

**TOWN OF HOLLAND  
TOWN BOARD MINUTES  
February 11, 2014**

Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:00 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
- Bookkeeper Jill Zientek
- Zoning Enforcement Officer Michael Sluce
- Planning Board Chairman Marty Regan
- Zoning Board of Appeals Chairman William O’Dell
- Deputy Town Clerk Elizabeth Snyder
- Town Engineer David Pratt

Town Officials Absent:

- Highway Superintendent Patrick Joyce
- Town Attorney Ronald Bennett
- Dog Control Officer Bill Newell

**RESOLUTION # 10-2015**

8:02 p.m. - Motion made by C. Kolacki. Second by C. Kline, resolve the Town of Holland approve the minutes of the 2015 Organizational Meeting and the Regular Town Board Meeting held January 14, 2015.

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. Item Not on Agenda: Need to approve a resolution authorizing the tax plans to have the Highway Superintendent to do road repairs on 16.8 miles of town highways,

which is budgeted to cost \$248,022. The money is earmarked for the repairs, “the bulk of which is Park St. and the lower half of Garfield St.,” said the Supervisor.

**RESOLUTION # 11-2015**

8:03 p.m. - Motion made by C. Hack. Second by C. Kolacki, resolve the Town of Holland approve the tax plans to do road repairs, as specified in the “Agreement for the Expenditure of Highway Moneys.”

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

- B. Association of Towns Annual Meeting and Training, New York City, Feb. 15-18 – Supervisor Kasprzyk was named the official town delegate at the January 11 meeting, and will vote on the 13 resolutions that were submitted by the AOT’s Resolution Committee. He indicated he would vote YEA for each of those resolutions, and sought the Board’s approval of that. All members indicated that they wished him to vote in the affirmative. There is also a list of proposed bylaws changes, of which each member has a copy. He said that there is a group, located around the Ithaca, NY area, which is planning on submitting “some alternate bylaw changes. Basically, they want to be able to change the leadership from the floor during the annual meeting, and [the AOT] already has a logical progression of vice presidents.” The Supervisor added that he expected that” the counter-resolutions would die quickly.”
- C. Erie County Bridge and Road Committee - The Supervisor said he attended a meeting the previous day in Buffalo. “We had a good meeting,” he said, adding that the people from the Greater Buffalo Niagara Regional Transportation Council had put together a presentation regarding how the entity rates the county’s roads. This should be online in May 2015, as opposed to the previous print-only version. Stating that “it is pretty comprehensive,” the Supervisor said it will contain much useful data, like usage and actual physical surveys.
- D. Item Not on Agenda - The Supervisor said he attended a meeting today, and brought up the frequent closures of Woodlawn Beach on the Lake Erie shoreline, due to higher-than-acceptable levels of bacteria in the water there. This has been shown to be the result of inefficiency at the Southtowns Overflow Waste Treatment Plant, which, in turn, is affected by the Russian Creek Interceptor, which is also inadequate for the flow. “New York State finally granted a \$5.5 million grant, and it’s going out to bid in a week or two,” he said. “That should go a long way toward making sure Woodlawn Beach can remain open during the summer months.”
- E. Sewer District #3 – “There was a DEC inspection of the sewer treatment plant in Holland, and it received a very favorable, positive rating,” the Supervisor said. “They were very complimentary about the efficiency of the facility.”
- F. Item Not on Agenda – The Supervisor said he attended a meeting of the Southtowns Rural Preservation the previous Monday. The group received a \$250,000 grant, to do affordable housing rehabilitations. As of the meeting, there were three homeowners from Holland who had inquired regarding the grant, and one who actually applied.

- “It is a good program, and one that I hope will be able to help people here in Holland, as it has in the past,” he said.
- G. Dilapidated House – 7148 Olean Rd. – “Since May [of 2014], this Board has dealt with the house down on Route 16,” said the Supervisor. “In view of our Building Inspector and Code Officer classifying it as ‘Not Habitable,’ we have attempted to get that owner [Grant Mix] to either bring it into compliance or remove it. He has now retained counsel...the attorney assures me that the plan of what he is going to do it, and how he is going to do it, and when he is going to do it, is coming in a couple weeks,” said the Supervisor. “Tomorrow, it will be two weeks, so I would expect that something comes through by tomorrow.” Councilwoman Herr asked, “If it doesn’t, are we following with...?” He replied, “I don’t know. We’ll have to wait and see. Because there is counsel involved now, [Town Attorney] Ron [Bennett] is suggesting that we use caution, which is the same thing that Mike and Scott [Code Enforcement Officer and the Building Inspector] have said. On the other hand, his attorney told me, point blank, on the phone, ‘I understand how long, I understand your code, I understand that you are perfectly legal in doing what you have set down, and I will attempt to get this guy to do it.’ I suggested to the attorney that this guy has given us the run-around, and I wasn’t sure he understood the seriousness of all of this, and he assured me that he understands.”
- H. Hazardous Waste Drop-Off – Joint event with Colden scheduled for September 19. As a result, Holland will not hold a separate drop-off at the town’s highway garage in September. The joint event with the Town of Colden will again be held at the Colden Fire Hall on the corner of Partridge and Center. Electronics will also be accepted at the event.
- I. Rural Transit – looking for volunteer drivers. The Supervisor asked those present to “keep their ears open” for anyone who may be interested in volunteering, as “a lot of our senior citizens depend on this.” He asked Jill Zientek to put the request on the town’s website.
- J. Southtowns Planning & Development Group – Councilwoman Kline said one of the items discussed at this meeting was the county’s plan to require radon detection equipment/testing in new home builds. Kits will soon be available at \$8.50 each, which includes analysis of the test. A number of kits may be purchased by the Town, and made available at the Town Hall for residents to purchase. The Supervisor thanked Planning Board Chairman Marty Regan for attending the meeting, since the Supervisor was unable to attend.
- K. Hearts and Hands – 2014 statistics. The organization provided stats for 2014, which includes data for Holland, and for the surrounding area, as well. “The numbers speak for themselves,” the Supervisor said. “They are doing a lot of great work in our community, and we are thankful that they are serving our community.” The group is still looking for a volunteer coordinator and volunteers, for Holland, Wales, and part of Marilla. The Supervisor asked people to let him know if anyone is interested in the part-time position (about 20 hours/week).
- L. Update on National Fuel Gas Line – “It is not going through Holland.” The Supervisor reported receiving many phone calls and emails stating this, but also stating that it is going to follow the high-voltage electrical transmission line. Although plans are to follow the line, National Fuel also does not want the gas line to

have sharp turns, like the transmission line does, but rather, a wider swing to make a turn. The Supervisor said that he was told, "There will be some property acquisition required....Some of the people on Partridge Road will probably be negotiating an agreement soon."

## COMMITTEE REPORTS

- A. Buildings – Councilman Kolacki – No report
- B. Cemetery – Councilman Hack – The re-building of the pillars at the entrance to the Holland Cemetery are on hold, until better weather. Supervisor Kasprzyk asked if a cremation section was being set aside, and Councilman Hack confirmed it will be on the west side, in the north end.
- C. Planning Board Liaison – Councilwoman Kline – There was no formal meeting in December, but general discussion.
- D. Town Park & Community Center – Councilman Hack – Reported that the ice rink is now open and being used. The Supervisor said that Senator Gallivan, if he gets the opportunity, will earmark funds for the half wall at the shelter. The Supervisor asked Town Engineer David Pratt to "dust off the plans" for the half wall and garage doors at the shelter, in preparation for this.
- E. Environmental Committee - Councilman Kolacki – Reported that he had attended a meeting of the Erie County Environmental Management Council, regarding the solar industry, including the Solar City project at Riverbend in Buffalo.
- F. Beautification – Councilwoman Herr – No report.

## COMMUNICATIONS

- A. Planning Board Minutes – Report given.
- B. Board of Appeals Minutes – No report.

**BUILDING/ZONING OFFICER** – Scott Hess. Report given. Code Enforcement Officer Mike Sluce said there was a correction on Scott Hess' report, of an erroneous date. Under the title "Certificate of Occupancy and/or Compliance Issued," Permit # 14078 should have a date of 1/29/15, not 1/19/15.

**DOG CONTROL OFFICER** – William Newell. Report given.

**FACILITIES MANAGER** – Patrick Joyce. No report.

**GRANT WRITER** – Jill Zientek. No report.

**HIGHWAY SUPERINTENDENT** – Patrick Joyce – Report given. In Pat Joyce's absence, Councilman Kolacki said that the people from the Holland Willows had approached Pat Joyce regarding extending the water system down to the restaurant. He asked what needed to be done next, and Supervisor Kasprzyk said that Town Engineer David Pratt should be asked what to do. Pratt replied that the town would need to set up a special district or a district extension, do the design, find out how you're going to fund it. Councilman Hack asked if the town should survey

the residents regarding this, and said he knows there are some problems with water. The Supervisor said that if there is a need, "We ought to look at what that need is." Discussion ensued regarding "substandard" supply in spots that would need to be replaced. A "regular Class I line, 8-inch or bigger" would be the standard, with fire hydrants, etc., "much the same as we did up on Burlingham," the Supervisor said. One of the residents who would be affected, Bob Ersing, stated that he is "responsible to fix that line [because it is a private line now] if it breaks at any location." He indicated that he "now pays the same fees as everyone else," and that move would place him in the water district. The Supervisor said that Jerry Barron had noted that, if this line went through, it would give homeowners a break on their insurance, because they would be covered by certified hydrant systems. He also said, "We know we have enough water, so that is not a concern." Councilman Hack asked to get the grant writer involved, to see if there could be coverage for some of the cost of hydrants, etc. The Supervisor said he had not talked with Nelson Rauch of the Zider Zee regarding this, but reminded the Board that Rauch had approached the Board some time ago regarding this issue.

In another matter, Councilman Kolacki said that Highway Superintendent Pat Joyce had asked him to convey to the Board that he would like to purchase a new plow truck through state bid. The Supervisor told Bookkeeper Jill Zientek that Joyce had also approached him regarding this, and that there is enough money in the equipment fund to purchase, especially since one of the two plow trucks was lost in an accident. The 2003 International truck would then become a spare, and Joyce did not think he could get a better price than going out to state bid. The Supervisor also said the Town now has the contract for the Sidewalk Grant.

**ZONING ENFORCEMENT OFFICER** – Michael Sluce. Report given. 289 North Main St., North American Log Homes, has a "a very large, pole-type structure in the back...part of it has collapsed onto the ground." He said he has attempted to contact the owners, but has been unsuccessful.

#### **NEW BUSINESS**

- A. Special Use Permit Request – Jason Kline – Request to tear down a garage and build a multi-family dwelling at 53 Garfield St. There is already a multi-family home in the front of the property, and Kline is requesting a SUP to tear down the existing garage at the back of the property and build a multi-family dwelling on the same site. It would fulfill all town codes, as well as set back requirements, while the existing garage is not in code compliance. The land measures ¼ acre, and there are already two driveways on the property. The paperwork Kline submitted is for a single-story dwelling, although the structure could be a two-story, four-unit design.

#### **RESOLUTION #12-2015**

8:28 p.m. - Motion by Councilman Hack, second by Councilman Kolacki, to refer Kline's request for a Special Use Permit to the Planning Board.

5 YEA/ 0 NO/0 ABSTAIN  
MOTION PASSED

**OLD BUSINESS** – None.

**TOWN ATTORNEY** – Ronald Bennett – No report.

**TOWN CLERK** – Merilu O’Dell – Town Clerk’s Office hours change. The office will now be open on Mondays, Tuesdays, Thursdays and Fridays from 9:00 a.m. to 3:00 p.m., and on Wednesdays from 3:00 p.m. to 7:00 p.m., effective February 1. The change was made in response to residents’ comments that the previous hours were too confusing, and that they would prefer regular hours, especially in the mornings during the week.

**COMMENTS FROM THE PUBLIC** – None, although Supervisor Kasprzyk gave an update regarding the proposed sale of property that runs from Canada Street to Vermont Hill Road. He said the owners “are having second thoughts” about donating the land to Erie County, because they thought the donation would allow residents to use the property and “have it be an asset to the community.” When they found this might not be the case, and that residents might very well be denied access to the property, they are reconsidering the donation idea. If donated, the property would come off the tax rolls, and become posted forest land, inaccessible to residents. “I don’t know where it stands right now,” said the Supervisor. “I will keep you posted. Who knows where this is going to go.”

**PAYMENT OF VOUCHERS** - The following vouchers were presented for payment:

General District Claims as set Forth in Abstract A-2	#18-71	in the amount of \$51,241.32
Highway District Claims as set Forth in Abstract DA-2	#1-17	in the amount of \$15,177.71
Garbage District Claims as set Forth in Abstract SR-2	#1	in the amount of \$22,565.87
Lighting District Claims as set Forth in Abstract SL-2	#1	in the amount of \$1,913.34
Trust & Agency Claims as set Forth in Abstract TA-2	#20-33	in the amount of \$15,157.55
Water Fund Claims as set Forth in Abstract 2	#1-13	in the amount of \$16,429.76

**RESOLUTION # 13-2015**

8:34 p.m. - Motion made by C. Hack and seconded by C. Kline, 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 8:36 p.m., with a moment of silence, in memory of late Holland resident Glen Fuller.

**RESPECTFULLY SUBMITTED**  
**February 20, 2015.**

**MERILU O'DELL, TOWN CLERK**