

SEPTEMBER 10, 2008

Public Hearing – opened at 8:05 PM – regarding the use of Federal Community Development funds in the Town of Holland for the year 2009. The purpose of the hearing is to provide an opportunity for citizens to express community development and housing needs for the low to moderate-income persons in the Town of Holland. The town applies for this through a county consortium. Funding for the rural transit service \$7750.00 and the other would be to connect the auxiliary well and chlorination system, which is a \$123,000 project.

Hearing no comments or questions the public hearing was closed at 8:10 PM.

Supervisor Kasprzyk called the Regular Town Board Meeting to order at 8:10 PM at 47 Pearl St., Holland.

Officials Present Were:

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

Other Officials Present Were:

ATTORNEY RONALD BENNETT  
HIGHWAY SUPERINTENDENT PAT JOYCE  
ZONING ENFORCEMENT OFFICER MICHAEL SLUCE  
BOOKKEEPER JILL ZIENTEK  
PLANING BOARD CHAIRMAN ROBERT WEISNER  
TAX COLLECTOR JUNE MCARTHUR  
ASSESSOR MARCIA HAZLETT  
TOWN ENGINEER DAVID PRATT  
WATER COMMISSIONER JERRY BARRON  
DOG CONTROL OFFICER BILL NEWELL

**RESOLUTION #91**

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

**RESOLUTION #92**

Motion made by Councilwoman Kline and seconded by Councilwoman Herr, resolve the Town of Holland adopt the tentative Budget for 2009. Roll Call Vote:

COUNCILMAN HACK  
COUNCILWOMAN HERR  
COUNCILWOMAN KLINE  
COUNCILMAN BRITT  
SUPERVISOR KASPRZYK

**RESOLUTION #93**

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland set a public hearing for October 8<sup>th</sup> at 8:00 pm for the purpose of the preliminary budget 2009 ALL AYES. CARRIED.

LOCAL LAW - some of the language for the zoning codes did not get transferred last year for R-1.

**RESOLUTION #94**

Motion made by Councilman Hack and seconded by Councilwoman Herr, resolve the Town of Holland set a public hearing for a proposed Local Law to amend permitted uses and special use permits in the R-1 District on October 8<sup>th</sup> at 8:15 pm. ALL AYES. CARRIED,

**CROSSING GUARD**

**RESOLUTION #95**

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland appoint Rebecca Bellinger as a school crossing guard. ALL AYES. CARRIED.

**GARBAGE BID OPENING** –September 8<sup>th</sup> at 10:00am Three bids were received. Two changes made were that a room full of carpet, cut up into 4’ strips would be picked up as one bulk item and also a mattress and box spring would be considered one bulk item.

NuWay Sanitation	\$183.60
Modern Disposal Service	\$181.65
	195.09 (with 95 gallon wheeled carts)
Waste Management	\$162.50
	\$172.50 (with 96 gallon toter)

**RESOLUTION #95**

Motion made by Councilwoman Herr and seconded by Councilman Britt, resolve the Town of Holland accept the bid from Waste Management for refuse pickup in the amount of \$172.50 w/toters. ALL AYES. CARRIED.

**STOP DWI CONTRACT**

**RESOLUTION #97**

Motion made by Councilwoman Kline and seconded by Councilman Britt, resolve the Town of Holland authorize the Supervisor to sign the Stop DWI Contract. ALL AYES. CARRIED.

**MEALS ON WHEELS** – anyone needing meals to call the Town Hall – have to have five people in order for the van to come to deliver the meals.

**FRANK H. BRINK POST**

**RESOLUTION #98**

Motion made by Councilman Hack and seconded by Councilman Britt, resolve the Town of Holland authorize the Frank H. Brink Post the use of the Community Center and to sell alcoholic beverages on November 8, 2008. ALL AYES. CARRIED.

**COMMITTEE REPORTS**

**BUILDINGS** – Councilman Britt: storage area at the Community Center has been contracted out and should be completed in a couple weeks. Front doors will be taken care of.

Town Garage Roof has been completed.

**PLANNING BOARD LIAISON** – Councilwoman Kline: Planning Board would recommend to the Town Board that they grant the amendment to Larry Haven’s Special Use Permit providing all vehicles be at least 1 to 2 feet from the sidewalk.

**WIND FARM COMMITTEE** – Councilwoman Kline: reviewing a local law

**TOWN PARK & COMMUNITY CENTER**- Councilman Hack: looking into increasing parking area around circle

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**BEAUTIFICATION** – Councilwoman Herr: discussed putting flower boxes away and putting up holiday banners.

**CEMETERIES** – Councilman Hack: new driveway at Protection Cemetery is finished.

**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  
Waiting for a meeting with Erie County Public Health

**HIGHWAY SUPERINTENDENT’S REPORT** – Pat Joyce: report given

**DOG CONTROL OFFICER’S REPORT** – Bill Newell – report given

**NEW BUSINESS**

Jim & Linda Acquard – 13280 Geer Rd. - concerns of the neighbors special use permit granted for animals. They weren’t forewarned of what was happening next door and they feel the town should notify of such.

**TOWN CLERK**

**RESOLUTION #99**

Motion made by Councilwoman Kline and seconded by Councilman Hack,  
**OPPOSING THE PROPOSED CHANGES TO THE PUBLIC HEALTH LAW,  
CONSOLIDATING LOCAL REGISTRARS OF VITAL STATISTICS**

WHEREAS, the New York State Local Government Commission on Efficiency and Competitiveness has made certain recommendations to the Governor which affects the operation of local governments, and

WHEREAS, one of the recommendations of the Commission was to move all Registrar of Vital Statistics duties to the County Level under the direction of the New York State Health Commissioner, and

WHEREAS, the NYS Department of Health has developed a program bill that would allow the Commissioner to consolidate the function of the local registrars of vital statistics, and

WHEREAS, New York State Department of Health has inappropriately attached these proposed changes in the structure of the Registrar of Vital Statistics duties to the “Pandemic Flu and Public Health Emergency Preparedness Law”, and

WHEREAS, the Commissioner could consolidate these services without county legislative approval, and

WHEREAS, the local city, town and village Clerks have provided this service professionally and efficiently over the years, and

WHEREAS, losing this business would have a financial impact on the local governments, and

WHEREAS, many citizens are under financial stress due to high fuel costs, and

WHEREAS, the County’s geography would increase this burden since services would be located further from the residents,

WHEREAS, the local Registrars presently charge \$10.00 per certified copy and the State proposes that the County will charge \$30.00 per certified copy, and

NOW, THEREFORE, BE IT RESOLVED that in the interest of good government, the Town of Holland opposes the consolidation of the function of local registrars of vital statistics, and

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BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to our Governor and State Elected Officials to encourage their support.

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

**OLD BUSINESS**

**LARRY HAVENS** – request to amend his special use permit to have 28 cars

**RESOLUTION #100**

Motion made by Councilwoman Kline and seconded by Councilwoman Herr, resolve the Town of Holland approve the amendment to Larry Havens Special Use Permit for the used car lot. Permit to have maximum of 28 cars and all display vehicles must be set back a minimum of one (1) to two (2) feet from sidewalk. Such placement shall not interfere with the community plowing of sidewalks. ALL AYES. CARRIED.

**COMMUNITY BLOCK GRANT PROGRAM**

**RESOLUTION #101**

Motion made by Councilwoman Kline and seconded by Councilwoman Herr, resolve the Town of Holland prioritize the projects for the Community Development Block Grant Program as follows:

1. Rural Van
2. Town of Holland Legion Drive Well and Control Building

And also authorize the Supervisor to execute, sign and submit a contract with Erie County for the prioritized Community Development Block Grant Projects. ALL AYES. CARRIED.

**RESOLUTION #102**

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-9	# 407-449	in the amount of \$52,416.65
Highway District Claims as set forth in Abstract DA-9	#119-133	in the amount of \$66,956.88
Water District Claims as set forth in Abstract SW-9	#57-64	in the amount of \$2,104.48
Light District Claims as set forth in Abstract SL-9	#9	in the amount of \$1,641.89
Garbage District Claims as set forth in Abstract SR-9	#10-12	in the amount of \$14,434.35
Trust & Agency Claims as set forth in Abstract TA-9	#29-31	in the amount of \$6,960.49

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Cemetery Claims                    #30-32                    in the amount of \$1,895.45  
as set  
forth in Abstract CM-9

ALL AYES. CARRIED

**RESOLUTION #103**

Motion made by Supervisor Kasprzyk and seconded by Councilman Hack, resolve the Town of Holland adjourn the meeting at 8:55 pm in memory of:

Joe Jones  
Erma Tidd  
Richard Feasley  
Charlotte Woodruff

ALL AYES. CARRIED.

RESPECTFULLY SUBMITTED:

SANDRA SMITH, TOWN CLERK