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VISITORS: None in attendance

COMMUNICATIONS: Association of Erie County Governments Meeting; Angola VFW Post donations for Annual Christmas Food and Gift Baskets; Senior Van newsletter; October Hamburg Sun article corrections to be made

TRUSTEE HOUSTON: Southtowns Planning and Development meeting report; open house with Economic Development Committee; re-organization of Village Hall front lobby; re-installation of 1973 Centennial sign; Ebay Consignment Shop; new Crosby's Convenient Store

TRUSTEE KIN: Harry Potter Story Time; Science of Sound; Soil Testing; Library received four new lap tops

TRUSTEE WILSON: Southtowns Planning and Development meeting; Halloween night report; Village of Angola sign placement; new bathroom and shelter materials at Herman Park

TRUSTEE LoGALBO: property maintenance and current codes; Solar Liberty contacts; working with Henry Li

MAYOR FRAWLEY: Façade Program update; Christmas lights & soldiers; Association of Erie County Governments meeting report; upcoming Mayor and Supervisors meeting; Main Street Conference response from NYCOM

ATTORNEY: 39 South Main transfer of property; change-order for South Main Waterline; discussed two resolutions; request for follow-up on Fessel/Brant property;

POLICE CHIEF: emergence drill report involving JT Waugh School; responded to letter regarding Drug Use

GENERAL CREW CHIEF: bid on dump truck; leaf pick-up; paving completed; water leak; sidewalks

FIRE COMMISSIONERS: <Beck> ladder truck in for repairs and scheduled for ladder test; request a workshop next meeting; <Kaminski> NIMS Training; Chief's Council meeting; Christmas in the Village

CODE ENFORCEMENT: EXCUSED

PLANNING: ABSENT

ZONING: ABSENT

CLERK-TREASURER: closed books for October; Trustee Houston to be secretary in morning; security for office

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; South Main Street Water/Sewer Drainage Project

NEW BUSINESS: Code Book Corrections

RESOLUTIONS:

- 1) **Unpaid Taxes to County**
- 2) **Approve Purchase of Computer for Office**
- 3) **Approve CDBG South Main Waterline Change Order**
- 4) **Authorize Mayor to Execute Easement for Storm Sewer**
- 5) **Rescind October 19 Resolution for Residential Investment Exemption**
- 6) **Approve Residential Investment Exemption**
- 7) **Approve Extension of Garbage Contract with Allied Waste**

MEETING MINUTES
Village of Angola Board Meeting
Monday November 9, 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 November 9, 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; Jeffrey Kaminski-DPW Crew Chief; Charles LaBarbera- Code Enforcement Officer; Lynne Kaminski and Robert Beck– Angola Fire Department Commissioners; Ernest Masullo-Chief Town of Evans Police Department and Donald Gallo – Village Engineer

GUESTS: none in attendance

PLEDGE OF ALLEGIANCE: led by Robert Beck

CALL MEETING TO ORDER at 7:00PM

APPROVAL OF MEETING MINUTES and Workshop Minutes of October 19, 2009 MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED

VISITORS: NONE

COMMUNICATIONS:

Mayor Frawley:

- Announced the last Association of Erie County Governments meeting which he will serve as president will be Thursday November 19 at Salvatore's Italian Gardens, anyone wishing to attend should contact the Village Clerk.
- Read a letter from the Angola VFW Post looking for donation for their Annual Christmas Food and Gift Baskets. The Village Clerk has a collection started at the Village Hall.

Trustee Houston:

- Senior Van newsletter filed with the Clerk
- Complained about the Article the Hamburg Sun had regarding our October Board Meeting. There were several mistakes made. The Clerk Talked to the Sun editor and he is putting a correction in the next issue.

DEPARTMENT HEADS, COMMITTEE REPORTS:

TRUSTEE HOUSTON reported:

- Reported that he attended the Southowns Planning and Development meeting, discussed S.I.T (Southtowns Intercommunity Transit). Will meet again in January in Eden, and discussed moving forward with the watershed district.
- Met with the Economic Development Committee, planning an open house for realtors and working on St. Columbians Retreat in Derby.
- Thanked the Village Clerk for cleaning up the front lobby and ordering and organizing new racks for the papers that were scattered all over the counters, it looks neater. Also thanked the

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Clerk and the DPW Crew Chief for moving forward in the installation of new lights in the Village Hall. These are energy saving lights and made the area much brighter.

- Complimented the DPW Crew Chief Kaminski for finalizing the maintenance and re-installation of the 1973 Centennial Sign next to the Post Office.

Mayor Frawley asked about the status of the Lou Catalano Sign. Trustee Houston said it is being repainted by Mr. Charles Roth, the Clerk will call Mr. Roth for a follow up.

- Compliment the new Ebay Consignment Shop that has taken over Daisy's Consignment.
- Complimented the new store Crosby's (the old Yellow Goose) for cleaning up and painting preparing to open this spring.

TRUSTEE KIN reported on behalf of the Angola Library:

- Harry Potter Story Time was well attended.
- Science of Sound went over very well
- Had many participants for the Soil Testing.
- The Library received 4 new Lap Top Computers for a total of 10.
- Has seen an increase in the number of books going in and out.

TRUSTEE WILSON reported:

- Attended the Southtowns Planning and Development Meeting, and it was very well attended.
- Complimented Halloween night went very well and safely
- Spoke to gentlemen regarding the Welcome to the Village of Angola sign placement. He is willing to allow the sign to be installed on his property which is located next door to the original location on North Main Street.
- Addressed his concerns over the new bathroom and shelter materials that were stored on the grounds at Herman Park. Crew Chief Kaminski reported that the materials were all relocated to a safe location under the Water Tower until the spring, at which time we can move forward with the installation.

TRUSTEE LOGALBO reported

- Reported he has been working on property maintenance and our current codes.
- Continuing his contact with Solar Liberty and is planning on moving forward when the next round of funding is available. Attorney Yusick will review contract and bid procedures.
- Working with Henry Li, owner of the Old Ford Building, Henry may have family help him with his plans for the building renovation. If he cannot continue, his plans are to put the building up for sale. He will follow up.

MAYOR FRAWLEY reported

- Stated that he is hoping to get the Façade program moving forward, the Village needs one more business to apply.
- Announced that the Christmas Lights are scheduled to go up on December 6, there will be breakfast at Dan's Restaurant at 8AM. They are inspecting light fixtures and have new lights this year. Asked Commissioner Beck if the Fire Department will help.

Commissioner Kaminski announced that the Soldiers will be put up on Wednesday Dec 2.

- Attended the Association of Erie County Governments meeting: discussed the following
 - Flex Care passed by this Association is now in the hands of the NYS Legislator and Federal Government. This Flex Care will allow municipalities with 50 or less employees to opt into the County wide Flex Care program. This will save on healthcare costs.
 - The Association of Erie County Governments also passed a EMP (electrical Magnetic pulse) Program. This was also sent to the Legislator.
 - Watched a film clip on the Erie County Harbor, nice changes are being planned for the City of Buffalo

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- Will be meeting with Erie County Executive Christopher Collins at the next Mayor and Supervisors meeting next Tuesday.
- Waiting for a response from NYCOM regarding Trustee Houston's May 8th letter in regards to the Main Street Conference.

ATTORNEY – reported

- Good news for 39 South Main Street, the County and the Village will be moving forward with the transfer of the property. This should soon be resolved as they are considering that the Village will pay \$5,000 for the land and \$45.00 in deed stamps. The 2009-2010 Town; School and Village Tax will be paid but will be adjusted at closing. The rest of the taxes will be cut off. The clerk will get the tax information from the County. The Village will be responsible for the tax adjustments.
- Discussed the change order for the South Main Waterline project, to include placement of a related storm sewer. He prepared the two easements, one for Patricia Wagner for a permanent easement and Robert Faraci for a temporary easement. The Clerk went out and obtained and notarized their signatures. See resolutions.
- Prepared 2 resolutions for tonight's meeting pertaining to a retraction of an October resolution and a new amended resolution regarding the Residential Investment Exemptions. There was a change in the Residential category 1-3 unit apartments instead of 1-4 unit.
A 4 unit is no longer considered residential. See resolutions

Trustee Wilson asked for a follow up on the Fessel/Brant property as far as their drainage line.

DPW Crew Chief stated that he thinks a past owner put this line in, it is on private property. we have no records or easements on this.

Trustee Houston asked the Clerk to research back to the 1940's under, Arrigo or Erie County Frosted Foods Factory to see if the Village has anything in the minutes or paperwork relating to that drain. The clerk will research and notify Trustee Wilson.

According to Attorney Yusick, the Village did not install or maintain, so it must be a private line.

The Clerk will investigate.

Engineer Gallo – commended the work of all involved to get this change order approved as fast as it did. Everything is ready to go for the new Friend Street storm drain line to the creek bank.

POLICE – Chief Ernest Masullo reported:

- Performed an emergency drill involving the Lake Shore Central School JT Waugh Building and the First Congregational United Church of Christ, Erie County Sheriffs, Evans Police, Norfolk Southern Railways with their dogs, NFTA with their dogs, and local Fire Departments. We were able to evacuate 250 children. Everything went without a hitch. It was very successful. Thanked all involved.

Commissioner Kaminski commended the drill and all involved, everything went perfect and as planned.

- Responded to Tony Troidl/Taste of the Midway letter regarding drug use. The Board Commended Chief Masullo for his prompt response to Mr. Troidl.

Trustee Houston mentioned that the Caboose has been added under the Village's liability insurance as it is in the Village Parking Lot area of the property on North Main Street.

GENERAL CREW CHIEF reported:

- Received a low bid on the large dump truck, will take the truck to Silver Creek for the area equipment auction.
- Working on leaf pickup
- Paving is completed.
- Worked on a small water leak Saturday which set back the leaf pick-up.

- Majority of the sidewalks are completed, will continue in the spring.

Mayor Frawley stated that he talked with Kathy Konst regarding the water loss the Village suffered and is trying to recoup from Erie County Sewer Authority.

Discussed Erie County Health Department regulations for the Sewer Plant water line.

FIRE COMMISSIONERS:

ROBERT BECK reported:

- The ladder truck is in for repairs and the money will come out of the equipment reserve.
- Ladder truck is scheduled for a ladder test next week.
- Chief Dybdahl would like to request a workshop prior to next meeting.

LYNNE KAMINSKI reported:

- NIMS courses due for the Village Officials who haven't taken them.
- Chiefs Council meeting will be held at the Angola Fire Hall November 19.
- Fire prevention went well, Angola did a great job and nice articles were in the paper.
- Christmas in the Village scheduled for December 12th. There will be breakfast with Santa at the Waugh School. The Middle School and the Friends of the Village have had a great partnership going for many areas. The Middle school kids raised over \$850.00 to sponsor this breakfast doing fund raising activities. There will be a bounce house, maze, dancing, karate, fire truck rides, magic and concert etc.. many activities are planned for Christmas in the Village, all day.

CODE ENFORCEMENT – Excused

PLANNING – Absent:

ZONING – Absent

CLERK -TREASURER-reported:

- Closed the books for October.
- Deputy Clerk Michelle Warren on vacation and Accounts Clerk Christine Mittner is working at Lake Shore Schools. Trustee Houston will play secretary tomorrow morning while the Clerk-Treasurer attends a MAOA (Clerks breakfast meeting)

Mayor Frawley asked about the status of security for the office.

The Clerk is working on this.

OLD BUSINESS:

1. Sale of Water Plant- discussed
2. Thruway Water- pending, DPW will look at the pumping station
3. Senior Housing- moving forward, blacktopped and landscaped, lots of comments from residents
4. Intercontinental Building-moving forward for County Auction
5. Step in curb, Lake St and N. Main- pending
6. Preliminary report-Emblem Bldg pending- Trustee Houston circulated letter from professor from Vermont, should meet with Lori Szewczyk and Building Inspector.
7. Possibility for Old Town Hall-pending.
8. Erie County Sewer District #2 – discussed water bill
9. Erie County Sewer District #2 – discussed back flow prevention
10. Flooding Problem WT Hoag School-engineer to follow up on plans
11. Answer from Town regarding funding for the Library-no answer yet.
12. South Main Street Water/Sewer Drainage Project-underway

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NEW BUSINESS:

1. Trustee Houston wants to work on Code Book corrections.

The Clerk suggested to wait until the new supplemental pages come in referring to the adoption, and then she can distribute the books for all to review before we make the needed updated corrections/changes, so we can do everything at once. It is costly to make the needed changes.

The Board and the Attorney Agreed.

RESOLUTIONS BEING OFFERED NOVEMBER 9, 2009

#1 UNPAID TAXES TO COUNTY

BE IT RESOLVED that the Village of Angola Board of Trustees have certified that the attached statement of the year 2009 unpaid taxes are true and ninety-eight (98) parcels are to be forwarded to the Erie County Department of Finance for collection of fifty-eight-thousand-two-hundred-fifty-six-dollars and six-cents (\$58,256.06) **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#2 APPROVE PURCHASE OF COMPUTER FOR OFFICE

WHEREAS, the Village of Angola Board of Trustees recognizes the need for new computers for the Village Office, to better serve the community and properly conduct Village business, and

WHEREAS, the computer used for the website updates is 4 years old and no longer covered under warranty, and has been diagnosed with a mother-board hardware malfunction, now

BE IT RESOLVED, the Village of Angola Board of Trustees, hereby authorizes the Village Clerk to order a new Dell computer under state bid pricing at a cost of \$548.99 which will be expended through the Village Clerks contractual. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED**

#3 APPROVE CDBG SOUTH MAIN WATERLINE CHANGE ORDER

WHEREAS the Village Board has approved the South Main Street Water Line Project which is 100% funded through a American Recovery and Reinvestment Act grant, and

WHEREAS, it has been recommended to the board that change orders for engineering and contracting services be approved to provide for related storm sewer improvements, and

WHEREAS, the cost of said change orders will be funded with grant funds which are remaining.

BE IT RESOLVED:

- 1- Engineering change order #1 is approved for Survey, Design, Construction and inspection services by Donald Gallo Consulting Engineer, P.C. for the storm sewer opposite Friend Street for a lump sum of \$5,920.00
- 2- Construction change order #1 is approved for E & R Contracting for the construction of the storm sewer opposite Friend Street per drawings A, B, C dated October, 2009 by Donald Gallo Consulting Engineer, P.C. for a sum not to exceed \$39,400.

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

#4 AUTHORIZE MAYOR TO EXECUTE EASEMENT FOR STORM SEWER

WHEREAS, an amendment to the South Main Street Waterline Project HAS BEEN APPROVED, AND

WHEREAS, said amendment provides for the installation of a related storm sewer, and

WHEREAS, easements are required for such installation, and

WHEREAS, a permanent easement agreement has been executed by Patricia Wagner owner of 72 S. Main Street, and a temporary easement agreement has been executed by Robert Faraci of 62 South Main Street.

BE IT RESOLVED, that the Mayor is hereby authorized to execute a Permanent Easement agreement with Patricia Wagner and a Temporary Easement agreement with Robert Faraci.

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

#5 RESCIND OCTOBER 19 RESOLUTION FOR RESIDENTIAL INVESTMENT EXEMPTION

WHEREAS, such Resolution requested the New York State Senate and New York State Assembly to submit a bill to amend the Real Property Tax Law in relation to establishing a residential investment exemption for the Village, and

WHEREAS, it is has been determined that a new resolution should be adopted as the prior Resolution was not consistent with the provisions of Resolutions submitted by the Town of Evans and the Evans-Brant School District.

BE IT RESOLVED, that the Resolution No. 9 adopted on the 19 day of October, 2009, requesting the New York State Senate and New York State Assembly to submit a bill to amend the Real Property Tax Law to establish a residential investment exemption is hereby rescinded.

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

#6 APPROVE 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.

5. The provisions of this section shall apply to real property used as a one to three 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 three 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**

#7 APPROVE EXTENSION OF GARBAGE CONTRACT WITH ALLIED WASTE

WHEREAS, the Village has entered into a contract with Allied Waste Services of North America LLC dated 12/18/2006 for the Collection, Hauling and Disposal of mixed municipal solid waste and Collection, Hauling and Processing of Recyclables, and

WHEREAS, said contract provides for additional 3-year terms, and

WHEREAS, the Village is desirous of exercising its intention to renew the Contract for an additional 3-year period with the agreement of the Contractor.

BE IT RESOLVED, that the Village shall notify said contractor of its intention to extend the contract for a 3-year term and the Mayor is authorized to notify said contractor of such intention. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

AUDIT OF BILLS –MOTION APPROVING THE FOLLOWING: General Fund Abstract 10, Checks #7351 to #7353 in the total amount of \$331.78 and General Fund Abstract 11, Checks #7354 to #7387 in the total amount of \$39,961.69, plus payrolls #22 & 23; Water Fund Abstract 10, Check #1902 in the total amount of \$264.84 and Water Fund Abstract 11 Checks #1898 to #1918 in the total amount of \$34,195.45, plus Water payrolls #22 & 23. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE LOGALBO, UNANIMOUSLY CARRIED.**

ADJOURN IN MEMORY OF THE VETERANS, to the next regularly scheduled Board meeting Monday December 14th 2009 at 7:00 with a Workshop at 6:45PM with the Angola Fire Chief Todd Dybdahl. **MOTION MADE BY TRUSTEE KIN, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED, meeting adjourned at 8:25PM**

Submitted By

Linda Giancarlo
Village Clerk-Treasurer