

INDEX – August 20, 2007

VISITORS: Ron Cervola - South Main –S Penn street needs paving
Ron McPeck - Complaint of permit fee for Angola Variety
Jennifer Stone – Requests variance to keep a flock of chickens

COMMUNICATIONS: Trustee Wilson - NEST Treasurer
Hazardous Waste drop-off
Goodwill Industries – electronics drop-off – year round

TRUSTEE HOUSTON: Erie County Public Works; NEST; SCEC meeting; Legislative Breakfast; County Follow up; Goya project; Commercial Street Lighting; CDBG monies for Sidewalk & Theater; K&L demo bids; Chief Ferguson retirement; NYCOM conference; Complaint on negative SUN article.

TRUSTEE STOCKMAN: Kids Day in the Park; resignation

TRUSTEE WILSON: Incident at Old Water Treatment Plant, injured Dog; CSX Bridge follow-up.

TRUSTEE CARLSON – No Report

MAYOR FRAWLEY: Tax Lien Committee; Erie County Association of Governments meeting planned; Erie County Firemen’s Association-Firefighter of the Year awards read aloud

F/D COMMISSIONERS: Beck- report on Celebration; Ladder Truck.

CLERK-TREASURER: National Night Out

NEW BUSINESS: Hydrant painting-Town wide; Fireworks Law

RESOLUTIONS:

- 1. Approve Hours of Village Clerk-Treasurer**
- 2. Approve Water Shut-Offs**
- 3. Approve Adoption of LL #3-2007-Abolishing the Village Police Department**
- 4. Authorize Mayor to Execute Contract with Town of Evans for Police Services.**
- 5. Approve Final Bid and online Sale of 1992 Ford Ambulance**

MINUTES
Village of Angola
Regular Board Meeting
Monday August 20, 2007 – 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 August 20, 2007 at 7:30 PM, there were

PRESENT: Mayor - Howard Frawley; Trustees – William Houston, Michael Stockman, James Carlson and John Wilson

ALSO PRESENT: were Linda Giancarlo-Clerk-Treasurer; Andrew Yusick-Attorney; Robert Beck-Fire Commissioner; Elmar Kiefer-Accountant; Paul Cooper – Zoning Board Chairman; Paul Ryerse-Building Department;

GUESTS: in attendance were Brian Campbell (Hamburg Sun); Alice Escott (Town Crier); Elmer Ploetz (Buffalo News); Ron McPeek; Patricia Hotnick; Ron Cervola; Jennifer Stone; Jonica DiMartino; Todd Dybdahl; Gene Kauzala; Jill Barrett and Andrew Poulson.

PLEDGE OF ALLEGIANCE: was led by Jonica DiMartino

MEETING CALLED TO ORDER at 7:30PM

APPROVAL OF MEETING MINUTES OF July 16, 2007 and Public Hearing Minutes of August 9 Motion made by Trustee Carlson, seconded by Trustee Stockman,
UNANIMOUSLY CARRIED

VISITORS:

- Ron Cervola- S. Main Street (S. Penn) wanted to know when the board planned on scheduling the paving to be done on his road, it has been promised to be done for many years. Trustee Houston reminded Mr. Cervola that South Main at South Penn is a County owned road, but understands the County has not committed to do any road work in the area where the County paving abuts the Village Street. Trustee Houston stated that he will talk to DPW Crew Chief next week when he is back from vacation to see if the Village can schedule this work.
- Ron McPeek-N. Main Street questioned why the (\$261.00) permit was so high, only to put the Variety Store (an existing business) into his building. He stated that there were no structural changes made. He also remarked that Pat Gresko (Attorney) didn't require a permit to move his business across the street, and the bakery's permit charge was only a couple dollars more than his and they did a lot on structural changes The old Town Hall which he is working in now only cost \$120.00. The board replied that they do not wish to comment on the Building Code department fees, policy or requirements, but they will ask the code officer Charles LaBarbera, to submit a written report on the situation, including all four properties in question. He is on vacation this week, he will be contacted when he returns and will be asked for the report for the September Meeting.
- Jennifer Stone- Mill Street- stated that she had recently purchased a home in Angola, at the Village line, where the area is very country-like. She asked what she needed to do to be able to raise a small flock of chickens. Attorney Yusick asked her to go to the building department and get direction on how to file a petition for a variance with the Zoning Board of Appeals. Trustee Houston said that he would forward a letter Jennifer sent to him to the Building Inspectors Office.

COMMUNICATIONS:

- Mayor Frawley congratulated Trustee Wilson on his appointment as Treasurer for N.E.S.T.
- Mayor Frawley announced a Hazardous Waste collection that is scheduled at Town of Marilla Garage on August 25th
- Mayor Frawley read an announcement that “Goodwill Industries of Western New York” will be hosting a year round Computer/Electronics recycling program for all Erie County residents at the groups various drop-off stations.

DEPARTMENT HEADS, COMMITTEE REPORTS:

TRUSTEE (Deputy Mayor) HOUSTON –

- Erie County Southtowns Planning and Development Meeting was last week at Castaway’s Restaurant. Presented a copy of the Capital Budget request from the Erie County Division of Public Works.
- Announced the next NEST meeting will be September 20th in Orchard Park.
- Stated that the Southtowns Community Enhancement Coalition held a meeting at Cala’s in Derby last week a representative from University of Buffalo was there, she is working on data collection for tourism in the seven communities. The breakfast was sponsored by the Village of Angola.
- The Legislative Breakfast was held last week at the New Legion post. Only two candidates, James Keane and Jimmy Griffin, showed up. Thought that both candidates both spoke very well of their plans as County Executive.
- The Erie County Water Authority is holding their tour of the Derby Plant, August 22. Christine, the part-time clerk is attending this open house. The Mayor may also attend.
- He attended the monthly meeting with the County, as requested by the Mayor, with Legislator Reynolds. Announced that he followed up as to the requests he made to Erie County for some work that needs to be done in the Village.
- The new Goya Distribution Center has been started and the project is going well.
- The new lights for Commercial Street will be shipped October 5th.
- Waiting for approval from the county for the CDBG funds for the East Side of Main Street, Sidewalk replacement and for the New Angola Theater Improvement Project. This is additional funding the County has remaining from other projects.
- The K&L building will be open for inspection Tuesday and Thursday. Bids will be opened on Wednesday, August 29 for the demolition project.
- Asked if anyone on the Board has received an invitation or any other information for the Retirement Dinner for Town of Evans Police Chief Ferguson. No-one received anything. Trustee Houston stated that the Village should have representation. The date is September 14th at Michaels Banquet Hall. The clerk will get ticket information and distribute to the board.
- He will be attending the NYCOM Fall Training School September 17-21.
- Complained about the negative way the editor of the “Sun Newspaper” published the story on the Public Hearing that was held in regard to Abolishing the Police department. Was very upset that his positive report was never mentioned in the article. Asked the reporter in attendance to re-distribute his information to the editor with his regards and handed him a copy.

TRUSTEE STOCKMAN –

- Mentioned appreciation for all involved in the “Kids Day in the Park” celebration on August 21st. It all went very well. Thought it was a wonderful community event.

- Announced that he will be resigning his position as Village Trustee as of tomorrow. He has accepted a job out of Town and will be relocating his family to Victor, NY. He thanked the community, the employees and the Village Board for the Honor of serving as a Trustee for the Village.

TRUSTEE WILSON –

- Thanked Trustee Stockman for his hard work, friendship and commitment to the Village.
- Stated that there was an incident at the Old Water Treatment Plant. A dog got into the plant and got hurt. The Plant is continuously broken into. He worked with Jack Krajacic in securing the plant in a very timely matter. The DPW crew keeps a close eye and does regular inspections of the plant.
- Announced that he has been contacting CSX Railroad regarding the broken and crumbling concrete falling into the creek from the CSX Bridge. He stated his disappointment that they haven't attempted any repairs. He will follow up and stay on top of this issue.

TRUSTEE CARLSON –

- No Report

MAYOR FRAWLEY-

- Thanked Trustee Stockman for his outstanding work for the Village. He mentioned the good job he did while serving as deputy Mayor for the Village in his first year, as well as his work on the Depot Project which is still moving along, his serving as liaison for the Fire Department and following through on the research and purchase of the used Arial Truck.
- Tax Lien committee is moving along well, mentioned that there will soon be a press release. Next meeting is scheduled for August 29th. Working together with Governor and Congressman and Legislators all involved with this committee. He has also contacted all 4 candidates that are running for County Executive and informed them of this committee and its purpose.
- Announced that the Erie County Association of Governments will be meeting on August 23rd at O'Brian's in Eden.

ATTORNEY –

- Thanked Trustee Stockman for not only his work on the Village Board, but also his work serving for years as Director of Recreation for the Town of Evans and for the Lake Shore Central School district. Attorney Yusick remarked how we had one of the finest recreational programs in the area and he owes it all to Trustee Stockman. He wished him and his family all the best and good luck in the future.

POLICE –

- Excused - Mayor read monthly Police Report

GENERAL CREW CHIEF –

- Excused – the board discussed several topics that they will address to the DPW Crew Chief after he returns from vacation. Handicap Parking area in front of the Old Town Hall, Linden Paving. Trustee Carlson mentioned sidewalk work on High Street.
- Tree Cutting is completed

TRUSTEE HOUSTON THANKED TRUSTEE STOCKMAN for his work as Trustee and for his being a good neighbor.

FIRE COMMISSIONERS –

Robert Beck

- Stated that the Ladder Truck should be in full service in about 2 weeks. The firemen have been doing a lot of the work themselves, to save money.
- Thanked the DPW, the Board and all others involved with the Fire Department's 125th Celebration. Everything was very successful. Plans are underway to do it again next year.
- MAYOR FRAWLEY mentioned the many Firemen in Angola who were recognized as Firefighters of the Year and Junior Firefighters of the Year.

CODE ENFORCEMENT –

Trustee Houston asked that the following items be addressed.

- Paglia property-114 South Main-NO REPORT
- White House –135 North Main-NO REPORT
- 65 North Main- NO REPORT
- Emergency Generator-permit required- Trustee Houston wanted people to know this for the record.
- All vacant property lawns have been worked on and are looking great.

PLANNING – Excused

ZONING – Clark-Brant Garage- no hearing set as of yet.

CLERK-TREASURER –

- Announced that National Night Out was held on August 7, and it was very successful. Thanked all involved and stated that she will chair it again next year.
- Thanked Trustee Stockman for being a great asset to the Board. Sent a blessing to him and his family for Health and Happiness.

- OLD BUSINESS:**
1. Sale of Water Plant – Andy sent letters to the State
 2. Thruway Water- new contact- will schedule a meeting
 3. Senior Housing- pending
 4. Emergency Repair of Intercontinental Bldg, Commercial St.- no report
 5. Removal of Stakes on Village Right-of-Ways- underway

- NEW BUSINESS:**
1. Painting of Fire Hydrants in retail district by Town of Evans/
General Hydrant Maintenance- Our seasonal laborers painted our hydrants Trustee Houston asked DPW to talk with the Town DPW to work on painting the Village Hydrants in the Angola Retail District to match and keeping and maintaining matching hydrants throughout the area around the Village.
 2. Review Fireworks Law- several households shooting off fireworks all summer would like to review and advertise more on the fireworks law in June 2008

RESOLUTIONS OFFERED FOR AUGUST 20, 2007

#1 APPROVE HOURS OF VILLAGE CLERK-TREASURER

BE IT RESOLVED, the Angola Village Board does hereby approve the hours of the Village Clerk-Treasurer to be as follows: Monday; Tuesday; Thursday; Friday; 9-5 Wednesday 9-12 with a weekly credit of 4 hours to be rectified through her attendance at board meetings,

public hearings, special meetings or any other Village Business Meetings/workshops.
**MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON,
UNANIMOUSLY CARRIED**

#2 APPROVE WATER SHUT-OFFS

RESOLVED that the Village of Angola Board of Trustees hereby authorizes the Water Clerk to issue water shut offs per the attached list of delinquent water accounts unless paid in full by August 21, 2007. 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 \$14,274.58

**MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE STOCKMAN,
UNANIMOUSLY CARRIED**

#3 APPROVE ADOPTION OF LOCAL LAW #3-2007-"Village Police Department"

WHEREAS, proposed Local Law #3 for the year 2007 entitled "Village Police Department" has been presented to the Board of Trustees, and

WHEREAS, a public hearing was held on said proposed Local Law on August 9, 2007.

BE IT RESOLVED, the proposed Local Law #3, for the year 2007, entitled "Village Police Department", which is attached hereto is hereby adopted as Local Law #3 for the year 2007.

**LOCAL LAW NO. 3
FOR THE YEAR 2007**

Chapter 85, Article 1, Section 1 "VILLAGE POLICE DEPARTMENT"
The Village Police Department is hereby abolished.

This Local Law shall take effect immediately upon the filing with the Secretary of State, provided, however, that such Local Law is subject to a permissive referendum and the Village Clerk shall forthwith proceed to notice such fact and conduct such referendum is required by petition. **MOTION MADE BY TRUSTEE STOCKMAN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED-**

Board Polled

Trustee Carlson - aye

Trustee Wilson - aye

Trustee Stockman - aye

Trustee Houston - aye

Mayor Frawley - aye

**#4 AUTHORIZE MAYOR TO EXECUTE CONTRACT WITH TOWN OF EVANS
FOR POLICE SERVICES**

WHEREAS, the Board of Trustees has adopted Local Law #3 for the year 2007 abolishing the Village Police Department, and

WHEREAS, as a result of such abolishment, the Town of Evans will undertake, by law, the police protection of the Village, and

WHEREAS, the Town and the Village have, as consideration for the Village abolishing said Department, entered into discussions and negotiations regarding enhanced Police Services and

as a result of said negotiations have prepared an agreement which has been adopted and signed by the Town of Evans on August 20, 2007, and

WHEREAS, in consideration for such enhanced services, the Village of Angola shall pay a pro-rated share of the cost of the three officers being transferred to the Town for the remainder of the Town's 2007 fiscal year, and

WHEREAS, said agreement is subject to the Local Law becoming effective.

BE IT RESOLVED, that the Mayor is hereby authorized to execute the agreement for enhanced Police Services with the Town of Evans, executed by the Town on August 20, 2007.

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

Board Polled

Trustee Carlson - aye

Trustee Wilson – aye

Trustee Stockman – aye

Trustee Houston – aye

Mayor Frawley - aye

#5 APPROVE CLOSING BID FOR SALE OF AMBULANCE

WHEREAS The Village Board declared the 1992 Ford ambulance surplus, and

WHEREAS The Village Board authorized the Clerk to offer said ambulance online at www.auctionsinternational.com, and

WHEREAS, bidding has ended for this vehicle and the highest bid reached one-thousand-nine-hundred-two-dollars and twenty cents (\$1,902.20) now,

THEREFORE BE IT RESOLVED the Village of Angola Board of Trustees accepts the high bid of \$1,902.20 for the 1992 Ford Ambulance E-Series Vin#1FDKE30M3MHB27326, and

BE IT FURTHER RESOLVED that the Village Clerk will make arrangements for pick-up of said vehicle after full payment has been made by buyer, and cleared by auctions international. **MOTION MADE BY TRUSTEE STOCKMAN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**

AUDIT OF BILLS – motion made to approve the bills, BY TRUSTEE CARLSON SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED regarding the following: **General Fund Abstract #4, Checks #5685 to #5758 in the total amount of \$67,969.22 plus Payroll #16, 17 & 18; Water Fund Abstract; 4 & 5 Checks #1443 to 1457 in the total amount of \$34,673.59 plus Water Payroll #16, 17 & 18; UNANIMOUSLY CARRIED**

MOTION TO ADJOURN to the next scheduled regular Board Meeting Tuesday September 4th 2007 at 7:30 and K&L Demolition Bid Opening on August 29 at 10:00AM **MADE BY TRUSTEE CARLSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED** meeting adjourned at 8:25 PM

Submitted By

Linda D. Giancarlo