

**TOWN OF HOLLAND  
TOWN BOARD MINUTES  
August 12, 2015**

Holland Deputy Town Supervisor Geoffrey Hack, in the absence of 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 Board Members Absent:

- 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
- Deputy Town Clerk Elizabeth Snyder
- Town Engineer David Pratt
- Zoning Board of Appeals Member Timothy Selph
- Zoning Board of Appeals Member Dan Lotito
- Dog Control Officer Bill Newell (arrived later)

**RESOLUTION # 54-2015**

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

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

**PUBLIC COMMENTS** – None.

**SUPERVISOR’S REPORT** – Deputy Supervisor Geoffrey Hack

- A. Solar Liberty – A solar array located at the water property of Water Street to be applied to energy requirements at other town locations. 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. Town Engineers Greenman-Pederson is in the process of conducting a property survey, and the Town will clear the land to place the array. The project is awaiting NYSEG and NYSERDA approval.

- B. Hazardous Waste/Electronics Drop-Off Event – Scheduled for September 19, from 9:00 a.m. to Noon, at the Colden Fire Hall, at the corner of Center and Partridge roads.
- C. Flu Shot Clinic - September 22, from 10:00 a.m. to 2:00 p.m., at the Town Hall. Appointments are not necessary, but will be accepted. The clinic will be conducted by the Visiting Nurse Service, and all insurances will be accepted.
- D. Dog Census – Currently underway, and being conducted by contract with the Boy Scouts Troop 507. Councilman Hack encouraged the public to cooperate with the census.
- E. Condemned House – 7148 Olean Rd. Town Attorney Ronald Bennet said he is in contact with owner Grant Mix’s attorney, who told him that nothing is currently in the works regarding any offers on the property, which is under contract with a realtor. A previous offer fell through. Hack said that if nothing happens by the Town Board meeting scheduled for September 8, the Town would go ahead with demolition. Highway Superintendent Patrick Joyce said it would take about three weeks for that process; the asbestos study has already been conducted. He said he will pursue demolition quotes after he is sure demolition will take place.
- F. State Police Office - Flooring Replacement. Councilman Kolacki said he had contacted three contractors, and two have come out to measure. The estimates will be considered when they come in.
- G. Erie County Hazard Mitigation Plan – Required every five years, to ensure reimbursement of expenses by FEMA (Federal Emergency Management), in the event of a major hazard event, such as the November 2014 snowstorms that dropped upwards of seven feet of snow on areas of Western New York.

### **RESOLUTION # 55-2015**

Town of Holland

Holland Town Board

47 Pearl Street, Holland, NY 14080

## RESOLUTION

WHEREAS, -Town of Holland- With the assistance from URS Corporation, has gathered information and prepared the Erie County, New York, Hazard Mitigation Plan Update ("the Plan"); and

WHEREAS, The Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, Town of Holland is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS. Town of Holland has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by Holland Town Board that Town of Holland adopts Erie County, New York, Multi-Jurisdictional Hazard Mitigation Plan Update as this jurisdiction's Natural Hazard Mitigation Plan and resolves to execute the actions in the Plan.

ADOPTED this 12th day of August 2015 at a meeting of the Holland Town Board.

**RESOLUTION # 55-2015**

8:06 p.m. - Motion made by C. Herr. Second by C. Kolacki, to approve the Erie County Hazard Mitigation Plan.

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

**COMMITTEE REPORTS**

- A. Buildings – Councilman Kolacki – Estimates for the carpeting in the State Troopers substation at the Town Hall are underway. He is waiting for those to be turned in to the Town.
- B. Cemetery – Councilman Hack – He said the harsh winter damaged quite a few of the older monument foundations, and several have been replaced. He said he received the layout for the cremation section of the cemetery.
  - a. He also mentioned that the playground purchased last year from the Town of Attica is now being installed at the Town Park.
- 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 – Security cameras for the Town Park/Community Center/pavilion and the highway garage on Edgewood Drive, due to vandalism at both facilities. Town Clerk Merilu O’Dell requested that cameras for the Town Hall be considered for this project, even though it is not included in the original proposal. There are no monthly service fees, and the Town will maintain the system. This would enable the town to look at security footage, in the case of vandalism or other event. “This is to protect what we have already invested in,” she said. The cost, thus far, is \$4,670 for the project.
- a. She added that the flowers in the flowerbox died, and will be replaced with something temporary until fall flowers come in.

## COMMUNICATIONS

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

**BUILDING/ZONING OFFICER** – Scott Hess & Justin Quant. Report given.

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

**FACILITIES MANAGER** – Patrick Joyce. The power is hooked up to the second well, and Joyce is waiting for the chlorinator to come in.

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

**HIGHWAY SUPERINTENDENT** – Patrick Joyce – Report given. Asked permission to attend the fall conference in Saratoga, from September 15-18.

## RESOLUTION # 56-2015

8:12 p.m. - Motion made by C. Kolacki. Second by C. Herr, to approve a request by Highway Supervisor Patrick Joyce to attend the Fall Conference in Saratoga, NY, from September 15-18.

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

**ZONING ENFORCEMENT OFFICER** – Michael Sluce. Report given. He reminded residents that beginning a project without first obtaining the required permit would incur a \$100 fine from the Town.

## NEW BUSINESS

- A. Pre-Purchase Information – Avi Lapidus. Owns a small land surveying business and rents an apartment and garage, and says it is time to purchase a home. He has located a property in Holland he is interested in, but hasn’t yet signed a contract. He is interested in finding out, before he makes an offer, whether or not he could obtain a permit to build a garage on that property, to store his two company vehicles when they are not in use, a Chevrolet Silverado pickup truck and a Subaru Forester. “My

employees would leave their vehicles, and take the work vehicles to job sites,” he said. There is currently a small home on the property, which would become his residence. Councilman Hack said the property is currently zoned residential-agricultural, and businesses aren’t allowed. He would not operate a business from his home, and no signage would be placed. Attorney Bennett said there is a two-ton limit on commercial vehicles, and Lapidus reiterated the smaller size of his vehicles, as well as that there would not be an “in and out every day.” Bennett said he felt “the details would need to be laid out,” and if he were serious about acquiring the property, he could put a clause in the purchase offer that it is subject to being able to obtain a permit for the garage. Lapidus said he did not want to do that, and possibly “scare the owner” into not accepting an offer with a contingency. Councilman Hack told him he “may not need a variance, but we [the Town Board] do need more information. You need to speak to [Planning Board Chairman] Marty Regan.” Attorney Bennett told him he needed to give the Town Board a plan of what he wanted to do, including the possible location of the proposed garage.

- B. Special Use Permit Request – Darlene Welch. Wants to open a hair salon/spa on Route 16 near Color Your World. She is renting a space where the old doctor’s office was located, and would place her sign on the existing sign space. There will be no hazardous waste generated. She has already appeared before the Planning Board, which has recommended approval of the SUP request. Attorney Bennett said he will need a copy of the lease in order to issue the SUP.

#### **RESOLUTION # 57-2015**

8:24 p.m. - Motion made by C. Kline. Second by C. Kolacki, to approve a Special Use Permit request by Darlene Welch, to open and operate a hair salon/spa on Route 16 in Holland.

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

#### **OLD BUSINESS**

- A. 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. Food must also be stored indoors, in a covered container. The Planning Board recommends the SUP approval, with the expressed conditions.

#### **RESOLUTION # 58-2015**

8:27 p.m. - Motion made by C. Kline. Second by C. Kolacki, to approve a Special Use Permit request by Marc Potzler to raise chickens at his home, subject to the conditions specified in the Planning Board’s recommendation.

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

B. Special Use Permit Request – Jim Orlando. Seeking a SUP to open a restaurant/bar/hotel, the Holland Hotel, and for refurbished original signage from the 1920s. The Planning Board recommends the Town Board approve the SUP, with its conditions. He will need to see the Building Officer for a sign permit.

**RESOLUTION # 59-2015**

8:29 p.m. - Motion made by C. Kline. Second by C. Kolacki, to approve a Special Use Permit request by Jim Orlando to open the Holland Hotel as a restaurant/bar/hotel, subject to the conditions specified in the Planning Board's recommendation.

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

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

**TOWN CLERK** – Merilu O'Dell – Reported on the pros and cons of the new DECALS 2.0 system. While the DEC has cleaned up many of the glitches and repetitive screens of the old system of 2014, some problems are cropping up. On the first day of hunting license and deer permit sales, one license took an hour and five minutes to process. The DEC then shut the entire system down. When it resumed operation, the problems seemed to be resolved. O'Dell noted that there is a trend of people not receiving a second doe permit area choice, which did not occur last year. She has contacted the DEC regarding this matter.

**COMMENTS FROM THE PUBLIC** – None.

**PAYMENT OF VOUCHERS**

The following vouchers were presented for payment:

General District Claims as set Forth in Abstract A-8	#258-303	in the amount of \$62,415.91
Highway District Claims as set Forth in Abstract DA-8	#117-134	in the amount of \$93,201.84
Garbage District Claims as set Forth in Abstract SR-8	#16-18	in the amount of \$23,543.85
Trust & Agency Claims as set	#20-21	in the amount of \$8,331.96

Forth in Abstract TA-8

Water Fund Claims #56-67 in the amount of \$7,181.37  
as set

Forth in Abstract SW-8

Cemetery Fund Claims #38-40 in the amount of \$1,736.86  
As set

Forth in Abstract CF-8

Lighting District Claims #6-7 in the amount of \$3,093.34  
as set

Forth in Abstract SL-8

**RESOLUTION # 60-2015**

8:31 p.m. - Motion made by C. Kline and seconded by C. Herr, resolve the Town of Holland pay the preceding vouchers.

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

**ADJOURNMENT** – Deputy Supervisor Hack adjourned the Regular Town Board Meeting at 8:32 p.m., with a moment of silence, in memory of late Holland residents Nancy Johnson, Andreuw Kirsch, Amy Miesowicz, Kathy Moore Slattery and Merritt Sleeper.

**RESPECTFULLY SUBMITTED ,  
August 12, 2015.**

**MERILU O’DELL, TOWN CLERK**