

DECEMBER 11, 2013

Supervisor Michael Kasprzyk called the Regular Town Board meeting to order at 8:00 pm at 47 Pearl St., Holland

Officials Present were:

COUNCILMAN GEOFFREY HACK
COUNCILWOMAN ROBERTA HERR
COUNCILMAN WILLIAM KOLACKI

Other Officials Present were:

ENGINEER DAVID PRATT
DEPUTY TOWN CLERK BELINDA ERSING
TOWN ATTORNEY RONALD BENNETT
BOOKKEEPER JILL ZIENTEK
BOARD OF APPEALS CHAIRMAN WILLIAM O'DELL
PLANNING BOARD CHAIRMAN MARTIN REGAN
ZONING ENFORCEMENT OFFICER MICHAEL SLUCE
HIGHWAY SUPERINTENDENT PAT JOYCE

RESOLUTION #110

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland approve the minutes of the November board meeting. ALL AYES. CARRIED.

Meals on Wheels- food is coming out from Buffalo. At the present time the Town has 8 clients. Some are 3 days and the rest are 5 days.

RESOLUTION #111

Motion made by Supervisor Kasprzyk and seconded by Councilman Kolacki, resolve the Town of Holland accept with regret the resignation of William Place as a Constable. ALL AYES. CARRIED.

***TOWN OF HOLLAND
RESOLUTION OF COMMENDATION***

Whereas, The Town of Holland relies on volunteer services of many kinds to benefit our citizens, and

Whereas, The Volunteer Constables are a vital part of those services to the residents of Holland, and

Whereas, Dedicated Service as a Volunteer Constable requires considerable personal sacrifice and countless hours of "Duty Time" and Training, and

Whereas, This volunteer service often requires time away from home and family and often is at inconvenient times, and

Whereas, No one has exemplified the continued level of service and commitment as William Place over a period of 36 years, and

Therefore be it resolved, that the Town Board of the Town of Holland do hereby offer this Resolution of Commendation and Congratulations to William Place for his dedicated service and offer our heartfelt appreciation for his many years of service, and

Be it Furthermore Resolved, that we wish William "Wild Bill" Place our best wishes for a happy and fulfilling retirement.

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GIRLS VARSITY SOCCER –

RESOLUTION #112

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland recognize the Holland Central School Varsity Girls Soccer Team on the accomplishment of winning the State Championship. ALL AYES. CARRIED.

Automatic Defibrillators – Town Hall, Highway Garage, Community Center & also the Boys & Girls Club. The defibrillators are just shy of \$2,000 each, with child size paddles and storage containment cabinet. Training will be done by the Fire Company.

RESOLUTION #113

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland proceed to purchase four (4) defibrillators for the Town Hall, Community Center, Highway Garage and also the Boys and Girls Club. ALL AYES. CARRIED.

REPEATED FALSE ALARMS – the Fire Company has requested a local law for false alarms. Hopefully this would make the people step up and correct the situation.
First false alarm response: no charge, seconded false alarm response: \$50.00 and third or more false alarm responses: \$100.00 each.

RESOLUTION #114

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland set a Public Hearing for 8:30pm on January 8, 2014 for the purpose of a Local Law regarding False Alarm Response. ALL AYES. CARRIED.

RESOLUTION #115

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland set a public hearing for 8:00 pm on January 8, 2014 for the purpose of the Organizational Meeting. ALL AYES. CARRIED.

RESOLUTION #116

Motion made by Councilman Kolacki and seconded by Councilwoman Herr, resolve the Town of Holland extend all appointments to January 8, 2014. ALL AYES. CARRIED.

RESOLUTION #117

Motion made by Councilman Kolacki and seconded by Councilwoman Herr, resolve the Town of Holland extend all Junkyards and Mobile Home Park licenses to January 8, 2014. ALL AYES. CARRIED.

Association of Towns annual training in NYC is February 16-19, 2014.

Assembly Bill A-8103 – Special Part State Supreme Court

RESOLUTION #118

Motion made by Councilman Hack and seconded by Councilwoman Herr:
Memorialize New York State to Enact Legislation Relating to
Mortgage Foreclosure of Vacant Properties

WHEREAS, there are a number of vacant properties in the Town of Holland which are vacant/abandoned and going through mortgage foreclosure, and

WHEREAS, under existing laws, it can take mortgage lenders 2+ years to finalize mortgage foreclosures, and

WHEREAS, in the meantime, the house is vacant and utilities are shut off, causing deterioration of the house and

WHEREAS, this negatively affects other properties in the neighborhood, and

WHEREAS, legislation is pending in the State Assembly (Bill No, A-8103) which would create a special part of New York State Supreme Court to handle mortgage foreclosures affecting vacant/abandoned homes, enabling lenders to expedite the proceedings, thus allowing homes to be sold and be occupied again, and

WHEREAS, this Board feels that this legislation may assist us with controlling deterioration of vacant properties in the Town. NOW THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Senate, Assembly and Governor to support this legislation. And BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to New York State Assemblyman David J. DiPietro, New York Senator Patrick Gallivan and Governor Andrew Cuomo.

ALL AYES. CARRIED.

BUDGET AMENDMENTS

RESOLUTION #119

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland approve the following budget amendment:

GENERAL FUND

FROM:	A1990.4	Contingent Account	\$485.10
TO:	A1680.4	Central Data Processing	\$129.95
	A3120.4	Constabulary Contractual	\$114.00
	A5182.4	Off Street Lighting	\$241.15

RE: to cover expenses

ALL AYES. CARRIED.

RESOLUTION #120

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland approve the following budget amendment:

GENERAL FUND

From:	A599	Unappropriated Fund Balance	\$25,491.99
TO:	A960	Appropriations	\$25,491.99
		A9010.8 State Retirement	\$25,291.99

RE: to cover expenses

ALL AYES. CARRIED.

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RESOLUTION #121

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland approve the following budget amendment:

HIGHWAY FUND

FROM:	DA599	Unappropriated Fund Balance	\$26,553.09
TO:	DA960	Appropriations	\$26,553.09
		DA5110.4 Road Repairs Contractual	\$13,954.15
		DA5130.4 Machinery Contractual	\$1,347/16
		DA9010.8 State Retirement	\$11,251.78

RE: to cover expenses – CHIPS funds currently unearned

ALL AYES. CARRIED.

RESOLUTION #122

Motion made by Councilman Kolacki and seconded by Councilwoman Herr, resolve the Town of Holland approve the following budget amendment:

WATER FUND

FROM:	SW8320.4	Power & Pumping	\$370.40
TO:	SW8310.4	Water Administration	\$370.40

RE: to cover expenses

ALL AYES. CARRIED.

RESOLUTION #123

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland approve the following budget amendment:

CEMETERY FUND

FROM:	CM599	Unappropriated Fund Balance	\$5,445.59
TO:	CM960	Appropriations	\$5,445.59
		CM8810.4 Contractual	\$5,445.59

RE: to cover expenses

ALL AYES. CARRIED.

CAPITOL HEIGHTS BRIDGE REPAIR: the expansion joints need repair going in both directions, rapidly deteriorating. County has approved as a project for 2014.

COMMITTEE REPORTS

BUILDINGS – Councilman Kolacki: equipment is ordered to finish all the air conditioning in the Town Hall.

CEMETERY – Councilman Hack: rate increase of \$25.00 for grave openings.

PLANNING BOARD LIAISON – Councilwoman Kline: Martin Regan attended a meeting on Erie County Water Quality

Rural Water liaison Steve Winkley – would like the board to put on the town’s website a survey of approximately 8 questions for the people to answer regarding their water.

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

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FACILITIES MANAGER – Pat Joyce: the tank rehab has been chlorinated and waiting for the results.

Inspection was done on the boilers, just maintenance and parts for the boiler at the Community Center are ordered. Electric panel is recommended to be replaced, having trouble with plugs etc. Power line coming into the building is frayed, so it has been recommended to be replaced.

HIGHWAY SUPERINTENDENT’S REPORT – Pat Joyce: report given
Water Street needs top soil and seed to finish.
No on street parking from now till April.

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

NEW BUSINESS

Dan Yox – amend his special use permit to construct an addition to the existing can redemption building to be used as a beverage center and to construct a new building to be used as a Laundromat on his property at 325 North Main Street. Mr. Yox noted the following:

- Addition to existing can redemption center to be used as beverage center will be approximately 30’x30’.
- Beer, pop and bottled water to be sold at beverage center.
- There will be no serving of beverages on site.
- Liquor License required, but cannot be obtained until after construction and opening of beverage center.
- Construction of new building to be used as a Laundromat will be approximately 24’x30’ to be located on the northwest side of the property.
- Mr. Yox would like Laundromat building to be constructed less than 15’ from the property line of a residential neighbor, which requires a variance. Construction so close to property line is requested due to the gray water drainage from washing machines – If building is constructed back further from the property line, water may not drain properly due to incline of land.
- Laundromat will start out with approximately 4 washers and dryers. Number of washers and dryers may increase as need arises.
- A bathroom for patrons will be installed in the Laundromat.
- Dryers will be vented through the roof of the building, venting east toward creek.
- Surveillance cameras will be installed inside of Laundromat.
- Laundromat will be open 24/7 – unattended by any employees.
- Cost of washer/dryer use will be comparable to other area Laundromats.
- Vinyl fence to be erected between Laundromat and length of property line, to block headlights and provide a pleasant view for neighbor.
- Lighting and unlit signage on the new building and the new addition will mirror what is currently on the can redemption center.
- Opening of Laundromat and beverage center is slated for soon after the first of the year.

Supervisor stated that he consulted with the Town Attorney and that the plans submitted are consistent with the town’s general business zoning so that a variance is not needed for the Laundromat.

RESOLUTION #124

Motion made by Councilman Kolacki and seconded by Councilwoman Herr, resolve the Town of Holland grant the amended Special Use Permit to Dan Yox for the addition to his can redemption building to be used as a beverage center and also construct a Laundromat all at 325 North Main Street. ALL AYES. CARRIED.

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WATER RATE INCREASE FOR 2014

RESOLUTION #125

Motion made by Supervisor Kasprzyk and seconded by Councilman Kolacki, resolve the Town of Holland approve the following water rates for 2014:

**WATER RATES
2014**

Account Set Up Fee: \$30.00

Shut Off Fee: \$30.00

Minimum for first 5,000 gallons: Zone #1 - \$18.75
Then \$3.80 per thousand

Zone #2 - \$20.80
Then \$4.22 per thousand

FLAT RATES – 4%

CAPITOL PROJECT

Residential \$24.30 per quarter

Commercial. Institutional with less than 20 sanitary water closets - \$48.72

Commercial. Institutional with more than 20 sanitary water closets - \$128.00

Tapping Fee \$2000.00 for ¾"
\$2200.00 for 1"
\$2300.00 minimum for larger than 1" plus time and material

Relevy Fee: \$50.00

Late fee interest rate 15%

ALL AYES. CARRIED.

David Blendinger of Creekside Saddlery – requested to be on the agenda for a lighted sign on Rt. 16 for his store front. He was not present for the board meeting. No action was taken.

TOWN CLERK - Sandra Smith

Since this is my last town board meeting as Town Clerk, I would like to take this time to thank the community for the 25 years as Deputy and Town Clerk. Never in all my earlier years would I have expected to be in this position as a Town Clerk. I didn't even know what a Deputy or Town Clerk did as I'm sure a lot of you don't know either. I'm so glad that Faith Wheaton asked me to be her deputy and took me under her wing and showed me what to do.

My position here has been exciting, rewarding and challenging. I have enjoyed working for you whether it was to sell you a hunting/fishing license, a dog license, or marriage license or whatever there was that you needed. Or just to answer any questions you deemed to ask. I should have kept a record of some of the crazy questions that I have answered in the past 25 years. Some I knew and then there were others I had no clue, but I would try and find the answer.

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I'm truly thankful to have had the support and encouragement of so many people during my terms of office. I have enjoyed my position as Town Clerk. I will surely miss seeing and chatting with all of the people. Thank you all for the memories I will take with me and cherish and also for letting me serve as your Town Clerk.

COMMENTS FROM THE PUBLIC:

Robert Ersing read the following:

"I have a concern regarding the designated official town paper. An article was written last month by a citizen regarding a catastrophe to a business in this town. The E A Advertiser printed the article and ran the headline which drew attention to the appropriate content of the article.

When the Arcade herald ran the same article, the headline was changed to steer attention away from the responsible parties for the public comments that we made.

IF THE ARCADE HERALD CAN'T PRINT AN ARTICLE WITH THE PROPER HEADLINE FOR IT AND REMAIN IMPARTIAL, THEN PERHAPS THIS IS NOT THE NEWSPAPER TO REPRESENT OUR TOWN OR COMMUNITY. This is not only my opinion, but the opinion of many community members of this town.

As for the Town Board Members who made these comments in a public arena, YOU KNOW WHO YOU ARE!!!

My only comment to you is "SHAME ON YOU".

The Supervisor stated that the town uses the Arcade Herald because they represent and deliver to more citizens in Holland.

RESOLUTION #126

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

General District Claims as set Forth in Abstract A-12	#451-481	in the amount of \$66,204.78
Highway District Claims as set Forth in Abstract DA-12	#167-187	in the amount of \$121,455.26
Water District Claims as set Forth in Abstract SW-12	#111-120	in the amount of \$10,861.44
Light District Claims as set Forth in Abstract SL-12	#11	in the amount of \$1,652.42
Garbage District Claims as set Forth in Abstract SR-12	#19	in the amount of \$22,156.42
Trust & Agency Claims as set Forth in Abstract TA-12	#19	in the amount of \$6,087.99
Cemetery District Claims as set Forth in Abstract CM-12	#28	in the amount of \$550.00

ALL AYES. CARRIED.

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RESOLUTION #127

Motion made by Supervisor Kasprzyk to adjourn the Regular Town Board meeting at 8:52pm in
memory of: Don Lewis
Sue Allen

RESPECTFULLY SUBMITTED:

SANDRA SMITH
TOWN CLERK