

INDEX – June 16, 2008

VISITORS: Steven Brachman – Buffalo News; Brian Campbell – Hamburg Sun; Peter and Marilyn Hasenpusch

COMMUNICATIONS: 911 Memorial meeting; Assoc of Erie Co Govt. meeting; Mill Street RR Historic sign; Kevin Gaughan at Lake Shore High School; Disabled Child sign; Southtowns Energy Fair; Dennis Allen Fundraiser; DOT letter; Insurance company letter of denial

TRUSTEE HOUSTON: Historic Street signs installed, 2 more to go in; CDBG North Main Street project; Memorial trees & stones; NFTA luncheon; Highland Elementary 50 years; Erie Co Development meeting; Reported on NYCOM Main St Conference; Angola Train Disaster presentation; Memorial Day Celebration; EC Water Authority Meeting

TRUSTEE DEJOHN: Meeting with County Executive Chris Collins with Christine Mittner; Façade update; NYCOM Main Street Conference in Buffalo; Thank You to McCarthy family for the defibrillators

TRUSTEE WILSON: 1st Annual Mike Walters Motorcycle Run, thanked Fire Department

TRUSTEE TUBINIS: NYCOM Main Street Conference in Buffalo; Boys and Girls Club of Lake Shore

MAYOR FRAWLEY: Thanked Fire Department for Mike Walters Run; Memorial Day Celebration; NYCOM Main Street Conference in Buffalo; Distressed Properties Tax Task Force meeting; curb at corner of Main and Lake Street; Joint Board meetings with Town of Evans; NYCOM 100 years in 2009.

ATTORNEY: Sale of Water Plant; 2 Local Laws; 39 South Main

POLICE: Police cars will be Black and White; Donation of 2 defibrillators by the McCarthy family

GENERAL CREW CHIEF: Brush Hog purchase approved; Herman Park soil testing; Linden Street

FIRE COMMISSIONERS: remove Vendor restrictions; reimbursement to the Fire Company Approved; Defibrillator purchase; First Aid and Fire Department to keep separate fuel logs; Grant from Jack Quinn for Fire House Software; insurance and liability on Chief's vehicle; Memorial Bench for Michael Walters; Chief's Budget Amendment; Cement Pad; new Air Compressor; Siren not working; Ladder truck passed certification; Hose tests completed

CODE ENFORCEMENT: Grass to be cut on 15 served violations; 135 North Main; 17 & 29 Washington; Emblem Building

CLERK TREASURER: Completing Annual Report; Crash Cadillac playing at Angola Gazebo

PLANNING: ABSENT

ZONING: ABSENT

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Boys and Girls Club

NEW BUSINESS: Library addition; Energy Consultant; Mill Street RR Historical Sign; Photos at the Gazebo; Village Code fireworks notice; Tire Recycling; NFTA Bus Shelter; PT Summer Workers through Claddagh; Board addressed Mr. And Mrs. Hasenpusch

RESOLUTIONS:

- 1) **Southtowns Coalition LDC**
- 2) **Approve Water Shut Offs of Delinquent Water Accounts**
- 3) **Fire Department Expenditure for Defibrillator Unit – TABLED**

- 4) Use of Centennial Park and the William G. Houston Gazebo
- 5) LOSAP Investment Policy
- 6) Senior Tax Exemption Income Level – TABLED

MINUTES
Village of Angola Regular Board Meeting
Monday June 16, 2008
7:00 P.M

At a Regular meeting of the Village Board of the Village of Angola held at the Village Hall, 41 Commercial St. Angola New York, County of Erie, on June 16, 2008 at 7:00 PM, there were

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

ALSO PRESENT: Linda Giancarlo, Village Clerk-Treasurer; Andrew Yusick-Village Attorney; Lynne Kaminski; Mark Goodway and Robert Beck-Fire Department Commissioners; Samuel DeJohn-Police Chief; Charles LaBarbera-Code Enforcement Officer. Charles Carlson- FD; Todd Dybdahl-FD Chief; Gregory O'Connor FD president.

GUESTS: in attendance were; Steven Brachman-Buffalo News; Brian Campbell –Hamburg Sun; Peter and Marilyn Hasenpusch

PLEDGE OF ALLEGIANCE was led by Code Enforcer Charles LaBarbera

MEETING CALLED TO ORDER AT 7:00PM:

APPROVAL OF MEETING MINUTES OF MAY 12 2008, MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED.

VISITORS: No comments from the floor (Mr. And Mrs. Hasenpusch were not yet in attendance)

COMMUNICATIONS:

Mayor Frawley reported the following:

- 911 memorial meeting will be held June 18th at 7:00PM at the Village Hall.
- Association of Erie County Governments meeting will be held in the Town of Brant June 19th
- Received a request from the Town of Evans Historical Society to share half of the expense on a Historic Sign for the Mill Street park area, near the location of the Great Train disaster of 1867 took place. (See under New Business).

Deputy Mayor Houston reported the following:

- Kevin Gaughan visited Lake Shore Central High School for a discussion on politics, encouraging the children to get involved with voting and making their voice heard.

- Discussed the request for a Disabled Child sign, safety committee will review. Chief DeJohn requested a letter for this request.
- Announced Southtowns Energy Fair to be held in Brant September 20th
- Mentioned the Dennis Allen fundraiser, Life Saver sales at the Village Hall.
- Received a letter from the DOT answering request that a study be done at the intersection of Eden Evans Center Road and Route 20 for placement of turning arrows.
- Has been informed of the mediator assigned for union contract negotiations.
- Reported that the insurance company sent a letter of denial for the damage done to the Hasenpusch property on North Main Street by our sidewalk snow plow.

DEPARTMENT HEADS, COMMITTEE REPORTS:

DEPUTY MAYOR HOUSTON-

- Historic Street signs have been installed throughout a part of the Village, as part of the Phase II Streetscape project, which is near completion. Signs were paid for by Member Item money from Senator Volker and Assemblyman Quinn.
- CDBG N. Main Street Sidewalk project is completed, contractor did a good job.
- Several Sidewalks have been replaced/installed as appropriated from the Bond money.
- Memorial trees are all sold and planted along N. Main Street as part of the streetscape improvement project, all requests were fulfilled. The memorial stones should be here in 2-3 weeks for installation. Dirt for the memorial trees was covered by contractor.
- NFTA is considering the installation of a bus shelter on Main Street.
- Highland Elementary is celebrating 50 years.
- Attended the NYCOM Main Street conference in Buffalo, stated that it should have been over a 2-day period; it was too much for one day. Was not impressed with the round table discussions, too loud to hear what was being discussed.
- Commented the Angola Train Disaster presentation at the New Angola Theatre.
- Commended all involved with the Memorial Day celebration, all went well and many compliments were heard.
- Town of Evans Economic Development Advisory Committee meeting for September 10th and turned in report booklets to the Village Clerk. They are planning a Developers Program at Sturgeon Point Marina
- Announced he attended the May 29th EC Water Authority meeting.

TRUSTEE DEJOHN –

- Attended the County Government meeting on June 10th with Account Clerk Christine Mittner and met with Erie County Executive Christopher Collins. While there, talked with Economic Development representative Tom Dearing and discussed the Façade program, coming to Angola in July, also discussed the Parks project and the Restore NY project opportunities.
- Reported her attendance at the NYCOM Main Street conference. Found interest in the discussion of the Property Maintenance Law. Will be setting up a meeting with the Code Enforcement Officer Charles LaBarbera and NYCOM representative Wade Baltramo to discuss the vacant buildings in the Village.

- Publicly thanked the McCarthy family for their donation of two defibrillators to the Evans Police Department.

TRUSTEE WILSON –

- Commended the Fire Department for the nice presentation they had for the first annual Mike Walters Memorial Motorcycle Run on Saturday.

TRUSTEE TUBINIS-

- Attended the Main Street Conference, looking to move forward with projects.
- She continues to work towards a Boys and Girls Club for the Angola Area to branch off of Eden's club. Trustee DeJohn announced Trustee Tubinis has been appointed as president of the Boys and Girls Club organization.

MAYOR FRAWLEY–

- Commended the Fire Department on the nice job they did in preparation of the first annual Mike Walters Motorcycle run. He contacted Channel 7 news. Mayor Frawley also mentioned the over 150 motorcycles that came through Angola for this.
- Announced that the Memorial Day celebration went very well and was very well attended. He had a discussion with Commissioner Kaminski regarding the water bottles, and the responsibility of who is supplying water to the students and attendees that are participating in the parade. There was a mix up and he wanted it straightened out before next year. There was confusion between the conversation with the schools, fire department and himself. He will make sure that Ms. Kaminski is included in the planning stage for next year's event.
- Announced that the NYCOM Main Street conference held in Buffalo went very well. Over 150 Mayors/ Trustees etc attended which was one of the largest for this event. He commented on the nice presentation he was able to give regarding the successful projects for Main Street Angola.
- Tax Lien committee will be meeting again, to discuss 10-15,000 pieces of distressed properties. There has been a growing number of people attending these meetings. On June 25th, 55 pieces of property will be auctioned off by Erie County.
- Will be meeting with Legislator Reynolds to review the high receiver on the corner of Main and Lake Street in front of Shultz's Hardware.
- Continuing to schedule and participate in joint meetings with the Town of Evans.
- Had a meeting with the Erie County Sewer Board, discussing budget lines.
- NYCOM will be celebrating 100 years next year. They are making plans for a big event. The Mayor stated that he is looking to discuss entertainment ideas with them, such as the Clerks Band Crash Cadillac, and artist Clint Holmes, who is from Angola area to perform in Saratoga next June/July.

ATTORNEY –

- Discussed the 2 Local Laws that are on as resolutions on tonight's agenda. Sandra Brant will have survey put together to place a portion of South Main Street in the new district.
- Water Plant sale is moving forward. DEC is requiring an updated survey from Manguso, with new dates, new commissioners names and some minor additional wording.
- No news regarding 39 S. Main. Hub will follow up.

POLICE – CHIEF DEJOHN:

- Reported that the Town of Evans police vehicles will be Black and White, and they will all say, “Serving Angola”
- Reported that two Defibrillators were donated to the Town of Evans Police Department by the McCarthy family, and 2 defibrillators were purchased by the department using Grant money. Announced that they will be presenting one of these units to the Village to keep in the Village Hall, and will be training the Village Clerk, office staff and any other officials willing to learn how to use it. Fire Chief Dybdahl offered that the training would be done by the Fire Department.

GENERAL CREW CHIEF – KAMINSKI

- Announced the Brush-hog broke in May, and he needs to replace it. It is 20-25 years old and he can no longer find parts for it. He called for 3 prices on a new one.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON to authorize the DPW Crew Chief to purchase the new brush-hog at a price of \$2,200, come out of FY 2007-2008 budget line #A1620 Buildings and grounds account, UNANIMOUSLY CARRIED.

- Reported that the soil has been tested on Mill Street (Herman Park) as required for the Herman Park project. He has not heard anything yet.

Trustee Houston: Commended the Police Department for keeping good patrol of the Village, they called and investigated the Soil Boring Company, to be sure they were legit when they saw them at the park.

Mayor Frawley: Mentioned the power generator for the Village Hall and for the DPW to follow up on it as well as the concrete slab for the South Main Street Fire Station

Mentioned also that resident Ernest Masullo complained of a very large water issue on Linden Street, Crew Chief Kaminski stated that he would re-pave part of the street to make it higher, and that should resolve this issue.

FIRE COMMISSIONERS –

Lynne Kaminski –

- Fire Company has requested a letter to the Vendors to remove them from the purchasing restriction that the Fire Department has been put under. The Clerk reported that she has been waiting for a list of Vendor’s that the Fire Company uses, so that she can prepare a letter and send it out. Commissioner Kaminski, handed over the vendor list. The clerk will distribute letters.
- Requested that the Board approve the reimbursement to the upstairs Fire Company, for payment of the paint and supplies that Fire Department purchased when the prisoners were here in the amount of \$2,087.39. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, TO REIMBURSE UPSTAIRS VILLAGE OF ANGOLA FIRE COMPANY THE AMOUNT OF \$2,087.39 This is to come out of the FY 2007/08 Fire Department Budget lines A3410 before the end of year transfer is sent to the reserve, UNANIMOUSLY CARRIED.**
- Defibrillator unit purchase to come out of this years 07/08 Equipment money from the Town of Evans and Next years 08/09 Equipment money from the Town of Evans. These funds usually get transferred to the Reserves at the end of the FY if not needed. *See resolution:*

- Requested the First Aid and the Fire Department keep separate fuel logs, **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON to allow the first aid captain 25 gallons per month fuel allotment, a separate fuel log will be maintained UNANIMOUSLY CARRIED**
- Regarding tonight's resolution regarding the defibrillator unit, the fire department handed in 1-proposal, the board requested 3 proposals, the resolution will be tabled to a special meeting on Thursday, June 19th at 5:00 at which time the other 2-proposals will be received and reviewed.
- Andrew Polson received a letter from Senator Jack Quinn regarding approval for \$5000.00 grant money for Fire House Software. The clerk will contact the grant writer to see if anything can be expended prior to grant and reimburse at a later time.
- There was a question on insurance and liability coverage on the chiefs vehicle. The vehicle, which is owned by the Village falls under the liability insurance of the Village.
- Asked for the board to support their efforts in the installation of a Memorial Bench, in memory of Former Mayor Michael Walters, to be placed in front of the Village Hall/Fire Hall. Trustee Houston will get the information and pricing.
- Reported that after looking over the new budget, the chiefs line has been cut below the contracted amount with the Town. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE DEJOHN, TO APPROVE a Budget Amendment of an increase of \$2,750.00 to appropriation code A4540.2.3 for a total of \$3,750.00, which will bring the Chiefs budget back up to \$12,350 as contracted with the Town of Evans. The \$2,750.00 will be taken out of the contingent account. UNANIMOUSLY CARRIED**

Robert Beck:

- Discussed the cement pad options for the south main station. Mayor Frawley talked with the Legislator Reynolds and discussed storing the aerial truck at the Delamater Road County storage barn so that the village can proceed with the cement pad. Commissioner Beck said the contractor told him it would be better if done in two pours. Arrangements will be made to move forward and get needed proposals.
- The new Air Compressor is all installed and running well.
- Siren is not working, was sent out for a free estimate.
- Ladder truck has been tested and passed certification for another year.
- Hose tests were completed, 3 links failed.

Chief Dybdahl reported that the fire department needs routine maintenance to be done for several pieces of equipment at several different times throughout the year, and it is difficult to continue this with the restrictions put upon the department last fiscal year regarding spending.

MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE HOUSTON, to relieve the Fire Department of the restrictions put on them last fiscal year, as long as they stay within budget constraints. UNANIMOUSLY CARRIED, the clerk will not need to send a letter to vendors, they will have the vendors call for approval if needed.

-Commissioner Kaminski reported that the Angola Volunteer Fire Department has just graduated 5 new EMT's for a total of 11

Trustee Houston requested that the Fire Department submit a list to the Village Clerk, of all members for 2007-2008 as requested by New York State Village Law.

Upon question from Trustee Houston, Chief Dybdahl reported that, yes, medical physicals are not a requirement by the state, for Fire Police but as a Chief, he is requiring them annually, from each member in hopes to maintain a healthy department.

CODE ENFORCEMENT – Charles LaBarbera reported:

- Grass will be cut for the 15 violations that went out this week.
- 1. 135 North Main- owner painted part, Trustee Houston requested the whole house to be painted
- 2. 17 & 29 Washington- one being painted, the other pending
- 3. Emblem Building- secured, piles of tires are a violation, will call DEC

PLANNING – ABSENT

ZONING – ABSENT

CLERK-TREASURER –

- Reported that she is completing the annual report.
- Invited the attendees to come to see her band perform at the Angola Gazebo next Wednesday the 25th of June at the first concert of the year.

OLD BUSINESS:

1. Sale of Water Plant – discussed
2. Thruway Water- discussed
3. Senior Housing- pending-moving forward-starting the bid process
4. Intercontinental Building- working on

5. Boys and Girls Club- Trustee Tubinis reported that they are going through the initial stages. Clerk reported that the CAO manager would like to work with her on this program.

NEW BUSINESS: New Item to be added next board meeting- ENERGY CONSULTANT

1. Library- addition is being planned, working on a grant
2. Historical Signs, Mill Street- MOTION MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE WILSON, to approve the request made by the Evans Historical Society to share the cost of a Historic Sign representing the area on Mill Street, near where the Great Train Wreck took place in 1867. The cost to the Village will be no more than \$550.00. UNANIMOUSLY CARRIED
3. Photo-Gazebo- there will be photos of the Board taken at the Gazebo next Wednesday at 6:30pm to be put on the internet as part of the WNYsigns tourism project of Timothy Murphy.
4. The board approved a fireworks notice of the Village Code to be put into the Angola Pennysaver to discourage the use of fireworks during the holiday season. Town of Evans Police Chief DeJohn discussed including the Village in their advertising.
5. Tire Recycling - the board approved a small ad be put in the Angola Pennysaver to inform residents of the annual Tire Drop off at the DPW Building. This is part of what the annual garbage fee we collect from resident's covers.
6. NFTA Bus Shelter - the NFTA may put up a bus shelter in Angola, the board will review areas.

7. PT Summer Workers - the Village will have the Claddagh Dayhab workers volunteering to help throughout the Village with small DPW related jobs to help compensate the loss of one summer laborer due to Budget constraints.

The Board addressed Mr. And Mrs. Hasenpusch:

- Mr. Hasenpusch reported an incident with the Village Sidewalk Snow Plow striking the front of his store on N. Main Street (The Garden Gate). After receiving a letter of denial from the Village Insurance carrier, Mr. Hasenpusch asked the board if there was anything that could be done to help compensate for the damage. The damage was estimated at around \$600-\$650 dollars. The Village Attorney voiced his concern of any monetary donation, this may be considered a gift. Attorney Yusick briefly described the law that protects the Village when a Village owned vehicle such as a snow plow truck accidentally damages other property, this is an accident, not done intentionally, therefore is not a liability of the Village. The board will discuss further and notify Mr. Hasenpusch of it's decision by the next meeting.

RESOLUTIONS BEING OFFERED JUNE 16, 2008

#1 Southtowns Coalition LDC

WHEREAS, the Village of Angola, has participated in the preliminary planning and inventory of assets for development of the communities in southwestern Erie County, and

WHEREAS, Towns of Evans, Brant, Eden and North Collins as well as the Villages of Angola, North Collins and Farnham have previously operated as Southtowns Community Enhancement Coalition to enhance the environment, economic prosperity and community well-being of these municipalities, and

WHEREAS, the Village of Angola has reviewed a proposed Certificate of Incorporation and By-Laws of a New York not-for-profit corporation to be known as Southtowns Community Enhancement Coalition, Inc.

NOW THEREFORE BE IT RESOLVED, that Mayor Howard M. Frawley is hereby authorized and directed on behalf of the Village of Angola to cause the execution and delivery to the New York State of the Certificate of Incorporation of Southtowns Community Enhancement Coalition, Inc. substantially in the form reviewed and to complete the corporate organization of that corporation, including adoption of By-Laws, attendance of meeting of directors, application to the Internal Revenue Service for an application for recognition of exemption from taxation under the Internal Revenue Code. **MOTION MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

#2 APPROVE WATER SHUT OFFS OF DELINQUENT WATER ACCOUNTS

BE IT RESOLVED that the Angola Village Board of Trustees does hereby authorize the water clerk to issue water shut-offs per the attached list of delinquent water accounts unless paid in full by Tuesday, June 23rd. 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 \$1,768.45. **MOTION MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**

TABLED #3 FD EXPENDITURE for Defibrillator Unit
TABLED TO SPECIAL MEETING ON JUNE 19TH 5:00PM

WHEREAS, the Angola Volunteer Fire Department received three proposals from Zoll Medical for the purchase of a Defibrillator, two of which are refurbished units one at 19,542 and one at 17,812, and one new unit at 23,408.

WHEREAS, the purchase of this unit will be expended from the Fire Department Ambulance Reserve Savings Account, NOW

BE IT RESOLVED, the Village Board Hereby approves the purchase of one _____ Defibrillator unit and charger as listed in said proposal in the amount of \$_____.

#4 USE OF CENTENNIAL PARK AND THE WILLIAM G. HOUSTON GAZEBO

RESOLVED that the Village of Angola Board of Trustees hereby approves request and application from the Angola Park & Gazebo Committee, c/o William Houston, for the use of Centennial Park Facilities and the William G. Houston Gazebo, on Sunday July 13,2008 2-5PM for a Special Summer Concert. **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#5 LOSAP INVESTMENT POLICY

RESOLVED that the Angola Village Board of Trustees reviewed and does hereby authorize the Mayor to sign the "Investment Policy Statement" received from RBC Financial Consultant David Rogers, for the Angola Volunteer Fire Department Length of Service Award Program. **MOTION MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

TABLED #6 SENIOR TAX EXEMPTION INCOME LEVEL

TABLED further discussion needed. The Town of Evans Assessor could not give the clerk a definite figure on the impact this would have on the Village Taxpayers.

WHEREAS, effective January 2007 the Village of Angola abolished their assessing unit, and hereby has directed all assessing to the Town of Evans, and

WHEREAS, the Town of Evans assessor has met with members of the Village Board to discuss the senior exemption income level, and came to the conclusion that in fairness to all seniors, the Village and the Town residents should be offered the same annual income level for senior citizen exemptions,

NOW, THEREFORE BE IT RESOLVED, the Village of Angola Board of Trustees hereby approves the Senior Citizen annual income level to be increased from \$15,000 per year to coincide with the Town exemption income level of 24,000 per year, to be in effect for the 2008-09 tax roll.

AUDIT OF BILLS – MOTION MADE TO APPROVE THE BILLS BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED. Motion approving the following: General Fund Abstract #028, Checks #6316 to #6326 in the total amount of \$785.01 and Abstract #001, Checks #6327 to #6379 in the total amount of \$118,343.50 plus Payroll #11 & #12; Water Fund Abstract #028 Checks #1596 to #1597 in the total amount of \$475.69 and Abstract #001, Checks #1598 to #1617 in the total amount of \$41,089.22, and plus Water Payroll #11 & #12; **UNANIMOUSLY CARRIED**

ADJOURN to Special meeting Thursday, June 19, 2008 at 5:00 PM and then to July 21, 2008 at 7:00PM Regular Board Meeting (Please note: meeting scheduled on the third Monday of July due to Mayor Frawley conflict), with a workshop at 6:30 if needed **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED Meeting adjourned at 9:25PM**

Submitted By

Linda D. Giancarlo
Village Clerk-Treasurer