

FEBRUARY 13, 2008

The Regular Town Board Meeting was called to order at 8:00 pm by Supervisor Michael Kasprzyk at 47 Pearl St., Holland, NY.

Officials Present Were:

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COUNCILMAN GEOFFREY HACK

COUNCILWOMAN ROBERTA HERR

COUNCILMAN JIM BRITT

COUNCILWOMAN KAREN KLINE

Other Town Officials Present Were:

ASSESSOR MARCIA HAZLETT

HIGHWAY SUPERINTENDENT PAT JOYCE

ZONING OFFICER MICHAEL SLUCE

PLANNING BOARD CHAIRMAN ROBERT WEISNER

ZONING BOARD CHAIRMAN JUDITH GEER

TOWN ENGINEER DAVID PRATT

RESOLUTION # 12

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland approve the minutes of the January 2008 Organizational Meeting. ALL AYES. CARRIED.

RESOLUTION # 13

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland approve the minutes of the January 2008 regular Town Board Meeting. ALL AYES. CARRIED.

KATHY KONST- Erie County 5th District Legislator was welcomed by Supervisor Kasprzyk and commended for her efforts in Albany for representing the rural areas in Erie County.

Supervisor Kasprzyk requested that a resolution request regarding the Holland Central School Resource Officer be added to the agenda. Request Granted by the Board Members.

TOWN PARKING LOT LIGHTS have been installed but currently are not working. NYSEG has been contacted to have the electricity hooked up.

EAGLE SCOUT PROJECT- Tylor Vailancourt presented his town-wide electronics recycling drive for April 12, 2008 at the Holland Community.

RESOLUTION # 14

Motion made by Councilman Hack and seconded by Councilman Britt, the use of the Community Center from April 12-April 14, 2008 to Tyler Vailancourt for his Eagle Scout Project of an electronics recycling drive. ALLY AYES. CARRIED.

BALL DIAMOND FENCING

1. Springville Fence \$10,080
2. Active Fence \$10,500
3. RT's Fence Co. \$11,000

RESOLUTION # 15

Motion made by Councilwoman Herr and seconded by Councilman Hack to accept the bid from Springville Fence for \$10,080 for the purchase of the Town Ball Diamond Fence. ALL AYES. CARRIED.

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Supervisor Kasprzyk informed the Board that the Code publishers/Revisions has gone through as discussed at the previous meeting. This cost will save in the long term when changes arise in fees, fines and codes in the future.

WIND MILLS- Supervisor Kasprzyk states that he has received positive comments from residents of Holland encouraging the use of wind mills in Holland.

RESOLUTION # 15

Motion made by Councilman Hack and seconded by Councilwoman Herr, resolve the Town of Holland authorize the Supervisor to send a letter to the Alcoholic Beverage Control Board giving permission to Holland Kiwanis Club to hold a fund raiser at the Community Center and to sell alcoholic beverages on March 1, 2008. ALL AYES. CARRIED.

HIGHWAY ROOF REPLACEMENT BID OPENING 2/11/08 10:00 A.M.

1. Action Roofing \$69,300.00
2. Progressive Roofing \$82,000.00
3. Grove Roofing \$98,500.00

RESOLUTION # 16

Motion made by Councilman Hack and seconded by Councilwoman Herr, resolve the Town of Holland reject all bids on the town garage built up roof and reopen bids for a rubber roof. New bids to be opened on March 10, 2008 at 10:00 am. ALL AYES. CARRIED.

RESOLUTION # 17

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve that Supervisor Kasprzyk vote in favor of resolutions to be present at the Association of Towns Meeting in NYC on February 18, 2008. ALL AYES. CARRIED.

MEETING WITH JACK QUINN, KATHY KONST AND COUNTY EXECUTIVE

CHRIS COLLINS- Supervisor Kasprzyk attended the informal meeting with the county officials and states they are all working hard to get Erie County “back on track” and eliminating the control board.

MEALS ON WHEELS- a minimum of five people are required to initiate the program in Holland. An alternative was suggested of two hot and cold meals per week and three days of freezer meals.

SOUTH TOWNS PLANNING- they are promoting a Tourist Route and Scenic Byway in the Hamburg, Brant, Springville, and Concord areas to show over three hundred historical sites.

FIREMAN/EMT SQUAD- requests that Town of Holland proceed with establishing a third party billing revenue system for the Holland EMS.

COLD WAR VETERANS EXEMPTION

RESOLUTION # 18

Motion made by Councilman Hack and seconded by Councilman Herr, resolve that the Town of Holland approve a fifteen percent Cold War Veterans Exemption on Holland Property Taxes. ALL AYES. CARRIED.

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RESOLUTION # 19

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve that the Town of Holland hold a public hearing March 12, 2008 at 8:00 pm for the Cold War Veterans Exemption. ALL AYES. CARRIED.

COMMITTEE REPORTS

Buildings-Councilman Britt: Conducting assessment of damage and repairs for the lower bathrooms at the Community Center due to a sewage backup.

Planning Board Liaison- Councilwoman Kline: Ed Russell joined the planning board this month and the approval of a kennel for Patricia Wylupski was recommended.

Town Park-Councilman Hack: Fence for the baseball field moving forward awaiting survey and The Little League Teams will be contributing for the cost of the fence. Waiting for designs and pricing of signs for the Town Cemeteries.

Environmental Committee-Councilman Britt: DEC put on a presentation regarding the increase of black bear sightings in our area.

Beautification-Councilwoman Herr: Looking into ordering banners for the Farmers Market. Jessica Langford would like to plant flowers in the Town Parking Lot for her Girl Scout Award. Will meet with the committee and Jessica to discuss what type of plantings should be used.

Planning Board- Minutes given

ZONING ENFORCEMENT OFFICER'S REPORT-Michael Sluce: report given

BUILDING INSPECTOR'S REPORT-Scott Hess: report given

WATER COMMISSIONER'S REPORT- Jerry Barron: report given

HIGHWAY SUPERINTENDENT'S REPORT- Pat Joyce: report given. Joyce asked permission to bid on a used pick up truck at the auction for the use of picking up appliances not to exceed 6000.00.

RESOLUTION # 20

Motion made by Councilman Hack and seconded by Councilman Britt, resolve the Town of Holland to allow Pat Joyce to bid at auction a pick up truck to accommodate a lift gate for appliance pickups. ALL AYES. CARRIED.

DOG CONTROL OFFICER'S REPORT-Bill Newell: report given

RESOLUTION # 21

Motion made by Supervisor Kasprzyk and seconded by Councilman Hack,

WHEREAS, It has come to our attention that current state budget plans call for the elimination of State Police Resource Officers in the Holland Central School and,

WHEREAS, It is recognized that these officers have had a positive effect on the school system and more importantly on its students and

WHEREAS, The incident of discipline related problems have dramatically decreased,

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BE IT HEREBY RESOLVED THAT, The Town Board of Holland, NY by this resolution urges the Governor, Assembly and Senate of New York State, to restore funding to continue placement of State Police Resource Officers in the Holland Central School System. This resolution is offered in recognition of the outstanding service they provide to the community.

COUNCILMAN JAMES BRITT AYE

COUNCILMAN GEOFFREY HACK AYE

COUNCILWOMAN KAREN KLINE AYE

COUNCILWOMAN ROBERTA HERR AYE

SUPERVISOR MICHAEL KASPRZYK AYE UNANIMOUS

NEW BUSINESS

Patricia Wylupski request for Special Use Permit for a kennel for her five dogs.

RESOLUTION # 22

Motion made by Councilman Hack and seconded by Councilwoman Herr, resolve the Town of Holland grant a special use permit to Patricia Wylupski, for a dog kennel for five dogs at 9946 South Protection Road. . ALL AYES. CARRIED.

RESOLUTION # 23

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

GENERAL DISTRICT CLAIMS 15-96 in the amount of \$73,278.08

As Set Forth

In Abstract A-2

HIGHWAY DISTRICT CLAIMS 1-23 in the amount of \$35,212.80

As Set Forth

In Abstract DA-2

WATER DISTRICT CLAIMS 2-12 in the amount of \$17,379.46

As Set Forth

In Abstract SW-2

LIGHT DISTRICT CLAIMS 1-2 in the amount of \$2,162.24

As Set Forth

In Abstract SL-2

GARBAGE DISTRICT CLAIMS 1 in the amount of \$13,880.79

as set forth

in Abstract 2

TRUST & AGENCY CLAIMS 4-6 in the amount of \$5,858.55

As Set Forth

In Abstract TA-2

ALL AYES. CARRIED.

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RESOLUTION #24

Motion made by Supervisor Kasprzyk and seconded by Councilwoman Herr, resolve the Town of Holland adjourn at 8:55pm in memory of Kathy Schiltz, Sarah O'Dell, and Norma Martin. ALL AYES. CARRIED.

RESPECTFULLY SUBMITTED:

LISA BENNETT

DEPUTY TOWN CLERK

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Public Hearing was opened at 8:00 Pm – This public hearing was in regards to amending the veteran’s exemption to provide an exemption for Cold War Veterans.

No comments from the public

Hearing was closed at 8:03 pm.

The Regular Town Board Meeting was called to order by Supervisor Michael Kasprzyk at 8:03 pm at 47 Pearl Street, Holland, NY.

Officials Present Were:

COUNCILMAN JAMES BRITT

COUNCILMAN GEOFFREY HACK

COUNCILWOMAN ROBERTA HERR

COUNCILWOMAN KAREN KLINE

Other Officials Present Were:

HIGHWAY SUPERINTENDENT PAT JOYCE

TOWN ATTORNEY RONALD BENNETT

DOG CONTROL OFFICER BILL NEWELL

WATER COMMISSIONER JERRY BARRON

ZONING ENFORCEMENT OFFICER MICHAEL SLUCE

BOARD OF APPEALS JUDITH GEER

RESOLUTION #36

Motion made by Councilman Hack and seconded by Councilwoman Kline to approve the minutes of the March Board Meeting. ALL AYES. CARRIED.

DEPUTY SUPERVISOR

RESOLUTION #37

Motion made by Supervisor Kasprzyk and seconded by Councilman Hack, to appoint Councilwoman Karen Kline as a second Deputy Supervisor. ALL AYES. CARRIED.

TOWN GARAGE ROOF

Bid was accepted at last board meeting from H&H Roofing. They have come back with an alternate with the new price of \$43,676.00.

INSURANCE PROPOSALS

Supervisor will put out for proposals for casualty and liability insurance for the Town with a return of May 12, 2008.

FIRE HALL – light has been changed to a caution instead of a green light. There was a conflict with the constables directing traffic for church.

CABLE TV – people on Vermont Hill Road have been asking if they could receive the cable. Councilwoman Kline will check into this.

AG DISTRICT FOR SARDINIA

RESOLUTION #38

Motion made by Councilman Hack and seconded by Councilman Britt, resolve the Town of Holland is in support of the 8-Year Review of the Sardinia Agricultural District. ALL AYES. CARRIED.

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HOLLAND CEMETERY

Borders are resolved. Advertise for a Qualified Forester to mark tree and bid on stump, mark, harvest and bid sale of removed logs or mark and purchase.

RESOLUTION #39

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland authorize the Supervisor to do proposals for a request for Timber Harvest on the East Side of Route #16 at the Holland Cemetery with a return of May 12, 2008 at 10:15am.. ALL AYES. CARRIED.

ASSESSMENT RATIO

Assessment Ratio is 91.31

RESOLUTION #40

Motion made by Councilman Hack and seconded by Councilwoman Herr, to authorize the Supervisor to review detailed transactions between 7/1/06 through 6/30/07 regarding the Assessment Ratio. ALL AYES. CARRIED.

State of New York wants to eliminate wherever possible taxing jurisdiction – is to remove fire districts and consolidate them within the town. Do away with the commissioners, formal district, and the fire company would come under the town government, this is coming from Albany. Erie County Association of Towns, Villages is adamantly opposed to this.

Councilwoman Kline – stated the Town should keep their fire district independent.

Councilman Hack – no potential savings

RESOLUTION #41

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland is opposed to the elimination of the Fire District within the context of Article 17-A of Town Law. ALL AYES. CARRIED.

COMMITTEE REPORTS

BUILDINGS – Councilman Britt – Community Center work is in progress. Sign will be taken care of.

PLANNING BOARD – Councilwoman Kline – Rex Webber is planning on putting a business on the former James Klice property and subletting other businesses.

Wind tower committee – trying to set some goals. Obtain codes from other localities that have them.

TOWN PARK – Councilman Hack – Sod has been put in and waiting for the fencing.

BEAUTIFICATION – Councilwoman Herr – Saturday was the first clean up day. Shed is finished.

CEMETERIES – Councilman Hack: getting prices for signs for all three cemeteries.

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

BUILDING INSPECTOR'S REPORT – Scott Hess: report given

WATER COMMISSIONER'S REPORT – Jerry Barron: report given

HIGHWAY SUPERINTENDENT'S REPORT – Pat Joyce: report given.

The County – Chris Collins, Kathy Konst – highway manners – would like the towns to help in mowing road shoulders, brooming the roads, maybe ditching and patching. Brooming and mowing you can figure out the time. Superintendent Joyce says in the spirit of mutual aid he would be agreeable to meet with the Highway Commissioner and come up with an agreeable

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price and program. But in the mean time he would like to volunteer the town's help on the county roads for mowing road shoulders and brooming at no cost to the county. This period (approximately three years) or until the control board is dissolved and hopeful will free up some of the men and can attend to other highway matters.

Superintendent stated that the county is getting more money in place early instead of waiting till August. Kathy Konst is working hard trying to get the roads done out here.

RESOLUTION #42

Motion made by Supervisor Kasprzyk and seconded by Councilman Hack, resolve the Town of Holland authorize the Highway Superintendent to negotiate with Erie County Commissioner of Highways for the purpose of establishing a rate per lane mile of brooming and moving of the shoulders until the Control Board is dissolved. ALL AYES. CARRIED.

Skid steer – new one out there that will fit the sidewalks better – approximately \$25,000 and the used one should bring \$14,000 to \$16,000.

RESOLUTION #43

Motion made by Councilman Hack and seconded by Councilman Britt, resolve the Town of Holland prepare specifications and to advertise for bids for a new skid steer for general purposes, including sidewalk plowing with bid opening on May 12, 2008 at 10:00 am.
ALL AYES. CARRIED.

Started the street cleaning today.

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

The town had authorized the dog control officer to buy fencing and cages for the dog shelter.

RESOLUTION #44

Motion made by Supervisor Kasprzyk and seconded by Councilman Britt, resolve the Town of Holland rent the dog shelter from William Newell at a rate of \$50.00/month.
ALL AYES. CARRIED.

MUNICIPAL CLERK'S WEEK

RESOLUTION #45

Motion made by Supervisor Kasprzyk and seconded by Councilman Hack,

WHEREAS: the office of the Municipal Clerk, a time honored and vital part of the local government exists throughout the world

WHEREAS: the office of Municipal Clerk is the oldest among public servants, and

WHEREAS: the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS: it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk

NOW HEREBY: Memorialize by resolution our Municipal Clerk, Sandra Smith.

ALL AYES. CARRIED.

NEW BUSINESS

Rex Webber – request a special use permit for 122 South Main St. for the purpose of a local remodeling construction firm, a retailer of power equipment – mowers and utility trailers, and also his tree company. Tree company is just to store his trucks there.

The house that was there has been taken down and the existing building will also be taken down.

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The north driveway would be used for the companies and the south drive would be for entering the offices. This location is in general business.

Would like to put up an 84'X60' building

Signage would be to code.

RESOLUTION #46

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland accept the application from Rex Webber for a special use permit for 122 South Main Street and to refer him to the Planning Board. ALL AYES. CARRIED.

LOCAL LAW 1-2008 Amending the Veteran's Exemption to provide an exemption for Cold War Veterans.

RESOLUTION #47

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland approve the following Local Law 1-2008

SECTION 1. Legislative Intent

This Local Law amends a prior Local Law know as "Adoption of Code" adopted by the Town of Holland on July 13, 1988, as amended, relating to the administrative, legislative and general legislation of the Codes within the Town of Holland as herein set forth.

SECTION 2. CHAPTER 108. ARTICLE III. "COLD WAR VETERANS EXEMPTION"

Section 108 is amended by adopting Article III and the enumerated sections.

The purpose of this Article is to provide a veterans exemption of real property taxation allowable pursuant to Section 458-b of the Real Property

Tax Law of the State of New York and shall be known as “Cold War Veterans Exemption Local Law”.

SECTION 3. CHAPTER 184, SECTION 108-3.2

Section 108-3.2 is added to provide for the following in accordance with Real Property Tax Law Section 458-b:

1. Qualifying residential real property shall be exempt from taxation to the extent of ten percent (10%) of the assessed value of such property; provided, however, that such exemption shall not exceed eight thousand dollars (\$8,000) or the product of eight thousand dollars (\$8,000) multiplied by the latest state equalization rate for the Town of Holland, New York.
2. In addition to the exemption provided by Paragraph A of this subdivision, where the Cold War Veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of service-connected disability, qualifying residential property shall be exempt from taxation to the extent of the product of the assessed valuation of property, multiplied by fifty percent (50%) of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed forty thousand dollars (\$40,000.00) or the product of forty thousand dollars (\$40,000.00) multiplied by the latest equalization rate for the Town of Holland, New York.
3. The exemption provided by Paragraph A of this subdivision shall be granted for a period of ten (10) years. The commencement of such ten (10) year period shall be governed by Real Property Tax Law Section 458-b.

SECTION 4. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

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ROLL CALL VOTE:

COUNCILMAN HACK AYE

COUNCILWOMAN HERR AYE

COUNCILWOMAN KLINE AYE

COUNCILMAN BRITT AYE

SUPERVISOR KASPRZYK AYE UNANIMOUS

COMMENTS FROM THE PUBLIC

Donna Lowe: thanked the Highway Dept. for the great job of plowing the sidewalks this last winter.

Chuck Clemons – still meeting with 3rd party billing companies

RESOLUTION #48

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

General District Claims #140-186 in the amount of \$55,345.49

as set

Forth in Abstract A-4

Highway District Claims #43-61 in the amount of \$66,468.61

as set

Forth in Abstract DA-4

Water District Claims #18-27 in the amount of \$2,630.70

as set

Forth in Abstract SW-4

Light District Claims #4 in the amount of \$1,804.96

as set

Forth in Abstract SL-4

Garbage District Claims #3 in the amount of \$14,283.00

as set

Forth in Abstract SR-4

Trust & Agency Claims #11-16 in the amount of \$282,788.13

as set

Forth in Abstract TA-4

Cemetery District Claims #2-3 in the amount of \$875.00

as set

Forth in Abstract CM-4

ALL AYES. CARRIED.

RESOLUTION #49

Motion made by Councilman Hack and seconded by Councilwoman Kline to adjourn the Regular Town Board in memory of Pat McCollough at 9:00 PM. ALL AYES. CARRIED.

RESPECTFULLY SUBMITTED:

SANDRA SMITH, TOWN CLERK