

INDEX – October 19, 2009

VISITORS: Joel Park; Frances and Timothy Dybdahl; Tony Triodl; Scott Michalak

COMMUNICATIONS: Association of Erie County Governments Meeting; Taste of the Midway Halloween Party; Tail Gate indoor party at MacBaxters Bed and Breakfast; Rural Transit Steering Committee Minutes; Town of Evans Wal-Mart project; new owners of North Main cigarette factory; NYCOM 100th Anniversary Conference booklet

TRUSTEE HOUSTON: Sidewalk contractor work is underway

TRUSTEE KIN: October programs at Angola Public Library; Library staff training

TRUSTEE WILSON: CSX-Big Sister Creek trestle assistance; People Inc. Senior Housing report

TRUSTEE LoGALBO: contacted Solar Liberty; talked with business owner Henry Li regarding plans;

MAYOR FRAWLEY: Erie County Block Grant Program; Association of Erie County Governments meeting report; State Legislators programs; questioned response from Town regarding Fire Department and Library contracts

ATTORNEY: Water Plant sale; DEC released easement and cancelled agreement

PUBLIC HEARING FOR THE 2009-2010 CDBG FUNDS

PUBLIC HEARING ON PROPOSED LOCAL LAW #4-2009 ENTITLED “CODE ADOPTION”

POLICE CHIEF: Absent

GENERAL CREW CHIEF: Excused - <Houston> Paving to start tomorrow; tree trimming and removal of dead trees; tree stump grindings and leaf pick-up; North Main Street clock lights; Village Hall lobby light

FIRE COMMISSIONERS: <Kaminski> Fire Chief’s Council Meeting report; EMS ambulance service for the Town; Truck #6 repairs; Standard Operating Guidelines; Christmas in the Village planning stages; Rachel’s Challenge; thanked members for assistance in Gowanda flood clean-up

CODE ENFORCEMENT: Absent <Houston> request fall clean-up on vacant properties

PLANNING: ABSENT

ZONING: ABSENT

CLERK-TREASURER: thanked all for get-well wishes; thanked Deputy Clerk Michelle Warren; thanked Accounts Clerk Christine Mittner; meeting with People Inc. representatives; opening of Crosby’s Convenient Store; request for County Purchased gas inquiry

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Step in curb, Lake Street and North Main; Emblem Building Preliminary Report; Possibility for Old Town Hall; Erie County Sewer District #2 water bill; Erie County Sewer District #2 outside meter pit; WT Hoag School Flooding

NEW BUSINESS: Farnham request to borrow leaf vacuum; LSC Schools to purchase salt from Village

RESOLUTIONS:

- 1) **Establish Ranking for the 2010-11 CDBG Applications**
- 2) **Approve Sign Onto the Rural Transit Van Service**
- 3) **Authorize Notice of Unpaid Taxes**
- 4) **Authorize Winter Parking Ban Notice**
- 5) **Authorize Date for Celebration of Halloween**
- 6) **Approve Water Shut-Offs**
- 7) **Award Bid From E&R General Construction for South Main Waterline**
- 8) **Authorize Assemblage Application for Halloween Parade**
- 9) **Approve Amendment to NYS Property Tax Law to Establish Residential Investment Exemption**
- 10) **Approve Williamson Law Book Software Support Contract**
- 11) **Approve Penflex Service Award Contract**
- 12) **Approve Bid for DPW 1997 For F350 Dump**
- 13) **Adopt Local Law #4-2009 – Village Code**

MEETING MINUTES
Village of Angola Board Meeting
CDBG Hearing and LL #4-2009 Public Hearing
Monday October 19, 2009 – 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 October 19, 2009 at 7:00 PM, there were

PRESENT: Mayor – Howard Frawley; Trustees – William Houston; Carole Kin; Bradly LoGalbo and John Wilson.

ALSO PRESENT: Linda Giancarlo- Village Clerk-Treasurer; Andrew Yusick-Village Attorney; Lynne Kaminski–Fire Department Commissioner and Donald Gallo – Village Engineer

GUESTS: Joel Park – 75 S. Main Street; **Mr. and Mrs. Timothy Dybdahl**– 94 Orchard Ave; **Tony Troidl** – 97 N. Main and **Scott Michalak(Hamburg Sun)**-6955 Revere Drive.

PLEDGE OF ALLEGIANCE: led by Scott Michalak

CALL MEETING TO ORDER at 7:00PM

APPROVAL OF MEETING MINUTES September 14 and 25th and workshop minutes of September 1st, 2009 **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED**

VISITORS:

1. **Joel Park-75 S. Main Street-** Concerned about storm-sewer drainage problems in front of his home, it is backing up and causing severe flooding and damage on his property. Applied for FEMA assistance but they will not cover Storm-sewers. FEMA asked him to contact the Village Board. He stated that he spoke to the DPW Crew Chief Jeffrey Kaminski suggested putting a ditch in his yard this may help the issue, Crew Chief Kaminski also stated that he may work on the small line across the street to try to clean them (near Friend Street). **The Board** responded to Mr. Park to leave his phone number with the Village Clerk and they will look into this issue and contact him.
2. **Timothy Dybdahl-94 Orchard Ave-** stated that Mayor Frawley confronted him with issues regarding him putting stakes in front of his property on the “right-of-way”. Mr. Dybdahl argued that when the Village came to repair right-of-ways last year, they only did the one in front of the Mayors house and didn’t do the other ones until prior to the parade. He argued with the Village Board that it was his property and he was protecting it and he could put stakes there if he wanted, and if they remove them, they better leave them there because he owns the stakes and he will put them back up.
The Village Board and Village Attorney responded telling Mr. Dybdahl that this area is the Village “Right-of –Way” and the Village has a responsibility for the safety of the public. Attorney Yusick mentioned concerns for a child or bicyclist falling on the stakes and getting hurt or stabbed. Attorney Yusick will send Mr. Dybdahl the information on the local law regarding the “right-of-way”.

COMMUNICATIONS:

Mayor Frawley Reported:

- Reported that he will be attending the Association of Erie County Governments meeting in Kenmore on Thursday October 22, 2009.

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- Reported that the “Taste of the Midway” is hosting a Halloween Party on October 31 at 11:30AM.
- Announced an indoor Tail Gate Party celebration being hosted at the “MacBaxters Bed and Breakfast” on November 29.

Trustee Houston reported:

- Filed Rural Transit Steering Committee minutes with the Village Clerk
- Warned the public regarding a brochure everyone is receiving from Home Service promoting Insurance to protect the house service waterline, it is a scam.
- Received paperwork from the Town of Evans Planning Board regarding the new Wal-Mart project. It is an “Issuance of Amended Finding” he will file with the Wal-Mart information in the Village Hall relating to water services for the new store.
- Announced that the Oneida Indian Nation purchased the cigarette factory on S. Main.
- Announced the NYCOM Booklet/publication on the 100th year conference at Saratoga Springs shows pictures of the Mayor and Himself.

DEPARTMENT HEADS, COMMITTEE REPORTS:

TRUSTEE HOUSTON reported:

- Sidewalk contractor work is underway.

TRUSTEE KIN reported:

- Reported that the Library Staff attended a staff training on Wednesday September 23.
- Announced the October programs going on at the Angola Library:
 1. Toddler Time-Harry Potter-the Science of Sound and Soil Testing

TRUSTEE WILSON reported:

- Stated that he has reached his limit with CSX regarding the needed bridge repair over Big Sister Creek. His calls to their engineers are being ignored. Trustee Wilson asked for the Mayor’s assistance and will ask for the assistance of Congressman Higgins to draft a letter and include the “how wonderful we are” advertisement that CSX has on TV and ask them to take care the of Angola bridge trestle. Trustee Houston gave Trustee Wilson a fresh copy of an old postcard that depicted the bridge soon after it was built some 80 years ago.

Mayor Frawley mentioned an article in the Dunkirk Observer about a Mayor in Lockport waiting 5 years to get anything done by CSX.

- Trustee Wilson reported that the People Inc Senior Housing project is moving fast and it is looking beautiful. Discussed drainage that was changed was a trade-off for sidewalk, lighting etc as a safety enhancement. The original agreement was for this type of storm sewer drain-off but the County requested a change, then the County changed it back to the original open plan. Either way, all is going well.

TRUSTEE LOGALBO reported

- Reported he has been in contact with Nathan Rizzo of Solar Liberty. Was informed that NYSERDA ran out of funding due to the large demand for solar projects throughout New York State. However, when the new round of funding comes out in the spring, the Village may see a bigger savings in the local share amount originally proposed. They contacted Attorney Yusick and will maintain and provide insurance as the Village required.
- Talked with Henry Li, owner of the Old Ford Building. He wants to meet with the board to introduce his plans for a food co-op. He is cleaning out the property and is looking for tax incentives for businesses. He will schedule a meeting with the Clerk to discuss the Façade program, and she will schedule a Workshop with the board for his presentation.

MAYOR FRAWLEY reported

- Reported the Erie County Block Grant program was discussed prior to the Erie County Governments meeting last month. The Block Grant program will see an increase in funding (doubled) to help with the Homeless Protection Program. The program will help people with mortgages, utility bills and whatever they can do to keep people in their homes. The public can call the Village Hall for the contact information.
- While at the Erie County Governments meeting, health care was also discussed. They discussed flex-care for municipalities with under 50 employees. This still needs to be cleared by the Erie County Legislators before we can move forward. Further meetings are being planned.
- Mentioned several programs offered through the State Legislators, gave brochure to the Village Clerk to copy the board.

Trustee Houston asked Mayor Frawley if he heard from the Town of Evans Supervisor regarding their meeting in regards to the Fire Department contracts and support for the Library building. Nothing has been received at the Village Hall pertaining to anything with the Town.

ATTORNEY – water plant sale is moving forward. Received notification from the DEC releasing the easement and canceling their agreement. He is working on details as to the responsibility for the intake. Asked if the board had any objection to the purchaser (highest bidder) assigning the contract to another person, probably a relative. The Board offered no objections. Their Attorney is getting the name so paperwork can be completed.

MOTION TO CLOSE REGULAR MEETING AND OPEN CDBG PUBLIC HEARING Made By TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

Clerk read notice:

PUBLIC HEARING FOR THE 2009-2010 CDBG FUNDS

PLEASE TAKE NOTICE: A Public Hearing will be held on Monday, October 19, 2009 at 7:30 P.M. in the Village Hall, 41 Commercial Street regarding the use of

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 accessible. Those needing special arrangements should call the Village of Angola at (716) 549-1126 by October 14, 2009.

Mayor opened floor to the public:

Tony Troidl asked what the block grant can be used for and what are the requirements.

Mayor Frawley replied that the Block Grants can be used for sidewalks, waterlines, etc.

Trustee Houston reported that Block Grants serve low income people/areas and has to match the census tracts. Our area is mainly the South side of the RR Tracks.

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Trustee Houston reported past projects and most current ones that the Village has received these CDBG funds for, such as:

- Friend Street waterline and sidewalks
- Newton Street waterline and sidewalks
- South Main Street many sidewalks and trees
- South Main Street sidewalks in the underpass
- South Main Street playground
- Lower end of Center Street waterline
- Linden and School and Maple assorted waterlines
- In the past for the Library expansion and Gazebo foundation.

Some Projects the Village put in for but did not get approved for were:

- Mesi Drive
- South Main Waterline from Friend to Penn

But this opened the door for a South Main waterline project approval from Hardpan to the Norfolk Southern trestle past Goya through the use of Stimulus Funds.

Trustee Houston suggested to apply for the following for the 2010-2011 Block Grant Funds.

1. York Street/LaSalle Street (Embrace Dr) funding area- years ago all the water shut-offs were paved over. He suggests stripping and repaving all of York, all of LaSalle, remove sidewalks, raise up the water shut-offs and put a new sidewalk all the way down York Street. Then repair to the concrete wall at the end of the street which blocks the creek, this is hazardous to children riding their bikes, if they hit this crack, they could end up in the creek. The whole area is low income.
2. Herman Park Walking Path- the Village ran out of money to do the walking path. This is something that is needed to encourage health and fitness to the residents and serves the whole Village of Angola.
3. Rural Transit Van services the whole community and the surrounding community for doctors appointments etc.

Tony Troidl asked if it could be used for drainage in the business district.

Trustee Houston said that this grant is a maximum of \$100,000 and is not enough money for such a project and it is meant to serve low income areas.

Joel Park asked if an upgrade to the sewers on South Main Street qualify.

The Board said it would fall under the category but has to serve many residents, but they agreed to look into it.

7:45 MOTION TO CLOSE PUBLIC HEARING AND RE-OPEN THE REGULAR BOARD MEETING Made By TRUSTEE KIN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

7:47 MOTION TO GO INTO EXECUTIVE SESSION TO DISCUSS NEGOTIATIONS REGARDING THE FIRE CONTRACT, MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED

**7:59 NO ACTION TAKEN IN EXECUTIVE SESSION
MOTION TO RECONVENE MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

8:00 MOTION TO CLOSE REGULAR MEETING AND OPEN PUBLIC HEARING FOR LL 4-2009 Made By TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED

Clerk read notice:

**PUBLIC HEARING ON PROPOSED LOCAL LAW 4- 2009-ENTITLED
“CODE ADOPTION”**

PLEASE TAKE NOTICE, that there has been introduced before the Board of Trustees of the Village of Angola, New York, on the 10th day of August, 2009, proposed Local Law No. 4 for the year 2009 entitled “Code Adoption” which provides for codification of local laws, ordinances and certain resolutions of the Village of Angola into a municipal code to be designated the “Code of the Village of Angola”.

PLEASE TAKE FURTHER NOTICE, that pursuant to the New York Home Rule Law, a public hearing will be held on the aforesaid proposed Local Law No. 4 before the Board of Trustees for the Village of Angola, New York, at Village Hall, 41 Commercial Street, Angola, New York at 8:00 p.m. on October 19, 2009, at which time all interested parties may be heard.

TRUSTEE HOUSTON- commented on the following items to be addressed in the near future:

1. Sec. 203 Swimming Pools- mentions the NYS Board of Fire Underwriters has to be removed, we can no longer use their services as they are out of business. The building inspector does this now.
2. Sec. 229 Holidays- need to add Presidents Day and Martin Luther King Day and remove old reference to Lincoln and Washington birthday etc.
3. Need to change Embrace Drive back to LaSalle Street as was originally.
4. Winter Parking Ban should read from November 1st to April 1st the book says Nov. 1st to May 1st

The clerk would also like to include an increase for the Solicitors Permit fees. These items will be addressed at a future meeting.

8:10 MOTION TO CLOSE PUBLIC HEARING AND RE-OPEN THE REGULAR BOARD MEETING Made By TRUSTEE WILSON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED

POLICE – Absent

GENERAL CREW CHIEF excused TRUSTEE HOUSTON reported:

- Paving starts tomorrow.
- Tree Trimming and removal of dead trees is completed
- Did a nice job trimming trees on Orchard Ave. Trucks were hitting the low branches.
- Will have to clean up the tree stump grindings, and start leaf pick-up.
- Will have Jeff look at the lights at the bottom of the clock on N. Main. They are out.
- Also the light in the Village Hall lobby needs to be repaired (new Ballast) .

FIRE COMMISSIONERS:

LYNNE KAMINSKI reported:

- Attended the Fire Chiefs Council Meeting last Thursday. Discussed Pig Man Road Party and Volunteers for when the County starts its mass vaccinations for the Schools.
- Mentioned future meetings for Chiefs Council, November 19, will discuss EMS ambulance service for the Town.
- Heard nothing more on the Status of truck #6 repairs. Parts on order.
- Gave Trustee Wilson a copy of the Standard Operating guidelines for the Fire Department.
- Christmas in the Village is in the planning stages, scheduled for Saturday Dec. 12th.

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- Rachel's Challenge program is scheduled at the school for tomorrow, 7-8PM

Trustee Houston thanked the Fire Department for assisting in Gowanda with flood follow up work.

CODE ENFORCEMENT – absent: Trustee Houston reported:

- Asked that the fall cleanup start throughout the Village of Angola, Mill Street, S. Main and Newton etc. on property being cut/maintained by the Building Departments contractors.

PLANNING – Absent:

ZONING – Absent

Mayor requested that if anyone is interested in being a member of these boards, please contact the Village Hall.

The Planning Board had no comments regarding LL #4-2009-the Code Book adoption.

CLERK -TREASURER-reported:

- Thanked everyone for the prayers and get-well cards she received while recuperating from surgery, glad to be back.
- Thanked Deputy Clerk Michelle Warren for doing both the Clerk-Treasurer and the Deputy Clerks job while she was out. She did an outstanding job.
- Also thanked Accounts Clerk Christine Mittner for coming in and helping when she could, as she is now working as a sub at Lake Shore Central School and her time for extra work at the Village is minimal.
- Met with representatives from People Inc. with Accounts Clerk Christine Mittner to brainstorm advertising ideas to encourage application process for the Senior Housing. Completion is set for March, applications will be filled 90 days prior. Phone number on older brochure is incorrect for application information. The Clerk will try to reach all residents with the correct phone number by including it in the memo part of the November Water Billing. The board liked the idea.

Mayor Frawley mentioned that the Old Yellow Goose will be opening up in the spring, somewhat across the street from the Senior Housing project, under the name "Crosbys". They have been working diligently to paint and prepare the area. They want to be heavily involved in the community and want a list of activities.

Trustee Houston asked the Village Clerk to check into the County for the Purchase of electricity as is done with Natural Gas, she will look into it and report.

Trustee Houston mentioned the meeting at Dan's restaurant that both Clerks attended with the ladies from the Senior Housing, he joined them at the table. They made many nice compliments about the Village, the Restaurant and the people.

Clerk-Treasurer stated that they wanted information regarding the Village Businesses to put together a brochure for the tenants, Bed and Breakfast, Hair dresser, Theater, Restaurants, Bank, Library, Stores and Shultz Hardware were some that were mentioned.

Mayor Frawley mentioned all the nice improvements Lori's has done in Dan's Restaurant. New lighting, new deck on back with a bridge, new floors etc. It looks great.

OLD BUSINESS:

1. Sale of Water Plant- discussed
2. Thruway Water- installing their own tank-pending
3. Senior Housing- discussed
4. Intercontinental Building-moving forward
5. Step in curb, Lake St and N. Main- pending

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6. Preliminary report-Emblem Bldg pending- the Village has to take action, will set up a workshop. Report pending from a past inspector from the University of Vermont.
7. Possibility for Old Town Hall-Mayor will send a letter to Kathy Konst of Erie County.
8. Erie County Sewer District #2 – Mayor has been in contact with the Water Authority, they are not about to help us cover the loss or the high bill. He will continue to pursue settling this loss with Erie County Sewer District
9. Erie County Sewer District #2 – according to the department of health, installation of an outside meter pit is mandatory but the backflow prevention is ok as is. The Village will soon have a meter available for the Sewer Authority to use (purchase), we can work in cooperation. Almost new large meter is in the Gowans Road pit that will be out of use soon as the Town will get water there from the county on route 20.
10. Flooding Problem WT Hoag School-some work has been done-more work is needed.

NEW BUSINESS:

1. Farnham request to borrow leaf vacuum-cancelled request-maybe next year
2. LSC Schools to purchase salt from Village-Schools wants to purchase salt from the Village. They were buying and storing in Brant but the Village would be easier and closer. Crew Chief Kaminski will work with them. The Village will also discuss using the services of Lake Shore Central Schools for aerating Centennial Park and Herman Park when needed.

RESOLUTIONS BEING OFFERED OCTOBER 19th 2009

#1 ESTABLISH RANKING FOR THE 2010-11 CDBG APPLICATION

RESOLVED that Mayor Howard Frawley is hereby authorized to sign, submit and execute a contract with Erie County CDBG Program for the following 2010-2011 Projects upon approval of Erie County CDBG:

1. York Street/LaSalle St. reconditioning
2. Herman Park Walking Path
3. Rural Transit Van

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

#2 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 #3 for the Community Development Block Grant Funds 2010-2011 program year.

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

#3 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, 2009 will be sent to Erie County Department of Taxation and Finance for collection

**MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO,
UNANIMOUSLY CARRIED**

#4 AUTHORIZE WINTER PARKING 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, 2009 through April 1, 2010, there will be no street parking from 3:00 AM to 7:00 AM everyday including Sundays and Holidays

**MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN,
UNANIMOUSLY CARRIED**

#5 AUTHORIZE DATE FOR CELEBRATION OF HALLOWEEN

BE IT RESOLVED, the Village of Angola Board of Trustees, hereby declares Saturday, October 31st 2009 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 KIN, SECONDED BY TRUSTEE WILSON,
UNANIMOUSLY CARRIED**

#6 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 26, 2009 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 \$7,864.10

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

#7 AWARD BID FROM E&R GENERAL CONSTRUCTION FOR SOUTH MAIN WATERLINE

WHEREAS, the Village Board of the Village of Angola received six (6) bids for the South Main Street Waterline Project, a CDBG assisted project funded through the American Recovery and Reinvestment Act of 2009 (Federal Stimulus Funds), and

WHEREAS, after full review of all Bids at an Advertised Bid Opening on October 14th 2009 at 10:00AM, and upon recommendation of the Village Engineer, be it

RESOLVED that the Village of Angola Board of Trustees hereby awards the lowest bid in the amount of \$151,555.20 (one-hundred-fifty-one-thousand-five-hundred-fifty-five-dollars-and-twenty-cents) from E & R General Construction, Inc. of 38 St. David’s Drive, West Seneca, New York 14224 for the said South Main Waterline Project, as advised by the Village Engineer and contingent upon approval from Erie County Community Development Block Grant.

**MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN,
UNANIMOUSLY CARRIED**

#8 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 31, 2009 at 2:00 PM (line-up at 1:30)

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. All said roads to be blocked off at 1:30; all local enforcement agencies will be notified

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

#9 APPROVE AMENDMENT TO NYS PROPERTY TAX LAW TO ESTABLISH RESIDENTIAL INVESTMENT EXEMPTION

WHEREAS, the Village of Angola has a population of 2,266 residents pursuant to the 2000 census, and

WHEREAS, the Village Board has taken notice of the deterioration of the Village's housing stock, and

WHEREAS, there are numerous residential properties within the Village that require capital improvements, and

WHEREAS, the Village Board has determined that it is in the Village's best interest to encourage capital improvements to existing residential structures and the construction of new residential structures, and

WHEREAS, the Village Board has examined various tools to encourage such development and has concluded that the community will benefit from the institution of a residential investment real property tax exemption pursuant to the Real Property Tax Law.

BE IT RESOLVED:

1. That the Village Board hereby requests that the New York State Senate and the New York State Assembly submit a bill to amend the Real Property Tax Law in relation to establishing a residential investment exemption for the Village of Angola with such bill providing as follows:

(A) Such real property shall be exempt for a period of one (1) year to the extent of fifty percent (50%) of the increased assessed value attributable to such construction and for an additional period of four (4) years provided, however, that the extent of such exemption shall be decreased by ten percent (10%) each year during such additional period. The Exemption Base shall be the increase in the assessed value as determined in the initial year of the term of the exemption except as provided hereinafter.

(B) No such exemption shall be granted unless: (i) such construction was commenced on or after the first day of March, 2010 or such later date as may be specified by resolution; (ii) at the residential real property situate within the Village of Angola; (iii) the cost of such construction has increased the assessed value of the Property by the sum of \$10,000 or such greater amount as may be specified and in the case of a new build, the exemption will be applied to the assessed value in excess of \$100,000 with the maximum abatement not to exceed \$150,000; (iv) such construction is completed as may be evidenced by a Certificate of Occupancy or other appropriate documentation as provided by the Village Code enforcement officer and (v) property owners are current on village, county and school taxes.

2. For purposes of this law, the term "Construction" shall not include ordinary maintenance and repairs

3. Such application may be granted only upon the application by the owner of such real property in a form prescribed by the State Board which should be filed with the Assessor for the Village of Angola on or before the appropriate taxable status date within one year from the date of completion of construction.

4. If the Assessor is satisfied that the applicant is entitled to an exemption pursuant to this section, the Assessor shall approve the application and the real property shall thereafter be exempt with the assessment roll prepared after the tax status date as referred to above.

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5. The provisions of this section shall apply to real property used as a one to four family residence.

6. In the event the real property granted an exemption pursuant to this section ceases to be used primarily as a one to four family residence, the exemption granted pursuant to this section shall cease.

7. The Village be allowed by local law to reduce the percentum of exemption as otherwise allowed hereinabove provided that a project in the course of construction and exemptions existed prior to the time of the passage of such resolution and/or local law shall not be subject to such reduction. Provided such deduction shall take place, the Village may thereafter increase the percentum of exemption up to the percentum provided.

8. The Village by local law may determine the effective date of the exemption offer pursuant to this section and may provide that the provisions of this section shall apply only to construction having a greater value then that specified herein above and may designate portions of the Village in which the tax incentive shall apply because of the need for improvement of the housing stock in such areas. **MOTION MADE BY TRUSTEE LOGALBO, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED**

#10 APPROVE WILLIAMSON LAW BOOK SOFTWARE SUPPORT CONTRACT

WHEREAS, the Village has received an Annual Software Support Contract from Williamson Law-Books in the amount of \$605.00 for payroll and \$770.00 for Municipal accounting, now

THEREFORE, BE IT RESOLVED, the Village Board of the Village of Angola hereby authorizes the Mayor to sign and approve said software contracts in a total amount of \$1375.00 for the dates of 11/1/2009 through 10/31/2010 **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#11 APPROVE PENFLEX SERVICE AWARD CONTRACT

WHEREAS, the Village of Angola offers a Service Award program for the Angola Volunteer

Fire Department members, and

WHEREAS there is an annual contract based on service hours earned by each member,

THEREFORE, BE IT RESOLVED that the Village of Angola authorizes the Mayor to sign the 2009/2010 Penflex Service Fee Agreement and approve rate increase and payment to Penflex in the amount of \$1,925.00.

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

#12 APPROVE BID FOR DPW 1997 Ford F350 Dump

WHEREAS, the Village Board of the Village of Angola received two (2) bids for the 1997 F350 Ford Dump Truck during an advertised bid opening on October 16th 2009 at 12:00PM.

RESOLVED that the Village of Angola Board of Trustees hereby approves sale of the said vehicle to the highest bidder Gregg Heckman in the amount of \$1,776.00.

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

The larger Dump Truck did not bring a decent price so it will be offered for sale with an Auction Service.

#13 ADOPT LOCAL LAW #4-2009- VILLAGE CODE

WHEREAS, the Board of Trustees has been presented with proposed local law no. 4 for the year 2009 which recodifies the Village local laws, ordinances and certain resolutions and makes certain revisions thereto, and

WHEREAS, a public hearing was held on the proposed local law on the 19th day of October, 2009, and

WHEREAS, the Village Board has made an uncoordinated review of the provisions of said local law amending the zoning and land use provisions of the Village Law, and

WHEREAS, those provisions having been presented to the Planning Board and no comment having been received, and

WHEREAS, those provisions having been presented to the County of Erie, Department of Environment and Planning, and comment having been received stating that no recommendation was being made as the Action is of Local Concern.

NOW BE IT RESOLVED,

1. That the Village Board of Trustees has found that the amendments to the zoning and land use provisions of the proposed local law result in no significant adverse environmental impact as said changes do not result in any rezoning or change of use of properties within the Village.

2. That proposed Local Law No. 4 of the year 2009 which codifies the local laws, ordinances and certain resolutions of the Village of Angola into a Municipal Code to be designated "Code of the Village of Angola" is adopted as Local Law No. 4 for the Year 2009. A copy of said Local Law is attached hereto.

3. That the Clerk/Treasurer is hereby directed to publish pursuant to law a Notice of Enactment.

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

AUDIT OF BILLS –MOTION APPROVING THE FOLLOWING: General Fund Abstract 08, Checks #7267 to #7269 in the total amount of \$262.19 and General Fund Abstract 09 , Checks #7270 to #7301 in the total amount of \$63,665.94, plus payrolls #20 &21; Water Fund Abstract 09, Check #1885-1897 in the total amount of \$30,790.51plus Water Payrolls #20 & 21. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE KIN, UNANIMOUSLY CARRIED.**

MOTION TO ADJOURN to the next regularly scheduled Board meeting Monday November 9th 2009 at 7:00 with a Workshop at 6:30PM if needed. **MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED. MEETING ADJOURNED AT 8:45PM**

Submitted By

Linda Giancarlo
Village Clerk-Treasurer

October 19, 2009