

INDEX – March 17, 2008

VISITORS: Alice Escott; Brian Campbell; Steven Brachman;

COMMUNICATIONS: Village Official's Association Dinner on March 20th; Association of Erie County Governments meeting on March 27th; Great Angola Train Wreck presentation on May 22nd at Angola Theatre; "Walk the Village" meeting on March 18th; Mutual Aid Scholarship; appointment of Mayor Frawley to Board of Managers at Erie County Sewer District #2; "Picturing America" initiative

TRUSTEE HOUSTON: County auction of land on Hardpan Road and 21 Maple Street; Southtowns Community Enhancement future meeting; report from Wal-Mart infrastructure meeting; Music Man at the High School; sale of Memorial Trees/Stones.

TRUSTEE DEJOHN: commended Councilman Cooper for his stand at the recent Evans Town Board Meeting.

TRUSTEE WILSON: commended Village Board for work on tentative budget; unable to attend NEST meeting; commended both Engineer Gallo and Attorney Yusick on their hard work and expertise

TRUSTEE TUBINIS: No report

MAYOR FRAWLEY: meeting for proposed Walgreens; report on tentative budget decrease; Task Force for Distressed Properties; report on meeting with community leaders and Erie County Executive Chris Collins

ATTORNEY: two proposed local laws; sale of water plant paperwork being completed

POLICE: Excused

GENERAL CREW CHIEF: carpeting at the old Police Station; old water plant has been broken into

F/D COMMISSIONERS: prisoners working at Main Fire Hall; status of the Hose Dryer

CODE ENFORCEMENT: Excused; Norfolk-Southern Penn RR Barrier

PLANNING: Absent

ZONING: mandatory training completed by members; commended Board on tax decrease; Lynn Krajacic newly appointed as Secretary

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building

NEW BUSINESS: No new business

RESOLUTIONS:

- 1. Set Public Hearing for Tentative Budget for April 21, 2008 at 8:00pm**
- 2. Authorize Mayor to sign Intermunicipal Agreement with Town of Evans for Dispatch Services for 2007**
- 3. Authorize Assemblage Application from Lake Shore Senior High**
- 4. Proposed LL #1 – 2008 "Bed and Breakfast"**
- 5. Authorize Public Hearing for Proposed LL#1 for the Year 2008**
- 6. Proposed LL #2 for the Year 2008 Amending Code for B-2 Business Zone**
- 7. Authorize Public Notice for Hearing for Proposed LL#2 for the Year 2008**

MINUTES
Village of Angola Regular Board Meeting
Monday March 17, 2008
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 March 17, 2008 at 7:30 PM, there were

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

ALSO PRESENT: Linda Giancarlo, Village Clerk-Treasurer; Andrew Yusick-Village Attorney; Jeffrey Kaminski-DPW Crew Chief; Lynne Kaminski and Mark Goodway-Fire Department Commissioners; Paul Cooper-Zoning Board Chairman.

GUESTS: in attendance were Alice Escott (Town Crier); Brian Campbell-Hamburg Sun; Steven Brachman-Buffalo News.

PLEDGE OF ALLEGIANCE was led by Steven Brachman

MEETING CALLEED TO ORDER AT 7:30PM:

APPROVAL OF MEETING MINUTES OF MARCH 3, 2008, MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED.

VISITORS: no visitors

COMMUNICATIONS:

- **Mayor Frawley** mentioned the Village Officials Association Dinner to be held March 20th at Ilio's DiPalos in Blasdell. Nomination of Officers will be held.
- **Mayor Frawley** announced the Association of Erie County Governments meeting to be held next Thursday March 27th at the Diamond Hawk Golf Course in Cheektowaga.
- **Mayor Frawley** mentioned that the Evans Brant Chamber will sponsor a Power Point presentation that will be held at the Angola Theater regarding the Great Angola Train Wreck. It will be a free program though tickets will be generated to control the limit of attendees to not exceed what is allowed in the Theater. It will be held on May 22.
- **Mayor Frawley** announced a memo from Senator Volker's Office that announced that a "Walk the Village" meeting will be held tomorrow March 18th in Lancaster.
- **Mayor Frawley** discussed a Mutual Aid Scholarship Program offered by the Erie County Fire Chiefs Mutual Aid Organization. It will be offered to firefighters, information was forwarded to the Fire Department. The Clerk will also forward this information to Chief DeJohn
- **Trustee DeJohn** read a letter from Michael J. Quinn Deputy Commissioner announcing Mayor Howard Frawley's appointment to the Erie County Sewer District #2 Board of Managers. The Board congratulated Mayor Frawley for this 2-year appointment on the Board of Managers.
- **Trustee Houston** reported a letter from Senator Schumer promoting a "Picturing America" initiative. This initiative is a program designed to help the K-12 schools and Public Libraries. The Clerk will forward this information to the Angola Library.

DEPARTMENT HEADS, COMMITTEE REPORTS:

TRUSTEE HOUSTON –

- Reported that he attended the Southtowns Economic Development Meeting, last week, he represents the Village. It was announced that on April 2, the County will be auctioning the small building on Hardpan Road across from the Duriron Plant, and also 72 Acres of land on Hardpan Road that was owned by the Duriron Company.
- Mayor Frawley added that 21 Maple Street will be included in the County auction.
- Announced the Southtown Community Enhancement Coalition will be meeting and discussing plans for their Agricultural grant.
- Was not able to attend the NEST meeting.
- Stated that he and Village Engineer Donald Gallo attended the Wal-Mart infrastructure meeting for concerns regarding the Wal-Mart Plans. It was held at the Town Hall and was nicely organized and interesting. Sandra Brant of the Town of Evans Planning Board set up the meeting. He stated he addressed concerns and ideas he had on Traffic Control, turning arrow light on the corner of Eden Evans Center Road and Rt. 20, and Lake Street and Rt 5 and the ditch issue on Lake Street and other issues around the area. Engineer Donald Gallo will be sending his report on water for Wal-Mart. He asked the Board's permission to send a letter to the DOT regarding his suggestions and concerns so that the DOT and the County can perform a study on these concerns. Motion made by Trustee Wilson and Seconded by Trustee DeJohn, Unanimously Carried.
- Attended the Music Man musical at the High School, it was very well performed.
- Announced that since being mentioned at the last board meeting, the Memorial Trees/Stones, are selling well. There are approximately 7 remaining.

TRUSTEE DEJOHN –

- Commended Evans Town Councilman Paul Cooper, on his stand on Term Limits, at the Evans Town Board Meeting.

TRUSTEE WILSON –

- Commended the Village Board for working collectively very hard to create and present the tentative budget tonight. Offered his comment to the municipality as a whole.
- Could not attend the NEST meeting but will have a report in the future.
- Commended Engineer Gallo for his hard work and expertise and technical ability that has protected the Village in the past and continues to do so in all the major projects going on around the Village. Commended the Village Attorney as well.

TRUSTEE TUBINIS- No report

MAYOR FRAWLEY–

- Will be meeting with the Town Supervisor and Dan Higgins regarding the proposed Walgreen's.
- Reported that the Village Board worked very hard on the tentative budget. They kept in mind the police merger, and the promise made to the residents. While promising a \$6.00 cut in the taxes he wanted the public to be aware of how hard it was with other budget lines that annually increase: Fire Dept., DPW, Insurance etc. But by working together with all the departments, and the board, he was happy to announce that they have filed the tentative budget to reflect a \$6.02 decrease per thousand in the Village Tax Rate.

- Reported that the resolution offered by Legislator Reynolds, to form a “Task Force for Distressed Real Properties”, has been passed buy all 15 County Legislators. He is part of this Task Force and will be meeting the last Wednesday of the Month.
- Attended a meeting with Supervisor Fran Pordum, and Erie County Executive Christopher Collins and several other community leaders at the University of Buffalo. The meeting was brought together by Executive Collins in an effort to hear ideas and issues from County wide community leaders and working with them to resolve these issues. They discussed Distressed properties, Agriculture, Roads and Bridges and tree removal. He spoke up regarding the Erie County Water Authority prices and wanted the County Legislators to investigate this issue. He was seen on Television.
- Trustee Houston mentioned the County Water Authority using the emergency power at the Sturgeon Point water plant last week.

ATTORNEY –

- Discussed two resolutions being offered tonight regarding two proposed local laws. One being a Bed and Breakfast and one being a rezoning. The clerk will forward these two proposed local laws to the Planning Board for review.
- Stated that the final paperwork is being completed for the sale of the water plant.

TRUSTEE DEJOHN-and MAYOR FRAWLEY Announced the Ribbon Cutting and Grand Opening for the Angola Moose. Trustee Houston will be there on the Mayors behalf, due to his traveling to Florida.

POLICE – Excused

GENERAL CREW CHIEF –

- Asked for the Boards Approval to purchase a carpet for the old Police Station, they are changing it over to become the Court Clerk’s Office. Motion made to purchase carpet on State contract at \$1,348.28 made by Trustee Wilson, seconded by Trustee Houston, unanimously carried
- Reported that the old water plant has been broken into again. He will contact the police department to patrol the area and will again secure the building.

FIRE COMMISSIONERS –

Lynne Kaminski- no report

Prisoners have been at the Hall and did a good job with cleaning and painting upstairs and downstairs.

Mark Goodway- no report

Trustee Houston asked about the Hose Dryer, the Clerk and Trustee Wilson reported that the information was sent to Tiger Schmittendorf for sale on the County Fire Department Auction.

Trustee Houston mentioned an internal report of the old ladder truck that was forwarded from the Fire Department.

CODE ENFORCEMENT –

Excused- department is away for training

RR Barrier-Trustee Houston reported that this has been placed by Norfolk-Southern at the south end at Penn Avenue.

PLANNING – Absent - the Board asked the Clerk to contact Chairman Herold in regard to the 2 proposed Local Laws, the Planning Board will have to meet, very soon.

ZONING – Chairman Paul Cooper –

- Reported that all members have completed the mandatory Training for this year and also started their training points for next year.
- Commended the Board on the tax decrease, and their ability to work with the Town Board. He appreciates concrete evidence on the hard work this board does to better the community.
- Mayor Frawley appointed Lynne Krajacic as secretary for the Zoning Board of Appeals as per Chairman Paul Coopers' recommendation.

CLERK-TREASURER –

- Announced a Happy Birthday to Attorney Yusick, Trustee Tubinis and Mayor Frawley
- Reported that the February books are closed and ready for review by the Village board.
- Stated that the office is closed tomorrow for elections.
- Commended the Village Board and the Accountant Elmar Kiefer and all the department heads for working hard to cut the Village Taxes the \$6.00 promised as the result of the police merger. The Board commended her hard work as well in completing the Tentative Budget.

- OLD BUSINESS:**
1. Sale of Water Plant – pending
 2. Thruway Water- Mayor Frawley talked with Congressman Higgins.
 3. Senior Housing- water testing underway
 4. Intercontinental Building- interested buyer, hung up on back taxes.

NEW BUSINESS:

RESOLUTIONS OFFERED FOR MARCH 17, 2008

#1- SET PUBLIC HEARING FOR TENTATIVE BUDGET FOR APRIL 21, 2008, 8:00PM

RESOLVED that pursuant to Village Law Section 5-504 the 2008-2009 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 17th, 2008. 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 \$4,500 per annum and for the Trustees of \$2,700 per annum. **The 2008-2009 Budget reflects a decrease in the Village Tax Rate from \$13.52 per thousand to \$7.50 per thousand, which is a savings of \$6.02 per thousand. A summary of the tentative budget is as follows:**

General Fund Appropriations	\$1,105,710.00
Water Fund Appropriations	\$ 738.792.00

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 21st 2008 at 8:00 PM., to consider same before final adoption. Village Clerk is hereby authorized to publish notice in The Town Crier. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#2- AUTHORIZE MAYOR TO SIGN INTERMUNICIPAL AGREEMENT WITH TOWN OF EVANS FOR DISPATCH SERVICES FOR 2007

RESOLVED the Village of Angola Board of Trustees authorized Mayor Frawley to sign an inter-municipal agreement with the Town of Evans for the year 2007 dispatch services. The agreement amount of \$7,100.00 will be adjusted to reflect the October 1st 2007 transfer of Police services to the Town. A total payment to the Town of Evans, will be in the amount of \$5,324.00 **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**

#3 AUTHORIZE ASSEMBLAGE APPLICATION FROM LAKE SHORE SENIOR HIGH

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from the Lake Shore Family Support Center/Senior High School, Cynthia Latimore, for an assemblage/parade on Saturday May 10th 2008 from 10AM-1PM 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 TUBINIS, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

#4 PROPOSED LL #1 –2008 "BED and BREAKFAST"

WHEREAS, there has been introduced before the Village Board, Proposed Local Law No. 1 of 2008 which amends Chapter 30 of the Angola Village Code, entitled "Zoning" to provide for Bed-and-Breakfast Establishments and Tourist Homes by amending certain sections of Chapter 30, and **WHEREAS**, the Local Law amends Section 30.3, Section 30.3(1), Section 30.3(3), Section 30.6(1), and

WHEREAS, the New York State Environment Quality Review Act (SEQR) requires that a lead agency be established to undertake such action, and

WHEREAS, Section 617.6 of Chapter 6 of the New York Code of Rules and Regulations outlines the procedure for uncoordinated reviews of certain unlisted action, the Village Board may proceed under SEQR as if it were the only involved agency and, therefore, as the lead agency, and

WHEREAS, the approval of the Local Law is an unlisted action under SEQR, and

WHEREAS, a public hearing has been called for on the 21 day of April 2008 at 8:15PM regarding the proposed Local Law, and

WHEREAS, all proposed changes must be sent to the Erie County Division of Planning (Planning Board) and to the Town of Evans.

NOW, THEREFORE, BE IT RESOLVED, that the Village shall conduct an uncoordinated review of the proposed action; and

BE IT FURTHER RESOLVED, that the Village of Angola Board of Trustees is hereby declared to be Lead Agency; and

BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer is hereby authorized and directed to provide copies of the Proposed Local Law to the County of Erie and the Town of Evans pursuant to General Municipal Law.

BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer is hereby directed to provide a copy of the Proposed Local Law to the Village of Angola Planning Board for review and comment.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute a short Environmental Assessment Form and file the same. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**

#5 AUTHORIZE PUBLIC HEARING FOR PROPOSED LL#1 for the Year 2008

WHEREAS, there has been introduced before the Village Board, Proposed Local Law No. 1 of 2008 entitled "Bed-And-Breakfast Establishment/Tourist Home", which amends Chapter 30 of the Angola Village Code, entitled "Zoning" to provide for Bed-and-Breakfast Establishments and Tourist Homes.

NOW, THEREFORE, the Village Clerk/Treasurer is hereby authorized and directed to publish pursuant to law the attached Notice of Public Hearing for Proposed Local Law #1 for the Year 2008 entitled "Bed-And-Breakfast Establishment/Tourist Home" said hearing to be held on the 21st day of April 2008 at 8:15 p.m. at Village Hall, 41 Commercial Street, Angola, New York which time all interested parties shall be heard. A copy of said Notice and Proposed Local Law are attached hereto.

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

NOTICE OF PUBLIC HEARING

Proposed Local Law #1 for the Year 2008

Village of Angola

PLEASE TAKE NOTICE that the Village Board of the Village of Angola, Erie County, New York will be holding a public hearing on April 21st, 2008 at 8:15 p.m. at Village Hall, 41 Commercial Street, Angola, New York for the consideration of Proposed Local Law #1 for the Year 2008 entitled "Bed And Breakfast Establishment/Tourist Home," which will amend Chapter 30 of Angola Village Code to provide for Bed and Breakfast Establishments and Tourist Homes.

Copies of the Proposed Local Law will be available at the office of the Village of Angola Clerk/Treasurer of Village of Angola, Village Hall, 41 Commercial Street, Angola, New York 14006 during all business hours.

That all interested parties shall have an opportunity to be heard by the Village Board at the public hearing to be held as aforesaid.

#6 PROPOSED LL#2 FOR THE YEAR 2008 Amending Code for B-2 Business Zone

WHEREAS, there has been introduced before the Village Board, Proposed Local Law No. 2 of 2008 which amends Chapter 30 of the Angola Village Code, entitled "Zoning" to provide for B-2 Business Zone by amending certain sections of Chapter 30, and

WHEREAS, the New York State Environment Quality Review Act (SEQR) requires that a lead agency be established to undertake such action, and

WHEREAS, Section 617.6 of Chapter 6 of the New York Code of Rules and Regulations outlines the procedure for uncoordinated reviews of certain unlisted action, the Village Board may proceed under SEQR as if it were the only involved agency and, therefore, as the lead agency, and

WHEREAS, the approval of the Local Law is an unlisted action under SEQR, and

WHEREAS, a public hearing has been called for on the 21st day of April 2008 at 8:20PM regarding the proposed Local Law.

NOW, THEREFORE, BE IT RESOLVED, that the Village shall conduct an uncoordinated review of the proposed action; and

BE IT FURTHER RESOLVED, that the Village of Angola Board of Trustees is hereby declared to be Lead Agency; and

BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer is hereby directed to provide a copy of the Proposed Local Law to the Village of Angola Planning Board for review and comment.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute a short Environmental Assessment Form and file the same.

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

**PROPOSED LOCAL LAW NO. 2
FOR THE YEAR 2008**

"B-2 Business District"

A Local Law amending Chapter 30 to provide for a B-2 Business District.

That a new Section 30.34 is hereby added to the Angola Village Code which provides the following:

Section 30.34: B-2 Business District

- A. Permitted Principal Use.
 - 1. All uses permitted in Section 30.33.
 - 2. Automobile body repair and painting.
 - 3. Warehousing or storage of goods which maybe sold from the premises to the general public. The bulk storage of fuel for resale is specifically excluded from the intent of the above.
- B. Permitted Accessory Use.
 - 1. Signs as permitted in Section 30.33 B.
- C. Parking - parking as permitted in Section 30.33 B.
- D. Uses Permitted with Special Use Permit.
 - 1. Uses as permitted in Section 30.33 D.

That the Zoning Schedule is hereby amended to provide after B-1 Zone, the following:

B-2 — All permitted uses under Zoning Classification B-1 including automobile body repair and painting and warehousing or storage of goods which may be sold from the premises to the general public. The bulk storage of fuel for resale is specifically excluded from the intent of the above — bulk requirements shall be the same as District B-1.

#7 AUTHORIZE PUBLIC NOTICE FOR HEARING FOR PROPOSED LL#2 for the year 2008

WHEREAS, there has been introduced before the Village Board, Proposed Local Law No. 2 of 2008 entitled "B-2 Business District," which amends Chapter 30 of the Angola Village Code, entitled "Zoning" to provide for an additional business district.

NOW, THEREFORE, the Village Clerk/Treasurer is hereby authorized and directed to publish pursuant to law the attached Notice of Public Hearing for Proposed Local Law #2 for the Year 2008 entitled "B-2 Business District" said hearing to be held on the 21st day of April 2008 at 8:20 p.m. at Village Hall, 41 Commercial Street, Angola, New York at which time all interested parties shall be heard. A copy of said Notice and Proposed Local Law are attached hereto.

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

NOTICE OF PUBLIC HEARING
Proposed Local Law #2 for the Year 2008
Village of Angola

PLEASE TAKE NOTICE that the Village Board of the Village of Angola, Erie County, New York will be holding a public hearing on April 21st, 2008 at 8:20 p.m. at the Village Hall, 41 Commercial Street, Angola, New York for the consideration of Proposed Local Law #2 for the Year 2008 entitled "B-2 Business District," which will amend Chapter 30 of Angola Village Code to provide for an additional business district.

Copies of the Proposed Local Law will be available at the office of the Village of Angola Clerk/Treasurer of Village of Angola, Village Hall, 41 Commercial Street, Angola, New York 14006 during all business hours.

That all interested parties shall have an opportunity to be heard by the Village Board at the public hearing to be held as aforesaid.

AUDIT OF BILLS – MOTION MADE WITH EXCEPTION TO APPROVE THE BILLS BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED EXCEPTION BEING THE FIRE DEPARTMENT BILLS THAT DID NOT GET PRIOR APPORVAL AS PER REGULATIONS, THESE BILLS WILL BE SENT BACK TO THE FIRE CHIEF WITH A LETTER. Motion approving the following: General Fund Abstract #21, Checks #6144 to #6158 in the total amount of \$9,955.54 and Abstract #22, Checks #6159 to #6192 in the amount of \$30,652.21 plus Payroll #6; Water Fund Abstract #21 Checks #1555-1559 in the total amount of \$510.58 and Abstract #22 Checks #1560-1567 in the total amount of \$27,030.12, and plus Water Payroll #6; UNANIMOUSLY CARRIED

ADJOURN to the next scheduled regular Board Meeting, Monday, April 7, 2008 at 7:30. 7:00 if needed for a workshop. ***ADJOURN IN MEMORY OF DONALD L. CARBECK. WHO PASSED AWAY ON MARCH 9TH 2008***

DONALD CARBECK SERVED AS A VILLAGE TRUSTEE FROM 1958-1963 AND WAS THEN ELECTED MAYOR AND SERVED FROM 1963-1973. HE LOST IN 1973 TO KENNETH HERMAN BY 1-VOTE! MR. CARBECK ALSO SERVED HIS COUNTRY IN THE US NAVY DURING WWII, WORKED AT BUFFALO FORGE AND THE FORD STAMPING PLANT, HE ALSO SERVED AS PRESIDENT OF THE ERIE COUNTY GOVERNMENTS ASSOCIATION. HE WILL BE SADLY MISSED.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED Meeting adjourned at 8:25PM

Submitted By

Linda D. Giancarlo
Village Clerk-Treasurer