

MARCH 13, 2013

Supervisor Michael Kasprzyk opened the Regular Town Board Meeting at 8:00pm

Officials Present Were:

COUNCILMAN HACK  
COUNCILMAN KOLACKI  
COUNCILWOMAN KAREN KLINE  
COUNCILWOMAN ROBERT HERR

Other Officials Present Were:

TOWN ENGINEER DAVID PRATT  
ZONING ENFORCEMENT OFFICER MICHAEL SLUCE  
PLANNING BOARD CHAIRMAN MARTIN REGAN  
DISASTER COORDINATOR HOWARD SMITH  
ASSESSOR TAMMY ADSITT  
BOARD OF APPEALS CHAIRMAN WILLIAM O'DELL  
BOOKKEEPER JILL ZIENTEK  
TAX COLLECTOR JUNE MCARTHUR  
DOG CONTROL OFFICER WILLIAM NEWELL

**RESOLUTION #19**

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland approve the minutes of the February Board Meeting. ALL AYES. CARRIED.

MEALS ON WHEELS – 7 clients and delivering 5 days a week

HEARTS & HANDS – “A Neighbor helping Neighbor Volunteer Program is now operating in the town with 22 trained people. (716) 652-0003.

HOLLAND MEADOWS – requesting a directional sign “Blind Driveway”. Refer this to the Highway Superintendent.

CANADA STREET SIGNS - Request from Judy Hartke. Unanimous agreement amongst the Board is to leave the signs as is.

If they are walkers then they need to be walking home. If they are to be picked up, they should do it at the proper time.

HOME:

**PROCLAMATION OF 50<sup>th</sup> ANNIVERSARY**

**RESOLUTION #19A**

Motion made by Councilwoman Kline and seconded by Councilwoman Herr:

WHEREAS, Housing Opportunities Made Equal has faithfully served the communities of Western New York for Fifty Years and,

WHEREAS, our communities have benefited from their professional manner in educating tenants, landlords, and those involved in real estate in all matters relating to fair housing for all and

WHEREAS, H.O.M.E. has expanded their efforts to create publications useful to achieving the equitable housing opportunities,

BE IT HERBY RESOLVED, that the Town Board of the Town of Holland congratulates the staff and board of H.O.M.E. on their successful operation for Fifty Years and

FURTHER BE IT RESOLVED, that we encourage your future activities directed toward the improvement of fair housing for all.

ALL AYES. CARRIED.

MARCH 13, 2013

NYS ASSOCIATION OF TOWNS – all the resolution were approved and voted on except No. 10 which is the surcharges to fund Justice Courts and Town Prosecutors. Towns decided they didn't want this resolution since the fees and surcharges were always planned to come back to the towns and that just didn't happen. (See further in the minutes of the resolution the Town Passed regarding this)

TIME WARNER CABLE FRANCHISE – the towns contract will be expiring this summer. Councilwoman Herr is heading up the committee and getting all the information needed. Time Warner is re-organizing and how they will be administering their cable franchise agreements.

ELECTION PRIMARY SEPT 10<sup>th</sup> AND ELECTION DAY IS NOV. 5<sup>th</sup>

TAX COLLECTOR – June McArthur: requesting approval from the Board to allow taxpayers to use credit/debit card to pay taxes. Would be no cost to the town. Tax Payers would have to pay 2.45%. There will be a web site to go onto in order to do this, which will be given out at a later date.

Town Board gave permission to offer this to the people.

Sue Johnson, Community Representative for Senator Patrick Gallivan spoke to the board and congregation. She can be reached at (716) 656-8544 if anyone has any concerns.

Legislator Joseph Lorigo also attended the meeting.

#### COMMITTEE REPORTS

Buildings – Councilman Kolacki: checking into replacing windows at the town hall.

Cemetery – Councilman Hack: no report

Planning Board Liaison – Councilwoman Kline: they did give their approval for the special use permit for Jeffrey Zoerb with conditions.

Sidewalks – Councilman Hack: got an updated report from the Town Engineer on Capital Heights

Town Park & Community Center – Councilman Hack: no report

Environmental Committee – Councilman Kolacki: no report

Beautification – Councilwoman Herr: no report

BUILDING ZONING OFFICER'S REPORT – Scott Hess: report given

DOG CONTROL OFFICER'S REPORT – William Newell: report given

FACILITIES MANAGER – Pat Joyce: no report

GRANT WRITER – Jill Zientek: report given

HIGHWAY SUPERINTENDENT – Pat Joyce: report given

ZONING ENFORCEMENT OFFICER'S REPORT – Michael Sluce: report given

NYS Open Burning Law is in effect from March 16<sup>th</sup> to May 14<sup>th</sup>

#### NEW BUSINESS

##### **RESOLUTION #20**

Motion made by Supervisor Kasprzyk and seconded by Councilman Kolacki,

##### **OPPOSITION TO GOVERNOR CUOMO'S PROPOSALS TO IMPOSE LIMITATIONS ON THE PLEA BARGAINING PROCESS AS IT PERTAINS TO SPEEDING TICKETS**

WHEREAS: the Governor has proposed, as part of his Executive Budget, a provision that would restrict the ability of local courts to plea bargain traffic tickets, and

WHEREAS: this provision would unduly infringe upon the discretion of local judges to adjudicate matters on a case by case basis, and

WHEREAS: without the ability to plea bargain traffic tickets there will be an increase in the number of trials held in local courts which will have the result of significantly increasing the cost to the municipality to run its court system, and

MARCH 13, 2013

WHEREAS: this provision will take away an important funding source that municipalities rely on to run their court systems, and

WHEREAS: the Governor has also proposed, as part of his Executive Budget, a provision that would add an eighty dollar (\$80.00) surcharge to all stopping/standing/parking violations, regardless of the circumstances behind the violations, and

WHEREAS: this would have the effect of creating a significant hardship on residents of this state who have been cited for relatively minor infractions, and

NOW THEREFORE BE IT RESOLVED: that the Town Board of the Town of Holland does hereby oppose these provisions of the Governor's Executive Budget, and

BE IT FURTHER RESOLVED: that a certified copy of this Resolution be forwarded to: Honorable Governor Andrew M. Cuomo, Honorable Senate Majority Leader Dean Skelos, Majority Leader of Independent Democratic Caucus Jeff Klein, Honorable Senate Minority Leader Andrea Stewart-Cousins, Honorable Speaker of the Assembly Sheldon Silver, Honorable Leader of the Assembly Joseph Morelle, Honorable Minority Leader of the Assembly Brian Kolb, and the Western New York Delegation and Erie County Legislators.

ALL AYES. CARRIED.

**Jeffrey Zoerb** – request for a Special Use Permit at 12845 Vermont St. to operate a small engine repair shop out of his home garage which is 20' x 20' attached to his home. No repair of cars, boats, trailers, or like vehicles.

**RESOLUTION #21**

Motion made by Supervisor Kasprzyk and seconded by Councilman Hack, resolve the Town of Holland approve the Special Use Permit for Jeffrey Zoerb for a small engine repair shop out of his home garage at 12845 Vermont Street with the following stipulations:

1. No storage of parts or items to be repaired will be kept outside, all must be contained inside the garage.
2. Used oil will be properly disposed of according to legal guidelines

ALL AYES. CARRIED.

**RESOLUTION #22**

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland pay the following vouchers:

General District Claims as set Forth in Abstract A-3	#78-113	in the amount of \$20,872.95
Highway District Claims as set Forth in Abstract DA-3	#19-38	in the amount of \$41,349.68
Water District Claims as set Forth in Abstract SW-3	#16-25	in the amount of \$3,899.56
Light District Claims as set Forth in Abstract SL-3	#2	in the amount of \$1,167.53
Garbage District Claims as set Forth in Abstract SR-3	#2	in the amount of \$22,045.40
Trust & Agency Claims as set Forth in Abstract TA-3	#7	in the amount of \$6,573.78

ALL AYES. CARRIED.

MARCH 13, 2013

**RESOLUTION #23**

Motion made by Supervisor Kasprzyk to adjourn the Regular Town Board Meeting at 8:40pm in memory of: Max Barron

RESPECTFULLY SUBMITTED:

SANDRA SMITH  
TOWN CLERK