

MAY 14, 2008

The Regular Town Board Meeting was called to order by Supervisor Michael Kasprzyk at 8:05 PM at 47 Pearl St. Holland, NY.

Officials Present Were:

COUNCILMAN JAMES BRITT
COUNCILMAN GOEFFREY HACK
COUNCILWOMAN ROBERTA HERR
COUNCILWOMAN KAREN KLINE

Other Officials Present Were:

TOWN ENGINEER DAVID PRATT
ZONING ENFORCEMENT OFFICER MICHAEL SLUCE
WATER COMMISSIONER JERRY BARRON
HIGHWAY SUPERINTENDENT PAT JOYCE
TOWN ATTORNEY RONALD BENNETT
DOG CONTROL OFFICER BILL NEWELL
PLANNING BOARD CHAIRMAN ROBERT WEISNER
BOARD OF APPEALS CHAIRMAN JUDY GEER

RESOLUTION #50

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

RESOLUTION #51

“Resolution in Support of Initiative to Improve Real Property Tax Service and Assessment Administration Countywide”

Motion made by Councilman Hack and seconded by Councilwoman Herr

WHEREAS, the County of Erie applied for and received a grant through the New York State Office of Real Property Services to look at ways to improve the delivery of assessment administration services, and

WHEREAS, Erie County currently has 30 assessing units which include 25 towns, 3 cities and 2 villages with a total of 39 Assessors, and

WHEREAS, the County Office of Real Property Tax Services has established a committee comprised of representatives from not only from within county government but the state and local assessment community as well one of Erie County’s largest taxpayers to carry out the study, and

WHEREAS, the committee immediately identified that the ultimate success and accuracy of the study will depend in part on participation from each of the assessing units in Erie County and the elected municipal boards governing them, and

WHEREAS, it is the goal of the study group to identify the best approach to delivering real property tax and assessment services in Erie County and therefore, will explore options that are most appropriate to each individual municipality so that a greater level of efficiency, transparency and equity can be provided to our taxpayers, and

WHEREAS, it is implied and understood that there are no additional costs involved for the taxpayers of Holland, and

WHEREAS, the Town Board of the Town of Holland fervently hopes that this study can proceed without prejudice to a predetermined outcome, and

NOW, THEREFORE, BE IT

RESOLVED, that this governing body recognizes the importance of delivering the best possible assessment administration services to our taxpayers, and

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BE IT FURTHER RESOLVED, adoption of this resolution signifies a desire and willingness to have our assessing unit participate in the County Office of Real Property Tax Services study on improving the efficiency, transparency and equity of assessment administration services, and

BE IT FURTHER RESOLVED, that certified copies of this resolution shall be forwarded to the assessor(s) serving this municipality, Erie County Director of Real Property Tax Services Joseph L. Maciejewski, Erie County Executive Chris Collins, Erie County Comptroller Mark Poloncarz, and NYS Office of Real Property Services Customer Relations Manager Patricia A. Valvo.

VOTE: COUNCILMAN HACK AYE
COUNCILMAN BRITT AYE
COUNCILWOMAN HERR AYE
COUNCILWOMAN KLINE AYE
SUPERVISOR KASPRZYK AYE UNANIMOUS. CARRIED.

POST OFFICE BOX – MAIN STREET

RESOLUTION #52

Resolution on Reinstating the Post Office Mail Drop Box – Main Street

Motion made by Councilman Hack and seconded by Councilman Britt:

WHEREAS, the Holland Post Office used to be located in the Business District, and

WHEREAS, upon moving to the remote location on Partridge Road, a drop off box was maintained on Main Street, as a convenience for those residents doing business and banking, and

WHEREAS, the high cost of fuel now makes all additional trips a costly burden and unnecessary, and

THEREFORE BE IT RESOLVED, the Town Board of the Town of Holland by this Resolution respectfully requests that the United States Postal Service recognize the inconvenience caused by the removal of the Mail Drop Box and as expeditiously as possible to reinstall the Mail Drop Box at its former location.

Respectively submitted to the Holland Post Master, the District Manager, Congressman Brian Higgins, Senator Charles Schumer and Senator Hillary Rodham Clinton.

VOTE: COUNCILMAN HACK AYE
COUNCILMAN BRITT AYE
COUNCILWOMAN HERR AYE
COUNCILWOMAN KLINE AYE
SUPERVISOR KASPRZYK AYE UNANIMOUS. CARRIED.

SCOUT TYLOR VALLIANCORT

Recycling program brought in 15,635 pounds of surplus electronic equipment. Job well done and was appreciated by the towns people.

CONDOMINIUMS-

RESOLUTION #53

Motion made by Councilman Britt and seconded by Councilman Hack,

WHEREAS, it is desirable to have fair and equitable assessments that promote a fair distribution of the local property tax burden, and

WHEREAS, the New York State Real Property Law Section 581 and Real Property Law Section 339-Y requires condominiums to be assessed at a value substantially less than comparable, non-condominium properties, and

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WHEREAS, the current law creates a disadvantage to property owners whose property does not have this exemption, and

WHEREAS, the Town Board deems it in the public interest to support legislation which would address this inequity and promotes fairness, now

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Holland hereby lends its unconditional support of draft legislation of New York State Senator William Stachowski that would change the Real Property Law to allow municipalities a local opt-out option for newly constructed condominiums, and

BE IT FURTHER RESOLVED, that the Town Board encourages the adoption of this draft legislation by the NYS Assembly, Senate and Governor as soon as possible.

VOTE: COUNCILMAN HACK AYE
COUNCILMAN BRITT AYE
COUNCILWOMAN HERR AYE
COUNCILWOMAN KLINE AYE
SUPERVISOR KASPRZYK AYE UNANIMOUS. CARRIED.

TOWN INSURANCE BIDS

Only received two bids back.

ENB Insurance Agency: \$29,202.00 plus \$3,501.00 for equipment
Vanner Insurance: \$29,826.74

RESOLUTION #54

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland accept the bid of \$29,826.74 from Vanner Insurance Co. ALL AYES. CARRIED.

RESOLUTION #55

Revision of NY General Municipal Law § 239N
Motion made by Councilwoman Kline and seconded by Councilman Britt,

WHEREAS, greater efficiency of service delivery and lower costs of goods can sometimes be achieved by expanding the base over which the services are delivered, or the number of purchases are made, and

WHEREAS, this Town Board is aware of the successes in lowering costs being achieved by local governments in Northeast Ohio which have created the Northeast Ohio Service Organization (NEOSO) as a not-for-profit corporation purchasing goods, equipment and services on behalf of its member governments, and

WHEREAS, members of this Board are interested in exploring any and all potential savings which might be achieved by a wide variety of local public bodies by creating a similar organization in Western New York, and

WHEREAS, a review of GML § 239-n indicates that certain revisions would beneficially broaden the number of types of entities which could participate and allow such a council to purchase “services” as well as “goods and equipment”. and

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Holland expresses its support for the revision to GML § 239-n to allow greater flexibility for local governmental entities to enter into agreements to purchase “services” as well as “goods and equipment” and asks that area elected representatives to the State of New York seek revision to GML § 239-n as proposed, and be it further

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RESOLVED, that copies of this resolution be sent to Governor Paterson, County Executive Chris Collins, and all Erie County Legislators, to all municipalities, to the Erie County Fiscal Stability Authority, and to the Association of Towns.

VOTE: COUNCILMAN BRITT AYE
 COUNCILMAN HACK AYE
 COUNCILWOMAN HERR AYE
 COUNCILWOMAN KLINE AYE
 SUPERVISOR KASPRZYK AYE UNANIMOUS. CARRIED.

RESOLUTION #56

Motion made by Councilman Hack and seconded by Councilman Britt, resolve the Town of Holland accept with regret the resignation of Mark Darling from the Board of Appeals. ALL AYES. CARRIED.

RESOLUTION #57

Motion made by Supervisor Kasprzyk and seconded by Councilman Hack, resolve the Town of Holland appoint Gene Hoffman to the Board of Appeals. ALL AYES. CARRIED.

ERIE COUNTY HIGHWAY – have declined the offer from the town to do the mowing of shoulders and maintaining ditches

RESOLUTION #58

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

GENERAL			
FROM:	A231P	PARKS RESERVE FUND	\$13,680.00
TO:	A522		
	A7110.4	PARKS-CONTRACTUAL	\$13,680.00

RE: To cover the expenses incurred on the new baseball field.

ALL AYES. CARRIED.

COMMITTEE REPORTS

BUILDINGS – Councilman Britt: partitions in the basement at the Community Center have been taken out and will be remodeled.

PLANNING BOARD LIAISON – Councilwoman Kline: meeting was held on May 7th. Rex Webber delayed his meeting with them until he has more information
Wind towers – Planning Board is reviewing other Town Laws etc. and should have something ready by August.

TOWN PARK - Councilman Hack: fence is done at the ball diamond

ENVIRONMENTAL COMMITTEE - Councilman Britt: had a NEST meeting.

BEAUTIFICATION – Councilwoman Herr: fire hydrants are being painted. Shed is done and will be placed by the Fire Hall. Purchased a cart etc. for the watering of the flower boxes and hanging baskets.

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CEMETERY – Councilman Hack: put up signs for no dumping at the cemeteries.

Tree Proposals – None were received – phone calls stated because of the economy it was a bad year to do this. So the town will wait till next year or so.

Quotes for Signs at Protection Cemetery and the West Side of Rt. 16. Would be installed and with gold leaf. Similar to the sign in front of the town hall.

Visual Signs - \$2043.00
TW Signs - \$10,095.00
SignLanguage Inc. - \$3775,00

RESOLUTION #59

Motion made by Councilman Hack and seconded by Supervisor Kasprzyk, resolve the Town of Holland accept the lower bid from Visual Signs in the amount of \$2043.00 for the two signs – one at Protection Cemetery and the other at the Holland Cemetery (west side of Rt. 16). ALL AYES. CARRIED.

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

Skid Steer bid opening results:

Admar	Purchase Price	\$21,620.00
	Less Trade In	\$13,000.00
	Trade Difference	\$8620.00
Milton Cat	Purchase Price	\$23,160.00
	Less Trade Inc	\$9500.00
	Trade Difference	\$13,660.00
Fire Star Equipment	Purchase Price	\$23,985.00
	Less Trade In	\$15,000.00
	Trade Difference	\$8985.00

Highway Superintendent stated that Admar didn’t meet the specs

RESOLUTION #60

Motion made by Councilman Hack and seconded by Councilman Britt, resolve the Town of Holland accept the Bid for the Skid Steer from Five Star Equipment for the price of \$8985.00. Also they will honor state bid if required. ALL AYES. CARRIED.

HIGHWAY SCHOOL

RESOLUTION #61

Motion made by Councilwoman Herr and seconded by Councilwoman Kline, resolve the Town of Holland approve and pay expenditures for the Highway Superintendent to attend Highway School from June 2 – 4th. ALL AYES. CARRIED.

Chips funding has increased 21% - \$33,000.00 from \$29,000.00

Will be repaving Pearl St.

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

NEW BUSINESS:

Sandra Maier- requested to be on the agenda regarding a light at Rt. #16 & Meadow Lane - she did not attend meeting so it was tabled.

Mike Nagel: - special use permit for expanding business. Has been sited for numerous violations from the Zoning Enforcement Officer regarding the appearance of the property etc. At this time the Town Board will not issue a special use permit until all violations in existence are taken care of and the Zoning Enforcement Officer is notified of such completion. There is plenty of work to be done.

Councilwoman Kline stated he would have to come back to the board to see if there has been any progress before even sending to the Planning Board.

RESOLUTION #62

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

General District Claims as set forth in Abstract A-5	# 187 – 246	in the amount of \$29,691.15
Highway District Claims as set forth in Abstract DA-5	#62 - 76	in the amount of \$17,201.75
Water District Claims as set forth in Abstract SW-5	#28-39	in the amount of \$3,512.13
Light District Claims as set forth in Abstract SL-5	#5	in the amount of \$1,649.80
Garbage District Claims as set forth in Abstract SR-5	#4	in the amount of \$14,314.05
Trust & Agency Claims as set forth in Abstract TA-5	#17-19	in the amount of \$6,580.49
Cemetery Claims as set forth in Abstract CM-5	#4-9	in the amount of \$3,715.91

ALL AYES. CARRIED.

RESOLUTION #63

Motion made by Supervisor Kasprzyk and seconded by Councilman hack, resolve the Town of Holland adjourn at 9:08 pm in memory of Ken Tanner. ALL AYES. CARRIED

RESPECTFULLY SUBMITTED:
SANDRA SMITH, TOWN CLERK