

**TOWN OF HOLLAND**

**TOWN BOARD MINUTES**

**May 14, 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:

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

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
- Planning Board Chairman Marty Regan
- Dog Control Officer William Newell – arrived late

**RESOLUTION # 38**

8:04 p.m. - Motion made by C. Kolacki. Second by C. Kline, resolve the Town of Holland approve the minutes of the April 2014 Regular Town Board Meeting, held April 9, 2014.

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

**NO PUBLIC COMMENTS**

**SUPERVISOR’S REPORT – Michael Kasprzyk**

- A. Contract – Buffalo & Pittsburgh Railroad – Vermont St. water line crossing. Supervisor Kasprzyk said the Town Attorney had indicated to him that the town should sign the water line crossing contract, which was “a rather elaborate, involved contract,” and that “it was in our best interests to get this behind us and get on with the replacement of that water line, as part of the reconstruction.” The water line will be located on the north side of the railroad crossing.

**RESOLUTION #39-2014**

8:05 p.m. - Motion made by C. Hack. Second by C. Kline, resolve the Town of Holland authorize Supervisor Kasprzyk to sign the contract with Buffalo & Pittsburgh Railroad, on behalf of the town.

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

- B. Unsafe building – 7148 Olean Road – Supervisor stated that the situation “has existed for quite a while,” and that Owner has been notified that the town is going to proceed with the condemnation of the building.

**RESOLUTION #40-2014**

8:06 p.m. - Motion made by C. Hack. Second by C. Kolacki, resolve the Town of Holland establish a Public Hearing at 8:15 p.m., during the regular board meeting scheduled for June 11.

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

- C. Hazardous waste grant application – 50% and jointly with the Town of Colden – Supervisor stated that Colden is willing to join in the event that Holland is able to secure the grant. C. Herr stated that she felt the cost was still too high, and questioned the actual costs. Supervisor answered that, after the grant, with two pickups, the cost would be \$4,000. “This is a guess,” he stated, “because we don’t know how much material will be dropped off - \$3,210 for the first drop-off, and \$2,500 for the second. The grant application for 2014 is for 50% of the cost...the location would be at Colden’s Fire Hall.”

**RESOLUTION #41-2014**

8:09 p.m. - Motion made by C. Hack. Second by C. Kolacki, resolve the Town Board authorize the Supervisor to sign the DEC grant application.

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

- D. Shared Highway Services Agreement – Prepared by Highway Superintendents Association, that allows the towns to enter into inter-municipal agreements to do work together on a non-emergency basis. The town attorney has reviewed it. The agreement “gives the Highway Superintendent the opportunity to enter into a agreement if he thinks it makes sense to do so,” the Supervisor said. “It in no way obligates us to do so.”

**RESOLUTION #42-2014**

8:12 p.m. - Motion made by C. Kolacki. Second by C. Kline, resolve the Town Board authorize the Supervisor to sign the Shared Highway Services master agreement, as prepared by the Highway Superintendents Association.

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

- E. Meals on Wheels update – 14 active clients – Coordinator June McArthur is in the process of recruiting additional drivers. Supervisor stated that the town may have to go to two routes. The process is working out well. Supervisor asked if anyone knew of someone interested in helping, please contact June McArthur.
- F. South Towns Rural Preservation – Holland is part of this 10 town/5 village consortium. Supervisor stated that the application to be re-certified for five years is nearly complete, with all criteria in place. The Affordable Home Care Grant for \$250,000 is in place. He called it a “wonderful opportunity,” but that does not do cosmetic work. He stated the program again has been funded.
- G. Budget amendment – South Towns Rural Preservation – an extra \$250 allotted to STRP to pay for a study consultant.

**RESOLUTION # 43-2014**

8:17 p.m. - Motion made by C. Kolacki and seconded by C. Kline, resolve the Town of Holland approve a budget amendment to cover an additional \$250 for South Towns Rural Preservation. To be taken from Contingency to go into Economic Assistance.

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

- H. Property tax freeze information – “A general outline that says how this property rebate is going to work,” the Supervisor called it “rather lengthy...without a lot of meat in it.” He stated that it was his personal opinion that “it is going to be very difficult for us to maintain services and still meet the requirements for these rebates.” Councilwoman Herr suggested that when the NYS budget is out, the Town Board take another look at this program.

**COMMITTEE REPORTS**

- A. Buildings – C. Kolacki. Air conditioning project at the Town Hall is completed.
- B. Cemetery – C. Hack. Re: new archway – very costly; prohibitive at \$55,000 just for the arch. Hack called it “a little too costly at this point.” Suggested making the pillars 4-5 feet high, with plaques mounted to the pillars. He also reported meeting with

- Cemetery Caretaker Ron Post, who said he was doing four or five more foundations for perpetual care. Re: the cremation section, Hack said on the north side of the cemetery, with room to grow.
- C. Planning Board Liaison- C. Kline. The Planning Board discussed two Special Use Permit requests: one for a retail business at 51 S. Main St, by Eric Hajdufi, and the second a kennel license request, by Jesika Glor.
  - D. Town Park & Community Center – C. Hack. Zumba classes a couple times a week under the shelter. More work is also being done on the lights there.
  - E. Environmental Committee – C. Kolacki. Re: tree plantings – met with Rex Webber – “We are going to get this going,” he said.
  - F. Beautification – C. Herr. Flowers for planter boxes have been ordered, and asked Patrick Joyce to get the planter boxes out of storage.

**PLANNING BOARD MINUTES** – Presented.

**BOARD OF APPEALS MINUTES** – Presented.

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

**DOG CONTROL OFFICER’S REPORT** – William Newell. Report given on kennel inspection by NYS Department of Agriculture and Markets – “A nice compliment for running a first-class operation,” said the Supervisor.

**FACILITIES MANAGER** – Patrick Joyce. Report given.

**GRANT WRITER** – Jill Zientek. Submitting DEC grant for approval. Re: previously awarded grant, the DEC will send the town a list of approved contractors, for the town to send proposals. Town engineer David Pratt will assist on this.

**HIGHWAY SUPERINTENDENT** – Patrick Joyce. Asked for the Town Board’s permission to attend Highway School, June 2-4 at Cornell University.

**RESOLUTION # 44-2014**

8:29 p.m. - Motion made by C. Herr and seconded by C. Kline, resolve the Town of Holland approve the attendance of Highway Superintendent Patrick Joyce, at the Highway School, on June 2-4, 2014, at Cornell University.

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

**ZONING ENFORCEMENT OFFICER** – Michael Sluce. Report filed. C. Kline requested that he follow up with issues regarding 117 S. Main St. (six unlicensed cars) and 101 S. Main St. (three unlicensed cars), across Route 16 from the Dollar General store currently under construction. Sluce said he had spoken to one of the owners, regarding removal of 23 cars, and said he would continue to follow up.

**Not on Agenda** - Mitch Martin, community representative for NYS Senator Patrick Gallivan – updated Board re: actions on identifying 1,219 regulations that could be eliminated or altered to help improve the business climate in NYS; business summits in the area (Gallivan and businessman Frank Swiatek speaking.) If anyone has questions, he will remain after the board meeting to address those questions or concerns. He noted that the Tulip Festival was “awesome,” and that Holland has “a great parade.”

Missed Agenda Item 4E, regarding Colden resident Ron Fraser’s submission of two reports re: gas drilling in the towns of Wales and Holland. The reports summarize what both towns have done regarding natural gas drilling, said Supervisor Kasprzyk.

## **NEW BUSINESS**

- A. Special Use Permit Request – Giuseppe’s Restaurant – lighted sign. Owner, as well as N.A.S. Sign Company representative, appeared to explain the SUP request. New pole sign, to replace existing pole sign and a ground sign. Upper section is illuminated, lower is an LED display, one color. Meets code as far as size, height, etc. Will be illuminated, not flashing or scrolling, only during hours of operation, from 9:00 a.m. to midnight during summer, and less during winter hours.

### **RESOLUTION #45-2014**

8:34 p.m. - Motion made by C. Hack. Second by C. Herr, resolve the Town of Holland grant the Special Use Permit request from Giuseppe’s Restaurant, to allow a lighted sign.

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

## **OLD BUSINESS**

- A. Special Use Permit – Kennel license – Jesika Glor. Postponed from last month for Planning Board review. The Planning Board recommended the approval of the SUP. Because the Glors may be moving, the SUP was recommended to be approved for one year only.

### **RESOLUTION #46-2014**

8:36 p.m. - Motion made by C. Kline. Second by C. Herr, resolve the Town of Holland grant the Special Use Permit request from Jesika Glor, to approve a kennel license.

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

- B.** Special Use Permit – Eric Hajdufi – retail business at 51 South Main St. The Planning Board has recommended the approval of the SUP. Parking will be on the street or behind the building. Erie County Health Department has also already inspected building. The business will re-use the old Boys & Girls Club sign.

**RESOLUTION #47-2014**

8:40 p.m. - Motion made by C. Kline. Second by C. Herr, resolve the Town of Holland grant the Special Use Permit request Eric Hajdufi for a retail business at 51 S. Main St..

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

**TOWN ATTORNEY** – Ronald Bennett – none.

**TOWN CLERK – MERILU O’DELL** – Reported she had attended extensive training through the NYSTCA Annual Conference and Training in Saratoga Springs, NY on April 27-30, 2014. She also reported that, as part of the NYSTCA conference, she had attended a Notary Public Class and had taken the Notary Public test. She received notification that she had passed the test, and had applied for her Notary Public appointment through New York State.

**COMMENTS FROM THE PUBLIC**

- A. Alan Laufer of 9684 Savage Rd. Said he was at the meeting speaking because he “is having some issues with his neighbor.” Tenants throw trash in his yard, the neighbor has drainage issues that are not corrected and that are undermining his driveway. Has issues with neighbor, his son, and tenants speeding “He has already killed my dog, and I don’t want it to be my nieces or nephews,” he said. Code Enforcement Officer Michael Sluce will speak with the neighbor, since he has already inspected the property and found numerous violations. Also said that the neighbor’s trash tote has been at the curb “since January” and is being constantly pushed onto Laufer’s driveway. Supervisor Kasprzyk said the Town Board has limited ability to intervene. Sluce said he was at the neighbor’s for 45 minutes, and suspect the neighbor or tenants knew he was there, and some of the trash has been picked up.
- B. Assessor Tammy Adsitt, re hazardous waste pick-up event. Asked if there had been any gauging of public interest in this type of event. “Isn’t it better ... to use the big boys?” she asked. Supervisor responded that the days set were not convenient for everybody, and couldn’t the town do it like Sardinia? Colden did it last year, and residents have asked him about doing it that way. Councilwoman Herr stated she wanted to make sure “we are looking into all the options.” Councilman Hack said he had “close to an hour’s wait” when he went to the county event, and thought it was a good thing to get an event out here. Supervisor Kasprzyk stated “this is a time when we listen to the public,” ending the discussion.

**PAYMENT OF VOUCHERS**

The following vouchers were presented for payment:

Highway District Claims as set Forth in Abstract DA-5	#55-71	in the amount of \$18,190.46
Water District Claims as set Forth in Abstract SW-5	#39-50	in the amount of \$6,912.47
Garbage District Claims as set Forth in Abstract SR-5	#5	in the amount of \$22,236.30
Lighting District Claims as set Forth in Abstract SL-5	#4	in the amount of \$1,329.69
General District Claims as set Forth in Abstract A-5	#173-212	in the amount of \$45,920.18
Trust & Agency Claims as set Forth in Abstract TA-5	#9-10	in the amount of \$7,444.15
Cemetery Fund as set Forth in Abstract CF-5	#2-4	in the amount of \$ 934.99

**RESOLUTION # 48-2014**

8:45 p.m. - Motion made by C. Kline and seconded by C. Hack, resolve the Town of Holland pay the preceding vouchers.

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

**RESOLUTION # 49-2014**

8:47 p.m. - Motion made by Supervisor Kasprzyk, seconded by C. Hack, to adjourn the Regular Town Board Meeting at 8:40 p.m., in memory of late Holland resident Esther Horrigan-Hofmeister.

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

**MEETING ADJOURNED AT 8:47 P.M.**

**RESPECTFULLY SUBMITTED May 20, 2014.**

**MERILU O'DELL, TOWN CLERK**