

# Village of Angola Board Meeting

**MINUTES OF Monday, June 13, 2016 – 7:00 PM**

At a regular meeting of the Village of Angola Board of Trustees held at the Village Hall, 41 Commercial Street, Angola New York, County of Erie, on June 13, 2016 at 7:00 PM, there were;

**PRESENT:** Mayor Howard Frawley, Trustees Carole Kin, William Houston, John Wilson and Charles Katra.

**ALSO PRESENT:** Linda Giancarlo – Clerk-Treasurer; Raymond Ashton-DPW Crew Chief; Andrew Yusick-Village Attorney; Donald Gallo-Village Engineer; Ernest Masullo- Police Chief; Charles Klepfer and Robert Beck Fire Department Commissioners; Jennifer Podoba-ZBA Member; Matthew Podoba-Planning Board Member; Paul Ryerse-Code Enforcement Officer.

**GUESTS PRESENT:** Chris- representative from the Buffalo News.

**PLEDGE OF ALLEGIANCE** was led by Matthew Podoba

**MAYOR FRAWLEY ASKED FOR A MOMENT OF SILENCE FOR THE VICTIMS OF THE ORLANDO FLORIDA SHOOTING, Killing 49 people at a Nightclub.**

**APPROVAL OF MEETING MINUTES of May 9 and special Meeting of May 18<sup>th</sup>, 2016.**  
**Motion to approve made by** Trustee Houston, seconded by Trustee Kin, unanimously carried.

**VISITORS:** None

## **COMMUNICATIONS:**

### **Mayor Frawley Reported:**

- Announced the 44<sup>th</sup> Annual Strawberry Social at the First Congregational UCC on Thursday and Friday June 16, and 17<sup>th</sup> 11AM-9PM
- Announced the 34<sup>th</sup> annual Summer Lawn Chair Concert Series starting June 15<sup>th</sup> with Linda Giancarlo and Crash Cadillac Band.
- Association of Erie County Governments Meeting will be held in Brant this Thursday June 16<sup>th</sup>. He, Trustees Kin and Houston will be attending.
- Reported on a “Certificate of Achievement” the Village of Angola received from PERMA (Workers Compensation carrier) for no claims for the recent membership year 15/16.
- NEST is selling the Rain Barrels and Compost bins again in conjunction with Earth Day.
- Read a letter from a resident on Orchard Avenue complimenting the Village of Angola DPW Crew on a job well done repairing a water-line break on Locust Street on Memorial Day.
- Announced a Frank and Dean Comedy Club Show sponsored by the Evans Township Lions Club at MPB Saturday June 18<sup>th</sup>

### **Trustee Houston:**

- Reported on the mailing of Waterline Insurance letters that went out in the community. Remarked his disapproval of these letters that are confusing people into thinking they need unnecessary additional insurance.
- Thanked the DPW Crew Chief in regard to the Perma “No Claim Certificate” and his attendance and the regularly scheduled safety workshops.
- Remarked on the highlights received from NYCOM on the State Legislative Sessions
- Thanked the Village Clerk for completing the annual Water Quality Report and keeping costs minimal, and remarked on the work involved in completing this report.
- Announced the Strawberry Social June 17<sup>th</sup> and 18<sup>th</sup> at the First Congregational United Church of Christ and reminded everyone that there are tickets still available for the drawing of the freezer and the lakeside meets which will be held Friday during the event.
- Remarked on the nice memorial write-up in the Western New York Railway Society paper regarding Orchard Park’s deceased Mayor John Wilson.

### **DEPARTMENT HEADS, COMMITTEE REPORTS:**

#### **TRUSTEE HOUSTON-Reported**

- He will work on the annual Tire recycling. See resolutions
- Thanked all involved with the Memorial Day parade, Clerk Linda Giancarlo and Neno LaRusso and the DPW, The Clerk extended a thank you to the Angola Fire Department and the Evans Police for the good job they did for the event as well. Trustee Houston also commented on the little girl who was one of the essay contest winners and how well she spoke and presented her essay.
- He heard a complaint regarding the Village of Angola garbage rate increase to taxpayers and explained that it is only an increase of .67 cents a week and still under \$4.00 per week for the garbage service.
- Discussed his attendance at the NEST meeting in Orchard Park.
- Attended the Municipal Law Seminar with the Village Clerk at Millennium Hotel in Cheektowaga. Found it to be interesting.
- Attended the Southtowns Community Enhancement Coalition scheduled their Barn Dance in Eden in September, and will also be distributing their “Farm Trail” signs to the members.
- Complimented the nice paving the DPW has been doing, received complaints regarding South Main, North Main and Lake Street, he handed out the Legislators Business cards Contacted Legislator Mills office for an updated plan on addressing the poor condition of the neglected “County Owned” roads and the need for repairs. He commented on the article Legislator Lynn Dixon had in the Hamburg Sun naming all her streets that will be repaired. DPW crew chief stated that he heard that Angola roads will be addressed in 2018-2019.
- Has been in contact with the Village’s representative from National Grid regarding the LED Street Lighting. They will be submitting a report to the Village in this regard.
- Last water report purchases vs sales looks like it is in good shape
- He has been in contact with an interested party for the Emblem Building (old bike factory) he hasn’t heard back.
- Concert schedule has been posted, gave an official copy to the Clerk for the minute books. Thanked the deputy clerk for her help with it.
- Thanked the Buffalo News for their nice article regarding the 1867 Angola Horror Memorial dedication and the stone placed for the unidentified victims that was placed at the Forest Lawn Cemetery in Buffalo NY and the dedication of the Story Board placed on Commercial

Street across from the Angola Village Hall. (a project of the Friends of the Village and the Evans Historical Society Respectfully).

**TRUSTEE KIN- Reported**

- Angola Library programs:
- Friday June 17 Tech training for adults
- Monday June 27 Lego Club
- Adult Summer reading Contest June 6-August 22
- Hot Dog Fundraiser sponsored by Legislator Mills Friday July 8 11-2 thanks the Village Clerk for offering to perform.

**TRUSTEE WILSON- Reported**

- Reminded everyone that the First Annual Angola Main Street Cruise will be held on Saturday, July 9<sup>th</sup> from noon till 4PM. It will be held on North Main Street. The Drifters will be there and some of the money raised for the event will go to the Friends of the Village to offset the cost of the breakfast they serve to children for “Christmas in the Village”. There will be Desperado BBQ, Stella and Levi will be providing the Music. Unique Sweets making cookies for the event, asked all to support, the flyers will be out soon.

**Trustee Houston commented on the Buffalo News Gusto section naming events going on in the Southtowns including Angola.**

**Trustee Houston asked if there will be hydrant flushing. DPW Crew Chief said “yes”.**

- Angola Commons doing some changes to the front wall and making the entire building entrances ADA compliant. He has offered the use of the parking lot and meeting room for local events.

**TRUSTEE KATRA – REPORTED**

- He has a tentative agreement with the DPW union contract negotiations. See resolutions.
- He and Trustee Kin will be finishing up the Justice Court Audit this week.

**MAYOR FRAWLEY- Reported**

- Announced that NYCOM will be holding the first local village-wide meeting on September 8<sup>th</sup> in the Village of Ellicottville, with Erie County, Cattaraugus County and Chautauqua County Village.
- Will be attending the NYCOM Conference in Lake Placid August 11 and 12.
- Attended the memorial service for the “1867 Train Disaster” at Buffalo Forest Lawn Cemetery and the Story Board on Commercial Street.
- completed the “Mayors Notebook” with the Village Clerk to be in the Pennysaver on Sunday July 19<sup>th</sup>.
- Memorial Day parade went very well. Thanked all involved
- Attended the Memorial Day celebration at the Evans Town Hall honoring Stanley Brown and Kenny Currin as Veterans of the Year (WWII and Vietnam)
- Met with State Assemblyman Kearns regarding the Zombie House issue. The Village has completed the Zombie Claim forms and “Shame the Bank” campaign.

Chief Masullo reported that the house one of his employees was trying to get has now been settled and he is purchasing the home on Lincoln in the Village. He thanked Trustee Houston for helping with this concern.

**ATTORNEY – asked to enter into executive session to discuss litigation.**

**Motion to enter into Executive Session to discuss litigation made by Trustee Wilson, seconded by Trustee Kin unanimously carried. 7:35PM**

**Motion to re-enter the regular Board meeting made by Trustee Wilson, seconded by Trustee Kin 7:55PM**

**No Action taken in Executive Session.**

**ATTORNEY HAD NO OTHER REPORT**

**POLICE – Chief Ernest Masullo- Handed out his monthly report.**

**GENERAL CREW CHIEF – Raymond Ashton handed in a detailed report. Was able to do extra paving because cost of blacktop fell less than \$7 per ton.**

**FIRE CHIEF – EXCUSED:**

**FIRE COMMISSIONER Charles Klepfer II-Reported: on behalf of the Chiefs, the Chicken BBQ held on June 4 was sold out.**

- Recruitment will be held at the Evans Summerfest on July 17 at the Evans Town Park. Angola FD will be vending at the Summerfest as a fundraiser.

**CODE ENFORCEMENT– Paul Ryerse-Reported**

- Inman Property maintenance is moving forward.
- The Town hired a part-time employee Vincent Galluzza for his office.

**PLANNING– Matthew Podoba-Reported**

- Attended the required training

**ZONING- Jennifer Podoba- Reported**

- Attended the required training
- Had her first meeting with the zoning board of appeals and the key to the front door was not working for the Chairman who was absent. However it was short meeting and the weather was nice, held it outside.

The Village Clerk reported her conversation with the chairman and this will be resolved.

**DISASTER COORDINATOR-Keith Young- Absent**

**CLERK-TREASURER – Linda Giancarlo-reported**

- Preparing to close out the year
- She reported there will be no Depot funding from Senator Panepinto. So all we have is the \$15,000 from DiPietro
- Completing the EFC Drinking water grant paperwork with Engineer Gallo.
- Worked with the Mayor on the Mayors Notebook.

**OLD BUSINESS:**

1. Sale of Water Plant-nothing new
2. USDA- funding for outside retail water district-will look into moving forward obtaining for information to help offset the water project through EFC
3. Land Banking 59 N Main- progressing well, siding, roof, windows are completed
4. Solar Energy-pending future solar site for residents
5. Union negotiations- see resolutions
6. Justice Court Audit- scheduled for Wednesday June 15, 2016
7. Review Erie County Water Authority Tariff Sheets- and water workshop July 11 at 6:30.

**NEW BUSINESS:**

1. annual tire recycling-Trustee Houston will schedule and proceed using the county contract- see resolutions

**RESOLUTIONS OF June 13, 2016**

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**#1 APPROVE COURT CLERK TO ATTEND NYSMA'S ANNUAL CONFERENCE**

**RESOLVED** that the Village Board does hereby approve the Court Clerk- Amanda Ciccarella to attend the Annual Conference for New York State Magistrate's Association from Sunday September 25<sup>th</sup> through Wednesday September 28<sup>th</sup> 2016. **Motion made by Trustee Kin seconded by Trustee Wilson, Trustee Houston asked that the clerk to give full mileage reimbursement only if she is driving alone as per policy, unanimously carried**

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**#2 APPROVE ENGINEERING STUDY FOR THE VILLAGE OF ANGOLA EFC WATERLINE GRANT PROJECT**

**RESOLVED**, that the Village of Angola Board of Trustees does hereby approve the Engineering Study provided by the Village Engineer Donald Gallo for the Water System Improvements for various lines throughout the Village of Angola Water District, as required in the Environmental Facilities Corporation (EFC) application for a NYS EFC Drinking Water Grant. **Motion made by Trustee Houston seconded by Trustee Wilson, unanimously carried**

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**#3 APPROVAL TO DISTRIBUTE FUNDS TO LOCAL CHILDRENS RECREATION ORGANIZATIONS**

**RESOLVED** that the Village Board does hereby approve the Village Clerk to distribute the budgeted annual contribution to the Village's youth organizations as follows:

- a. Community Action Organization of Angola \$500.00.
- b. Boys and Girls Club of Lakeshore \$500.00.

**Motion made by Trustee Katra seconded by Trustee Kin, unanimously carried**

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**#4 APPROVE WATER SHUT-OFFS**

**RESOLVED** that the Village of Angola Board of Trustees hereby authorizes the Water Clerk to issue water shut offs per the attached list of delinquent water accounts unless paid in full by Monday, June 20, 2016 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 \$3,187.57. **Motion made by Trustee Wilson seconded by Trustee Houston, unanimously carried**

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**#5 APPROVE REQUEST TO USE HERMAN PARK FACILITIES**

**RESOLVED** that the Village of Angola Board of Trustees hereby approves the following applications for the use of Herman Park Facilities from:

Elena McBride, Saturday, June 18, 1-6PM, birthday party. Applicant has paid a \$25.00 non-

refundable fee. **Motion made by Trustee Kin seconded by Trustee Katra, unanimously carried**

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**#6 APPROVE PAYROLL INCREASE FOR NON-UNION EMPLOYEES**

**RESOLVED** that the Village of Angola Board of Trustees hereby approves pay increases for the 2016-17 Fiscal year starting June 1<sup>st</sup> 2016 ending May 31, 2017 for non-union or exempt employees resulting as follows:

1. Village Clerk-Treasurer-Linda Giancarlo \$45,760 annually
2. Deputy Clerk-Nicole Milks \$35,360 annually
3. DPW Crew Chief Raymond Ashton \$65,000 annually
4. Part-Time Account Clerk- Janice Alguire \$11.00 per hour

**Motion made by Trustee Houston seconded by Trustee Katra, unanimously carried**

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**#7 APPROVE TIRE RECYCLING SCHEDULE**

**RESOLVED** the Village Board of the Village of Angola approves Trustee Houston to schedule the tire recycling project for the Village of Angola. **Motion made by Trustee Katra seconded by Trustee Wilson, unanimously carried**

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**#8 APPROVE OBSTRUCTION OF SIDEWALK PERMITS**

**RESOLVED** that the Village Board approves the Sidewalk Obstruction permit for:

1. Angola Public Library, 34 N Main Street, Friday July 8, 2016 from 10AM-2PM for the Annual Fundraiser of a Hot Dog, Sausage baked good sale.

**Motion made by Trustee Wilson seconded by Trustee Kin, unanimously carried**

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**#9 USE OF CENTENNIAL PARK AND THE WILLIAM G. HOUSTON GAZEBO**

**RESOLVED** that the Village of Angola Board of Trustees hereby approves request and application from Josh Walczak of 40 Terrylynn Dr. for the use of Centennial Park Facilities and the William G. Houston Gazebo for Thursday June 2, 2016 for a Civil Marriage 7-9PM

(pre-approval was made by Trustee William Houston due to date) **Motion made by Trustee Kin seconded by Trustee Houston, unanimously carried**

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**#10 APPROVE FIRE DEPARTMENT MEMBERSHIP**

**RESOLVED** the Village of Angola Board of Trustees approves probationary membership of Daniel Brown, of 887 Lake Street, Angola NY to the Angola Volunteer Fire Company as reviewed and recommended by the executive board of said company on June 1, 2016. **Motion made by Trustee Houston seconded by Trustee Kin, unanimously carried**

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**#11 APPROVE RENEWAL OF PERMA INSURANCE**

**WHEREAS**, the Village Clerk received renewal documents for the Village of Angola's workers Compensation coverage from PERMA, (public employers risk management association) for the period of 7/1/16-7/1/17, and

**WHEREAS**, cost for the coverage is in the amount of \$52,555 of which is broken down at \$25,249 for public officials and employees and \$26,194 for the Volunteer Firefighters, and \$1,112 NYS Assessment charge.

**NOW THEREFORE BE IT RESOLVED**, the Board of Trustees of the Village of Angola, authorizes the automatic renewal with Public Employer Risk Management Association, Inc. (PERMA) for the Village of Angola Compensation Insurance for the year 2016-17 in the amount of \$52,555. **Motion made by Trustee Katra seconded by Trustee Kin, Trustee Houston noted the high cost for the Fire Department portion, unanimously carried**

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**#12 Approve Negative Declaration for the 2016 Water System Improvements (Application for an EFC Water Grant)**

**WHEREAS**, the Village Board has previously received a Short Form Environmental form for the 2016 Water System Improvements Project.

**WHEREAS** it is declared the project to be subject to SEQR and has declared itself lead agency and **WHEREAS** the Village Board has determined the project to be an unlisted action and

**WHEREAS** the Village Board has duly considered the short form Environmental Assessment form, and

**WHEREAS** the Village has conducted a review of the project in its entirety.

**NOW BE IT RESOLVED** that The Village Board declares that the project will not result in any large and important impacts and

Therefore it will not have a significant impact on the environment,

Therefore the Board issues a negative declaration.

This resolution shall be effective immediately.

**Motion made by Trustee Wilson seconded by Trustee Kin, unanimously carried**

**\*The Village Board requested that the Clerk prepare a letter to the Town of Evans and the Erie County Water Authority to let them know that the Village is tentively planning this project and that it could affect the Old Lake Shore Road “Hike/Bike Path” project.**

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**#13 APPROVE SEQR FOR THE 2016 WATER SYSTEM IMPROVEMENTS**

**WHEREAS** A short form Environmental Assessment form has been presented for the Angola 2016 Water System Improvements project and reviewed by the Village Board.

**NOW, BE IT RESOLVED**

1. That the Village Board declares itself Lead Agency as the project is subject to SEQR
2. That the project is determined to be an unlisted action

**Motion made by Trustee Kin seconded by Trustee Houston, unanimously carried**

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**#14 BOND RESOLUTION FOR 2016 WATER SYSTEM IMPROVEMENTS**

**BOND RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF ANGOLA, ERIE COUNTY, NEW YORK (THE “VILLAGE”), AUTHORIZING THE VILLAGE TO CONSTRUCT WATER SYSTEM IMPROVEMENTS ON VARIOUS VILLAGE STREETS; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$5,690,845; APPROPRIATING SAID AMOUNT THEREFOR; AUTHORIZING EXPENDITURE OF GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK AND THE ISSUANCE OF UP TO \$2,300,000 IN BONDS OF THE VILLAGE TO FINANCE THE BALANCE OF SAID APPROPRIATION**

**WHEREAS**, the Board of Trustees (the “Board”) of the Village of Angola (the “Village”) is considering the authorization of construction of water system improvements on various village streets at an estimated maximum cost of \$5,690,845 (the “Project”); and

**WHEREAS**, the Board, as lead agency, has given due consideration to the impact that the Project may have on the environment and the Village has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act (“SEQRA”), constituting Article 8 of the Environmental Conservation Law and the applicable documentation thereof has been filed in the office of the Village Clerk as a pre-condition to the adoption of this resolution; and

WHEREAS, the Board now wishes to appropriate funds for the Project and to authorize the expenditure of grant funds expected to be received from the State of New York and issuance of the Village's bonds and bond anticipation notes to finance a portion of said appropriation;

NOW THEREFORE, THE BOARD OF TRUSTEES OF THE VILLAGE OF ANGOLA, ERIE COUNTY, NEW YORK (the "Village") HEREBY RESOLVES (by the affirmative 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 construction of water system improvements on various village streets as more particularly described in the engineering report prepared for the Village by Donald Gallo, Consulting Engineer, P.C., at a total estimated maximum cost of \$5,690,845 (the "Project"), and is hereby authorized to issue up to \$2,300,000 principal amount of 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 a portion of the estimated cost of the Project.

Section 2. It is hereby determined that the estimated maximum cost of the aforementioned specific object or purpose is \$5,690,845, said amount is hereby appropriated therefor, and the plan for the financing thereof shall consist of (i) the issuance of up to \$2,300,000 in bonds of the Village authorized to be issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of such bonds, to finance a portion of said appropriation; (ii) the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and notes and the interest thereon as the same shall become due and payable; and (iii) application of grant funds expected to be received from the State of New York to be expended towards the cost thereof or redemption of the bonds or notes issued therefor or to be budgeted as an offset to the taxes for the payment of principal and interest on said bonds or notes.

Section 3. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision 1 of paragraph a. of Section 11.00 of the Law.

Section 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to subdivision d.3(1) of Section 107.00 of the Law.

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 and/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. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first bond or bond anticipation note issued pursuant to Section 1 of this resolution.

Section 7. Each of the 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 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. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal and interest on said 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 8. 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 bonds and bond

anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00, Sections 62.10 and 63.00, and Section 168.00 of the Law, the powers and duties of the Board relative to authorizing 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, and relative to executing agreements for credit enhancement, are hereby delegated to the Treasurer of the Village, as the chief fiscal officer of the Village (the "Village Treasurer"). Further, the power to issue and sell bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the law is hereby delegated to the Village Treasurer. Such notes shall be of such terms, form and contents as may be prescribed by said Village Treasurer consistent with the provisions of Local Finance Law. 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, then the power of the Board 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.

Section 9. 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 10. The Village Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser 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 11. 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 bonds or bond anticipation notes without resorting to further action of the Board.

Section 12. In accordance with Section 36.00 of the Law, this resolution is subject to permissive referendum in the manner prescribed by Article 9 of the Village Law of the State of New York (the "Village Law"). The Village Clerk is authorized and directed, within ten (10) days after the date of adoption of this resolution by the Board, to post and publish a notice with respect to this resolution satisfying the requirements of Section 9-900 of the Village Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Village for such purposes.

Section 13. In accordance with the Village Law, this resolution will take effect thirty days after the date of its adoption, unless prior to the close of such thirty-day period there is filed with the Village Clerk a petition, subscribed and acknowledged by at least twenty percent (20%) qualified electors of the Village, as shown on the Village's register of electors for the last general Village election, protesting against this resolution and requesting that it be submitted for approval or disapproval by the qualified electors of the Village. If such a qualifying petition is filed, a proposition for approval of this resolution shall be submitted at a special Village election held not less than ten and not more than sixty days after the filing of such petition. As soon as

reasonably possible after the date that this resolution takes effect, the Village Clerk is hereby authorized and directed to cause a copy of this Resolution to be published in full in the official newspaper of the Village for such purposes, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Law.

Section 14. 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.

**Motion made by Trustee Wilson seconded by Mayor Frawley, unanimously carried**

The Village Clerk polled the Board of Trustees as follows:

AYE

NAY

Mayor Frawley-aye  
Trustee Kin-aye  
Trustee Wilson-aye  
Trustee Katra-aye  
Trustee Houston-aye

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**#15 APPROVE RULES AND REGULATIONS FOR THE ANGOLA WATER DEPARTMENT**

**RESOLVED** that the Village of Angola Board of Trustees hereby approves the Water Department adopt rules and regulations pursuant to that of the Erie County Water Authority 2016

- 9.08 Any bill for water supplied or service rendered will be considered a proper charge unless protest is made to the Authority within fifteen (15) days after the mailing of a bill.
- A. In case of dispute as to payment of a bill, the customer will be required to present the receipted bill, canceled check or other evidence of payment.
  - B. The Authority will, upon request of the customer or for other reasons, make an inspection of the premises on account of apparently excessive bills. Inspections are limited to premises served by meters 1" and smaller and further limited to meters that serve no more than three units. After the Authority has made a complete inspection, no additional inspection will be made for a period of one (1) year. However, the Authority may order an inspection at any time if conditions warrant.
- 9.09 The customer is solely responsible for the water delivered beyond the Authority's meter, and the Authority is not responsible for maintenance and repair of the pipe and fixtures beyond the curb stop. In order to encourage prompt repair of leaking pipes or fixtures, the Authority may, under certain conditions, grant allowances for apparently excessive bills resulting from leaking beyond the meter. Granting of an allowance shall be in the sole discretion of the Authority. All risks of loss beyond the point of delivery shall be borne by the customer, except as provided herein.
- A. Allowance may be granted only when claim has been received as provided in 9.08 above, and evidence clearly shows the apparently excessive bill is due to leaking pipes or fixtures and not wasteful use and then only when repairs have been promptly made and reported to the Authority. The allowance, if granted, will be for not more than two billing periods including that in which the claim was made.
  - B. An allowance shall not exceed one-half of the excess delivery due to leakage over the normal usage for the period.
  - C. No allowance shall apply to customers taking water for resale.
  - D. The Authority shall be the sole judge in determining the amount of excess resulting from the leakage.
  - E. A fee as specified in paragraph 14.02 will be deducted from the leak allowance to cover administrative expenses.
  - F. No more than one leak allowance will be granted for the same service for leakage occurring within any 36 month period, regardless of ownership or management.

Adopted 07/08/99  
Adopted 03/03/10

9-3

Rev. 09/01/99  
Rev. 04/05/10

9.10 A one time courtesy delinquent charge reversal may be given if the customer has a good

**Motion made by Trustee Houston seconded by Trustee Wilson, unanimously carried**

**#16 APPROVE ASSEMBLAGE PERMIT and SIDEWALK OBSTRUCTION FOR ANGOLA MAIN STREET CRUISE**

**RESOLVED** that the Village Board approves the Assemblage permit submitted by Trustee John Wilson for the 1<sup>st</sup> annual "Village of Angola Main Street Cruise" on Saturday July 9, 2016 noon-4PM on behalf of the "Friends of the Village" organization and the Drifter Car Club Inc. The Cruise will be on Main Street between Lake Street and Center Street. Requesting all traffic be closed off for the event running. **Motion made by Trustee Kin seconded by Trustee Houston, unanimously carried**

**#17 AFSCME LOCAL 1095 Memorandum of Agreement**

**WHEREAS**, the Village of Angola has been engaged in contract negotiations with AFSCME Local 1095 regarding the employment contract for the Village of Angola Department of Public Works, and **WHEREAS** agreement has been reached as memorialized in the attached Memorandum of Agreement between the parties.

**NOW THEREFORE BE IT RESOLVED** the Mayor is hereby directed to execute the attached Memorandum of Agreement. **Motion made by Trustee Katra seconded by Trustee Kin, unanimously carried**

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**#18 ADOPT LOCAL LAW #2 of 2016**

**WHEREAS**, Proposed Local Law number 2 for the year 2016 Entitled Village Justice Residency and

**WHEREAS**, a public hearing was held on May 9, 2016.

**NOW THEREFORE BE IT RESOLVED**, Proposed Local Law 2 for the year 2016 in adopted as Local law #2 for the year 2016.

**LOCAL LAW NO. 2  
FOR THE YEAR 2016  
ENTITLED VILLAGE JUSTICE RESIDENCY**

**AMENDMENT TO CHAPTER 31 of the Angola Village Code**

Local Law No. 2 for the year 2016 amending Chapter 31 of the Code of the Village of Angola, County of Erie, to add as follows:

Article I – Village Justice Residency

Section 31-3 – Eligibility to Hold Office.

In lieu of any other residency requirement imposed by law, the Angola Village Justice and/or Acting Angola Village Justice may reside outside of the Village provided that the Village Justice and/or Acting Angola Village Justice reside within the County of Erie.

**Motion made by Trustee Wilson seconded by Trustee Houston, unanimously carried**

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**AUDIT OF BILLS – Motion to pay the bills brought forth at this meeting made by Trustee Houston seconded by Trustee Katra, unanimously carried**

**Motion to ADJOURN** to regular meeting on July 11, 2016 at the Village Hall at 7:00PM, and Village Water regulations workshop at 6:30. **Motion made by Trustee Kin seconded by Trustee Katra, unanimously carried**

Meeting adjourned at 8:35PM

Submitted By

Linda Giancarlo-Village Clerk-Treasurer