

**TOWN OF HOLLAND
TOWN BOARD MINUTES
January 14, 2015**

Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:17 p.m., following the 2015 Organizational Meeting, 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
Town Attorney Ronald Bennett
Bookkeeper Jill Zientek
Assessor Tammy Adsitt
Zoning Enforcement Officer Michael Sluce
Planning Board Chairman Marty Regan
Zoning Board of Appeals Chairman William O'Dell
Deputy Town Clerk Laurie Sullivan
Dog Control Officer Bill Newell

Town Officials absent:

Highway Superintendent Patrick Joyce

RESOLUTION # 1-2015

8:20 p.m. - Motion made by C. Kline. Second by C. Hack, resolve the Town of Holland approve the minutes of the Regular Town Board Meeting held December 10, 2014.

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

PUBLIC COMMENTS - None regarding this month's agenda

SUPERVISOR'S REPORT – Michael Kasprzyk

- A. Resignations of Holland Disaster Coordinator Howard Smith and Zoning Board of Appeals member Jim Crowley

RESOLUTION # 2-2015

8:21 p.m. - Motion by Councilwoman Kline, second by Councilwoman Herr, to accept, with appreciation for their service, the resignations of Disaster Coordinator Howard Smith and Zoning Board of Appeals member Jim Crowley. Mike O'Connor is the new disaster coordinator, while Crowley's replacement on the ZBA will be Timothy Selph.

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

- B.** D-LAN disaster system - “Snowvember” snowstorm update – The Supervisor stated that the Erie County Executive's comments regarding towns not using the D-LAN disaster communication system included Holland, because “I hadn't even heard of it.” He has called the county disaster coordinator Dan Nevereth and attended a D-LAN class, which he described as “straightforward and comprehensive.” He added that the town could have used the system to coordinate and offer help to affected towns.
- C.** Land Donation to Erie County - Proposed by a Holland landowner, the 105 acres would become a forest preserve. Comments ensued, regarding no access for area residents for recreational purposes. However, it would have an adverse effect by coming off the tax rolls, which would increase the tax burden for remaining residents. “There is no benefit to the Town of Holland,” the Supervisor said. The property is located on Vermont Hill Rd. Four other plots of land were foreclosed upon in the 1930s, and became forest preserve within the town, with no access to town residents.
- D.** Hearts and Hands – looking for a volunteer coordinator and volunteers. The area serviced includes Holland, Wales, and part of Marilla. The Supervisor asked people to let him know if anyone is interested.
- E.** Rural Transit – looking for volunteer drivers. The Supervisor noted that volunteers are down to four hours per week in Holland. Volunteers need a regular driver's license – no special license is required to drive the van – a clean driving record, and the ability to pick up and drop off the van in Sardinia, where it is based. A typical day would be 9:00 a.m. to 3:00 p.m., but shorter hours would be accepted. The Supervisor asked those present to “keep their ears open” for anyone who may be interested in volunteering.
- F.** Southtowns Rural Preservation - \$250,000 is available for low- to moderate-income homeowners to do needed repairs; this amount is for the consortium of which Holland is a member. There is no matching funds provision now. A lien is placed upon the property, to ensure the residence is owner occupied, and not just a “flip.” These are federal funds, funneled through SRP. About \$30,000 is already earmarked for existing applicants.
- G.** NYMIR – The town had recently switched to the New York Insurance Municipal Reciprocal for its insurance coverage. The Supervisor reported receiving a letter from NYMIR, regarding personal protection in the workplace, and call regarding the issue. He told the NYMIR representative that prohibitions against employees carrying personal protection when they are legally able to do so “is fine when there is a law enforcement presence on premises,” but that when employees are alone in the Town Hall, that he would not enforce a prohibition against personal protection.

H. Unsafe building – 7148 Olean Rd. On January 6, the town's Building Inspector, Scott Hess, and Zoning Enforcement Officer Mike Sluce visited the property in question. Although they did not enter the building, Hess said, in a letter to town officials dated January 7, that they were able to see inside, as the front door was ajar. “In my professional opinion, the overall condition of the structure is very poor,” the letter read. He also noted that 95% of the north foundation has caved into the basement, in addition to 20 feet of the south wall and many large cracks in the remainder of the foundation walls. Three large holes, in total about 30 square feet, were noted in the roof, with a tarpaulin covering the south side of an addition. The letter went on, “The soffits/fascia are rotted and falling from the structure. Gutters are missing or damaged. Garage - roof is sagging, windows are broken, overhead doors are damaged. Paint is very poor. Exterior service doors are not operable. Trims are missing and or rotted. South porch is falling away from structure.” He concluded, “I would estimate that exterior repairs would exceed 50% of the value of the home. The interior may be even less desirable condition, considering the holes in the roof, but as I did not enter the building, I am not able to verify at this time.” In light of this exterior inspection, the Town Board felt it best to proceed in its decision last month to acquire bids for the cost of demolition. The town has also been unable to contact the owner, by either Certified or regular mail. “He knows [the letters] are there [at the post office in South Wales], and won't pick them up,” said the Supervisor. “We may have to deliver by the police.”

I. Association of Towns – delegate to annual meeting

RESOLUTION #3-2015

8:23 p.m. - Motion by Councilman Hack, second by Councilman Kolacki, to designate Supervisor Michael Kasprzyk as the Town of Holland's delegate to the annual Association of Town's Annual Meeting in New York City from February 15-18, 2015.

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

J. Budget Modifications

General Fund

From:	A1620.41	Comm Center- Contractual	\$200.00	
To:	A1620.11	Comm Center-Personal Services		\$200.00
From:	A1990.4	Contingency	\$2,900.00	
	A1620.414	Buildings- Maintenance	\$14.31	
	A1910.4	Unallocated Insurance	\$5,155.66	
To:	A1620.1	Buildings- Personal Service		\$993.05
	A1680.4	Data Processing		\$1,149.94
	A3120.4	Constabulary- Contractual		\$722.47
	A5182.4	Street Lighting- Contractual		\$1,164.65
	A6772.4	Programs for the Aging		\$732.12
	A7110.4	Parks- Contractual		\$1,089.27
	A8160.4	Garbage Contractual		\$672.70
	A9030.8	Social Security		\$79.09
	A9060.8	Health Insurance		\$1,466.68

Highway Fund

From:	DA5110.1	Road Repairs- Personal Services	\$12,570.62	
To:	DA5142.1	Snow Removal- Personal Services		\$12,570.62
From:	DA5110.4	Road Repairs- Contractual	\$5,436.62	
To:	DA9060.8	Hospitalization		\$5,436.62

Water Fund

From:	SW9060.8	Health Insurance	\$4,769.44	
	SW9030.8	Social Security	\$2,162.00	
To:	SW8310.11	Water Administration-Water Operator PT		\$4,016.46
	SW8310.111	Water Administration-Water Operator- Trainee		\$789.33
	SW8310.4	Water Administration-Contractual		\$1,296.03
	SW8340.4	Transmission & Distribution		\$264.87
	SW8310.22	Water Administration- Equip Engineer		\$564.75

Cemetery Fund

From:	CM599	Unappropriated Fund Balance	\$3,687.92	
To:	CM960	Appropriations		\$3,687.92
	CM8810.1	Cemetery- Personal Services		

RESOLUTION # 4-2015

8:35 p.m. - Motion by Councilwoman Kline, second by Councilman Hack, to approve the specified budget modifications from General Fund.

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

RESOLUTION # 5-2015

8:36 p.m. - Motion by Councilman Hack, second by Councilman Kolacki, to approve the specified budget modifications from Highway Fund.

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

RESOLUTION # 6-2015

8:37 p.m. - Motion by Councilwoman Kline, second by Councilman Kolacki, to approve the specified budget modifications from Water Fund.

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

RESOLUTION # 7-2015

8:38 p.m. - Motion by Councilwoman Kline, second by Councilman Kolacki, to approve the specified budget modifications from Cemetery Fund.

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

COMMITTEE REPORTS

- A. Buildings – Councilman Kolacki – No report
- B. Cemetery – Councilman Hack – No report
- C. Planning Board Liaison – Councilwoman Kline – No meeting.
- D. Town Park & Community Center – Councilman Hack – In the Community Center, interior painting had taken place. The Supervisor complemented the painters on the job done.
- E. Environmental Committee - Councilman Kolacki – Reported that a meeting he was planning on attending was canceled, due to weather problems.
- F. Beautification – Councilwoman Herr – No report.

COMMUNICATIONS

- A. Planning Board Minutes – No meeting.
- B. Board of Appeals Minutes – No meeting.

BUILDING/ZONING OFFICER – Scott Hess. Report given.

DOG CONTROL OFFICER – William Newell. Report given.

FACILITIES MANAGER – Patrick Joyce not present at meeting. Town Engineer David Pratt said, regarding a Rural Water Association proposal, “We haven't even gotten a formal proposal yet.”

GRANT WRITER – Jill Zientek. No report.

HIGHWAY SUPERINTENDENT – Patrick Joyce not present at meeting – Report given.

ZONING ENFORCEMENT OFFICER – Michael Sluce. Report given.

NEW BUSINESS

- A. CHIPS Resolution – As the result of a decision by banks involved in the 2008-2009 banking

problems, New York State has a \$4 million windfall, and is asking for suggestions on what to spend it on. "Everyone is looking to dip into this," said the Supervisor. "Erie County has asked each town to ask for more CHIPS dollars for road repairs. This would ask our NYS delegates to make this a high priority."

RESOLUTION #8-2015

WHEREAS New York State has recently received billions in unanticipated revenue, and
WHEREAS safe transportation depends upon well-maintained highways and bridges, and
WHEREAS infrastructure improvements have immediate benefit to employment, and
WHEREAS those infrastructure improvements have a long-lasting impact on our community,
BE IT THEREFORE

RESOLVED, that the Town Board of the Town of Holland requests that the New York State Legislature and the Governor's Office allocate increased funding from the unanticipated revenue to the CHIPS Program, as such action will have an immediate positive impact for our citizens.

8:42 p.m. - Motion by Councilman Hack, second by Councilwoman Kline, that the preceding Resolution be approved by the Holland Town Board, and that copies of such Resolution be sent to NYS Assemblyman David DiPietro and NYS Senator Patrick Gallivan.

5 YEA/ 0 NO/0 ABSTAIN
MOTION PASSED

OLD BUSINESS – None.

TOWN ATTORNEY – Ronald Bennett – No report.

TOWN CLERK – Merilu O'Dell – No report.

COMMENTS FROM THE PUBLIC – Gary Kingston – Commented regarding the proposed transfer of private property to Erie County as a forest preserve, and said he has been on this property for 40 years. "I don't understand this. Can you explain? We can't even walk on it?" he asked. The Supervisor replied, "That is correct. [The property owners] approached Erie County without our knowledge. It will come off our [tax base]. I questioned this, and talked to Erie County Parks and Forest and Planning and Development." Kingston said he was concerned, because past logging on county-owned land hasn't always turned out well. He cited a logging project on South Protection Road - "They made a mess, and it wasn't even cleaned up." Supervisor Kasprzyk said, "None of the county forests are 'managed' – whatever that means. South Protection was a complete debacle, very poorly handled." He referred to the three other county forest parcels in town, saying they "haven't been touched in years. We have been told by the county attorney's office that there's nothing [the town] can do" about the transfer. Kingston then asked if there was anything the town could do to ensure town residents access to the parcel. Kasprzyk said he would approach the county about this.

PAYMENT OF VOUCHERS

The following vouchers were presented for payment:

Abstract 13

General District Claims as set Forth in Abstract A-13	#496-534	in the amount of \$12,612.66
Highway District Claims as set Forth in Abstract DA-13	#187204	in the amount of \$113,024.42
Water Fund as set Forth in Abstract 13	#130-137	in the amount of \$8,892.68
Lighting District Claims as set Forth in Abstract SL-13	#12	in the amount of \$2,007.91
Garbage District Claims as set Forth in Abstract SR-13	#23	in the amount of \$22,84.12
Cemetery Fund as set Forth in Abstract CF-13	#24	in the amount of \$4,957.82

Abstract 1

General District Claims as set Forth in Abstract A-13	#1-17	in the amount of \$9,715.53
Trust & Agency Claims as set Forth in Abstract TA-1	#1-4	in the amount of \$27,285.16
Cemetery Fund as set Forth in Abstract CF-12	#1	in the amount of \$425.00

RESOLUTION # 9-2015

8:46 p.m. - Motion made by C. Kline and seconded by C. Kolacki, resolve the Town of Holland pay the preceding vouchers.

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

ADJOURNMENT - Supervisor Kasprzyk adjourned the Regular Town Board Meeting at 8:51p.m., with a moment of silence, in memory of late Holland residents Charles Volk, John Jones, Al Kalinowski and Tom Sotara. Chaffee resident Doris Gasner and Colden resident Al Kalinowski were also memorialized.

RESPECTFULLY SUBMITTED January 24, 2015

MERILU O'DELL, TOWN CLERK