

INDEX – December 8, 2009

VISITORS: Brian Campbell – Hamburg Sun; Bob and Pat Catalino; Tim and Frances Dybdahl; Rebecca Baxter and Marcy MacLeod; Barbara Catalano

COMMUNICATIONS: Support request from Lake Shore Senior High Band for National Music Competition; Friends of the Village “Christmas in the Village”; Thank You’s to all who helped decorate the Village for Christmas; Letter of support for Bed and Breakfast; Chamber of Commerce Poinsettia Sale; Donation to Fire Department from VFW; NYCOM recognition of Mayor Frawley; Community Christmas Caroling at Gazebo; Ribbon cutting at Hamburg Senior Housing; NYCOM “Tough Fiscal Times” article

TRUSTEE HOUSTON: Tree agreement between Village and Vogel; Memorial Tree and Stone article in Hamburg Sun; National Grid study on Railroad Ave.; Proposed assessment incentive program from Town of Evans Economic Advisory Group; Agri-Business program; NEST recycling program for plastic; Listing of all previous Mayors and Trustees researched by Christine Mittner; Friends of the Village quilt raffle

TRUSTEE DEJOHN: Letter request to Governor Patterson for AIM and state aid; Personal note regarding the poor decisions and financial challenges of the current Board

TRUSTEE WILSON: Thanked Fire Department for great job on the use of the ladder truck at a barn fire in Brant

TRUSTEE TUBINIS: Requested an amendment to November 10th minutes; Lake Street/Erie Road repair finances; Concerns on employee overtime; Thanked by Mayor for work on NFTA Park and Ride;

MAYOR FRAWLEY: Façade program extension request; Distressed Property Tax Task Force in four sub-committees; NYCOM’s “Stop the Tax Shift”; spoke with Power Authority regarding a reduction for Goya; starting a quarterly Newsletter beginning this winter; Congratulated Trustee Houston for his work on obtaining a green arrow light; Letter of Thanks to Allied Waste

ATTORNEY: 39 South Main; Sale of Water Plant

POLICE: Excused

GENERAL CREW CHIEF: railroad Avenue turn-around completed; concerns from Trustee Tubinis on asphalt funds; Storm drain plans

FIRE COMMISSIONERS: High School Band can and bottle drive; Christmas in the Village; 50-year Member dinner; Ladder truck performance report

CODE ENFORCEMENT: Thanked for hard work on Bed and Breakfast and his service to all residents; vacant Franklin Street home follow-up request

CLERK TREASURER: No Report

PLANNING: Absent

ZONING: Thanked those involved for the variance process on Senior Housing project

OLD BUSINESS: Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building; Veterans Exemption; NFTA Bus Shelter; Library Addition; Railroad Ave Streetlight Study; Railroad Ave turn-around

NEW BUSINESS: Overtime concerns;

RESOLUTIONS:

- 1) **Approve Bed and Breakfast**
- 2) **Approve Water Shut Off**
- 3) **Approve Buyback of Sick Days**
- 4) **Approve Assemblage Application for Centennial Park**
- 5) **Approve PENFLEX Service Fee and Agreement**
- 6) **Accept Rate Increase for Senior Blue**
- 7) **Approve AFLAC Insurance Option for Village Employees**
- 8) **Approve Transfer from Contingency for Code Book Updates**
- 9) **Approve Local Government Efficiency Grant**

MEETING MINUTES
Village of Angola Board Meeting
& Public Hearings for Senior Housing and Bed & Breakfast
Monday December 8, 2008 – 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 December 8, 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; Jeffrey Kaminski-DPW Crew Chief; Andrew Yusick, Village Attorney; Lynne Kaminski; Mark Goodway and Robert Beck-Fire Department Commissioners; Charles LaBarbera-Code Enforcement Officer; Paul Cooper- Zoning Board Chairman.

GUESTS: Brian Campbell-Hamburg Sun; Bob and Pat Catalino; Tim and Frances Dybdahl; Rebecca Baxter and Marcy MacLeod; Barbara Catalano.

PLEDGE OF ALLEGIANCE: was led by Barbara Catalano.

MEETING CALLED TO ORDER AT 7:00PM:

APPROVAL OF MEETING MINUTES OF NOVEMBER 10, 2008, MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, Trustee Tubinis-nay Trustee Wilson –yes Trustee DeJohn-nay Trustee Houston-yes Mayor Frawley-yes 3 yes-2 nay SO APPROVED

VISITORS: no comments

COMMUNICATIONS:

Mayor Frawley reported the following:

- Read a letter from Lake Shore Central Senior High School looking for financial support and sponsorship for the Senior High Band as they participate in a National Music Competition in April 2009. Anyone wishing to donate can contact the school.
- Friends of the Village are holding their 9th annual “Christmas in the Village” Saturday, December 13th. A schedule of activities has been posted and published in the Penny Saver.
- Mayor Frawley thanked Jim Backert and the girl scouts for their help in preparing the lights for decorating the Village. Mayor Frawley also thanked the OFAC (Old Ford Athletic Club) committee, Mark Parker; Ron Lehning and the whole OFAC committee for putting up the lights in very cold weather conditions, Sunday morning, after breakfast at Dan’s Restaurant. Mayor Frawley reported that the OFAC group has been decorating the Village of Angola for the Christmas holiday, annually for 42 years.
- Read a letter of support from Barbera Ahrens and Carmella Barone for the proposed, 311 North Main Street, Bed and Breakfast, and later read another Letter of Support from Barbera Burris Beers for said Bed and Breakfast.
- Read a letter from the Evans Brant Chamber of Commerce announcing their “Poinsettia Sale” at \$9.00 each through Bella Terra Greenhouse. The letter also asks for nominees for the “Citizen of the Year” program.
- Read a press release from Joseph Catalano of the VFW Post 928 awarding a donation to the Angola Volunteer Fire Department in the amount of \$1,000 to aid the fire department for maintenance of their equipment. This donation was money raised through their Friday night fish fry dinners at the Post.

Trustee Houston reported the following:

- The Village received a copy of the State Wide Publication of a NYCOM bulletin that has a picture of Mayor Frawley as the title reads “NYCOM SUPPORTS ERIE COUNTY VILLAGES” and congratulated the Mayor for his efforts.
- Read a flyer received from Most Precious Blood Church announcing a Christmas Concert on December 14 at 3:00.
- The Park and Gazebo Committee and the Lakeshore Association of Christian Churches is hosting Community Christmas Caroling at the gazebo on Tuesday December 16 at 7:00PM. There will be a brass band group from the High School lead by band instructor Mr. Blodget, to perform for this event.
- Announced the ribbon cutting for the Senior Housing on Sowles Road in Hamburg that was in a recent brochure from People Inc..

Trustee DeJohn reported the following:

- Reported on an article posted by Barbera Vanepps, Deputy Director in the NYCOM Bulletin regarding Tough Fiscal Times and things a local government can do to improve their fiscal stability while still providing essential services to the residents. Mentioned some of the ideas reported such as *shared services; eliminating ineffective services; adjusting fines; sell/rent surplus property; reduce workforce costs; electronic banking; reduce energy costs, improve efficiency of water system; eliminate discretionary spending*. Commented that this is why last month happened. She has been calling NYCOM and keeping up on this. This was part of the fall training school.

DEPARTMENT HEADS COMMITTEE REPORTS:**TRUSTEE HOUSTON**

- Reported that he finalized and notarized the “Tree Agreement” between the Village and Charity Vogel/Todd Pingitore, and it is on file.
- Said that he and Account Clerk Christine Mittner have supplied information to the Hamburg Sun as per their request regarding the Memorial Trees and Marker Stones that was added along Main Street this year. The Sun will soon be putting in an article regarding this project.
- Followed up with National Grid regarding a study for additional street lights on Railroad Avenue.
- The Town of Evans Economic Advisory Group has discussed some sort of an incentive program regarding assessment value on the homes of people who do needed improvements. Filed a copy of the minutes to the clerk.
- The Southwons Community Enhancement Coalition meets each month and is working on an Agri-Business program.
- Reported he attended the NEST meeting in Orchard Park, they discussed a recycling program for plastic. Also, stated that NEST’s report on finances noted that the Town of Orchard Park is handling their finances through their Trust and Agency Fund.
- Reported that Mayor Frawley asked the Account Clerk Christine Mittner to research past Board members for a project he is working on for the Village. Trustee Houston stated that he found it interesting to see that his grandfather, who he never had the chance to meet, (passed away prior to his birth) George Seeley, was a Village of Angola Trustee in 1917 and 1918.
- Announced a fundraiser the “Friends of the Village” is having. They are holding a raffle for a lap quilt that was made and donated by the Lake Shore School Teachers.

TRUSTEE DEJOHN –

- Reported that all are aware of President Bush and President- Elect Obama declaring that we are in a recession, and reported that after reading through the NYCOM book she reported that NYCOM is requesting all to send a letter to the Governor regarding AIM and to fight for our state aid.
- Read something that she wrote in regard to the poor decisions the board has been making regarding meeting actions and spending. She announced how all are effected by today’s

financial challenges. She stated that she and Trustee Tubinis worked hard with Mayor Frawley to cut taxes in the last budget by \$6.02. Stated that she and Trustee Tubinis have voted against spending several times and have been out-voted. We have to define what an emergency is. We need to build up our reserve fund. She also stated that because of the mixed age group of the Board, there is so much to offer as a whole, yet some are not heard. She said that when she listened to the tape of the last board meeting, she was shocked at the way a department head spoke to one of the Trustees. She stated that she as well as others can make mistakes and she publicly apologizes when she does. She also stated that she feels this board has to put differences aside and work together, by listening and calling NYCOM when we need to, and also work together in being the lawmakers and decision makers that our constituents expect from us.

TRUSTEE WILSON –

- Reported that the Fire Department had a call Saturday night with the ladder truck. It was a barn fire in the Town of Brant, one of our past part-time police officers. Some cows were lost, but the Fire Department did a great job in very cold weather and the Ladder Truck was used for the first time and proved its worth.

Mayor Frawley thanked the fire department as well.

TRUSTEE TUBINIS:

- Reported that she would like an amendment to the November 10th board meeting. She said she wanted to have some of her concerns at the last board meeting put into the minutes.
- The Clerk-Treasurer Linda Giancarlo informed Trustee Tubinis that the meeting minutes were already approved at the beginning of the meeting, but she could include her concerns in the minutes pertaining to this meeting.
- Trustee Tubinis stated that she was told a \$30,000 figure for the Lake Street/Erie Road water repair project and stated that on the tape of the meeting, someone else on the board said he heard the same thing.
- Trustee Wilson stated that he never said that he also heard it was \$30,000 and what he was trying to do was explain to Trustee Tubinis that it was not possible that this project would be \$30,000. They agreed to listen to the tape together after the meeting.
- Trustee Tubinis stated that she wants the following included for this meeting:
 1. She was concerned on the overtime for the water break project
 2. She stated her concern that if it was such a safety hazard why did the crew work from 7-1 the next day anyways.
- The Clerk reported that she was asked by Trustee Tubinis to amend the minutes a few days prior to the board meeting, but the Clerk requested that Trustee Tubinis read the NYCOM handbook in regards to “minutes” and she can address it at the board meeting when we ask for approval of the minutes.

Mayor Frawley thanked Trustee Tubinis for her work in getting the NFTA Park and Ride here in the Village and thanked DPW Crew Chief Kaminski for meeting with NFTA Officials.

Trustee DeJohn reported that for the first time, that she is aware of, in the history of the “Association of Erie County Governments” a Mayor has been elected as president.

That Mayor being Mayor Frawley. The Board and attendees congratulated Mayor Frawley.

Mayor Frawley thanked all in attendance and reported that he will be sworn in on January 22, 2009 at Romanellos.

7:30 PUBLIC HEARING-SENIOR HOUSING

CLERK READ NOTICE: PLEASE TAKE NOTICE that an application was presented to the Village Board of the Village of Angola on the 10th day November, 2008 to approve a site plan and special use permit from People Incorporated, for construction of a 30-unit Senior Housing Facility on 2.25+ acres at 174 North Main Street, in the Village of Angola.

PLEASE TAKE FURTHER NOTICE that pursuant to Article 21 of the Village Law, a public hearing will be held on aforesaid application before the Board of Trustees of the Village of Angola, New York, at the Village Hall, 41 Commercial Street, Angola, New York, at 7:30PM on the 8th day of December, 2008.

Mayor Frawley opened the floor for discussion.

Attorney Yusick explained: this matter has been before both the Planning Board and the Zoning Board of Appeals, the Zoning Board approved requisite variances as to the size of the parcel. The Planning Board held 2 meetings. They had some issues and wanted it brought to the attention of the Village Engineer. The engineer reviewed and commented on the site plan. Also some public matters were addressed, such as a sidewalk and lighting and all have been taken care of. With all of these issues taken care of, the Planning Board approved the site plan and recommended the approval of the Village Board for the special use permit for senior housing, as local law requires. It is the Village Boards authority to approve the special use permit and the site plan and by law a public hearing is required, and the public hearing also satisfies the SEQRA requirements as to input. However, the County has been notified and the 30 days the county has to respond is not up until the 15th so the Board cannot vote until this time has expired. The Village recently received a letter from the County raising 2 issues, which apparently have already been/or will be addressed. Attorney Yusick recommends a meeting on December 17th to vote on this.

Mr. William Long - Architect for People Inc. introduced a display of the layout of the site and a picture of the unit to the attendees. He described the layout features and the concerns that were addressed regarding screening, the lighting and a walkway. It will be a 2-story building of brick and vinyl siding.

Mayor Frawley: reported the similarity to the Senior Housing unit on Sowles Road in Hamburg.

Trustee DeJohn: reported her gratitude that the senior housing is finally happening, it was a promise she made to her father, years ago, who has since passed.

Trustee Tubinis asked about maintenance of the property- People Inc reported they take care of all maintenance of their property as well as sidewalks,

Barbara Catalano- asked how many parking spaces are available. - People Inc reported there are 30 parking spaces available.

Attorney Yusick stated that someone raised an issue regarding the parking spaces.

Barbara Catalano-asked if there was a community room- People Inc reported yes and that the site is locked and usually it is used by residents or their family, to keep the safety of the residents in mind at all times.

Rhonda Fredericks - People Inc. reported the income guidelines as \$21,300 annually (1 person). She also stated that they have over 30 people on the preliminary waiting list already for this site. Rhonda then explained the application process. They are hoping to break ground in January, it is a 10-month project, and hopes to be renting out the units 1-year from today. They will have a live in caretaker who is responsible for the site. A local resident is preferred and they get an apartment and utilities in exchange for their caretaker services.

A manager will also be hired part-time to take care of all activities and renting the building, doing paperwork, maintaining the building and being a part of the community. There may be a chance that HUD will not be funding a vehicle for the site for social activities. They also encourage units to come together for activities. It is an independent living arrangement and all activities are available if you want to get involved. Rhonda also supplied some paperwork with income guidelines and a small brochure to hand out.

The board commented the wonderful work of People Inc.

Trustee Houston reported on his visit to a few of the sites and the nice comments from the tenants.

MOTION TO CLOSE PUBLIC HEARING FOR SENIOR HOUSING AND OPEN PUBLIC HEARING # 2 FOR THE BED AND BREAKFAST MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE DEJOHN

7:45 PUBLIC HEARING SPECIAL USE PERMIT, BED AND BREAKFAST

CLERK READ NOTICE: PLEASE TAKE NOTICE that An application for a special use permit was presented to the Village Board of the Village of Angola on the 24th day of November, 2008 to

approve a site plan and special use permit from Rebecca Baxter and Marcy MacLeod to open a Bed and Breakfast facility at 311 North Main Street in the Village of Angola.

PLEASE TAKE FURTHER NOTICE that a public hearing will be held on aforesaid application before the Board of Trustees of the Village of Angola, New York at Village Hall, 41 Commercial Street, Angola, New York, at 7:45 PM on the 8th day of December, 2008,

Mayor Frawley opened the floor for discussion:

Tim Dybdahl- asked how the rental occupancy law applies for the Bed and Breakfast?

Code Enforcement Officer Chuck LaBarbera and Trustee Houston – replied it applies, and there has been a new local law adopted last year that specifically applies to Bed and Breakfast which references the rental law.

Tim Dybdahl reported that he is all for the Bed and Breakfast but asked that they be friendly neighbors and clean up the back of their property.

Ms MacLeod and Ms Baxter stated that they were unaware of any debris in their yard.

Mrs. Frances Dybdahl- stated they have tires and junk in the back of their property which backs up to their yard and also wanted to know what they plan on doing with the pool.

The board interrupted their dispute and asked that they direct their discussion to the board and not to each other.

Mrs. Dybdahl asked if they were going to be inspected for fire prevention such as smoke detectors.

CEO LaBarbera reported that they have been in compliance and up to code requirements with all.

Trustee DeJohn commended Ms. Baxter and Ms. MacLeod for their hard work and determination on the bed and breakfast project.

Mayor Frawley stated that he has already received responses from area business that plan on making use of the Bed and Breakfast facility. He wished Ms MacLeod and Ms Baxter the best of luck.

Trustee Houston agreed that this is something that has been needed for a long time in the community and commended their efforts.

No more comments were made.

**MOTION TO CLOSE PUBLIC HEARING AND OPEN REGULAR BOARD MEETING
MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE DEJOHN
UNANIMOUSLY CARRIED**

Resolution #1 APPROVE BED AND BREAKFAST

RESOLVED that the application for a special use permit and site plan approval for use of 311 North Main Street in the Village of Angola as a Bed and Breakfast is hereby approved.

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

DEPARTMENT HEADS COMMITTEE REPORTS CONTINUED:

MAYOR FRAWLEY – reported the following

- The Façade program, offered through Economic Development of Erie County, has been started in the Village, but because of the recession issues and timing issues, he is going to ask the County for an Extension. Currently the interested owners need \$750.00 to deposit towards this program by December 15, and he has heard from those interested business owners, of the tough financial issues they are currently facing. He will follow up with the County for an extension.

Trustee DeJohn reported that during our workshop with the businesses and the county there was a discussion regarding working out a payment plan for this deposit.

MAYOR FRAWLEY Continued

- Distressed property task force has broken into four groups, working together with Assemblyman Hoyt regarding land banking. Also working on a plan where municipalities can purchase and sell the distressed properties and working on a resolution to Restore Erie County, to reclaim properties. These plans will include working with the assessors in assessing properties for their current worth. Asking Buffalo Mayor Byron Brown to get involved

- Stop the Tax Shift, a program through NYCOM has been up and running online to involve residents and public officials on mandates and legislative decisions happening in Albany.
- While at the executive session with NYCOM, he received a good response from downstate Mayors regarding the Task Force. They also discussed many other programs that NYCOM is offering.
- Was able to speak to the Niagara Power Authority in regards to the Goya expansion, hoping to get some per kilowatt power savings for Goya, because of the money they are putting in the State, and in the Village.
- Announced a quarterly newsletter he is getting started in January 2009 for the Village.
- Congratulated Trustee William Houston for his hard work on obtaining a green arrow at the traffic light on the corner of Eden-Evans Center Road and Rt. 20. It was suggested that the Village and the Town of Evans request an arrow for the other (east) side of the signal and ask that the arrows be active all the time, not just in the morning.

ATTORNEY YUSICK-

- 39 South Main- working on deed stamp issues.
- Sale of Water Plant- DEC Attorney for the sale of the water plant is waiting for approval from the Attorney General's office. Talked with the buyer, Paul Erickson, and he is ready to close.

POLICE- excused

Trustee DeJohn- asked for permission to take the time out to thank Allied Waste for the tremendous job they are doing in the Village.

Mayor Frawley mentioned some problems with Allied Waste as well, which have been resolved, and laughed that he was called out in his PJ's to investigate an issue as to the weight of a rubbish container.

After discussion- the Board agreed to send Allied Waste a letter of thanks, **MOTION OFFERED BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED.**

GENERAL CREW CHIEF –

- Completed the Railroad Avenue turn around, but was informed by a resident that the school has not been using it. He has contacted the school to inform them that the turnaround is done.

Trustee DeJohn – suggested to contact the Chief of Police and ask them to contact the school. She is concerned for the safety of the children that are being made to walk in an area where a sex offender resides.

Trustee Tubinis- reported a concern in the DPW line for asphalt, and asked for an explanation of the two lines that are in question. The DPW Crew Chief and the Village Clerk informed her that one is the regular asphalt line and one is the CHIPS line. The DPW will apply for CHIPS funding to cover the CHIPS line, as he does annually.

- Planning on storm drain projects on Lake Street and one on Henry & N. Main. Waiting for the weather to be clear for about 2-3 days.

FIRE COMMISSIONERS –

Lynne Kaminski-

- Reported that the High School Band would like to move the can and bottle drive to January 10th 2009. **MOTION TO APPROVE THE CAN AND BOTTLE DRIVE FOR THE LAKE SHORE CENTRAL HIGH SCHOOL BAND MADE BY TRUSTEE HOUSTON, WITH THE UNDERSTANDING THAT THE SCHOOL BE CONTACTED AND HAVE A N INSURANCE CERTIFICATE NAMING THE VILLAGE AS AN ADDITIONAL INSURED, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**
- Mentioned “Christmas in the Village” will be celebrated on Saturday, December 13 and feels the board should commend Debi Wilson and Joanne Houston for their hard work putting the festivities together. The board will see that the helpers all get thank you letters, they asked the clerk to send a thank you to the following.

Joanne Houston, Debi Wilson, OFAC, Jim Bachert and the girl scouts, Becky Leone, Lee Widmer Wick, Dan's Restaurant and Whistle Stop.

- Announced the 50-year member dinner this Sunday, Dec 14, at the Colony House Restaurant. Honoring three 50-year members of the Angola Volunteer Fire Department; William Houston, Jack Heinrich and Richard Carlson.

Robert Beck-

Reported that the ladder truck was called out Saturday and everything went well. They lost a couple of pieces of equipment and he will get a report to the clerk, all were very pleased with the performance of the ladder truck.

CODE ENFORCEMENT – Charles LaBarbera - No Report:

- Trustee Houston thanked Charles LaBarbera for his hard work with the Bed and Breakfast and the Senior Housing projects.
- Trustee DeJohn also thanked him for his service to the residents.
- Trustee Houston asked for a follow up the vacant Franklin Street house. Mr. LaBarbera reported that the house has been sold and is again being worked on by the new owners.

PLANNING – ABSENT –

ZONING – Chairman Paul Cooper reported

- Thanked Trustee Houston and Chuck LaBarbera for their assistance and advise during the variance process for People Inc. for the senior housing project.

CLERK-TREASURER – No Report

OLD BUSINESS:

1. Sale of Water Plant-discussed
2. Thruway Water- discussed
3. Senior Housing-discussed
4. Intercontinental Building-discussed
5. Letter to Town/Veterans Exemption-still waiting to hear from the Town Assessors Office in regard to what effect the exemptions will have on the village. The Clerk reported that she met with the assessor and was able to clear up a few things, but the Assessor was going to send her the exemption amounts of the Town. The clerk has not received them yet. The Board shared their disappointment on the lengthy responses from the Assessor regarding these figures. The Clerk stated that it is hard for the Assessor to give us exact figures because things change constantly.
6. NFTA Bus Shelter-Mayor Frawley again thanked Trustee Tubinis for her work on this project.
REMOVE
7. Library addition-Trustee Tubinis reported that they are researching grant opportunities
8. Railroad Ave Streetlight Study-pending a report from National Grid.
9. Railroad Ave Turn around-discussed finished- REMOVE

NEW BUSINESS:

1. Overtime - Trustee DeJohn reported that she is concerned with the status of the coming state budget, and expressed her concerns of finding ways to save the budget lines. Addressing DPW overtime, she feels that we need to either work with the Town, hire seasonal employees, and use better judgment where emergencies are concerned. We need to make the budget work and just because its there does not mean we have to spend it.
2. Trustee Tubinis shared Trustee DeJohn's concerns.
3. Trustee Houston mentioned that we started moving in the right direction when negotiating the DPW union contract to include a share of medical expenses be covered by the employees.

MAYOR FRAWLEY reported that Lori Szewczyk, of the Town of Evans, is looking for the support of the Village Board in applying for an environmental study on some of the vacant and abandoned properties located in the Town and Village. This would be a phase1 and phase 2, site assessment study,

and the Town would act as lead agency in applying for the study grant. This will be a first step in removing the obstacles that are keeping these properties from potential buyers. The Emblem and the Duriron properties are under consideration for this project.

Attorney Yusick- reported that Lori Szewczyk is not ready for the resolution yet. He will review the legalities, talk with the town, and inform the board.

RESOLUTIONS OFFERED DECEMBER 8, 2008

#2 APPROVE WATER SHUT OFF

RESOLVED that the Angola Village Board does hereby authorize the water clerk to issue water shut-offs per the attached list of delinquent water accounts unless paid in full by Monday December 15th, by 10AM. 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 \$13,158.39. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**

#3 APPROVE BUYBACK OF SICK DAYS

RESOLVED that the Village of Angola Board of Trustees does hereby authorize the following Sick Day Buy-Backs for sick days in excess of 150 days at ½ time as per union contract:

A5010.1.2 \$1,837.60 or 19.25 days over 150 @ 50%

A5110.1.2 \$1,138.20 or 15 days over 150 @ 50%

For a total amount of: \$2,975.80 MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED

#4 APPROVE ASSEMBLAGE APPLICATION FOR CENTENNIAL PARK

RESOLVED that the Village Board hereby approves the application from the “Angola Parks and Gazebo Committee” to assemble a “Community Christmas Carol Singing” for Tuesday, December 16, 2008 at 7:00-8PM, all local enforcement agencies will be notified.

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

#5 APPROVE PENFLEX SERVICE FEE and AGREEMENT

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 2008/2009 Penflex Service Fee Agreement and approve payment to Penflex in the amount of \$1,850.00. **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

PRIOR TO NEXT RESOLUTION: Trustee Tubinis questioned this increase-she stated that the Clerk sent a memo to the board on this increase and the board was suppose to discuss this at tonight’s workshop and said that this is the practice of this board and she would like to be informed to review and discuss these things well before the decision is to be made. Took offense that she is not made aware of these expenses prior to resolutions being put on the agenda.

Clerk Giancarlo informed her that the board was given the memo and all the figures a month ago, and if she had any concerns or questions she could have asked during the workshop, there was 20 minutes left, or open for discussion now. She said that 3 Trustees have already informed her that they do not want any changes to the senior coverage.

#6 ACCEPT RATE INCREASE FOR SENIOR BLUE

BE IT RESOLVED that the Village Board hereby approves the monthly rate increase from \$159.30 to \$197.90 for the Senior Blue medical coverage for 11 senior retirees and authorizes the Village Clerk-Treasurer to sign and accept said rate increase with no changes to current coverage for said retirees.

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

#7 APPROVE AFLAC INSURANCE OPTION FOR VILLAGE EMPLOYEES

WHEREAS the Village Board has been notified that some Village employees would like the option of purchasing insurance coverage through AFLAC Insurance through payroll deductions starting in December 2008, and

WHEREAS the purchasing of said insurance is strictly on a volunteer bases of said employee and has no effect other than an additional administration duty, now

THEREFORE BE IT RESOLVED, the Village Board hereby authorizes all employees to have the option of purchasing ALFAC Insurance through a payroll deduction, and requests that any employee wishing to decline purchasing said AFLAC Insurance is required to fill out a waiver offered through AFLAC. **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#8 APPROVE TRANSFER FROM CONTINGENCY FOR CODE BOOK UPDATES

WHEREAS the Village of Angola has updated the new Code Book for the Village through General Code and has since filed several new laws to be included in to the new code book, now

THEREFORE BE IT RESOLVED, that the Village Board approves the Village Clerk to create account A1670.4.4 CODE BOOK UPDATES, and transfer \$3,500.00 from the contingency account #A1990.4 to A1670.4.4 Code Book Updates. **MOTION MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**

#9 APPROVE LOCAL GOVERNMENT EFFICIENCY GRANT

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) coordinates the activities of the Western New York Stormwater Coalition (WNYSC); and

WHEREAS, the ECDEP has assumed the role of lead agency and has pursued grant funding to support the work of the WNYSC since its inception; and

WHEREAS, the Village of Angola is a member of the WNYSC; and

WHEREAS, the New York State Department of State solicited applications for projects that target shared services through it 2008-2009 Local Government Efficiency Grant Program; and

WHEREAS, the ECDEP, in cooperation with the WNYSC, has prepared a grant application for an Outfall Inspection and Illicit Discharge Track Down Project Proposal; and

WHEREAS, the required local match of 10% will be provided by the WNYSC members' annual membership fees; and

WHEREAS, the Co-Applicants to this application are the members of the WNYSC: Village of Alden, Town of Alden, Town of Amherst, Village of Angola, Town of Aurora, Village of Blasdell, Town of Boston, Buffalo Sewer Authority, Town of Cheektowaga, Town of Clarence, Village of Depew, Village of East Aurora, Town of Eden, Town of Elma, Town of Evans, Town of Grand Island, Town of Hamburg, Village of Hamburg, Village of Kenmore, City of Lackawanna, Village of Lancaster, Town of Lancaster, Village of Orchard Park, Town of Orchard Park, Village of Sloan, City of Tonawanda, Town of Tonawanda, Town of West Seneca, Village of Williamsville, Town of Cambria, Village of Lewiston, Town of Lewiston, Town of Niagara, Niagara Falls Water Board, City of North Tonawanda, Town of Pendleton, Town of Porter, Town of Wheatfield, Village of Youngstown, County of Erie,

County of Erie - Sewer District #6, County of Niagara, Buffalo and Fort Erie Peace Bridge Authority, State University of New York at Buffalo; and

NOW, THEREFORE BE IT RESOLVED, the **Village of Angola** authorizes the ECDEP to submit an application to the Local Government Efficiency Grant Program for the 2008-2009 funding year; and be it further

RESOLVED, that Chris Collins, Erie County Executive is the Lead Applicant Contact Person and is authorized to execute all financial and/or administrative processes relating to the grant program; and be it further

RESOLVED, that the required local match of 10% to be provided by the **Village of Angola** will come from its membership in the WNYSC and the annual membership fee it pays; and

RESOLVED, that upon approval of said grant request, the **Village of Angola** will enter into an Inter-municipal Agreement, where the shared services of the proposed project are listed in detail, with the co-applicants. **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

Mayor Frawley asked Attorney Yusick to prepare a resolution for the Rockefeller Parking area. Attorney Yusick reported that he has minor adjustments to make on the description, it is a technical issue, he will work on it.

AUDIT OF BILLS – MOTION MADE TO APPROVE THE BILLS BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED MOTION APPROVING THE FOLLOWING: General Fund Abstract #011, Checks #6649 to #6661 in the total amount of \$21,623.17 and General Fund Abstract #012, Checks #6662 to #6723 in the total amount of \$88,852.92 and plus Payroll #24 & #25; Water Fund Abstract #011, Checks #1704 to #1708 in the total amount of \$1,253.51 and Water Fund Abstract #012, Checks #1709 to #1724 in the total amount of \$54,975.46 plus Water Payroll #24 & #25.

ADJOURN to December 17 special meeting at 6:00PM and the next regularly scheduled Board meeting January 12, 2009 at 7:00PM.

MOTION TO ADJOURN MADE BY TRUSTEE TUBINIS, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED, MEETING ADJOURNED AT 9:20PM

Mayor Frawley extended a Happy Holidays to all and Trustee Houston stated that the December 7 was the 67th anniversary of Pearl Harbour

Submitted By

**Linda Giancarlo
Village Clerk-Treasurer**