

Minutes
Village of Angola
Regular Board Meeting
Monday, October 18, 2021 6:00 P.M

At Regular meeting of the Village of Angola Board of Trustees held at Village Hall, 41 Commercial Street in Angola, New York, County of Erie on Monday, October 18, 2021 at 6:00PM, there were;

PRESENT: Mayor Thomas Whelan, Deputy Mayor Jason Renaldo, Trustees John Wilson, Valerie Stonitsch and John Dybowski and Nicole Milks- Clerk Treasurer, John Grennell - Village Attorney.

The PLEDGE OF ALLEGIANCE was led by Mayor Whelan

AUDIT OF BILLS was announced by the Mayor.

VISITORS: Stephanie Atzrott and James Atzrott spoke to advise they are opening a Yoga studio at 48 North Main Street at the end of month.

New Business:

- 1. Garbage Contract renewal-** Mayor Whelan read a proposal from Modern Garbage Company to extend their current contract for 6 years and also provide 1,100 95-gallon recycle carts with a bi-weekly pick up. A workshop will be held on 11/8 at 5:30 to discuss.
- 2. NYS Thruway Water Bill-** Mayor Whelan read a letter that requests to relieve the penalty amount of \$1,588.85 on the NYS Thruway Service Area water bill. The Village board agreed they will not relieve penalty.
- 3. Lake Street – Lake Shore Road Waterline Replacement -**Mayor Whelan advised he would like the Village Board to be cautious moving forward until it is confirmed how to fund the project. Trustee Wilson explained if the Village were to Bond the entire project the principle amount on a 30 year borrow would be \$60,000/ year. They would like to apply for grants and other programs for funding.

**6:15 PM Close Regular Meeting and
OPEN PUBLIC HEARING:**

Notice of Public Hearing
Notice to the Citizens of the
Village of Angola

A Public Hearing will be held on Monday, October 18, 2021 at 6:15 PM 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 15, 2021.

By Order of the Village Board
Nicole Milks
Village Clerk-Treasurer

COMMENTS: no comments

Mayor Whelan closed PUBLIC HEARING and reopened regular meeting

REPORTS

Code Enforcement- excused, typed report provided

Trustee Dybowski-no report

Trustee Stonitsch - reported that a gaga pit was donated to Herman Park by the Police Benevolent and has been installed. The library did not apply for the library grant therefore no roof repairs this year, she also confirmed with the Village Clerk that the Crew Chief will stripe the parking lines in the business district on Main Street.

Trustee Wilson - reported FallFest on Main Street sponsored by the Friends of the Village was successful, he also confirmed with the Mayor that the Village will do a tree lighting ceremony in December, and the DPW will hang Christmas decorations on Main Street. Trustee Wilson, on behalf of the Friends of the Village donated \$500 to Angola Fire Company.

Trustee Renaldo- no report

Mayor Whelan reported the results from the garbage company trial period: 15 residents were provided with 1 garbage tote and 1 recycle tote and most recommended to change over to recycle totes. The Mayor also appointed the following:

Fire Liaison – Jason Renaldo
Fire Commissioner -Todd Dybdahl

Crew Chief - excused (training) Mayor Whelan reported the F450 has been received and will be plated this week.

Fire Chief - detailed report was given by Ed Bluff, he also advised that the order for CB4's have been placed.

Police Chief- no report

Attorney - reported he spoke with Karen Erickson's attorney no resolution at this time. He also has been working with Hogg's Attorney on the Cradle Ave Easement.

Clerk Treasurer - reported the Treasurer Report has been provided to all board members and she attended the planning board meeting where the members discussed the survey results. They recommend incorporating a sculpture park into the Village and apply for Downtown Revitalization Grant next year.

Resolutions offered on October 18, 2021

#1 APPROVE CDBG RANKING

WHEREAS, the Village of Angola held a public hearing for the purpose of obtaining ideas from the Village residents for submission of grant funds through the Erie County Community development Block Grant Program that would best fit the Village residents, and

WHEREAS, all comments being heard and taken into consideration, the Village of Angola Board of Trustees agrees that the following project be submitted, and

BE IT RESOLVED that Mayor Thomas Whelan is hereby authorized to sign, submit, and execute a contract with Erie County Community Development Block Grant Program for the following 2021 Projects upon approval of Erie County CDBG:

1. Lake Street Sidewalks
2. Rural Transit Van Service

A motion was made by Trustee Wilson, seconded by Trustee Renaldo

Roll Call was made and all were in favor said AYE

Trustee Wilson, Trustee Renaldo, Trustee Stonitsch, Trustee Dybowski, and Mayor Whelan

#2 WINTER SALT USE AGREEMENT WITH LAKESHORE CENTRAL SCHOOL

BE IT RESOLVED, that the Village of Angola Board of Trustees authorized Mayor Whelan to enter into a 2021-2022 "Winter Salt Use Agreement" with Lake Shore Central School District, offering that the Village of Angola Department of Public Works will provide winter salt to the Lake Shore Central School District at a price of \$63.00 per loader/scoop.

A motion was made by Mayor Whelan, seconded by Trustee Stonitsch

Roll Call was made and all were in favor said AYE

Trustee Wilson, Trustee Renaldo, Trustee Stonitsch, Trustee Dybowski, and Mayor Whelan

#3 APPROVE 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, 2021 ending April 1, 2022, there will be no street parking from 12 AM Midnight to 7:00 AM, everyday including Sundays and Holidays. Streets cannot be plowed if cars are parked on the streets. Your cooperation is greatly appreciated.

A motion was made by Trustee Wilson, seconded by Trustee Stonitsch

Roll Call was made and all were in favor said AYE

Trustee Wilson, Trustee Renaldo, Trustee Stonitsch, Trustee Dybowski, and Mayor Whelan

#4 APPROVE NOTICE OF UNPAID TAXES TO COUNTY

BE IT RESOLVED, the Village of Angola Board of Trustees, hereby authorizes the Village Clerk to publish a "Notice of Unpaid Taxes", that states that any Village property taxes not paid by November 1, 2021 will be sent to Erie County Department of Taxation and Finance on November 2, 2021 for collection, a list will be provided to the Village Board.

A motion was made by Trustee Stonitsch seconded by Trustee Renaldo

Roll Call was made and all were in favor said AYE

Trustee Wilson, Trustee Renaldo, Trustee Stonitsch, Trustee Dybowski, and Mayor Whelan

#5 APPROVAL TO DISTRIBUTE FUNDS TO YOUTH ORGANIZATION

RESOLVED that the Village Board does hereby approve the Village Clerk to distribute the budgeted annual contribution from the general fund account code A7310.4 to the Village's youth organization as follows:

- a. Boys and Girls Club of Lakeshore \$500.00

A motion was made by Trustee Wilson, seconded by Trustee Dybowski

Roll Call was made and all were in favor said AYE

Trustee Wilson, Trustee Renaldo, Trustee Stonitsch, Trustee Dybowski, and Mayor Whelan

#6 APPROVE EASEMENT FOR CRADLE AVE

WHEREAS, the Hogg family is owner of a parcel on Cradle Avenue, and

WHEREAS, the Hogg family has requested an easement for the connection of the waterline to the newly built home on their premises on Cradle Avenue, and

BE IT RESOLVED: That the Mayor is hereby authorized to execute an easement agreement permitting the connection of the waterline to the parcel owned by the Hogg Family being approved by the Village Attorney.

A motion was made by Trustee Wilson, seconded by Trustee Dybowski

Roll Call was made and all were in favor said AYE

Trustee Wilson, Trustee Renaldo, Trustee Stonitsch, Trustee Dybowski, and Mayor Whelan

#7 APPROVE CLERK TREASURER TO SIGN AGREEMENT WITH FINANCIAL ADVISORS TO ASSIST IN WATERLINE REPLACEMENT PROJECT FUNDING

WHEREAS, the Village of Angola has received a proposal from Capital Markets and one from Municipal Solutions financial advisors to assist in bond and note financings for the waterline replacement project on Lake Shore Road and,

WHEREAS, there are specific requirements and regulations to prepare a financial plan when borrowing over a certain dollar amount, and

NOW THEREFORE BE IT RESOLVED, authorizes Nicole Milks, Clerk Treasurer to sign and execute the agreement with Municipal Solutions.

A motion was made by Trustee Wilson, seconded by Trustee Stonitsch

Roll Call was made and all were in favor said AYE

Trustee Wilson, Trustee Renaldo, Trustee Stonitsch, Trustee Dybowski, and Mayor Whelan

#8 APPROVE SURPLUS ITEMS

BE IT RESOLVED, that the Village of Angola Board of Trustees does hereby approve to declare surplus one Honda power washer, one Robin Generator, one Homelite Hedge Trimmer, one Husqvarna Chainsaw, two weed whackers, two wooden office desks, three black filing cabinets, one office cabinet with drawers and door and sell on Auctions International.

A motion was made by Trustee Wilson, seconded by Trustee Renaldo

Roll Call was made and all were in favor said AYE

Trustee Wilson, Trustee Renaldo, Trustee Stonitsch, Trustee Dybowski, and Mayor Whelan

#9 BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF ANGOLA, ERIE COUNTY, NEW YORK (THE "VILLAGE")

AUTHORIZING THE VILLAGE TO UNDERTAKE THE ACQUISITION OF ONE BACKHOE LOADER AND ONE PICK-UP TRUCK; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$145,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$145,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION

WHEREAS, the Board of Trustees (the “Board of Trustees”) the Village of Angola, Erie County, New York (the “Village”), is considering undertaking the acquisition of one backhoe loader and one pick-up truck (the “Project”); and

WHEREAS, the Board of Trustees now wishes to appropriate funds for the Project and to authorize the issuance of the Village’s serial bonds and bond anticipation notes to be issued to finance the aforementioned specific object or purpose.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of the Village of Angola, Erie County, New York (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. The Village is hereby authorized to undertake the Project, at a total estimated cost to the Village not to exceed \$145,000, and to issue up to \$145,000 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the estimated cost of said specific object or purpose, or bond anticipation notes in anticipation of the such bonds.

SECTION 2. It is hereby determined that the estimated maximum cost to the Village of the aforementioned specific object or purpose is \$145,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$145,000 in serial bonds of the Village authorized to be issued pursuant to Section 1 of this resolution, or bond anticipation notes issued in anticipation of such serial bonds, and (ii) unless paid from other sources, the levy and collection of taxes on all taxable real property of the Village to pay the principal of such bonds or notes and the interest thereon as the same become due and payable.

SECTION 3. It is hereby determined that the purpose referenced in Section 1 hereof is described in subdivision 28. of paragraph a. of Section 11.00 of the Law, and that the period of probable usefulness for said purpose is fifteen (15) years; provided, however, the maximum term of said bonds and notes shall not exceed five (5) years from the date of first borrowing pursuant to this resolution.

SECTION 4. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to this resolution.

SECTION 5. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Village shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by this resolution. This resolution shall constitute

a declaration of “official intent” to reimburse the expenditures authorized herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the real property within the Village subject to applicable statutory limits, if any. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of serial bonds and bond anticipation notes or the renewals of said obligations and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and 63.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village (the “Village Treasurer”). Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board of Trustees, then the power of the Board of Trustees to determine the “weighted average period of probable usefulness” (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Village Treasurer, as the chief fiscal officer of the Village.

SECTION 8. The Village Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Village Treasurer sufficient authority to execute those applications, agreements and instruments, or to do any similar acts

necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of the Board of Trustees.

SECTION 11. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 12. This resolution shall take effect immediately and the Clerk of the Village is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the Village for such purpose.

	<u>AYES</u>	<u>NAYS</u>
Trustee John Dybowski	X	
Trustee Valerie Stonitsch	X	
Trustee John Wilson	X	
Deputy Mayor Jason Renaldo	X	
Mayor Thomas Whelan	X	

ESTOPPEL NOTICE

The resolution, a summary of which is published herewith, has been adopted on October 18, 2021 and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Village of Angola, Erie County, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Nicole Milks, Village Clerk
Village of Angola

SUMMARY OF BOND RESOLUTION

Set forth below is a summary of said resolution adopted by the Board of Trustees of the Village of Angola on October 18, 2021.

1. The resolution is entitled "BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF ANGOLA, ERIE COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE VILLAGE TO UNDERTAKE THE ACQUISITION OF ONE BACKHOE LOADER AND ONE PICK-UP TRUCK; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$145,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$145,000 IN SERIAL BONDS OF THE VILLAGE TO FINANCE SAID APPROPRIATION".

2. Object or Purpose: the acquisition of one backhoe loader and one pick-up truck.
3. Period of Probable Usefulness: 5 years.
4. Amount of Debt Obligations Authorized: \$145,000.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Village Clerk of the Village of Angola, Village Hall, 41 Commercial Street, Angola, New York 14006.

Motion to approve the audit of the bills was made by Mayor Whelan and seconded by Trustee Stonitsch.

Roll Call was made and all were in favor said AYE

Trustee Wilson, Trustee Renaldo, Trustee Stonitsch, Trustee Dybowski, and Mayor Whelan

ADJOURN to a regular board meeting on Monday, November 8, 2021 at 6:00PM, with a 5:30 workshop was made by Trustee Renaldo, and seconded by Mayor Whelan.

Respectfully Submitted By:



Nicole Milks
Clerk Treasurer