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VISITORS: Steven Brachmann – Buffalo News; Lawrence and Anne Hussey; Peter and Marilyn Hasenpusch; Tony Troidl

COMMUNICATIONS: NYCOM Natural Gas Conference; New York State Water and Sewer Infrastructure workshop; Kim’s Shear Expressions; New York State Department of Transportation’s Response to Eden-Evans Center Traffic Concerns

TRUSTEE HOUSTON: Assemblyman Quinn; Mediator Appointed for Impasse in Union Negotiations; Tire Disposal; Old Ford Lanes Property; Association of Erie County Government’s Meeting; N.E.S.T. Meeting; Southtowns Community Enhancement Coalition Publication; Engineering Proposal for Curb on Lake Street; Sidewalk Project; Memorial Markers; Historic Street Signs; Robert McCullough Visit; Keystone Charter School Application

TRUSTEE DEJOHN: Mediator Assigned for Impasse in Union Negotiations; Village Officials Association Committee Appointment; Meeting with County Executive and County Officials

TRUSTEE WILSON: Taste of Evans; Access to Railroad Bridge; Explorers Contacted for Projects

TRUSTEE TUBINIS: Angola Garden Tour Cancellation; Boys and Girls Club

MAYOR FRAWLEY: Association of Erie County Government’s Meeting; Meeting with County Executive; Kevin Gaughan’s Proposal for Village Dissolution Referred to New York Conference of Mayors; Crisis Service Hotline for Homeless

ATTORNEY: 39 South Main Street; Sale of Water Plant; 62 Commercial Street Property Claim

GENERAL CREW CHIEF: Equipment Repair; Pontiac Booster Station Leak; Pipe Ordered for Ditch Work; Standing Water on Linden

FIRE COMMISSIONERS: New Regulations for Safety Vests

CODE ENFORCEMENT: Consolidated Monthly Report; Status of Demolition at 47 Pennsylvania Avenue; Property Maintenance Program; Abandoned Tires

ZONING: Zoning Board Alternates Needed

CLERK-TREASURER: Annual Report; Budget Transfers

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Letter to Town/Veterans Exemption; Boys and Girls Club; Hasenpush Property Damage; NFTA Bus Shelter; Library Addition; Sign on Orchard Avenue

NEW BUSINESS: Friends of the Village Bus Tour; 911 Memorial Meeting; Library Contract with Town of Evans; Killing of Grass in Public Right of Way

RESOLUTIONS:

**Proposed Local Law #3 for the Year 2008-Amended Zoning Map
Approve Court Audit 2007
Approve Application for Permit for Sidewalk Obstruction
Approve Don Gallo for Walgreens' Water Meter Pit Adjustment**

**MINUTES
Village of Angola Regular Board Meeting
Monday July 21, 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 July 21, 2008 at 7:00 PM, there were

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

ALSO PRESENT: Michelle Warren, Deputy Clerk; Andrew Yusick, Village Attorney; Jeff Kaminski, General Crew Chief; Lynne Kaminski and Mark Goodway-Fire Department Commissioners; Charles LaBarbera-Code Enforcement Officer; Paul Cooper – Zoning Board Chairman

GUESTS: in attendance were; Steven Brachman-Buffalo News; Lawrence and Anne Hussey; Peter and Marilyn Hasenpusch; Tony Troidl

PLEDGE OF ALLEGIANCE was led by Anne Hussey

MEETING CALLED TO ORDER AT 7:00PM:

APPROVAL OF MEETING MINUTES OF JUNE 16, 2008, MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED.

VISITORS: Anne Hussey – 9 Oatman Avenue - Complains of noise from increased train traffic and excessive whistle blowing. Has heard similar complaints from her neighbors and people throughout the Village. States it is becoming a quality of life issue and fears it will have an effect on property values in her area. Contacted CSX Railroad and was advised that due to the price of gas-more trains would be coming through. Submitted a letter of response she received from CSX Railroad for the Board to review. Asked the Board's assistance in declaring our Village a "Quiet Zone" or rerouting train tracks altogether. CSX Railroad advised Mrs. Hussey that "Quiet Zones" were extremely difficult to get. Attorney Yusick advised that as the Railroad is highly regulated by the Federal Government – there is not much we can do. Trustee DeJohn reported that the Police Department has a decibel meter and that CSX did meet the standard back in 2001. She suggested perhaps we check again and follow up with a letter to the Railroad from the Village Board. Trustee Wilson stated that the Board would do what they could as far as checking the decibel level and following up with a letter. CSX advised Mrs. Hussey that they could send a regulator out to make sure the conductors are following proper procedures with regard to whistle-blowing, speed, etc. Mayor Frawley stated that the Board would do everything they could to help with this problem.

Tony Troidl – Angola’s Taste of the Midway – 97 North Main Street –Supercruise July 24, 2008
- Stated that event has hit a snag regarding the proposed vendor for carnival games. Attorney Yusick reported that our insurance carrier has found Candyland’s insurance to be insufficient; therefore, no carnival games will be approved for the event. Furthermore, Mr. Troidl’s insurance needs to be corrected before approval. Currently, there is a problem with the wording. The Village of Angola has been added to the policy as the additional insured; however, there is no contractual relationship between Mr. Troidl and the Village of Angola. Need coverage regardless of the fact that there is no contractual relationship. If wording can be corrected where it is sufficient to the insurance carriers, Mr. Troidl plans to have entertainment with the band “Only Human” performing at the intersection of Center and North Main Streets. If not, the event must be cancelled.

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE TUBINIS to approve event contingent upon correction of insurance and approval by the Fred Gould of ENB Insurance. UNANIMOUSLY CARRIED.

MOTION AMENDED BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE TUBINIS that insurance coverage must be corrected and approved before 5:00 PM on Tuesday, July 22, 2008 to allow event to go forward. UNANIMOUSLY CARRIED. Deputy Clerk to contact Village Board members by 5:00 PM as to the status of the insurance approval. Proper notification to be made to the Police Department and Department of Public Works as to road closure for the event.

COMMUNICATIONS:

Mayor Frawley reported the following:

- New York Conference of Mayors’ (NYCOM) Natural Gas conference scheduled for August in Binghamton, New York. Will not be attending this particular program as he does not feel it would pertain to the Village of Angola. (Drilling through Marcellus shale). Will follow up with a call to NYCOM to see if there is anything available for Medina Stone, which is not as deep and would pertain to gas wells in Western New York.
- New York State Water and Sewer Infrastructure funding workshop scheduled for October. Will have information on grants for numerous programs.
- Mentioned that Kim’s Shear Expressions on North Main Street is open and doing a nice job.

Deputy Mayor Houston reported the following:

- Read a letter he received from the New York State Department of Transportation regarding the traffic study that was done at the intersection of Eden Evans Center Road and Route 20. Reported that they could not add exclusive left turn lanes at this time however, they will add an advanced left-arrow phase for eastbound Eden-Evans Center traffic during the morning peak traffic period. Work to be completed as schedule permits.

DEPARTMENT HEADS COMMITTEE REPORTS:

TRUSTEE HOUSTON:

- Mentioned that an April 10, 2008 memo announced that Assemblyman Jack Quinn would be at the Village Hall on Saturday, July 19th from 1:00 P.M. at 2:30 P.M. Stated he drove by the Village Hall after 1:30 P.M. and Assemblyman Quinn was sitting outside. Feels that someone should have been designated to meet the Assemblyman and let him in to the Village Hall. Trustee Houston opened the Hall and welcomed the group to Angola.

- Announced that a mediator has been appointed to deal with the current impasse with union negotiations. Meeting dates have been changed to August 4th and August 6th at the request of the Union.
- Reported that tire disposal has been completed. Program was very well received-dumpster filled up quickly. Small batch of tires remaining will be brought to Buffalo by the Department of Public Works tomorrow.
- Checked with Mr. Li who owns 77 North Main Street (Old Ford Lanes)-has run out of funds and is interested in tax relief by turning property into the Angola Mall. Mr. Li plans to meet with the Board when he returns to the area.
- Attended Association of Erie County Governments meeting on June 19th in Brant. Topic of discussion was sharing services. Meeting was interesting and run by Mayor Frawley.

TRUSTEE HOUSTON CONTINUED:

- Attended the N.E.S.T. meeting in Orchard Park on Thursday, July 10th. Gave Deputy Clerk most recent publication to file in Village Hall.
- Reported that the Southtowns Community Enhancement Coalition has new publication in the Pennysaver. Another publication due out in August.
- Met with General Crew Chief Kaminski and Engineer Gallo regarding the high curb at the corner of Lake Street by Shultz's Hardware. Waiting for proposal from Engineer Gallo. Meanwhile, plan to revamp crosswalk lines on Lake Street so that it will go to the lowest curb by Shultz's Hardware.
- Total sidewalk project has been completed. Ahrens & Wells did a wonderful job. Work cost approximately \$14,000 and was paid for out of Bond issue last year. Mentioned that residents can now walk all the way down Grove Street without having to walk in the street!

Mayor Frawley asked Crew Chief Kaminski about filling in between the new sidewalk and the lawn where the new sidewalk was placed on Mill Street. Chief Kaminski will make sure they complete that work.

- Reported that the memorial markers for the trees are due in on Thursday, July 24th. Mentioned a problem with people not pulling weeds from under the trees on North Main Street. Clerk Treasurer Linda Giancarlo arranged to have the Claddagh Commission dayhab group come out and pull weeds on Tuesday of each week.
- The historic street signs are basically up and look nice. Two remain that still need to be placed but they are harder to install because special holes need to be drilled on Commercial Street at High Street and Main Street.
- Robert McCullough from University of Vermont stopped in to the Village Hall. He is researching factory buildings that were built around the turn of the century. He is concentrating on bicycle and motorcycle buildings and came to look at the Emblem building. Had an interesting discussion with him.
- Attended public hearing before School Board regarding the Keystone Charter School application for Lake Shore district proposed in the Derby area. More to follow.

TRUSTEE DEJOHN –

- Will be meeting with Mediator assigned to handle Impasse with current union negotiations.

- Announced that at the most recent Village Official Association meeting, she was asked to be on a committee designed for Erie County Villages to network in the hopes of providing opportunities for services and cost savings on items such as insurance, internet, etc. Will be attending their next meeting.
- Will be meeting with County officials as well as County Executive.

TRUSTEE WILSON –

- Attended the Taste of Evans on Sunday, July 20, 2008. It was a very nice event and seemed to be a success.
- Has made contacts with CSX Railroad and gained verbal access to the Railroad Bridge. Will discuss with Attorney Yusick what needs to be done as far as a written agreement for access. Asked Mrs. Hussey to give her information to Deputy Clerk regarding complaint of Railroad noise and he will address it with CSX as well when he contacts them about the bridge.

TRUSTEE WILSON CONTINUED:

- Contacted the Explorers relative to watering and weeding of trees along North Main Street. Have not received a response yet. Encouraged Fire Commissioners in attendance to speak with the group.

TRUSTEE TUBINIS -

- Announced that Angola Garden Tour has been cancelled due to insurance purposes and a lack of support from the community and the organizations that were contacted.
- Stated that she is still looking for a building in the Town of Evans area for a Boys and Girls Club. Needs community support and people to join in their mission of trying to establish a Boys and Girls Club in the Angola Area. Announced they are planning their First Annual Golf Tournament on Monday, August 25, 2008 at Rosebrook. Encouraged people to come and join them for the event.

MAYOR FRAWLEY–

- Attended Erie County Consortium meeting on June 19, 2008 in Brant before the Erie County Government's Association meeting. Was announced that Angola will be receiving the Façade Program and are next on the list and should be here shortly. Also announced Senior Housing Project in Angola. Entire Village Board attended Association of Erie County Government's meeting. Topics of discussion were shared services, shared equipment, etc. Supervisor Satish Mohan from the Town of Amherst spoke on the Sales Tax Program in Erie County. County Legislators are establishing a task force to look into the current Sales Tax Program.
- Will be meeting with County Executive Chris Collins on August 5th in regards to distressed properties as well as various village issues. Spoke with Channel 2 on Distressed properties issue as well. More to follow.
- Sent information to NYCOM in regards to Kevin Gaughan's efforts. The mayors of Erie County met in West Seneca and will be preparing a press release in response to Mr. Gaughan's efforts.
- Crisis Services Hotline for Homeless. Pamphlets available at the Village Hall.

MOTION to adjourn the regular Board meeting to go to Executive Session AT 7:43 P.M. made by Trustee Wilson, seconded by Trustee DeJohn. Unanimously Carried.

MOTION to adjourn the Executive Session (NO ACTION TAKEN) and reconvene regular Board meeting at 8:19 PM made by Trustee Wilson, seconded by Trustee Houston. Unanimously Carried.

ATTORNEY –

- Reported on an apparent misunderstanding regarding the property at 39 South Main Street. Received a call from attorney for XSPAND stating that foreclosure proceedings were completed in 2007 and in the interim taxes have accrued. Joseph Maciejewski from the Erie County Division of Real Property advised that taxes would be forgiven and the Village would pay \$5,000 to purchase the property. Advised Board that he needs a letter from Joseph Maciejewski stating that all the taxes are forgiven post foreclosure.
- Water Plant sale is moving forward.
- Trustee Houston questioned status of claim by Kevin Keefe, property owner of 62 Commercial Street. Advised that it has been adjourned to August 12th court date and that General Crew Chief Kaminski would have to be present to testify.

GENERAL CREW CHIEF –

- Announced that the new Brush-hog is in but has not been able to use it yet due to the tractor breaking down. Parts have been ordered and it should be up and running in the next day or two.
- Reported that there was a leak in the Booster station on Pontiac Road-had to call someone in to do the welding. It is now repaired and working properly.
- Ordered the pipe for ditch work and Franklin Street to extend the sidewalk properly before the open of school in September.
- Mayor Frawley instructed Crew Chief Kaminski to install a second catch basin on Linden to correct the problem with standing water on that road.

FIRE COMMISSIONERS –

Lynne Kaminski-

- Reported on new regulations for safety vests for fire department that will go into effect on January 1, 2009. Will look into state contract pricing and advise Board further at next meeting; however, wanted to inform Board of this new requirement in advance of the purchase.

CODE ENFORCEMENT – Charles LaBarbera reported:

- Submitted Consolidated Monthly Report for June.
- Mayor Frawley asked Code Enforcement to look at property at 27 Locust Street. There has been no maintenance for quite some time and he is receiving complaints from the residents in that area.
- Trustee Houston asked for status of demolition at 47 Pennsylvania Avenue. Code Enforcement Officer LaBarbera advised that Attorney Yusick is working on it with the owner's attorney. The bid was to get an idea of how much the Village would need to finance the demolition.
- Mentioned that property maintenance system is effective and the Village actually makes money when property maintenance fees are added to property tax and \$150 administrative fee is added on.

Once property is reported, violation notices go out the same day and homeowner has 10 days to complete the work or contractor is hired to perform maintenance.

- Mayor Frawley mentioned problem with abandoned tires on Mr. Borzilleri's property on La Salle Street by the Emblem Building. Some discussion followed as to options to force property owner to remove them in the future.

PLANNING – ABSENT

ZONING – Paul Cooper

- Nothing on docket at present time.
- Asked Board to look into finding one or two alternates for the Zoning Board as a backup.
- Advised that area high schools have service hour requisites. Might be able to find students to do the weeding.
- Discussed various programs for scrap metal pickup and tire recycling. Advised that the Town of Evans is looking into programs as well.

CLERK-TREASURER –Deputy Clerk reports that the Clerk-Treasurer has completed the annual report and filed with the state. Budget transfers will be submitted for the next Board meeting.

OLD BUSINESS:

1. Sale of Water Plant – discussed
2. Thruway Water- discussed
3. Senior Housing- moving forward – hoping to have news soon.
4. Intercontinental Building- discussed
5. Letter to Town/Veteran's Exemption-waiting for response
6. Boys and Girls Club – discussed
7. Hasenpush Property Damage – Mayor Frawley advised the Hasenpush's to do the necessary repairs and send the Village a bill.
8. NFTA Bus Shelter – discussed
9. Library Addition – discussed. Mayor Frawley thanked Jerry Ruhl for volunteering his time. Trustee Tubinis would like Lori Szewczyk to apply for non-matching implementation grant available through America's Historical and Cultural Organizations.
10. Sign on Orchard Avenue – Trustee Houston read report from Police Chief Samuel DeJohn recommending a Disabled Children area sign be placed in both directions on Orchard Avenue.

MOTION MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE HOUSTON TO APPROVE AND PURCHASE SIGNAGE. UNANIMOUSLY CARRIED.

NEW BUSINESS:

1. Friends of the Village Bus Tour – July 26th 9-12 – Still ten spaces left – tickets cost \$3, available at the Village Hall.
2. 911 Memorial Meeting – meeting scheduled at Village Hall on Wednesday, July 30th at 5:30 PM. Anthony LaRusso is the Chairman.
3. Library Contract with the Town-discussed funds should come directly to the Village for building maintenance, not to the library for books. (\$2,500 per year, as in the past.) Mentioned

sending a letter to Town Board clarifying that these funds were originally earmarked for building maintenance and should be returned to the Village.

4. Killing of Grass, Public Right-Of-Way – 129 Commercial Street – ditches have been burned out.

RESOLUTIONS OFFERED JULY 21, 2008

#1 Proposed Local Law No. 3 for the Year 2008 AMENDING ZONING MAP

WHEREAS, there has been introduced before the Village Board, Proposed Local Law No. 3 for the year 2008 which amends the zoning map of the Village of Angola so that the following described area being 151 South Main Street, SBL# 251.07-3-23.1 and 10 Penn Avenue, SBL #251.07-3-24 formerly located in a R-1 and R-3 zone are reclassified as a B-2 zone and a R-2 zone.

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 8th day of September 2008 regarding the proposed Local Law, and

WHEREAS, all proposed changes must be sent to the Erie County Division of Planning and the Village of Angola Planning Board.

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 pursuant to General Municipal Law; 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; and

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

BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer is authorized and directed to publish pursuant to law the attached Notice of Public hearing for Proposed Local Law #3 for the Year 2008 entitled "Zoning" and the hearing is to be held on the 8th day of September 2008 at 8:00 p.m. at Village Hall, 41 Commercial Street, Angola, New York at which time all interested parties shall be heard. **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED.**

#2 APPROVE COURT AUDIT 2007

WHEREAS, the Village of Angola, Board of Trustees requests an internal audit of the Village Justice Court records on an annual basis pursuant to Section 2019-a of the Uniform Justice Court Act, and **WHEREAS**, an internal audit of all court records covering the dates of September 30th 2006 through January 28, 2008 took place on February 13, 2008, at which time there was a newly appointed Justice, Justice Dennis Glascott, due to the relocation and resignation of the Current Justice, Amy Hontz, and **WHEREAS**, the Village of Angola has reviewed said audit reports and no false or negative findings contained therein.

NOW THEREFORE BE IT RESOLVED, that the Village of Angola, Board of Trustees hereby approves the September 30, 2006 through January 28, 2008 Justice Court Audit, completed on February 28, 2008, and authorizes the Clerk to submit a copy of this resolution and a copy of the aforementioned Audit to the New York State Office of Court Administration, Director of External Audits. **MOTION MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED.**

#3 APPROVE APPLICATION FOR PERMIT FOR SIDEWALK OBSTRUCTION

RESOLVED that the Village of Angola Board of Trustees hereby approves a request and application from Tom Guest of 294 N. Main Street for the obstruction of Sidewalks and the closing of the road, on Lincoln Avenue between Miller and North Main Street for the purpose of a Block Party Celebration on Sunday August 17th between the hours of 12noon and 10PM. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED.**

#4 APPROVE GALLO FOR WALGREEN'S WATER METER PIT ADJUSTMENT

WHEREAS, the Village of Angola Board of Trustees has received an Engineering Proposal from Village Engineer Donald Gallo for Engineering Services for the Water Meter Pit adjustments on Lake Avenue to prepare for the Construction of a New Walgreens Pharmacy, and

WHEREAS, Walgreens Pharmacy, will be responsible for covering all engineering fees related to the Walgreens Pharmacy Development project, and payment to cover said fees will be submitted to the Village of Angola prior to the start of the project, and in return, the Village will provide same payment to the Village Engineer, now

BE IT RESOLVED, the Village Board authorizes the Village Clerk to submit a letter to the Walgreens Pharmacy Developer Clough Harbor and Associates LLP requesting a check made payable to the Village of Angola in the amount of eight-thousand-nine-hundred-dollars (\$8,900) to cover all

fees associated with Engineering Services provided to them for this project, by the Village Engineer, Donald Gallo, as per said proposal. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED. NOTE: LETTER IS CORRECTION TO FEBRUARY 13, 2008 CORRESPONDENCE WHICH LISTS A DIFFERENT AMOUNT DUE.**

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 #029, Checks #6339 to #6345 and #6394 in the total amount of \$45,686.12, Abstract #030, Check #6393 in the total amount of \$555.00, Abstract #002, Checks #6381 to #6396 in the total amount of \$12,579.21 and Abstract #003, Checks #6397 to #6450 in the total amount of \$63,339.56 plus Payroll #13, 14, & #15; Water Fund Abstract #002 Checks #1618 to #1623 in the total amount of \$1,452.53 and Abstract #003, Checks #1624 to #1639 in the total amount of \$37,064.16, and plus Water Payroll #13, 14 & #15; **Trustee Houston commended office staff for organization of bills during the close of the fiscal year and length of time between Village Board meetings.**

ADJOURN to the next scheduled regular Board Meeting on Monday, August 11, 2008 at 7:00 P.M. Trustee DeJohn requested that the meeting be adjourned in remembrance of the life of Jane K. “Janie” Kashino, (2002-2008), daughter of Scott and Colleen Kashino. Scott is a former Village of Angola Police Officer. Donations may be made in Janie’s name to Alex’s Lemonade Stand (Pediatric Cancer Foundation), 333 East Lancaster Avenue, #414, Wynnewood, PA 19096. **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED. Meeting adjourned at 9:03P.M.**

Submitted By

Michelle F. Warren
Deputy Clerk