

## **INDEX – September 17, 2007**

- VISITORS:** Sam Mogavero – Community Events Calendar
- COMMUNICATIONS:** Chief Robert N. Ferguson – Proclamation; Sam Mogavero-Award; NYCOM Volunteer Firefighter’s Workshop; Village Official Association Meeting; Association of Erie County Government’s Meeting; HGTV-Charity Vogel’s House
- TRUSTEE HOUSTON:** EXCUSED
- TRUSTEE DEJOHN:** Chief Ferguson’s Retirement Party; Association of Erie County Government’s Meeting; Final Brush Pickup
- TRUSTEE WILSON:** Ladder Truck # 6; N.E.S.T. Meeting; Chief Ferguson’s Retirement; Website Update; Memorial-Robert Beck Sr. and James Davis
- TRUSTEE CARLSON –** No Report
- MAYOR FRAWLEY:** Tax Lien Committee Meeting; Association of Erie County Government’s Meeting; Supercruise
- ATTORNEY YUSICK:** Status on Sale of Water Plant; Intercontinental Building; Department of State Division of Code Administration and Enforcement
- GENERAL CREW CHIEF:** Paving Schedule; Fall Training-Public Works School
- F/D COMMISSIONERS:** Old Hose Dryer-Declare Surplus; Erie County elections at Station # 2; Rachel’s Challenge
- OLD BUSINESS:** Sale of Water Plant; Thruway Water; Senior Housing; Intercontinental Building
- RESOLUTIONS:**
- Approve Public Hearing for the 2007/2008 CDBG Funds**
  - Authorize Assemblage Application**
  - Approve Application for Use of Centennial Park**
  - Approve Mayor to Sign Herman Park Grant Contract**
  - Approve Hiring of Aaction Environmental LLC**
  - Approve Mayor to Sign Contract for Demolition of 83-87 North Main**

**MINUTES**  
**Village of Angola**  
**Regular Board Meeting**  
**Tuesday September 17, 2007 – 7:30 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 September 17, 2007 at 7:30 PM, there were

**PRESENT:** Mayor - Howard Frawley; Trustees – James Carlson, Denise DeJohn, and John Wilson, excused was Trustee William Houston

**ALSO PRESENT:** were Michelle Warren, Deputy Village Clerk; Andrew Yusick-Attorney; Jeff Kaminski, General Crew Chief; Lynne Kaminski-Fire Commissioner; Elmar Kiefer-Accountant; Chuck LaBarbera- Building Department; Donald Gallo, Village Engineer

**GUESTS:** in attendance were Alice Escott (Town Crier); Brian Campbell (Hamburg Sun); Sam Mogavero, Jill Barrett, and Jim Liegl

**PLEDGE OF ALLEGIANCE:** was led by Code Enforcement Officer Charles LaBarbera

**MEETING CALLED TO ORDER** at 7:30PM

**APPROVAL OF MEETING MINUTES OF SEPTEMBER 4, 2007 MOTION MADE BY TRUSTEE WILSON, SECONDED BY TRUSTEE DEJOHN, UNANIMOUSLY CARRIED**

**VISITORS:**

- Sam Mogavero – 230 North Main Street – Made a recommendation that the Village Board look into working with the Town of Evans to produce an annual calendar of events that would eliminate scheduling conflicts for community activities. Mayor Frawley advised that the Chamber of Commerce was working on such a calendar.

**COMMUNICATIONS:**

- Mayor Frawley thanked Trustees Houston, DeJohn, and Wilson for attending the retirement party for Town of Evans Police Chief Robert N. Ferguson and read aloud a portion of the proclamation that Trustee Houston presented to him on behalf of the Village Board of Trustees.
- Congratulated Sam Mogavero on receiving an award from the CSEA, where he is currently vice-president of Local 903 and a member of the Statewide Constitution and By-Laws Committee and read aloud his contributions to the organization. (Applause)
- New York State Conference of Mayors (NYCOM) is holding a workshop of volunteer firefighters on Thursday, October 25, 2007 at 7:00 PM in the Village of Dansville.
- Village Officials Association general meeting to be held on Thursday, September 10, 2007 in Kenmore, New York. Announced appointment of Trustee Denise DeJohn as Village representative, replacing Trustee James Carlson who is unable to attend said meetings due to his back injury.

- Association of Erie County Governments meeting to be held September 27, 2007 in Clarence, NY. Discussion on topic of Tax Lien Program in Erie County. Anthony Armstrong will be the guest speaker.
- Home and Garden Television's "If Walls Could Talk" will be broadcasting an episode after the first of the year on Charity Vogel's historic home on Orchard Avenue that used to be the Angola Hospital.

## **DEPARTMENT HEAD/COMMITTEE REPORTS:**

### **TRUSTEE (Deputy Mayor) HOUSTON – Excused**

#### **TRUSTEE DEJOHN –**

- Thanked the Village Clerk Linda Giancarlo for preparing the proclamation and plaque for Chief Robert Ferguson's retirement party. It was an honor to attend and make the presentation along with Trustee Houston and Trustee Wilson.
- Will attend the Association of Erie County Government's Meeting in Clarence, NY on September 27, 2007.
- Asked General Crew Chief Kaminski what the final dates for brush pickup will be as she had received a phone call from a resident. Trustee Wilson suggested we advertise the final date to avoid any confusion.

#### **TRUSTEE WILSON –**

- ♣ Reported that Angola Volunteer Fire Department's aerial device #6 is now in service.
- ♣ Attended N.E.S.T. meeting with Trustee Houston in Orchard Park. Reviewed Niagara Generation-Providers of Renewal Energy. They are looking into working with municipalities to pick up branches, chip them, and haul it away as a free service. They then turn it into electricity. Will keep the Board posted and provide more information as this service becomes available. Also reviewed CFL bulbs, and expressed the need for people to begin using these in place of the old fluorescent bulbs and to dispose of the old fluorescent bulbs properly at the recycling facilities. The CFL bulbs will save energy for the entire home as well as the entire neighborhood.
- ♣ Stated that Chief Robert Ferguson is a terrific, upstanding man. He was privileged to know him and be in attendance at his retirement party.
- ♣ Asked that the Village Clerk have the Village of Angola website updated.
- ♣ Mentioned the passing of Robert Beck Sr. and James Davis and ask that tonight's meeting be held in memory of them.

#### **TRUSTEE CARLSON – No report**

#### **MAYOR FRAWLEY-**

- Will be attending the Tax Lien committee meeting on Wednesday, September 26, 2007 at 9:00 AM in Cheektowaga.
- Will not be able to attend The Association of Erie County Government's Meeting. Trustee DeJohn will be attending.
- Stated there will be a Supercruise on Thursday, September 27, 2007 on North Main from Lake Street to School Street with music. Some discussion followed on road closures and barricades based on the number of cars in attendance.

## **ATTORNEY –**

- On Sale of Water Plant Spoke with the attorney for the Department of Environmental Conservation who advised him the paperwork would be out by the end of the month that would address the issue of the contract that exists between the Village of Angola and the State of New York regarding the maintenance of the wall.
- Received telephone call from Richard Schmidt's son regarding the Intercontinental Building located at 33 Commercial Street. He requested a copy of the release from Medicaid. This would indicate that he is speaking with some of the people who are interested in the property.
- Met with Andrew Hvidsak from the New York State Division of Code Administration and Enforcement regarding the property at 48 North Main Street owned by Ron McPeck. It is his opinion that changing the building from mixed use to an all retail use triggers the need for a permit and an occupancy permit. Mr. Hvidsak raised the issue that the Enforcement Officer has sole responsibility to interpret the code. It is not the Board's responsibility. There is a procedure to follow if someone feels that he has made the wrong interpretation. They must go through the Code Enforcement Review Board. The Code Enforcement Officer's decision is not in the province of this Board to change.

## **POLICE – Excused**

## **GENERAL CREW CHIEF –**

Paving will begin late this week or early next week on Maple Street, School Street, Linden, Allen Street and Terrylynn Drive. Completion of paving will allow for E&R Construction to be paid for the water line work done on School and Maple Streets.

Requested permission to attend the Public Works Fall Training School in Lake Placid, NY from October 18<sup>th</sup>-21<sup>st</sup>. **MOTION made by Trustee John Wilson, seconded by Trustee James Carlson, UNANIMOUSLY CARRIED**

## **FIRE COMMISSIONERS –**

### **Lynne Kaminski**

Requested Board declare surplus the old hose dryer at Fire Station # 2 on South Main Street. The space is needed for the new cascade system. The unit still works. **MOTION made by Trustee John Wilson, seconded by Trustee Denise DeJohn, UNANIMOUSLY CARRIED** to declare the old hose dryer surplus and that the Village Clerk put it up for auction on the internet.

Stated she would like the Village Board to work at having Station 2 removed from the list as a polling place for Erie County. Reported that the Fire Department now has to hand keys over to the Village Police Department to open the building at 5:30 AM on election days. Noted concern for when the Village Police Department merges with the Town. Fire Department would have to hand over keys to the building to the Town of Evans Police Department. Trustee DeJohn stated that people should remember that after the police merger, this will be a Village District. Nothing will change. The Town of Evans officers are responsible and capable and can all be relied on and trusted. Commissioner Kaminski reported additional difficulties with there being no room for voting machines due to the new ladder truck and other equipment being housed there. Due to Homeland Security Rules, equipment cannot be left unattended. In the event of a working structure fire during polling hours, we would not be able to get the ladder truck out. Mayor Frawley advised we would contact Erie County to see about making this change.

Rachel's Challenge will be held on Monday, October 1<sup>st</sup>. Requested to be excused from Village Board meeting as she will be in service of the School District. Program begins at 7:00 PM.

**CODE ENFORCEMENT –**

- Submitted monthly report for August.
- Paglia House – in court right now.
- 28 Mill Street-grass was cut. Thanked Mayor Frawley for taking care of it.

**PLANNING – Excused-**

Working on Temporary Signs and Windmills.

**ZONING – Excused**

**CLERK-TREASURER – No report**

- OLD BUSINESS:**
1. Sale of Water Plant – See Attorney's report
  2. Thruway Water- no report
  3. Senior Housing- no report
  4. Intercontinental Bldg, Commercial St.- See Attorney's report

**NEW BUSINESS:**

**RESOLUTIONS OFFERED FOR SEPTEMBER 17, 2007**

**#1 APPROVE PUBLIC HEARING FOR THE 2007-2008 CDBG FUNDS**

**RESOLVED** that the Village of Angola Board of Trustees does hereby authorize publication of Notice of a Community Development Block Grant Public Hearing to be held at 8:00 P.M. Monday, October 15, 2007 at the Angola Village Hall, 41 commercial Street, Angola, New York 14006 regarding the prospective projects for use of Community Development Block Grant funds in the Village of Angola, and further authorize the Mayor to sign the 2008/2009 CDBG agreement.

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

**#2 AUTHORIZE ASSEMBLAGE APPLICATION**

**RESOLVED**, that the Village of Angola Board of Trustees approves the application requesting the following for an Assemblage Permit in accordance with established terms and conditions:

Jill Barrett of "Citizens For responsible Choices" to assemble a parade to go from the William G. Houston Gazebo to Main Street to School Street, ending at the J.T. Waugh Elementary School in a "Take A Stand" program on Wednesday, October 24, 2007 from 4:00 – 6:00 P.M. Also, requesting a fire truck and police car in the parade if possible. Angola DPW, Angola Police, Angola Fire Department, and the NFTA will be notified accordingly. **TABLED**

**#3 APPROVE APPLICATION FOR USE OF CENTENNIAL PARK**

**RESOLVED**, that the Village of Angola Board of Trustees hereby approves the application from Jill Barrett, for the “Citizens of responsible Choices” Committee to use Centennial Park and the William G. Houston Gazebo for their “Take A Stand” celebration from 4:00 – 6:00 P.M., electricity will be needed at the gazebo. Event to be held on Wednesday, October 24, 2007. **TABLED**

**#4 APPROVE MAYOR TO SIGN HERMAN PARK CONTRACT**

**RESOLVED** that the Village of Angola Board of Trustees hereby approves the Mayor to sign and execute a contract with the New York State Department of Environmental Conservation for the Herman Park Stream Bank Stabilization Grant.

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

**#5 APPROVE MAYOR TO SIGN CONTRACT FOR DEMOLITION OF 83-87 NORTH MAIN STREET**

**RESOLVED**, that the Village of Angola Board of Trustees hereby authorizes Mayor Frawley to sign and execute a contract with Titan Wrecking and Environmental LLC, 262 Woodward Avenue, Kenmore, New York 14217 for the Demolition and Restoration of 83-87 North Main Street.

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

**AUDIT OF BILLS – motion made to approve the bills, BY TRUSTEE CARLSON SECONDED BY TRUSTEE WILSON, UNANIMOUSLY CARRIED** regarding the following: **General Fund Abstract #7, Checks #5782 to #5795 in the total amount of \$21,611.46 plus Payroll #20; Water Fund Abstract; #7 Checks #1464 to 1473 in the total amount of \$34,162.73 plus Water Payroll #20; UNANIMOUSLY CARRIED**

**MOTION TO ADJOURN** to the next scheduled regular Board Meeting Monday October 1st 2007 at 7:30. **MOTION MADE BY TRUSTEE DEJOHN SECONDED BY TRUSTEE CARLSON, UNANIMOUSLY CARRIED meeting adjourned at 8:10PM**

Submitted By

Michelle F. Warren