

INDEX – October 20, 2008

VISITORS: No guests were in attendance

COMMUNICATIONS: Thank You letter from the Evans-Brant Chamber of Commerce for attendance at “Developer’s Open House”; Grant opportunities announced regarding ego-systems; Grant opportunities for Libraries from Senator Schumer; Local Government Shared Services workshop on October 28th; History of Angola, Indiana; Planting a Promise

TRUSTEE HOUSTON: Thank you to Marge Frawley and Jane Pesono for volunteering; People Inc., Senior Housing Open House report; Rural Transit Service paperwork; Southtowns Coalition farm survey; fence on National Grid property; 21 Maple Street; Railroad Avenue turn-around; request to order 4” drain frame; install Memorial stones

TRUSTEE DEJOHN: Question to Police Chief Masullo about resolving snow plowing with the General Crew Chief

TRUSTEE WILSON: Contacted CSX regarding the Quiet Zone; also contacted CSX regarding condition of bridge over Big Sister Creek; water pressure tests for Goya; informing Deputy Water Commissioner Tubinis

TRUSTEE TUBINIS: Reported on funding for Library expansion project

MAYOR FRAWLEY: Meeting with Chief Masullo regarding snow plowing; plan of action for water leak at Lake Street and Route 5; acquisition of surplus furniture from Erie County at no charge; report and thanks on 911 Memorial; report from Supervisors and Mayors meeting regarding proposed inter-municipal agreement; report from NYCOM meeting; Erie County Sewer “steam fed” pipe line program; ECSD2 offering a low-cost bond; congrats to Springville Administrator Tim Horner; “Key to the Village” program; Association of Erie County Governments meeting

ATTORNEY: Sale of Water Plant; 39 South Main Street; claim against Village for water damage not granted; no fault to the Village for the resident that fell at the Gazebo

POLICE CHIEF: Railroad Avenue turn-around; Homecoming parade; Lions Club Halloween Parade; traffic situation on Lorain and Parkside; questioned Code Book distribution

GENERAL CREW CHIEF: (EXCUSED) flower boxes away for season; leaf pick-up to start next week; chipping done

FIRE COMMISSIONERS: Christmas in the Village on December 13th; children volunteering to decorate on December 3rd; questioned when siren repair will be approved

CODE ENFORCEMENT: No report

PLANNING: Absent

ZONING: Absent

CLERK-TREASURER: Motion to pay Donald Gallo for preparation of CDBG application for South Main Street Water Lines; notice to Ms. Charity Vogel regarding tree on her property.

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Letter to Town on Veterans Exemption; NFTA Bus Shelter; Library addition; Library Contract with Town

NEW BUSINESS: letter to National Grid for a survey on Railroad Avenue

RESOLUTIONS:

- 1) Environmental Review for Proposed LL#3 – 2008 Amend Zoning Map
- 2) Adopt Proposed LL#3 as LL#4 of 2008 Amending Zoning Map
- 3) Establish Ranking for the 2009 CDBG Application
- 4) Approve Sign onto the Rural Transit Van Service
- 5) Authorize Notice of Unpaid Taxes
- 6) Authorize Winter Ban Notice
- 7) Authorize Date for Celebration of Halloween
- 8) Approve Additional Public Hearing for the 2009-2010 CDBG Funds
- 9) Approve Water Shut-Offs
- 10) Approve Public Notice for Parking for Rockefeller Memorial
- 11) Approve Gallo Engineering Proposal South Main Street Waterline CDBG
- 12) Approve Payment to Repair Damage at 51 North Main Street
- 13) Authorize Assemblage Application for Halloween Parade
- 14) Authorize County of Erie to Continue Support of NEST

MINUTES
Village of Angola Regular Board Meeting
Monday October 20, 2008
7:00 P.M
and CDBG PUBLIC HEARING 8:00PM

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 20, 2008 at 7:00 PM, there were

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

ALSO PRESENT: Linda Giancarlo – Clerk-Treasurer; Andrew Yusick, Village Attorney; Lynne Kaminski and Robert Beck-Fire Department Commissioners; Todd Dybdahl-Fire Chief; Charles LaBarbera-Code Enforcement Officer; Ernest Masullo-Evans Chief of Police;

GUESTS: No guests were in attendance.

PLEDGE OF ALLEGIANCE was led by Chief Ernest Masullo.

MEETING CALLED TO ORDER AT 7:02PM:

APPROVAL OF MEETING MINUTES OF SEPTEMBER 9, 2008, MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED.

VISITORS: no visitors

COMMUNICATIONS:

Mayor Frawley reported the following:

- Read a thank-you from the Evans Brant Chamber of Commerce for his attendance at the “Developers Open House” at the Sturgeon Point Marina.

Trustee DeJohn commented on her disappointment that the whole board was not invited to this open house, which honored Robert Drago of Goya, being that this is a big Village Business and the whole board should have been there to show their appreciation.

- Mayor Frawley announced grant opportunities regarding ego-systems offered by New York State Department of Environmental Conservation, Governor Patterson.
- Read correspondence from Senator Schumer’s office regarding grant opportunities for Library projects. Gave information to Trustee Tubinis to review.
- Division of Local Government Shared Serviced scheduled local workshops for shared services, one is scheduled for Buffalo on October 28th

Trustee Houston reported on an article he received from out of Town from a travel book, which mentioned **Angola, Indiana** and the history states that their pioneers named their town “after a city in New York”. (meaning us, Angola)!

Clerk-Treasurer Linda Giancarlo reported that students from the “Planting a Promise” program will be planting red Tulip bulbs in the 11 new Memorial Tree Boxes on North Main Street this Thursday, October 23.

DEPARTMENT HEADS COMMITTEE REPORTS:

TRUSTEE HOUSTON

- Publicly thanked the Mayor's wife, Marge Frawley and her friend Jane Pesono for volunteering their time by pulling weeds from the flowerbeds around the trees on Main Street. The Clerk will send a nice thank you letter.
- Attended the Senior Housing open house in Hamburg. Was honored that we were recognized, and to hear the top officials speak of their successful 15 senior housing projects, next project being in Angola. Toured the apartments, they were very nice.
- Rural Transit services report paperwork for the year, filed with the clerk.
- Announced that the Southtowns Coalition will be doing a survey of farms in the 7 communities.
- Reported that he contacted National Grid to fix the fence on their property. They needed and received support from the neighbor to erect a fence.
- Reported that the family who purchased 21 Maple Street have been cleaning the property up, but had issues following the local code. Everything has been taken care of now.
- New Build on Franklin Street has been sold; there will now be some new owners taking care of this vacant property.
- Received papers for survey for the Railroad Ave turnaround. Will work with Attorney Yusick in obtaining part of the Bartha property and working on an agreement. The school has offered to help; they may be contacted to start clearing the area at the end of Railroad Avenue.
- Asked Crew Chief Kaminski to order the 4" drain frame to use when Erie County repaves Lake Street or N. Main Street by Shultz and Company.
- Asked the crew chief to install the memorial stones and the new trees on North Main Street.

Mayor Frawley- asked the Clerk if she can call the Hamburg Sun and make sure they put some kind of article in regarding the Memorial Stones.

TRUSTEE DEJOHN –

- Asked Chief Masullo if he had resolved the DPW snow plowing with the Crew Chief.

Chief Masullo responded that he has met with Mayor Frawley and Streets Commissioner Trustee Bill Houston; the regular procedures will continue to be in effect. When a patrol Officer feels the roads are dangerous, the patrol officer will contact Evans Dispatch. Evans Dispatch will then Contact Crew Chief Jeff Kaminski, then it is up to Jeff if he wants to call his crew out, or not. That's the way it has always been established.

TRUSTEE WILSON –

- Reported that he contacted CSX regarding the Quiet Zone, as per resident's complaint. They told him they have turned this over to the federal government, and gave him the website.
- Also contacted the engineer of CSX regarding the condition of the trestle/bridge over Big Sister Creek that is falling to pieces. He is waiting to find a contact that has not left the area that will seriously help this situation before another tragedy occurs.

Trustee Houston reported that he asked Trustee Wilson if he could handle an issue Bob Drago had regarding the Goya construction sites. He and Jeff Kaminski met with Bob Drago, and have scheduled a simulation of a major water draw, as if the plant was in full force, to see what kind of water pressure can be obtained and if any issues arise. They will be conducting this trial at the end of the month.

Trustee DeJohn commented that it is important to let Trustee Tubinis know about these things, and what's going on regarding water because she is the deputy water commissioner and she should know what's going on to better understand her role.

TRUSTEE TUBINIS:

- Reported that the Library is still working on finding funding for an expansion project. Reported that as of now, Jerry Ruhl drew up the plans, and Donald Gallo estimated the price according to those plans.

MAYOR FRAWLEY–

- Reported that he and Trustee Houston met with Chief Masullo regarding the snowplowing in the Village. He asked that the public be aware that even though it may look like no snow on the streets, there still can be black ice, so we leave the decision of snowplowing up to the Crew Chief and the Police
- Announced that he has been concerned regarding the water leak on Route 5 at Lake Street. He has contacted Town of Evans DPW to use one of their crew, he also contacted Fran Pordum, Jeff Kaminski and Jack Krajacic and both water commissioners. Mayor Frawley explained that this is a perfect example of sharing of municipal services. He asked the boards opinion.

The board discussed the options of performing the work now, or waiting for the original planned date of Sunday night as per the Crew Chief Kaminski. Trustees DeJohn and Tubinis wondered if we can have 2 of our crew and 2 of the Towns crew do the work to save money. Trustee Wilson and Trustee Houston explained the union contract and how we may suffer the expense of litigation, which will supercede any overtime our crew encounters. Trustee Tubinis and DeJohn wondered why the project couldn't be completed in the daytime.

Chief Masullo responded that the area is very busy during the daytime, and suggested the repair be done, at night, say between the hours of 10pm-6am for the safety of all concerned. Mayor Frawley agrees that shared municipal services need to be utilized whenever necessary and he is concerned over the phone calls coming in and the news being in that area for over a month. He has no problem waiting until the scheduled Sunday night to repair this waterline, but he insists that it is done Sunday, or he will move towards other options. The Board approved to let the Crew Chief go through with his plans to repair the waterline/valve Sunday Night.

- Erie County Executive Collins approved a request for some surplus furniture that the Village asked for at no cost; some conference tables, filing cabinets etc. The DPW will pick them up this week.
- Reported that the 911 Memorial at Centennial Park went very well. Thanked the Clerk for putting the brochures together and providing the sound system. Also thanked the, Police; Fire Dept; MC and chairperson Nino LaRusso; and all involved with making it a success. Thanked Donald Arcara for video of the Memorial, the Clerk has been given a CD to copy for the board.
- Attended a Supervisors and Mayor meeting at ECC City Campus. Discussed the county vehicle inventory, and an inter-municipal agreement the county is offering to the municipalities. They will provide a vehicle (dump, street sweepers, bucket truck etc.) and a driver for free.
- Attended a NYCOM meeting in Sagamore NY, discussed fiscal budgets, AIM, CHIPS funding and also discussed the 100-year celebration of NYCOM next year.
- Will be attending a legislative meeting in Albany with NYCOM in November.
- Reported that the Erie County Sewer Department has a new “steam fed” pipe line program going on, that reduces the need to take out lines. And is half the cost of line replacements. Information will be sent to the Village.
- Mentioned an Erie County Sewer District 2 has a bond program offering low cost bond. Information will be sent to the Clerk.

- Congratulated Springville Administrator Timothy Horner on his appointment to NYCOM.
- Commented on getting a “Key to the Village” program started.
- Announced the Association of Erie County Governments dinner will be this Thursday in Sloan.

ATTORNEY –

- Sale of water plant- All DEC requirements were sent in, waiting for final approvals.
- 39 South Main- XSPAND has agreed to offer the property to the Village for \$5,000 and pay all outstanding taxes. He will confirm title process with the County.

Mayor Frawley mentioned 33 Commercial- we have a buyer interested in this property, but the county has to release the liens. Working with Joe Maciejewski from EC Property Tax Division.

- The claim against the Village for a Commercial Street residence for water damage was not granted by the Justice due to lack of meeting the requirements of the statute. It was found not to be the fault of the Village.
- This is the same situation for the resident who fell at the Gazebo. The insurance company investigated the claim, and found no fault to the Village.

POLICE- Chief Ernest Masullo-

- Railroad Avenue situation with the turnaround issue should be resolved. The Village and the Lake Shore School District have agreed to work together on this issue.
- The Homecoming parade went without any issues. Thanked the Fire Department, fire police and the Village DPW.
- Will be working on handling the Lions Club Halloween parade as well.
- Working with Trustee Houston on a traffic situation on Lorain Street and Parkside.

Attorney Yusick suggested that we get the new Code Books moving forward- **The Clerk-Treasurer and the Code Enforcement Officer Chuck LaBarbera** reported that they have sent the corrections to General Code, and the supplements will be arriving soon. Once we get these supplements, we can add them to the books, and start moving forward with adopting and using the new books.

Trustee Houston- asked Attorney Yusick if he had any follow up on the Erie County Water Authority regarding the town water history they questioned. Attorney Yusick said the Authority was unaware of the History they had questioned, and felt it was between the Village and Town.

Motion to close regular meeting and open public hearing made by Trustee DeJohn, seconded by Trustee Wilson, Unanimously carried.

8:00 Public Hearing- CDBG (Community Development Block Grant)

PLEASE TAKE NOTICE that a Public Hearing will be held on Monday, October 20, 2008 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 17, 2008.

Notice was not published in paper until the October 22 edition, will continue with public hearing as scheduled and schedule an additional Public Hearing as per Erie County, for November 3rd 2008, see resolutions:

Trustee DeJohn took time to explain to Trustee Tubinis because as a new Trustee she is unfamiliar with the CDBG Program. She explained the Community Block Grant Program and the qualifications for this grant being that only parts of the Village are considered for this program because they are considered low to moderate income, the areas are the East Side of Main Street and all of South Main Street. Mayor Frawley thanked Trustee DeJohn.

Trustee Houston explained to all in attendance the projects that have been done and what is needed to be done. The proposed project is a 2-phase waterline replacement for South Main Street. The current line is a 1910 line. There are new lines on Friend Street and Newton Street, and we are having no problems with the ones on Railroad Ave, York Street and Mesi Drive. But South Main is the area we are concerned about, there was already a break there this year and we want to avoid any more. We would like to do a portion of South Main between Newton and Friend to connect to the two new lines. Another area of high concern is Penn Avenue at Mesi, this is an old line that needs replacement to avoid any issues when the new Goya expansion project gets up and running to full force. The old existing line may not handle the pressure and will become a concern. We would like to connect the new 12" line on Mesi to a new 8" on Penn.

The Board mentioned support to the Town of Evans via a letter for their Community Concern expansion project but not to include it as a Village CDBG selection.

The board would like to offer the number two selection on the CDBG list to be in support the Rural Transit Van Services, as in the past.

No other comments came from the floor.

MOTION TO CLOSE PUBLIC HEARING and re-enter REGULAR BOARD MEETING at 8:10PM MADE BY TRUSTEE HOUSTON SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED

GENERAL CREW CHIEF – (EXCUSED-PUBLIC WORKS TRAINING SCHOOL)

Trustee Houston reported as Streets Commissioner

1. DPW Crew has completed the paving throughout the Village. Flower Boxes taken in for the winter; leaf pickup will start next week and chipping will end for the season, the board discussed making sure an ad was put in the Penny Saver to let residents know. The clerk will put in ad.

Mayor Frawley thanked the DPW for keeping the Village looking nice. Heard some complaints regarding the roads that are ripped up.

Trustee DeJohn said she heard complaints regarding the smell of the paving!

FIRE COMMISSIONERS –

Lynne Kaminski-

- Reported that “Christmas in the Village” will be celebrated on Saturday, December 13 starting with a 9am Breakfast with Santa. There will be no parade.
- Wednesday, December 3rd children from the middle school will be volunteering for decorating the village for “Christmas in the Village”.

Mayor Frawley-announced December 7th starting at 8am meet at Dan’s Restaurant for breakfast. Looking for volunteers. Lynne Kaminski suggests the Mayor call Diane Wolfrum at Lake Shore High, Honor Society, or Marla Shiafano for the Future Business leaders program at the high school, or Frank Vail for a Boy Scout troop. These children are to do so many hours of community service.

Robert Beck-

- Asked when the board will approve the siren repair. The Clerk said her office never saw the second proposed quote. He will try to get another copy.

Trustee Tubinis worried that residents will complain about the siren!

Mayor Frawley and Trustee Houston explained that there is a need to have this siren to act as a warning to the residents, and the commissioners stated that the firemen need the siren too.

CODE ENFORCEMENT – Charles LaBarbera - No Report:

- Mayor reported that the Bed and Breakfast has been in contact with their architect and will be moving forward.

PLANNING – ABSENT –

ZONING – ABSENT

CLERK-TREASURER –

- **MOTION TO PAY DONALD GALLO VILLAGE ENGINEER**, the amount of \$900.75 for his work preparing the plans for the South Main Street Waterline Project for the CDBG Application. **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**
- The Clerk will send a notice to Ms. Charity Vogel to inform her that the tree in front of her home may be taken down, due to her not following through with the agreement that was prepared at her request for her to sign.

OLD BUSINESS:

1. Sale of Water Plant –Discussed
2. Thruway Water- Mayor scheduled a meeting with the NYS Thruway Director next month
3. Senior Housing- Plans are moving forward for early spring.
4. Intercontinental Building-pending hold up from county
5. Letter to Town on Veterans Exemption-completed, waiting for response from Assessor.
6. Consideration of a NFTA Bus Shelter- agreement made by board for N. Main in Front of K&L site. The Clerk will contact NFTA to move forward.
7. Library addition- looking at Grant opportunities for expansion.
8. Library contract with Town- Paid by Town in March, Clerk will have Jonica DiMartino talk with the Town Finance Director Chuck Katra. Attorney said Historically the money came to the Village of Angola. A subject to discuss at a joint Town-Village board meeting.

NEW BUSINESS:

1. Trustee Houston asked for the board’s permission to allow him to send a letter to National Grid to request a survey be done for street lighting on Railroad Ave. The board had no objection.

RESOLUTIONS FOR OCTOBER 20, 2008

#1 ENVIRONMENTAL REVIEW for Proposed LL#3 -2008 AMEND ZONING MAP

WHEREAS, proposed Local Law #3 for the year 2008 has been presented to the Board for the Amendment of the Zoning Map to re-zone and re-classify premises commonly known as 10 Penn Avenue and 151 South Main street, Angola, New York as more particularly described in the proposed Local Law from an R-1 and an R-3 zone to a B-2 and an R-2 zone, and

WHEREAS, short form environmental assessment form has been filed with the Village Board of the Village of Angola, and in the Village Board it has been declared as lead agency, and

WHEREAS, the Village Board has fully explored the environmental impacts pursuant to The State Environmental Quality Review Act.

NOW, THEREFORE BE IT RESOLVED, that it has been determined that the proposed action described above will not have a significant environmental impact and a draft statement is not required
MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED

#2 ADOPT PROPOSED LL#3 as LL #4 of 2008 AMENDING ZONING MAP

WHEREAS, proposed Local Law #3 for the year 2008 has been presented to the Board for the amendment of the zoning map to re-zone and re-classify premises commonly known as 10 Penn Avenue and 151 South Main street, Angola New York as more particularly described in the proposed Local law from an R-1 and an R-3 zone to a B-2 and an R-2 zone, and

WHEREAS, the proposed Local law was referred to the Erie County Division of Planning and more than 30 days has passed and the Village has received no response, and

WHEREAS, the Proposed Local Law has been referred to the Planning Board of the Village of Angola for review and comment and has been advised that the Board had reviewed said proposed Local laws in conjunction with the review of the zone classification of B-2, and

WHEREAS, a public hearing was held and comments having been received and considered, and

WHEREAS, the area to be re-zoned is a mix use area of commercial and residential, and

WHEREAS, a negative declaration has been made under the provisions of SEQR.

NOW, THEREFORE, BE IT RESOLVED, the proposed Local law #3 for the Year 2008 amending Chapter 30, Article 2, section 30.22 “zoning map” which is attached hereto as exhibit A, is hereby adopted as Local law #4 for the Year 2008, together with the amended zoning map which is attached hereto as Exhibit B.

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

#3 ESTABLISH RANKING FOR THE 2009 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 2009-2010 Projects upon approval of Erie County CDBG:

1. South Main Street Waterline Project
2. Rural Transit Van Service, Inc

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

#4 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 2009-2010 program year.

MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, 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, 2008 will be sent to Erie County Department of Taxation and Finance for collection

MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, 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 2008 through April 1 2009, there will be no street parking from 3:00 AM to 7:00 AM everyday including Sundays and Holidays
MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED

#7 AUTHORIZE DATE FOR CELEBRATION OF HALLOWEEN

BE IT RESOLVED, the Village of Angola Board of Trustees, hereby declares Friday October 31st 2008 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 notice in the Penny Saver.
MOTION MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

#8 APPROVE ADDITIONAL PUBLIC HEARING FOR THE 2009-2010 CDBG FUNDS

RESOLVED that the Village Board does hereby authorize publication of Notice of a Community Development Block Grant Public Hearing to be held at 5:00 PM. Monday, November 3, 2008 at the Angola Village Hall, 41 Commercial Street, Angola, New York 14006 regarding the prospective projects and any additions or amendments from the October 20th Public Hearing, for use of Community Development Block Grant Funds in the Village of Angola, and further authorize the Mayor to sign the 2009/2010 CDBG agreement.
MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED

#9 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 30, 2008 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 \$6,217.80
MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED

#10 APPROVE PUBLIC NOTICE FOR PARKING FOR ROCKEFELLER MEMORIAL

WHEREAS, a resolution has been proposed to discontinue the use of a portion of Commercial Street being approximately .03 acres and more particularly described on the attached Schedule A, and **WHEREAS**, such portion of Commercial Street which is now used for parking is not necessary and such discontinuance shall be beneficial to future development of said parcel as a historical site related to the "Angola Horror".
NOW, THEREFORE, BE IT RESOLVED that the Village Clerk Treasurer is hereby directed to publish the attached notice for a public hearing to be held on such resolution on the 10th day of November 2008 at 7:35PM.

NOTICE

PLEASE TAKE NOTICE that a resolution was proposed before the Village Board of the Village of Angola on the 20th day October, 2008 to discontinue the use of a portion of Commercial Street, being a parcel of approximately .03 acres and being approximately 45 x 17.25 feet located on the southerly side of Commercial Street and across Commercial Street from the approximate terminus of High Street for purposes of future historical development of said parcel in relation to the Village's tourism initiative and as historically relevant to the "Angola Horror" train wreck of 1867.

PLEASE TAKE FURTHER NOTICE that pursuant to Article 21 of the Village Law, a public hearing will be held on aforesaid proposed resolution before the Board of Trustees of the

Village of Angola, New York, at Village Hall, 41 Commercial Street, Angola, New York, at 7:35PM on the 10th day of November, 2008.

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

#11 APPROVE GALLO ENGINEERING PROPOSAL S. MAIN WATERLINE CDBG

RESOLVED that the Village of Angola Board of Trustees hereby approves the Village Clerk to pay the Village Engineer Donald Gallo to perform all engineering services related to bidding and construction for the South Main Street Waterline Project, a CDBG project for the replacement of waterlines on South Main Street from Friend to Newton Streets, and the area of Penn & Mesi Drive. Total cost for said services is not to exceed ten-thousand (\$10,000.00).

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

#12 APPROVE PAYMENT TO REPAIR DAMAGE AT 51 N.MAIN

WHEREAS the Village Board agrees that the Village DPW Snow Plow backed into a local business and caused considerable damage to the lower front of the building at 51 North Main Street.

NOW BE IT RESOLVED that the Village Board hereby approves payment as obtained on contractors invoice, in the amount of six-hundred dollars (\$600.00) to Marylyn Hasenpusch for damage at said location and the amount is to be charged to DPW BLDG AND GROUNDS.

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

#13 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 25, 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 TUBINIS, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED

#14 AUTHORIZE COUNTY OF ERIE TO CONTINUE SUPPORT OF NEST

WHEREAS, the State of New York Solid Waste Management Act of 1988, listed in Part 371 of the NYS Codes, Rules and Regulations (6 NYCRR) prepared in accordance with 6 NYCRR Part 360, established a statewide goal to maximize solid waste reduction and recovery to the extent economically and technically feasible; and

WHEREAS, the Act calls for all municipalities of New York to be part of a solid waste management unit and to develop, and have the State approve, a Solid Waste Management Plan; and

WHEREAS, consistent with this plan, the Northeast Southtowns Solid Waste Management Board (NEST) is to achieve a 50 percent or more recycling rate by 2012, the end of the ten-year planning period; and

WHEREAS, NEST, a designated Solid Waste Planning Unit recognized by the New York State Department of Environmental Conservation (NYSDEC), consisting of municipal representatives and serving a region that includes 37 municipalities (22 towns, 14 villages, and one city) in Erie County, New York; and

WHEREAS, NEST is required to address the solid waste management needs of the municipalities within its borders; and

WHEREAS, the NEST Solid Waste Management Plan identifies Erie County as the administrator of the plan; and

WHEREAS, the State of New York and the local solid waste management boards have provided financial aid to Erie County to support a Recycling Coordinator position to serve Erie County municipalities; and

WHEREAS, the Recycling Coordinator for Erie County acts as the staff for NEST and has provided the administrative support for the implementation of the Solid Waste Management Plan; and

WHEREAS, Erie County, with the support of NEST, has prepared and submitted a grant application to the NYSDEC for the Recycling Coordinator position for 2009-2011; and

WHEREAS, the State of New York has delayed funding of the Recycling Coordinator position; and

WHEREAS, the local solid waste boards intend to continue to contribute financial support to offset costs associated with the Recycling Coordinator position; and

WHEREAS, the local solid waste boards are concerned with the possible loss of the of the position of Recycling Coordinator from the 2009 budget;

NOW, THEREFORE, BE IT

RESOLVED that the Village of Angola, a member of NEST, urges the County Executive of Erie County to continue to provide support to assist in implementing the mandatory requirements of the Solid Waste Management Plan; and be it further

RESOLVED that the Village board of the Village of Angola requests that the County Executive of Erie County utilize its funding support to convert the position of Recycling Coordinator to a county-line position until grant funding is reinstated.

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

AUDIT OF BILLS – MOTION MADE TO APPROVE THE BILLS BY TRUSTEE WILSON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED. Motion approving the following: General Fund Abstract #007, Checks #6542 to #6556 in the total amount of \$14,384.37 and General Fund Abstract #008, Checks #6557 to #6626 in the total amount of \$80,432.22 and plus Payroll #20 & #21; Water Fund Abstract #007 Checks #1670 to #1675 in the total amount of \$1,280.78 and Water Fund Abstract #008, Checks #1676 to #1693 in the total amount of \$30,619.57 plus Water Payroll #20 & #21.

ADJOURN to the CDBG Public Hearing November 3, 2008 at 5:00PM, The next regularly scheduled Board meeting November 10th 2008 at 7:00 with a NYMIR Workshop at 6:00PM and a public hearing on proposed resolution for future historical development on Commercial Street at 7:35PM. **MOTION TO ADJOURN MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED MEETING ADJOURNED AT 9:20PM**

Submitted By

Linda Giancarlo
Village Clerk-Treasurer