

MINUTES
Village of Angola Special Meeting
Friday December 28, 2007 – 5:00 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 28, 2007 at 5:00 PM, there were

PRESENT: Mayor - Howard Frawley; Trustees – William Houston, John Wilson and James Carlson, excused was Trustee DeJohn **ALSO PRESENT:** Linda Giancarlo-Village Clerk; Andrew Yusick-Attorney; Christine Mittner-Part-Time Clerk

GUESTS: No guests in attendance

MEETING CALLED TO ORDER at 5:00PM, Motion made by Trustee Carlson, Seconded by Trustee Wilson.

RESOLUTIONS OFFERED FOR DECEMBER 28, 2007

#1 Approve SEORA for LL#4-2007 and LL# 5-2007

WHEREAS, the Proposed Local Law #4 for the Year 2007, entitled “Stormwater Management” and Proposed Local Law #5 for the Year 2007 entitled “Storm Sewers”, copies of which are attached hereto, have been presented to the Village Board of Trustees, and

WHEREAS, a short form environmental assessment form has been filed and a public hearing held, and

WHEREAS, the Village Board of Trustees is the Lead Agency for purposes of SEQRA.

NOW THEREFORE, BE IT RESOLVED, that a Negative Declaration pursuant to the State Environmental Quality Review Act be issued for the adoption of Local Law #4 and LL#5 for the year 2007, Said Negative Declaration and the reasons therefore are hereby attached **MOTION MADE BY TRUSTEE HOUSTON, SECONDED BY TRUSTEE CARLSON, UNANIMOUSLY CARRIED**

#2 ADOPT LL#4-2007

WHEREAS, Proposed Local Law #4 for the Year 2007, entitled “Stormwater Management” has been presented to the Village Board of Trustees, and

WHEREAS, the Village Board of Trustees is lead agency pursuant to the State Environmental Quality Review Act, and

WHEREAS, a short form environmental assessment form has been filed, and

WHEREAS, a Negative Declaration pursuant to the State Environmental Quality review Act has been issued, and

WHEREAS, the Village of Angola Planning Board has reviewed and approved the Local Law, and

WHEREAS, the Local law is entitled “Stormwater Management” and amends Chapter 30, Chapter 31, Chapter 38 and Chapter 48 pf the Code of the Village of Angola by adding a new Chapter 40 entitled “Stormwater Management” and

WHEREAS, notices of said Local Law have been delivered to the Town of Evans and County of Erie pursuant to the General Municipal Law and no comments or objections have been received.

NOW THEREFORE, BE IT RESOLVED, that the proposed Local Law #4, for the year 2007 amending Chapter 30, Chapter 31, Chapter 38 and Chapter 48 of the Code of the Village of Angola by adding Chapter 40 entitled “Stormwater Management: which is attached hereto is hereby is hereby adopted as Local Law #4 for the year 2007. **MOTION MADE BY TRUSTEE CARLSON, SECONDED BY TRUSTEE HOUSTON, UNANIMOUSLY CARRIED**

#3 ADOPT LL#5-2007

WHEREAS, Proposed Local Law #5 for the Year 2007, entitled “Storm Sewers” has been presented to the Village Board of Trustees, and

WHEREAS, the Village Board of Trustees is lead agency pursuant to the State Environmental Quality Review Act, and

WHEREAS, a short form environmental assessment form has been filed, and

WHEREAS, a Negative Declaration pursuant to the State Environmental Quality review Act has been issued, and

WHEREAS, the Village of Angola Planning Board has reviewed and approved the Local Law, and

WHEREAS, the Local Law is entitled “Storm Sewers” and amends Chapter 35 of the Code of the Village of Angola by adding a new Chapter 39 entitled “Storm Sewers” and

WHEREAS, notices of said Local Law have been delivered to the Town of Evans and County of Erie pursuant to the General Municipal Law and no comments or objections have been received.

NOW THEREFORE, BE IT RESOLVED, that the proposed Local Law #5, for the year 2007 amending Chapter 35, of the Code of the Village of Angola by adding Chapter 39 entitled “Storm Sewers” which is attached hereto is hereby is hereby adopted as Local Law #5 for the year 2007.

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

BUSINESS:

Nest: The Mayor asked Trustee Wilson how things are going as Treasurer of NEST. The Mayor questioned Trustee Wilson on the opening of an account under the Village’s name and using the Village Tax ID number. Trustee Wilson assured the Mayor that this is standard procedure with NEST and many Towns or Villages prior to his appointment did the same. However, there was a printing error on the Checks, they should have read NEST not Village of Angola and he has reordered them, he also stated that he will have the account removed from the Village banking area. The Mayor asked why he and the Clerk were not made aware of his opening of this account. The Mayor reported that the Clerk had just discovered the account when doing online banking for the Village. The Mayor felt this was something that he and the Clerk should have been made aware of. Trustee Wilson stated that the Clerk has nothing to do with the NEST account. The Village just acts as a holder of the money. Trustee Wilson stated that this has never been an issue with other municipalities and didn’t understand why it is an issue here. He also asked why the Clerk had to call everyone else instead of asking him. The Clerk replied, she knew nothing at all of the account, and if Trustee Wilson would have come to her and at least let her know what he was doing, she wouldn’t have called the Attorney or the Mayor on it. She stated that she wanted the Attorneys legal opinion before she called Trustee Wilson. The Clerk also stated that she is the Village Clerk-Treasurer and is responsible for all the banking records under the Village Tax ID#. The Mayor asked Trustee Wilson if he was doing the financial reports for NEST. Trustee Wilson said he and Michelle, the Deputy Clerk, work together on them. The Mayor expressed his concern of time that the Office is putting in on these reports. Trustee Wilson assured the Mayor that NEST only writes about three checks a year, and the work involved is very minimal. Mayor Frawley asked for the Board and Attorney comments. Trustee Carlson said he knew all about it and didn’t have a problem with it. Trustee Houston said he has been a representative of NEST for years but never had to deal with the Official side of it. Attorney Yusick says he sees no problem at this time as long as we do not handle collection for a third party, Attorney Yusick stated that he assumes because we are a part of NEST that it should not be an issue with the Comptrollers Office. We will wait and see what the Comptroller says.

Fire Department: Trustee Wilson is concerned of several Fire Department Issues. He is concerned of their finances. He thought the Village should look into running background checks. He spoke to many other Fire Companies and they do annual background checks on all firefighters. Attorney Yusick stated that this should be done for all employees of the Village as well as Fire Fighters, because it is a liability issue. There were past issues with the DPW as well. The Clerk mentioned that she submits an updated drivers list to the insurance Agency which lists all Fire department and DPW drivers and their Drivers License numbers. The Board asked her to contact the Insurance Company to see if they run background checks with this list. Trustee Wilson stated that his appointment as liaison for the Fire Department means nothing. There is no respect for officers and liaisons and this needs to be addressed. The Mayor assured Trustee Wilson that no matter what is authorized or not authorized as a Fire Department, has to come back to the Board for approval anyways. Trustee Wilson is also concerned that the appointment of a third Commissioner to fill James Davis's position has not been made. Attorney Yusick stated that the issues regarding Fire Department Commissioners, has been argued for many years. The Board has to determine what direction they want to go in regard to commissioners. He will put something together in this regard. Trustee Houston expressed his concern over the years, regarding the duties and the powers of commissioners. The Board agrees that they need to take serious control over the Fire Department and their spending habits and would also like to ask the fire company to give the Village Board an annual report in regard to the Fire Company accounts and cash balances. Feels that since they are an entity of the Village we should be aware of their financial status.

No other business discussed.

Motion to Adjourn to Regular Board Meeting January 7, 2008 7:30 P, with a Workshop at 6:30PM
Made by Trustee Carlson seconded by Trustee Wilson, Unanimously Carried. Meeting adjourned at 5:40PM