

2/5/07

INDEX – February 5, 2007

TRUSTEE HOUSTON: Angola Fire Dept. Dinner; Whistle Stop ribbon cutting; Southtowns Enhancement Coalition Mtg; Lake Shore Hosp.; Erie County Water Mtg; Angola business seminars; Rescheduled garbage PU; XPAND Mtg.

TRUSTEE STOCKMAN: Depot Meeting

TRUSTEE WILSON: CSX Railroad Bridge

TRUSTEE DIMARTINO: Angola Fire Dept. Dinner; Thanked DPW; Library Board Meeting.

MAYOR FRAWLEY: Angola Fire Dept. Dinner; Thanked DPW; Goya project; XPAND Meeting; Village Officials Assoc. Meeting; Assoc. of Erie County Gov. Meeting

ATTORNEY: Water Plant transfer; Intercontinental Building

POLICE: Monthly report

GENERAL CREW CHIEF: Excused

FIRE COMMISSIONERS: Lake Shore Can and Bottle drive; Fire Dept. Dinner.

CODE ENFORCEMENT: N. Main St. vacant lot; CSX Railroad; Penn Ave. Property.

PLANNING: Goya Expansion property

ZONING: Goya expansion hearing; William Farkus resignation; Rick Bartlett appointment.

CLERK-TREASURER: Budget workshops; Village assessments; Occupational Safety check.

OLD BUSINESS: Sale of Water plant; Thruway water; Senior Housing; Outside delinquent Water accounts; Intercontinental Building repair.

NEW BUSINESS: No new business

RESOLUTIONS:

- #1 Appoint Election Inspectors
- #2 Approve Water Shut-Offs
- #3 Approve Engineers Proposal, Donald Gallo, School/Maple Street Waterline
- #4 Approve Gazebo Use, Kim Sunday Wedding
- #5 Approve Appointment 2 P/T Police, Crupe, Tubinis
- #6 Authorize New Address, 27 Mesi
- #7 Appoint, Richard Bartlett to Zoning Board
- #8 Appoint Clerk-Treasurer Linda Giancarlo as Affirmative Action Officer
- #9 Approve Public Hearing, Feb 20, 8:00 LL-1-2007 **“Zoning Map”**
- #10 Approve Public Hearing, Feb 20, 8:05 LL-2-2007

**“Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code”
(THESE PUBLIC HEARINGS HAVE BEEN CHANGED TO WEDNESDAY FEBRUARY 28th AT 5pm DUE TO
THE OFFICIAL NEWSPAPER NOT BEING ABLE TO POST LEGAL NOTICE FOR THE REQUIRED 10
DAYS. NEW BOARD RESOLUTIONS AMENDING THE DATES WERE PASSED DURING WORKSHOP
MEETING ON SATURDAY FEBRUARY 10th)**

MINUTES
Village of Angola Regular Board Meeting
Monday February 5, 2007 – 7:30 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 5, 2007 at 7:30 PM, there were **PRESENT:** Mayor Howard M. Frawley, Trustees: Jonica DiMartino; William G. Houston; Michael Stockman and John Wilson

ALSO PRESENT: were; Linda Giancarlo-Clerk-Treasurer; Andrew Yusick-Attorney; Lynne Kaminski -Fire Commissioner; Charles LaBarbera-Code Enforcement Officer; Paul Cooper-Zoning Board Chairman; Richard Bartlett- To Be Appointed Zoning Board Member; Patrick Puckhaber-Police Chief.

GUESTS: in attendance were Brian Campbell (Hamburg Sun); Evelyn Eriksen (Town Crier); and as a visitor Ron McPeek (Village Inn, Town Crier).

PLEDGE OF ALLEGIANCE: was led by Chief Patrick Puckhaber

CALL MEETING TO ORDER at 7:30PM

APPROVAL OF MEETING MINUTES of January 16, 2007: Motion made by Trustee Wilson, seconded by Trustee Houston **UNANIMOUSLY CARRIED**

VISITORS:

- Ron McPeek of 48 N. Main addressed the board on several issues.
 1. He asked why there was a manger scene sitting in the Middle of the Village still. (this is on the property owned by “Twisters Café”). The Board had not had a problem with the manger, but will address the complaint via the Building Inspector.
 2. Stated his complaint regarding the Police Chief Patrick Puckhaber. He stated that the Crier never received a press release that was sent to the Hamburg Sun, The Chief stated that his stamp was on the paperwork indicating it was sent. Stated he told Mr. McPeek there may have been an error, he wasn’t sure what happened. Mayor Frawley stated that he discussed the issue with Chief Puckhaber when it was brought to his attention, and agrees with the Chief, that this was just an error, and somehow the fax did not get to him. Mr. McPeek insisted that Chief review his fax records, Chief refused to put that kind of time into one press release that wasn’t mandatory to send in the first place. Offered Mr. McPeek to FOIL the information. Mr. McPeek complained that the Chief’s attitude towards him is not acceptable. Chief Puckhaber stated that Mr. McPeek was not accepting any explanation he offered on the issue of the possible error, and therefore resulted in Mr. McPeek calling him a liar. Chief Puckhaber stated he takes offense to being called a liar.
 3. Mr. McPeek asked why the Mayor was not in attendance for the local business-Whistle Stop Bake Shop ribbon cutting ceremony, Mayor Frawley stated he was ill and needed to stay home.
 4. Mr. McPeek asked what the status was on XPAND properties that the Mayor promised he would go after if he got elected. The Mayor responded that he has this in his report tonight, Mr. McPeek stated his approval and will wait for the Mayors report.
- No other comments came from the floor

COMMUNICATIONS:

- Mayor Frawley reported on a letter he received from Senator Dale Volker. The letter indicated that the Village of Angola has been approved for a \$20,000.00 State Grant for Emergency Preparation Equipment (natural Gas Generator), due to circumstances incurred during the October Storm. He thanked Crew Chief Jeff Kaminski (not in attendance due to a water line break) for getting this paperwork together and the board suggested that Senator Volker be sent a thank you letter.
- Announced the Village Association Directors meeting February 15th, Trustee DiMartino will represent the Village.
- Will be attending the State of the County Address on February 15th (Joel Giambra) at the Buffalo Convention Center.
- Trustee Houston mentioned an ISO Letter, Code Officer stated he already took care of it this afternoon.

DEPARTMENT HEADS, COMMITTEE REPORTS:**TRUSTEE HOUSTON –**

- Attended the Village of Angola Fire Department Installation Dinner and presented a nice Trophy to the Village for the Fire Departments celebration of 125 years of service. Dinner was nicely done and commissioners received special recognition.
- Attended the Ribbon Cutting for the Whistle Stop Bake Shop, went very well.
- Stated that he and Trustee Wilson were scheduled to attend the Southtowns Planning and Development meeting scheduled for last week but it was cancelled due to weather, they will not be re-scheduled, but will hold a meeting in 3 months.
- Southtowns Community Enhancement Coalition met on January 19th at the Evans Town Hall. and next meeting is scheduled this Friday, February 9th in Eden, he will be attending.
- Attended a program sponsored by the Lakeshore Hospital, in regard to the possible closing issues. They had a nice presentation supporting the need of the Lakeshore Hospital to remain open. They invited Governor Spitzer to visit our Hospital and community. Three Members from the area, that are on the advisory board on this issue, visited Lake Shore Hospital and voted positive on keeping the Hospital running as it is.
- Attended a meeting with Mayor Frawley that the Mayor arranged with Thomas Wik from the Erie County Water Authority, held at the Village Hall. Erie County Water Authority has issued a 5% increase. Mr. Wik mentioned some ideas the Authority had. Trustee Houston also, mentioned a newspaper article regarding this issue, the need for Emergency power, the use of Bonds to cover large cost projects and the Village of East Aurora.
- Attended the Business Seminars being held at the Angola Theater, not many business owners have been attending, but there are interested residents attending. Thanked Paul Cooper for organizing these seminars. Distributed a handout representing the breakdown of what kinds of people shop at Wal-Mart. Next meeting will be February 8th. Eden and Evans Chamber are also sponsoring some Business owner workshops but the turnout hasn't been great.
- Garbage pickup, scheduled for the Village on Mondays was rescheduled for tomorrow (Tuesday) due to the bad weather. There were a few concerns with the new contract but all were addressed and corrected.
- Attended the XPAND meeting with Mayor Frawley, mentioned that the County has indicated that they will be having an auction on XPAND properties in April of 2007. Any interested party is suppose to contact Lori Szewczyk. She will forward information to the county.

TRUSTEE STOCKMAN –

- Depot meeting went well, starting to work on some raffles to raise money. Saber's and the Buffalo Bills will be donating items. Next meeting is Monday Feb 19, at 7:00PM

TRUSTEE WILSON –

- After mentioning the issues and meeting engineers from CSX railroad regarding a dangerous situation at the CSX Bridge over Big Sister Creek, the issues are being addressed by CSX. He will continue to report on the clean-up/repair work on the bridge.

TRUSTEE DiMARTINO –

- Attended the Angola Fire Dept. installation dinner, commended the Commissioners for the outstanding job they have done.
- Received many phone calls thanking the DPW Department for the great snow clean-up they have done throughout the Village.
- Library board meeting went well, they are relieved to have some hours reinstated. Programs are being planned to continue fund raising projects.
- Trustee Houston also received a Thanks he relayed to the DPW.

MAYOR FRAWLEY –

- Attended the Angola Fire Departments installation, went very well. Congratulated Commissioner Kaminski.
- Received many thanks in regard to the DPW and their hard work, the DPW Crew Chief is excused from tonight's meeting while he and his crew are handling a water break on Woodland Park new Terrylynn.
- Meeting with Senator Volker and Congressman Quinn in regard to power for Goya. Hoping to get something going with the State Legislator.
- Met with XPAND to review and overtake some of the Village properties that are sitting in their hands. He is hoping they will consider releasing liens. Seems like many roadblocks are being put in front of the Village Officials to get these properties moving. Anyone interested in any of these properties was told to contact Lori Szewczyk and make an offer. She will forward information to the county, and they will review. Many municipalities are dealing with the same issues. Anyone interested in the Old Town Hall should contact the owner Julie Roach. Mr. McPeek expressed his interest.
- Attended the Village Officials Association meeting in Hamburg with Trustee DiMartino. Discussed efforts to move Village Elections to June.
- Mentioned that he attended the Association of Erie County Governments meeting on January 25th and it went well. In attendance was Joel Giambra, who was questioned on the control of the Erie County Water Association and their rate increases.

ATTORNEY –

- Left message with the DEC Superintendent regarding the status of the Water Plant transfer. The last issue regarding the intake has been resolved. Ready to move forward to complete the sale.
- Wrote a letter to the son of the owner of the Intercontinental Building, still waiting for a response.

Mr. McPeek mentioned that he viewed Reid Petroleum removing the gas pump from the Yellow Goose property. DEC was also there. He stated that he had interested parties contact them with no response.

POLICE –

- Read the monthly report.

GENERAL CREW CHIEF –

- Excused-working on a waterline break

FIRE COMMISSIONERS –

- Commissioner Kaminski handed the board a certificate of insurance from Lake Shore Schools for the can and bottle drive, as requested by the Board. The drive is scheduled for Saturday February 10th at the Angola Fire Hall.
- Handed in the bill for the flowers that the Mayor purchased for the Fire Department Installation dinner.

Trustee Houston asked for the details on the purchase of the tires for the Chief's Vehicle. The department found the best price possible for this purchase.

CODE ENFORCEMENT –

- Checked on issues of the vacant lot on N. Main at the Village line – being cleaned up.
- Trustee Houston mentioned some more work to be done on the CSX Railroad property, an old pole is still there next to the Carpet Mill.
- Trustee Houston asked of the status of the Penn Ave, property. Still waiting for a response from the out of town owners.

PLANNING –

- Excused
- Chairman, Bill Herold called the Clerk to report that they are moving forward on the Goya Expansion project, the Planning Board is meeting on February 28th in regard to SEQRA
- Trustee Houston thanked the Attorney and others involved with this project and keeping it running smoothly.

ZONING –

- Chairman Paul Cooper reported that the Zoning Board will meet on Tuesday February 13, for a Variance Hearing in regard to the Goya expansion.
- Received a call from one of his Board Members, William Farkus, announcing his resignation from the Board due to schedule conflicts with work and school.
- Asked for the Board to appoint Rick Bartlett to fill this position.(see resolution)

CLERK-TREASURER –

- Preparing budget paperwork for the scheduled workshops.
- Scheduling a meeting with the Town of Evans Assessor regarding the Village assessment and to get a taxable valuation figure for the Village, to work with in preparing the budget, and to make sure we better understand.
- Trustee Houston mentioned that the Clerk reported a check the Village received from the Occupational Safety Health Hazard Abatement Board in the amount of \$24,750. promised to us as their share or portion, from the installation of the Fire Department stairway from 1996, Attorney Yusick has followed up with correspondence over the years to resolve this concern.

OLD BUSINESS:

1. Sale of Water Plant- already reported
2. Thruway Water – meeting next Monday at headquarters in Buffalo. Will discuss maybe using the Pontiac Road Booster station to help with the resolution of this issue.
3. Senior Housing- had a meeting with People Inc. The board wants to move forward in resubmitting the application.
4. Outside delinquent water accounts- no report.
5. Emergency repair of Intercontinental Building Commercial St.- discussed

NEW BUSINESS:

- No new business to report.

RESOLUTIONS BEING OFFERED FEBRUARY 5, 2007**#1 APPOINT ELECTION INSPECTORS**

Be It Resolved that the Following persons be appointed inspectors for the March 20, 2007 Village Election:

Theresa Jerozal	18 Lerczak Drive, Angola NY 14006
Susan Peterson	89 Center Street, Angola NY 14006 as CHAIRMAN
Diane Volker	20 Loraine Street, Angola NY 14006
Gary Tribula	47 Maple Street, Angola NY 14006

Be it Further Resolved that said election inspectors will be compensated at a rate of \$7.15 per hour. With an additional compensation paid to the Chairman. **MOTION made by Trustee Wilson, seconded by Trustee DiMartino, UNANIMOUSLY CARRIED**

#2 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 Thursday February 8, 2007. 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 fourteen-thousand-forty-eight-dollars-and-ten-cents (\$14,048.10) **MOTION made by Trustee DiMartino, seconded by Trustee Wilson, UNANIMOUSLY CARRIED**

#3 APPROVE ENGINEERS PROPOSAL FOR MAPLE STREET WATER LINE

WHEREAS the Village of Angola has been awarded an Erie County Community Development Block Grant in the amount of ninety-thousand-dollars (\$90,000.00) for the 2007-2008 consortium year to replace the School Street Waterline and School Street to Maple Street Waterline loop, and

WHEREAS that the Angola Village Board hereby received a proposal for engineering services from the Village Engineer Donald D. Gallo as per the Boards request, for the above mentioned project, and

WHEREAS, said proposal includes all engineering services at a cost not to exceed nineteen - thousand-six-hundred-dollars (\$19,600.00) and projected construction costs for above mentioned water line at a total of ninety-four-thousand-one-hundred-eighty-dollars (\$94,180.00) for a grand total of one-hundred-thirteen-thousand-seven-hundred-eighty-dollars (\$113,780.00), **NOW THEREFORE BE IT RESOLVED**, the Village Board of the Village of Angola accepts proposal from Village Engineer Donald D. Gallo and hereby authorizes Mayor Howard Frawley to execute said contract. **MOTION made by Trustee Wilson, seconded by Trustee DiMartino, UNANIMOUSLY CARRIED**

#4 APPROVE USE OF GAZEBO AND CENTENIAL PARK FACILITIES

RESOLVED that the Village Board hereby approves the application from Kim Sunday to use the Centennial Park facilities and the William G. Houston Gazebo on Saturday August 4, 2007 at 2:00 PM for the purpose of a Wedding Ceremony and Photo taking. **MOTION made by Trustee Houston, seconded by Trustee Wilson, UNANIMOUSLY CARRIED**

#5 APPROVE APPOINTMENT OF 2 PART-TIME POLICE OFFICERS

WHEREAS, upon recommendation of the Chief of Police, Patrick Puckhaber, **BE IT RESOLVED** that the Angola Village Board does hereby approve the hiring two part-time police officers, Thomas J. Crupe Jr. and Douglas M. Tubinis, with a starting date of February 6, 2007. **MOTION made by Trustee Wilson, seconded by Trustee Stockman, UNANIMOUSLY CARRIED**

#6 AUTHORIZE NEW ADDRESS FOR MESI DRIVE

BE IT RESOLVED that the Board of Trustees of the Village of Angola does hereby, authorize the request made Donald W. Cotter, to appoint an address for his new built home SBL#251.07-3-28, New Address to be 27 Mesi Drive, notification will be made to all parties involved. **MOTION made by Trustee Houston, seconded by Trustee Stockman, UNANIMOUSLY CARRIED**

#7 APPOINT ZONING BOARD MEMBER

WHEREAS the Chairman of the Angola Zoning Board received notification of a resignation from zoning board member William Farkas effective February 5, 2007, **NOW THEREFORE BE IT RESOLVED** the Mayor of the Village of Angola hereby appoints Richard Bartlett of 61 Lake Street Angola as a Zoning Board Member as recommended by Zoning Board Chairman Paul Cooper. **MOTION made by Trustee DiMartino, seconded by Trustee Houston, UNANIMOUSLY CARRIED**

#8 APPOINT AFFIRMATIVE ACTION OFFICER

WHEREAS, Mayor Frawley of the Village of Angola received a letter from Erie County Department of Environment and Planning requesting that the Mayors appointment of an Affirmative Action Officer for the Village of Angola, **NOW BE IT RESOLVED**, Mayor Frawley hereby appoints Village Clerk-Treasurer Linda Giancarlo as Affirmative Action Officer for the Village of Angola, this is an appointment usually made at the organizational meeting. It will be an item on the organizational meeting in April. **MOTION made by Trustee Houston, seconded by Trustee Wilson, UNANIMOUSLY CARRIED**

#9 APPROVE NOTICE OF PUBLIC HEARING FOR PROPOSED LL #1-2007 "Zoning Map"

BE IT RESOLVED THAT, the Clerk Treasurer is hereby directed to publish pursuant to local law the attached Notice of Public Hearing on Proposed Local Law #1 for the Year 2007, entitled "Zoning Map". Said hearing will be held on the 20th day of February 2007 at 9:00PM at which time all interested parties will be heard. A copy of the Proposed Local Law #1 for the Year 2007 is attached hereto. **MOTION made by Trustee Stockman, seconded by Trustee Wilson, UNANIMOUSLY CARRIED AMENDED ON FEBRUARY 10 2007 TO FEBRUARY 28 5:00pm**

#10 APPROVE NOTICE OF PUBLIC HEARING FOR PROPOSED LL#2-2007
“ADMINISTRATION AND ENFORCEMENT OF THE NEW YORK STATE UNIFORM
FIRE PREVENTION AND BUILDING CODE”

BE IT RESOLVED, The Clerk Treasurer is hereby directed to publish pursuant to local law the attached Notice of Public Hearing on Proposed Local Law #2 for the Year 2007, entitled “Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code” Said hearing will be held on the 20th day of February 2007, at 8:05PM at which time all interested persons will be heard. A copy of the Proposed Local Law #2 for the year 2007 is attached hereto. **MOTION made by Trustee Stockman, seconded by Trustee DiMartino, UNANIMOUSLY CARRIED amended FEBRUARY 10, 2007 TO FEBRUARY 28 AT 5:05pm**

AUDIT OF BILLS – motion made to approve the bills, by Trustee Stockman, seconded by Trustee Wilson regarding the following: **General Fund Abstract #19 & #20, Checks #5248, #5249 and #5251 to #5304 in the amount of \$46,505.26 plus Payroll #2 & 3; Water Fund Abstract; #19 & #20, Checks #1333 to 1346 in the amount of \$27,546.86 plus Payroll #2 & #3; UNANIMOUSLY CARRIED**

MEETING ADJOURN to Budget workshop on Saturday February 10 at 8:00AM and a potential joint work session February 12 at 7:30 at the Town Hall, and the next scheduled regular Board Meeting Tuesday February 20th 2007 at 7:30 **Motion made by Trustee Stockman, seconded by Trustee Wilson UNANIMOUSLY CARRIED** meeting adjourned at 8:40PM

Submitted By

Linda D. Giancarlo
 Village Clerk-Treasurer