

**TOWN OF HOLLAND
TOWN BOARD MINUTES
MARCH 12, 2014**

Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:03 p.m., at the Holland Town Hall, 47 Pearl St., Holland, NY 14080. The Pledge of Allegiance and official roll call followed.

Town Board Members Present:

- Town Supervisor Michael Kasprzyk
- Councilman Geoffrey Hack
- Councilwoman Roberta Herr
- Councilwoman Karen Kline
- Councilman William Kolacki

Other Officials Present:

- Town Clerk Merilu O'Dell
- Deputy Town Clerk Elizabeth Snyder
- Bookkeeper Jill Zientek
- Highway Superintendent Patrick Joyce
- Town Engineer David Pratt
- Zoning Enforcement Officer Michael Sluce
- Town Attorney Ronald Bennett
- Board of Appeals Chairman William O'Dell
- Dog Control Officer William Newell

RESOLUTION # 21

Motion made by C. Hack and seconded by C. Kline, resolve the Town of Holland approve the minutes of the February 2014 Regular Town Board Meeting, held February 12, 2014.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN
MOTION CARRIED

NO PUBLIC COMMENTS

SUPERVISOR'S REPORT – Michael Kasprzyk

- A. Community Development Block Grant – Three-Year Extension automatic, unless declined. Are allowing extension to take place.
- B. Railroad Crossing and Vermont St. Water Line – Still do not have the agreement, but terms have been agreed to. When the agreement comes in, it will be forwarded to the town attorney.

- C. Dollar General – Sign is up, and the garage existing on the property is in the process of being demolished. Site work will begin soon, and the company wanted assurances that water and sewer services are available.
- D. Association of Towns 2014 Training and Annual Meeting in New York City – All resolutions the Town Board directed the Supervisor to vote in the Annual Meeting. He reported that all the resolutions passed; many dealt with Home Rule. He encouraged Town Board members to attend the annual event, saying that there were multiple sessions to choose from, with very comprehensive classes.
- E. Annual Financial Report - The annual financial report, as prepared by auditors Lumsden & McCormick, is available for inspection in the Town Clerk’s office during regular office hours. The Supervisor reported no adverse findings, and commended Bookkeeper Jill Zientek for her diligence.
- F. Joint Hazardous Materials Drop-Off - Re: possible joint effort between Holland, Colden and Wales netted both Holland and Colden willing to do a joint event; Wales declined. An original estimate of about \$12,000 for the event could be reduced to \$4,000 for each town, if all three went together for the event. With grants potentially available to help pay for the event, the idea was tabled until such time as more information is in hand.
- G. NYS Governor’s Budget – Proposed tax freeze would require municipalities to reduce their tax levies over a three-year period. Calling the plan “misguided,” Supervisor Kasprzyk said the real intent is to force local governments out of business. During the February Association of Towns Annual Meeting in NYC, the AOT asked local municipalities to support a resolution opposing that section and provision of the Governor’s budget. C. Hack went on record, stating he was “100% in favor of this resolution.”

RESOLUTION # 22

Motion made by S. Kasprzyk, and seconded by C. Kolacki, to approve the Association of Towns resolution:

RESOLUTION IN OPPOSITION TO “TAX FREEZE” IN THE PROPOSED 2014 STATE BUDGET

WHEREAS, the Governor’s proposed budget proposal in the 2014 State Budget is predicated on the misguided notion that local governments are inefficient and redundant, and
WHEREAS, the Governor has shown an utter disregard for government that is closest to the people and most responsive to their needs, and
WHEREAS, even if the local government were entirely eliminated, the services provided locally would have to be borne by the County or State, and
WHEREAS, the savings would be negligible, be it therefore
RESOLVED, that the NYS Legislature and the Governor be encouraged to look elsewhere for property tax savings, such as removing state mandates and providing real Medicare funding,

And be it further RESOLVED that the concept of local home rule be encouraged rather than discouraged by State Officials,

And be it further RESOLVED that a copy of this Resolution be sent to the Governor and the Leaders of the State Senate, Assembly, and our local State officials.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN
MOTION CARRIED

H. Meals on Wheels – Now have 12 clients in town, with an additional two or three coming in June. Supervisor noted that the volunteers are “being stretched pretty thin,” but that they cannot hurry through the route, because part of the process is making sure the clients are alright. He additionally noted that more volunteers would be needed to split the route. Part of the problem is that the food needs to be delivered at set temperatures. Supervisor thought maybe Hearts and Hands volunteers might be able to help.

I. Hearts and Hands – Noted that many volunteers are now helping town residents in need of their services.

J. Blue Star Marker – Re: marker at cemetery brought to Town Board meeting last month by the Garden Club’s Chris Hausauer. C. Kline said she thought it would make a good addition to the town, and suggested the town make a donation toward its purchase.

RESOLUTION # 23

Motion made by C. Kline and seconded by C. Herr, support the placement of a Blue Star Marker at the Holland Cemetery, and to donate \$500 to its purchase.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN
MOTION CARRIED

COMMITTEE REPORTS

- A. Buildings – C. Kolacki. No Report.
- B. Cemetery – C. Hack. Re: a proposed Cremation Section in cemetery; looking at having a section of the cemetery reserved for cremated remains. Flat markers in that section, possibly to be located in the northern part of the cemetery, would allow for easier maintenance.
- C. Planning Board Liaison- C. Kline. With nothing formal referred by the Town Board, the Planning Board discussed current issues.
- D. Town Park & Community Center – C. Hack. No report.
- E. Environmental Committee – C. Kolacki. Was unable to contact a Department of Environmental Conservation forester, C. Kolacki contacted Rex Webber. A member

of the Committee, Webber owns and operates a tree business in town. A committee meeting was set up for the following week, to discuss the planting of trees.

- F. Beautification – C. Herr. Re: negotiations on contract with Time Warner; will be meeting the following day with Chris Mueller of TW, where she hoped to discuss and finalize the franchise agreement.
Re: Christmas banners – C. Herr said that the banners need to come down; said she understood the harsh weather has been a factor.

COMMUNICATIONS

- A. Planning Board Minutes – Presented.
B. Board of Appeals Minutes – None.
C. Southtowns Rural Preservation – Thank you letter received for additional funding.
D. NYS Department of Taxation – railroad franchise revised assessment.

BUILDING ZONING OFFICER’S REPORT – Scott Hess. Report given.

DOG CONTROL OFFICER’S REPORT – William Newell. Report given.

FACILITIES MANAGER – Patrick Joyce. No report.

GRANT WRITER – Jill Zientek. No report.

HIGHWAY SUPERINTENDENT – Patrick Joyce. Re: Plowing. 121 plowing trips made, as of the end of February, as opposed to “90-some” trips all of last winter.

Re: Water main break on S. Main St. Old piping led to the break of the cast iron line. Joyce reported all bolts rusted off. This involved 642 feet of pipe. A grant is a possibility, and he asked if town engineer David Pratt could do a survey, mapping, and final design of a project to replace that section of line, with a projected cost of about \$9,690 to get the paperwork and design ready. If a grant can be obtained, this would help pay for the project; if not, it needs to be done anyway. He further added that a state permit to do the work is required.

RESOLUTION # 24

Motion by C. Hack; seconded by C. Herr, authorize Highway Superintendent Patrick Joyce acquire the requisite state permit, and to have Town Engineer David Pratt survey, map, and design a project to fix the S. Main St. water problem.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN
MOTION CARRIED

Joyce also asked the Board's permission to purchase a box spreader, at a cost of \$11,800. The money for the proposed purchase is in the highway budget.

RESOLUTION # 25

Motion by C. Hack; seconded by C. Kolacki, to authorize Highway Superintendent Patrick Joyce to purchase a box spreader, at a cost of \$11,800.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN
MOTION CARRIED

ZONING ENFORCEMENT OFFICER – Michael Sluce. Report filed.

NEW BUSINESS

- A. Special Use Permit request from Jesika Glor – Did not attend the meeting. Tabled until the April 9 meeting, when this item will again be on the agenda.
- B. Special Use Permit Request from J. Carney, to have chickens. Said she was planning on six chickens, for eggs. Supervisor Kasprzyk said a request of this type would typically be referred to the Planning Board, but commended Ms. Carney for the “nice job on your application.” He said the town attorney would prepare the SUP, and Ms. Carney would sign it at the Town Clerk's office.

RESOLUTION # 26

Motion by C. Kline; seconded by C. Hack, resolve the Town of Holland approve the Special Use Permit for J. Carney, to raise chickens for eggs.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN
MOTION CARRIED

- C. Special Use Permit request from S. DiPaolo, to build a commercial building to expand her current business as a dietary consultant. The stick-built, 40' x 60' building would be brick fronted, to match her home. No signage will be placed. S. Kasprzyk noted that she would also need a building permit, and must see Scott Hess for this.

RESOLUTION # 27

Motion by C. Hack; seconded by C. Kolacki, to approve the Special Use Permit request of S. DiPaolo, to build a commercial building to expand her current business as a dietary consultant.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN
MOTION CARRIED

- D. Special Use Permit request from Katherine Wahl, who is leasing Lar's Used Cars from owner Larry Havens. As the existing SUP does not attach when a tenant is operating, Wahl needed to get a SUP. Requester (Al Federico) said the business would be operated in the same way, and under the same restrictions. He said he was familiar with the SUP limitations on Larry Havens, and would abide by them under his own SUP. Because of the limited space, S. Kasprzyk said the cars should be parked perpendicular to the road, and Federico agreed with this. He stated that he wanted lights on his sign, and that any vehicles for sale would be roadworthy and subject to New York State inspection. C. Kline said that if any changes were to be made to the building, this would require a new SUP.

RESOLUTION # 28

Motion by C. Hack; seconded by C. Herr, to approve the Special Use Permit request of Katherine Wahl (Al Federico) to operate Lar's Used Cars business on S. Main St. The permit would allow for a lighted sign, as well as roadworthy, NYS-inspectionable vehicles.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN
MOTION CARRIED

- E. Event Permission Request – Commander Gary Kingston of the Holland Legion, requested permission to serve beer and wine at a social event scheduled at the Holland Community Center on May 10, 2014, from 6:00 p.m. to Midnight.

RESOLUTION # 29

Motion by C. Hack; seconded by C. Herr, to approve the Holland Legion's request to permission to serve beer and wine at a social event scheduled at the Holland Community Center on May 10, 2014, from 6:00 p.m. to Midnight.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN
MOTION CARRIED

OLD BUSINESS: None

TOWN ATTORNEY – Ronald Bennett. Re: the assessment challenge by Suzanne Draper, of property located at 400 North Main Street, Holland. The challenge has been settled for \$500,000, with this amount good for three years.

Re: Shared Services Agreement – Non-Emergency. Attorney stated his satisfaction with the way the agreement was written, and Highway Superintendent Patrick Joyce approved.

RESOLUTION # 30

Motion by C. Hack; seconded by C. Kolacki, to approve the Shared Services Agreement – Non-Emergency.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN
MOTION CARRIED

TOWN CLERK – MERILU O’DELL: Stated that a legal notice had been placed in the *Arcade Herald*, stating that the Annual Financial Report of the Town of Holland had been completed, and is available for viewing in the Town Clerk’s office.

COMMENTS FROM THE PUBLIC – Cindy Cassavino of Capital Heights asked the Town Board about the specifics of where sidewalks would be installed. Highway Superintendent Patrick Joyce said the sidewalk would stop at her home’s parking area, and start again after it. She gave “kudos to whoever got the grant.”

PAYMENT OF VOUCHERS

The following vouchers were presented for payment:

Highway District Claims as set Forth in Abstract DA-3	#20-38	in the amount of \$49,787.74
Water District Claims as set Forth in Abstract SW-3	#16-23	in the amount of \$8,647.36
Garbage District Claims as set Forth in Abstract SR-3	#2-3	in the amount of \$22,385.21
Lighting District Claims as set Forth in Abstract SL-3	#2	in the amount of \$1,960.58
General District Claims as set Forth in Abstract A-3	#89-127	in the amount of \$35,183.97
Trust & Agency Claims as set Forth in Abstract TA-3	#5	in the amount of \$7,094.15

RESOLUTION # 31

Motion made by C. Kline and seconded by C. Kolacki, resolve the Town of Holland pay the preceding vouchers.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN

MOTION CARRIED

Supervisor Kasprzyk spoke briefly about three people with Town of Holland connections, who had died since the January Town Board Meeting:

CLINTON STRONG
LOIS SMITH
PRISCILLA PRATT

RESOLUTION # 32

Motion made by Supervisor Kasprzyk, seconded by Councilman Hack, to adjourn the Regular Town Board Meeting at 8:54 p.m., in memory of the three.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN
MOTION CARRIED

MEETING ADJOURNED AT 8:54 P.M.

RESPECTFULLY SUBMITTED, MARCH 20, 2014.

MERILU O'DELL, TOWN CLERK