

INDEX – October 15, 2007

VISITORS: Deborah Dalton - Opposed Skateboarding Law
Ronald McPeek – Issues with Variety Store, extension, Permit Fee etc.
County Property Auctions

COMMUNICATIONS: Tri-Board meeting at Lake Shore School; Village Officials Association meeting; Escott withdrawal of liquor license application; Rural Transit Van minutes; Erie County Association of Governments meeting.

TRUSTEE HOUSTON: Tire Recycling; Friends of the Village as planning Christmas in the Village; Friends of the Village Fundraiser; NYCOM Vacant Buildings workshop; Symposium- Southtowns Coalition recognized; Comments on Village memorial stones, flower baskets and trees; Village ads; Bid Opening N. Main Sidewalk project.

TRUSTEE DEJOHN: No report

TRUSTEE WILSON: Stormwater meeting and Tri Board Meeting at Lake Shore High School.

TRUSTEE CARLSON – Excused

MAYOR FRAWLEY: Tax Lien article in Buffalo News; County Public Auction; Façade improvement program; NYCOM Executive Meeting New Paltz NY; interested buyer for 29 Maple Street; Meeting at Albright Knox Art Gallery regarding Municipal sharing such as Police Merger.

PUBLIC HEARING CDBG 8:00PM - Shultz curb, waterlines on N Main at High St. at School Street

ATTORNEY YUSICK: Discussed incorrect statements of Mr. McPeek, regarding code

POLICE: Lieutenant Hepkins- met with Fire Department to discuss, fire police and assistance for parades/functions etc.

GENERAL CREW CHIEF: Excused
Leaf pick up end of week; post and sign replacement near Post Office;

F/D COMMISSIONERS: Excused
Written request from Commissioner Kaminski for online training DVD for 1 year

OLD BUSINESS: K&L demo; Senior Housing Nov 1st results; Thruways meeting pending

NEW BUSINESS: Temporary advisory group for problem properties; skateboard law; Eden trailblazers

RESOLUTIONS:

- | | |
|--|--|
| 1. Water Shut offs | 6. Winter Ban Notice |
| 2. Halloween Celebration | 7. CDBG Ranking |
| 3. Assemblage Halloween | 8. Rural Transit Van sign on CDBG |
| 4. Assemblage Homecoming | 9. SEQR N. Main sidewalks |
| 5. Authorize “Notice of unpaid Taxes” | 10. Approve online ambulance bid |

MINUTES
Village of Angola Regular Board Meeting
Monday October 15, 2007 – 7:30 P.M
And CDBG PUBLIC HEARING 8:00

At a Regular meeting and CDBG Hearing 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 15, 2007 at 7:30 PM, there were **PRESENT:** Mayor Howard Frawley; Deputy Mayor – William Houston; Trustee Denise DeJohn and Trustee John Wilson. Excused was Trustee James Carlson. **ALSO PRESENT:** Linda Giancarlo, Village Clerk; Andrew Yusick-Attorney; Donald Gallo, Village Engineer; Lieutenant Donald Hepkins – Town of Evans Police Department;

GUESTS: in attendance were Alice Escott (Town Crier); Brian Campbell (Hamburg Sun); Deborah Dalton; Rick Dalton; Ronald McPeek; Kim Jackson; Kristen Giancarlo; Ronald Badaszewski;

PLEDGE OF ALLEGIANCE: was led by Donald Gallo

MEETING CALLED TO ORDER at 7:30PM

APPROVAL OF MEETING MINUTES of October 1, 2007 MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

Mayor Frawley announced to the visitors that they will be limited to five minutes.

VISITORS:

- Deborah Dalton- Concerned over the Skateboarding Law. Stated that she felt it should be reviewed. She felt that the law not allowing children to skateboard in her neighborhood was not fair to the children. Restrictions of children in their own neighborhood should be revisited. She agrees that there should be restrictions in the business district, but not in a neighborhood. The Board stated that they will discuss this issue with the Attorney and get his legal advise on this local law.
- Ronald McPeek- Asked why he had not seen or heard anything locally regarding the County Auction of the Old Ford Lanes. The board told Mr. McPeek that this was a County run auction of vacant properties and the Village had nothing to do with it. The County handled advertising as they would normally do anywhere.
- Ronald McPeek- handed the Board a copy of code information regarding the Variety Store issue. Mr. McPeek stated that he was aware that the board gave the Variety Store an extension to have a liquidation sale. Commented his personnel opinion that the Board was willing to help the business (Variety store) leave but not willing to help him stay. He made comments regarding the code that he handed out and he stated that he believes that what the Board has done in regard to codes, fees, extensions, etc regarding the Variety Store was not in compliance with code.
- Attorney Yusick will review* due to the excused absence of the Code Enforcer.

*Note: (see Attorney Yusick report)

- No other comments came from the floor.

COMMUNICATIONS:

- Mayor Frawley presented the following items under communications:
 1. Announced a Tri-Board meeting at Lake Shore High School Oct 24, 7:00
 2. Mentioned the Village Officials Association Directors meeting to be held on October 18-no-one will be able to attend due to conflicts.
 3. Announced the Erie County Association of Towns meeting will be held October 24th.
 4. Deputy Mayor Houston mentioned the letter received from Alice Escott withdrawing her Liquor License request.
 5. Deputy Mayor Houston filed the Rural Transit meeting minutes with the Clerk

DEPARTMENT HEAD/COMMITTEE REPORTS:

TRUSTEE (Deputy Mayor) HOUSTON –

- Tire Recycling ended today-the dumpster is still here and will be removed this week. The village had a very good turnout.
- Mentioned that the Friends of the Village organization is moving forward with plans for Christmas in the Village scheduled for December 8th. They are also working on a parade for this event and to schedule it at a different time of day to better coincide with other events going on. The organization also ordered new flower baskets and liners and are holding a fundraiser, selling wreaths, to help offset expenses. The Clerk will post an order form in the office.
- Mentioned a workshop he, and other officials attended in Hamburg, given by NYCOM in regard to vacant and/or abandoned building.
- Attended the Symposium of Change, workshop he attended that mentioned the Southtowns Coalition (organization of the seven local communities) that was recognized as the first participants.
- Received a phone call from a woman in Hamburg, commenting on the memorial trees, stones and flowers baskets throughout the Village.
- Met and had discussions with a woman from the League of Woman Voters.
- Announced that the ads for garbage being put out before 6:00 and for the removal of stakes and posts from the Village right-of-ways was well received.
- Mentioned the North Main Street sidewalk project- bid opening will be October 22 and a Special Meeting to award the bid will be October 25. at 5:00PM

TRUSTEE DEJOHN –

- No Report
- Addressed Lieutenant Hepkins on 2 resolutions being offered tonight regarding parades. Lieutenant Hepkins stated he was just upstairs discussing this with the Fire Department and there was a very productive meeting between the two.

TRUSTEE WILSON –

- Announced he will be attending a Stormwater meeting at the Town Hall this Thursday October 18 at 6:00PM.
- 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 –

- EXCUSED

MAYOR FRAWLEY-

- Mentioned an article in the Buffalo News Sunday regarding the Tax Lien Program

8:00 PM - MOTION TO CLOSE REGULAR BOARD MEETING AND OPEN PUBLIC HEARING FOR CDBG 2008-2009 Motion Made by Trustee DeJohn, Seconded by Trustee Wilson, Unanimously Carried.

**Public Hearing Notice read aloud by the Village Clerk-
Notice of Public Hearing
Notice to the Citizens of the
Village of Angola**

A Public Hearing will be held on Monday, October 15, 2007 at 8:00 P.M. in the Village Hall, 41 Commercial Street regarding the use of the

Federal Community Development Block Grant funds in the Village of Angola.

The Village of Angola is eligible for a Federal Community Development grant under Title I of the Housing and Community Development Act of 1974, as amended.

The purpose of the Hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects, which would benefit low and moderate-income persons in the Village of Angola.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Village of Angola's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

The Hearing will also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair assessable. Those needing special arrangements should call (716) 549-1126 by October 10, 2007. **By Order of the Village Board-Linda Giancarlo-Village Clerk-Treasurer**

The Board briefly explained the purpose and importance of the Public's input in regard to the use of Community Development Block Grant Funds. Trustee Houston mentioned all CDBG past projects and how they have benefited the low to moderate income families throughout the Village. These funds are based on income and what would benefit the whole community. The Board asked for any other ideas or comments from the floor.

Residents comments:

1. Mr. Paul Cooper asked if CDBG funds could be used to lower the very high curb on the corner of North Main Street and Lake Street in front of Shultz Hardware Store. He stated that this is a nuisance for anyone to step up on or down from. He stated his concern over someone getting injured there. The board stated that this has been a complaint for years, it was a county road project and the county was informed that it had to be taken down to a lower level. The County was concerned about road drainage, but the Board has expressed other options to correct that issue. Trustee Houston has been in contact with the County several times regarding this issue and will continue to do so, but assured Mr. Cooper that this is a concern that the County should take care of. The board does not feel it would qualify or should be considered as a CDBG project.

No other comments were made.

Trustee Houston mentioned and the Board discussed a waterline interconnection on High and School Streets and on North Main Street to interconnect with other waterline projects in the area from Maple Street and toward Woodward Ave. to improve water quality and water flow.

This would be beneficial to the current residents and also benefit the planned Senior Housing development in that area if the Village gets approval for the housing.

No other comments came from the floor.

MOTION TO CLOSE CDBG PUBLIC HEARING and reenter the regular board meeting at 8:10PM Made by Trustee Wilson, Seconded by Trustee DeJohn, Unanimously Carried.

MAYORS REPORT (Cont'd)

- Mentioned the public auction the County held for the entire area. Some vacant properties were sold in the area, such as the Old Ford Lanes and the Village may have an opportunity to obtain other areas for the purpose of the Depot project.
- Announced a Façade project the Village has been waiting to proceed with. This project grants matching funds up to \$10,000.00 from the County for store fronts/façades/signs etc. This grant program should now become available soon.
- Stated that Tony Troidl of Taste of the Midway, will be sharing space with Bob, from the New Angola Variety Store. The two business 's will work under one location. Mayor Frawley remarked how nice it was to have businesses helping each other out.
- Mentioned that the League of Woman Voters, contacted him, and mentioned they were pleased with his report.
- Attended the NYCOM Executive Committee Meeting in New Paltz NY on September 28 and 29th. Discussed the speech he made at the meeting about the newly formed Tax Lien Committee and about issues with Civil Service. Mayor mentioned that NYCOM has never had representation from the Western New York area, and are very interested in the topics he had mentioned. They also discussed green energy.
- Mayor Frawley, handed the Clerk for filing, the NY State Summary of Legislation.
- Mentioned an interested buyer for 29 Maple Street. They want to knock the house down and build a new home on the site. He will forward this information to the County.
- Stated that the State is holding a Municipal Cooperation Session at the Albright Knox Art Gallery to discuss ways to share municipal services. They want Mayor Frawley in attendance to discuss the Police merger between the Village and the Town.
- Stated that he will be out of town in Albany for the Legislative Priorities meeting, on November 19th, therefore he will not be at the board meeting and stated that Deputy Mayor Houston would run the meeting.

ATTORNEY –

- Attorney Yusick researched the comments Mr. McPeek made and stated for the record that the Village Board and Code Officer were correct in the permit issued to the Variety Store. Attorney Yusick stated that Mr. McPeeks allegations against the Village Board and Code Enforcer were incorrect. He reviewed the local code and a permit was required. The only exemption was for repairs or alterations. “Change of Use” requires a permit.
- No other report

POLICE – Lieutenant Hepkins reported:

- Stated he was upstairs at the fire department meeting, was appreciative that the Fire Department will be working with the Police regarding parades and other celebrations where extra security and road blocks are needed.
- Trustee Wilson complimented the Evans Police on their patrolling the area, and asked if they could make a sweep of the smaller and dead end side streets now and then.
- The board asked if the Town could keep an eye on the kids bringing the chairs out onto the sidewalk in front of the Laundromat. Lieutenant Hepkins stated it would be beneficial if the Board could drop a note to the owner regarding this issue. Attorney

Yusick mentioned the Local Law regarding the Obstruction of Sidewalks around 3 years ago. The Board suggested a letter to the owner and a copy of this Local law. One suggestion was the use of stationary chairs.

- Mentioned an issue with parking Tags- there is a difference between the old Village ones and the ones the Town uses, he informed the board that the officers are just writing on and amending the tickets when they use them and wanted to be sure that there were no objections to this until new tickets are printed. The board agreed, no objections.
- Needs copies of the two parade routes. Clerk will submit copies of applications to him tonight.
- Informed the Village Board that everything is going well with patrolling the Village, and wanted the board to be aware that the Town has a Full-Timer Supervisor on duty, Plus a Lieutenant 24/7 to serve any Village needs.
- Trustee Houston mentioned the forthcoming Winter Parking Ban, and complimented the Police for being seen around patrolling the Village.

GENERAL CREW CHIEF –

- Excused-
- Trustee Houston reported:
 1. Post and Memorial Sign for lawn at post office area was located at Bob Barrett’s Shop, to be repaired and put back into place soon.
 2. High Street issue regarding resident complaint has been resolved.
 3. Leaf pick up will start at end of the week.

FIRE COMMISSIONERS –

- **Excused-Trustee Wilson reports**
- **Motion** to approve Commissioners request for online training DVD for 1 year at \$839.00 has been made by Trustee Wilson, seconded by Trustee Houston, Unanimously carried. This will come out of the Fire Department Budget.
- Issue with Dival Safety Bills was resolved.
- Plaque for mounting on the new ladder Truck is being discussed- the Board would like to see a dedication ceremony. Paul Cooper stated that he would like to be informed if this should be scheduled, for advertising on Channel 4.
- Mayor Frawley will schedule a meeting with the Fire Department

CODE ENFORCEMENT –

- Excused: All of the following being resolved:
 1. 114 South Main; 28 Mill Street; 135 North Main; 65 North Main; 17 &29 Washington; Emenees Tavern

PLANNING – Excused

ZONING – Chairman Paul Cooper

- October 10 Variance for Chickens on Mill St. residence, approved with restrictions

CLERK-TREASURER –

- Clerk mentioned her memo recently given to the board.

OLD BUSINESS:

1. Sale of Water Plant – nothing to report
2. Thruway Water- meeting pending
3. Senior Housing- November 1st deadline of announcement

4. Intercontinental Bldg, Commercial St.- 3 interested parties
5. K&L near completion

NEW BUSINESS: Add these to next agenda

1. Review Skateboarding law
2. Eden Trailblazers – snowmobile request

RESOLUTIONS OCTOBER 15, 2007

#1 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 October 22, 2007 by 10:00AM. 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 \$6,301.70. **MOTION MADE BY TRUSTEE DEJOHN SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#2 AUTHORIZE DATE FOR CELEBRATION OF HALLOWEEN

BE IT RESOLVED, the Village of Angola Board of Trustees, hereby declares Wednesday October 31st 2007 from 6:00 PM to 8:00 PM as the day for celebration of Halloween for Tricks and Treats, and authorized the Village Clerk to publish said article in the local papers. **MOTION MADE BY TRUSTEE WILSON SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

#3 AUTHORIZE ASSEMBLAGE APPLICATION FOR HALLOWEEN PARADE

RESOLVED that the Village Board hereby Approves the application from Evans Township Lions Club to assemble a Parade for the Halloween celebration on Saturday October 27, 2007 at 2:00 PM, to start on Commercial St. at the Angola Fire Hall, to proceed through the Village via, N. Main St.-School St – High St.- Center St. – N. Main and End at Commercial St. the Angola Fire Hall, this parade will consist of 2 marching units, 8 vehicles and 2 floats. All said roads to be blocked off at 1:30; all local enforcement agencies will be notified. **MOTION MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#4 AUTHORIZE ASSEMBLAGE LAKE SHORE HIGH SCHOOL HOMECOMING PARADE

RESOLVED that the Village of Angola Board of Trustees hereby approves the application from Lake Shore High School Student Government for the purpose of celebrating a Homecoming Parade. The Parade will leave from Angola Fire Hall, proceed down Main Street to the School Bus Garage. This parade will consist of 1 marching unit, 5 vehicles and 4 floats. The date will be Friday October 19th 2007 at 6:00PM. All said roads to be blocked off

at 5:30; all local enforcement agencies will be notified. **MOTION MADE BY TRUSTEE DEJOHN SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**

#5 AUTHORIZE NOTICE OF UNPAID TAXES

BE IT RESOLVED, the Village of Angola Board of Trustees, hereby authorizes the Village Clerk to publish a “Notice of Unpaid Taxes” and mailing of said notice to individuals, that states that any Village property taxes not paid by November 1, 2007 will be sent to Erie County Department of Taxation and Finance for collection, **MOTION MADE BY TRUSTEE WILSON SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

#6 AUTHORIZE WINTER BAN NOTICE

BE IT RESOLVED, the Village of Angola Board of Trustees, hereby authorizes the Village Clerk to publish a “Winter Ban” notice to go into effect November 1 2007 through April 1 2008, there will be no street parking from 3:00 AM to 7:00 AM everyday including Sundays and Holidays **MOTION MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#7 APPROVE CDBG RANKING FOR 2008-2009

RESOLVED that Mayor Howard Frawley is hereby authorized to sign, submit and execute a contract with Erie County CDBG Program for the following 2008-2009 Projects upon approval of Erie County CDBG:

1. North Main Street Waterline Replacement and High/School Street Water Interconnect
2. Rural Transit Van Service, Inc

MOTION MADE BY TRUSTEE DEJOHN SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

#8 APPROVE SIGN ONTO THE RURAL TRANSIT VAN SERVICE

WHEREAS, the Village of Angola Board of Trustees hereby recognizes the vital service that the Rural Transit Van Service provides for residents in our community, and

WHEREAS, the Rural Transit Van Service has been an important part in the quality of life for many of our less fortunate, homebound and/or disabled seniors, now

THEREFORE BE IT RESOLVED, the Village of Angola Board of Trustees, hereby authorizes the Village to sign onto to Rural Transit Service Van Program and hereby ranks the Rural Transit Service as #2 for the Community Development Block Grant Funds 2008-2009 program year. **MOTION MADE BY TRUSTEE WILSON SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**

#9 APPROVE SEQR FOR THE N. MAIN STREET SIDEWALK PROJECT

WHEREAS, that the Mayor be authorized to execute a Short Environmental Assessment Form for the North Main Street Sidewalk Project, Center Street to Maple Street, and the Board being lead agency pursuant to the Angola Village Code, now therefore

BE IT RESOLVED that a determination is made that based upon information provided and all documentation, the proposed action will not have any significant adverse environmental impacts. **MOTION MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

#10 APPROVE ONLINE BID FOR AMBULANCE

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

WHEREAS The Village Board authorized the Clerk to offer said ambulance online and after first approved bid winner has neglected to pay for said Ambulance, the Clerk has re-listed the auction at www.auctionsinternational.com, and

WHEREAS, bidding has ended for this vehicle and the highest bid was one-thousand-two-hundred-seventy-seven-dollars (\$1,277.00) now,

THEREFORE BE IT RESOLVED the Village of Angola Board of Trustees accepts the high bid from John Hider of Derby NY in the amount of \$1,277.00 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 WILSON SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

AUDIT OF BILLS – motion made to approve the bills, **BY TRUSTEE WILSON SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED** regarding the following: **General Fund Abstract #10, Checks #5841 to #5877 in the total amount of \$33,520.36 plus Payroll #22; Water Fund Abstract; #10 Checks #1479 to 1484 in the total amount of \$30,295.89 plus Water Payroll #22; UNANIMOUSLY CARRIED**

MOTION TO ADJOURN MADE BY TRUSTEE DeJOHN SECONDED BY TRUSTEE WILSON, to the Bid Opening October 22, 10AM, special meeting October 25 at 5:00PM, next scheduled regular Board Meeting, Monday November 5th 2007 at 7:30 with a workshop at 7:00. **UNANIMOUSLY CARRIED meeting adjourned at 9:13PM**

Submitted By

Linda D. Giancarlo
Village Clerk- Treasurer