

**MEETING MINUTES**  
**Village of Angola Board Meeting**  
**Special Meeting**  
**Wednesday, December 17, 2008 – 6:00 P.M**

At a Special 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 17, 2008 at 6:00 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; Rhonda Frederick of People Inc..

**GUESTS:** No Guests

CALL MEETING TO ORDER at 6:02 MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE HOUSTON UNANIMOUSLY CARRIED

**Resolution #1 Approve negative Declaration for Senior Housing**

**WHEREAS**, the Village Board of Trustees of the Village of Angola previously stated its intention to act as lead agency pursuant to the State Environmental Quality Review Act (SEQRA) in conducting a review of the proposed construction of a 30 Unit Senior Living Facility in the Village (the "Project");

**WHEREAS**, the Village Board of Trustees of the Village of Angola previously provided notices to other interested agencies regarding its intention to so act as lead agency and no such agencies objected;

**WHEREAS**, the Village Board of Trustees of the Village of Angola has considered the Project and is conducting its review of the Project pursuant to SEQRA; and

**WHEREAS**, the Village Board of the Village of Angola has duly considered the Full Environmental Assessment Form, the proposed Project in its entirety, and the criteria for determining significance set forth in 6NYCRR § 617.7(c) of the SEQRA regulations, the comments made at the public hearing, and such other information deemed appropriate; and

**WHEREAS**, the Village Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination

**NOW THEREFORE BE IT RESOLVED** by the Village Board of the Village of Angola as follows:

1. The Village Board declares itself to be the lead agency pursuant to SEQRA in conducting a review of the Project
2. The Village Board declares that the Project will not result in any large and important impacts, and therefore, the approval of the Project does not include the potential for any significant adverse environmental impacts. Accordingly, the Village Board issues the attached negative declaration under SEQRA for the Project
3. The reasons for the decision are stated in the attached negative declaration,
4. This resolution shall be effective immediately.

**Attorney Yusick** reviewed the negative declaration pertaining to this project, and a change in the drainage plans for the senior housing, this is at the expense of People Inc. The original plans showed there was an existing 12” line, instead the county has informed them it is an 8” line, so the drainage plans will go from an above ground retention system to an

underground drainage system, which is actually better for the Village because there will be no standing water.

**Trustee DeJohn** asked if this was supposed to be approved by the planning board. She does not want anything to come back on the board.

**Attorney Yusick** stated that this was an engineering issue not a site plan issue. He also stated that the Planning Board already approved a less sophisticated drainage system. It is actually an improvement. The layout will even be better.

**Trustee Wilson** stated that these underground drainage systems are more efficient, and will not allow standing water which could cause mosquito issues.

**Mayor Frawley** reported on a letter from Code Enforcement Officer Chuck LaBarbera regarding this change in drainage, requesting the senior housing not be stalled, stated that this is a win win situation for the Village.

**MOTION TO APPROVE NEGATIVE DECLARATION FOR SENIOR HOUSING MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

### **Resolution #2 Approve Special Use Permit For Senior Housing**

**WHEREAS**, People's Inc./Holly Housing Corp. has filed an application for site plan approval and special use permit approval for approximately 2.25 Acres at 174 N. Main Street, and

**WHEREAS**, the Village of Angola Zoning Board of Appeals has approved all variances necessary for said project, and

**WHEREAS**, the Village of Angola Planning Board has approved the site plan and has approved the application for special use permit, and

**WHEREAS**, the Village Board has been designated lead agency pursuant to SEQR, and

**WHEREAS**, as part of the SEQR process, the Department of Environment and Planning and the State DEC has been notified, and

**WHEREAS**, the Department of Environment and Planning of the County of Erie has made comments which have been addressed by the applicant, and

**WHEREAS**, a negative declaration has been issued by the Village Board, and

**WHEREAS**, public hearing has been held regarding said applications, and

**WHEREAS**, public comment has been noted and received.

**NOW, THEREFORE, BE IT RESOLVED** that the site plan as approved by the Village of Angola Planning Board is hereby approved. That the application for a special use permit to use said Premises for the purposes of a 30 Unit Senior Independent Housing facility is approved. That such approvals are subject to the Applicant's compliance with all State and County requirements. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED**

Rhonda Frederick stated that People Inc is applying for additional money from Erie County and asked if Mayor Frawley could offer a support letter from the Village. Mayor Frawley had no objection, and will put one together tomorrow.

### **Resolution #3 Approve Parking for Rockefeller**

**WHEREAS**, the Village of Angola has engaged in a tourism initiative to enhance the economy of the village, and

**WHEREAS**, the Village of Angola was the site of a historically significant train accident in 1867 known as the "Angola Horror", and

**WHEREAS**, John D. Rockefeller was scheduled to be on the train which wrecked, and

**WHEREAS**, he issued a historically significant wire from the Village of Angola regarding the train mishap, and

**WHEREAS**, the Village of Angola railroad passenger depot at the time of the accident was located on Commercial Street in the Village of Angola, and

**WHEREAS**, it is in the interest of the community to discontinue the use of that portion of Commercial St. as a street and parking area, for future development as a historical site, and **WHEREAS**, a Public Hearing has been held.

**NOW, THEREFORE, BE IT RESOLVED:**

That a .03 acre portion of Commercial Street which is presently used for parking and is more particularly described by the attached Schedule A, is no longer needed as a public thoroughfare and that portion of Commercial Street described by the attached Schedule A is hereby discontinued as a public street. **MOTION MADE BY TRUSTEE DEJOHN, SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED**

#### **#4 Approve letter to Assessor for Garbage Unit Count**

**WHEREAS**, it has come to the Board's attention that the Assessor has made determinations regarding the addition or removal of garbage units, and

**WHEREAS**, such determination is the sole responsibility of the Village of Angola Board, **NOW BE IT RESOLVED** that Mayor Howard Frawley is hereby directed to execute and forward the attached letter to the Assessor affirming that the Village Board has the sole authority to make such determinations and

**BE IT FURTHER RESOLVED**, that the Village Board advises the Assessor to remove Time Warner SBL #555.00-13-1 from the Village Tax Roll, and

**BE IT FURTHER RESOLVED** the Village Board requests the advise of the Assessor as to the effect of Cold War Exemptions if approved by the Board. **MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE TUBINIS, UNANIMOUSLY CARRIED**

**The Clerk** asked the Board if something can be done to notify residents about the house numbering law-as per Samuel Mogavero's request at a recent board meeting, such as an ad in the pennysaver. The Board suggested the explorers perform a survey and we can follow up with a letter or see if we can add a one-line info on the water cards.

**Mayor Frawley** reported there will be a meeting with Mr. Drago from Goya tomorrow at 9:30 regarding the water-line testing

**Trustee Wilson** requested the clerk make a Walmart file for the office, as he distributed a Walmart CD and paperwork from Bergmann Associates to the Clerk.

**Trustee DeJohn** question whether the Engineer would be responsible for the South Main Street waterline break because it was part of the waterline project 2 years ago. Trustee Houston mentioned that the break was at a different spot near where they connected, but it would be worth looking into.

**Motion to Adjourn** to the next regular board meeting on January 12 at 7:00 PM with a workshop at 6:30PM **MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED MEETING ADJOURNED AT 6:40**

Submitted by

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Linda Giancarlo  
Village Clerk-Treasurer