

NOVEMBER 12, 2008

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

Officials Present Were:

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

Other Officials Present Were:

HIGHWAY SUPERINTENDENT PATRICK JOYCE
WATER COMMISSIONER JERRY BARRON
TOWN ENGINEER DAVID PRATT
ZONING ENFORCEMENT OFFICER MICHAEL SLUCE
TOWN ATTORNEY RONALD BENNETT
BOOKKEEPER JILL ZIENTEK
PLANING BOARD CHAIRMAN ROBERT WEISNER
ASSESSOR MARCIA HAZLETT

RESOLUTION #113

Motion made by Councilwoman Kline and seconded by Councilwoman Herr, resolve the Town of Holland approve the minutes of the October board meeting. ALL AYES. CARRIED.

COMMUNITY BLOCK GRANT PROGRAM

Revised the application to put the Rural van as number two instead of as one.

KEN TANNER

Left \$5000.00 for Town Park Capital Improvement Fund

RESOLUTION #114

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland reappoint Sue Lesinski to the Board of Assessment Review. ALL AYES. CARRIED.

WIND ENERGY

RESOLUTION #115

Motion made by Councilwoman Kline and seconded by Councilman Hack, to set a Public Hearing for December 10th at 8:00 PM for Local Law to provide a moratorium in regard to the use and construction of wind farm products and for the following resolution:

**RESOLUTION ESTABLISHING MORATORIUM
ON WIND TOWER STRUCTURES**

WHEREAS, recent developments in energy production have resulted in municipalities establishing regulations in regard to the building and operation of wind towers, and

WHEREAS, it is necessary to establish rules and regulations in regard to the establishment of such structures within the Town of Holland, and

WHEREAS, the adoption of such regulations requires time within which to determine such regulations, and

WHEREAS, a temporary moratorium for such structures within the Town would provide

the opportunity to review and adopt appropriate regulations in regard to wind towers,

NOW, THEREFORE, be it

RESOLVED, the Town Board does hereby adopt and enact a six (6) month moratorium on the construction and use of wind towers within the Town of Holland effective upon adoption of this Resolution, and be it further

RESOLVED, the adoption of this moratorium shall be published and posted by the Town Clerk.

Duly adopted this 12th day of November 2008.

ALL AYES. CARRIED.

RESOLUTION #116

Motion made by Councilman Hack and seconded by Councilwoman Herr, in accordance with New York State Town Law, Section 198, the Holland Town Board has authorized the Erie County Tax Department to place a lien upon the real property for various unpaid accounts of water, refuse, agriculture penalty and omitted tax. ALL AYES. CARRIED.

COMMITTEE REPORTS

BUILDINGS – Councilman Britt: new doors for the community center will be delivered on Friday.

Planning Board Liaison – Councilwoman Kline: The planning board recommends approval for special use permits for Eva Raczka and Mike Geist. Kristen Przybyla has withdrawn her request for a special use permit – she stated she has gotten rid of the chickens.

Town Park & Community Center – Councilman Hack- possibility of starting some type of playground fund

Beautification – Councilwoman Herr – Christmas Banners are up with a thank you to the highway department.

Cemeteries – Councilman Hack – fall cleanup done. Town Engineer has been contacted concerning the survey etc. Also would like the Town Clerk to get info on preserving the cemetery book.

ZONING ENFORCEMENT OFFICER'S REPORT – Michael Sluce: report given. Asked to follow up on Sanders Hill.

BUILDING ZONING OFFICER'S REPORT – Scott Hess: report given.

HIGHWAY SUPERINTENDENT'S REPORT – Pat Joyce: report given
Humphries Road extension – needs approval to adopt that extension so the highway can use as turnaround. Possible loss of chips might be \$33,000.00 for the town.

WATER COMMISSIONER – Jerry Barron: report given

DOG CONTROL OFFICER – Bill Newell: report given

EVA RACZKA – request a special use permit for dog kennel. Shows dogs and they will be in the house – no exterior building is needed.

Planning Board conditions – no more than 5 dogs and if a litter of puppies they must be gone by 10 weeks of age.

RESOLUTION #117

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland approve the Special Use Permit for Eva Raczka at 8654 Vermont Hill Rd. to have a kennel license with following conditions: no more than 5 adult dogs – if a litter of puppies is born – they need to be gone by 10 weeks of age. ALL AYES. CARRIED.

DOG KENNEL LEASE

RESOLUTION #118

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland authorize the Town Attorney to draft a dog kennel lease. ALL AYES. CARRIED.

ERIE COUNTY SOIL & WATER & COOPERATIVE EXTENSION

RESOLUTION #119

Motion made by Councilman Hack and seconded by Councilman Britt to approve the following resolution

WHEREAS, the Town of Holland supports the agricultural industry, the protection of farmland and efforts to prevent erosion and other problems in rural parts of Erie County; and

WHEREAS, the Cooperative Extension and the Erie County Soil & Water Conservation District provide important services to the communities in Erie County, which services are key to maintaining the economic and environmental health of the rural communities; and

WHEREAS, the Town Board has been advised that the proposed budget submitted by the Erie County Executive provides no funding for either organization for 2009; and

WHEREAS, the agriculture industry and the residents of the Town of Holland would be severely impacted as a result in the loss of funding of both the Cooperative Extension and the Erie County Soil & Water Conservation District; and

WHEREAS, the loss of Erie County funding to these organizations would result in the loss of other funding to these same organizations from both the State of New York and the Federal Government greatly magnifying the loss.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That for reasons outlined above the Town Board of the Town of Holland requests that County Executive and the Erie County Legislature restore funding to the Cooperative Extension and Erie County Soil & Water Conservation District to their 2008 funding level.
2. That certified copies of this resolution be forwarded to the Erie County Executive, Erie County Legislature, Erie County Commissioner of Environment & Planning, the New York State Department of Environmental Conservation and the President of the Erie County Farm Bureau.
3. This resolution shall take effect immediately.

ALL AYES. CARRIED.

CROSSING GUARD

RESOLUTION #120

Motion made by Councilwoman Kline and seconded by Councilman Britt, resolve the Town of Holland appoint Richard Groh as a crossing guard for the intersection of Rt. 16 & Partridge Road. ALL AYES. CARRIED.

BRIAN RATAJCZAK

Vice president of the Holland Youth Baseball and would like permission of a scoreboard and/or placement of signs along fence as sponsors to raise money for the league. Scoreboard is approximately \$3000.

1. Install a scoreboard
2. Permission for banners or signs attached to the scoreboard
3. Permission for banners or signs along the fence from sponsors

Councilwoman Kline stated she would like to see all banners uniform so eye appealing. Also would like to see scoreboard sponsor be on the scoreboard itself.

Banners to be taken down during winter months.

If the scoreboard is to be lighted would need a cage over the lights and the height is high enough so to prevent vandalism

Councilman Hack – need placement of scoreboard and more details.

RESOLUTION #121

Motion made by Councilwoman Kline and seconded by Councilwoman Herr, resolve the Town of Holland authorize Brian Ratajczak to get more details as to placement, cost etc. and bring back to the board. ALL AYES. CARRIED.

MIKE GEIST – Precision Woodworks – request an amendment to his special use permit to house a temporary trailer for office space until addition is done.

RESOLUTION #122

Motion made by Supervisor Kasprzyk and seconded by Councilman Britt, resolve the Town of Holland approve an amendment to Mike Geist, Precision Woodworks, for one year temporary trailer for office space, with approval from Erie County Health Dept. regarding sewer.

ALL AYES. CARRIED.

MIKE NAGEL – requesting a special use permit for existing business and expansion for sale and storage of materials, crafts and equipment. Also, ability to sell equipment one piece at a time and to upgrade into newer items. New name would be Nagels Buildings and Grounds Maintenance Service.

Councilwoman Herr’s question was how many trucks; trailers, snow blowers etc are you going to have there. Mr. Nagel stated he would like to replace some of the things he has to update to newer equipment

Councilwoman Kline asked if displaying the lawn ornaments out on lawn or inside the buildings. Her concern of how to keep all the stuff on the property and still look nice. Also where is he going to store the mulch, saplings, and shrubbery.

Councilman Hack – questioned about signs

Councilwoman Kline - Will have routine inspections and if there are any violations in one part of the business and the town has to take action the whole thing will be shut down until remedied.

RESOLUTION #123

Motion made by Councilman Britt and seconded by Councilman Hack, resolve the Town of Holland approve the Special Use Permit for Mike Nagel at 8203 Olean Rd. (Nagels Buildings and Grounds Maintenance Service) with the conditions and stipulations as set forth in the application as amended by the hand out this evening. ALL AYES. CARRIED.

RESOLUTION #124

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

General District Claims	#450-506	in the amount of \$25,258.19
as set		
Forth in Abstract A-11		

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Highway District Claims as set Forth in Abstract DA-11	#142-163	in the amount of \$78,936.51
Water District Claims as set Forth in Abstract SW-11	#77-83	in the amount of \$3,936.51
Light District Claims as set Forth in Abstract SL-11	#10	in the amount of \$1,732.61
Garbage District Claims as set Forth in Abstract SR-11	#14	in the amount of \$14,396.85
Trust & Agency Claims as set Forth in Abstract TA-11	#35-37	in the amount of \$6,960.49
Cemetery District Claims as set Forth in Abstract CM-11	#36-39	in the amount of \$3,175.00

ALL AYES. CARRIED.

RESOLUTION #125

Motion made by Councilwoman Kline and seconded by Councilman Britt, resolve the Town of Holland adjourn at 9:03 pm in memory of: Betty Bakiexrynski
Robert Mest
Carol Neenan

ALL AYES. CARRIED.

RESPECTFULLY SUBMITTED:

SANDRA SMITH, TOWN CLERK