

INDEX – April 21, 2008

VISITORS: Brian Campbell; Steven Brachman; Greg O’Connor; Salvatore Mogavero; Rebecca Baxter; Marcy MacLeod

COMMUNICATIONS: Camp Pioneer “Operation Purple Camp”; Great “Angola Horror” Train Wreck Presentation; NYCOM Picture Perfect Contest; Community Outreach Program; Mike Walters Motorcycle Run

TRUSTEE HOUSTON: Southtowns Coalition meeting in May; Arbor Day Grant

TRUSTEE DEJOHN: No report.

TRUSTEE WILSON: Depot Project committee; CDGB Sidewalk Project; CSX Trestle

TRUSTEE TUBINIS: Angola Garden Tour on August 23rd

MAYOR FRAWLEY: citizen complaint follow-up of furniture dumping; ECSD Board Orientation; Village Officials meeting report; Tax Task Force for Distressed Properties

ATTORNEY: 39 South Main Street; sale of the water plant; property on Commercial Street; 83-87 North Main Street; COLD WAR Resolution; lack of response from Angola Fire Chief

POLICE: Speed detecting machine on Lake Street and North Main Street; thank yous for the crosswalk sign.

GENERAL CREW CHIEF: N. Main Sidewalk Project; fill and re-seed K&L site; incident at Angola Moose Lodge; tree down on Lake Street

CODE ENFORCEMENT: Jan, Feb, and March monthly reports; Emblem Building

CLERK TREASURER: Scott Rankus benefit; PERMA Conference; Façade program; Dennis Allen

PLANNING: Absent

ZONING: Pool and fence season; Enviro Fair; memorial at 131 North Main

OLD BUSINESS: sale of water plant; thruway water; senior housing; Intercontinental Bldg; Bed and Breakfast

NEW BUSINESS: WalMart planning meeting; dangerous intersection at Route 20 and Eden Evans Center Road; yellow lines need to be re-done

PUBLIC HEARINGS:

LL#1 – 2008 Bed and Breakfast

LL#2 – 2008 B-2 Business District

RESOLUTIONS:

- 1) **Adopt 2008-2009 Budget**
- 2) **Approve Delinquent Water Bills / Clean Up to Taxes**
- 3) **Approve Assemblage / Parade Application Cruise Night 2008**
- 4) **Approve Use of Centennial Park Roots Music Festival**
- 5) **Approve Mayor to Sign Williamson Law Book Contract**

MINUTES
Village of Angola Regular Board Meeting and
Public Hearings fro LL#1 and#2 for 2008
Monday April 21, 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 April 21, 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-Fire Department Commissioner; Samuel DeJohn-Police Chief; Paul Cooper-Zoning Board Chairman; Charles LaBarbera-Code Enforcement Officer.

GUESTS: in attendance were Brian Campbell-Hamburg Sun; Steven Brachman-Buffalo News; Greg O'Connor; Salvatore Mogavero; Rebecca Baxter, Marcy MacLeod.

PLEDGE OF ALLEGIANCE was led by Charles LaBarbera

MEETING CALLED TO ORDER AT 7:30PM:

APPROVAL OF MEETING MINUTES OF APRIL 7th and April 15th, 2008, MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED.

VISITORS: No comments from the floor

COMMUNICATIONS:

Mayor Frawley reported the following:

- Received a letter and invitation from Camp Pioneer of Angola. Camp Pioneer was honored to have been selected as the only site in Western and Central New York for “Operation Purple Camp” the camp will serve children of deployed military personnel. Invited the Village Board to attend a special Operation Purple Camp Summerfest day on July 22, 2008.
- Erie County Governments Association Meeting will be on April 24th in Williamsville NY.
- Announced that a special Theater presentation focusing on the Great “Angola Horror”, train wreck will be held on May 22 at 7PM. Tickets will be available, although free, they are needed to control occupancy allowed.
- Announced last meetings report that the Village was awarded 3rd place in the NYCOM Picture Perfect Contest, thanked the Village Clerk for the outstanding job in entering the Village.
- Assemblyman Jack Quinn will be hosting a Community Outreach Program on Saturday, July 19th from noon till 2:20PM at the Village Hall.
- Read a thank you note received from the Carbeck Family.

Deputy Mayor Houston reported:

- Mentioned at the last meeting he complained of the poor coverage the Crier and the Buffalo News had given regarding the big Tax Cut in the Village. He then thanked both gentlemen for the articles that focused more on this tax cut.
- Announced a compliment from Mrs. Lempges for the nice job DPW did on pick up of brush.
- Walmart article in Business First newspaper. Copied the board on the nice article.

- Read an article regarding the Cattaraugus Indian reservation Volunteer Fire Department that was saddened by the loss of Michael Walters. In an effort to keep his spirit alive they are sponsoring an annual event in his honor. They are holding the first annual Michael Walters Motorcycle Run on June 14th 2008. Proceeds to benefit the “Western New York Stress Reduction Program” that was organized by Michael Walters and Mercy Flight. Trustee Houston mentioned the honor for this past Mayor and Trustee of the Village of Angola.
- Announced the NYCOM newsletter regarding the adopted State Budget. Some of the municipal support money has increased. AIM and CHIPS have both increased which will benefit the Village.
- Read a copy of the note Clerk Christine Mittner, sent to Legislator Reynolds regarding the poor County road conditions in Angola and the complaints she has received from residents pertaining to the conditions.
- Stated that the Board received a letter from (HUD) Thomas Dearing, the Village will maintain its membership in the CDBG program.
- Sent a letter to Joan Will regarding passing of Donald Carbeck and the Village Boards’ recognition at one of the recent board meetings. He sent her a copy of those minutes.
- Reported on the Buffalo News article regarding municipal union employees paying a percentage of their health insurance costs. He brought it up to the Union members during negotiating session and they were not very receptive.
- Expressed his disappointment at the letter each and every board member received from Mr. Gaughan, and the fact that he put each one-page letter in its own large envelope, costing +\$0.80 each to mail, and what a waste of money this was. He could have sent one to the clerk and asked her to copy the board. The Board mentioned that Mr. Gaughan could have found something more appropriate to spend this money on.

DEPARTMENT HEADS, COMMITTEE REPORTS:

DEPUTY MAYOR HOUSTON-

- Southtowns Coalition meeting scheduled for Farnham in early May.
- Mentioned the card he received from the Mayor regarding tree grant money. He is working on a \$1,000 arbor day grant. Lori Szewczyk is working on it with him.
- He is scheduled to go to the NYCOM Main Street Conference in Buffalo on May 15th

MAYOR FRAWLEY asked everyone, including CEO Chuck LaBarbera to make sure they register for the one-day Main Street conference. Trustee Wilson will not be attending, he will be celebrating his birthday.

TRUSTEE DEJOHN –

- Reported that she has been attending meetings, with several officials and involved with negotiations, she does not have any report yet.

TRUSTEE WILSON –

- Mentioned the Depot committee is still moving forward on the Depot Project and the committee is continuing to grow.
- CDBG sidewalk project is moving along quickly, and the contractor is doing a great job.
- Still working on the CSX Trestle issue and has finally contacted someone who is willing to move forward. He will be asking for some inter-municipal help to move this along.

TRUSTEE TUBINIS-

- Announced that the Angola Garden Tour Committee has scheduled a Garden Tour for Saturday August 23rd and will have registrations available at the Village Hall by May 1st.

MAYOR FRAWLEY–

- Announced that Ronald Cervola has asked him to look at a section of land near the tracks. Near seating services. He drove back there and someone is dumping piles of furniture and junk. Code Enforcement officer LaBarbera will investigate.
- Had his first orientation with the Erie County Sewer Board, he has been contacted by the Town of Evans on several issues. He will work on any local issues.
- He showed pictures to the board from the NYCOM Albany trip.
- Announced he and Trustee DeJohn attended the Village Officials Association meeting. They will be putting together a county wide data base of departments.
- Read a resolution from the Erie County Legislators approving the creation of the County Wide Tax Force for Distressed properties.
- Trustee Wilson said that the Maple Street house has already been addressed, and was thankful for this task force.
- Shared an old photo his wife found, of two men sharing an Emblem motorcycle (testing the bike). The two men were the Mayors Uncle Raymond Frawley and Trustee Houston's Father W. Ward Houston. They are guessing this picture took place during the med to late teens.
- Trustee Houston mentioned the pictures were taken for postcards in the past.

ATTORNEY –

- Discussed 39 South Main, open tax issues. When Xspand purchases these properties they only covered the current and past year tax. But did not cover the years after they no longer held the property. Therefore any interest in these vacant distressed properties, is becoming an issue on the owed past taxes. Interested parties cannot afford to pay 5 years back taxes on these distressed properties. Mayor Frawley will make sure this issue gets resolved through the new County Tax Task Force.
- Working on concluding issues with the DEC and the sale of the water plant.
- Trustee Houston mentioned an interest on the property on Commercial Street, that is becoming an issue due to the past owed taxes. Property is worth about \$5,000 and there is \$50,000 back taxes owed on it!
- Attorney Yusick believes that if Xspand is going to foreclose on these properties, then they should foreclose the entire debt and all back taxes.
- Trustee DeJohn is concerned and feels that the Village should be able to do something to rectify these issues.
- Mayor Frawley stated that the New Tax Task Force was created for this purpose.
- Attorney Yusick mentioned that the County wants to know if the Village is interested in purchasing 83-87 North Main Street (the old K&L site). Currently there are around \$120,000 in back taxes owed on this property. The Village has no interest, the property looks nice as it is.
- Trustee Houston asked if the Mayor addressed the COLD WAR tax reduction resolution passed by the Evans Town Board, the Mayor wants a workshop to discuss this first.
- Trustee Houston also asked if the Village clerk has ever received a response on the letter she sent to the Angola Fire Chief regarding the prisoners schedule and expenses. (The Clerk asked for a response by today, and she has not received any response yet.)

POLICE –

- Reported that the speed-detecting machine, has been out on Lake Street and also on North Main Street.
- The board thanked them for having the crosswalk sign put out on N. Main Street.

GENERAL CREW CHIEF –

- The sidewalk project on North Main is going well. Met with engineer Donald Gallo regarding the project, some issues and other options that Trustee Houston has addressed.

- Mayor Frawley asked if dirt will be available to fill in around the old K&L site, there are some low spots. Crew Chief Kaminski stated that he has contacted the contractor and they will fill and re-seed.
- Mayor Frawley mentioned an incident at the Angola Moose Lodge, a car tried to make its way through the barrier where the new sidewalks have been installed. Also, part of an old tree came down on High Street at Lake Street, it was a very busy weekend!

FIRE COMMISSIONERS –

- **Lynne Kaminski**- no answer for the clerk regarding prisoners. Asked to meet with the Fire Department Liaison, Trustee John Wilson after the Board meeting.

CODE ENFORCEMENT –

- Submitted the Jan, Feb and March monthly report. Nothing else to report.
- Emblem Bldg.-will visit site with Mayor Frawley tomorrow

Trustee Houston thanked the Code Enforcer for keeping up with issues.

PLANNING – ABSENT

ZONING – Chairman Paul Cooper Reported:

- Pool and fence season is here, there will be meetings scheduled.
- Announced the Enviro Fair and pancake breakfast scheduled for this Saturday, April 26th at the Evans Center Fire Hall. Sponsored by the Evans Recycling Committee, Evans Grange, Evans Conservation Committee and the Boy Scout Explorer Group 528, all to Emphasize a Cleaner, Greener Evans, Angola.
- Asked Trustee Houston if the Cooper Clan can purchase a memorial tree to place in front of 131 N. Main Street. Trustee Houston stated that he can get near the area as possible, it costs \$200.00 and covers a tree and stone. The Clerk will record this request.

CLERK-TREASURER –

- Reported the Benefit for Scott Rankus, scheduled for this Sunday April 27th asked for public support. Scott was a Lake Shore High School Graduate, who became a NYS Trooper, and is suffering serious injuries sustained when his vehicle flipped over.
- Will be attending the PERMA conference at Bolton Landing on May 21st through 23rd.
- Stated that she contacted Erie County regarding the Fascade Program, they are still in Gowanda, and hope to be completed this week and moving into Angola in June!
- Announced that the new code books still need to be addressed. Hoping the Code Enforcer can finish going through them, so she can have them corrected and distributed.
- The Clerk also announced the benefit coming up on September 6th for (Code Officer) Dennis Allen. Dennis is in need of a lung transplant. The benefit will be held at Evans Center Fire Hall.

8:15 PM

MOTION TO CLOSE REGULAR BOARD MEETING AND OPEN PUBLIC HEARING LL#1-2008 Bed and Breakfast made by Trustee DeJohn, Seconded by Trustee Tubinis, unanimously carried.

TRUSTEE HOUSTON READ NOTICE: 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.

PUBLIC COMMENTS: Owners of a proposed such as establishment were present, Marcy MacLeod and Rebecca Baxter, they reported that they have been painting and planning and things are moving along wonderfully.

No other comments from the floor.

Mayor Frawley read three letters of support for such an establishment in Angola. The Letters were from Mrs. Pinter, Mr. Csati, and Mr. Swyers.

Trustee DeJohn read a letter of approval from the Village of Angola Planning Board.

MOTION TO CLOSE PUBLIC HEARING #1 made by Trustee Tubinis, Seconded by Trustee Wilson, unanimously carried.

8:20 PUBLIC HEARING LL#2-2008 MOTION TO OPEN PUBLIC HEARING #2 made by Trustee Houston, Seconded by Trustee DeJohn, unanimously carried.

TRUSTEE HOUSTON READ THE NOTICE: 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.

Trustee DeJohn read approval letter from the Angola Planning Board.

PUBLIC COMMENTS: No comments from the floor

Attorney Yusick stated that after the time period is up for the county to reply, the Village can then adopt the two proposed local laws. The May 12th board meeting should be the date they are passed.

MOTION TO CLOSE PUBLIC HEARING #2 made by Trustee Wilson, Seconded by Trustee DeJohn, unanimously carried.

MOTION TO Re-OPEN REGULAR BOARD MEETING made by Trustee Houston, Seconded by Trustee DeJohn, unanimously carried.

OLD BUSINESS:

1. Sale of Water Plant – discussed
2. Thruway Water- moving forward.
3. Senior Housing- Code Enforcement Officer reported that he met with People Inc today and they are starting the process of variances and permits, etc. they have been given everything to move forward. Trustee Houston expressed the importance of including a driveway in the rear of the location so that the seniors do not have to drive out onto Main Street and for easy access for emergency vehicles.
4. Intercontinental Building- tax issues are being addressed

5. Bed and Breakfast- discussed
6. N. Main Sidewalk-discussed
7. Herman Park- Trustee Houston reported that a meeting was scheduled with a State Park representative, and the Crew Chief is to get three quotes on soil boring. Need to rule out Indian Burial Ground, etc. A sign is ordered as per requirement of the State for the project.

NEW BUSINESS:

1. Trustee Houston attended the planning meeting regarding the Walmart project. Village Engineer Donald Gallo, looked over their plans and sent a letter to this regard. Trustee Houston reported his letter to the Walmart Corp. requesting they supply the financial support for the use of the Village Engineer for the work related to connecting to the Village water line.
2. Trustee Houston also sent the NYS D.O.T a letter addressing the dangerous intersection at Rt. 20 and Eden Evans Center road. Looking for turn lanes a green signal arrows.
3. Also discussed the yellow lines that need to be redone now. Mayor Frawley will look into this and paving Main Street, the Village has been waiting three years and the work should include fixing the drain on Lake Street at Shultz Hardware.

RESOLUTIONS BEING OFFERED APRIL 21, 2008

1 ADOPT 2008-2009 BUDGET

WHEREAS, the Village of Angola Board of Trustees held a public hearing on the 2008-2009 Budget on April 15, 2008 at 5:00PM as specified in the Notice of Public Hearing 2008-2009 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 hereby affixed at the amounts shown therein effective on respective anniversary dates and June 1, 2008.

| | | | |
|--|----------------|-------------------|-----------------|
| Total General Fund Appropriations | \$1,105,710.00 | | |
| Less Estimated Revenues | \$684,045.00 | Taxable Valuation | \$49,555,316.00 |
| Less Appropriated Fund Balance | \$50,000.00 | Tax Rate | \$7.50 |
| Amount to be raised by taxes | \$371,665.00 | Garbage Fee | \$179.00 |

| | | | |
|--|--------------|--|--|
| Total Water Fund Appropriations | \$738,792.00 | | |
| Less Estimated Revenues | \$738,792.00 | | |
| Less Appropriated Fund Balance | \$0.00 | | |

Motion Made by Trustee DeJohn, Seconded by Trustee Houston, Unanimously Carried.

2APPROVE DELINQUENT WATER BILLS /CLEAN UP TO TAXES

RESOLVED that the Village of Angola Board of Trustees hereby authorizes the attached delinquent water account charges and property cleanup/stub searches be sent to Erie County Department of Finance for collection on the 2008 Village Tax Bills. \$10,974.98 water and \$22,677.44 property clean-up and demo.

Motion Made by Trustee Wilson, Seconded by Trustee Tubinis, Unanimously Carried.

3 APPROVE ASSEMBLAGE/PARADE APPLICATION CRUISE NIGHT 2008

RESOLVED that the Village of Angola Board of Trustees approves the application requesting the following for an Assemblage Permit in accordance with established terms and conditions:

Tony Troidl, "Taste of the Midway" to hold Cruise Nights beginning every Thursday June 5th through August 28th 2008 from 6:00 to 9:00 P.M. with cars parked on North Main Street between Lake Street and School Street and music via live performance and/or sound system. Assemblage application requests that North Main Street be closed at 5:30 PM only allowing participating vehicles to enter. Angola DPW, Evans Police, Angola Fire Dept and the NFTA will be notified accordingly.

Motion Made by Trustee Tubinis, Seconded by Trustee DeJohn, Unanimously Carried.

4 APPROVE USE OF CENTENNIAL PARK ROOTS MUSIC FESTIVAL

RESOLVED that the Village of Angola Board of Trustees approves the application requesting the following for use of the Centennial Park facilities and the William G. Houston Gazebo for a "Roots Music Festival" in accordance with established terms and conditions:

Friday September 12 set-up and Saturday Sept 13, 2008 2-7 PM.

Motion Made by Trustee Houston, Seconded by Trustee Wilson, Unanimously Carried.

5 APPROVE MAYOR TO SIGN WILLIAMSON LAW BOOK CONTRACT

WHEREAS, the Village has received an Annual Software Support Contract from Williamson Law-Books in the amount of \$770.00 for the Village of Angola Water billing, now

BE IT RESOLVED, the Village Board of the Village of Angola hereby authorizes the Mayor to sign and approve said software contract in a total amount of \$770.00 for the dates of 5/1/2008 through 4/30/2009 and charge to F8340.4 Water Contractual Supplies and Materials.

Motion Made by Trustee Wilson, Seconded by Trustee DeJohn, Unanimously Carried.

AUDIT OF BILLS – MOTION MADE TO APPROVE THE BILLS BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED. Motion approving the following: General Fund Abstract #25, Checks #6230 to #6267 in the total amount of \$27,034.86 and plus Payroll #8; Water Fund Abstract #25 Checks #1576-1583 in the total amount of \$4,574.23, and plus Water Payroll #8; **UNANIMOUSLY CARRIED**

Before Closing, Trustee Wilson, thanked Salvatore Mogavero for being in attendance at just about every board meeting and for being a concerned citizen. He also thanked the Angola Fire Department President for being present at tonight's board meeting.

ADJOURN to Monday May 12th 6:00PM for a workshop and the Regular board meeting, **MOTION MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED Meeting adjourned at 8:12PM**

Submitted By

Linda D. Giancarlo
Village Clerk-Treasurer