

May 9, 2007

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

Officials Present Were:

COUNCILMAN GEOFFREY HACK

COUNCILWOMAN ROBERTA HERR

COUNCILMAN JAMES JOYCE

COUNCILWOMAN KAREN KLINE

Other Officials Present Were:

TOWN ATTORNEY RONALD BENNETT

TOWN ENGINEER DAVID PRATT

ZONING OFFICER MICHAEL SLUCE

DOG CONTROL OFFICER BILL NEWELL

PLANNING BOARD CHAIRMAN BOB WEISNER

ASSESSOR MARCIA HAZLETT

HIGHWAY SUPERINTENDENT PAT JOYCE

RESOLUTION #53

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

BUDGET AMENDMENT

RESOLUTION #54

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

GENERAL FUND:

FROM: Contingency Account A1990.4 \$1,560.64

TO: Assessment Contractual A1355.4 1,560.64

ALL AYES. CARRIED.

SAVINGS ACCOUNTS

RESOLUTION #55

Motion made by Councilman Hack and seconded by Councilwoman Herr, resolve the Town of Holland approve of changing the existing General Fund, Highway Fund, Cemetery Fund, Light Fund and Garbage Fund savings accounts to

money market accounts to increase the interest earned on these accounts. ALL AYES. CARRIED.

FIRE ALARM SYSTEM

Annual fire alarm system testing and inspection.

RESOLUTION #56

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland approve the Service Agreement with Lane Fire & Safety for the annual sum of \$580.00. ALL AYES. CARRIED.

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HUNTERS CREEK ROAD

Request to lower speed limit from 55 to 45 - Town Line to South of Trailer Park

County road

RESOLUTION # 57

Motion made by Councilman Joyce and seconded by Councilman Hack, resolve the Town of Holland refer a request for speed reduction, of 55 mph to 45 mph on Hunters Creek Road from the Town Line to Vermont Street with a special attention to the area between Sanders Hill Rd and the Town Line, to the County for their investigation. ALL AYES. CARRIED.

GARBAGE COLLECTION

NEI would like to go to a dedicated crew that would do the whole town, one crew and one truck with 3 different days. Currently have 3 crews and three trucks and only one day.

Trying to achieve one crew responsible for the town. They are committed to improving their service. Will contact June every Friday to see if there were any complaints, so they can be addressed immediately.

Councilwoman Kline: would like to see them go to a different day if Friday is their highest absentee day than to spread it out over three days. They are in the business of collecting garbage and she feels this will cause a mass mix-up with residents wondering what day their garbage will be picked up.

Supervisor Kasprzyk stated that NEI will do two direct mailings, and a phone call follow-up to tell people.

Councilwoman Herr: "we are asking our residents to accommodate their incapability of managing their employees to pick up the garbage on a Friday. Now we are going to ask our residents now that they couldn't get it right on Friday, now we'll give you the option to put it out on Wednesday because their employees don't call in sick on Wednesday.

Supervisor Kasprzyk – says this is the response from NEI concerning our complaints.

Councilman Hack: asked if the direct mailing was at NEI's expense. Supervisor stated yes, entirely.

Supervisor stated they are trying for the middle of June to put this into effect.

GROUP HEALTH INSURANCE

Supervisor Kasprzyk asked if the town would go into an informal study with other towns to find a lower group health insurance costs. Association of Erie County Governments is suggesting that other towns in NYS have done this with good results. Wales and Colden have both indicated that they would like to look into it with our town.

Councilman Hack: asked if the town was bound by this commitment.

Supervisor Kasprzyk – stated no

RESOLUTION #57

Motion made by Councilman Joyce and seconded by Councilman Hack, resolve the Town of Holland enter into an informal study of going together with other towns to find a lower group health insurance. ALL AYES. CARRIED.

TOWN INSURANCE COVERAGE

RESOLUTION #58

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland approve the Town Insurance Program with Vanner Insurance Agency for 5/22/07 - 08. ALL AYES. CARRIED.

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LIGHTING SYSTEM ON MEADOW LANE

Damage on Meadow Lane is more extensive than was originally thought. When the one light standard got knocked down, it resulted in a short circuit and it basically cooked all four lights.

Being turned over to the insurance company.

VILLAGE PARKING LOT

Planters are in and planted. Will finish after the Tulip Festival. Ronnie's Pizzeria has agreed to have the town's architect look at changing the way the sign is mounted, changing to a single post so that people can walk on sidewalk without fear of banging into it.

MEALS ON WHEELS

Still looking for more applicants. Need three or more to come.

BUILDINGS- Councilman Hack: received quotes for a new door on the Troopers entrance to the back of the Town Hall building.

Springville Door & Window \$2522.00

Rupp Overhead Doors, Inc. \$2120.00

RESOLUTION #59

Motion made by Councilman Hack and seconded by Supervisor Kasprzyk, resolve the Town of Holland approve the purchase and installation of a new door

for the back entrance of the Town Hall from Rupp Overhead Doors, Inc. in the amount of \$2120.00.

New lights were installed on the outside of the elevator entrance. The elevator seals were fixed.

The highway crew will be striping the crosswalks by the school.

PLANNING BOARD- Councilwoman Kline: the town code book has been converted to e-code and is ready to be put on the website.

TOWN PARK & COMMUNITY CENTER: Councilman Joyce: thanked the Highway department for aerating the town park fields.

ENVIRONMENTAL COMMITTEE: Councilman Joyce: setting up a committee to do the regional planning like the town spent five years on with the five local towns of Aurora, East Aurora, Holland, Wales and Elma. County grant paid for it, our town did not sign on, there were a few issues with it mainly who controls what. The frame work of what they are doing is that the county wants to control all zoning in the county. Many supervisors don't see in western NY where we have that sprawl problem. Its an issue, an argument, and opinion – where they are going to go with it Councilman Joyce does not know.

The thing that the plan is going to do is to implement that the contractor has to estimate the cost to the community for the new development, in other words cost of snowplowing, school sidewalks etc.

BEAUTIFICATION – Councilwoman Herr: Jessica Langford was given the ok from the Scout League to do her community project.

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

18 notices were sent out for remedy. The town has given them 90 days to remedy.

BUILDING INSPECTOR'S REPORT – Scott Hess: report given.

WATER COMMISSIONER'S REPORT – Jerry Barron: report given

Mr. Barron is attending training school in Saratoga Springs.

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HIGHWAY SUPERINTENDENT'S REPORT – Pat Joyce:

RESOLUTION #60

Motion made by Supervisor Kasprzyk and seconded by Councilman Hack to authorize the Highway Superintendent to attend Highway School in Ithaca, June 3rd to 5th. ALL AYES. CARRIED.

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

NEW BUSINESS

TONY ZIENTEK – request for Special Use Permit for a Real-estate office at 19 Vermont St.

This is outside General Business District so he will need a variance. Also needs an agreement from the Bank of Holland to use their parking lot. 239M from Erie County is also needed.

RESOLUTION #61

Motion made by Councilman Joyce and seconded by Councilman Hack to refer Tony Zientek to the Board of Appeals for a variance for his real estate office at 19 Vermont St.. ALL AYES. CARRIED.

CEMETERY – Councilman Hack: cleaned up at the Humphrey Cemetery. .

Wants to declare four mowers as surplus

RESOLUTION #62

Motion made by Councilwoman Kline and seconded by Councilwoman Herr to declare four (4) mowers as surplus, two (2) at the Humphrey Cemetery and two (2) at the Holland Cemetery. ALL AYES. CARRIED.

Councilman Hack would like to purchase two (2) new mowers for the cemetery.

State Bid Prices:

Zahm & Matson, Inc. John Deere X300R discharger/bagger 42" \$3,041.22

Double "S" Equipment Hustler "Super Z" Commercial Zero Turn Mower
\$8,136.75

These mowers will currently be used at the Holland Cemetery and stored there.

RESOLUTION #63

Motion made by Councilman Hack and seconded by Councilman Joyce to purchase a John Deere X300R discharger/bagger 42" from Zahm & Matson, Inc. in the amount of \$3,041.22 and to purchase a Hustler "Super Z" commercial zero turn mower; 25hp Kawasaki engine, 60" rear discharge mower deck from Double "S" Equipment in the amount of \$8,136.75.

ALL AYES. CARRIED.

Councilman Hack would like to have Jared Kramer Services to log off the ravine at the back of the Holland Cemetery on the East Side and to bid out.

Supervisor Kasprzyk asked how he would be compensated for his work, Councilman Hack stated he would take 20% and town would get 80% He would have logged and then have people come in and look at logs to bid on.

Attorney Bennett wanted to know the value – if under \$10,000 the town has a procurement policy, if over then you have to bid. The town has to handle the bidding process. In other words its up to the town. The town would retain Jared Kramer, and then there is a bidding process, if the logs are going to be more than \$10,000. You will need 3 bids. First you need a service contract that the town is retaining Mr. Kramer to tell you to do a performance service. Then if you proceed with cutting the logs, and its under \$10,000 you do a procurement policy with 3 requests for proposals. One way or another you want to have an independent determination of valuation.

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RESOLUTION #64

Motion made by Councilman Joyce and seconded by Councilwoman Kline, resolve the Town of Holland hire Kramer Forestry Professional Services to log and move them out at the back of the Holland Cemetery on the East Side of Rt. 16. . His responsibility is to get at least 3 bidders to bid on the purchase of the logs.. ALL AYES. CARRIED.

OLD BUSINESS

James & Joyce Weston – request for an amendment to their Special Use Permit to house more horses.

Planning Board's decision was to deny their request – basically not enough pasture for additional horses.

Additional correspondence was received from two different people complimenting the Westons on the way they run their operation.

Supervisor Kasprzyk feels that the Town should not go against the planning boards decision.

Councilwoman Kline had contacted the State Farm Bureau in Albany – Basically the rule of thumb is that they prefer to have one pasture able acre per horse. Just a recommendation.

Jim Weston – could pasture out more land but wishes not to. Only want to add a mini which is the size of a dog. Does not need much pasture. He also stated that the website of mini experts recommends that a ¼ acre is more than enough for 2

or 3 mini's, and he says he has more than that. He also stated how he has a nutritionalist to help with the care of the horses.

Councilwoman Kline stated that the Planning Board has no problem with the care of the horses just the amount of pasture able land.

Mr. Boyle, back side of the Westons land, has told them that he would lease them pasture land

Leased property to make 10 acres with a formal lease with a time limit.

Attorney Bennett – if the applicant leases more land his suggestions is to send back to the Planning Board, if in fact they got more than 10 acres and let the Planning Board Look at it again because the acreage was the concern.

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Supervisor Kasprzyk - applicants options would be to get a lease, and the second would be to submit the revised application with the lease to the Planning Board and then back to the Board.

Will permit the mini to come to the farm but if at such time the Planning Board and the Town Board says no to the permit, then the mini will have to go.

RESOLUTION 65

Motion made by Councilman Joyce and seconded by Councilman Hack, resolve the Town of Holland refer Jim & Joyce Weston back to the Planning Board, with a copy of their lease stating where the property is and how much acreage, and also allowing them to bring the mini to their farm till such time when the Board hears back from the Planning Board. ALL AYES. CARRIED.

REAL PROPERTY

RESOLUTION #66

Motion made by Councilman Hack and seconded by Councilwoman Herr , resolve the Town Board have a special meeting with the Office of Real Property and the Assessors on May 23rd at 4:00 PM. ALL AYES. CARRIED.

COMMENTS FROM THE PUBLIC

Judy Geer – concern regarding the logging. Doesn't want what happened with Erie County Forestry to happen at the Cemetery.

William O'Dell – in favor of a lower speed limit on Hunters Creek Road. There is a whole lot more people walking, riding bike and jogging on that road.

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Supervisor: Upstate Ford has initiated remedial work to put in additional drainage and have completed the work on North Main St.

RESOLUTION #67

Motion made by Councilwoman Kline and seconded by Councilman Joyce to pay the following vouchers:

GENERAL DISTRICT CLAIMS # in the amount of \$

As Set Forth

In Abstract A-

HIGHWAY DISTRICT CLAIMS # in the amount of \$

As Set Forth

In Abstract DA-

WATER DISTRICT CLAIMS # in the amount of \$

As Set Forth

In Abstract SW-

LIGHT DISTRICT CLAIMS # in the amount of \$

As Set Forth

In Abstract SL-

GARBAGE DISTRICT CLAIMS # in the amount of \$

As Set Forth

In Abstract SR-

CAPITOL PROJECT CLAIMS # in the amount of \$

As Set Forth

In Abstract HA-

TRUST & AGENCY CLAIMS # in the amount of \$

As Set Forth

In Abstract TA-

CEMETERY CLAIMS # in the amount of \$

As Set Forth

In Abstract CM-

ALL AYES. CARRIED.

RESOLUTION #68

Motion made by Councilman Joyce and seconded by Councilman Hack to adjourn the meeting in memory of Cecilia Bakerzynski at 9:27 PM. ALL AYES. CARRIED.

RESPECTFULLY SUBMITTED:

SANDRA SMITH, TOWN CLERK