

## **INDEX – March 8, 2010**

**VISITORS:** Ernest Masullo, Tony Troidl, Nicholas Enser, Stephanie Wlosinski, Mark Mendola, Adam Steigert, Andrew Levin, Sarah Scwemniak, Alice Douglas

**COMMUNICATIONS:** Emerald Ash Borer workshop; Legislator Lynn Dixon public outreach schedule and NFTA public hearing; NYCOM Officials meeting; Erie County Executive Address to the County; Don Rogers Magic Performance at Theatre; thank-you from Governor Patterson, Senator Dale Volker and Assemblyman Brian Kolb; Erie County Board of Health public hearing; Association of Erie County Governments meeting; NYCOM Economic Development Conference; GOYA Company booklet; “Great American Clean-Up”; Carol Meissner retirement dinner; Evans-Brant community calendar

**TRUSTEE HOUSTON:** Southtowns Planning Meeting; Economic Development Committee meeting; Southtowns Community Enhancement Coalition minutes; Association meeting agenda; member item request copies; new “building code” law; Miss Daisy from 1938 era; responded to e-mails from England and Georgia for historical information

**TRUSTEE KIN:** Library may obtain funding through ARA 2009; new fiber optic networking available at the library; requested support for Tobacco-Free coalition

**TRUSTEE WILSON:** Crosby’s Grand Opening and ribbon cutting; congratulated Jeff Kaminski and welcomed Ray Ashton; Buildings and Grounds advocacy program; interested party in Angola Businessmen’s Association

**TRUSTEE LoGALBO:** first Angola Businessmen’s meeting report and next scheduled meeting; Wilson’s Carpet Mill will be back in business under a new name; Solar Liberty grants; possible locations for “Welcome” sign

**MAYOR FRAWLEY:** meeting with County Executive; attended Crosby’s Grand Opening; Association of Erie County Governments meeting; Distressed Properties meetings; legislative conference in Albany

**ATTORNEY:** two (2) late resolutions added; sale of Water Plant and 39 South Main Street

**POLICE CHIEF:** letter to Commissioner Sens and Legislator Dixon regarding Eden-Evans Center Road conditions

**GENERAL CREW CHIEF:** flood mitigation NRCS grant; incident at N. Main and Orchard; congratulated Jeff Kaminski on his retirement and welcomed Ray Ashton

**FIRE COMMISSIONERS:** <Kaminski> FEMA grant for Scott Sir Packs; Chief Young submitted a proposal for updating and purchasing new turnout gear; Warren Jensen new Disaster Coordinator; Blood Drive March 27

**CODE ENFORCEMENT:** EXCUSED – Reports received

**PLANNING:** ABSENT

**ZONING:** ABSENT

**CLERK-TREASURER:** February reports completes; Budget is filed; working on Solar grant; 3 days a week for Physical Therapy; working with Accountant on Capital projects

**OLD BUSINESS:** Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Step in curb; Emblem Building; Old Town Hall; Erie County Sewer District #2 water bill; Erie County Sewer District #2 outside meter pit; WT Hoag School Flooding; Answer from Town regarding funding for the Library

**NEW BUSINESS:** Fire Truck; Snow Plow; Library Addition

### **RESOLUTIONS:**

- 1) **Approve Use of Centennial Park and William G Houston Gazebo**
- 2) **Approve Use of Herman Park facilities**
- 3) **Set Public Hearing for Tentative Budget for April 12, 2010 – 7:45PM**
- 4) **Authorize Agreement with Erie County for Eliminating Referrals Not Pertaining to County Planning Agency**
- 5) **Approve Letter of Support**
- 6) **Approve Purchase of 39 South Main**
- 7) **Approve Reassignment For Sale of Water Plant**

**MEETING MINUTES**  
**Village of Angola Board Meeting**  
**Monday March 8, 2010 – 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 8, 2010 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; Raymond Ashton-Interim Crew Chief; Lynne Kaminski– Angola Fire Department Commissioner; Ernest Masullo-Chief Town of Evans Police Department and Donald Gallo – Village Engineer;

**GUESTS:** Tony Troidl; Nicholas Enser; Stephanie Wlosinski; Mark Mendola; Adam Steigert; Andrew Lavin; Sarah Scwemniak; Alice Douglas

**PLEDGE OF ALLEGIANCE:** led by Jeffrey Kaminski

**CALL MEETING TO ORDER** at 7:00PM

**APPROVAL OF MEETING MINUTES and Workshop Minutes of February 8, 2010 MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

**VISITORS: No Comments**

**COMMUNICATIONS:**

**Mayor Frawley reported:**

- Read an announcement for a workshop regarding the Emerald Ash Borer tree issues.
- Received two letters from Legislator Dixon one announcing the public hearing she is holding regarding changes to the NFTA bus route, on March 18 at Erie Community College South and the other announcing the schedule of her public outreach sessions
- Announced the NYCOM Officials meeting Saratoga Hilton, May 16-18.
- Attending the Erie County Address this Thursday, offered by Erie County Executive Collins.
- Announced that The Angola Theatre will be having a Magic Performance at 7PM on April 1<sup>st</sup> featuring Don Rogers.
- Received a thank you letter from Governor Patterson for the resolution for the Village supporting NEST funding.
- Had Trustee LoGalbo read a thank you letter from Assemblyman Brian Kolb regarding the “Peoples Convention to Reform New York” support resolution passed by the Village of Angola Board
- Announced a public hearing for the Erie County Board of Health for amendments to the sanitary code.
- Received a thank you letter from Senator Dale Volker verifying his receipt of our member item request for a natural gas generator and also the request for the repair and replacement of Fire Hydrants in Village related water district.
- Announced he will be attending the Association of Erie County Governments meeting March 25, in Kenmore.

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- Announced the NYCOM Economic Development workshop at the Main Street Conference, April 15 and April 21.
- Discussed the GOYA Company booklet showing the new distribution area in Angola.

**Trustee Houston reported:**

- Announced the “Great American Cleanup” April 1-May 31, a NEST program.
- Announced he is attending the retirement dinner for former Evans Town Clerk Carol Miessner on Saturday March 27, 2010.
- Commented that he asked the Evans Brant Chamber to reinstate the community calendar a sample from 1979 was given to them. They used to put this into the Angola Penny Saver.

**DEPARTMENT HEADS, COMMITTEE REPORTS:**

**TRUSTEE HOUSTON** reported:

- Southtowns Planning Meeting
- Economic Development Committee meeting
- Southtowns community enhancement coalition meeting minutes filed with the clerk and next meeting will be held in the Village Hall next Friday, March 12.
- Association meeting agenda filed with the clerk
- Discussed member item request copies given to the Board that Lori Scewczyk typed up with his guidance.
- Contacted Angola Justice, regarding new “building code” law.
- Responded to correspondence regarding a Miss Daisy and the school from the 1938 era.
- Received an email from Georgia, whose cousin was a minister from one of our local churches in the 1890’s researching information and will contact him.
- Also an email from England regarding their grandfather who sold Emblem motorcycles in the Netherlands, he asked about the Emblem Building and pictures he has that shows a tour through the Emblem. Bob Barrett is assisting with the details for a reply for him.
- Has not received a response from NYCOM from a letter he wrote May 2009, about holding a 1-day conference so from of the area. Was not happy to see their conference schedule is again set for 1 day in Utica New York, and another day for Watkins Glenn.

**TRUSTEE KIN** reported on behalf of the Angola Library:

- Reported that the Library may be able to obtain funding through the ARA 2009 as per information received by the Secretary of Agriculture for public funding for public libraries.
- Announced a new fiber optic networking that is available at the library.
- Would like the board to support the Tobacco free coalition and have our public parks included. Pending further discussion by the board.

**TRUSTEE WILSON** report:

- Attended the grand opening of Crosby’s Convenience Store and the Ribbon Cutting, it was well attended and he was proud to have this new business active in our community.
- Congratulated and thanked Crew Chief Jeffrey Kaminski for his dedication to the Village as he will be retiring and this will be his last meeting. Welcomed Ray Ashton to the position.
- Attended an Advocacy program in Albany for Buildings and Grounds for work.
- Announced an interested party for the Angola Businessmen’s meeting, the Angola Flower Shop owner would like to attend. She is looking for assistance to get her business moving he would also like to attend the businessman’s meeting Tuesday, March 23d at Desperado’s.

**TRUSTEE LOGALBO** reported:

- Had the first businessman meeting on Tuesday February 23 at Desperado's, many attended, thanked Christine Mittner for taking minutes. Discussed ways to increase traffic flow. Working on ideas.
  - Another meeting is scheduled for March 23. Working on Employee perk program.
- Mayor Frawley** reminded Trustee LoGalbo that he has the incorporation paperwork for the Angola Businessmen's Association (ABA) from years ago, and he will get it to him.
- Wilson's Carpet Mill building will be back in business, Mr. Thomas Mullet is opening an auction house/antique gift shop/computer repairs. Hoping to open in April. He will be advised to contact the Building Department to move forward.
  - Continuing the solar project with Solar Liberty, they will be working with the Clerk Linda Giancarlo to move forward on Solar Grants. The grant applications are due by April 7th; the Clerk said she would have them done. The Clerk asked for a motion.

**MOTION MADE** approving the Village Clerk-Treasurer Linda Giancarlo to prepare and submit 2 grant applications for Renewable Energy, (1) for the DPW Building and (1) for the Village Hall. Motion made by Trustee LoGalbo, Seconded by Trustee Wilson, Unanimously carried.

- Thanked the Village Clerk and the Deputy Clerk for advertising the Paint program and local discount on the water billing cards. Hopes for a good response.

**Trustee Houston** reported that Shultz hardware is renovating and Crosby's great attendance.

**Trustee Wilson** mention he has some possible locations for the "Welcome to Angola" sign.

**MAYOR FRAWLEY** reported

- Attending a meeting with Executive Collins at Emery Park
- Attended Crosby's Grand Opening, it was well attended and he was proud to hear it was the largest turnout for a ribbon cutting in their history. He reported the great produce and the many items they have and how this was such a needed addition to our community.
- Attended a meeting for the Association of Erie County Governments at the Roycroft, Trustees Houston and Wilson were also in attendance. They discussed ECIDA Film presentation and the Goya projects.
- Meeting planned in April at Hilbert College for Distressed Properties.
- Filed a copy of the Association membership to the Village Clerk.
- Traveled to Albany for a legislative conference and scheduled a meeting with to discuss the Emblem Building with a representative of the Office of Historic Preservation, Julian Adams. Mayor Frawley received literature regarding Tax Incentive Programs. Mr. Adams will be scheduling a visit to Angola this summer.

**ATTORNEY YUSICK:** reported on (2) two late resolutions added for tonight's meeting, one regarding the reassignment of contract for the sale of the Water Plant, and one being the purchase of 39 S. Main Street.

**POLICE – Chief Ernest Masullo reported:**

- Wrote letter to Commissioner Sens and Copied to Legislator Dixon regarding the terrible, hazardous condition of Eden-Evans Center Rd. Legislator Dixon immediately put up "Rough Road" signs. The cost for Eden Evans Center Road from Route 5- Route 62 comes in at approximately 11-12 million dollars (as per Legislator Dixon, this is the amount of the whole county budget for roads). Drain work will also need to be done for this area. He doesn't see it happening in the near future, Legislator Dixon is putting it on as an emergency repair. Has not received any response from Commissioner Sens.

**Mayor Frawley** asked about the bridge on Route 5 in Derby. Chief Masullo stated that if this bridge were to be worked on, traffic would still be allowed to pass.

- Chief Masullo stated that Legislator Dixon has been in constant contact with him. She is doing what she can to help out.

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- The Village Board discussed other County road problems in the area. Trustee Houston will send a letter to Legislator Dixon on the conditions of County Roads and Bridges in the area.

**GENERAL CREW CHIEF reported:**

- Reported a new grant opportunity through NRCS for flood mitigation. He will get us on the list to apply for Herman Park flooding issues.

**Trustee Houston** asked about the incident where the street sign at N. Main and Orchard Ave. that was hit. Jeff is working on this and the police have a report.

**The Mayor and the Village Board** applauded Jeffrey Kaminski for his dedication of 31 years to the Village of Angola and congratulated him on his retirement.

**Jeff Kaminski** thanked the Village Board and all previous Boards.

**The Village Board** recognized interim Crew Chief Raymond Ashton attending his first board meeting tonight and wished him well on his new assignment.

**FIRE COMMISSIONERS:**

**LYNNE KAMINSKI** reported:

- Reported that the FEMA grant was officially awarded for over \$39,000 for Scott Air Packs and requires a 5% match (approx \$2500) which will come out of the Village Fire Department Air Pack Budget Line
- Fire Chief Young held Air Pack demonstrations on Saturday. DiVal Safety offered the best price. This is through the Grant that DiVal prepared for the Fire Department. She will work out budgeting and financing details with the Village Clerk.
- Chief Young prepared and submitted a proposal to the Village Board to purchase Turnout Gear in an amount not to exceed \$10,937.33 as budgeted out of the 2009-2010 budget line and it is available. This will be a purchase through State Bid. He is also updating old gear.

**MOTION** to approve made by Trustee Wilson, seconded by Trustee LoGalbo, unanimously carried.

**Trustee Houston** applauded the great work that is being done by Chief Young.

- Commissioner Kaminski discussed the need for a disaster coordinator for the Village, as Chief Kristopher Young resigned that position as of March 9<sup>th</sup> 2010. She recommended Warren Jensen. The Board approved.

**MOTION** to appoint Warren Jensen as “Disaster Coordinator” for the Village of Angola, motion made by Trustee Wilson, seconded by Trustee Kin, unanimously carried.

- Commissioner Kaminski also reported that the Angola Volunteer Fire Company would be sponsoring a blood drive on March 27, 10-4.

**CODE ENFORCEMENT** – Excused, reports received

**PLANNING** – Absent

**ZONING** – Absent

**CLERK -TREASURER-** reported:

- February financial reports are completed and have been distributed to the Village Board.
- Worked on the Budget which is filed
- Working on the Solar grant
- Still running 3 days a week for physical therapy
- Working with Accountant Elmar Kiefer on the Capital Projects report.

Trustee Houston was wondering if money was remaining in Capital funds from roof work, to replace some upstairs windows in the fire department.

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## OLD BUSINESS:

1. Sale of Water Plant-discussed
2. Thruway Water- waiting for decision
3. Senior Housing- 24 apartment have been filled, looking for 5 more tenants.
4. Intercontinental Building- pending County Auction in May
5. Step in curb, Lake St and N. Main- waiting better weather.
6. Emblem Bldg.- historical site? Pending, discussed earlier
7. Possibility for Old Town Hall- pending
8. Erie County Sewer District #2 water bill- pending
9. Erie County Sewer District #2 meter placement- pending
10. Flooding Problem WT Hogg School- pending better weather and Visit by Engineer Gallo
11. Answer from Town regarding funding for the Library – remove, letter from town indicates no approval for this funding.

## NEW BUSINESS:

Discussion of Capital Projects:

1. Fire Truck- need to start looking for a replacement for #1 a basic Fire Truck.
2. Snow Plow- 10 years old, sell old one and Bond new one now plus include new small water truck in bond.
3. Library Addition- Trustee Kin is working with Grant Writer Lori Szewczyk this week.

## RESOLUTIONS BEING OFFERED MARCH 8, 2010

### **#1 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 Alice Douglas a representative of the Girl Scouts of Western New York, for the use of Centennial Park Facilities and the William G. Houston Gazebo, on Saturday, May 15<sup>th</sup>, 2010 from 11-5 PM for the 2<sup>nd</sup> annual Amazing Race. **Motion made by Trustee Houston, Seconded by Trustee Kin, Unanimously Carried**

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### **#2 APPROVE USE OF HERMAN PARK FACILITIES**

**RESOLVED** that the Village of Angola Board of Trustees hereby approves request and application from Alice Douglas a representative of the Girl Scouts of Western New York, for the use of the Herman Park Facilities, on Saturday, May 15<sup>th</sup>, 2010 from 11-6 PM for the 2<sup>nd</sup> annual Amazing Race. **Motion made by Trustee Kin, Seconded by Trustee Wilson, Unanimously Carried**

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### **#3- SET PUBLIC HEARING FOR TENTATIVE BUDGET FOR APRIL 12, 2010 - 7:45PM**

**RESOLVED** that pursuant to Village Law Section 5-504 the 2010-2011 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 8<sup>th</sup>, 2010. The budget may be inspected between the hours of 9:00 AM and 5:00 PM on or after March 9<sup>th</sup>. Said Tentative Budget includes maximum compensation for the Mayor of \$5,000 per annum and for the Trustees of \$2,700 per annum. **The 2010-2011 Budget reflects an increase in the Village Tax Rate from \$4.97 per thousand to \$5.17 per thousand. A summary of the tentative budget is as follows:**

<b>General Fund Appropriations</b>	<b>\$1,143,439.00</b>
<b>Water Fund Appropriations</b>	<b>\$ 726.650.00</b>

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**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 12<sup>th</sup> 2010 at 7:45 PM to consider same before final adoption. Village Clerk is hereby authorized to publish notice in the paper of record the Hamburg Sun.  
**Motion made by Trustee LoGalbo, Seconded by Trustee Kin, Unanimously Carried**

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**#4- AUTHORIZE AGREEMENT WITH ERIE COUNTY FOR ELIMINATING REFERRALS NOT PERTAINING TO COUNTY PLANNING AGENCY**

**WHEREAS**, pursuant to General Municipal Law Section 239-m, certain proposed municipal zoning actions are to be submitted to a county planning agency for review and recommendation before the municipality makes a final determination of such zoning actions, and

**WHEREAS**, General Municipal Law Section 239-m also allows municipal agencies and the County to enter into agreements whereby certain zoning actions do not have to be submitted to a county planning agency for review and recommendation before the municipality makes a final determination of such zoning actions, and

**WHEREAS**, the purpose of this Agreement is to recognize that certain zoning actions do not have inter-municipal or countywide significance and, therefore, are best handled at the local municipal level without referral to the county planning agency, and

**WHEREAS**, eliminating such referrals would assist to streamline the county review process and at the same time assist to reduce administrative costs for both the municipality and the County of Erie, now

**BE IT RESOLVED** that the Village of Angola Board of Trustees hereby authorizes Mayor Howard Frawley to enter into an agreement with the County Of Erie to except certain zoning actions in accordance with chapter 413 of the laws of 1991 of the General Municipal Law Section 239-m. **Motion made by Trustee Wilson, Seconded by Trustee Kin, Unanimously Carried**

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**#5 APPROVE LETTER OF SUPPORT**

**RESOLVED** that the Village of Angola Board of Trustees hereby approves Mayor Frawley to send a letter of support to Southtowns Rural Preservation Co. Inc. supporting their request to submit an application seeking \$400,000 in HOME funds to the NYS Division of Housing and Community Renewal and the NYS Affordable Housing Corporation. For a home repair program through the NYS HOME program Funds. **Motion made by Trustee Houston, Seconded by Trustee Kin, Unanimously Carried**

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**#6 APPROVE PURCHASE OF 39 S. MAIN**

**WHEREAS**, the Village Board has requested that the County of Erie sell to the Village, premises commonly known as 39 South Main Street for the future Railroad historical use, and

**WHEREAS**, in excess of \$100,000 dollars of the back taxes and tax liens have attached at the property, and

**WHEREAS**, the County of Erie has agreed to sell said premises to the Village for the sum of \$5000, per the attached closing statement free of back taxes and tax liens.

**It is Now RESOLVED** that the purchase of 39 South Main Street from the County of Erie for the sum of \$5,000 is authorized and the Mayor is authorized to execute all documents necessary or convenient to such transaction. **Motion made by Trustee Wilson, Seconded by Trustee Kin, Unanimously Carried**

**#7 APPROVE REASSIGNMENT FOR SALE OF WATER PLANT**

**WHEREAS**, the Village of Angola entered into a contract dated on or about August 25, 2005 with Paul Erickson for the sale of the Angola Water Plant contract, and

**WHEREAS** numerous legal issues had to be addressed before the plant could be sellable including consent by the General Services Administration for the water intake to remain in it's present location

A release conveyance of all easements in rights to the flood control wall by the federal government and the State of New York DEC, and

**WHEREAS**, the above purchaser has requested that the terms and conditions of the contract on the part of the purchaser be assigned to a relative, and

**WHEREAS**, the Village has determined that the sale of the water plant pursuant to the terms and conditions of said contract is in the best interest of the Village and that the Village 's interest are not jeopardized by such assignment.

**NOW THEREFORE BE IT RESOLVED** that the Mayor is hereby directed to execute an assignment, dated as of the first day of February 2010 consenting to said assignment and confirming the contract. **Motion made by Trustee Wilson, Seconded by Trustee Houston, Unanimously Carried**

**AUDIT OF BILLS – MOTION TO APPROVE THE FOLLOWING** General Fund Abstract 018, Checks #7567 to #7574 in the total amount of \$14,591.27 and General Fund Abstract 019, Checks #7575 to #7617 in the total amount of \$34,693.94, plus payrolls #4 & 5; Water Fund Abstract 018, Check #1969 in the total amount of \$367.86 and Water Fund Abstract 019 Checks #1970 to #1983 in the total amount of \$28,971.43 plus Water Payrolls #4 & 5. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED.**

**MOTION TO ADJOURN** to next regularly scheduled Board meeting Monday April 12<sup>th</sup> 2010 at 7:00 with a Public Hearing on Tentative Budget at 7:45PM and a workshop at 6:30 if needed. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO** In Memory of Howard Curren, unanimously carried. Meeting adjourned at 8:15PM

**Submitted By**

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**Linda Giancarlo  
Village Clerk-Treasurer**