

JULY 11, 2012

PUBLIC HEARING – regarding garage and yard sales was opened at 8:00 pm by Supervisor Michael Kasprzyk. The law will state no more than three (3) garage sales in any one (1) calendar year with a minimum of thirty (30) days between any such sales. Such sales shall be limited in time to no more than daylight hours of three (3) consecutive days. There were no comments from the public so the public hearing was closed at 8:02pm.

The Regular Board Meeting was called to order at 8:02 pm by Supervisor Michael Kasprzyk.

Officials Present Were:

COUNCILMAN GEOFFREY HACK
COUNCILWOMAN ROBERTA HERR
COUNCILWOMAN KAREN KLINE
COUNCILMAN WILLIAM KOLACKI

Other Officials Present Were:

ATTORNEY RONALD BENNETT
BOOKKEEPER JILL ZIENTEK
HIGHWAY SUPERINTENDENT PAT JOYCE
DEPUTY TOWN CLERK BELINDA ERSING
DOG CONTROL OFFICER WILLIAM NEWELL

RESOLUTION #62

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland approve the minutes of the June Board Meeting. ALL AYES. CARRIED.

Budget Hearings for all departments in August.

Meals on Wheels – looking for applicants.

South Towns Rural Preservation – program for low-income families to repair their homes.

Grinder Pump replacements – still continuing to replace them. Pumps are 10 years beyond their normal life

BUDGET AMENDMENTS

RESOLUTION #63

Motion made by Councilwoman Kline and seconded by Councilman Kolacki, resolve the Town of Holland approve the following budget amendment:

GENERAL FUND:

FROM:	A1990.4	Contingency Acct.	\$3,505.41
TO:	A1680.4	Data Processing	\$3,505.41

RE: to cover expenses incurred for replacing the server.

ALL AYES. CARRIED.

RESOLUTION #64

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland approve the following budget amendment:

RESERVE FUND:

FROM:	A231C	Community Center Reserve Fund	\$23,827.22
TO:	A960	Appropriations	\$23,827.22
	A1620.21	Community Center Capital Projects	

ALL AYES. CARRIED.

COMMITTEE REPORTS

Buildings – Councilman Kolacki: windows were cleaned at the town hall

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Cemeteries – Councilman Hack:

RESOLUTION #65

Motion made by Councilman Kolacki and seconded by Councilwoman Herr,

**RESOLUTION AUTHORIZING THE ESTABLISHMENT
OF AN ACCOUNT FUNDING PERPETUAL CARE**

WHEREAS, the Holland Cemetery Association requested the Town of Holland pursuant to Section 1506(j) of the Not-For-Profit Law, to accept the conveyance of the cemetery premises and transfer of assets for the cemetery located on Olean Road in the Town of Holland, and

WHEREAS, on November 8, 2006, the Town of Holland accepted the conveyance of the cemetery known as the Holland Cemetery Association of the Town of Holland, such conveyance subject to all agreements as to lots sold and all trusts, restrictions and condition upon the title or use of the property or assets, and

WHEREAS, the transfer included six (6) Certificates of Deposit held by the Town of Holland Cemetery Account, a copy of which is attached and incorporated by reference, and

WHEREAS, a diligent and exhaustive search to determine the original source of such funds has not been able to identify such original source but believes such funds were contributed to the Holland Cemetery Account for the purpose of perpetual care and maintenance, and

WHEREAS, the Town has determined it is in the best interests to establish a separate and distinct account for use only as expenditures which would represent perpetual care and maintenance,

NOW, THEREFORE, be it

RESOLVED, the Town Board does hereby authorize a single bank account for deposit of those Certificates of Deposit in existence at the time of the transfer from the Holland Cemetery Association to the Town of Holland, and be it further

RESOLVED, that the account shall be limited in its use to items which perpetuate the care and continuance of the Holland Cemetery, and be it further

RESOLVED, that any of such funds shall require the approval of the Town Board upon its determination that the purpose of the expenditure is perpetual care, and be it further

RESOLVED, that such account shall be maintained by the Town for the sole intended purpose.

Duly adopted this 11th day of July, 2012.

Town Park & Community Center – Councilman Hack: painting needs to be done on the shelter

Environmental Committee – Councilman Kolacki: attended a meeting on the emerald ash borer and also has Pamphlets on Giant Hogweed.

Beautification – Councilwoman Herr:

RESOLUTION #66

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland authorize Councilwoman Herr to purchase new Tulip Banners at the price of \$908.80. ALL AYES. CARRIED.

ZONING ENFORCEMENT OFFICER’S REPORT – Michael Sluce: report given

BUILDING ZONING OFFICER’S REPORT – Scott Hess: report given

FACILITIES MANAGER – Pat Joyce: brickwork is a 1/8 of the way done. Had to send the panel back that runs the pumps and motors. Should be on the way back.

Community Center – got a quote to paint the building. Suggest using a man lift for the back of the building.

RESOLUTION #67

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland approve the quote of \$2,000.00 from Edward Lapp to scrape and paint the exterior of the Community Center. ALL AYES. CARRIED.

Also there are extra saucers and odds and ends for plates. Check into donating to an organization that might need them.

Town Hall needs trim work done on the windows or replace them, which is recommended. Railing out front will just be repaired for now, if going to replace they should be stainless. Will bring it up at budget time.

HIGHWAY SUPERINTENDENT’S REPORT – Pat Joyce: report given

Excavator Bid Opening on 6-25-12 at 10:00am

Bid Price No Trade

Baschmann Services Inc.	\$91,359.00
Five Star Equipment, Inc.	\$93,550.00
George & Swede Sales & Service	\$97,775.00

Bid Price Less Excavator Trade

Baschmann Services, Inc.	\$45,859.00
Five Star Equipment, Inc.	\$61,550.00
George & Swede Sales & Service	\$69,775.00

Bid Price Less Loader Trade

Baschmann Services, Inc.	\$68,859.00
Five Star Equipment, Inc.	\$79,550.00
George & Swede Sales & Service	\$89,275.00

Bid Price Less Excavator & Loader Trade

Baschmann Services, Inc.	\$23,359.00
Five Star Equipment, Inc.	\$47,550.00
George & Swede Sales & Service	\$61,275.00

RESOLUTION #68

Motion made by Councilman Kolacki and seconded by Councilwoman Kline, resolve the Town of Holland accept the low bid price less excavator and loader trade from Baschmann Services, Inc. for the price of \$23,359.00. ALL AYES. CARRIED.

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Bid out the forklift and no one was interested. Has been declared surplus.

DOG CONTROL OFFICER'S REPORT – William Newell: report given

CHARLES BIALECKI SR. – request for a Special Use Permit at 20 Legion Dr. to keep a maximum of 4 hens for personal consumption. . No sale of product, eggs are for personal consumption only. Will house them in a Chicken Coop Hen House w/run Manure is to be properly disposed of. No storage on the subject property is permitted. Clean and sanitary disposal of the manure is required. No offensive odor is permitted on adjoining properties.

RESOLUTION #69

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland approve the Special Use Permit for Charles Bialecki Sr. at 20 Legion Dr. to have a maximum of 4 hens for personal use to be housed in a chicken coop. ALL AYES. CARRIED.

Hearts & Hands: Faith in action – Tammy Fisher and Sally Davis

This program helps people in Erie County remain in their homes of choice by providing trained volunteers to assist them. The volunteer's help by providing transportation for medical appointments and personal errands, respite services, minor home repairs, light housework and friendly visits at no charge regardless of age, income, race or religion. No limit on mileage.

LOCAL LAW #1-2012

Carol Rice – came in after the public hearing was closed. She feels this law is very restrictive and feels that there are other measures in place to stop any issues that could arise from problems with the sales. Is not in favor of this law.

RESOLUTION #70

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland approve the Local Law #1-2012 in regards to Garage and Yard Sales. Roll call Vote.

COUNCILMAN HACK	AYE	
COUNCILWOMAN HERR	AYE	
COUNCILWOMAN KLINE	AYE	
COUNCILMAN KOLACKI	AYE	
SUPERVISOR KASPRZYK	AYE	ALL AYES. CARRIED.

HENRY SECORD – request for Special Use Permit at 55 S. Main St. Submitted a new proposal which is dated 7-3-12 which just has the log cabin on it.

Supervisor asked Mr. Secord numerous times if this last proposal is what he wants and he answered yes.

Councilwoman Herr asked if the products for sale was just for the sale of log cabins and Mr. Secord said yes.

The cabins shall contain approximately 120 square feet. The log cabin models shall be a minimum of twenty five (25) feet from the edge of the public highway right-of-way.

The access to the proper shall be a twenty (20) foot width driveway identified on the site plan.

RESOLUTION #71

Motion made by Supervisor Kasprzyk and seconded by Councilman Kolacki, resolve the Town of Holland approve the Special Use Permit for Henry Secord at 55 S. Main St. for the display and sale of log cabins. ALL AYES. CARRIED.

LOCAL LAW – regarding oil/gas wells. Protection of water wells within 1000' , required permits for road use in accordance with the authority granted to the Town under the Environmental Conservation Law relative to roads.

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RESOLUTION #72

Motion made by Councilwoman Kline and seconded by Councilman Kolacki, resolve the Town of Holland set a public hearing on August 8th at 8:00pm in regards to the local law on oil/gas wells. ALL AYES. CARRIED.

COMMENTS FROM THE PUBLIC - Mr. Charles Bialecki Sr. complimented the Town on their website.

RESOLUTION #73

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland pay the following vouchers:

General District Claims as set Forth in Abstract A-7	#271-309	in the amount of \$25,490.24
Highway District Claims as set Forth in Abstract DA-7	#61-76	in the amount of \$87,027.72
Water District Claims as set Forth in Abstract SW-7	#55-63	in the amount of \$4,279.31
Light District Claims as set Forth in Abstract SL-7	#7	in the amount of \$1,282.18
Garbage District Claims as set Forth in Abstract SR-7	#6-17	in the amount of \$22,650.24
Trust & Agency Claims as set Forth in Abstract TA-7	#14-15	in the amount of \$6,869.85
Cemetery District Claims as set Forth in Abstract CM-7	#9-12	in the amount of \$1,009.42

ALL AYES. CARRIED.

RESOLUTION #74

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland adjourn at 8:51 pm. ALL AYES. CARRIED.

RESPECTFULLY SUBMITTED:

SANDRA SMITH/TOWN CLERK