

## **INDEX – October 1, 2007**

**VISITORS:** Ron McPeek – Selling his properties, due to continued conflicts

**COMMUNICATIONS:** Delair Compensation for disposal of property from evidence locker; National Grid tree trimming scheduled; Escott liquor license application; League of Woman Voters; NYCOM Abandoned Properties work session; Public Entities safety group; Police Merger; County Auction of properties; CDBG increase to \$100,000.00; Skateboarding Issues; Tire Recycling; Eden Trailblazers; K&L demolition; Goya project

**TRUSTEE HOUSTON:** NYCOM Fall Training; NEST; Erie County “1%” sales tax; Old Angola Hospital; County Road work in Village/painting lines

**TRUSTEE DEJOHN:** Commended Code Officer and DOS regarding McPeek property; “1%” sales tax distribution; Police Merger press conference; Take a Stand;

**TRUSTEE WILSON:** Was congratulated on new employment position; commended all involved in Police Merger; Thanked Village engineer-Donald Gallo

**TRUSTEE CARLSON –** Erie County Environment Management Council/ Storm Water; welcomed Police; Library kids congregating and moving benches-police issue

**MAYOR FRAWLEY: Excused-returning from a NYCOM meeting**

**ATTORNEY YUSICK:** Police Merger information;

**POLICE:** Lieutenant Hepkins, first report as liaison, thanked Chief Puckhaber for assistance in transfer; CPS equipment rights to Town; no use for police building space; working on vehicles; (Lieutenant Masullo report); scheduled for all Village Board meetings;

**GENERAL CREW CHIEF: Excused**

Street Paving; Village Clock; Commercial Street –Street Light to arrive soon; Terrylynn at Sunset drain issues

**F/D COMMISSIONERS:** No report

**OLD BUSINESS:** Tire Recycling;

**NEW BUSINESS:** Cradle Beach Harvest Dinner; First Congregational UCC Pig Raffle

### **RESOLUTIONS:**

- 1. Assemblage Application “Take a Stand”**
- 2. Centennial Park Application “Take a Stand”**
- 3. Herman Park Contract with NYS**
- 4. Approve Gallo proposal N. Main Sidewalks**
- 5. Authorize “Notice to Bidders”**

**MINUTES**  
**Village of Angola**  
**Regular Board Meeting**  
**Monday October 1, 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 October 1, 2007 at 7:30 PM, there were **PRESENT:** Deputy Mayor – William Houston as acting Mayor for the Board Meeting; Trustees James Carlson; Denise DeJohn and John Wilson. Excused was Mayor Frawley

**ALSO PRESENT:** were Linda Giancarlo, Village Clerk; Andrew Yusick-Attorney; Robert Beck-Fire Commissioner; Charles LaBarbera- Building Department; Donald Gallo, Village Engineer; Lieutenant Donald Hepkins – Town of Evans Police Department; Lieutenant Ernest Masullo-Town of Evans Police Department-

**GUESTS:** in attendance were Alice Escott (Town Crier); Brian Campbell (Hamburg Sun); Salvatore Mogavero; Ronald McPeek; Joan Houston; Jill Barrett; Bob Dietrich; Ronald Badaszewski;

**PLEDGE OF ALLEGIANCE:** was led jointly by Lieutenants Masullo and Hepkins

**MEETING CALLED TO ORDER** at 7:30PM

**MEETING WAS RUN BY DEPUTY MAYOR WILLIAM G. HOUSTON:** Excused was **MAYOR FRAWLEY** returning from a **NYCOM Executive Committee Meeting**

**APPROVAL OF MEETING MINUTES of September 17, 2007 MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

**VISITORS:**

- Ronald McPeek – 48 North Main Street – Made a statement to the board “You Win” and handed the 4-Board members present a packet. He reported that he has put his properties up for sale with HUNT Realty. He was upset regarding the over \$200.00 in permit fees for the Variety Store. He stated that the Variety Store closed its doors today and he was pulling both business, the “Town Crier” and “You’ve Been Framed” out of the Village. The board was surprised to hear Mr. McPeek’s comments and to see his packet, they stated they were under the impression that everything was moving forward as of their meeting with Alice Escott, the Town of Evans and the Department of State just last Thursday and Friday! Trustee DeJohn stated that she attended last weeks meeting and there was an extension granted to the Variety Store, Mr. McPeek stated he was unaware of any extension. The board stated that Ms. Escott taped the whole meeting and recommended he listen to it. Trustee Wilson stated he was insulted by Mr. McPeek’s list of “closed businesses” in the Village. Trustee Wilson then addressed the list one by one and explained different circumstances regarding each, none of which were code or permit issues or a result of the Village Board. Trustee Carlson stated that he understood everything was going fine and moving along, and asked why the sudden change. Mr. McPeek was still complaining about the time constraints and code issues and review board issues. Trustee DeJohn explained that the Board has really gone out of their why to make this work and to be business friendly, and stated that the Board members are “Law makers” not “Law breakers” and cannot do more than they have done already to work with Mr. Peek, the Code Enforcer, the Town and State Officials. She commended Code Enforcer LaBarbera for his hard and honest work, and all of the time put into this issue. She also thanked the State and the

Town officials for going out of their way to assist Mr. McPeek with his business needs. The board was confused over Mr. McPeek's sudden change of heart and asked him to listen to the tape his wife (Alice Escott) had recorded at last weeks meeting, and determine what agreements or extensions were made. Mr. McPeek exited the Board meeting at 8:00PM to do so.

*\*Note (Mr. McPeek returned after the Board meeting was adjourned to inform the board that he listened to the tape, and was now aware of the extension given for the Variety Store permit!)*

- No other comments came from the floor.

## **COMMUNICATIONS:**

- Deputy Mayor Houston presented the following items under communications:
  1. A letter from Mr. And Mrs. Delair requesting compensation of \$150 for CD's and/or tapes that were accidentally destroyed while cleaning out the Police evidence locker. The Board approved \$150 out of the police line.
  2. Announced that National Grid had informed the area that they will be trimming some trees away from electric lines for three months.
  3. Reported that the board received a letter from Alice Escott, advising of her application for a liquor license.
  4. Announced the League of Woman Voters meeting pending scheduling, Bill would like to be informed when they schedule.
  5. NYCOM work session on Abandoned Properties in Hamburg, Oct 11, many board members will be attending.
  6. NYS Public Entities Safety group: asked clerk to check into to see if this is the group the Village is registered with at the present.
  7. Stated that the police merger went well, he recognized the Town of Evans Police representatives present at the meeting, Lieutenant's Masullo and Hepkins. Announced that the Village will look into expenses incurred with the merger and hoped to file for help through a State Grant.
  8. Announced in regard to Tax Lien's, the Village has received notification that some of the vacant properties will be up for County auction on Wednesday Morning, October 3<sup>rd</sup>.
  9. Received a Fax from Mark Lee from Department of Environment and Planning. Announced that CDBG funds for next years program will be at \$100,000.00. The board will look at project ideas at the next board meeting a workshop will be scheduled at 7:00PM.
  10. The "No Skateboarding" notice was put into local papers and distributed to Lieutenants Masullo and Hepkins
  11. Ads went into the papers for Recycling and announcing the Tire Recycling program now in effect, the dumpster is located in the DPW parking lot.
  12. The board received a letter from the Eden Trailblazers requesting the Village to approve their using the National Grid right away lines and through the Village. The board directed the clerk to give this request to the Village insurance agent for review and report. (The Village Board met with this organization 2 years ago, and were advised by the insurance agent to turn them down due to high liability issues).
  13. Announced that the TV media held a press conference regarding the Police Merger at the Evans Town Hall on Thursday September 27, it was a nice presentation. Thanked Chief Puckhaber for his co-operation in making the merger go smoothly.

14. K&L demolition is near completion, paint issue was resolved prior to demolition- also mentioned that there was a concern of rats, noted that there were none present (no food).
15. There was a rumor regarding the demolition of the Old Ford Lanes; the Village has no intention to do this, the property is going up for County auction on Wednesday.
16. Reported that the Goya project is underway, if anyone gets a chance to take a ride to the site on South Main they should do so, this is a very positive thing for the Village and the entire area.

## **DEPARTMENT HEAD/COMMITTEE REPORTS:**

### **TRUSTEE (Deputy Mayor) HOUSTON –**

- Attended NYCOM Fall Training- presented several packets to the Clerk for the files. Trustee Houston mentioned that he ran into the Mayor of Newark, he recognized the Village of Angola, as he knew of the Goya Plant/Bison Canning and Drago Family.
- Announced the NEST meeting he attended last Thursday.
- Announced the Tax Lien meeting and the discussion of Erie County's "1%" sharing of sales tax and fairness of distribution.
- Erie County Government's association meeting minutes, filed with Clerk.
- Mentioned that the Old Angola Hospital, Locust Street, will be shown on a television program
- Mentioned Erie County has done some painting of lines on the roads in the area, they painted Delamater and Eden Evans Center Roads, and also resurfaced Hardpan Road. There is still more line work to be done.

### **TRUSTEE DEJOHN –**

- Thanked the DOS for their professionalism and overtime work on trying to aid in Mr. McPeck business transactions. Thanked Code Enforcer Chuck LaBarbera for his honesty, professionalism and hard work on this issue. Was hoping it was resolved.
- Mentioned the Erie County Sales Tax distribution of 1%, the Village needs representation at the next EC Governments Association meeting to vote on the extension of this distribution plan.
- Attended the Police Merger Press Conference, thanked all involved and stated that she feels that this is a positive move for the community, and it will be successful.
- Announced that she has investigated the "Take a Stand" program and understands what the program is about. Thought it was a wonderful program. Apologized for tabling the resolution at the last board meeting, she just wanted to be sure of anything she was approving before approving it. There will be a resolution at tonight's board meeting
- Mentioned that she and other board members will be attending the Vacant/Abandoned property workshop to be held by NYCOM in Hamburg on October 11.

### **TRUSTEE WILSON –**

- Trustee Houston congratulated Trustee Wilson on his new position as Superintendent of Buildings and Grounds for the Depew School System.
- Trustee Wilson welcomed the Evans Police Department and thanked all involved.
- Thanked Engineer Donald Gallo for his hard work and quick response on all of the projects going on in the Village.

## **TRUSTEE CARLSON –**

- As representative of the Village for the Erie County Environment management Council, he announced the Storm Water Project and stated that he and will be attending a public meeting at the Evans Town Hall on October 18<sup>th</sup> - will report at the next meeting.
- Welcomed the Town of Evans Police.

## **MAYOR FRAWLEY- EXCUSED**

### **ATTORNEY –**

- The Local Law to abolish the Police Department went into effect today, October 1. Thanked all involved and Attorney Grant Zajac for the smooth transfer. Also thanked Chief Puckhaber for his assistance regarding the transfer of all records and equipment to the Town. Advised the Board to send a thank you to Chief Puckhaber and to the 3 officers involved in the transfer.
- Mentioned he has had the Clerk send out a letter to all police officers to surrender their property, badges, ID's etc. to the Village Clerk
- Directed the Village Clerk to send a letter to the Department of State removing all officers from the Police Registry with the Village.

### **POLICE – Lieutenant Hepkins reported:**

- Stated, on behalf of the Town of Evans and Acting Chief Slawinski, that they are proud to be providing protection to the Village of Angola Community. Thanked Chief Puckhaber for working with him on the transfer of records. Announced that CPS has given the rights of all equipment to the Town police.
- Stated that the Town has no intention of taking over the space in the building where the Angola Police were housed.
- Working on police vehicles, painting and minor work. Trustee Houston suggested they take the older car to the dealer where it was purchased for any warranty repairs as it had a lot of work done on it last year.
- Trustee DeJohn announced that Lieutenant Hepkins is the Liaison for the Police Department between the Town and the Village as Mayor Frawley is for the Village to the Town Police.

#### **Lieutenant Masullo reported:**

- He should be scheduled to be present at all board meetings of the Village.
- Been an officer of the law for 33 years, and department is excited to provide police services for the Village of Angola. He started with Angola and is a long time Village Resident.
- Trustee Carlson asked that the Police keep an eye on the kids and benches in front of the library, the kids have been congregating there and moving the benches around.

### **GENERAL CREW CHIEF –**

- Excused- ill
- Trustee Houston reported:
  1. Paving is underway throughout the Village. School, Maple, Linden, Center, Allen and Terrylynn
  2. Will ask Crew Chief Kaminski to check into the Main Street Clock, as its almost time again for the daylight savings time change.
  3. Street lights for Commercial Street will be shipped this week.
- Trustee Carlson mentioned the need to address the drainage issues on Terrylynn near Sunset Blvd.

**FIRE COMMISSIONERS –**

- no report

**CODE ENFORCEMENT –**

- working on all of the following:
  1. 114 South Main; 28 Mill Street; 135 North Main; 65 North Main; 17 & 29 Washington; Emenees Tavern

**PLANNING – Absent**

**ZONING – Excused-left a note of report:**

- No variances scheduled
- Scheduled for livestock ordinance review Wednesday October 10.

**CLERK-TREASURER –**

- Website has been updated in regard to many projects moving forward. Minutes, agenda etc.
- Will send in final paperwork and new laws to complete the Codebook printing.

**OLD BUSINESS:**

1. Sale of Water Plant – nothing to report
2. Thruway Water- nothing to report
3. Senior Housing- nothing to report
4. Intercontinental Bldg, Commercial St.- owner having some issues with the nursing home regarding value of this property.
5. Tire Recycling- Schedule October 1 through 15<sup>th</sup> in the DPW parking lot. Ads published in local papers.

**NEW BUSINESS:**

1. Cradle Beach Harvest Dinner Sunday October 7
2. Pig Raffle – 1<sup>st</sup> Congregational United Church of Christ

**RESOLUTIONS OFFERED FOR OCTOBER 1, 2007**

**#1 AUTHORIZE ASSEMBLAGE APPLICATION**

**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: Jill Barrett of “Citizens for Responsible Choices” to assemble a parade to go from the William G. Houston gazebo to Main street to School Street, ending at the J.T. Waugh Elementary School in a “Take a Stand” program on Wednesday October 24<sup>th</sup> 2007 from 4-6PM. Also, requesting a fire truck and police car in the parade if possible. Angola DPW, Angola Police, Angola Fire Dept and the NFTA will be notified accordingly.

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

**#2 APPROVE APPLICATION FOR USE OF CENTENNIAL PARK**

**RESOLVED** that the Village of Angola Board of Trustees hereby approves the application from Jill Barrett, for the “Citizens for Responsible Choices” Committee to use Centennial Park and the William G Houston Gazebo, for their “Take a Stand” celebration from 4-6PM, electricity will be needed at gazebo. On Wednesday October 24, 2007.

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

**#3 APPROVE MAYOR TO SIGN HERMAN PARK GRANT CONTRACT**

**WHEREAS**, the Village of Angola, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in the State Contract, Herman Park Enhancement project is desirable, in the public interest, and is required in order to study and/or implement the local project or program; and

**WHEREAS**, under Chapter 50, Section 1, of the Laws of 2007 relating to the Local Assistance Budget, the Legislature has authorized financial assistance to localities for services and expenses related to local projects, programs and studies by means of a written agreement; and

**WHEREAS**, the Municipality has examined and duly considered Chapter 50, Section 1, of the Laws of 2007 relating to the Local Assistance Budget and deems it to be in the public interest and benefit under this law to enter into a contract therewith.

**NOW, THEREFORE BE IT RESOLVED** the Village of Angola Board of Trustees authorizes:

1. Mayor Howard Frawley is directed and authorized as the official representative to act in connection with any contracts between the Municipality and the State, and to provide such additional information, as may be required.
2. That one(1) certified copy of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York, together with the State Contract.
3. That this Resolution take effect immediately.

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

**#4 APPROVE GALLO ENGINEERING PROPOSAL N. MAIN SIDEWALK**

**RESOLVED** that the Village of Angola Board of Trustees hereby approves the proposal from Donald Gallo to perform all engineering services related to bidding and construction for the North Main Street Sidewalk Project, a CDBG project for the replacement of sidewalks, curbs and driveway aprons along the east side of North Main Street between Center and Maple, including tree wells. Total cost for said services is not to exceed ten-thousand (\$10,000.00).

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

**#5- AUTHORIZE NOTICE TO BIDDERS FOR THE MAIN STREET SIDEWALK PROJECT**

**RESOLVED** that the Village of Angola Board of Trustees authorizes the Village Clerk to publish Notice to Bidders for the Village of Angola North Main Street Sidewalk Project in the official newspaper *The Town Crier* and minority newspapers upon approval from Erie County. **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

**AUDIT OF BILLS** – motion made to approve the bills, **BY TRUSTEE CARLSON SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED** regarding the following: **General Fund Abstract #8 & #9, Checks #5811 to #5840 in the total amount of \$34,441.63 plus Payroll #21; Water Fund Abstract; #9 (no 8) Checks #1474 to 1478 in the total amount of \$2,386.24 plus Water Payroll #21; UNANIMOUSLY CARRIED**

**MOTION TO ADJOURN MADE BY TRUSTEE CARLSON SECONDED BY TRUSTEE WILSON** to Monday, October 15<sup>th</sup> 2007, CDBG Workshop at 7:00PM, the next scheduled regular Board Meeting at 7:30 and a CDBG Public Hearing at 8:00PM. **UNANIMOUSLY CARRIED meeting adjourned at 9:02PM**

Submitted By

Linda D. Giancarlo  
Village Clerk- Treasurer