30PM, School to Center Street only.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

#6 APPROVE USE OF CENTENNIAL PARK AND WILLIAM G HOUSTON GAZEBO

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from the Angola Park & Gazebo Committee, c/o William Houston, for the use of Centennial Park Facilities and the William G. Houston Gazebo, on Wednesday Evenings from June 24th through September 2nd, 2009 from 6:30 – 9:30PM for the Summer Lawn Chair Concerts. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

Trustee Wilson: asked the board to support the Angola SPCA, it is in the process of closing. If there is a way that we could offer support to obtain grants or funds from somewhere.

Attorney Yusick: reported that he believes the issues going on that are causing the closing of the SPCA is not money, but other issues. They need to find people to run it.

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Trustee Wilson: suggested adding the SPCA on our website. They place animals regularly.

Mayor Frawley: stated that the Village could try to find some grant money or run a benefit of some sort.

Trustee Houston stated that the Village should contact the Town of Evans and see what interest they would have in trying to help the SPCA.

Trustee Kin: asked if the SPCA is funded by Erie County.

Trustee Houston said they get no funding, they are not a county organization. They are private.

Trustee Wilson: will follow up

6:15 Meeting with Angola Moose Representatives:

Mayor Frawley: The Board received some complaints regarding the actions of the patrons of the Moose and the Noise levels

Trustee Wilson: stated that the highlight of his concern is exposing oneself on someone else's property. He stated that the Moose looks as though they are running successfully, and it's nice to have the business in the Village, but on the other hand the residents have to be happy as well. We need to work together to make things right for all parties involved.

Jim Sellers: of the Moose replied that the Moose organization has been trying to be neighbor friendly since they moved into the Village. He stated that this behavior is not acceptable to the Moose Organization and they have taken action to discourage such behavior. They have complied with building code regulations and have cleaned up the area. By 11 PM they turn down the music and shut all windows. He stated that they get involved with community activities and have even offered free hotdogs during the Village Parades.

Jim Sellers also stated that they walked door to door to the surrounding neighbors and gave out their personal phone number if anyone had any complaints or issues. They never once received a phone call, instead the police have been called out several times. Wanted the board to keep in mind that there are two sides to every story. The Moose has been working to clean up the grounds as well as they can.

They had to work around weather and construction on Main Street. They continue to work on maintenance and ground improvements. They're intentions are to be an asset to the community.

Chuck LaBarbera- reported a damaged door on the resident's side of their building.

Jim Sellers- stated that this fire door has been replaced.

Mayor Frawley: appreciated their efforts to be neighbor friendly, but asked if there was something they could do to block the noise and the patrons from walking onto others property, like install a privacy fence.

Jim Sellers-said the Moose might consider doing this. The moose has also scheduled to replace the roof over the shed this year as well. They have also been maintaining the grounds and trimming back the neighbors trees. He stated that things are not being ignored. Complaints will be addressed.

Trustee LoGalbo-replied that he thought it is a good thing what the Moose is trying to do to be good neighbors.

Trustee Kin-commended them for walking around and giving their phone numbers, and suggested they do that again, **Trustee Houston** agreed.

The board thanked the Moose officials for coming to the scheduled workshop and hope the issues will be resolved.

Chuck LaBarbera-

- Reported he had the asbestos abatement survey completed for 120 South Main Street garage, and there is no asbestos. The contractor did it for only \$300.00. They will have it demolished and cleaned up by the next board meeting.
- Reported that he spoke to a gentlemen that was interested in the Town Crier Building. They want a music store apartment and asked if it can be re-zoned to residential because they cannot get funding for commercial. He told them no, its illegal, it is a business district, it would be spot zoning and it cannot be done. The board discussed funding that is offered to business's through the County.

Mayor Frawley suggested the board look into footage allowed on first floor for business district. Chuck LaBarbera will follow up.

Grant Capital Projects- Donald Gallo Engineer- reported the status of his work on the capital projects such as the South Main Goya Waterline and Stream bank Stabilization.

- Stream bank- reported that he needed a contact for the DEC for Herman Park Stream bank to submit the survey and the concept plan. There was Member item money of \$30,000 for planning and concept. **Lori** suggested a local contact, **Don** will follow up. The plan calls for big rocks (riffraff) along the bank.

Mayor Frawley asked what the possibility is of having the old waterfalls back in the stream. Concerned this project will be out of the way of the Herman Park enhancement project. **Trustee Houston** mentioned things were altered due to Mr. Inman discussion with the contractor as they were working on the stream years ago.

Gallo- announced the stream bank project is a while away, and should not interfere with the Herman Park enhancements. He asked the board to look at the plans, and get back to him. He will make the initial submittal to the DEC by mid or end of June and have all final plans and specs done by November.

- Goya Waterline- reported he found that the whole frontage on South Main that was originally thought to be GOYA'S property is not. It is the public right of way. Explained the property line layout with the board, Mancuso can do the easements to cut into to small pieces of land owned by GOYA. The waterline will be mostly on public right a way so we will not need the easements done except for the two small pieces. He submitted the paperwork to the Health Department for approval.
- There is also some Norfolk Southern railroad property involved, and there should not be any problems with them. An agreement will have to be drawn up with the Village.

Lori Szewczyk- questioned the money the Village is planning on for this big project is both CDBG and Stimulus and there is nothing in writing yet to say this is a go. She says the Stimulus stipulations state that the bidding and the awarding of the bid, all need to be done within 120 days of notification and contract. Asked if any of these easement or contract issues will hold up the project.

Attorney Yusick stated that they are in the process of doing the searches for this property; there were never any searches or surveys done.

Attorney Yusick – reports that things should be done pretty quickly.

The board has been verbally told by the County and understands this, but wants to be ready to move fast if it is approved.

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Village Clerk- asked if this project is awarded, then what kind of money is the Village responsible as it's share for the project.?

Lori- reported \$7,200 is the Villages share, the total project cost is \$292.800

The board will discuss further, when and if the project gets approved for funding by the County.

The board thanked the Engineer for getting things moving this far.

The board discussed the resolution of the Thruway funding owed to the Village for the old waterline project.

They are in the process of coming to settle.

The Village will look into the sale of the old meter pit originally reserved for the Thruway.

Lori Szewczyk-

- **Oil water separator** - paperwork sent in, the Village should be receiving a check for \$5,000.
- **Cement Pad** - once landscaping is complete, we will submit for final reimbursement, the amount is \$9266.95 form Dept of State (\$730 balance is for Jeff to plant the seeds and do landscaping)
- **Tree Grant** - Jeff needs to order in the spring
- **Herman Park** -- bathrooms are in, Jeff will be working on this in the spring.

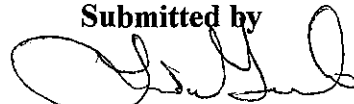
Lori will send in the member item requests for this year, Trustee Houston will get her details for street signs.

Lori will recommend a meeting with the School the Town and the Village to work on the Tax enhancement project for residents.

The board discussed parking issues between the owner and tenant at Daisy's consignment shop on North Main Street.

Motion to Adjourn made by Trustee Wilson seconded by Trustee Kin, meeting adjourned at 7:35PM

Submitted by



Linda Giancarlo

Village Clerk-Treasurer

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VISITORS: Michelle Warren; Scott Michalak; James Beierfreund; Floyd Milliken

COMMUNICATIONS: introduction of Scott Michalak; Memorial Day parade; Evans-Brant Chamber Golf Mixer; Shelly Hunt of Desperado's elected VP of National BBQ Association; May Association of Erie County Governments meeting; Drug-Free post-prom party for Lake Shore High School; stimulus money vote for Erie County Economic Development; thank-you to Allied Waste; donations for Friends of the Village; Images of America book release; Rural Transit volunteer newsletter; Angola, Indiana

TRUSTEE HOUSTON: bus tour of the Southtowns by SoTowns Community Enhancement Coalition; reduction in assessments for new construction/updates; Carol Meissner retirement announcement; Key Communicators Program; Association of Erie County Governments meeting; NYCOM Main Street Conference; Southern Tier West Conference; Erie County Water Authority breakfast; 2009 Summer Lawn Chair Concert Series

TRUSTEE KIN: GOYA Foods tour with Bob Drago; ACT meeting; updated computers and a drop-box received at the Library; Cheryl Delano's book signing; Music Festival fundraiser for the Library

TRUSTEE LoGALBO: no response from Governor Patterson; Grand Opening of MacBaxter's Bed & Breakfast; property maintenance at 8724 N Main Street; Green Energy Buffalo News article; Thomas the Train Tour idea

TRUSTEE WILSON: Fire Department Blood Drive; \$1,000 DEC matching grant for Fire equipment; hydrant flushing

MAYOR FRAWLEY: Channel 4 Luke Moretti for CSX bridge; Façade update; Carol Meissner's Retirement; Angola, Indiana; NYCOM Main Street Conference; Distressed Property auctions; ECSD2 Managers meeting; dinner with Assemblyman Jack Quinn; meeting with Gerald Sentz; Village Officials Directors meeting; holiday lighting; energy efficient lighting; Fire Department lights

ATTORNEY: No report

POLICE CHIEF: Angola SPCA closing; process of finding a new kennel; DARE to assist with Bicycle Rodeo; Angola Moose; NYSDOT correspondence re: intersection at Route 20 & Eden/Evans Center; traffic signal at Beach & North Main Street; new stop signs at Franklin and Mark Drives

GENERAL CREW CHIEF: EXCUSED – Franklin, Sunset & Terrylynn drainage; Spring clean-up; Orchard Avenue work to be done; MacBaxter's drainage repaired

FIRE COMMISSIONERS: <Kaminski> donations for memorial bench for late Mayor Walters; First Aid supplies; bottled water for Memorial Day; Dan Daly Motivational Presentation <Beck> FEMA grant

CODE ENFORCEMENT: No Report

PLANNING: Absent

ZONING: <Cooper> DVD for members to receive required points; UNYTS Blood Drive

CLERK-TREASURER: EXCUSED

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Library addition; Fire Department Heater; Carpet at Village Office

NEW BUSINESS: Neighborhood Revitalization Program; Tire Recycling; Painting Mill Street Bridge; SPCA; Angola Fire Truck #6 –vs- Scranton; "No Skateboarding" Law; Cleaning Up After Your Dog; Erie County Workforce

RESOLUTIONS:

- 1) Approve Support of NYS Power Authority Wind Power Project
- 2) Authorize Tax Warrant for Fiscal Year 2009-2010
- 3) Approve Notice for Tax Warrant
- 4) Approve Application for Use of Centennial Park Facilities Lake Shore Cheerleaders Fundraiser
- 5) Approve Assemblage Permit Memorial Day Parade
- 6) Approve Application for Use of Centennial Park Facilities & William G Houston Gazebo Fire Company Picnic
- 7) Approve Assemblage Application Super Cruise Bike Rodeo
- 8) Approve Assemblage Application First Congregational United Church of Christ
- 9) Approve Purchase and Installation of Fire Department Heating System
- 10) Appointment of Seasonal Laborers
- 11) Authorizing Clerk-Treasurer to Pay Bills and Balance Transfers as of 5/31/09

MEETING MINUTES
Village of Angola Board Meeting
Monday May 11, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on May 11, 2009 at 7:00 PM, there were

PRESENT: Mayor – Howard Frawley; Trustees – William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

ALSO PRESENT: Michelle Warren – Deputy Clerk; Andrew Yusick-Village Attorney; Lynne Kaminski and Robert Beck–Fire Department Commissioners; Ernest Masullo-Evans Police Chief; Charles LaBarbera-Code Enforcement Officer and Paul Cooper-Zoning Board Chairman.

GUESTS: Scott Michalak – (Hamburg Sun); James Beierfreund and Floyd Milliken.

PLEDGE OF ALLEGIANCE: was led by Floyd Milliken.

MEETING CALLED TO ORDER AT 7:03PM:

APPROVAL OF MEETING MINUTES OF APRIL 13, 2009, MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

VISITORS: No comments

COMMUNICATIONS:

Mayor Frawley reported the following:

- Introduced Scott Michalak as our new representative from the Hamburg Sun. Welcomed him to the meeting.
- Announced the Memorial Day Parade will be held on Monday, May 25, 2009 - lineup at 9:30 A.M. at the Village Hall with parade to start at 10:00 A.M.. Participants will march to the Forest Avenue Cemetery for the ceremonies and then return. George Braun of the American Legion Newcomb Long Post 928 is the Parade Chairman.
- Reported that the Evans Brant Chamber of Commerce is holding a Golf Mixer on June 19, 2009. Interested parties should contact Carolyn at the Chamber. Cost is \$20.00 per person. Donations of prizes would be greatly appreciated.
- Announced that Shelly Hunt of Desperadoes Barbecue has just been elected the Vice President for the 5th region of the National Barbecue Association, which covers the entire East Coast.
- Mentioned that the next Association of Erie County Governments meeting is scheduled for Thursday, May 28, 2009, and will be held at the Gowanda Country Club. Guest Speaker will be Gerald Sentz-Commissioner of the Department of Public Works discussing projects for 2009 and stimulus funds.
- Read a letter from R. Terrence Redman, Principal of Lake Shore High School, announcing a Drug-Free post-prom party that will be held for the senior class on Friday, June 5, 2009 beginning at 11:00 P.M. at a locally donated facility. Mr. Redman is asking for donations from the community to assist with this project.

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- Reported that Erie County Consortium was asking for a vote from the Mayors and Supervisors on Stimulus Money received for Erie County Economic Development. Advised that he voted in favor.

Trustee Houston reported the following:

- Announced he sent a letter to Joseph Scaffidi from Allied Waste Services thanking him for participating in the recent Evans Recycling Day.
- Reported that the Friends of the Village are taking donations for flowers and baskets to beautify Angola.
- Stated that the newly released book by Cheryl Delano entitled Evans and Angola from the Images of America series is very interesting.
- Mentioned a Volunteer Newsletter he received from Rural Transit Services, Inc. Gave to Deputy Clerk to file in the Village Clerk's office.
- Mentioned he spoke with Peter Walters who went to school in Angola Indiana. Discussed Cheryl Delano's newly published history book of Evans and Angola and got the Mayor of Angola, Indiana in touch with our Mayor of Angola, New York to exchange information. Trustee Houston is sending Mr. Walters a copy of the new book.

DEPARTMENT HEADS COMMITTEE REPORTS:

TRUSTEE HOUSTON

- Announced that the Southtowns Community Enhancement Coalition is attempting to coordinate a bus tour of the Southtowns of Eden, North Collins, Evans and Brant, to include the villages of Farnham, Angola and North Collins. The tour is tentatively scheduled for June 23, 2009 with some Erie County Legislators and key people to show what our communities have to offer with regards to tourism, farming, etc.
- Reported that the Town of Evans Economic Development group is getting ready to meet regarding the program for the reduction in assessments for new construction/updating work. This pertains to a Town of Evans, Village of Angola, and Lake Shore School District meeting and having their individual hearings. This should go into effect next year.
- Attended the April 20, 2009 reception at the Evans Town Hall where it was announced that the Evans Town Clerk, Carol Meissner, will be retiring at the end of this year.
- Attended the Key Communicators Program in which the Lake Shore Superintendent brought community representatives up to date on school budget issues.
- Attended Association of Erie County Governments program in Buffalo with Gerald Sentz – Commissioner for the Department of Public Works. Stated it was interesting; however, nothing was mentioned pertaining to any projects south of Buffalo.
- Attended NYCOM Main Street Conference in Canandaigua, New York with Mayor Frawley and Code Enforcement Officer Charles LaBarbera. The workshop was focused on abandoned properties. Stated it was informative; however, there was too much incorporated into one day. It takes too much out of a person to get there for one day. The program, in the past was spread out over a few days and attendees had an opportunity to tour the local municipality and see what development has taken place. Stated he understands the goal in the change was to save money but it puts too much of a burden on the attendees. Advised he wrote a letter to NYCOM pertaining to his concerns.
- Attended the Southern Tier West Conference at Houghton College in Houghton, New York on Wednesday, May 6, 2009. Attended work sessions on Co-funding Issues, Judicial Ethics, Shared Services & Project Financing in Today's Market. This was his

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fourth time attending. Remarked that Angola was mentioned during a session relative to our purchase of a ladder truck many years ago. Presentations are very informative despite the fact that it is very easy to get lost traveling there. Also mentioned the large number of Windmills that have been installed in the Pike and Centerville Region in Allegany County and how it would be a very interesting experience for those who have never been up close to them to see how massive they are.

- Announced the upcoming Erie County Water Authority breakfast meeting scheduled for Tuesday, June 2, 2009 at Salvatore's Italian Gardens at 8:00 A.M..
- Spoke on behalf of the Angola Park and Gazebo Committee. Read the schedule for the 2009 Summer Lawn Chair Concert Series. Commented that sponsors were very cooperative despite current economic conditions.

TRUSTEE KIN –

- Reported that she toured Goya Foods' new distribution facility on Friday, May 8, 2009 with Deputy Clerk Michelle Warren and Accounts Clerk Christine Mittner. Tour was conducted by Bob Drago. Stated the distribution center is amazing.
- Attended an ACT meeting on Saturday, May 9, 2009.
- Announced that the Angola Public Library received updated computers from the Bill and Mindy Gates Foundation.
- Reported that the Angola Public Library received a drop box that Bryant & Stratton College didn't need anymore.
- Attended Cheryl Delano's book signing on Tuesday, May 5, 2009. It was phenomenal.
- Announced that the Angola Public Library will be holding a "Music Festival" fundraiser on Saturday, September 12, 2009. Submitted application to Clerk for permit to use Centennial Park and the William G. Houston Gazebo.

TRUSTEE LOGALBO –

- Reported that he has not received any response from Governor Paterson, Speaker Sheldon Silver or Senator Antoine Thompson regarding his letter protesting the State budget.
- Attended the Grand Opening of MacBaxter's Bed & Breakfast with Mayor Frawley and Accounts Clerk Christine Mittner at 311 North Main Street in the Village and was extremely impressed with its condition and the beautiful work that was done.
- Stated that he received a phone call from Fran Rodler of 11 Beverly Drive regarding the Mecca Property at 8724 North Main Street. He explained to Mr. Rodler that it was not a Village property; however, he would look into it. He reported situation to the Building Inspector Charles LaBarbera who sent a letter to Mr. Mecca. As of today, they have begun cleanup of the property. Trustee LoGalbo and his son cleaned up half of the garbage and Mr. Mecca showed up today to take care of the rest. He stated Mr. Rodler stopped to thank him and Mr. LaBarbera for addressing his concerns.
- Read an article in the Buffalo News regarding the Green Energy – Solar Power. Advised he was going to look into the feasibility of getting solar panels installed at the Village Fire Hall. He would like to see if there are any grants available. Mayor Frawley suggested he contact Town of Brant Supervisor, Leonard Pero as they just received two grants for similar projects.
- Attended a Thomas the Train Tour yesterday in Medina with his family. Is interested in seeing if this is something that could be brought to our Village. Mayor Frawley stated he would love to and that they have been working on that for years. Trustee Houston commented on how uncooperative the railroads are.

Mayor Frawley invited trustee Kin to ride with Mr. Houston in the Memorial Day Parade.

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Mayor Frawley announced that the first renter at the Bed & Breakfast will be an elderly couple celebrating their 60th wedding anniversary.

Trustee Kin inquired as to whether we have some type of Welcome Package for the Village. Trustee Houston advised that Jonica DiMartino, Deputy Town Clerk for the Town of Evans runs something like a Welcome Wagon program quarterly for new Village residents.

MAYOR FRAWLEY –

- Reported that he was on Channel 4 News with Luke Moretti regarding the condition of the CSX train bridge over Big Sister Creek.
- Announced that the Façade program is moving right along; however, the Village of Angola is still one participant short of the requirement. Stated that those who have already signed up and made deposits would like to see something done this summer.
- Attended Carol Meissner's Retirement Announcement at the Evans Town Hall with Trustee Houston. It was well attended. Announced there will be a formal program for her announcement at the Eden VFW on Saturday, May 16, 2009.
- Spoke with a representative from the Mayor's office in Angola, Indiana. Announced he was invited to be the Grand Marshall at their Centennial Parade on July 4, 2009. He will keep everyone posted as to whether or not he plans to attend.
- Attended the NYCOM Main Street Conference in Canandaigua, NY with Trustee Houston and Building Inspector Charles LaBarbera. He agrees with Trustee Houston that too much information was jammed into one day. He had an opportunity to speak with Dan Ryder from Flint, Michigan regarding Land Banking. Assemblyman Sam Hoyt has already submitted a bill relative to Land Banking to the State Legislature for 62 counties in New York State. Announced that if it goes through, we will be able to take some power from Erie County Real Property office. Altogether, the conference was good but again agreed that there was not enough time allotted.
- Has information on Distressed Property auctions. Will meet with Erie County Legislator Robert Reynolds on Wednesday, May 20, 2009 to review the information.
- Attended Erie County Sewer District 2 meeting on Thursday, May 7, 2009. They will be digging up and replacing sewers from Connor's Hot Dog Stand on Lake Shore Road for three miles all the way to Dawn Avenue. The County will then repave all of Lake Shore Road. Supervisor Pordum will be announcing this project in the Pennysaver. Commented that the area will be pretty well torn up all summer.
- Will attend a dinner with the Mayors, Supervisors, and Assemblyman Jack Quinn on Thursday, May 21, 2009.
- Mentioned the meeting with Gerald Sentz-Commissioner of Public Works for Erie County. States Trustee Houston is absolutely right that all the stimulus money for road construction, etc. is going north of Buffalo. Commented that the Village of Angola does not expect to receive any funding from this for paving.
- Attended the Village Officials Association Director's Meeting in Hamburg. John Wilson of Orchard Park has stepped down as President. New President is Sam Muscarella of Kenmore, New York.
- Mentioned that while in Canandaigua he spoke with a gentleman from Outdoor Lighting. Has information on new lights for Holiday lighting. Mentioned a fundraiser might be necessary to raise money for new lights.
- Mentioned an article published in the Dunkirk Observer on April 15, 2009. Article reported that the Town of Hanover, New York "accepted the low bid from L.A. Hazard & Sons for the purchase of energy efficient bulbs and fixtures to replace current lighting at their Town Hall. The new bulbs and fixtures are expected to

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generate ongoing savings both in energy consumption and lighting costs for the Town." The purchase was contingent upon the availability of rebates from the New York State Energy Research and Development Authority (NYSERDA) rebate program, which would represent a significant portion of project costs. Trustee Houston mentioned that he asked the Clerk to get the specifications from Town of Hanover and gentleman from L.A. Hazard will be coming in to do a survey on Angola Village buildings.

Mayor Frawley asked Fire Commissioner Lynne Kaminski why the fire hall lights are always on during the day. Trustee Houston stated that he has witnessed this as well. Some discussion followed as to the benefit of installing sensors, motion detectors, etc. Commissioner Kaminski was asked to put up signs reminding fire department members to shut the lights off when not in use!

TRUSTEE WILSON –

- Announced James Beierfreund of the Angola Volunteer Fire Department would like to coordinate another blood drive at the Angola Fire Hall and asked the Board's permission to hold the event on Saturday, May 23, 2009 from 11:00 A.M. – 4:00 P.M..

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED

- Was notified by Erie County Legislator Robert Reynolds of a \$1,000.00 Department of Environmental Conservation (DEC) matching fund grant that can be used for fire department equipment, clothing, etc. Advised he would be working with the fire department to put together a grant application.
- Will coordinate a hydrant flushing with the Village Department of Public Works and the Village of Angola Fire Department. It has been several years since flushing was done and we are way overdue.

ATTORNEY YUSICK- No report

Trustee Houston asked Mayor Frawley if he passed on the information he provided to the Erie County Sewer Department regarding the use of liquid oxygen. They stated it was too expensive. Some discussion followed as to flushing the lines to rid areas of bad odors. Trustee Houston advised that the Erie County Sewer Department assisted with a storm sewer blockage near Franklin Drive. Discovered a dead animal, sticks, stones, concrete, etc. blocking the line. They flushed and cleaned the line. Mayor Frawley advised Gary Walter of 54 Sunset Boulevard was very pleased with the quick response.

Trustee Houston mentioned previous issue regarding maintenance of Town of Evans fire hydrants in the Angola retail District. Will move forward in an attempt to get the town to paint their hydrants. Thanked Deputy Clerk for help in locating original information from 1928.

POLICE- CHIEF ERNEST MASULLO -

- Commented on the Angola SPCA Closing. Advised Dog Control Officer Michael Franey is in process of finding a kennel to use. Expect to be up and running by July. Will use veterinarians from Eden, Hamburg, and Derby. Residents will have to see the Evans Town Clerk if their dog is picked up. Chief Masullo not pleased with the short notice from the SPCA as to closing the Angola branch location.
- Received permits for parade, cruise night, bicycle rodeo, etc. DARE officer will assist with the bicycle rodeo.

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- Mayor Frawley stated he has not received any further complaints of problems at the Angola Moose since it was addressed at last meeting. Chief Masullo advised that they were cited by the State Liquor Authority and the Authority would be conducting an investigation.
- Trustee Houston read a letter Chief Masullo wrote to the New York State Department of transportation (NYSDOT) as well as their response to his suggestions to make changes to the dangerous intersection at Route 20 and Eden Evans Center Road. The New York State Department of Transportation states that the signal at Route 20 and Eden Evans Center Road will be reprogrammed to operate with an advance left green arrow for eastbound Eden Evans Center Road all hours of the day and will install "Do Not Drive On Shoulder" signs for east bound and westbound Eden Evans Center Road. Thanked Chief Masullo for his work on this important safety matter.
- Signs are up at Beach Road and North Main Street and the new traffic signal should be completed by next week.
- Trustee Wilson commented he was getting a lot of complaints regarding new stop signs on Franklin Drive and Mark Drive. Chief Masullo discussed his plan to address speeders in this area.

GENERAL CREW CHIEF - EXCUSED

Trustee Houston reported for General Crew Chief Jeff Kaminski who was on vacation.

- Drainage work is currently being done on Franklin and Sunset as well as Terrylynn Drive.
- Spring Cleanup work is underway.
- Reported that temporary work will be done to Orchard Avenue prior to the Memorial Day Parade. Crew will be strip patching a nice clean straight strip along the road to make it safe for individuals to walk.
- Drainage in front of Macbaxter's Bed & Breakfast at 311 North Main Street has been repaired with help from the Erie County Sewer Authority.

FIRE COMMISSIONERS -

Commissioner Lynn Kaminski reported:

- The Fire Department received a donation that was specifically earmarked for a memorial to former Mayor Michael Walters. Looking into granite flower pots that would be permanent fixtures at the Angola Fire Hall doors on Commercial Street. Will also look into a bench for Herman Park to be dedicated to all former Mayors who were members of the Angola Fire Department.
- First aid squad needed to place a large order for supplies. Would like it to get paid out of this year's budget at a price not to exceed \$600.00.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

Commissioner Lynne Kaminski reported-

- Stated they will be taking care of bottled water for Memorial Day parade. Mayor Frawley instructed to send bill to Village.
- Dan Daly was invited to come to Lake Shore High School as guest speaker for a Dinner, Concert and Motivational Presentation on Monday, May 18, 2009. All money raised will go to American Veterans with Brain Injuries, the 100 club of Buffalo, which helps any injured police and firemen, and to be split between other fire companies. Noted that MacBaxter's bed & Breakfast at 311 North Main Street donated Mr. Daly's night's stay.

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Commissioner Bob Beck reported-

- FEMA grant will be emailed by end of week. \$150,000 updating air packs. Chief Dybdahl will bring in to Village Hall for review this week before sending it out.

CODE ENFORCEMENT – No report.

Trustee Houston asked for an update on the status of 120 South Main Street demolition. Mr. LaBarbera advised it would be down this week.

PLANNING – Absent

ZONING – Paul Cooper

- Starting new year-Zoning Board members will have to get their points. Has a DVD that would constitute two points out of the four points they would need for the new year.
- Commented on the UNYTS blood drive the Angola Fire Department will be holding. Stated it is important to note that the UNYTS blood drives keeps donated blood in our area. Organ tissue and blood collection helps our friends and neighbors. Stated he has a blood drive schedule for May 30, 2009 at the Evans Town Hall but will change the date as it is too close to Angola's drive. Discussed many residents who have benefited from this program.

CLERK-TREASURER – EXCUSED

OLD BUSINESS:

- | | |
|---|--|
| 1. Sale of Water Plant- no additional news | 4. Intercontinental Building- no news |
| 2. Thruway Water- no news | 5. Library addition-none |
| 3. Senior Housing- Stanley Mazur closing on 70 and 72 Woodward Avenue on Friday, May 15, 2009. Construction to begin on Senior Housing in June. | 6. Fire department heater-Resolution |
| | 7. Carpet at Village Office-See resolution for May 26, 2009 meeting. |

NEW BUSINESS:

1. Neighborhood Revitalization Program-residential tax abatement-Resolution for June meeting.
2. Tire Recycling-Trustee Houston asked permission to run program again for one week over summer. No objections.
3. Painting Mill Street Bridge-Mayor Frawley will review budget for the approximate \$2000.00 cost.
4. SPCA-Trustee Wilson (the Village has a support link offered on the website)
5. Fireman's Truck #6 vs. Scranton/Highland-some discussion followed. Issue has to be addressed in executive session of Chief's Council. Mayor Frawley stated for the record that Angola is not happy.
6. Publication of "No Skateboarding" Local Law # 4 of 2004.

MOTION MADE BY TRUSTEE WILSON SECONDED BY TRUSTEE LOGALBO UNANIMOUSLY CARRIED.

7. Publication of Section 54.35B "Other Nuisances" – Concerning Cleaning Up After Your Dog!

May 11 2009

**MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO
UNANIMOUSLY CARRIED.**

8. Erie Co. Workforce – Possible Availability of Summer Workers up to Age 24 at No Cost To Village. Village Clerk looking into getting summer CETA type workers.
Board has no objection.

**MOTION MADE BY TRUSTEE KIN SECONDED BY TRUSTEE WILSON TO
APPROVE SUMMER CETA TYPE WORKERS AT NO COST TO THE
VILLAGE UNANIMOUSLY CARRIED.**

RESOLUTIONS BEING OFFERED MAY 11, 2009

OFFERED BY TRUSTEE LOGALBO

#1 APPROVE SUPPORT OF NYS POWER AUTHORITY WIND POWER PROJECT

WHEREAS, it has been introduced before the board of Trustees to support the “Wind Power Project” proposed by the New York State Power Authority, and

WHEREAS, This project consists of approximately twenty-five to forty windmills (turbines) offshore on Lake Erie and would also include a manufacturing center to produce wind turbine parts, and

WHEREAS, This would be a great example of reclaiming an old Brownfield site for useful purposes in the new Green economy, and

WHEREAS, the Village of Angola would be an exemplary location for such a project due to its location near the Lake Erie with generous wind volume and available vacant property,

NOW, THEREFORE BE IT RESOLVED, the Village Board of the Village of Angola supports the “Wind Power Project” proposed by the New York State Power Authority and requests that the Village of Angola be considered as a location for said project, and

BE IT FURTHER RESOLVED, that the Village Board will ask for support from Richard Kessell, President & CEO of NYPA, Erie County Executive Chris Collins, Congressman Brian Higgins, Senator Charles Schumer and the Town of Evans Supervisor, Frances Pordum to consider the same.

**MOTION MADE BY TRUSTEE LOGALBO SECONDED BY TRUSTEE WILSON
UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE HOUSTON

2 AUTHORIZE TAX WARRANT FOR FISCAL YEAR 2009-10

YOU ARE HEREBY COMMANDED to receive and collect from the several persons named in the tax roll hereunto annexed, the several sums stated in the last column thereof opposite their respective names, being a total of **\$601,077.00** for the following purposed:

Current Budget	410,569.00
Refuse & Garbage Charge	165,038.00
Re-levied Water Rents	11,887.72
Other Re-levied Amounts	13,592.28

May 11 2009

YOU ARE FURTHER COMMANDED TO RECEIVE AND COLLECT SUCH SUMS without additional charge between the first day of June and the first day of July, 2009 both inclusive, at the Village Clerk's Office, 41 Commercial Street, Angola, New York between the hours of 9:00 AM and 5:00 PM daily except **SATURDAYS, SUNDAYS, AND HOLIDAYS**. On all sums remaining unpaid after July 1, 2009 **YOU ARE TO COLLECT** an additional charge of seven and one-half per centum (7.5%) for the first month or fraction thereof and one and on-half percent (1.5%) for each month or fraction thereof until paid.

YOU ARE FURTHER COMMANDED TO FILE the tax roll and warrant in your office on or before the first day of November, 2009 and to deliver to the Board of Trustees at the same time an account of the taxes remaining due and unpaid, and showing the person or persons to whom the parcel is assessed and showing as to each parcel the amount of tax unpaid.

**MOTION MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE KIN
UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE KIN

3 APPROVE NOTICE FOR TAX WARRANT

PLEASE TAKE NOTICE: I, the undersigned Collector of Taxes in and for the Village of Angola, NY for this year have received the tax roll and warrant for collecting of same. I will receive such taxes at the Village Clerk's Office, 41 Commercial Street, Angola, NY from June 1st, 2009 thru July 1st, 2009 (both dates inclusive) between the hours of 9:00 AM to 5:00 PM daily except SATURDAYS, SUNDAYS AND HOLIDAYS, and for that period of time, taxes may be paid without additional charge. On all taxes remaining unpaid after July 1st, 2009 a seven and one-half per cent (7 ½ %) penalty will be added for the first month and an additional one and one-half per cent (1 ½ %) for each month or fraction thereof until paid. All taxes remaining unpaid after November 1st will be submitted to the County of Erie for collection, Pursuant to NYS Laws of 1980, Chapter 745, Section 1426, Subdivision 2.

**MOTION MADE BY TRUSTEE KIN SECONDED BY TRUSTEE WILSON
UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE WILSON

**#4 APPROVE APPLICATION FOR USE OF CENTENNIAL PARK FACILITIES
LAKE SHORE CHEERLEADERS FUNDRAISER**

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from Lynn Krajacic on behalf of the Friends of Lake Shore Cheerleaders, for the use of Centennial Park Facilities on Saturday June 6, 2009 from 7AM – 5:00PM for a fundraiser lawn sale, to be in conjunction with the Village Wide Yard Sales.

**MOTION MADE BY TRUSTEE WILSON SECONDED BY TRUSTEE LOGALBO
UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE HOUSTON

#5 APPROVE ASSEMBLAGE PERMIT MEMORIAL DAY PARADE

RESOLVED that the Village Board approves the Assemblage of the Memorial Day Parade on May 25, 2009 by the Evans Township Veterans of Foreign Wars Post 5798 and the American Legion Post 928, lining up at the Fire Hall and parade to the Forest Avenue Cemetery and RETURN TO THE VILLAGE. Line up will start at 9:30 and the board authorizes the Village clerk to publish advertisements pertaining to this event into the Angola Pennysaver.

**MOTION MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE KIN
UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE WILSON

**#6 APPROVE APPLICATION FOR USE OF CENTENNIAL PARK FACILITIES
AND THE WILLIAM G. HOUSTON GAZEBO FIRE COMPANY PICNIC**

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from Jay Addison on behalf of the Angola Volunteer Fire Company Benevolent Association, for the use of Centennial Park Facilities and the William G. Houston Gazebo on Friday August 21, 2009 from 5PM – 9PM for a Fire Company picnic, electric will be needed.

**MOTION MADE BY TRUSTEE WILSON SECONDED BY TRUSTEE LOGALBO
UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE KIN

#7 APPROVE ASSEMBLAGE APPLICATION SUPER CRUISE BIKE RODEO

RESOLVED that the Village Board approves the Assemblage application for a Super Cruise Night and Bicycle Rodeo on Saturday June 20, 2009 by Tony Troidl on behalf of the Citizens for Responsible Choices (CRC) and Angola's Taste of the Midway from 12:00 – 3:00 P.M. and requests that Park Street be closed at 11:30 A.M. and Main Street be closed from Lake to School Street.

**MOTION MADE BY TRUSTEE KIN SECONDED BY TRUSTEE WILSON
UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE LOGALBO

**#8 APPROVE ASSEMBLAGE APPLICATION FIRST CONGREGATIONAL
UNITED CHURCH OF CHRIST**

May 11 2009

RESOLVED that the Village Board approves the Assemblage Application from Rev. Jack Bacon for the purpose of an assemblage on 132 North Main Street in front of the First Congregational United Church of Christ of a concert consisting of students from Lake Shore High School, performing on the front steps of the Church for the annual Strawberry Social on Thursday, June 11th, Friday June 12th and Saturday June 13th from 4:30 P.M. - 9:00 P.M. and request that the west half of North Main Street be closed in front of 132 North Main Street for the safety of those gathered for the concert.

**MOTION MADE BY TRUSTEE LOGALBO SECONDED BY TRUSTEE KIN
UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE WILSON

**#9 APPROVE PURCHASE AND INSTALLATION OF FIRE DEPARTMENT
HEATING SYSTEM**

WHEREAS, the current heating system in the Fire Department engine room is not appropriate for the heating of the room with the high level of the fire equipment,

WHEREAS, the current system "bakes the hose and is destroying the finish on the upper level of the trucks",

WHEREAS, the current system can be left in place to heat the room when the trucks are out, I.E. Large meetings, meat raffles, Breakfast with Santa, etc.,

WHEREAS, National Fuel Gas Corporation and NYSERDA have a current energy efficient credit of \$1,000.00 that is available for the purchase and installation of a new update unit,

NOW, THEREFORE BE IT RESOLVED, that the Village Board accept the quotation from Don's Heating of Angola, New York to furnish and install one (1) Reznor Unit Heater Model #UEA5180, a 93% efficient wall-hung heater complete with a side wall vent and required gas line and electrical work and to furnish a Honeywell Pro 4000 thermostat for a quoted total cost of \$4,250.00, less a \$1,000.00 rebate from National Fuel and NYSERDA, with a final total cost to the Village of \$3,250.00. Funds to come out of Buildings.

**MOTION MADE BY TRUSTEE WILSON SECONDED BY TRUSTEE LOGALBO
UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE HOUSTON

#10 APPOINTMENT OF SEASONAL LABORERS

RESOLVED that the Village Board does hereby approve the following matriculating college students as temporary seasonal help for the Streets Department and Water Department at the following rates:

- a. Samuel Atti, 20 Rosalind Drive, Angola (4th year) at the rate of \$7.90 per hour effective May 18, 2009.

May 11 2009

- b. Joshua Kaminski, 29 Stellane Drive, Angola (1st year) at the rate of \$7.15 per hour effective June 1, 2009. Rate to increase to \$7.25 when minimum wage increases on July 24, 2009.

**MOTION MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE KIN
UNANIMOUSLY CARRIED.**

**# 11 AUTHORIZING CLERK-TREASURER TO PAY BILLS AND BALANCE
TRANSFERS AS OF 5/31/09.**

RESOLVED, that the Village of Angola Board of Trustees does hereby authorize Linda Giancarlo, Clerk-Treasurer to pay all end of year bills and adjust end of year appropriations by either a transfer or budget amendment, May 31, 2009, and for budgetary control the Board shall receive a copy of said adjustments.

**MOTION MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE KIN
UNANIMOUSLY CARRIED.**

AUDIT OF BILLS –MOTION APPROVING THE FOLLOWING: General Fund Abstract 021, Checks #6964 to #6977 in the total amount of \$3,605.64 and General Fund Abstract 022, Checks #6978 to #7005 in the total amount of \$22,319.38 plus Payroll #8 & #9; Water Fund Abstract 021, Checks #1796 to #1800 in the total amount of \$1,492.02 and Water Fund Abstract 022, Checks #1801 to #1810 in the total amount of \$34,689.71 plus Water Payroll # 8 & # 9.

**MOTION MADE TO APPROVE THE BILLS BY TRUSTEE KIN, SECONDED BY
TRUSTEE HOUSTON, UNANIMOUSLY CARRIED WITH THE ADDITION OF THE
BILL FOR NEXT ANNUAL DUES.**

ADJOURN to a workshop on Tuesday, May 26, 2009 at 5:00 P.M. and regular Board meeting June 8, 2009 at 7:00 P.M.

**MOTION MADE BY TRUSTEE WILSON SECONDED BY TRUSTEE KIN
UNANIMOUSLY CARRIED. Meeting adjourned at 8:38 P.M.**

Submitted By



**Michelle Warren
Deputy Village Clerk**

INDEX – June 8, 2009

VISITORS: Charles Danzi; Scott Michalak; Stephen Brachman

COMMUNICATIONS: history of Angola Theatre; thank-you form Newcomb-Long Post 928; Lake Shore graduate Eric Renn to go to West Pointe; Association of Erie County Governments mtg; Evans-Brant Chamber Summer Golf Mixer; resignation of Zoning Board Chairman, Paul Cooper; South Main GOYA Waterline funding

TRUSTEE HOUSTON: streetlights on Railroad Avenue; Friends of the Village flower baskets are up; MC of Memorial Day services; tax enhancement project; NEST meeting minutes; Animal Control and Skateboarding Local Laws; County salt purchases; Evans Town Board downsizing; new drinking fountain at Centennial Park; ground-breaking for Senior Housing; new carpet at Village Hall; Erie County Water Authority breakfast

TRUSTEE KIN: resignation from Library Board; Library book sale; 3-5year old summer Library program; Music Festival at Centennial Park

TRUSTEE LoGALBO: NYPA Windpower Project letter; contacted Town of Brant regarding Solar Power

TRUSTEE WILSON: Senior Housing project; minor water-breaks; Emblem and Duriron "Brownsfield" research projects; CSX/RR bridge repair

MAYOR FRAWLEY: Association of Erie County Governments meeting; ground-breaking ceremony for Senior Housing; computer, fax and phone lines at Village Hall; new carpet installation prep work; NYCOM 100th Anniversary; Land Banking Bill by Assemblyman Sam Hoyt; Yellow Goose status; Erie County Sewer District Manager's meeting & tour of Bennett Beach

ATTORNEY: appointment of the Chairman of the Angola Library Board; Water Plant easement search; 39 South Main Street tax deed stamp

POLICE CHIEF: <Danzi> ensure coverage for upcoming Village events; new "Stop for Pedestrian" sign; Eden/Evans Center and Route 20 green arrow

GENERAL CREW CHIEF: two minor water-leaks; large leak at Erie County Sewer Plant; paving schedule; Herman Park project; DPW oil-water separator

FIRE COMMISSIONERS: <Kaminski> lights left on in Fire Hall; letter from LEB Fire Department; <Houston> clock on siren to go off at noon.

CODE ENFORCEMENT: EXCUSED – Town contract workshop scheduled

PLANNING: EXCUSED

ZONING: EXCUSED

CLERK-TREASURER: thank-yous for Village Hall carpet; May books closed; Annual report; Gazebo performance

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Library addition; Residential Tax Enhancement; Painting of Bridge; Erie County Workforce

NEW BUSINESS: Move Village Elections to June; Removal of stone planter by street on Orchard Ave.; Placement of the new code book in use; Rental Inspections

RESOLUTIONS:

- 1) Approve Mayor to Authorize Payment to Participants of the Angola Volunteer Fire Department Service Award Program
- 2) Approve Water Shut-Offs of Delinquent Water Accounts
- 3) Approve Application to Use Centennial Park & Gazebo
- 4) Approve Application to Use Herman Park Facilities
- 5) Approve Payment to the Angola Park and Gazebo
- 6) Approve Application to Use Herman Park Facilities

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7

7

MEETING MINUTES
Village of Angola Board Meeting
Monday June 8, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on June 8, 2009 at 7:00 PM, there were **PRESENT:** Mayor – Howard Frawley; Trustees – William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

ALSO PRESENT: Linda Giancarlo-Clerk-Treasurer; Andrew Yusick-Village Attorney; Jeffrey Kaminski- DPW Crew Chief; Lynne Kaminski-Fire Department Commissioner; Donald Gallo-Village Engineer; Charles Danzi-Evans Police

GUESTS: Scott Michalak – (Hamburg Sun); Stephen Brachman-(Buffalo News).

PLEDGE OF ALLEGIANCE led by Lieutenant Charles Danzi:

CALL MEETING TO ORDER at 7:10PM

APPROVAL OF MEETING MINUTES OF APRIL 27, 2009 AND MAY 11, 2009, and Workshop minutes of May 26th and May 29th 2009. Made by Trustee Houston, seconded by Trustee Kin, unanimously carried.

VISITORS: None

COMMUNICATIONS:

Mayor reported:

- History of Angola Theater, dating back to their start as a movie house in 1924.
- Thank you to the Village from Newcomb Long Post 928 for the Village's participation in the Memorial Day services.
- Letter from Lake Shore Central Schools, announcing that a graduate, Eric Christopher Renn, has been accepted into the US Military Academy at West Point.
- Association of Erie County Governments meeting Thursday, June 18, Brant Town Senior Center. There will be an Erie County Consortium workshop before this meeting.
- Evans-Brant Chamber summer golf mixer, raffle on June 19th.
- Read letter of Resignation from Zoning Board Chairman, Paul Cooper. With a training DVD for new chairman. DVD needs to be returned to Sandra Brant.

Trustee Houston:

- Letter from Erie County Dept of Environment and Planning regarding the progress going on for possible approval of the South Main Goya Waterline, from stimulus money, and CDBG.

DEPARTMENT HEADS, COMMITTEE REPORTS:

TRUSTEE HOUSTON – Reported

- Streetlights are up on Railroad Avenue. Majority of residents are pleased
- Hanging flower baskets are up throughout the Village. "Friends of the Village" are still accepting donations for this beautification project. Flower baskets were

June 8, 2009

TRUSTEE HOUSTON – continued

- purchased from local greenhouses, ½ from Bella Terra and ½ from Chiavettas. Gary and Sharon Walters paid for 11 smaller baskets-on Commercial and the west side of Main Street.
- Was happy to participate in the Memorial Day Service, as MC.
- Economic Development Committee still working on the property tax enhancement program for Village and Town residents.
- Handed over NEST meeting minutes to Village Clerk to file.
- Local law advertisements for Animal Control and Skateboarding Regulations were sent to the Evans Police Chief.
- Reported on the flyer regarding County Salt purchasing. Stated that DPW Crew Chief Jeff Kaminski purchases and continues to purchase through State bid.
- Stated that he is sorry to see 2 members of the Evans Town Board leaving at the end of the year as a result of the Voting pertaining to Kevin Gaughan's downsizing efforts.
- A new drinking fountain has been ordered for Centennial Park, will be handicap accessible. The Angola Gazebo and Park Committee donated \$500.00 last year toward the new fountain.
- There will be a ground breaking ceremony for the new Holly Senior Housing project on June 10 at 2:00 on the site grounds at 174 N. Main.
- Complimented how nice the newly installed carpet looks at the Village Hall. The carpet was installed over the weekend, thanked all involved in making this happen. The old carpet was hazardous.
- Attended the Erie County Water Authority breakfast annual meeting at Salvatore's. Italian Gardens in early June.

TRUSTEE KIN – Reported

- Reported as library liaison -
 1. Announced her resignation from library board as it is, by law, a conflict with her position as a Village of Angola Trustee. There will an election at the next library meeting to fill her position. Several fundraising and other programs will be started such as:
 2. a book sale on June 25, 26 and 27
 3. a summer program starting July 15th for under 3 years of age, and 3-5 year olds
 4. Saturday, September 12, from noon to 5PM a heritage music festival will be held at the William G. Houston Gazebo and Centennial Park.

TRUSTEE WILSON – Reported

- The Senior Housing project has been underway for a few weeks and he is very pleased with how well things are moving along, and how well the contractors are
- working to minimize any inconvenience to the residents. Traffic flow has been smooth.
- Has been working with DPW on some minor water breaks, waiting for an update.
- The Town of Evans called and asked him to help in the Brownfield research project for the old Emblem Bicycle Factory and Duriron Plant. Their first meeting is scheduled for Thursday.
- No new news on the CSX RR bridge repair, will follow-up

June 8, 2009

TRUSTEE LOGALBO – Reported

- Sent a letter to Erie County Executive Christopher Collins, Senator Charles Schumer and Congressman Brian Higgins regarding the NY Power Authorities, “Windpower Project” The Village is interested in being considered a host community for a manufacturing facility for this project. He received a letter from the New York Power Authority, complimenting the Village of Angola for being the first municipality in New York State to pass a resolution supporting this project. The board was invited to attend the Buffalo Power Conference on June 16th from 1-3:30 at Erie Basin Marina.
- Contacted Town of Brant Supervisor Pero in regards to initiating the solar power project.

The Village Board discussed energy savings lighting in the Village Offices, FD and DPW. The Clerk has had a representative, Scott Earsing of LA Hazard come to the hall and he will be putting a report together on some energy savings ideas.

MAYOR FRAWLEY– Reported

- Stated that the Association of Erie County Governments meeting was well attended, the guest speaker was Mike Quinn Deputy Commissioner of the Erie County Sewer District 2, they had a nice presentation of the infrastructure.
- Announced the June 10th groundbreaking ceremony. Many public officials and local organizations will be invited to attend. Asked the DPW to set up the sound system.
- Reported that the Village’s computer tech is in the process of straightening out the computer, fax and phone lines in the Village Hall since the carpet project is finished and offices moved.
- Thanked the girls in the office and the DPW for preparing and the Village hall for the new carpet installation last weekend.
- Announced that he and Trustee Houston will be attending the NYCOM 100th celebration and conference on June 28th thru July 1st in Saratoga Springs, NY.
- Will be attending a meeting in Cheektowaga to discuss a Land Banking Bill introduced by Assemblyman Sam Hoyt. Will be working with the Mayor of Buffalo, Byron Brown to get their support.
- Working with representatives from Reid Petroleum, they are making preparations to re-open the Yellow Goose Market as a result of the approaching Senior Housing on N. Main Street.
- Will be attending an Erie County Sewer District 2 meeting on June 11.
- He attending an Erie County Sewer District 2 field trip and toured the Bennett Beach pump facility.

ATTORNEY – Reported

- After researching Trustee Kin’s position on the board conflicting with her position on the Library board, he discovered that the Village Board needs to pass a resolution officially appointing the members and the Chairman of the Angola Library Board.
- Water Plant-the attorney for the DEC is looking for map of the permanent easement at the old plant. The DPW Crew Chief and the Village Clerk will work together to find the map.
- 39 S. Main- Mayor will contact the County regarding the \$1,000 Tax Deed Stamp being required

June 8, 2009

POLICE – Lieutenant Charles Danzi Reported

- Chief Masullo sent a letter to the command staff, informing them of all Village events and activities to ensure a little extra coverage.

Mayor Frawley thanked the Police for requesting another “Stop For Pedestrian” sign at the intersection of Center and Main.

Trustee Houston asked if the green arrow on Eden Evans Center and Route 20 was operating more regularly.

Trustee Wilson reported it was working.

GENERAL CREW CHIEF – Reported

- Repaired two minor water leaks.
- May have found the water leak that may be the cause for the large amount of water loss over the past several months. The leak is at the Erie County Sewer Plant. He is working to have this loss reimbursed to the Village.

Trustee Houston and Trustee Wilson reported that once we have proof, the Erie County Sewer Board will review, this could take a year for them to respond.

- Paving will be done in Late June, early July.
- Herman park project will be started after all other Village projects have been completed such as water storm sewers and paving.
- The DPW Oil water separator will be last on the list.

FIRE COMMISSIONERS – Lynne Kaminski reported

- She talked to the Fire Department regarding the reported lights that were left on in the Fire Hall.
- Asked the board when they were available to discuss the letter from LEB Fire Department.

The board will schedule a workshop for Wednesday June 10th at 3:00PM.

Trustee Houston requested that the clock on the siren be fixed to go off at noon.

DPW Crew Chief will schedule someone to fix it soon.

CODE ENFORCEMENT – excused-Town contract update-will be added to the June 10th workshop

PLANNING – Excused

ZONING – Excused

CLERK-TREASURER – Reported

- Thanked to Board and DPW for the approval and help with the Village hall carpet replacement.
- Books are closed for May, preparing the books for the annual report.
- Will be performing at the Gazebo on June 24 for the first concert.

OLD BUSINESS:

Sale of Water Plant- discussed

Thruway Water- nothing

Senior Housing- discussed

Intercontinental Building- nothing

Library addition-nothing

Residential tax enhancement- discussed

June 8, 2009

Painting of Bridge-pending
Erie County Workforce – summer workers -pending

NEW BUSINESS:

- Move Village Elections to June-Mayor Frawley concerned of budget responsibilities and weather conditions-will move to a future workshop.
- Removal of stone planter by street on Orchard Ave. – Trustee Houston-concerned of the life of the tree, and damage to Village equipment due to a stone wall that was built around the base of a tree on the Village's right-of-way, must be removed-reported to the Code Enforcement Officer.
- Placement of new code book in use-Trustee Houston-the clerk will get the information from General Code to start the process at the July board meeting.
- Rental Inspections – change from annual \$50.00 to every 2 years \$100 – Trustee LoGalbo- the Village has agreed to follow what the Town of Evans does, and will alternate ½ the Village one year and ½ the next. This will also include a rollover inspection of \$50.00 for new tenants. This code adjustment should be part of the adoption of the new code books.

RESOLUTIONS JUNE 8, 2009

#1 APPROVE MAYOR TO AUTHORIZE PAYMENT TO PARTICIPANTS OF THE ANGOLA VOLUNTEERS FIRE DEPARTMENT SERVICE AWARD PROGRAM

RESOLVED that the Angola Village Board of Trustees reviewed and does hereby authorize the Mayor to sign and execute agreement with David Rogers of RBC Wealth Management to send payment to participants of the Angola Volunteer Fire Department Service award Program. **MOTION MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#2 APPROVE WATER SHUT OFFS OF DELINQUENT WATER ACCOUNTS

BE IT RESOLVED that the Angola Village Board of Trustees does hereby authorize the water clerk to issue water shut-offs per the attached list of delinquent water accounts unless paid in full by Tuesday, June 15th. These residents have all been duly notified with plenty of time to respond and are scheduled for shut-off due to non-payment of two or more water bills as per Village regulations. Total amount of delinquency is \$3,968.88. **MOTION MADE BY TRUSTEE WILSON SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED**

#3 APPROVE APPLICATION TO USE CENTENNIAL PARK & GAZEBO

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from the Angola Public Library, c/o Carole Kin and Jack Kuebler, for the use of Centennial Park Facilities and the William G. Houston Gazebo, on Saturday September 12, 2009 10AM-7PM for a Music Festival fundraiser for the Angola Library. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED** Trustee Kin added to have the Street Closed for this

#4 APPROVE APPLICATION TO USE HERMAN PARK FACILITIES

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from the First Congregational UCC Church School, c/o Rev. Jack Bacon, for the use of Herman Park Facilities, on Sunday June 21, 2009 10:30AM-2PM for a Church School

June 8, 2009

Picnic, a \$50.00 refundable deposit has been collected by the Village Clerk. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED.**

#5 APPROVE PAYMENT TO THE ANGOLA PARK AND GAZEBO

RESOLVED that the Village of Angola Board of Trustees hereby approves payment of \$850.00 to the Angola Park and Gazebo in support of their Summer 2009 Lawn Chair concerts. This is an annual contribution for the summer concert program. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED**

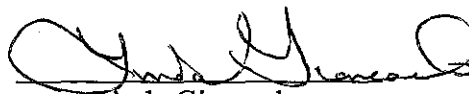
#6 APPROVE APPLICATION TO USE HERMAN PARK FACILITIES RESOLVED

that the Village of Angola Board of Trustees hereby approves request and application from Mary Fenner of 8142 Amy-Jenin Dr. Angola, for the use of Herman August 15, 2009 11AM-4PM for a Baby Shower, a \$50.00 refundable deposit has been collected by the Village Clerk. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

AUDIT OF BILLS –MOTION APPROVING THE FOLLOWING: General Fund Abstract 023, Checks #7006 to #7042 in the total amount of \$12,744.94 and General Fund Abstract 01 , Checks #7043 to #7067 in the total amount of \$109,622.48, and Abstract 024, Checks #7054 to #7074 in the total amount of \$21,019.46 plus Payroll #10 & #11; Water Fund Abstract 023, Checks #1811 to #1818 to in the total amount of \$2,321.54 and Water Fund Abstract 024, Checks #1824 to #1832 in the total amount of \$51,049.99 and Water Fund Abstract 01, Checks #1819 to #1829 in the total amount of \$14,109.40 plus Water Payroll #10 & #11. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

ADJOURN to a workshop June 10th 2009 at 3:00PM to discuss, CEO Contract, LEB FD letter and Bridge Painting, and regular Board meeting July 13th 2009 at 7:00PM. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE HOUSTON, WITH THE PROVISION THAT THE MEETING BE IN MEMORY OF THE FORMER TOWN OF EVANS POLICE CHIEF STEPHEN SLOWINSKI, AND THAT IT BE SPREAD UPON THE MINUTES AND THE FAMILY SO NOTIFIED, UNANIMOUSLY CARRIED** Meeting adjourned at approximately 8:50PM

Submitted By



Linda Giancarlo
Village Clerk-Treasurer

Village of Angola
Workshop Minutes
June 10, 2009 3:00 PM

**3:00 PM MOTION TO CALL WORKSHOP TO ORDER MADE BY TRUSTEE KIN,
SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

In attendance: Mayor Frawley, Trustee Houston, Trustee Kin, Trustee LoGalbo, Trustee Wilson, Village Attorney Andrew Yusick and Deputy Village Clerk Michelle Warren.

Also in attendance were Town of Evans Supervisor Francis Pordum, Deputy Supervisor Karen Erickson and Finance Director Charles Katra.

Mayor Frawley welcomed the Town of Evans Board members and thanked them for agreeing to meet with the Village Board to discuss the Town of Evans' cost share proposal for Code Enforcement Services to the Village of Angola. Mayor Frawley advised that the Village of Angola 2009/2010 budget has been adopted and filed in Albany and that \$14,000.00 was allotted for Code Enforcement Services.

Supervisor Pordum informed the board that it costs the Town of Evans \$200,000.00 per year to run that department and they are looking to adjust the Village's share based on the tax base. They are requesting the Village pay \$30,000.00 per year.

Some discussion followed as to the cost to the Town of Evans for Code Enforcement Officer to attend Village Board meetings. It was decided that it was not necessary for Senior Code Enforcement Officer Charles LaBarbera to attend Village Board meetings unless there was a specific issue that needed to be addressed. The Village Board could request his presence in advance if deemed necessary. More discussion followed as to Trustee LoGalbo's suggestion that rental permits be renewable every two years which would essentially cut the workload in half on rental inspections, etc. No action was taken as far as settling fees for the new fiscal year but Trustee Wilson requested Mr. Katra provide the Village Board with more detail as to charged time for Code Enforcement services for work done in the Village. It was agreed that the Boards would continue to work together to settle on a fee that would be fair to both municipalities and a new contract be entered into once a fee was determined and agreed upon.

**MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN TO
APPROVE PAYMENT TO THE TOWN OF EVANS FOR CODE ENFORCEMENT
SERVICES FOR THE PREVIOUS FISCAL YEAR AS FOLLOWS:**

**\$14,000.00 AS ORIGINALLY AGREED PLUS ANY ADDITIONAL FEES THAT THE
VILLAGE RECEIVED OVER \$19,000.00.**

**VILLAGE AGREES TO PAY \$14,000.00 PLUS \$2,416.89 TALLING \$16,416.89
UPON RECEIPT OF CONTRACT FROM THE TOWN OF EVANS DETAILING
SAID AMOUNT. UNANIMOUSLY CARRIED**

**MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN TO
CLOSE REGULAR WORKSHOP AND MOVE TO EXECUTIVE SESSION AT 3:42
PM.**

NO ACTION TAKEN.

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO TO CLOSE EXECUTIVE SESSION AND RECONVENE WORKSHOP AT 3:58 PM. UNANIMOUSLY CARRIED.

Trustee Houston reported that he has received two quotes on the painting of the Mill Street Bridge. One for approximately \$1,600.00 and the other for approximately \$2,400.00. However, he advised that Erie County Legislator Robert Reynolds approached him at a meeting today and informed him that there may be stimulus money to paint the bridge railing. Trustee Houston would like to table this temporarily to see if funding becomes available.

Some discussion followed as to the need to purchase new holiday lighting this year as well as the painting of the Gazebo in Centennial Park and the painting of a dozen electrical poles from Center Street to the Electric Company.

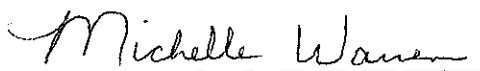
Mayor Frawley advised he would be contacting General Crew Chief Kaminski for an update on the status of the price for a backup generator for the Village Hall and Fire Department.

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE HOUSTON TO CLOSE WORKSHOP AND MOVE TO EXECUTIVE SESSION FOR A PERSONNEL MATTER DEALING WITH A PARTICULAR EMPLOYEE AT 3:58 PM. UNANIMOUSLY CARRIED.

NO ACTION TAKEN.

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO TO CLOSE EXECUTIVE SESSION AND RECONVENE WORKSHOP AT 4:09 PM. UNANIMOUSLY CARRIED.

MOTION TO CLOSE WORKSHOP MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED. WORKSHOP ADJOURNED AT 4:11 PM



Michelle Warren
Village Clerk

VISITORS: Scott Michalak; Stephen Brachman

COMMUNICATIONS: Southtowns Community Enhancement Coalition event calendar; Rural Transit Service volunteer recognition day; Southtowns Planning & Development meeting; ECSD2 thank-you letter; Jack Quinn Christmas in July participation; than-you from Brant-Evans Girl Scouts; thank-you to DPW from resident; resignation from Zoning Board Secretary; pre-construction meeting for N Main/Lake; Cruise Night street closing change

TRUSTEE HOUSTON: Holly Housing article written with Christine Mittner; Gazebo Concert updates; Erie County Consortium meeting; Tri-Board meeting report; NEST meeting; Tire Recycling project

TRUSTEE KIN: election of officers for Angola Library; Library programs; Herman Park project update

TRUSTEE LoGALBO: NYPA December meeting; Solar Liberty Company meeting

TRUSTEE WILSON: Railroad trestle/bridge repair; Fire Dept Chief Counsel meeting; Holly Housing project; Oil/Water separator; Village/Fire Hall generator quotes

MAYOR FRAWLEY: NYCOM 100th anniversary; press conference in Albany; booklet of municipalities from NYCOM; LED holiday lights; ground-breaking ceremony for Holly Housing; Erie County Consortium

ATTORNEY: Sale of Water Plant; General Code

POLICE CHIEF: No Report

GENERAL CREW CHIEF: new backhoe arrival date; road patching updates

FIRE COMMISSIONERS: <Kaminski> EMS Video on-line training; rocks being thrown at Fire Hall roof ; personal Issue request

CODE ENFORCEMENT: ABSENT – Mill Street tree; 80 Lake Street follow-up request

PLANNING: ABSENT

ZONING: ABSENT – Temporary Chairman Scott Addison & Secretary Christine Mittner

CLERK-TREASURER: closing books for fiscal year; thanked Claddagh Commission

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Library addition; Residential Tax Enhancement; Painting of Bridge; Erie County Workforce; South Main waterline

NEW BUSINESS: Removal of stone on Orchard Ave; Placement of new code book; Rental Inspections; ECSD2 water bill; ECSD2 installation of outside meter; Water Quality Grant

RESOLUTIONS:

- 1) Approve Application for Permit for Sidewalk Obstruction
- 2) Approve Budget Transfer from Sidewalks to Beautifications
- 3) Approve Use of Capital Funds
- 4) Approve Use of Capital Funds
- 5) Approve Application for Permit for Sidewalk Obstruction
- 6) Approve Application to Use Herman Park Facilities (date change)
- 7) Approve Application to Use Centennial Park & Gazebo
- 8) Approve Application to Use Herman Park Facilities
- 9) Approve Library Board for 2009

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MEETING MINUTES
Village of Angola Board Meeting
Monday July 13, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on July 13, 2009 at 7:00 PM, there were **PRESENT**: Mayor – Howard Frawley; Trustees – William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

ALSO PRESENT: Linda Giancarlo-Clerk-Treasurer; Andrew Yusick-Village Attorney; Jeffrey Kaminski- DPW Crew Chief; Lynne Kaminski-Fire Department Commissioner; Chief Ernest Masullo-Town of Evans Police

GUESTS: Scott Michalak – (Hamburg Sun); Stephen Brachman-(Buffalo News).

PLEDGE OF ALLEGIANCE : led by Stephen Brachman

CALL MEETING TO ORDER at 7:00PM

APPROVAL OF MEETING MINUTES OF JUNE 8, 2009, and Workshop minutes of June 10 and June 22, 2009. MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED

VISITORS: NONE

COMMUNICATIONS:

Mayor Frawley Reported:

- Southtowns Community Enhancement Coalition put out a list of events for the seven communities that are members of the coalition. Complimented Lori Szewczyk for putting the event calendar together. Asked the clerk to send her a letter of thanks.
- Announced the Rural Transit Service volunteer recognition day and annual picnic will be held on Wed August 26, Trustee Houston will be attending on behalf of the Village.
- Reported the Southtowns Planning and Development meeting will be at Captain Kidds/Mickey Rats beach club on Monday July 27th.
- Read a thank you letter regarding Erie County Sewer District #2 addressing concerns regarding storms and sanitary sewers, in a letter sent to them from the residents on Sunset Boulevard. Reported that the issues will be resolved as time permits.
- Read a letter of thanks from Assemblyman Jack Quinn for the Village's participation in the Christmas in July Toy fundraiser for Woman and Children's Hospital. There is a bin in the front hall for collection of new toys.
- Received a thank you from the Brant-Evans girl scouts for allowing them to have the "Amazing Race" in the Village of Angola. The program was very successful and they look forward to doing it annually.
- Received a thank you to the DPW from a resident on Prospect Street, for taking care of a pot hole in front of her home.

MOTION made to accept resignation from Lynn Krajacic as secretary of the zoning board, by Trustee Houston, seconded by Trustee Kin, unanimously carried.

Trustee Houston reported:

- He will be attending the pre-construction meeting for the county road work, regarding N. Main and Lake Street dip.

- Announced that the change of using Center Street as compared to closing N. Main for the cruise nights is working out well.

MOTION made to require that applicants who ask for the street closing signs to be put up by the DPW, must now make sure they remove the signs after their event and return to the Village Hall, By Trustee Houston, seconded by Trustee Kin, Unanimously carried.

DEPARTMENT HEADS, COMMITTEE REPORTS:

TRUSTEE HOUSTON reported:

- Commented on the nice free article published by the Angola Pennysaver regarding the Holly Housing ground breaking ceremony. He submitted a duplicate article from the Buffalo News, edited by Accounts Clerk Christine Mittner and himself, and the Penny Saver published it at no charge.
- Reported that the Gazebo concerts are going well, only one inside the school so far due to weather. Opening concert with Crash Cadillac featuring the Village Clerk went very well, and the sponsor wants them back to open next year.
- Will be attending the Erie County Consortium meeting in Brant.
- Reported that the Tri-board meeting with the Town, School and Village boards was not very well represented.
- Was not able to attend the NEST meeting due to a conflict, handed paperwork to the clerk for filing.
- Announced that the annual, Tire Recycling project for the village will start on July 20 and run through July 31st. this is an annual project as part of our annual Allied Waste Contract.

TRUSTEE KIN reported:

- Announced the election of officers for the Angola Library since her resignation from the library board. SEE RESOLUTION.
- Reported the many programs that are going on at the Library, such as the successful book sale, story time, music fest at gazebo etc.
- Reported as parks liaison that Herman Park project is moving forward, Jeff ordered the 2 shelters and the bathroom and is set for construction in late August.

TRUSTEE WILSON reported:

- Has received some verbal confirmation regarding the issue of the Railroad trestle/bridge repairs. He will follow up and seek a more concrete commitment on paper.
- Attending the Fire Departments chiefs counsel meeting in September.
- Reported that the Holly Housing project is moving along and commented that the safety measures used by the contractor have been excellent.
- Talked with the DPW crew chief in regards to the Oil/Water separator for the DPW Building. The installation will be worked on after the summer work schedule is completed.
- Generator- the DPW Crew Chief will get updated quotes for a power generator for the Village Hall/Fire Hall.

TRUSTEE LOGALBO reported

- Reported that the New York Power Authority will meet in December to decide on a location for the wind power project. The Village of Angola was the first municipality to support this project and he is hoping that the Village is selected as a location.

- Scheduled a meeting on July 15 at the Village Hall at 1:00 with the Solar-Liberty Company to review a proposal on energy savings for the Village Hall using solar power. Reported that the Town of Brant saved ½ the costs on electricity for their Highway Barn.

MAYOR FRAWLEY reported

- Attended the NYCOM 100 year anniversary conference in Saratoga. Reported that there were many great ideas discussed during the conference. They also spoke of the consolidation issues.
- Reported that he attended a press conference in Albany while he was at the NYCOM conference in hopes to encourage the State Senators to move forward on legislation.
- Introduced a booklet that was presented at the NYCOM conference showcasing different municipalities with short stories and pictures, Angola was included showing an historic picture regarding the Emblem Bicycle Factory of the late former Angola Mayor Raymond O. Frawley (Ray is the Mayors Uncle) and W. Ward Houston (Ward is the Deputy Mayors father) riding together on an Emblem motorcycle with a sidecar.
- Looking into L.E.D. lights for the Village Holiday decorations.
- Mentioned that the groundbreaking ceremony in June, for Senior Housing was well attended.
- Met with the Erie County Consortium and discussed ideas and programs to help individuals with rent, mortgage etc., through economic development.

ATTORNEY reported

- Sale of Water Plant is pending, there was an issue regarding the deed.
- Have been working with General Code on the provisions and legislation to include the bi-annual rental inspection changes as part of the adoption of the new code book.

POLICE – No report

GENERAL CREW CHIEF reported

- The new backhoe will be arriving this week. The small DPW truck will be coming in about a week. The larger truck should be ready by the end of August.
- The crew has been busy patching roads etc.

Mayor Frawley thanked the DPW for taking care of the dips and bumps in the roads especially on South main and Lake Street.

FIRE COMMISSIONERS :LYNNE KAMINSKI reported

- Asked for approval for EMS video training program online:

MOTION to approve renewal for online training programs for EMS at a cost of \$899.00 to come from the training budget, made by Trustee Wilson, seconded by Trustee Houston Unanimously carried

- Thanked the DPW Crew Chief and the Evans Police for taking care of an issue of a few children throwing rocks from the Fire Hall rooftop.
- Grateful for the Boards decision to fence and secure this area (see resolutions)
- Would like to know when they can discuss a personnel issue, the board decided to discuss at a later date

CODE ENFORCEMENT – absent-

Mayor Frawley reported: the bricks around the tree base on Mill St. have been removed.

Trustee Houston asked the Clerk to call the Code Enforcement Officer LaBarbera to follow up on the long list of issues pertaining to 80 Lake Street.

PLANNING – absent:

ZONING – absent

Mayor Frawley reported: spoke with Scott Addison, he offered to be a temporary Chairman of the Zoning Board until we find someone to fill former chairman, Paul Coopers position.

MOTION made by Trustee Wilson, seconded by Trustee Kin to approve appointment of Scott Addison as a temporary chairman of the zoning board of appeals, Unanimously carried

Trustee Wilson requested that training DVD information be forwarded to the new chairman.

Mayor Frawley requested that the Village Clerk ask part-time Account Clerk Christine Mittner if she would be interested in the position of secretary to the zoning board of appeals, or have Christine call him directly.

The board asked the Clerk to check on the list of the zoning board members to make sure the members and alternates are all updated and correct.

CLERK-TREASURER reported:

- Working on the closing of the books for the fiscal year.
- Thanked Trustee Houston for pursuing a “payment in lieu of taxes” from the Claddagh Commission in the amount of \$1,200.

OLD BUSINESS:

1. Sale of Water Plant- discussed
2. Thruway Water- pending. Plans almost confirmed.
3. Senior Housing- discussed
4. Intercontinental Building-nothing
5. Library addition-nothing-will remove until further notice
6. Residential tax enhancement-nothing
7. Painting of Bridge-remove
8. Erie County Workforce – summer workers – no news,
Village Clerk reported- the CAO children have volunteered to pick up litter throughout the Village weekly as part of their summer camp program and Claddagh and Adult services have also volunteered cleaning and weeding throughout the Village.
9. South main waterline to be added on old business.

NEW BUSINESS:

1. Removal of stone on Orchard Ave. –reported
2. Placement of new code book-reported
3. Rental Inspections – change from annual@\$50.00 to every 2 years @\$100 – reported
4. add to new business- Erie County Sewer District #2-water bill
5. add to new business- Erie County Sewer District #2 installation of an outside meter pit at street and a backflow protector.
6. add to new business- Water Quality Grant-Stream Bank Application.

MOTION made by Trustee Houston, seconded by Trustee LoGalbo to have Lori Szewczyk apply for funds through this Water Quality Grant for the stabilization of the Herman Park Stream bank. Unanimously carried.

RESOLUTIONS BEING OFFERED JULY 13, 2009

#1 APPROVE APPLICATION FOR PERMIT FOR SIDEWALK OBSTRUCTION

RESOLVED that the Village of Angola Board of Trustees hereby approves a request and application from Tom Guest of 294 N. Main Street for the obstruction of Sidewalks and the

closing of the road, on Lincoln Avenue between Miller and North Main Street for the purpose of a Block Party Celebration on Sunday August 16th between the hours of 12noon and 10PM.

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

#2 APPROVE BUDGET TRANSFER FROM SIDEWALKS TO BEAUTIFICATION

WHEREAS, the capital projects fund that was bonded for sidewalks in 2008 has a remaining balance of \$6,794.00, and

WHEREAS, the current fiscal years budget has a \$5,000 appropriation for sidewalks and it is desirous of the board to transfer this \$5,000 toward the beatification of the Village for painting of the light poles, LED Christmas lights, antique street signs and whatever the board feels appropriate, and use the balance in the capital bond for the sidewalk project.

NOW, THEREFORE BE IT RESOLVED that the Village of Angola Board of Trustees hereby approves \$5,000 transfer from A5410.4 Sidewalk contractual to A8510.4 Community Beautification contractual for the 2009-2010 budget. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#3 APPROVE USE OF CAPITAL FUNDS

RESOLVED that the Village of Angola Board of Trustees hereby approves the purchase of fencing and a gate for the top of the stairway at the rear of the Fire Department building for children's safety measures, from - Active Fence of 5295 Bayview Hamburg NY in the amount of \$795.00 for the gate, and \$725.00 for the fence for a total cost of \$1,520.00 to be charged to the remaining capital money from the roof replacement. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#4 APPROVE USE OF CAPITAL FUNDS

RESOLVED that the Village of Angola Board of Trustees hereby approves the construction of approximately 80 blocks of sidewalk in the amount of \$80.00 per block, by Ahrens and Wells and charge said expense to Capital sidewalk project account using remaining funds from sidewalk bond **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#5 APPROVE APPLICATION FOR PERMIT FOR SIDEWALK OBSTRUCTION

RESOLVED that the Village of Angola Board of Trustees hereby approves a request and application from Tony Troidl – Taste of the Midway- for the obstruction of Sidewalks and the closing of the road, on Center Street between First Street and N. Main for the rescheduling of the Bike Rodeo and Child ID, for Thursday July 16th from 5:30-9PM, fee is waived as this is rescheduled due to inclement weather. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#6 APPROVE APPLICATION TO USE HERMAN PARK FACILITIES date Change

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from Mary Fenner of 8142 Amy-Jenin Dr. Angola, for the use of Herman Park Facilities, (was Saturday August 15, 2009 11AM-4PM) date changed to Sunday August 2, 2009 11-3PM for a Baby Shower, a \$50.00 refundable deposit has been collected by the Village Clerk. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#7 APPROVE APPLICATION TO USE CENTENTIAL PARK & GAZEBO

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from the Evans Neighborhood Advisory Committee c/o Sophie Boczarski, for the

use of Centennial Park Facilities and the William G. Houston Gazebo, on Tuesday August 4, 2009 7-9PM for a celebration of **National Night Out**. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#8 APPROVE APPLICATION TO USE HERMAN PARK FACILITIES

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from Amy Guest of 294 North Main Street, Angola, for the use of Herman Park Facilities, Sunday August 9, 2009 12PM to sunset, for a Birthday Party, a \$50.00 refundable deposit has been collected by the Village Clerk. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#9 APPROVE LIBRARY BOARD for 2009

RESOLVED that the Village of Angola Board of Trustees hereby approves the following Angola Library Board and officers for the 2009-2010 fiscal year.

President- Jack Kuebler

Vice President- Sally Needham

Secretary- Karen Schiavone

Treasurer-Jackie Haderer


Board Members- Mari Grennell, Donna Nagel, Angie Zajas

MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

AUDIT OF BILLS –MOTION APPROVING THE FOLLOWING: General Fund Abstract 025, Checks #7075 to #7094 in the total amount of \$5,026.17 and General Fund Abstract 02 , Checks #7077 to #7090 in the total amount of \$12,230.27, and Abstract 03, Checks #7095 to #7147 in the total amount of \$34,630.33 and Abstract 027 (to close last fy), Checks #7107 to #7146 in the total amount included as part of abs #3 plus Payrolls #12&13; Water Fund Abstract 025, Checks #1833 to #1838 to in the total amount of \$723.27 and Water Fund Abstract 03, Checks #1839 to #1851 in the total amount of \$30,696.57 plus Water Payrolls #12&13. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

MOTION TO ADJOURN to a regular Board meeting August 10th 2009 at 7:00PM. A WORKSHOP at 6:30 if needed. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**
Meeting adjourned at 8:00PM

Submitted By



Linda Giancarlo

Village Clerk-Treasurer

INDEX – August 10, 2009

VISITORS: Scott Michalak; Stephen Brachman; Mark Annarino; Shelly Hunt; Salvatore Mogavero

COMMUNICATIONS: August Storm; Association of Erie County Governments Meeting; Fire Underwater Inspection Services; Southtowns Planning Meeting; CAO litter clean-up project; request from resident Linda Ferguson regarding Code violation

TRUSTEE HOUSTON: brush cleaning on Terrilynn; annual tire recycling event; National Night Out report; Hilbert College scholarship; Gazebo Summer Concert series report; historic street signs; missing street maps and easements; BBC at Angola Theatre; letter to NYCOM regarding Main Street Conference; new Walgreens

TRUSTEE KIN: new Library Board member; miscellaneous events at the Angola Library; park shelters at Herman Park

TRUSTEE WILSON: Fire and Police Department responses to floods; BSX Bridge repairs

TRUSTEE LoGALBO: NYPA wind energy project; Old Emblem as a potential manufacturing site;

MAYOR FRAWLEY: requested an audit of the court; working on FEMA disaster relief; TVGA grant opportunities; Shuttle bus service for tourism

ATTORNEY: 39 South Main Street; Sale of Water Plant; Residential Tax Enhancement Program

POLICE CHIEF: Flooding response; North Main Street striping; traffic pattern near Senior Housing site; safety study at Delemater and Sturgeon Point

GENERAL CREW CHIEF: repaving of North Main Street; Herman Park enhancement; Member Item trees; list of streets to be paved

FIRE COMMISSIONERS: <Beck> thank-yous for work during storm; reports on trucks #1 & #2

CODE ENFORCEMENT: ABSENT – request for thank-you to Gary Brecker; Sovereign Tobacco Company

PLANNING: ABSENT

ZONING: ABSENT – Appointed Secretary Christine Mittner

CLERK-TREASURER: annual report completed and filed; June books are complete; scheduled for surgery; National Night Out report; Service Contract for the Main Street clock

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Residential Tax Enhancement; Erie County Workforce; South Main waterline

NEW BUSINESS: Placement of new code book; Rental Inspections; ECSD2 water bill; ECSD2 installation of outside meter; Water Quality Grant

RESOLUTIONS:

- 1) Approve Bid Proposal for Water Meter Reading Software
- 2) Approve Application for Permit for Sidewalk Obstruction
- 3) Authorize Mayor to Sign Contract for Audit Services From Halstead Communications
- 4) Approve Water Shut-Offs, Inside and Outside Water Customers
- 5) Approve End of Year Budget Transfers
- 6) Proposed Local Law #4-2009 Code Adoption Notice

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3

MEETING MINUTES

Village of Angola Board Meeting Monday August 10, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on August 10, 2009 at 7:00 PM, there were **PRESENT**: Mayor – Howard Frawley; Trustees – William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

ALSO PRESENT: Linda Giancarlo-Clerk-Treasurer; Andrew Yusick-Village Attorney; Mark Goodway and Robert Beck-Fire Department Commissioners; Chief Ernest Masullo-Town of Evans Police; Donald Gallo-Village Engineer

GUESTS: Scott Michalak – (Hamburg Sun); Stephen Brachman-(Buffalo News); Mark Annarino 107 S. Main; Shelly Hunt 29 Commercial; Salvatore Mogavero 230 N. Main.

PLEDGE OF ALLEGIANCE: led by Fire Commissioner Mark Goodway

CALL MEETING TO ORDER at 7:00PM

APPROVAL OF MEETING MINUTES AND WORKSHOP MINUTES OF JULY 13, 2009. MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

VISITORS:

- **Mark Annarino 107 S. Main-** reported that he has sustained approximately \$5,000 in water damage on his property as a result of the rain storm on Sunday. His property has been suffering water damage for a couple of years and he thinks it is coming from either Mesi Drive or Railroad Ave. The DPW has corrected drains around his property on South Main but they are not handling the flow coming through the back yard and down his property and the properties around him. He has replaced his broiler once already. (He submitted photos of the water on his and his neighbors property) He stated he has more photo's of the damage on a CD he could submit to the Board if needed. The board will discuss the Mesi and Railroad drainage issues with the DPW Crew Chief when he returns from vacation next week.
- **Shelly Hunt 29 Commercial Street (Desperado's BBQ)-** reported that her property has lost 8' of the foundation. The torrential rainfall is eroding the dirt between her building and the vacant Intercontinental building washing large blocks of concrete off the façade and forcing the heavy water load against her property. There is a minimum of \$3,500 damage that is NOT covered by her insurance. She stated that the Intercontinental Building is continuously eroding and she is concerned about her property sustaining more damage or someone getting hurt from the falling pieces.

Mayor Frawley replied to both parties: the County has issued a "State of Emergency" due to this rain storm and he hopes to get some financial help from the state. Also, he will talk to the County about the Intercontinental Building, we either have to get the owed taxes off the building, or get an emergency demolition. We have had interested parties for this building but the \$22,000 in back taxes have been an issue. With all the work that needs to be done on this building, no-one will pay that cost. This property is part of a County-wide Distressed Properties Task Force project. The Board also stated that unfortunately the massive rainfalls we have had are unusual and have caused water issues throughout the community.

COMMUNICATIONS:

Mayor Frawley Reported:

- Reported that the Association of Erie County Governments is having a meeting at O'Briens in Eden on Thursday August 23rd
- Read a letter from the New York State Board of Fire Underwriter's . They are no longer offering Fire Underwriter Inspection services. The Town of Evans will be supplying this service as part of their Building Departments services.
- There was a Southtowns Planning meeting on July 27, Trustee Houston was in attendance.
- Thanked the CAO organization and their summer youth group for cleaning up litter throughout the Village as part of their community project over the summer.

Trustee Houston reported:

- Resident Linda Ferguson requested a meeting with the Village Board regarding a Violation notice she received from the Town of Evans Building Department. The Village Clerk invited her to tonight's board meeting but she did not show up.

DEPARTMENT HEADS, COMMITTEE REPORTS:

TRUSTEE HOUSTON reported:

- There is a 10' right of way that needs cleaning out of brush between Terrilynn Drive & Franklin St. This will be referred to the DPW Crew Chief.
- The annual tire-recycling project for the Village was very successful; we received a 30 yard dumpster and 2 full truckloads from Village residents.
- Attended the service at William G. Houston Gazebo for National Night out on behalf of the Mayor and Village Board. There were many activities planned for the evening and it went very well.
- Reported that Mayor Frawley was successful in obtaining a scholarship certificate from Hilbert College for \$500.00. This certificate was to be given to a "new student". The student selected to receive this was Benjamin Csati of Glenwood Ave. The Csati family was very pleased to receive the news.
- Gazebo Concerts are going well. Only two inside so far. The weather has cooperated. This week there is a switch in the schedule. Instead of the Doerfel Family (had to travel out of town for recording) we will have the Paul Zittel-Pure Country group.
- As per board approval at a previous meeting, three historic street signs have been ordered for Main Street on the corners of School, Maple and Orchard.
- Reported that the three street maps with the easements were found to be lost at the DPW building. He worked with Michelle at the Village office and found copies on file at the Village Hall and forwarded a copy to the DPW crew chief for his file.
- Announced that the BBC will be at the Angola Theater on September 9th as part of their showcasing their new renovations.
- Wrote a letter to NYCOM President Peter Baynes complaining about the Main Street Conference. Everything was thrown together and crammed into one day. No comment has been received.
- Commented that the new Walgreens is up and running. Has Angola Water.

TRUSTEE KIN reported:

- Announced that Donna Nagel has been appointed as a new member on the Angola Library Board
- Reported the many programs at the Angola Library, such as the Roars and Snore story book, they had 21 children ages 3-5yrs old. It was very successful. The Battle of Books at Erie Community College South went very well. They are looking forward to

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the Heritage Music Festival at the Gazebo in September, this will also benefit the Angola Library

- Reported as parks liaison that the DPW has the new park shelters being delivered tomorrow for Herman Park. They are hoping to start the project soon.

TRUSTEE WILSON reported:

- Thanked the Fire Department and the Police Department for handling all of the call outs for water and flooding issues created by the storm on Sunday night.
- The CSX Bridge repairs may be finally moving forward. CSX had a pre-bid walk through 2 weeks ago. The bid for the repair project should be awarded shortly. He is hoping the project will be done this year. He expressed some issues with the attitude of the CSX representative and had asked him to show more respect for the Village residents. He stated this has been a 3 year project waiting and is important to the community.

TRUSTEE LOGALBO reported

- Reported that he has been in contact with Congressman Higgins regarding the wind energy project, Congressman Higgins is taking the lead on this project, and the Village is hoping that Angola may look positive for a future manufacturing site. Received a letter from a Kean W. Stinn who has a patent pending for wind turbines who would like the Village to contact him. He has a presentation to bring to the board when they are ready. Trustee LoGalbo stated that full support is needed to get this project moving.
- Talked with Mr. Kessel of the New York Power Authority in July and they expressed interest in the Old Emblem Bicycle Factory for a potential sight for a Wind Manufacturing Facility.

Trustee Wilson stated that the Environmental Study committee is working on interviewing for a building assessment as Phase I of the ASA reporting moves forward. The Emblem Building and Duriron Plant on Hardpan Road are currently under Phase I of this program.

MAYOR FRAWLEY reported

- Asked for an audit of the court record as requested annually by New York State.

MOTION made to request that Trustee Kin and Trustee Wilson conduct an audit of the Justice Court Records, moved by Trustee LoGalbo, seconded by Trustee Houston, unanimously carried.

- Thanked the Fire Department and all other departments for their help during the rain storm. Reported that he is working on FEMA for disaster relief. We need financial help to replace and install better storm drains. He asked that the DPW look into the Annarino property to review the flooding issue.
- Met with representative from TVGA regarding different grant opportunities.
- Reported that 13 municipalities including the Seneca Nation are looking to develop a shuttle bus service to encourage tourism. Will follow up and bring more details to the board.

ATTORNEY reported

- The County contacted him regarding 39 South Main Street. They asked what the Village would consider to pay to close on the empty lot. He told the County the Village would consider the recovery taxes on the \$5,000 sale price for the lot. Still waiting for a reply.
- Water Plant sale is pending deed and legalities.
- Residential Tax Enhancement Program, a resolution for a Local Law has been reviewed by the Assessor but she didn't like the language so it is being re-written, then the Legislator will put it in the form of a law.
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POLICE – Town of Evans Police Chief Ernest Masullo reported:

- Commended the Fire Department for all of their help during the terrible rain storm. Evans Dispatch had three people answering calls. There were 90 calls that came in from 1-9PM on August 9 regarding the storm. He stated that they could never have done it without the help from the Fire Departments.
- Talked regarding the striping on N. Main Street, he states that the center line is off, 7' to 10' from Center Street to the Theater.
- Reported that he is concerned of safety in the area of the Senior Housing and would like to change the traffic pattern by changing Orchard Ave. from Main to Mill to a one-way going in from Main Street.

Trustee Houston asked the Clerk to research records of an old study done regarding this issue and copy the board.

- Chief Masullo stated that they are doing another safety study regarding the dangerous intersection at Delemater Rd. and Sturgeon Pt Rd.

GENERAL CREW CHIEF EXCUSED:

Trustee Houston reported:

- County repaved N. Main Street and it went well. They fixed the work done on the driveway by Henry Drive, raised the Drain by the Electric Company and did some work on drain at Shultz Hardware.
- Herman Park Enhancement- material is being delivered tomorrow.
- Trees have to be ordered and planted funded by a \$5,000 Member Item Grant from Assemblyman Jack Quinn.
- Preparing a list of streets to be paved, patching is currently underway.

FIRE COMMISSIONERS: LYNNE KAMINSKI excused

Bob Beck reported:

- Thanked the Fire Department for their hard work during the storm.
- Truck #1 is in need of transmission repair.
- Truck #2 is having tires replaced.

CODE ENFORCEMENT – Absent-

Mayor Frawley reported:

- Asked the clerk to send a thank you to Gary Brecker regarding his interest in Village Code Enforcement. The Village will continue their contract with the Town of Evans fro 2009-2010.
- The Sovereign Tobacco Company is working on improving their landscaping.

PLANNING – Absent:

ZONING – Absent

Motion to appoint Christine Mittner as secretary to the Zoning Board of appeals. Made by Trustee Kin, seconded by Trustee Houston unanimously carried.

CLERK-TREASURER reported:

- Annual report is completed and filed with the State
- June books are complete and working on closing the July financial books.
- Scheduled for surgery on August 28th and will not be in attendance at the September Board meeting. The Deputy Clerk-Michelle Warren will record the meeting.
- National Night out was successful. Thanked the Evans Police and the Angola Fire Department for having representation there. Thanked Trustee Houston for his welcoming open for the event on behalf of the Mayor and Village Board.

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Trustee Houston thanked the Village Clerk for her long memo/report she gave to the board to update them on several projects, and for her work in getting the Fire Department Heater installed and applying for the NYSERDA rebate.

Trustee Houston filed a Service Contract with the Village Clerk for the Main Street clock and thought this was something the board might consider in the future.

OLD BUSINESS:

1. Sale of Water Plant- discussed
2. Thruway Water- no news.
3. Senior Housing- moving forward
4. Intercontinental Building-is literally crumbling away, need to either save or demolish, Mayor Frawley will work with County
5. Residential Tax Enhancement-discussed
6. Erie County Workforce – remove
7. South Main Waterline-pending letter from County to move forward. The board asked the Clerk to send a letter to Norfolk-Southern Railway and ask for a 90 day extension on their contract regarding a tie-in to the 8" waterline.

NEW BUSINESS:

1. Placement of new code book in use-see resolution
2. Erie County Sewer District #2-water bill-Mayor Frawley will look into.
3. Erie County Sewer District #2 installation of an outside meter pit at street and a backflow protector.- Mayor Frawley will follow up.
4. Water Quality Grant-Stream Bank Application-Lori Szewczyk-Grant Writer and Donald Gallo-Engineer have scheduled a meeting.

RESOLUTIONS AUGUST 10, 2009

#1APPROVE BID PROPOSAL FOR WATER METER READING SOFTWARE
TABLED, Attorney will discuss with DPW Crew Chief Kaminski first

#2 APPROVE APPLICATION FOR PERMIT FOR SIDEWALK OBSTRUCTION

RESOLVED that the Village of Angola Board of Trustees hereby approves a request and application from Most Precious Blood Parish, 22 Prospect, for the obstruction of Sidewalks and the closing of the road, on Prospect Avenue between Lake Street and Grove Street for the purpose of a Parish Picnic on Sunday August 23rd between the hours of 9AM and 7PM.

MOTION made by Trustee Kin, Seconded by Trustee Houston, Unanimously Carried

#3 AUTHORIZE MAYOR TO SIGN CONTRACT FOR AUDIT SERVICES FROM HALSTEAD COMMUNICATIONS

WHEREAS, the Village has received a proposal from Halsted Communications, LTD (Audit Masters). To perform a study regarding the collection of the cable franchise fee's,

NOW, BE IT RESOLVED that the Village of Angola Board of Trustees hereby authorizes Mayor Frawley to sign and execute agreement upon approval of the Village Attorney as to form to engage in the services of Halsted Communications, LTD, and thereby authorizes Mayor Frawley to submit a "Release of Information" letter to Time Warner Cable, to Halsted Communications for the purpose of said study.

BE IT FURTHER RESOLVED, that the Village hereby approves to compensate Halsted Communications fifty-percent (50%) of any monetary amount discovered during the audit which is paid by Time Warner to the Village, pursuant to Article IV of said contract.

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MOTION made by Trustee LoGalbo, Seconded by Trustee Kin, Unanimously Carried

#4 APPROVE WATER SHUT-OFFS Inside and Outside WATER CUSTOMERS

RESOLVED that the Village of Angola Board of Trustees hereby authorizes the Water Clerk to issue water shut offs per the attached list of delinquent water accounts unless paid in full by August 17, 2009. These residents have all been duly notified with plenty of time to respond and are scheduled for shut off due to non-payment of two or more water bills as per Village regulations. Total amount of delinquency \$14,130.25 **MOTION made by Trustee Houston, Seconded by Trustee Wilson, Unanimously Carried**

#5 APPROVE END OF YEAR BUDGET TRANSFERS

RESOLVED that the Village Board approves the following budget transfers, as recorded by the Village Clerk Treasurer, to close the fiscal year 2008-2009 financial records.

<u>GENERAL</u>				<u>WATER</u>			
<i>From</i>	<i>To</i>	<i>Amount</i>		<i>From</i>	<i>To</i>	<i>Amount</i>	
1325.4	1620.2.2	\$1,636.75	Carpet	1910.4	9950.9	\$1,000.00	Backhoe
1325.4.1	1620.2.2	\$164.65	Carpet	8340.2	9950.9	\$2,000.00	Backhoe
1325.4.3	1620.2.2	\$442.60	Carpet	8340.4	9950.9	\$6,000.00	Backhoe
1910.4	1620.2.2	\$1,101.00	Carpet	1910.4	9950.9	\$100.00	GPS
1620.2	9950.9	\$1,000.00	Backhoe	8340.2	9950.9	\$1,000.00	GPS
1910.4	9950.9	\$13,324.00	Backhoe	8340.4	9950.9	\$2,900.00	GPS
5110.2.3	9950.9	\$1,000.00	Backhoe				
5110.2.3	9950.9	\$1,000.00	GPS				
1010.4.4	1010.4.3	\$1,058.68	eoym line adj				
1010.4.2	1210.4.1	\$463.77	eoym line adj				
1010.4.1	1310.1	\$200.00	eoym line adj				
1325.1.1	1325.1.3	\$215.45	eoym line adj				
1325.1.1	1325.4.3	\$230.02	eoym line adj				
1325.4.4	1325.4.3	\$442.60	eoym line adj				
1325.4.1	1325.4.3	\$169.58	eoym line adj				
1910.4	1620.2.2	\$1,708.25	eoym line adj				
1110.4	1420.4	\$1,030.00	eoym line adj				
1990.4	1440.4	\$1,516.28	eoym line adj				
1910.4	1950.4	\$1,209.56	eoym line adj				
1990.4	1972.4	\$110.32	eoym line adj				
1620.2	1620.4.1	\$2,093.38	eoym line adj				
1620.4.2	1620.4.1	\$2,997.35	eoym line adj				
1620.4.4	1620.4.1	\$591.69	eoym line adj				
1620.2.1	1620.4.4	\$174.80	eoym line adj				
1910.4	1670.4.4	\$633.41	eoym line adj				
1990.4	5010.1.1	\$761.77	eoym line adj				
5010.1.3	5010.1.2	\$44.25	eoym line adj				
5010.1.3	5010.4	\$154.72	eoym line adj				
1210.4.1	1210.4.2	\$371.77	eoym line adj				
5110.4.2	5110.1.2	\$73.70	eoym line adj				
5110.4.3	5110.1.2	\$160.63	eoym line adj				

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Out of Acct	amount		Into Acct	amount
5110.2.3	3440.99		5110.1	\$3,555.40
1620.4	3643.95		5110.1.1	\$1,275.26
1620.2.1	200.2		5110.1.2	\$152.79
1620.4.4	157.32		5110.2.1	\$3,746.80
1450.4	181.55		5110.4	\$534.16
1670.4.2	108.52		5110.4.1	\$681.64
1670.4.3	69.45		1620.2	\$1,000.00
1920.4	520.7		1910.4	\$2,150.81
5010.1.3	322.53		3620.4	\$2,416.89
5182.4	146.12		5110.2.3	\$2,000.00
5410.4	995		5110.4.3	\$160.63
8160.4	1446.88		5142.2	\$533.40
7410.4	2500		5142.4.1	\$2,580.94
8010.4	591.32		6410.4	\$313.52
8020.4	392.92		6410.4.1	\$200.00
1990.4	13336.38		7110.4	\$2,014.48
			8140.4	\$3,017.40
			8560.4	\$1,695.25
			1620.4.2	\$24.46
total out	\$28,053.83	total in		\$28,053.83

Fire Dept			
out	into reserves		
12353.88	12353.88		
Ambulance		plus the annual	22,350.00
out	into reserves		
5905.84	5905.84		

MOTION made by Trustee Wilson, Seconded by Trustee Houston, Unanimously Carried

#6 PROPOSED LOCAL LAW #4-2009 CODE ADOPTION NOTICE

WHEREAS, the Board of Trustees have determined that there are certain inconsistencies, conflicts, outdated provisions among the Village of Angola's ("Village") various local laws, certain ordinances and certain resolutions of the Village, and

WHEREAS, the Village Board of Trustees has undertaken a recodification of such Village local laws, ordinances and resolutions, and

WHEREAS, the Village is desirous to codify said local laws, ordinances and certain resolutions into a municipal code to be designated the "Code of the Village of Angola", and

WHEREAS, there has been introduced before the Village Board, proposed Local Law No. 4 for the year 2009 entitled "Code Adoption", which codifies the local laws, ordinances and

August 10 2009

certain resolutions of the Village and makes certain substantive and non-substantive changes thereto, and

WHEREAS, certain proposed changes affect local laws of the Village relating to subdivisions and zoning, and

WHEREAS, the New York State Environmental Quality Review Act ("SEQRA") requires that lead agency be established to undertake such action, an

WHEREAS, such action is an unlisted action under SEQRA, and

WHEREAS, all proposed changes relating to zoning and subdivisions must be forwarded to the Erie County Division of Planning and the Village Planning Board. **NOW**,

THEREFORE, be it **RESOLVED**, that the Village shall conduct an uncoordinated review of the proposed action and that the Village Board of Trustees is hereby declared the lead agency, and be it further

RESOLVED, that the Village Clerk/Treasurer is hereby authorized and directed to provide copies of proposed Local Law No. 4 to the County of Erie pursuant to the General Municipal Law and to the Village Planning Board for review and comment; and be it further

RESOLVED, that the Mayor is hereby authorized to execute a short form Environmental Assessment Form and file same; and be it further

RESOLVED, that the Village Clerk/Treasurer is authorized and directed to publish pursuant to law the attached Notice of Public Hearing for proposed Local Law No. 4 for the year 2009 entitled "Code Adoption" and the hearing to be held on the 19 day of October, 2009 at 8:00 p.m. at the Village Hall, 41 Commercial Street, Angola, New York at which time all interested parties shall be heard. A copy of said Notice and proposed Law is attached.

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW

NO. 4 FOR THE YEAR 2009-VILLAGE OF ANGOLA

ENTITLED "CODE ADOPTION"

PLEASE TAKE NOTICE, that there has been introduced before the Board of Trustees of the Village of Angola, New York, on the 10th day of August, 2009, proposed Local Law No. 4 for the year 2009 entitled "Code Adoption" which provides for codification of local laws, ordinances and certain resolutions of the Village of Angola into a municipal code to be designated the "Code of the Village of Angola".

PLEASE TAKE FURTHER NOTICE, that pursuant to the New York Home Rule Law, a public hearing will be held on the aforesaid proposed Local Law No. 4 before the Board of Trustees for the Village of Angola, New York, at Village Hall, 41 Commercial Street, Angola, New York at 8:00 p.m. on October 19, 2009, at which time all interested parties may be heard.

By order of the Village Board

August 10, 2009

Linda Giancarlo-Village Clerk-Treasurer

MOTION made by Trustee Houston, Seconded by Trustee Kin, Unanimously Carried

AUDIT OF BILLS –MOTION APPROVING THE FOLLOWING: General Fund

Abstract 04, Checks #7148 to #7154 in the total amount of \$45,514.28 and General Fund

Abstract 05 , Checks #7155 to #7202 in the total amount of \$35,405.79, plus payrolls

#14&15; Water Fund Abstract 04, Check #1852 in the total amount of \$5,960.00 and Water

Fund Abstract 05, Checks #1853 to #1868 in the total amount of \$32,892.84 plus Water

Payrolls #14&15. **MOTION made by Trustee Wilson, Seconded by Trustee Kin,**

Unanimously Carried

August 10 2009

ADJOURN to a regular Board meeting September 14, 2009 at 7:00PM. A workshop at 6:30 if needed. **MOTION made by Trustee Kin, Seconded by Trustee LoGalbo, Unanimously Carried.** Meeting adjourned at 8:20PM

Submitted By

A handwritten signature in black ink, appearing to read "Linda Giancarlo", written over a horizontal line.

Linda Giancarlo

Village Clerk-Treasurer

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WORKSHOP MINUTES

Village of Angola

September 1, 2009

5:00 PM

5:00 PM - MOTION TO CALL MEETING TO ORDER MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED.

In attendance: Mayor Frawley, Trustee Houston, Trustee Kin, Trustee LoGalbo, Trustee Wilson, Andrew Yusick – Village Attorney, Charles LaBarbera – Senior Code Enforcement Officer, Donald Gallo – Village Engineer, and Michelle Warren – Deputy Village Clerk.

5:00 PM – Intercontinental Building – 33 Commercial Street, Angola, NY

Charles LaBarbera, Senior Code Enforcement Officer asked the Board for direction as to how to proceed with the Intercontinental building at 33 Commercial Street, Angola, New York as it is structurally unsafe. Reported that the concrete façade will continue to blow apart as it freezes over winter. Discussion followed as to why it is not included in the upcoming Erie County Division of Real Property tax auction. Mayor Frawley advised he would contact Joe Maciejewski at Erie County Real Property Division to see what the status was and inquire as to whether it could be put on the auction list. Some discussion was had in regards to pursuing abatement for demolition, access to the building, and status of property owner's estate. Mr. LaBarbera stated he did not know how much asbestos might be in the building. Advised there would be an initial cost of \$900.00 to have an asbestos survey done on the property. Attorney Yusick mentioned that a resolution could be sent to the County asking for upfront money for emergency demolitions. Reported that this was done in the Village of Farnham for a similar issue.

MOTION to move forward with an asbestos survey at a cost of \$900.00 MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED.

Mr. LaBarbera advised he would have the asbestos survey report for the Board at the September 14, 2009 Village Board meeting.

5:20 PM – Donald Gallo, Village Engineer updated the Board on the requirements for the Stream Bank Stabilization grant and asked the Board if they wanted to proceed with the application. The grant would require a 25% financial commitment by the Village of Angola either by cash or in-kind services. Upon approval of the grant the Board would have to commit to approximately \$60,000 to \$75,000 for their share. Mr. Gallo stated that Lori Szewczyk - grant writer needed a commitment from the Board before proceeding with the Stream Bank grant application. Trustee Wilson mentioned his concerns over upcoming expenses in the Village of Angola Fire Department related to trucks and equipment. Some discussion was had as to the current status of the debt service and whether or not to commit to this project.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN to have Lori Szewczyk, Grant writer and Donald Gallo, Village Engineer proceed in preparing the grant for Stream Bank Stabilization, Board polled:

September 1, 2009.WKSP

Mayor Frawley - nay
Trustee Wilson - aye
Trustee Houston - aye
Trustee Kin - aye
Trustee LoGalbo - aye

RESOLUTIONS BEING OFFERED September 1, 2009

OFFERED BY TRUSTEE HOUSTON

#1 AUTHORIZE MAYOR TO SIGN NORFOLK SOUTHERN RAILWAY AGREEMENT

BE IT RESOLVED, that the Village of Angola Board of Trustees, hereby authorizes the Mayor to sign the Norfolk Southern Railway Company agreement to tie-in to an existing water line for the South Main Street water line project at a cost of \$2,500.00. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE KIN

#2 APPROVE PAYMENT TO VERIZON

BE IT RESOLVED, that the Village of Angola Board of Trustees hereby approves payment to Verizon for relocation of the phone line for construction of the South Main Street waterline. Invoice to be paid upon receipt and approval by Village Attorney and Village Engineer at an amount not to exceed \$65,000.00, to be paid as construction costs for the South Main Street Waterline project. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE WILSON

#3 APPROVE NOTICE TO BIDDERS FOR SOUTH MAIN STREET WATERLINE PROJECT - RAILROAD TO HARDPAN ROAD

BE IT RESOLVED, that the Village of Angola Board of Trustees authorizes the Village Clerk to publish Notice to Bidders for the Village of Angola South Main Street Waterline Project from Railroad Row to Hardpan Road in the official newspaper *The Hamburg Sun* and in a minority newspaper upon approval from New York State. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED.**

September 1, 2009.WKSP

OFFERED BY TRUSTEE LOGALBO

**#4 AUTHORIZE MAYOR TO ACCEPT PROPOSAL FROM SOLAR LIBERTY TO
INSTALL SOLAR PANELS AT THE VILLAGE HALL**

BE IT RESOLVED that the Village of Angola Board of Trustees authorizes the Mayor to accept proposal from Solar Liberty Energy Systems, Inc. to install solar panels at the Village Hall, 41 Commercial Street, Angola, New York in compliance with Village of Angola Procurement Policy. Gross cost of project - \$67,539.00, less a \$63,000.00 NYSERDA PV Incentive Program for Non-Profits. Total net cost to Village of Angola - \$4,539.00. Upfront cost to be paid monthly over a fifteen year period. Acceptance of proposal is subject to Attorney's review and approval of the contract language. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE LOGALBO

**#5 AUTHORIZE MAYOR TO ACCEPT PROPOSAL FROM SOLAR LIBERTY TO
INSTALL SOLAR PANELS AT THE VILLAGE DPW**

BE IT RESOLVED that the Village of Angola Board of Trustees authorizes the Mayor to accept proposal from Solar Liberty Energy Systems, Inc. to install solar panels at the Village of Angola Department of Public Works, 73 Commercial Street, Angola, New York in compliance with Village of Angola Procurement Policy. Gross cost of project - \$87,800.00, less an \$81,900.00 NYSERDA PV Incentive Program for Non-Profits. Total net cost to Village of Angola - \$5,900.00. Upfront cost to be paid monthly over a fifteen year period. Acceptance of proposal is subject to Attorney's review and approval of the contract language. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED.**

MOTION TO ADJOURN to the next regular Board meeting on Monday, September 14, 2009 at 7:00 PM. **MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED.** Meeting Adjourned at 6:04PM.

Submitted by



Michelle F. Warren
Deputy Village Clerk

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VISITORS: Michelle Warren; Marcia Niedzwiecki; Joel Park

COMMUNICATIONS: Association of Erie County Governments Meeting; Village Officials Meeting; Hilbert College Scholarship awarded; Evans Township Lions Club comedy show; National Grid letter

TRUSTEE HOUSTON: Rural Transit meeting report; Association of Erie County Governments meeting report; NIMS Certifications; St. Columbian's Retreat and tax abatement; report on Angola Theatre renovations report; NEST Meeting report; Erie County Recycling Day; Angola Library's Heritage Music Festival; thanked to DPW for Gazebo maintenance; street light maintenance reported to National Grid; Village of Angola signage damage; flooding issues on Sunset Boulevard and Terrylynn Drive

TRUSTEE KIN: reported on Gazebo bluegrass concert and various upcoming Library events

TRUSTEE WILSON: visited many residents regarding damage that the August Storm had caused

TRUSTEE LoGALBO: solar panels for Village Hall with Solar Liberty; reported on owner's business plans at 77 North Main Street; contacted owner of 37 Commercial Street regarding façade opportunities; spoke with owner of 135 North Main Street regarding property maintenance; mentioning of sidewalk block reported for replacement

MAYOR FRAWLEY: new Christmas decorations for North Main Street; NFTA bus opportunity meeting; Six-Sigma meeting request; NIMS program; NYCOM conference in Cooperstown; vandalism to Village sign on Commercial

ATTORNEY: No Report

POLICE CHIEF: No Report

GENERAL CREW CHIEF: FEMA meeting for drainage issues; copy of easement for Naab's property on Main Street; report on Village streets to be paved; hiring of temporary seasonal laborers; list of residents needing drains

FIRE COMMISSIONERS: <Kaminski> review and updating of Fire Department's SOGs; requested to attend meeting with the Town of Evans; request approval of bills for payment; letter to members requested regarding bill paying procedures

CODE ENFORCEMENT: Asbestos Abatement survey for 33 Commercial; thanked DPW for barricade built around property

PLANNING: ABSENT

ZONING: ABSENT

CLERK-TREASURER: surgery update; August books are complete; debt service schedules for 2009-2010; report on expenses for Goya/South Main waterline.

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Residential Tax Enhancement; South Main waterline; ; ECSD2 water bill; ECSD2 installation of outside meter; Streambank Stabilization Grant Application Due October 16th;

NEW BUSINESS: Exploring the feasibility of installing a step on Lake Street at Main Street; CDBG/Member Item

RESOLUTIONS:

- 1) **Authorize Assemblage Lake Shore High School Homecoming**
- 2) **Approve DPW Crew Chief Attendance at the NYCOM Public Works Training School**
- 3) **Authorize Clerk-Treasurer to Advertise for Hiring of Two Temporary Seasonal Laborers**
- 4) **Declare Surplus and Authorize Clerk-Treasurer to Advertise Sale**

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MEETING MINUTES
Village of Angola Board Meeting
Monday September 14, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on September 14, 2009 at 7:00 PM, there were

PRESENT: Mayor – Howard Frawley; Trustees – William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

ALSO PRESENT: Michelle Warren- Deputy Village Clerk; Andrew Yusick-Village Attorney; Jeffrey Kaminski – DPW General Crew Chief; Lynne Kaminski-Fire Department Commissioner and Charles LaBarbera – Senior Code Enforcement Officer

GUESTS: Marcia Niedzwiecki – 95 Commercial Street (Arrived at 7:15 PM) and Joel Park – 75 South Main Street (Arrived at 7:28 PM)

PLEDGE OF ALLEGIANCE: led by General Crew Chief Jeffrey Kaminski

CALL MEETING TO ORDER at 7:00PM

APPROVAL OF MEETING MINUTES AND WORKSHOP MINUTES OF AUGUST 10, 2009 and WORKSHOP MINUTES OF SEPTEMBER 1, 2009. MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

COMMUNICATIONS:

Mayor Frawley Reported:

- Reported that the Association of Erie County Governments is having a meeting in Akron on Thursday September 24, 2009.
- Reported that the Village Officials Association meeting will be held at the same location in Akron on September 17, 2009.
- Received a letter regarding the \$500.00 scholarship from Hilbert College that was awarded to Ben Csati. Scholarship helped with cost of books. The Csati family was very pleased.
- Evans Township Lions Club is having a comedy show on September 19, 2009 at the Evans Center Fire Hall. Tickets are \$10 in advance and \$11.00 at the door.

Trustee Houston reported:

- Read a letter he received from National Grid reporting they will be doing lattice replacement work on the Dunkirk 141/142 Transmission line. Gave copy to Deputy Village Clerk for National Grid file.

DEPARTMENT HEADS, COMMITTEE REPORTS:

TRUSTEE HOUSTON reported:

- Attended Rural Transit meeting on August 20th. Helped give out certificates to van drivers. Was a nice event.
- Attended Association of Erie County Government's meeting at O'Briens in Eden on August 23, 2009. Issues discussed were land banking, water shed districts and NIMS. Gave NIMS information to Deputy Clerk for file.

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Deputy Clerk will get information to Trustee LoGalbo and Trustee Kin on required NIMS certification.

TRUSTEE HOUSTON (CONTINUED):

- Economic Development Advisory Committee is working diligently on getting the word out to people interested in doing something with St. Columbians Retreat and information on tax abatement.
- Attended Claddagh's reopening of the New Angola Theatre where British BBC Band performed to celebrate the second renovation of the theatre. Renovation made possible in cooperation with the Village of Angola. They obtained \$80,000.00 of HUD money with the help of Lori Szewczyk, grant writer. Renovation included roof insulation, renovation of balcony, new curtains, new carpet, new screen, floodlights for the stage, power washing façade, storm drain work, etc.
- Attended N.E.S.T. meeting in Orchard Park on September 10, 2009. They are promoting little plastic bins for fishing areas that can hold fishing line to prevent danger to wildlife. Herman Park in Angola is on the list. Tom Marks of Angola is behind the fish line project. Announced Erie County Recycling Day on September 26, 2009 from 9:00 AM – 1:00 PM at Erie Community College – South Campus. Bottle bill should be in force by late October. Mercy Hospital in Kenmore is conducting a pharmaceutical drop off day. Gave information to Mayor Frawley to pass on to Erie County Sewer Department.
- Attended the Angola Library's Heritage Music Festival on Saturday, September 12, 2009. Lynne Dixon, candidate for Erie County Legislator was in attendance.
- Sent a letter to General Crew Chief Jeff Kaminski and the DPW staff for taking great care of Centennial Park this season. Received many compliments on how beautiful the Gazebo and park were.
- Reported several outdoor street lights that were burned out to National Grid. Encouraged Board to report any bad streetlights to Deputy Clerk so they can be reported and repaired promptly.
- Asked Accounts Clerk Christine Mittner to contact Erie County Legislator Robert Reynolds and report that the County owned Village of Angola sign on Delamater Road had been bent back.
- Received a call from Gifford Swyers regarding flooding issues on Sunset Boulevard and Terrylynn Drive. Asked for a meeting between Frank Nicotra, Assistant Superintendent of Schools; Bill Houston, Village of Angola Streets Commissioner; Gifford Swyers, Terrylynn Drive Resident; John Wilson, Village of Angola Water Commissioner and Jeff Kaminski, General Crew Chief. Trustee Houston stated this was not a Village problem but arranged a meeting for Tuesday September 22, 2009 at 4:00 PM at the Village Hall. Engineer Donald Gallo would also be in attendance at the meeting.

TRUSTEE KIN reported:

- Reported on the Saturday, September 12, 2009 Gazebo bluegrass concert. Monies raised will be used to continue the library hours that were cut by Erie County in the past year. Reported library programs for October to include a Harry Potter Day. Library staff will be attending a staff training and development day at central library on Wednesday, September 23, 2009. Angola Public Library will be closed that day.

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TRUSTEE WILSON reported:

- Stated that he had visited many residents who complained of flooding issues from the recent storms. Plans to meet with Crew Chief Kaminski on the issues to see what can be done. Mentioned problems with the retention pond on Franklin and Sunset. May look into making some adjustments in drainage there prior to the Tuesday, September 22nd meeting with the School District. Reported that residents were pleased with Fire Department's response in pumping out basements. Would like to coordinate with Crew Chief Kaminski as to what can be done in the future.

Trustee Houston mentioned the need to clean up the brush in the right-of-way between Franklin and Terrylynn – near the retention pond.

TRUSTEE LOGALBO reported

- Reported he has been in contact with Nathan Rizzo of Solar Liberty. Was informed that we would be looking at a spring 2010 installation date for solar panels at the Village Hall and DPW building.
- Has been in contact with Henry Li, new owner of 77 North Main Street. He is working on his business plan. He would like to present his business plan for the food co-op to the Village Board in October.
- Contacted Ed Godfrey regarding his property at 37 Commercial Street. Advised him that there are programs available such as the façade program that he could take advantage of to upgrade his building.
- Spoke with Tom White, owner of 135 North Main Street in an attempt to get him to do something with his property.

Mayor Frawley advised Code Enforcement Officer to check into property maintenance at 135 North Main Street. Broken doors, grass cutting, etc. Thanked Trustee LoGalbo for reaching out to Mr. Li and Mr. Godfrey.

Trustee LoGalbo mentioned the possibility of Mr. Li combining efforts with the Claddagh Commission. More to follow.

Trustee Houston mentioned sidewalk blocks (100+) are all marked for replacement soon by contractor Ahrens and Wells.

MAYOR FRAWLEY reported

- Christmas lights have been ordered. New decorations will be going up on Main Street this year from the tracks to Orchard Avenue. Purchased LED lights as they will last ten years. Will try to convert everything over to LED.
- Attended a meeting on August 19th in Brant. Goal is to have NFTA buses criss-crossing the area for seniors. Program would have ten buses and fall under the State and Federal Transportation system. Feels it is very timely with Senior Housing Project and Seneca Nation's interest in the transportation.
- Asked Trustee Houston to attend meeting in Eden on Thursday at 12:15 – 2:00 PM on the Six-SIGMA program aimed at saving municipal dollars. Mayor not sure if he is able to attend. Trustee Houston will check his calendar.
- Reported on NIMS program. Copied to Board.
- Will be attending a NYCOM conference in Cooperstown, New York on October 1st.

Trustee Houston asked him to inquire about his previous letter on the Main Street Conference one day program as he has received no reply.

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MAYOR FRAWLEY (CONTINUED):

- Reported that someone appears to have vandalized the Village Sign on Commercial Street. General Crew Chief Kaminski will look into it. Discussed the need to find an alternate location for the Village sign that was removed on North Main Street in front of the new home that was being built.

ATTORNEY – No report

POLICE – No report

GENERAL CREW CHIEF reported:

- Will attend FEMA meeting in the hopes to get some money to help with drainage issues to replace the line on Henry Drive and the crossing at Franklin Drive. Hopes it will prevent any further issues.
 - Submitted copy of easement for Mary Ellen Naab's property at North Main Street. Waiting to hear from the County as to who is going to do the work on the drain.
 - Will be paving Oatman Avenue, Washington Street, a section of Center Street from Lorain Street to High Street and a section of Sunset Boulevard from Franklin to the W.T. Hoag School driveway. Borrowed Town of Brant's drag paver and is very pleased with results. Orchard Avenue will not be done this year.
- Trustee Houston mentioned they did a very nice job on Grove Street.
Trustee Houston and Crew Chief Kaminski to meet regarding the hiring of temporary seasonal laborers to pick up leaves.
- Trustee Houston reported Dr. Vona at 10 Sunset Boulevard was on list to get a drain several years ago. Discussed Crew Chief Kaminski putting underdrain in from Vona property at 10 Sunset Boulevard and Cybulski property at 6 Sunset Boulevard.

FIRE COMMISSIONERS:

LYNNE KAMINSKI reported:

- Assistant Chief Kristopher Young has been reviewing the Fire Department's Standard Operating Guidelines as they haven't been updated for quite some time. Commissioner Kaminski is going through them and will present to the Board for approval. Copy to be forwarded to Trustee Wilson.
- Asked the Board when meeting with the Town, she would like to try to attend. Mayor Frawley advised this was not his meeting. They are just going in to listen.
- Received statements for bills she never received invoices for. She contacted vendors to fax copies of the original invoices. They came in today and she was unable to get them in to Accounts Clerk prior to meeting.

MOTION MADE to pay past due fire department bills that were received today made by Trustee Wilson, seconded by Trustee Houston, UNANIMOUSLY CARRIED.

Trustee Houston mentioned seeing a bill listed to be paid from a statement that he pulled out. Trustee Wilson asked Deputy Clerk to draft a letter to the Fire Department stating that nothing will be paid from statements. We needed signed copies of invoices. Mayor Frawley and Trustee Wilson will sign. Mayor Frawley will consult with Commissioner Kaminski and address.

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CODE ENFORCEMENT –

Charles LaBarbera reported:

- Submitted asbestos abatement survey for Intercontinental Building at 33 Commercial Street. Found a 9' x 9' area of asbestos. Mentioned he is waiting for a quote on cost for demolition. Mayor Frawley advised he is looking in to having it put on next County auction. Mayor Frawley stated he will do everything he can to save that building. Mr. LaBarbera stated he will secure bids for demolition in case the building starts to come down due to weather so that Board is prepared in case it doesn't go to auction. Some discussion followed as to difficulty in clearing properties for auction by the County.

Trustee Houston and Mayor Frawley thanked Crew Chief Kaminski for the nice barricade built around the 33 Commercial Street building.

PLANNING – Absent:

ZONING – Absent

CLERK-TREASURER

Deputy Clerk reported:

- Linda Giancarlo's surgery went well and she is home recovering. We wish her well.
- August books are complete and reports have been distributed.
- Updated debt service schedules for 2009 and 2010 and distributed to Board in their packets.
- Reported on the Goya/South Main Street waterline project. Waiting for Verizon to move the phone line so that construction can begin. Bid opening is scheduled for October 14th at 10:00 am at the Village Hall.

NEW BUSINESS:

1. Exploring the feasibility of installing a step on Lake Street at Main Street.
2. CDBG / Member item – projects to be discussed. York Street – must have application in by late October.

OLD BUSINESS:

1. Sale of Water Plant-Contacted attorney to update contract language to relinquish liability.
2. Thruway Water - Mayor will contact.
3. Senior Housing- Retention Pond – Code Enforcement Officer LaBarbera & Crew Chief Kaminski to attend next construction meeting.
4. Intercontinental Building-discussed
5. Residential Tax Enhancement-discussed
6. South Main Waterline-discussed
7. Erie Co. Sewer District #2 Water Bill – Mayor to have meeting. More to follow
8. Erie County Sewer District #2-installation of an outside meter pit and backflow prevention-more to follow
9. Stream Bank Stabilization Grant Application Due October 16th – Grant Writer and Engineer working on it. Jeff Kaminski will check with FEMA to see if there is anything available through them for damages at Herman Park from recent storms.

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RESOLUTIONS BEING OFFERED SEPTEMBER 14, 2009

Offered by Trustee Kin

#1 AUTHORIZE ASSEMBLAGE LAKE SHORE HIGH SCHOOL HOMECOMING

RESOLVED that the Village of Angola Board of Trustees hereby approves the application from Lake Shore High School Student Government for the purpose of celebrating a Homecoming Parade. The Parade will leave from the Angola Fire Hall, proceed down Main Street to the School Bus Garage. This parade will consist of the marching band, 5 vehicles and 5 floats. The date will be Saturday, September 26th, 2009 at 1:30PM. All said roads to be blocked off at 1:15; all local enforcement agencies will be notified. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED.**

Offered by Trustee LoGalbo

#2 APPROVE DPW CREW CHIEF ATTENDANCE AT THE NYCOM PUBLIC WORKS TRAINING SCHOOL

RESOLVED that the Angola Village Board does hereby approve Village DPW Crew Chief Jeffrey Kaminski to attend the NYCOM 2009 PUBLIC WORKS Training School from October 19th-22nd in Canandaigua, NY. Costs to be charged to A5010.4 DPW Schools and Travel. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED.**

Offered by Trustee Houston

#3 AUTHORIZE CLERK-TREASURER TO ADVERTISE FOR HIRING OF TWO TEMPORARY SEASONAL LABORERS

RESOLVED that the Village of Angola Board of Trustees does hereby authorize the Village Clerk to advertise for the hiring of two (2) temporary seasonal laborers. Applicants must be eighteen years of age with a clean driving record to be hired at the rate of \$10.00 per hour. (Matriculated college students preferred.) **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED.**

Offered by Trustee Wilson

#4 DECLARE SURPLUS AND AUTHORIZE CLERK TREASURER TO ADVERTISE SALE

September 14, 2009

RESOLVED that the Village of Angola Board of Trustees does hereby declare as surplus the following items:

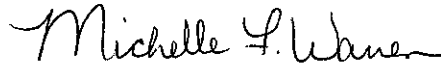
- One (1) 1997 Ford F350 Dump Truck #3FEKF37H9VMA06749
- One (1) 1989 Ford F600 Dump w/plow #1FDNK64P9LVA09583

BE IT FURTHER RESOLVED that the Board of Trustees authorizes the Clerk-Treasurer to advertise the sale of the above items and the Board of Trustees reserves the right to reject any and all offers. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED.** Advertisement to be in Angola, Eden, and North Collins Pennysavers – a small boxed ad.

AUDIT OF BILLS –MOTION APPROVING THE FOLLOWING: General Fund Abstract 06, Checks #7203 to #7207 in the total amount of \$393.20 and General Fund Abstract 07 , Checks #7208 to #7265 in the total amount of \$39,559.33, plus payrolls #16, 17 & 18; Water Fund Abstract 07, Checks #1869 to #1884 in the total amount of \$30,535.18 plus Water Payrolls #16, 17 & 18. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED.**

ADJOURN in memory of Donald Grundtisch, former Village of Angola Code Enforcement Officer to a regular Board meeting October 19, 2009 at 7:00PM with a workshop at 6:30 PM if needed. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED.** Meeting adjourned at 8:02PM

Submitted By



Michelle Warren
Deputy Village Clerk

September 14, 2009

AGENDA
Village of Angola Special Meeting
Tuesday, September 25, 2009 5:00PM

At a Special Meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St., Angola, New York, County of Erie, on September 25, 2009 at 5:00 PM, there were

PRESENT: Mayor Frawley; Trustees William Houston; Carole Kin and Bradly LoGalbo.

ALSO PRESENT: Michelle Warren – Deputy Clerk

EXCUSED: Trustee John Wilson and Attorney Andrew Yusick

GUESTS: No guests in attendance.

5:00-CALL MEETING TO ORDER By Trustee Kin, seconded by Trustee LoGalbo, Unanimously Carried

RESOLUTIONS BEING OFFERED SEPTEMBER 25, 2009

OFFERED BY TRUSTEE KIN

#1 APPROVE PUBLIC HEARING FOR THE 2009-2010 CDBG FUNDS

RESOLVED that the Village Board does hereby authorize publication of Notice of a Community Development Block Grant Public Hearing to be held at 7:30 P.M. Monday, October 19, 2009 at the Angola Village Hall, 41 Commercial Street, Angola, New York 14006 regarding the prospective projects for use of Community Development Block Grant Funds in the Village of Angola, and further authorize the Mayor to sign the 2009/2010 CDBG agreement. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED.**

OFFERED BY TRUSTEE LOGALBO

#2 AUTHORIZE MAYOR TO SIGN SEQR FOR HERMAN PARK

RESOLVED that the Village of Angola Board of Trustees does hereby authorize the Mayor to sign the SEQR (Short Environmental Quality Review) for Stream Bank Stabilization at Herman Park. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED.**

Mayor Frawley reported on condition of roof at Intercontinental Building, 33 Commercial Street. **Mayor is requesting canvas be installed to cover the roof and façade. MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN to secure the roof and façade on property at 33 Commercial Street for winter to prevent further water damage, UNANIMOUSLY CARRIED.**

Mayor also reported he was asked to perform a wedding at the Village Hall and asked if the Board had any objections. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN that Mayor Frawley is encouraged to perform weddings at the Village Hall, UNANIMOUSLY CARRIED.**

Trustee LoGalbo reported that he spoke with property owner Ed Godfrey of 37 Commercial Street who advised him that he was not in a position to make any improvements to his property.

Trustee Houston reported that the County painted the lines on North Main Street today. He advised that they used an epoxy and then sprayed on pieces of glass that look like splatter; however, the first rainfall will wash the splatter away and they will look fine. The County will be back soon to paint the crosswalks as Police Chief Ernest Masullo requested.

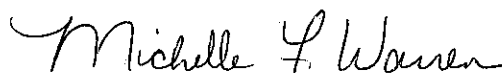
Some discussion was had as to suggested projects for the Community Development Block Grant (CDBG) application. The following items were mentioned:

- 1) York Street –
 - a. Sidewalks and Paving
 - b. Waterline - if needed
 - c. Concrete barrier at the end of York Street (Has buckled and is very dangerous.)
- 2) Rural Transit – Senior Transportation

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO to have Village Engineer Donald Gallo work up some drawings of York Street to submit with application, UNANIMOUSLY CARRIED.

ADJOURN to the next regular board meeting on October 19, 2009 at 7:00PM with a workshop at 6:30 PM, if needed. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED. Meeting adjourned at 5:23 PM.**

Submitted By



Michelle F. Warren
Deputy Clerk

September 25, 2009.SM

VISITORS: Joel Park; Frances and Timothy Dybdahl; Tony Triodi; Scott Michalak

COMMUNICATIONS: Association of Erie County Governments Meeting; Taste of the Midway Halloween Party; Tail Gate indoor party at MacBaxters Bed and Breakfast; Rural Transit Steering Committee Minutes; Town of Evans Wal-Mart project; new owners of North Main cigarette factory; NYCOM 100th Anniversary Conference booklet

TRUSTEE HOUSTON: Sidewalk contractor work is underway

TRUSTEE KIN: October programs at Angola Public Library; Library staff training

TRUSTEE WILSON: CSX-Big Sister Creek trestle assistance; People Inc. Senior Housing report

TRUSTEE LoGALBO: contacted Solar Liberty; talked with business owner Henry Li regarding plans;

MAYOR FRAWLEY: Erie County Block Grant Program; Association of Erie County Governments meeting report; State Legislators programs; questioned response from Town regarding Fire Department and Library contracts

ATTORNEY: Water Plant sale; DEC released easement and cancelled agreement

PUBLIC HEARING FOR THE 2009-2010 CDBG FUNDS

PUBLIC HEARING ON PROPOSED LOCAL LAW #4-2009 ENTITLED “CODE ADOPTION”

POLICE CHIEF: Absent

GENERAL CREW CHIEF: Excused - <Houston> Paving to start tomorrow; tree trimming and removal of dead trees; tree stump grindings and leaf pick-up; North Main Street clock lights; Village Hall lobby light

FIRE COMMISSIONERS: <Kaminski> Fire Chief's Council Meeting report; EMS ambulance service for the Town; Truck #6 repairs; Standard Operating Guidelines; Christmas in the Village planning stages; Rachel's Challenge; thanked members for assistance in Gowanda flood clean-up

CODE ENFORCEMENT: Absent <Houston> request fall clean-up on vacant properties

PLANNING: ABSENT

ZONING: ABSENT

CLERK-TREASURER: thanked all for get-well wishes; thanked Deputy Clerk Michelle Warren; thanked Accounts Clerk Christine Mittner; meeting with People Inc. representatives; opening of Crosby's Convenient Store; request for County Purchased gas inquiry

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Step in curb, Lake Street and North Main; Emblem Building Preliminary Report; Possibility for Old Town Hall; Erie County Sewer District #2 water bill; Erie County Sewer District #2 outside meter pit; WT Hoag School Flooding

NEW BUSINESS: Farnham request to borrow leaf vacuum; LSC Schools to purchase salt from Village

RESOLUTIONS:

- 1) Establish Ranking for the 2010-11 CDBG Applications
- 2) Approve Sign Onto the Rural Transit Van Service
- 3) Authorize Notice of Unpaid Taxes
- 4) Authorize Winter Parking Ban Notice
- 5) Authorize Date for Celebration of Halloween
- 6) Approve Water Shut-Offs
- 7) Award Bid From E&R General Construction for South Main Waterline
- 8) Authorize Assemblage Application for Halloween Parade
- 9) Approve Amendment to NYS Property Tax Law to Establish Residential Investment Exemption
- 10) Approve Williamson Law Book Software Support Contract
- 11) Approve Penflex Service Award Contract
- 12) Approve Bid for DPW 1997 For F350 Dump
- 13) Adopt Local Law #4-2009 – Village Code

MEETING MINUTES
Village of Angola Board Meeting
CDBG Hearing and LL #4-2009 Public Hearing
Monday October 19, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on October 19, 2009 at 7:00 PM, there were

PRESENT: Mayor – Howard Frawley; Trustees – William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

ALSO PRESENT: Linda Giancarlo- Village Clerk-Treasurer; Andrew Yusick-Village Attorney; Lynne Kaminski-Fire Department Commissioner and Donald Gallo – Village Engineer

GUESTS: Joel Park – 75 S. Main Street; **Mr. and Mrs. Timothy Dybdahl**– 94 Orchard Ave; **Tony Troidl** – 97 N. Main and **Scott Michalak(Hamburg Sun)**-6955 Revere Drive.

PLEDGE OF ALLEGIANCE: led by Scott Michalak

CALL MEETING TO ORDER at 7:00PM

APPROVAL OF MEETING MINUTES September 14 and 25th and workshop minutes of September 1st, 2009 **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED**

VISITORS:

1. **Joel Park-75 S. Main Street-** Concerned about storm-sewer drainage problems in front of his home, it is backing up and causing severe flooding and damage on his property. Applied for FEMA assistance but they will not cover Storm-sewers. FEMA asked him to contact the Village Board. He stated that he spoke to the DPW Crew Chief Jeffrey Kaminski suggested putting a ditch in his yard this may help the issue, Crew Chief Kaminski also stated that he may work on the small line across the street to try to clean them (near Friend Street).

The Board responded to Mr. Park to leave his phone number with the Village Clerk and they will look into this issue and contact him.

2. **Timothy Dybdahl-94 Orchard Ave-** stated that Mayor Frawley confronted him with issues regarding him putting stakes in front of his property on the “right-of-way”. Mr. Dybdahl argued that when the Village came to repair right-of-ways last year, they only did the one in front of the Mayors house and didn’t do the other ones until prior to the parade. He argued with the Village Board that it was his property and he was protecting it and he could put stakes there if he wanted, and if they remove them, they better leave them there because he owns the stakes and he will put them back up.

The Village Board and Village Attorney responded telling Mr. Dybdahl that this area is the Village “Right-of –Way” and the Village has a responsibility for the safety of the public. Attorney Yusick mentioned concerns for a child or bicyclist falling on the stakes and getting hurt or stabbed. Attorney Yusick will send Mr. Dybdahl the information on the local law regarding the “right-of-way”.

October 19, 2009

COMMUNICATIONS:

Mayor Frawley Reported:

- Reported that he will be attending the Association of Erie County Governments meeting in Kenmore on Thursday October 22, 2009.
- Reported that the "Taste of the Midway" is hosting a Halloween Party on October 31 at 11:30AM.
- Announced an indoor Tail Gate Party celebration being hosted at the "MacBaxters Bed and Breakfast" on November 29.

Trustee Houston reported:

- Filed Rural Transit Steering Committee minutes with the Village Clerk
- Warned the public regarding a brochure everyone is receiving from Home Service promoting Insurance to protect the house service waterline, it is a scam.
- Received paperwork from the Town of Evans Planning Board regarding the new Wal-Mart project. It is an "Issuance of Amended Finding" he will file with the Wal-Mart information in the Village Hall relating to water services for the new store.
- Announced that the Oneida Indian Nation purchased the cigarette factory on S. Main.
- Announced the NYCOM Booklet/publication on the 100th year conference at Saratoga Springs shows pictures of the Mayor and Himself.

DEPARTMENT HEADS, COMMITTEE REPORTS:

TRUSTEE HOUSTON reported:

- Sidewalk contractor work is underway.

TRUSTEE KIN reported:

- Reported that the Library Staff attended a staff training on Wednesday September 23.
- Announced the October programs going on at the Angola Library:
 1. Toddler Time-Harry Potter-the Science of Sound and Soil Testing

TRUSTEE WILSON reported:

- Stated that he has reached his limit with CSX regarding the needed bridge repair over Big Sister Creek. His calls to their engineers are being ignored. Trustee Wilson asked for the Mayor's assistance and will ask for the assistance of Congressman Higgins to draft a letter and include the "how wonderful we are" advertisement that CSX has on TV and ask them to take care of the Angola bridge trestle. Trustee Houston gave Trustee Wilson a fresh copy of an old postcard that depicted the bridge soon after it was built some 80 years ago.

Mayor Frawley mentioned an article in the Dunkirk Observer about a Mayor in Lockport waiting 5 years to get anything done by CSX.

- Trustee Wilson reported that the People Inc Senior Housing project is moving fast and it is looking beautiful. Discussed drainage that was changed was a trade-off for sidewalk, lighting etc as a safety enhancement. The original agreement was for this type of storm sewer drain-off but the County requested a change, then the County changed it back to the original open plan. Either way, all is going well.

TRUSTEE LOGALBO reported

- Reported he has been in contact with Nathan Rizzo of Solar Liberty. Was informed that NYSERDA ran out of funding due to the large demand for solar projects throughout New York State. However, when the new round of funding comes out in the spring, the Village may see a bigger savings in the local share amount originally

October 19, 2009

proposed. They contacted Attorney Yusick and will maintain and provide insurance as the Village required.

- Talked with Henry Li, owner of the Old Ford Building. He wants to meet with the board to introduce his plans for a food co-op. He is cleaning out the property and is looking for tax incentives for businesses. He will schedule a meeting with the Clerk to discuss the Façade program, and she will schedule a Workshop with the board for his presentation.

MAYOR FRAWLEY reported

- Reported the Erie County Block Grant program was discussed prior to the Erie County Governments meeting last month. The Block Grant program will see an increase in funding (doubled) to help with the Homeless Protection Program. The program will help people with mortgages, utility bills and whatever they can do to keep people in their homes. The public can call the Village Hall for the contact information.
- While at the Erie County Governments meeting, health care was also discussed. They discussed flex-care for municipalities with under 50 employees. This still needs to be cleared by the Erie County Legislators before we can move forward. Further meetings are being planned.
- Mentioned several programs offered through the State Legislators, gave brochure to the Village Clerk to copy the board.

Trustee Houston asked Mayor Frawley if he heard from the Town of Evans Supervisor regarding their meeting in regards to the Fire Department contracts and support for the Library building. Nothing has been received at the Village Hall pertaining to anything with the Town.

ATTORNEY – water plant sale is moving forward. Received notification from the DEC releasing the easement and canceling their agreement. He is working on details as to the responsibility for the intake. Asked if the board had any objection to the purchaser (highest bidder) assigning the contract to another person, probably a relative. The Board offered no objections. Their Attorney is getting the name so paperwork can be completed.

**MOTION TO CLOSE REGULAR MEETING AND OPEN CDBG PUBLIC HEARING
Made By TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY
CARRIED**

Clerk read notice:

PUBLIC HEARING FOR THE 2009-2010 CDBG FUNDS

PLEASE TAKE NOTICE: A Public Hearing will be held on Monday, October 19, 2009 at 7:30 P.M. in the Village Hall, 41 Commercial Street regarding the use of

Federal Community Development Block Grant funds in the Village of Angola.

The Village of Angola is eligible for a Federal Community Development grant under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects, which would benefit low and moderate income persons in the Village of Angola.

October 19, 2009

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Village of Angola's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Village of Angola at (716) 549-1126 by October 14, 2009.

Mayor opened floor to the public:

Tony Troidl asked what the block grant can be used for and what are the requirements.

Mayor Frawley replied that the Block Grants can be used for sidewalks, waterlines, etc.

Trustee Houston reported that Block Grants serve low income people/areas and has to match the census tracks. Our area is mainly the South side of the RR Tracks.

Trustee Houston reported past projects and most current ones that the Village has received these CDBG funds for, such as:

- Friend Street waterline and sidewalks
- Newton Street waterline and sidewalks
- South Main Street many sidewalks and trees
- South Main Street sidewalks in the underpass
- South Main Street playground
- Lower end of Center Street waterline
- Linden and School and Maple assorted waterlines
- In the past for the Library expansion and Gazebo foundation.

Some Projects the Village put in for but did not get approved for were:

- Mesi Drive
- South Main Waterline from Friend to Penn

But this opened the door for a South Main waterline project approval from Hardpan to the Norfolk Southern trestle past Goya through the use of Stimulus Funds.

Trustee Houston suggested to apply for the following for the 2010-2011 Block Grant Funds.

1. York Street/LaSalle Street (Embrace Dr) funding area- years ago all the water shut-offs were paved over. He suggests stripping and repaving all of York, all of LaSalle, remove sidewalks, raise up the water shut-offs and put a new sidewalk all the way down York Street. Then repair to the concrete wall at the end of the street which blocks the creek, this is hazardous to children riding their bikes, if they hit this crack, they could end up in the creek. The whole area is low income.
2. Herman Park Walking Path- the Village ran out of money to do the walking path. This is something that is needed to encourage health and fitness to the residents and serves the whole Village of Angola.
3. Rural Transit Van services the whole community and the surrounding community for doctors appointments etc.

Tony Troidl asked if it could be used for drainage in the business district.

Trustee Houston said that this grant is a maximum of \$100,000 and is not enough money for such a project and it is meant to serve low income areas.

Joel Park asked if an upgrade to the sewers on South Main Street qualify.

The Board said it would fall under the category but has to serve many residents, but they agreed to look into it.

7:45 MOTION TO CLOSE PUBLIC HEARING AND RE-OPEN THE REGULAR BOARD MEETING Made By TRUSTEE KIN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

October 19, 2009

7:47 MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS NEGOTIATIONS REGARDING THE FIRE CONTRACT, MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED

**7:59 NO ACTION TAKEN IN EXECUTIVE SESSION
MOTION TO RECONVENE MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

8:00 MOTION TO CLOSE REGULAR MEETING AND OPEN PUBLIC HEARING FOR LL 4-2009 Made By TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

Clerk read notice:

**PUBLIC HEARING ON PROPOSED LOCAL LAW 4- 2009-ENTITLED
"CODE ADOPTION"**

PLEASE TAKE NOTICE, that there has been introduced before the Board of Trustees of the Village of Angola, New York, on the 10th day of August, 2009, proposed Local Law No. 4 for the year 2009 entitled "Code Adoption" which provides for codification of local laws, ordinances and certain resolutions of the Village of Angola into a municipal code to be designated the "Code of the Village of Angola".

PLEASE TAKE FURTHER NOTICE, that pursuant to the New York Home Rule Law, a public hearing will be held on the aforesaid proposed Local Law No. 4 before the Board of Trustees for the Village of Angola, New York, at Village Hall, 41 Commercial Street, Angola, New York at 8:00 p.m. on October 19, 2009, at which time all interested parties may be heard.

TRUSTEE HOUSTON- commented on the following items to be addressed in the near future:

1. Sec. 203 Swimming Pools- mentions the NYS Board of Fire Underwriters has to be removed, we can no longer use their services as they are out of business. The building inspector does this now.
2. Sec. 229 Holidays- need to add Presidents Day and Martin Luther King Day and remove old reference to Lincoln and Washington birthday etc.
3. Need to change Embrace Drive back to LaSalle Street as was originally.
4. Winter Parking Ban should read from November 1st to April 1st the book says Nov. 1st to May 1st

The clerk would also like to include an increase for the Solicitors Permit fees.
These items will be addressed at a future meeting.

8:10 MOTION TO CLOSE PUBLIC HEARING AND RE-OPEN THE REGULAR BOARD MEETING Made By TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

POLICE – Absent

GENERAL CREW CHIEF excused TRUSTEE HOUSTON reported:

- Paving starts tomorrow.
- Tree Trimming and removal of dead trees is completed
- Did a nice job trimming trees on Orchard Ave. Trucks were hitting the low branches.
- Will have to clean up the tree stump grindings, and start leaf pick-up.

October 19, 2009

- Will have Jeff look at the lights at the bottom of the clock on N. Main. They are out.
- Also the light in the Village Hall lobby needs to be repaired (new Ballast) .

FIRE COMMISSIONERS:

LYNNE KAMINSKI reported:

- Attended the Fire Chiefs Council Meeting last Thursday. Discussed Pig Man Road Party and Volunteers for when the County starts its mass vaccinations for the Schools.
- Mentioned future meetings for Chiefs Council, November 19, will discuss EMS ambulance service for the Town.
- Heard nothing more on the Status of truck #6 repairs. Parts on order.
- Gave Trustee Wilson a copy of the Standard Operating guidelines for the Fire Department.
- Christmas in the Village is in the planning stages, scheduled for Saturday Dec. 12th.
- Rachel's Challenge program is scheduled at the school for tomorrow, 7-8PM

Trustee Houston thanked the Fire Department for assisting in Gowanda with flood follow up work.

CODE ENFORCEMENT – absent: Trustee Houston reported:

- Asked that the fall cleanup start throughout the Village of Angola, Mill Street, S. Main and Newton etc. on property being cut/maintained by the Building Departments contractors.

PLANNING – Absent:

ZONING – Absent

Mayor requested that if anyone is interested in being a member of these boards, please contact the Village Hall.

The Planning Board had no comments regarding LL #4-2009-the Code Book adoption.

CLERK -TREASURER-reported:

- Thanked everyone for the prayers and get-well cards she received while recuperating from surgery, glad to be back.
- Thanked Deputy Clerk Michelle Warren for doing both the Clerk-Treasurer and the Deputy Clerks job while she was out. She did an outstanding job.
- Also thanked Accounts Clerk Christine Mittner for coming in and helping when she could, as she is now working as a sub at Lake Shore Central School and her time for extra work at the Village is minimal.
- Met with representatives from People Inc. with Accounts Clerk Christine Mittner to brainstorm advertising ideas to encourage application process for the Senior Housing. Completion is set for March, applications will be filled 90 days prior. Phone number on older brochure is incorrect for application information. The Clerk will try to reach all residents with the correct phone number by including it in the memo part of the November Water Billing. The board liked the idea.

Mayor Frawley mentioned that the Old Yellow Goose will be opening up in the spring, somewhat across the street from the Senior Housing project, under the name "Crosbys". They have been working diligently to paint and prepare the area. They want to be heavily involved in the community and want a list of activities.

Trustee Houston asked the Village Clerk to check into the County for the Purchase of electricity as is done with Natural Gas, she will look into it and report.

October 19, 2009

Trustee Houston mentioned the meeting at Dan's restaurant that both Clerks attended with the ladies from the Senior Housing, he joined them at the table. They made many nice compliments about the Village, the Restaurant and the people.

Clerk-Treasurer stated that they wanted information regarding the Village Businesses to put together a brochure for the tenants, Bed and Breakfast, Hair dresser, Theater, Restaurants, Bank, Library, Stores and Shultz Hardware were some that were mentioned.

Mayor Frawley mentioned all the nice improvements Lori's has done in Dan's Restaurant. New lighting, new deck on back with a bridge, new floors etc. It looks great.

OLD BUSINESS:

1. Sale of Water Plant- discussed
2. Thruway Water- installing their own tank-pending
3. Senior Housing- discussed
4. Intercontinental Building-moving forward
5. Step in curb, Lake St and N. Main- pending
6. Preliminary report-Emblem Bldg pending- the Village has to take action, will set up a workshop. Report pending from a past inspector from the University of Vermont.
7. Possibility for Old Town Hall-Mayor will send a letter to Kathy Konst of Erie County.
8. Erie County Sewer District #2 – Mayor has been in contact with the Water Authority, they are not about to help us cover the loss or the high bill. He will continue to pursue settling this loss with Erie County Sewer District
9. Erie County Sewer District #2 – according to the department of health, installation of an outside meter pit is mandatory but the backflow prevention is ok as is. The Village will soon have a meter available for the Sewer Authority to use (purchase), we can work in cooperation. Almost new large meter is in the Gowans Road pit that will be out of use soon as the Town will get water there from the county on route 20.
10. Flooding Problem WT Hoag School-some work has been done-more work is needed.

NEW BUSINESS:

1. Farnham request to borrow leaf vacuum-cancelled request-maybe next year
2. LSC Schools to purchase salt from Village-Schools wants to purchase salt from the Village. They were buying and storing in Brant but the Village would be easier and closer. Crew Chief Kaminski will work with them. The Village will also discuss using the services of Lake Shore Central Schools for aerating Centennial Park and Herman Park when needed.

RESOLUTIONS BEING OFFERED OCTOBER 19th 2009

#1 ESTABLISH RANKING FOR THE 2010-11 CDBG APPLICATION

RESOLVED that Mayor Howard Frawley is hereby authorized to sign, submit and execute a contract with Erie County CDBG Program for the following 2010-2011 Projects upon approval of Erie County CDBG:

1. York Street/LaSalle St. reconditioning
2. Herman Park Walking Path
3. Rural Transit Van

**MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN,
UNANIMOUSLY CARRIED**

#2 APPROVE SIGN ONTO THE RURAL TRANSIT VAN SERVICE

WHEREAS, the Village of Angola Board of Trustees hereby recognizes the vital service that the Rural Transit Van Service provides for residents in our community, and

WHEREAS, the Rural Transit Van Service has been an important part in the quality of life for many of our less fortunate, homebound and/or disabled seniors, now

THEREFORE BE IT RESOLVED, the Village of Angola Board of Trustees, hereby authorizes the Village to sign onto to Rural Transit Service Van Program and hereby ranks the Rural Transit Service as #3 for the Community Development Block Grant Funds 2010-2011 program year.

MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

#3 AUTHORIZE NOTICE OF UNPAID TAXES

BE IT RESOLVED, the Village of Angola Board of Trustees, hereby authorizes the Village Clerk to publish a "Notice of Unpaid Taxes" and mailing of said notice to individuals, that states that any Village property taxes not paid by November 1, 2009 will be sent to Erie County Department of Taxation and Finance for collection

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED

#4 AUTHORIZE WINTER PARKING BAN NOTICE

BE IT RESOLVED, the Village of Angola Board of Trustees, hereby authorizes the Village Clerk to publish a "Winter Ban" notice to go into effect November 1, 2009 through April 1, 2010, there will be no street parking from 3:00 AM to 7:00 AM everyday including Sundays and Holidays

MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

#5 AUTHORIZE DATE FOR CELEBRATION OF HALLOWEEN

BE IT RESOLVED, the Village of Angola Board of Trustees, hereby declares Saturday, October 31st 2009 from 6:00 PM to 8:00 PM as the day for celebration of Halloween for Tricks and Treats, and authorized the Village Clerk to publish said article in the local papers

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

#6 APPROVE WATER SHUT-OFFS

RESOLVED that the Village of Angola Board of Trustees hereby authorizes the Water Clerk to issue water shut offs per the attached list of delinquent water accounts unless paid in full by October 26, 2009 by 10:00AM. These residents have all been duly notified with plenty of time to respond and are scheduled for shut off due to non-payment of two or more water bills as per Village regulations. Total amount of delinquency is \$7,864.10

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED

#7 AWARD BID FROM E&R GENERAL CONSTRUCTION FOR SOUTH MAIN WATERLINE

October 19, 2009

WHEREAS, the Village Board of the Village of Angola received six (6) bids for the South Main Street Waterline Project, a CDBG assisted project funded through the American Recovery and Reinvestment Act of 2009 (Federal Stimulus Funds), and

WHEREAS, after full review of all Bids at an Advertised Bid Opening on October 14th 2009 at 10:00AM, and upon recommendation of the Village Engineer, be it

RESOLVED that the Village of Angola Board of Trustees hereby awards the lowest bid in the amount of \$151,555.20 (one-hundred-fifty-one-thousand-five-hundred-fifty-five-dollars-and-twenty-cents) from E & R General Construction, Inc. of 38 St. David's Drive, West Seneca, New York 14224 for the said South Main Waterline Project, as advised by the Village Engineer and contingent upon approval from Erie County Community Development Block Grant.

MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

#8 AUTHORIZE ASSEMBLAGE APPLICATION FOR HALLOWEEN PARADE

RESOLVED that the Village Board hereby Approves the application from Evans Township Lions Club to assemble a Parade for the Halloween celebration on Saturday October 31, 2009 at 2:00 PM (line-up at 1:30)

to start on Commercial St. at the Angola Fire Hall, to proceed through the Village via, N. Main St.-School St – High St.- Center St. – N. Main and End at Commercial St. the Angola Fire Hall. All said roads to be blocked off at 1:30; all local enforcement agencies will be notified

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

#9 APPROVE AMENDMENT TO NYS PROPERTY TAX LAW TO ESTABLISH RESIDENTIAL INVESTMENT EXEMPTION

WHEREAS, the Village of Angola has a population of 2,266 residents pursuant to the 2000 census, and

WHEREAS, the Village Board has taken notice of the deterioration of the Village's housing stock, and

WHEREAS, there are numerous residential properties within the Village that require capital improvements, and

WHEREAS, the Village Board has determined that it is in the Village's best interest to encourage capital improvements to existing residential structures and the construction of new residential structures, and

WHEREAS, the Village Board has examined various tools to encourage such development and has concluded that the community will benefit from the institution of a residential investment real property tax exemption pursuant to the Real Property Tax Law.

BE IT RESOLVED:

1. That the Village Board hereby requests that the New York State Senate and the New York State Assembly submit a bill to amend the Real Property Tax Law in relation to establishing a residential investment exemption for the Village of Angola with such bill providing as follows:

(A) Such real property shall be exempt for a period of one (1) year to the extent of fifty percent (50%) of the increased assessed value attributable to such construction and for an additional period of four (4) years provided, however, that the extent of such exemption shall be decreased by ten percent (10%) each year during such additional period. The Exemption Base shall be the increase in the assessed value as determined in the initial year of the term of the exemption except as provided hereinafter.

October 19, 2009

(B) No such exemption shall be granted unless: (i) such construction was commenced on or after the first day of March, 2010 or such later date as may be specified by resolution; (ii) at the residential real property situate within the Village of Angola; (iii) the cost of such construction has increased the assessed value of the Property by the sum of \$10,000 or such greater amount as may be specified and in the case of a new build, the exemption will be applied to the assessed value in excess of \$100,000 with the maximum abatement not to exceed \$150,000; (iv) such construction is completed as may be evidenced by a Certificate of Occupancy or other appropriate documentation as provided by the Village Code enforcement officer and (v) property owners are current on village, county and school taxes.

2. For purposes of this law, the term "Construction" shall not include ordinary maintenance and repairs

3. Such application may be granted only upon the application by the owner of such real property in a form prescribed by the State Board which should be filed with the Assessor for the Village of Angola on or before the appropriate taxable status date within one year from the date of completion of construction.

4. If the Assessor is satisfied that the applicant is entitled to an exemption pursuant to this section, the Assessor shall approve the application and the real property shall thereafter be exempt with the assessment roll prepared after the tax status date as referred to above.

5. The provisions of this section shall apply to real property used as a one to four family residence.

6. In the event the real property granted an exemption pursuant to this section ceases to be used primarily as a one to four family residence, the exemption granted pursuant to this section shall cease.

7. The Village be allowed by local law to reduce the percentum of exemption as otherwise allowed hereinabove provided that a project in the course of construction and exemptions existed prior to the time of the passage of such resolution and/or local law shall not be subject to such reduction. Provided such deduction shall take place, the Village may thereafter increase the percentum of exemption up to the percentum provided.

8. The Village by local law may determine the effective date of the exemption offer pursuant to this section and may provide that the provisions of this section shall apply only to construction having a greater value then that specified herein above and may designate portions of the Village in which the tax incentive shall apply because of the need for improvement of the housing stock in such areas. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#10 APPROVE WILLIAMSON LAW BOOK SOFTWARE SUPPORT CONTRACT

WHEREAS, the Village has received an Annual Software Support Contract from Williamson Law-Books in the amount of \$605.00 for payroll and \$770.00 for Municipal accounting, now **THEREFORE, BE IT RESOLVED**, the Village Board of the Village of Angola hereby authorizes the Mayor to sign and approve said software contracts in a total amount of \$1375.00 for the dates of 11/1/2009 through 10/31/2010 **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#11 APPROVE PENFLEX SERVICE AWARD CONTRACT

WHEREAS, the Village of Angola offers a Service Award program for the Angola Volunteer Fire Department members, and

October 19, 2009

WHEREAS there is an annual contract based on service hours earned by each member,
THEREFORE, BE IT RESOLVED that the Village of Angola authorizes the Mayor to sign the 2009/2010 Penflex Service Fee Agreement and approve rate increase and payment to Penflex in the amount of \$1,925.00.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

#12 APPROVE BID FOR DPW 1997 Ford F350 Dump

WHEREAS, the Village Board of the Village of Angola received two (2) bids for the 1997 F350 Ford Dump Truck during an advertised bid opening on October 16th 2009 at 12:00PM.

RESOLVED that the Village of Angola Board of Trustees hereby approves sale of the said vehicle to the highest bidder Gregg Heckman in the amount of \$1,776.00.

MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED

The larger Dump Truck did not bring a decent price so it will be offered for sale with an Auction Service.

#13 ADOPT LOCAL LAW #4-2009- VILLAGE CODE

WHEREAS, the Board of Trustees has been presented with proposed local law no. 4 for the year 2009 which recodifies the Village local laws, ordinances and certain resolutions and makes certain revisions thereto, and

WHEREAS, a public hearing was held on the proposed local law on the 19th day of October, 2009, and

WHEREAS, the Village Board has made an uncoordinated review of the provisions of said local law amending the zoning and land use provisions of the Village Law, and

WHEREAS, those provisions having been presented to the Planning Board and no comment having been received, and

WHEREAS, those provisions having been presented to the County of Erie, Department of Environment and Planning, and comment having been received stating that no recommendation was being made as the Action is of Local Concern.

NOW BE IT RESOLVED,

1. That the Village Board of Trustees has found that the amendments to the zoning and land use provisions of the proposed local law result in no significant adverse environmental impact as said changes do not result in any rezoning or change of use of properties within the Village.

2. That proposed Local Law No. 4 of the year 2009 which codifies the local laws, ordinances and certain resolutions of the Village of Angola into a Municipal Code to be designated "Code of the Village of Angola" is adopted as Local Law No. 4 for the Year 2009. A copy of said Local Law is attached hereto.

3. That the Clerk/Treasurer is hereby directed to publish pursuant to law a Notice of Enactment.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED

AUDIT OF BILLS –MOTION APPROVING THE FOLLOWING: General Fund Abstract 08, Checks #7267 to #7269 in the total amount of \$262.19 and General Fund Abstract 09 , Checks #7270 to #7301 in the total amount of \$63,665.94, plus payrolls #20 &21; Water Fund Abstract 09, Check #1885-1897 in the total amount of \$30,790.51plus

October 19, 2009

Water Payrolls #20 & 21. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED.**

MOTION TO ADJOURN to the next regularly scheduled Board meeting Monday November 9th 2009 at 7:00 with a Workshop at 6:30PM if needed. **MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED.**
MEETING ADJOURNED AT 8:45PM

Submitted By

A handwritten signature in black ink, appearing to read 'Linda Giancarlo', written over a horizontal line.

Linda Giancarlo
Village Clerk-Treasurer

VISITORS: None in attendance

COMMUNICATIONS: Association of Erie County Governments Meeting; Angola VFW Post donations for Annual Christmas Food and Gift Baskets; Senior Van newsletter; October Hamburg Sun article corrections to be made

TRUSTEE HOUSTON: Southtowns Planning and Development meeting report; open house with Economic Development Committee; re-organization of Village Hall front lobby; re-installation of 1973 Centennial sign; Ebay Consignment Shop; new Crosby's Convenient Store

TRUSTEE KIN: Harry Potter Story Time; Science of Sound; Soil Testing; Library received four new lap tops

TRUSTEE WILSON: Southtowns Planning and Development meeting; Halloween night report; Village of Angola sign placement; new bathroom and shelter materials at Herman Park

TRUSTEE LoGALBO: property maintenance and current codes; Solar Liberty contacts; working with Henry Li

MAYOR FRAWLEY: Façade Program update; Christmas lights & soldiers; Association of Erie County Governments meeting report; upcoming Mayor and Supervisors meeting; Main Street Conference response from NYCOM

ATTORNEY: 39 South Main transfer of property; change-order for South Main Waterline; discussed two resolutions; request for follow-up on Fessel/Brant property;

POLICE CHIEF: emergence drill report involving JT Waugh School; responded to letter regarding Drug Use

GENERAL CREW CHIEF: bid on dump truck; leaf pick-up; paving completed; water leak; sidewalks

FIRE COMMISSIONERS: <Beck> ladder truck in for repairs and scheduled for ladder test; request a workshop next meeting; <Kaminski> NIMS Training; Chief's Council meeting; Christmas in the Village

CODE ENFORCEMENT: EXCUSED

PLANNING: ABSENT

ZONING: ABSENT

CLERK-TREASURER: closed books for October; Trustee Houston to be secretary in morning; security for office

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Step in curb, Lake Street and North Main; Emblem Building Preliminary Report; Possibility for Old Town Hall; Erie County Sewer District #2 water bill; Erie County Sewer District #2 outside meter pit; WT Hoag School Flooding; South Main Street Water/Sewer Drainage Project

NEW BUSINESS: Code Book Corrections

RESOLUTIONS:

- 1) Unpaid Taxes to County
- 2) Approve Purchase of Computer for Office
- 3) Approve CDBG South Main Waterline Change Order
- 4) Authorize Mayor to Execute Easement for Storm Sewer
- 5) Rescind October 19 Resolution for Residential Investment Exemption
- 6) Approve Residential Investment Exemption
- 7) Approve Extension of Garbage Contract with Allied Waste

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MEETING MINUTES
Village of Angola Board Meeting
Monday November 9, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on November 9, 2009 at 7:00 PM, there were

PRESENT: Mayor – Howard Frawley; Trustees – William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

ALSO PRESENT: Linda Giancarlo- Village Clerk-Treasurer; Andrew Yusick-Village Attorney; Jeffrey Kaminski-DPW Crew Chief; Charles LaBarbera- Code Enforcement Officer; Lynne Kaminski and Robert Beck– Angola Fire Department Commissioners; Ernest Masullo-Chief Town of Evans Police Department and Donald Gallo – Village Engineer

GUESTS: none in attendance

PLEDGE OF ALLEGIANCE: led by Robert Beck

CALL MEETING TO ORDER at 7:00PM

**APPROVAL OF MEETING MINUTES and Workshop Minutes of October 19, 2009
MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON,
UNANIMOUSLY CARRIED**

VISITORS: NONE

COMMUNICATIONS:

Mayor Frawley:

- Announced the last Association of Erie County Governments meeting which he will serve as president will be Thursday November 19 at Salvatore's Italian Gardens, anyone wishing to attend should contact the Village Clerk.
- Read a letter from the Angola VFW Post looking for donation for their Annual Christmas Food and Gift Baskets. The Village Clerk has a collection started at the Village Hall.

Trustee Houston:

- Senior Van newsletter filed with the Clerk
- Complained about the Article the Hamburg Sun had regarding our October Board Meeting. There were several mistakes made. The Clerk Talked to the Sun editor and he is putting a correction in the next issue.

DEPARTMENT HEADS, COMMITTEE REPORTS:

TRUSTEE HOUSTON reported:

- Reported that he attended the Southowns Planning and Development meeting, discussed S.I.T (Southtowns Intercommunity Transit). Will meet again in January in Eden, and discussed moving forward with the watershed district.
- Met with the Economic Development Committee, planning an open house for realtors and working on St. Columbians Retreat in Derby.

November 9, 2010

- Thanked the Village Clerk for cleaning up the front lobby and ordering and organizing new racks for the papers that were scattered all over the counters, it looks neater. Also thanked the Clerk and the DPW Crew Chief for moving forward in the installation of new lights in the Village Hall. These are energy saving lights and made the area much brighter.
- Complimented the DPW Crew Chief Kaminski for finalizing the maintenance and re-installation of the 1973 Centennial Sign next to the Post Office.

Mayor Frawley asked about the status of the Lou Catalano Sign. Trustee Houston said it is being repainted by Mr. Charles Roth, the Clerk will call Mr. Roth for a follow up.

- Compliment the new Ebay Consignment Shop that has taken over Daisy's Consignment.
- Complimented the new store Crosby's (the old Yellow Goose) for cleaning up and painting preparing to open this spring.

TRUSTEE KIN reported on behalf of the Angola Library:

- Harry Potter Story Time was well attended.
- Science of Sound went over very well
- Had many participants for the Soil Testing.
- The Library received 4 new Lap Top Computers for a total of 10.
- Has seen an increase in the number of books going in and out.

TRUSTEE WILSON reported:

- Attended the Southtowns Planning and Development Meeting, and it was very well attended.
- Complimented Halloween night went very well and safely
- Spoke to gentlemen regarding the Welcome to the Village of Angola sign placement. He is willing to allow the sign to be installed on his property which is located next door to the original location on North Main Street.
- Addressed his concerns over the new bathroom and shelter materials that were stored on the grounds at Herman Park. Crew Chief Kaminski reported that the materials were all relocated to a safe location under the Water Tower until the spring, at which time we can move forward with the installation.

TRUSTEE LOGALBO reported

- Reported he has been working on property maintenance and our current codes.
- Continuing his contact with Solar Liberty and is planning on moving forward when the next round of funding is available. Attorney Yusick will review contract and bid procedures.
- Working with Henry Li, owner of the Old Ford Building, Henry may have family help him with his plans for the building renovation. If he cannot continue, his plans are to put the building up for sale. He will follow up.

MAYOR FRAWLEY reported

- Stated that he is hoping to get the Façade program moving forward, the Village needs one more business to apply.
- Announced that the Christmas Lights are scheduled to go up on December 6, there will be breakfast at Dan's Restaurant at 8AM. They are inspecting light fixtures and have new lights this year. Asked Commissioner Beck if the Fire Department will help.

Commissioner Kaminski announced that the Soldiers will be put up on Wednesday Dec 2.

- Attended the Association of Erie County Governments meeting: discussed the following

November 9, 2010

- Flex Care passed by this Association is now in the hands of the NYS Legislator and Federal Government. This Flex Care will allow municipalities with 50 or less employees to opt into the County wide Flex Care program. This will save on healthcare costs.
- The Association of Erie County Governments also passed a EMP (electrical Magnetic Pulse) Program. This was also sent to the Legislator.
- Watched a film clip on the Erie County Harbor, nice changes are being planned for the City of Buffalo

- Will be meeting with Erie County Executive Christopher Collins at the next Mayor and Supervisors meeting next Tuesday.
- Waiting for a response from NYCOM regarding Trustee Houston's May 8th letter in regards to the Main Street Conference.

ATTORNEY – reported

- Good news for 39 South Main Street, the County and the Village will be moving forward with the transfer of the property. This should soon be resolved as they are considering that the Village will pay \$5,000 for the land and \$45.00 in deed stamps. The 2009-2010 Town; School and Village Tax will be paid but will be adjusted at closing. The rest of the taxes will be cut off. The clerk will get the tax information from the County. The Village will be responsible for the tax adjustments.
- Discussed the change order for the South Main Waterline project, to include placement of a related storm sewer. He prepared the two easements, one for Patricia Wagner for a permanent easement and Robert Faraci for a temporary easement. The Clerk went out and obtained and notarized their signatures. See resolutions.
- Prepared 2 resolutions for tonight's meeting pertaining to a retraction of an October resolution and a new amended resolution regarding the Residential Investment Exemptions. There was a change in the Residential category 1-3 unit apartments instead of 1-4 unit.

A 4 unit is no longer considered residential. See resolutions

Trustee Wilson asked for a follow up on the Fessel/Brant property as far as their drainage line. DPW Crew Chief stated that he thinks a past owner put this line in, it is on private property. we have no records or easements on this.

Trustee Houston asked the Clerk to research back to the 1940's under, Arrigo or Erie County Frosted Foods Factory to see if the Village has anything in the minutes or paperwork relating to that drain. The clerk will research and notify Trustee Wilson.

According to Attorney Yusick, the Village did not install or maintain, so it must be a private line.

The Clerk will investigate.

Engineer Gallo – commended the work of all involved to get this change order approved as fast as it did. Everything is ready to go for the new Friend Street storm drain line to the creek bank.

POLICE – Chief Ernest Masullo reported:

- Performed an emergency drill involving the Lake Shore Central School JT Waugh Building and the First Congregational United Church of Christ, Erie County Sheriffs, Evans Police, Norfolk Southern Railways with their dogs, NFTA with their dogs, and local Fire Departments. We were able to evacuate 250 children. Everything went without a hitch. It was very successful. Thanked all involved.

Commissioner Kaminski commended the drill and all involved, everything went perfect and as planned.

November 9, 2010

- Responded to Tony Troidl/Taste of the Midway letter regarding drug use. The Board Commended Chief Masullo for his prompt response to Mr. Troidl.

Trustee Houston mentioned that the Caboose has been added under the Village's liability insurance as it is in the Village Parking Lot area of the property on North Main Street.

GENERAL CREW CHIEF reported:

- Received a low bid on the large dump truck, will take the truck to Silver Creek for the area equipment auction.
- Working on leaf pickup
- Paving is completed.
- Worked on a small water leak Saturday which set back the leaf pick-up.
- Majority of the sidewalks are completed, will continue in the spring.

Mayor Frawley stated that he talked with Kathy Konst regarding the water loss the Village suffered and is trying to recoup from Erie County Sewer Authority.

Discussed Erie County Health Department regulations for the Sewer Plant water line.

FIRE COMMISSIONERS:

ROBERT BECK reported:

- The ladder truck is in for repairs and the money will come out of the equipment reserve.
- Ladder truck is scheduled for a ladder test next week.
- Chief Dybdahl would like to request a workshop prior to next meeting.

LYNNE KAMINSKI reported:

- NIMS courses due for the Village Officials who haven't taken them.
- Chiefs Council meeting will be held at the Angola Fire Hall November 19.
- Fire prevention went well, Angola did a great job and nice articles were in the paper.
- Christmas in the Village scheduled for December 12th. There will be breakfast with Santa at the Waugh School. The Middle School and the Friends of the Village have had a great partnership going for many areas. The Middle school kids raised over \$850.00 to sponsor this breakfast doing fund raising activities. There will be a bounce house, maze, dancing, karate, fire truck rides, magic and concert etc.. many activities are planned for Christmas in the Village, all day.

CODE ENFORCEMENT – Excused

PLANNING – Absent:

ZONING – Absent

CLERK -TREASURER-reported:

- Closed the books for October.
- Deputy Clerk Michelle Warren on vacation and Accounts Clerk Christine Mittner is working at Lake Shore Schools. Trustee Houston will play secretary tomorrow morning while the Clerk-Treasurer attends a MAOA (Clerks breakfast meeting)

Mayor Frawley asked about the status of security for the office.

The Clerk is working on this.

November 9, 2010

OLD BUSINESS:

1. Sale of Water Plant- discussed
2. Thruway Water- pending, DPW will look at the pumping station
3. Senior Housing- moving forward, blacktopped and landscaped, lots of comments from residents
4. Intercontinental Building-moving forward for County Auction
5. Step in curb, Lake St and N. Main- pending
6. Preliminary report-Emblem Bldg pending- Trustee Houston circulated letter from professor from Vermont, should meet with Lori Szewczyk and Building Inspector.
7. Possibility for Old Town Hall-pending.
8. Erie County Sewer District #2 – discussed water bill
9. Erie County Sewer District #2 – discussed back flow prevention
10. Flooding Problem WT Hoag School-engineer to follow up on plans
11. Answer from Town regarding funding for the Library-no answer yet.
12. South Main Street Water/Sewer Drainage Project-underway

NEW BUSINESS:

1. Trustee Houston wants to work on Code Book corrections.

The Clerk suggested to wait until the new supplemental pages come in referring to the adoption, and then she can distribute the books for all to review before we make the needed updated corrections/changes, so we can do everything at once. It is costly to make the needed changes.

The Board and the Attorney Agreed.

RESOLUTIONS BEING OFFERED NOVEMBER 9, 2009

#1 UNPAID TAXES TO COUNTY

BE IT RESOLVED that the Village of Angola Board of Trustees have certified that the attached statement of the year 2009 unpaid taxes are true and ninety-eight (98) parcels are to be forwarded to the Erie County Department of Finance for collection of fifty-eight-thousand-two-hundred-fifty-six-dollars and six-cents (\$58,256.06) **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#2 APPROVE PURCHASE OF COMPUTER FOR OFFICE

WHEREAS, the Village of Angola Board of Trustees recognizes the need for new computers for the Village Office, to better serve the community and properly conduct Village business, and

WHEREAS, the computer used for the website updates is 4 years old and no longer covered under warranty, and has been diagnosed with a mother-board hardware malfunction, now

BE IT RESOLVED, the Village of Angola Board of Trustees, hereby authorizes the Village Clerk to order a new Dell computer under state bid pricing at a cost of \$548.99 which will be expended through the Village Clerks contractual. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED**

#3 APPROVE CDBG SOUTH MAIN WATERLINE CHANGE ORDER

WHEREAS the Village Board has approved the South Main Street Water Line Project which is 100% funded through a American Recovery and Reinvestment Act grant, and

WHEREAS, it has been recommended to the board that change orders for engineering and contracting services be approved to provide for related storm sewer improvements, and

WHEREAS, the cost of said change orders will be funded with grant funds which are remaining.

November 9, 2010

BE IT RESOLVED:

- 1- Engineering change order #1 is approved for Survey, Design, Construction and inspection services by Donald Gallo Consulting Engineer, P.C. for the storm sewer opposite Friend Street for a lump sum of \$5,920.00
- 2- Construction change order #1 is approved for E & R Contracting for the construction of the storm sewer opposite Friend Street per drawings A, B, C dated October, 2009 by Donald Gallo Consulting Engineer, P.C. for a sum not to exceed \$39,400.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

#4 AUTHORIZE MAYOR TO EXECUTE EASEMENT FOR STORM SEWER

WHEREAS, an amendment to the South Main Street Waterline Project HAS BEEN APPROVED, AND

WHEREAS, said amendment provides for the installation of a related storm sewer, and

WHEREAS, easements are required for such installation, and

WHEREAS, a permanent easement agreement has been executed by Patricia Wagner owner of 72 S. Main Street, and a temporary easement agreement has been executed by Robert Faraci of 62 South Main Street.

BE IT RESOLVED, that the Mayor is hereby authorized to execute a Permanent Easement agreement with Patricia Wagner and a Temporary Easement agreement with Robert Faraci.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

#5 RESCIND OCTOBER 19 RESOLUTION FOR RESIDENTIAL INVESTMENT EXEMPTION

WHEREAS, such Resolution requested the New York State Senate and New York State Assembly to submit a bill to amend the Real Property Tax Law in relation to establishing a residential investment exemption for the Village, and

WHEREAS, it has been determined that a new resolution should be adopted as the prior Resolution was not consistent with the provisions of Resolutions submitted by the Town of Evans and the Evans-Brant School District.

BE IT RESOLVED, that the Resolution No. 9 adopted on the 19 day of October, 2009, requesting the New York State Senate and New York State Assembly to submit a bill to amend the Real Property Tax Law to establish a residential investment exemption is hereby rescinded. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#6 APPROVE RESIDENTIAL INVESTMENT EXEMPTION

WHEREAS, the Village of Angola has a population of 2,266 residents pursuant to the 2000 census, and

WHEREAS, the Village Board has taken notice of the deterioration of the Village's housing stock, and

WHEREAS, there are numerous residential properties within the Village that require capital improvements, and

November 9, 2010

WHEREAS, the Village Board has determined that it is in the Village's best interest to encourage capital improvements to existing residential structures and the construction of new residential structures, and

WHEREAS, the Village Board has examined various tools to encourage such development and has concluded that the community will benefit from the institution of a residential investment real property tax exemption pursuant to the Real Property Tax Law.

BE IT RESOLVED,

1. That the Village Board hereby requests that the New York State Senate and the New York State Assembly submit a bill to amend the Real Property Tax Law in relation to establishing a residential investment exemption for the Village of Angola with such bill providing as follows:

(A) Such real property shall be exempt for a period of one (1) year to the extent of fifty percent (50%) of the increased assessed value attributable to such construction and for an additional period of four (4) years provided, however, that the extent of such exemption shall be decreased by ten percent (10%) each year during such additional period. The Exemption Base shall be the increase in the assessed value as determined in the initial year of the term of the exemption except as provided hereinafter.

(B) No such exemption shall be granted unless: (i) such construction was commenced on or after the first day of March, 2010 or such later date as may be specified by resolution; (ii) at the residential real property situate within the Village of Angola; (iii) the cost of such construction has increased the assessed value of the Property by the sum of \$10,000 or such greater amount as may be specified and in the case of a new build, the exemption will be applied to the assessed value in excess of \$100,000 with the maximum abatement not to exceed \$150,000; (iv) such construction is completed as may be evidenced by a Certificate of Occupancy or other appropriate documentation as provided by the Village Code enforcement officer and (v) property owners are current on village, county and school taxes.

2. For purposes of this law, the term "Construction" shall not include ordinary maintenance and repairs.

3. Such application may be granted only upon the application by the owner of such real property in a form prescribed by the State Board which should be filed with the Assessor for the Village of Angola on or before the appropriate taxable status date within one year from the date of completion of construction.

4. If the Assessor is satisfied that the applicant is entitled to an exemption pursuant to this section, the Assessor shall approve the application and the real property shall thereafter be exempt with the assessment roll prepared after the tax status date as referred to above.

5. The provisions of this section shall apply to real property used as a one to three family residence.

6. In the event the real property granted an exemption pursuant to this section ceases to be used primarily as a one to three family residence, the exemption granted pursuant to this section shall cease.

7. The Village be allowed by local law to reduce the percentum of exemption as otherwise allowed hereinabove provided that a project in the course of construction and

November 9, 2010

exemptions existed prior to the time of the passage of such resolution and/or local law shall not be subject to such reduction. Provided such deduction shall take place, the Village may thereafter increase the percentum of exemption up to the percentum provided.

8. The Village by local law may determine the effective date of the exemption offer pursuant to this section and may provide that the provisions of this section shall apply only to construction having a greater value then that specified herein above and may designate portions of the Village in which the tax incentive shall apply because of the need for improvement of the housing stock in such areas. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#7 APPROVE EXTENSION OF GARBAGE CONTRACT WITH ALLIED WASTE

WHEREAS, the Village has entered into a contract with Allied Waste Services of North America LLC dated 12/18/2006 for the Collection, Hauling and Disposal of mixed municipal solid waste and Collection, Hauling and Processing of Recyclables, and

WHEREAS, said contract provides for additional 3-year terms, and

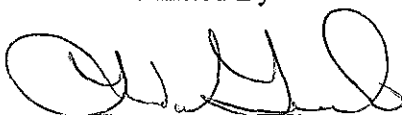
WHEREAS, the Village is desirous of exercising its intention to renew the Contract for an additional 3-year period with the agreement of the Contractor.

BE IT RESOLVED, that the Village shall notify said contractor of its intention to extend the contract for a 3-year term and the Mayor is authorized to notify said contractor of such intention. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

AUDIT OF BILLS -MOTION APPROVING THE FOLLOWING: General Fund Abstract 10, Checks #7351 to #7353 in the total amount of \$331.78 and General Fund Abstract 11, Checks #7354 to #7387 in the total amount of \$39,961.69, plus payrolls #22 & 23; Water Fund Abstract 10, Check #1902 in the total amount of \$264.84 and Water Fund Abstract 11 Checks #1898 to #1918 in the total amount of \$34,195.45, plus Water payrolls #22 & 23. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED.**

ADJOURN IN MEMORY OF THE VETERANS, to the next regularly scheduled Board meeting Monday December 14th 2009 at 7:00 with a Workshop at 6:45PM with the Angola Fire Chief Todd Dybdahl. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED, meeting adjourned at 8:25PM**

Submitted By



Linda Giancarlo
Village Clerk-Treasurer

November 9, 2010

WORKSHOP MINUTES

Village of Angola

December 14, 2009

6:30 PM

6:30 PM - MOTION TO CALL MEETING TO ORDER MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED.

In attendance: Mayor Frawley, Trustee Houston, Trustee Kin, Trustee LoGalbo, Trustee Wilson, Andrew Yusick – Village Attorney, Jeff Kaminski – General Crew Chief, Donald Gallo – Village Engineer, Dan Higgins – Buffalo News, Lynne Kaminski and Mark Goodway – Angola Fire Commissioners, James Renig – Angola Volunteer Fireman, and Christine Mittner – Village Accounts Clerk.

6:32 PM – Donald Gallo, Village Engineer

South Main Waterline Change Order #2:

Village Engineer, Donald Gallo reported that there is a resolution on tonight's Board Meeting agenda to authorize payment to E&R General Construction, Inc. which includes the change order for the storm sewer that was previously approved by the Board. Mr. Gallo also reported that during construction, it was founded that Goya Foods actually had three pipes instead of the suspected one. Mr. Gallo stated that there is also a separate change order in the amount of \$25,720 that is recommended for Board approval for the additional connections. Mr. Gallo reported that this total was generated by using the lowest bidder's bid prices. He also reported that with this additional change order, the total is still \$7500 less than the second bidder. Mr. Gallo assured the Board that if he had known that the additional lines were there that they would have been included in the initial contract. Trustee Houston added that a positive fact is that the Village was able to accomplish fixing the storm drain on Friend Street to the creek with previous extra money prior to this project. Mayor Frawley invited the entire Board to a walk-through Economic Development tour of the Village with Kathy Konst, Tom Dearing and Darren Kempner on January 7, 2010. Mr. Gallo continued to report that the Village will be responsible to pay the Change Order and added that for \$25,720 the Village will be receiving \$320,000 worth of improvements. Mr. Gallo mentioned a detailed drawing that he had forwarded two copies to Village Clerk, Linda Giancarlo, two copies to General Crew Chief, Jeff Kaminski and two to Goya Foods. Mr. Gallo closed with thanking the Board for their patience.

Herman Park Streambank – FEMA

Village Engineer, Donald Gallo reported that he has sent a proposal to Village Clerk, Linda Giancarlo. He stated that most of the engineering had been covered by the other grant through Senator Volker. FEMA came out and looked at the damage from the August storm. Mr. Gallo stated that the proposal entails to take the plans that are already available, scale them back, and go to bid with those. General Crew Chief, Jeff Kaminski confirmed that FEMA gave us a budget of \$38,000 and Mr. Gallo explained that the amount could be adjustable bids we receive justify that the damages will cost more money to repair. Mr. Kaminski added that the engineering fees had already been calculated in the FEMA amount. Trustee Houston added that there is a Streambank Stabilization application in process for construction funds that should have a response in January 2010. Mr. Gallo continued that the best time to start this work is in January when things start to freeze. Mr. Gallo stated that he had broken this project into items, so that the most critical areas can be completed in case FEMA funds run out, in the event that the other grant does not come through. Trustee Houston mentioned that the Board did not have a copy of the proposal in front of them to look at, nor had they seen it.

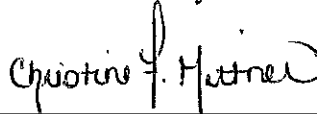
*December 14, 2009
Workshop*

6:47 PM – Angola FD Chief Todd Dybdahl did not attend. Village Board continued as follows:

Mayor Frawley reported that the Erie County Water Authority has raised their rates by \$0.10 per thousand gallons. Mayor Frawley mentioned that he believes that Chief Dybdahl had requested this workshop regarding Ladder Truck #4 at Station 2 and their intent on selling it. Trustee Wilson and Trustee Houston, both Volunteer Firemen, stated that they feel that the truck can be used for back-up. Fire Commissioner Lynne Kaminski confirmed that Ladder Truck #4's pump and ladder tower are still operational and can be used as a back-up water tower if needed and is currently being used to carry extra equipment. Both Fire Commissioner Lynne Kaminski and Mark Goodway do not see any good reason why the truck should be sold. Trustee Wilson recommended to both Fire Commissioners that the new Fire Chief attend a Board meeting once he is sworn in and start attending Board meetings on a regular basis, as this had been something that was lacking. Commissioner Kaminski added that Kris Young, the new Fire Chief, Chuck Carlson, the new 1st Assistant Chief and Jay Davis, the 2nd Assistant Chief that will go into effect as of midnight on January 1, 2010.

MOTION TO ADJOURN the Workshop. MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED. Meeting Adjourned at 6:56PM.

Submitted by



Christine F. Mittner
Village Accounts Clerk

VISITORS: Christine Mittner; Legislator Robert Reynolds; Dan Higgins; James Renig; Mark Goodway; Linda and Joel Park

COMMUNICATIONS: Proclamation to Legislator Reynolds; Christmas Caroling at the William G. Houston Gazebo; letter from Andy Poulson; solicited waterline insurance letter; State Legislation passing Mandate Relief; letter from Lake Shore Senior High student

TRUSTEE HOUSTON: Christmas in the Village report; complimented new Christmas decorations; report on People Inc., Senior Housing project; various street lights reported to National Grid; NEST meeting minutes; CDBG walk-through of the Village

TRUSTEE KIN: Library participation during Christmas in the Village; private tutoring is available daily at the Library; meeting with Legislator-Elect Lynn Dixon

TRUSTEE WILSON: thanked Legislator Reynolds for service to our community; complimented Engineer Don Gallo on South Main Street waterline project; Christmas in the Village report; request for "thank-you" letter to Friends of the Village organization; complimented new Christmas lights; request for National Grid contact for pole lighting; funds collected for water arrears on Duriron property

TRUSTEE LoGALBO: thanked Legislator Reynolds for service; NYSEDA funding; Wind Power project; conditions of various Village buildings and Law amendment; suggested implementing a "painting program"

MAYOR FRAWLEY: thanked Legislator Reynolds for work on Distressed Properties Task Force; reported Christmas light decorating around Village; thanked Friends of the Village; planning stages of purchasing more Christmas lights; Association of Erie County Governments meeting report; future meeting with Erie County Department of Environment and Planning; report on Mayors and Supervisors meeting with hand-outs; War of 1812 Tourism project

ATTORNEY: No report <Houston> resolution regarding the tax reduction on new properties; <Frawley> NYCOM Press Conference regarding Government dissolution

POLICE CHIEF: Excused

GENERAL CREW CHIEF: extended hours due to large storm; Mayor complimented crew on great job; thanked Evans Police for traffic control during Christmas in the Village

FIRE COMMISSIONERS: <Kaminski> approval of elected Fire Chiefs; remaining Line Officers will be offered for approval at a later date; updated list of Peace Officers and Fire Police; annual can and bottle drive for Lake Shore Senior High band; requested contact to Allied Waste for extra garbage pick-up; Christmas in the Village report and commendation to all volunteer organizations involved in the success; <Houston> question Ladder Truck #6 return to service; Hamburg Sun article regarding Village dissolution and it's effects on Fire Departments

CODE ENFORCEMENT: EXCUSED - <Houston> Commended work on property at Commercial and Washington Streets

PLANNING: ABSENT

ZONING: ABSENT - <Frawley> mentioning of possible alternate members Erica LoGalbo and Tim Murphy

CLERK-TREASURER: EXCUSED, Accounts Clerk Christine Mittner filling in

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Step in curb, Lake Street and North Main; Emblem Building Preliminary Report; Possibility for Old Town Hall; Erie County Sewer District #2 water bill; Erie County Sewer District #2 outside meter pit; WT Hoag School Flooding; South Main Street Water/Sewer Drainage Project; Answer from Town regarding funding for the Library

NEW BUSINESS: Request for Member Item

RESOLUTIONS:

- 1) Approve Water Shut-Off
- 2) Approve Buy Back of Sick Days
- 3) Approve Assemblage Application for Centennial Park
- 4) Approve CDBG South Main Waterline
- 5) Authorize Payment to E&R for South Main Waterline
- 6) Proposed Local Law #5-2009 Building Structures
- 7) Approve Public Hearing Notice for Proposed Local Law #5-2009 Building Structures
- 8) Approve DPW Equipment Surplus for Tanaka Saw and Makita Saw
- 9) Approve Salt Agreement with Lake Shore Central School

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MEETING MINUTES
Village of Angola Board Meeting
Monday December 14, 2009 – 7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on December 14, 2009 at 7:00 PM, there were

PRESENT: Mayor-Howard Frawley; Trustees-William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

ALSO PRESENT: Christine Mittner - Village Accounts Clerk; Andrew Yusick - Village Attorney; Jeffrey Kaminski - DPW Crew Chief; Lynne Kaminski and Mark Goodway - Angola Fire Department Commissioners; Donald Gallo – Village Engineer

GUESTS: Robert Reynolds – Erie County Legislator; Dan Higgins - Buffalo News; James Renig – Angola Volunteer Fireman; Linda and Joel Park – 75 South Main Street

PLEDGE OF ALLEGIANCE: led by Erie County Legislator Robert Reynolds

CALL MEETING TO ORDER at 7:01PM

**APPROVAL OF MEETING MINUTES and Workshop Minutes of November 9, 2009
MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE LoGALBO
UNANIMOUSLY CARRIED**

VISITORS:

Linda and Joel Park – 75 South Main Street:

- In attendance to publicly express their thanks for the diligent work by the Village DPW on the storm sewer drainage problem in front of their home.
- Mayor Frawley added his gratitude to Jeff Kaminski and his crew, along with Village Engineer, Donald Gallo

Robert Reynolds - Erie County Legislator:

- Publicly expressed his gratitude to the entire Village Board for working alongside him these past four years.
- Stated that there is a HEAP Outreach program available to Seniors and Low-Income individuals needing heating assistance that will be taking place at the Hamburg Town Hall on Wednesday, December 23, 2009.
- Reported on the completed County Budget, including increased amounts for the Graycliff Estate in Derby, funding for the Boys and Girls Club of Eden, increases for Erie County Soil and Water, increases for Cornell Cooperative Exchange, and \$750,000 more into the libraries. Insisted for the Angola Library to attempt to get a part of the funds and Trustee Kin assured him that the library is aware and will be applying for some of the money. Legislator Reynolds continued that there was a \$208,000 increase into Erie Community College budget line and \$400,000 into the Summer Youth Programs.
- Reported that the windmills are progressing and advised the Village that there are grants available to convert to Solar Energy for the municipal buildings. Trustee LoGalbo confirmed that the Village will be working on that in January.
- Reported that the Town of Evans is working on an Exemption for the County, along with the Village of Farnham and the Village of North Collins. He explained that this

December 14, 2009

exemption is for anyone that increases the assessment on their property or new buildings that there is a

Robert Reynolds - Erie County Legislator: (continued)

5-year tax break of 20%. He added that these municipalities are looking into this for their businesses and 4-family homes to encourage renters to invest.

- Congratulated Mayor Frawley on his year of service as the President of the Association of Erie County Governments.
- Mayor Frawley presented Mr. Reynolds with a Proclamation, on behalf of the Village of Angola, for his asset as a public official (attached).

COMMUNICATIONS:

Mayor Frawley:

- Christmas Caroling at the William G. Houston Gazebo will be at 7:00pm on Thursday, December 17, 2009.

Trustee Houston:

- Mentioned a letter from Village resident, Andy Poulson at 25 York Street, which the entire Board was in receipt of during the meeting. The e-mailed letter entailed a complaint about the plowing of the sidewalks in front of his home, attached with an apology hours later when the work was complete.
- Mentioned a solicited letter that came to his personal residence stating that he is advised to pay \$100 to make sure that the copper service waterline is insured. Advised the public that this is a sales scam.
- Read a notice regarding the State Legislation passing Mandate Relief, in which allows the bidding threshold of public works contracts went from \$20,000 to \$35,000. It also states that three communities, rather than the prior five, can work together on health insurance and other such items.
- Read a communication from a Lake Shore High School student, Joshua Allen, asking questions regarding the eagles that are in the front lobby of the high school in 1964. Trustee Houston made contact with Mr. Allen and advised him to contact the Superintendent's office to obtain a copy of the Graduating Class program from 1964.

DEPARTMENT HEADS, COMMITTEE REPORTS:

TRUSTEE HOUSTON reported:

- Christmas in the Village was held this past Saturday, December 12, 2009. He reported that the Friends of the Village sponsored this event and that there were many wonderful people involved to thank. He stated that there was a hot breakfast with Santa Claus and a bounce house this year and listed various events that continued throughout the day at the First Congregational Church, Kim's Shear Precision, Taste of the Midways and the Library.
- Complimented Mayor Frawley and the crew that he had hang the Christmas decorations throughout the Village this year. He stated that the new decorations on the Main Street business district block were a very nice change.
- Mentioned that the new People Inc., Senior Housing unit is almost finished and residents are expected to move in mid-February. Mentioned the Friends of the Village hosted a meeting with guest speaker, Gina Fedele from People Inc. and brought in over 60 people to a meeting that normally consists of 15 members and guests. Noted

December 14, 2009

that applications for the Holly Housing until must be in a certain locked post box in Williamsville by December 17, 2009.

- Reported that he has reported various street lights to National Grid and advised the Board and the public that they can report these pole numbers to the Village Hall office and the girls have a form that they can fax.
- Stated that he was unable to attend the November 12, 2009 NEST meeting due to prior obligations and handed the minutes to the Clerk for the record.

TRUSTEE HOUSTON continued:

- Accompanied the County representatives that toured the Village for CDBG funding. The Village currently has an application in for a walking path at Herman Park and York Street sidewalks, paving and dead-end wall.

TRUSTEE KIN reported on behalf of the Angola Library:

- The library participated during the Christmas in the Village events by sponsoring Christmas stories for the children and letter writing to Santa Claus. Children's Christmas ornament crafts were offered as well.
- Reported that the library is used daily for private tutoring after regular school hours
- Reported that Librarian, Mary Truby, and she met with other library directors at the Eden library with Erie County Legislator Elect Lynn Dixon.

TRUSTEE WILSON reported:

- Thanked Legislator Reynolds for attending this evening's meeting and personally commended him on his service to our community for the past four years.
- Complimented Donald Gallo's time and involvement on the South Main Street waterline project. Reported that Mr. Gallo was working on Saturdays and Sundays, including evenings on those days.
- Reported on Christmas in the Village and described briefly how much time and involvement is done by the Friends of the Village members who put on the event.

TRUSTEE KIN requested that the Board of Trustees write a thank-you letter to the Friends of the Village and Trustee Wilson added that it should be signed by everyone to be sent to the organization as a whole.

- Complimented Mayor Frawley on a job well done with the Christmas lights and stated that he had noticed a lot of new faces this year.
- Requested that contact be made to National Grid regarding the pole outages at Maple Street. Mayor Frawley reported that he has turned in approximately six pole numbers into the office.

TRUSTEE HOUSTON mentioned a report that was distributed by Deputy Clerk, Michelle Warren, explaining that through various efforts, \$8,621.00 has been collected from the Duriron property on Hardpan Road that had not been paid since 2005. He added that this is not extra revenue, but is money that has been owed.

TRUSTEE LOGALBO reported

- Thanked Legislator Reynolds for serving our community these past four years
- Reported that with the new round of NYSERDA funding, that the solar panel project will be underway again in January 2010 and hopes to have the project completed by summer or fall of 2010.
- Reported that the Wind Power project is also moving forward with NYPA with a hopefully designated developer to be chosen, with hopes of a windmill manufacturing site located in our area.

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- Has made contact with Code Enforcement Office, Charles LaBarbara regarding the dilapidated condition of several of the Village buildings. With the help of Attorney Yusick, there has been an amendment made to 168.6 of the Village Law to aid the Village when reporting the conditions of these buildings.
- Reported that he would like to implement a "painting program" for the Village with confirmed help from Shultz Hardware and possibly Sam's Lumber to provide paint and supplies to assist home and business owners in improving the façade of their buildings. Suggested advertising via water billing and in the Angola Pennysaver.

MAYOR FRAWLEY reported

- Personally thanked Legislator Bob Reynolds for all of his hard work, including all of the work that they have done together on Distressed Properties. Mayor Frawley added that he had been able to get the Intercontinental building at 33 Commercial Street on the next XPAND auction listing and Legislator Reynolds suggested that if anyone is out-bid at one of the auctions, to follow up on who was the person that won the bid. Legislator Reynolds personally thanked Mayor Frawley for all of the hard-work that he had done on the Distressed Properties Committee.
- Reported that the Christmas lights in the Village were put up on December 6, 2009 and stated that he is looking to recruit more volunteers, preferably younger men. He added that the lights will be taken down either the first or second weekend in January.
- Thanked the Friends of the Village for all of their hard work on the Christmas in the Village
- Mentioned that he is in the planning stages of purchasing more Holiday decorations for Main Street for 2010, including a raffle to raise money, hosted by an outside organization.
- Reported on the Association of Erie County Governments' holiday party and that Cheektowaga Supervisor, Mary Holtz, is the newly elected President starting January 2010 and Brant Supervisor, Leonard Pero, is the new incoming Vice President.
- Mentioned that both Trustee Houston and he will be meeting with Kathy Konst, Tom Dearing and Darren Kempner from Erie County Environment and Planning. Invited all interested parties to attend.
- Reported on the most recent Mayors and Supervisors meeting with County Executive Chris Collins. Mayor Frawley emphasized on the importance of the continuation of Distressed Properties, as well as the 800 Authorities in New York State that should be investigated in saving money aside from the Villages and Towns. It was also reported that only 30% of the Veterans in Erie County are registered.
- Reported on a tourism project that will revolve around the 200th Anniversary of the War of 1812 those communities between Ontario and New York State. Over ten-million visitors are expected.
- Presented packets to the Village Board regarding Senior Services and programs for individuals 60 years and older. A copy will be kept at the Village Hall office for individuals needing information.

ATTORNEY – No report

TRUSTEE HOUSTON mentioned the resolution that had been approved by the Village, Town of Evans and Lake Shore School District regarding the \$50,000.00 reduction on new properties. Trustee Houston added that the press has stated that County Executive Collins is against this resolution, and Legislator Bob Reynolds added that the Assessors Association is also against this.

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MAYOR FRAWLEY added that NYCOM will be holding a press conference on January 20, 2010, with time and location yet to be determined. This press conference will be regarding Government dissolution.

POLICE – Excused

GENERAL CREW CHIEF reported:

- With the large storm this week, the DPW worked twenty-two hours on Thursday and after a couple hours of sleep, they returned for another ten hours on Friday and again on Saturday.

GENERAL CREW CHIEF continued:

MAYOR FRAWLEY complimented General Crew Chief Kaminski and his crew on the snow removal on North Main Street for Christmas in the Village, along with throughout the entire Village.

- Thanked the Evans Police Department for a great job on traffic control during the Christmas in the Village festivities, making the DPW's job easier.

FIRE COMMISSIONERS:

LYNNE KAMINSKI reported:

- Requested that the Village Board move to approve Kristopher Young as Chief, Charles Carlson as First Assistant Chief and Jason Davis as Second Assistant Chief for their positions to start January 1, 2010.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

- Reported that the other Line Officers will be made available for Village Board approval at the next Regular Village Board Meeting on January 11, 2010.
- Has been working with the Department of Criminal Justice and has been working on an updated listing of Peace Officers and Fire Police. Once this is completed, this list will be updated yearly and sent electronically to Village Clerk, Linda Giancarlo.
- Reported that the Lake Shore Senior High Band has asked to hold their annual can and bottle drive at the Angola Fire Department, who has hosted this event for several years in the equipment room. The Fire Company has met and approved to host this event of Friday, January 30, 2010. Commissioner Kaminski requested that a motion be made from the Village to allow Lake Shore Music Department to hold their annual drive on this date at the fire hall.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE LoGALBO, UNANIMOUSLY CARRIED after a Certificate of Insurance was presented by Commissioner Kaminski listing the Village of Angola as an additional insured.

- Requested that the Village Hall office contact Allied Waste and notify them of the extra garbage pick-up outside of the Fire Hall on the following Monday, February 1, 2010.
- Reported as a Friends of the Village member involved with Christmas in the Village that this year over three-hundred individuals were served a hot breakfast this year consisting of scrambled eggs, sausage and pancakes, cereal, juice and milk. There were forty-two Middle School children volunteers from the CS&V Leos Club taking orders and serving all in attendance dressed as elves. There were also members of the

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Lions Club, Girl Scouts, and Senior High Honor Society children all volunteering for this event.

- Thanked Lee Widmer-Wick and her CS&V Leos Club for putting up the soldiers throughout the Village on December 2, 2009, along with decorating the Village Christmas tree after school.
- Thanked Eric Blodgett and many other Lake Shore music teachers who participated in the various musical performances throughout the day for Christmas in the Village, giving up their entire Saturday to volunteer their time for this event.

TRUSTEE HOUSTON questioned whether Ladder Truck #6 has been placed back into service and Trustee Wilson had confirmed that it had.

TRUSTEE HOUSTON also mentioned a Hamburg Sun article that he will be distributing to the Fire Department regarding the dissolution of North Collins and what happens to the Fire Department after.

CODE ENFORCEMENT – Excused

TRUSTEE HOUSTON commended the actions of the Code Enforcement Department in getting the property located at the corner of Commercial Street and Washington Street cleaned up by the property owner before spring.

PLANNING – Absent

ZONING – Absent

MAYOR FRAWLEY mentioned that Tim Murphy and Erica LoGalbo are interested in being appointed members to fill in any vacancies for either the Zoning or Planning Boards.

CLERK –TREASURER - Excused

MAYOR FRAWLEY reported that Village Clerk-Treasurer, Linda Giancarlo, fell on the Village sidewalk and injured her hip and will be out for at least a week and thanked Accounts Clerk, Christine Mittner for filling in. He mentioned that it was nice to have her fill in on the night that her former boss, Erie County Legislator Bob Reynolds was being presented with a Proclamation from the Village.

OLD BUSINESS:

1. Sale of Water Plant- Attorney Yusick has been contacted by Attorney Zajas and they are in the process of having the contract signed by the purchaser's mother.
2. Thruway Water- Mayor Frawley spoke with the NYS Thruway Director's Secretary and will have information in the near future.
3. Senior Housing- brochures are available in the office and applications are due by December 17, 2009.
4. Intercontinental Building- moving forward for County Auction. Legislator Reynolds stated that he believes that there is an auction in February or March without having to wait until June.
5. Step in curb, Lake St and N. Main- measurements have been taken, but no one has come to inspect
6. Emblem Bldg.- Mayor Frawley referenced letter from professor from Vermont, claiming the Emblem is the only remaining bicycle manufacturing building in New York state. Trustee Houston advised consulting Attorney Yusick before moving forward with historical references.
7. Possibility for Old Town Hall- on the list for the Economic Development walk-through with Kathy Konst.

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8. Erie County Sewer District #2- Mayor Frawley has been working with Mike Quinn regarding replacing the entire waterline from Old Lakeshore Road to the Water Plant with the meter at the street
9. Erie County Sewer District #2- waiting for monetary refund negotiations
10. Flooding Problem WT Hoag School- engineer to follow up on plans
11. Answer from Town regarding funding for the Library- no answer yet.
12. South Main Street Water/Sewer Drainage Project- taken care of

NEW BUSINESS:

1. Request for Member Item- Trustee Houston proposed that the Village request \$8,000.00 from Assemblyman Jack Quinn to finish the street sign project, \$30,000.00 from Senator Volker to renovate the fire hydrants in our district that the Town has neglected to take care of, \$300,000.00 from Senator Stachowski to re-do the South Main waterline between the two railroad tracks. Mayor Frawley added that we should consider an oil/water separator that is needed for the Fire Hall, along with the generator. Trustee Houston recommended asking Assemblyman Quinn for \$15,000.00 for the oil/water and \$15,000.00 from Senator Volker for the generator.

RESOLUTIONS BEING OFFERED DECEMBER 14, 2009

#1 APPROVE WATER SHUT OFF

RESOLVED that the Angola Village Board does hereby authorize the water clerk to issue water shut-offs per the attached list of delinquent water accounts unless paid in full by Monday December 21st by 10AM. These residents have all been duly notified with plenty of time to respond and are scheduled for shut-off due to non-payment of two or more water bills as per Village regulations. Total amount of delinquency is \$12,650.26.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

#2 APPROVE BUYBACK OF SICK DAYS

RESOLVED that the Village of Angola Board of Trustees does hereby authorize the following Sick Day Buy-Backs for sick days in excess of 150 days at ½ time as per union contract:

A5010.1.1.4 \$835.76 for 8.5 days over 150 @ 50%

A5110.1.1.4 \$1,132.74 for 14.5 days over 150 @ 50%

For a total amount of: \$1,968.50

MOTION MADE BY TRUSTEE LoGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

#3 APPROVE ASSEMBLAGE APPLICATION FOR CENTENNIAL PARK

RESOLVED that the Village Board hereby approves the application from the "Angola Parks and Gazebo Committee" to assemble a "Community Christmas Carol Singing" for Thursday, December 17, 2009 at 6:30-8PM, all local enforcement agencies will be notified.

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LoGALBO, UNANIMOUSLY CARRIED

#4 APPROVE CDBG SOUTH MAIN WATERLINE CHANGE ORDER

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WHEREAS the Village Board has approved the South Main Street Water Line Project which is funded through a American Recovery and Reinvestment Act grant, *and*

WHEREAS, it has been recommended to the board to approve change order #2 to connect (2) additional unanticipated six-inch water services at Goya in the amount of \$25,720.00 payable to E&R General Construction, Inc., *and*

WHEREAS, the cost of said change orders will be funded partially by the Village of Angola as the Village's contribution and partially through remaining grant funds. *Now,*

BE IT RESOLVED, The Village of Angola Board of Trustees approves change order #2 for E&R General Construction Inc. for the connection of two (2) unanticipated six-inch water service lines at Goya Foods Great Lakes for a lump sum of \$25,720.00 and hereby authorizes Mayor Frawley to execute said change order.

MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

#5 AUTHORIZE PAYMENT TO E&R FOR SOUTH MAIN WATERLINE

RESOLVED, the Village of Angola Board of Trustees hereby approves pay request #1 dated 12/1/09 from E&R General Construction Inc. in the amount of \$181,492.94 as partial payment for the South Main Street Waterline project as directed and approved by the Village Engineer, Donald Gallo.

MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

#6 PROPOSED LOCAL LAW #5-2009 BUILDING STRUCTURES

PROPOSED LOCAL LAW NUMBER 5 FOR THE YEAR 2009 repealing Section 168-6(A) of Chapter 168, Article 1, of the Code of the Village of Angola (Buildings and Structures) and replacing it with a new Section 168-6(A), as follows:

§ 168-6. Buildings and structures.

1. A. The exterior of all structures shall be maintained to reflect a reasonable level of maintenance. Such maintenance shall include all exposed surfaces being maintained free of broken or cracked glass, loose or missing shingles or siding, loose or missing shutters, loose railings, chipped, missing or cracked paint or other conditions which are reflective of deterioration or inadequate maintenance. All exterior exposed surfaces not inherently resistant to deterioration shall be repaired, coated or treated with a protective coating of paint or other suitable preservatives to prevent said exposed exterior surfaces of becoming unsightly due to the deterioration and weathering of such surfaces. Colors for such exterior surfaces must be compatible with the colors of similar structures in the Village and shall not be visually offensive or unsightly

MOTION MADE BY TRUSTEE LoGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

#7 APPROVE PUBLIC HEARING NOTICE FOR PROPOSED LOCAL LAW #5-2009 BUILDING STRUCTURES

WHEREAS, Proposed Local Law Number 5 for the year 2009 has been presented to the Village Board on the 14th day of December, 2009,

December 14, 2009

BE IT RESOLVED, that the Village Clerk-Treasurer is hereby directed to publish, pursuant to law the attached Notice of Public Hearing on proposed Local Law Number 4 for the year 2009 entitled "Buildings and Structures". Said hearing will be held on 11th day of January, 2010, at which time all interested persons shall be heard. A copy of the proposed Local Law Number 5 is attached hereto.

**NOTICE OF PUBLIC HEARING
ON PROPOSED LOCAL LAW
VILLAGE OF ANGOLA
CHAPTER 168, ARTICLE I, SECTION 168-6**

PLEASE TAKE NOTICE there has been introduced before the Board of Trustees of the Village of Angola on the 14th day of December, 2009, a proposed Local Law Number 5 for the year 2009, repealing Section 168-6(A) of Chapter 168, Article 1 of the Code of the Village of Angola. Said proposed Local Law establishes maintenance standards for the exterior of buildings and structures.

**MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN,
UNANIMOUSLY CARRIED**

#8 APPROVE DPW EQUIPMENT SURPLUS for TANAKA SAW and MAKITA SAW

BE IT RESOLVED, that the Village Board of Trustees, upon recommendation of the DPW Crew Chief Jeffrey Kaminski, hereby declares surplus, one (1) Tanaka Cut Off Saw Model #945101 Serial #001354 and one (1) Makita Cut Off Saw Model #DPL7301 Serial #030353506.

**MOTION MADE BY TRUSTEE LoGALBO, SECONDED BY TRUSTEE KIN,
UNANIMOUSLY CARRIED**

#9 APPROVE SALT AGREEMENT WITH LAKE SHORE CENTRAL SCHOOL

BE IT RESOLVED, that the Village Board of Trustees, hereby approves Mayor Frawley to execute an agreement with Lake Shore Central School for the 2009-2010 winter season as follows:

- 1) The Village DPW will supply winter salt to Lake Shore Central School at a cost of \$58.88/loader scoop.
- 2) The Lake Shore School district will supply receipts to the Village for each load.

**MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON,
UNANIMOUSLY CARRIED**

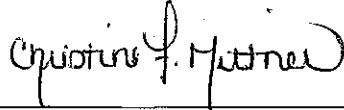
AUDIT OF BILLS -MOTION APPROVING THE FOLLOWING: General Fund Abstract 012, Checks #7388 to #7400 in the total amount of \$20,563.75 and General Fund Abstract 013 , Checks #7401 to #7459 in the total amount of \$91,158.07, plus payrolls #23 & 24; Water Fund Abstract 012, Check #1919 in the total amount of \$100.90 and Water Fund Abstract 013, Checks #1920 to #1937 in the total amount of \$29,582.95 plus Water Payrolls #23 & 24. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON,
UNANIMOUSLY CARRIED.**

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ADJOURN to the next regularly scheduled Board meeting Monday January 11th 2010 at 7:00 with a Public Hearing for LL 5-2009 and at 7:30 and a Workshop at 6:30PM if needed.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED, meeting adjourned at 8:22PM

Submitted By

A handwritten signature in cursive script, appearing to read "Christine F. Mittner", written over a horizontal line.

Christine F. Mittner
Village Accounts Clerk

December 14, 2009