

**TOWN OF HOLLAND
TOWN BOARD MINUTES
July 8, 2015**

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:

Highway Superintendent Patrick Joyce
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
Dog Control Officer Bill Newell (arrived later)

RESOLUTION # 46-2015

8:05 p.m. - Motion made by C. Hack. Second by C. Kline, resolve the Town of Holland approve the minutes of the Regular Town Board Meeting held June 10, 2015.

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

PUBLIC COMMENTS – None.

SUPERVISOR'S REPORT – Michael Kasprzyk

- A. 2016 Budget Preparation Process – Scheduling departmental sessions with Board on Monday, August 24, and Tuesday, August 25, beginning at 6:00 p.m. each night. The Supervisor instructed Bookkeeper Jill Zientek to set up the sessions.
- B. August Town Board Meeting – The Supervisor will not be at the meeting scheduled for August 12, so Deputy Supervisor Geoffrey Hack will preside at the meeting.

- C. DOT Grant – Easements have been prepared by Town Attorney Ron Bennett for affected residents on Vermont St. Highway Superintendent Patrick Joyce said he is waiting for signatures on the easements, which he described as “pretty straightforward.” He is looking to begin the actual sidewalks in August. Supervisor Mike Kasprzyk said grantwriter Jill Zientek is resubmitting invoicing to New York State. He added that her work has been “laborious,” and thanked her for her work and diligence.
- D. Condemned House – 7148 Olean Rd. At the June Town Board meeting, owner Grant Mix had asked for additional time to list the property with a realtor. “At least one person believes he can rehabilitate the house and has made an offer,” said the Supervisor. “This Board has been very patient. The Building officer, the Zoning officer, and two contractors – all four have concluded it cannot be rehabbed,” he added. Attorney Bennett said that he had spoken with Mix’s attorney earlier in the day, and “he understands that this needs to be done so that it doesn’t drag out.” Kaprzyk said, “This Board has already used up all its patience – maybe twice – so they will need to move expeditiously.”
- E. 255 Vermont St. – Land Bank. In regards to a piece of property that remains after the Town had to demolish a vacant structure, the Supervisor said that Erie County will not foreclose on vacant land. The Town is now looking into listing it with the Land Bank. This will cost \$1,400, which the Town could attempt to be reimbursed for at a later date. This could clear the title, so the property could be offered for sale, possibly to adjoining landowners. Attorney Bennett said it could be January or February of 2016 before it is said and done.

RESOLUTION # 47-2015

8:05 p.m. - Motion made by C. Hack. Second by C. Kolacki, to authorize Supervisor Michael Kasprzyk to enter into a contract with the Land Bank, regarding vacant land at 255 Vermont St.

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

- F. Solar Liberty – Resolution. Rob Gauchet, vice president of sales and operations for Solar Liberty, was present to do a PowerPoint presentation on an “L-shaped” solar array featuring “remote net metering,” which would enable energy produced from a solar array located at the water property of Water Street to be applied to energy requirements at other town locations. The town currently has 14 meters for its electric consumption, including the Town Hall, highway garage, community center, lighting districts, and athletic fields at the town park. The Town Board previously sent a letter enabling the Town to be “grandfathered” in to the Public Service Commission’s current credit-based method. The agreement was signed and approved by Town Board resolution before June 1, 2015, the PSC’s deadline for the grandfather clause. The array will be installed at no cost to the Town, and the Town would lease the array for a 20-year term. It is estimated by Solar Liberty that the cost

savings to the Town over the 20-year term of the lease of the 300 KW system could exceed \$250,000. Following the 30-minute presentation, Gaudet asked the Board to sign a Power Purchase Agreement between the Town of Holland and Solar Liberty; the Town Attorney has already reviewed the contract language.

RESOLUTION # 48-2015

8:46 p.m. - Motion made by C. Hack. Second by C. Kline, to authorize Town of Holland Supervisor Michael Kasprzyk to enter into a Power Purchase Agreement, on behalf of the Town of Holland, with Solar Liberty LLC, for a 20-year lease of a 300 KW solar array system for remote net metering.

ROLL CALL VOTE

C. Hack – Aye
C. Kline – Aye
C. Herr – Aye
C. Kolacki – Aye
S. Kasprzyk - Aye

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

- G. Storage Building – Legion Dr. For several years, the Kiwanis Club has been storing its float, hot dog stands, and other Tulips Festival items in a shed which also houses town equipment. Since the shed is in bad shape and is overcrowded, the Kiwanis Club has offered to pay for a new pole barn, featuring metal walls and roof. The Club, which made more money at the Tulip Festival in May than was anticipated, will give the building to the Town, and will continue to store its equipment inside. The size and cost have not yet been determined.

RESOLUTION # 49-2015

8:58 p.m. - Motion made by C. Hack. Second by C. Kolacki, approve an offer by the Kiwanis Club of Holland to purchase an as-yet-unspecified-size pole barn to replace a deteriorated garage/shed at the Town Park. In the event the Town does not want the building, it will revert to the ownership of the Kiwanis Club. C. Herr asked if insurance could be checked, and Highway Superintendent Joyce confirmed that the existing building needs to be demolished.

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

- H. Eagle Scout Project – The Supervisor has been in contact with a young man who asked if the town had any projects that needed to be done, who wishes to begin his required project in order to obtain Eagle Scout status. The possibility of mapping of unlisted gravesites in the cemetery is being considered. The Board agreed with the project.

- I. Dog Census – Contract. It has been several years since a dog census was conducted in the Town, and nearly 100 dog owners of record have not renewed their licenses, according to the Town Clerk. The Supervisor asked several other town supervisors how their towns conduct a dog census, “and they run the gamut of whatever you can imagine,” he said. One was of particular interest, Tonawanda, which had a local Boy Scout Troop do the door-to-door census, in exchange for a \$1,000 contribution from the town to the Boy Scout Troop. Since the local Boy Scouts in Holland are “actively trying to raise money to fund its Philmont Ranch trip to New Mexico, this could be a win-win situation,” he said. He said he called Troop Leader Chris Couzins, who “was enthusiastic about the idea,” and obtained approval from his executive board. Couzins said the troop could be finished with the project by the end of September. Councilman Herr said she could help with the forms and training. A contract was proposed, in which the troop would receive a \$1,000 contribution from the Town upon the successful completion of the 1,400-household census.

RESOLUTION # 50-2015

9:03 p.m. - Motion made by C. Herr, Second by C. Kline, to authorize Town of Holland Supervisor Michael Kasprzyk to enter into a contract with the Boy Scouts for a dog census, in exchange for a \$1,000 contribution from the Town upon successful completion of the census. The Town attorney will draw up a contract for the Supervisor’s approval.

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

COMMITTEE REPORTS

- A. Buildings – Councilman Kolacki – The carpeting in the State Troopers substation at the Town Hall is in need of replacement. The Town is currently seeking bids to replace it.
- B. Cemetery – Councilman Hack – Hack said he is waiting to hear from Engineer David Pratt regarding the survey of the cremation section at the Holland Cemetery. He noted there have been a number of foundations replaced, and more need work done.
- C. Planning Board Liaison – Councilwoman Kline – The Board met on June 1, and heard a Special Use Permit request from Tim Selph for raising chickens. The Board recommends approval, with certain conditions.
- D. Town Park & Community Center – Councilman Hack – There have been a number of vandalism incidents lately, ranging from spray painting to lights being broken. The Supervisor said it may be time to consider security cameras.
- E. Environmental Committee - Councilman Kolacki – No report.
- F. Beautification – Councilwoman Herr – No report.

COMMUNICATIONS

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

- C. Kiwanis Club of Holland Note – Note of thanks for the support of the Town and Constabulary during the Annual Tulip Festival in May.
- D. Erie County Health Department – Letter urging the Town to get the second well operational. Water’s Jerry Barron says the controls for the well are nearly ready for testing, and which was confirmed by Joyce.
- E. Hearts & Hands Volunteer Appreciation Dinner - Scheduled for July 15, this event will be attended by Councilwoman Herr, as representative for the Town.

BUILDING/ZONING OFFICER – Scott Hess. Report given. Justin Quant, who will be taking over from Hess, is scheduled to take his three-day Module I training in Rochester on July 28-30. He will then be able to assume the duties of Building Inspector from the retiring Hess.

DOG CONTROL OFFICER – William Newell. Report given (submitted to Town Clerk that day) – The Newells are considering a move to Sardinia, and were wondering if the Town would like to retain him as Dog Control Officer. The Supervisor said a previous DCO also lived in Sardinia, and the Town would like Newell to continue as DCO. He said he appreciated the work the Newells have done as Holland’s DCO, as well as the same position in Wales. He added that the kennel at the Newells’ home would also have to move.

FACILITIES MANAGER – Patrick Joyce. Joyce said that if the Town was going ahead with the solar array, the Water St. site needs to be surveyed. “We need to know exactly where the [property] lines are,” he said. Also, he added, Water’s Jerry Barron will be retiring and is done as of next month.

GRANT WRITER – Jill Zientek. No report. The Supervisor said “she is up to her ears in paperwork for the sidewalk grant,” and praised her for all the work she has done, and continues to do.

HIGHWAY SUPERINTENDENT – Patrick Joyce – Report given. His crew did crossover pipes, cut down banks, and patched on Wilkens Rd. Also, milled and paved the intersection of Pearl and Canada streets, as well as in front of the high school.

ZONING ENFORCEMENT OFFICER – Michael Sluce. Report given. The problem of many vehicles sitting at the former Wells Camping Center was briefly discussed, with the fact that it has been two years since the fire that destroyed the buildings there. Sluce said he would pursue the matter.

NEW BUSINESS

- A. Special Use Permit Request – Jim Orlando – Holland Hotel. He is seeking an SUP to open the business as a restaurant/bar, and for refurbished original signage from the 1920s. Orlando, who owns another restaurant in Baldwinsville, NY, submitted drawings of the logo and historical murals he will be using. He anticipates opening the facility next April. “I know you have put an awful lot of man hours into saving a local treasure,” the Supervisor said. The matter was referred to the Planning Board for its recommendations.

- B. Special Use Permit – Tim Selph – Chickens. He is seeking an SUP to allow him to raise no more than nine chickens on his property. He has four acres of land, and the chickens will be housed in a 6x18 coop with a 10x10 enclosed run. They will not be free range. These will be for personal use, and no retail sales. It will not be visible from either the road or from the neighbors' properties. He will be composting the waste into his garden. Planning Board Liaison Karen Kline said that Selph had appeared before the Board, and it is the Board's unanimous recommendation that the request be approved, with certain stipulations, including no roosters and proper property upkeep.

RESOLUTION # 51-2015

9:28 p.m. - Motion made by C. Kolacki. Second by C. Kline, resolve the Town Board approve the Special Use Permit request of Tim Selph to house no more than nine chickens on his property. Certain other stipulations and conditions will apply, as specified in the Planning Board's recommendation.

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

- C. Special Use Permit – Marc Potzler – Chickens. He is seeking an SUP to allow him to raise 12 chickens on his property at 189 Pearl St. It would be hens only, with no roosters, and will be contained in a fenced enclosure with an attached coop, 6x8 feet in size. Potzler said the chicken waste will be composted in his garden, and that the eggs and chickens will be only for personal use. The structure will be out of sight of most of his neighbors and the road. The matter was referred to the Planning Board.

9:30 p.m. – The Supervisor turned over control of the meeting to Deputy Supervisor Geoffrey Hack, since the following agenda item was a request by the Supervisor for a Special Use Permit Amendment.

- D. Special Use Permit Amendment – Michael Kasprzyk – Business Additions. The Supervisor, owner of Route 16-based Inex, is seeking an amendment to his SUP, to add three additions onto the Inex building, in order to accommodate a business expansion. The proposed additions are well within the property lines. Because it is an amendment to an existing and in-force SUP, not a new SUP, the matter was not referred to the Planning Board. "The business has grown, and we are literally falling over ourselves in the existing building," he said. He said a subcontractor for the past six years has discontinued doing work for Inex. After being unable to locate another subcontractor, he decided to do the required work in house. He submitted drawings to alleviate the space problems, with two options. Inex currently has nine employees.

RESOLUTION #52-2015

9:34 p.m. - Motion by C. Kolacki, second by C. Kline, to approve the SUP amendment request of Michael Kasprzyk of Inex, to accommodate a three-addition building expansion.

4 YEA – Hack, Kline, Herr, Kolacki / 0 NAY /1 ABSTAIN - Kasprzyk
MOTION PASSED

9:35 p.m. – Deputy Supervisor Geoffrey Hack ceded control of the meeting back to Supervisor Kasprzyk.

OLD BUSINESS – None.

- A. Special Use Permit – Faye Bender – This action was postponed until the July Holland Town Board meeting, since Bender was not in attendance at the June meeting. However, the Supervisor noted that it has now been three months since Bender first approached the Board regarding a proposed laundromat, and he has not heard anything from her during the past month. This will be left as an open item.

TOWN ATTORNEY – Ronald Bennett – No report.

TOWN CLERK – Merilu O’Dell – No Report.

COMMENTS FROM THE PUBLIC – None.

VISITOR – Karl Simmeth of NYS Assemblyman David DiPietro’s office. He said he was available to receive any input or concerns from community residents. The Supervisor thanked him for coming.

PAYMENT OF VOUCHERS

The following vouchers were presented for payment:

General District Claims as set Forth in Abstract A-7	#214-257	in the amount of \$62,415.91
Highway District Claims as set Forth in Abstract DA-7	#101-116	in the amount of \$22,198.45
Garbage District Claims as set Forth in Abstract SR-7	#15	in the amount of \$23,059.43
Trust & Agency Claims as set Forth in Abstract TA-7	#18-19	in the amount of \$8,317.35

Water Fund Claims as set Forth in Abstract 7	#45-55	in the amount of \$9,833.85
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Cemetery Fund Claims As set Forth in Abstract CF-7	#35-37	in the amount of \$4,809.23
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RESOLUTION # 53-2015

9:38 p.m. - Motion made by C. Kline and seconded by C. Herr, 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 9:40 p.m., with a moment of silence, in memory of late Holland residents Gene Rybij and Elizabeth Maynard, former Holland residents Jim Schreiber, Elizabeth Jahn, Rod Terwilliger and Rick Haws, and Bank of Holland President Mark Luderman.

**RESPECTFULLY SUBMITTED ,
July 8, 2015.**

MERILU O’DELL, TOWN CLERK