

**TOWN OF HOLLAND  
TOWN BOARD MINUTES  
September 13, 2017**

**Regular Town Board Meeting** - Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:00 p.m., at the Holland Town Hall, 47 Pearl St., Holland, NY 14080. The Pledge of Allegiance and official roll call followed.

**Town Board Members Present:**

- |                           |                                  |
|---------------------------|----------------------------------|
| Councilman Geoffrey Hack  | Councilman William Kolacki       |
| Councilwoman Roberta Herr | Town Supervisor Michael Kasprzyk |
| Councilwoman Karen Kline  |                                  |

**Other Officials Present:**

- |                                     |  |
|-------------------------------------|--|
| Town Clerk Merilu O’Dell            | Highway Spt. Patrick Joyce               |
| ZBA Chairman William O’Dell         | Building & Codes Justin Quant            |
| Planning Board Chairman Marty Regan | Zoning Enforcement Officer Michael Sluce |
| Town Attorney Ronald Bennett        | Town Engineer David Pratt                |
| Bookkeeper Jill Zientek             | Dog Control Officer William Newell       |

**RESOLUTION # 62-2017**

8:02 p.m. - Motion made by C. Hack, Second by C. Kline, resolve the Town of Holland approve the minutes of the Regular Town Board Meeting held August 9, 2017.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

**PUBLIC COMMENTS** – None.

**SUPERVISOR’S REPORT** – Supervisor Michael Kasprzyk

A. Approval of Tentative Budget

**RESOLUTION # 63-2017**

8:04 p.m. - Motion made by C. Kline, Second by C. Herr, resolve the Holland Town Board approve the 2018 Tentative Budget, as presented. The grand total is \$1,867,801.26

- ROLL CALL VOTE:
- Councilman Hack –YEA
  - Councilwoman Kline – YEA
  - Councilwoman Herr – YEA
  - Councilman Kolacki – YEA
  - Supervisor Kasprzyk – YEA

5 YEA / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

B. Set 2018 Budget Hearing and Local Law to Override Tax Cap

**RESOLUTION TO SET A PUBLIC HEARING**

**Local Law #3-2017 – Override Tax Cap 2018 Budget**

WHEREAS, Local Law No. 3-2017 has been introduced to the Town Board on Wednesday, September 13, 2017, and,

WHEREAS, Municipal Home Rule Law Section 20(5) requires a public hearing upon five (5) days' notice, and

WHEREAS, Municipal Home Rule Law Section 20(4) provides that no such local law shall be passed until it shall have then in its forum and upon the desks or table of the members at least seven (7) calendar days, exclusive of Sunday, prior to its final passage or mailed to each of them in post-paid properly addressed and secured closed envelopes or wrappers in a post box of a post office of the United States Post Office Department within the local government at least ten (10) calendar days, exclusive of Sunday, prior to its passage,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Holland does hereby set the 11th day of October, 2017 at 8:00 p.m. at the Holland Town Hall, 47 Pearl Street, Holland, New York, for the purpose of conducting a public hearing on the proposed Local Law to override the tax levy limit established in General Municipal Law Section 3-c for the 2018 budget, and be it further

RESOLVED, that the Town Clerk is hereby directed to publish a notice of said public hearing in the *Arcade Herald*.

Duly adopted this 13th of September, 2017.

**NOTICE OF PUBLIC HEARING**

**Town of Holland 2018 Preliminary Budget**

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Holland, NY, on the 11<sup>th</sup> day of October, 2017 at 8:00 p.m., at the Town of Holland Town Hall, located at 47 Pearl Street, Holland, New York, at which hearing parties and interested citizens shall have an opportunity to be heard on the 2018 Preliminary Budget.

Copies of said budget are available for review at the office of the Town Clerk, 47 Pearl Street, Holland, New York, during normal business hours.

Proposed salaries of Town Officials are hereby certified as follows: Supervisor - \$26,468.99; Councilperson (4) - \$6,351.64 each; Town Justices (2) - \$9,285.57 each; Town Clerk - \$26,010; Tax Collector - \$6,579.49; Highway Superintendent - \$58,366.44.

By order of the Town Board of the Town of Holland, New York.

**RESOLUTION # 64-2017**

8:06 p.m. - Motion made by C. Kline, Second by C. Hack, resolve the Town Board set a Public Hearing on a Local Law to Override the Tax Cap, as well as a Budget Hearing for the 2018 Tentative Budget, for October 11, 2017, at 8:00 p.m.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

- C. JCAP Grant – Generator. Authorization for a backup generator for the Town Hall.

**RESOLUTION # 65-2017**

8:12 p.m. - Motion made by C. Kolacki, Second by C. Herr, resolve the Town Board approve the submission of a JCAP Grant authorization and request for an emergency backup generator for the Town Hall.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

- D. Meals on Wheels Route Extension – There has been a request for the Holland route to include a resident in Sardinia, since it is close to the Holland route. Councilwoman Herr said, “Just go ahead [and include the resident]. There have been years where we haven’t had anyone [for a Holland route]. I have no problem doing this.” The Supervisor added that the program “is clearly appreciated by the clients.”
- E. Tornado Damage Update –The entire town was without power for many hours, due to the EF-1 rated tornado that struck the town on July 2, with some homes not regaining power until Saturday. Some 150-175 trees were down in a 300- to 400-yard stretch of Cazenovia Creek, and the Supervisor says the bill for this is over \$27,000. “Obviously, we didn’t budget for this,” he said, adding that Erie County Soil and Water, as well as NYS Senator Patrick Gallivan’s office, are evaluating the situation.
- F. Shared Services Agreement – The Governor’s office has mandated that all cities, towns, and villages in NYS agree of shared services, to reduce costs. “I have to give the Erie County folks a lot of credit,” said the Supervisor. “They have worked hard, and have listened to the supervisors and mayors.” The County Executive is required to submit a proposal for shared services to the NYS legislature. The mayors and supervisors voted for the plan, 33 to 1, with Holland being one of the approvals. “if we didn’t agree to this,” the Supervisor said, “we would have had to go through the whole process again next year.” He cited three things affecting Holland. One, Holland and three other towns opted out of county-wide assessing. We want to retain local control,” he

said. Two, on the county mailing out county tax bills, Holland again opted out. “In terms of cost and manpower, this is trivial,” the Supervisor reasoned. Third, Holland agreed to mow the shoulders on county roads in the future. An inter-municipal agreement will have to be in effect for this to happen. “[Highway Superintendent] Patrick Joyce threw out a number [for the cost] of this, and the other towns agreed. This could save Erie County taxpayers some money,” the Supervisor said.

- G. Refuse Collection RFP – Only one bid was received from the notice advertising for bids for the town trash and recyclables collections, that of Waste Management. Bids were opened September 7 at 10:00 a.m. Option B was favored by the majority of the Town Board, which included wheeled 64-gallon covered totes for comingled recyclables, for 11 cents more per month/per location, than the present contract. Residents would have the option of staying with an 18-gallon bin, if they wish; collection of the rolling totes would be every other week. The five-year term would increase costs by 2.2% per year, starting the second year. Councilwoman Herr opposed the option, stating, “With all the increases in our budget, I don’t think this is the right thing to do right now.” Councilman Hack, who also opposed, said, “I hope this works.”

### **RESOLUTION # 66-2017**

8:27 p.m. - Motion made by S. Kasprzyk, Second by C. Kline, resolve the Town Board of Holland approve the proposals for the refuse collection contract, Option B – with 64-gallon wheeled totes for recyclables.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

H. County-wide Electronics and Hazardous Waste - The Supervisor brought up a proposal from the county, to create six hazardous waste recycling sites throughout the county. After he read the list of site suggestions, Councilwoman Kline said she would like to see one of the sites closer to the Southtowns region.

I. Electronics and Hazardous Waste Collection – Held jointly with the Town of Colden, the collection is Saturday, September 16, at the Colden Fire Hall, at the corner of Partridge Road and Center. Pre-registration online is requested.

J. Cable/Internet – Part of the agreement when Spectrum took over Time Warner, the state government is requiring that unserved or underserved areas be fitted with cable and internet connections. In an age where schools are requiring internet access for homework projects, approximately 145,000 households will be affected by this requirement. Currently, Owlsborough, along with parts of Whitney and Parker roads, are being upgraded. Hunters Creek and Vermont Hill roads are also being considered.

K. Garage Roll-up Doors at Town Shelter – Steel doors will be installed on the south and west sides of the shelter. Three bids are needed for this. With an estimated \$40,000 cost, the doors can be paid for with existing funds - \$27,000 left from the construction of the shelter kick wall, and \$30 in the town funds. Said Councilman Hack, “I like the idea.”

L. Strykersville Fire Department – Certificate of Need. The Strykersville Fire Department covers a small area near Sanders Hill and Raiber roads in Holland. The department contacted Holland for a letter supporting a Certificate of Need, as it was not properly applied for in the past.

**RESOLUTION # 67-2017**

8:39 p.m. - Motion made by C. Hack, Second by C. Kolacki, resolve the Town Board of Holland approve the request of the Strykersville Fire Department for a letter supporting the issuance of a Certificate of Need.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

M. Resignation – Planning Board Secretary Debbie Draper – Draper submitted her resignation on September 11, citing family health concerns.

**RESOLUTION # 68-2017**

8:40 p.m. - Motion made by S. Kasprzyk, Second by C. Kline, resolve the Town Board accept, with regrets, the resignation of Planning Board Secretary Debbie Draper.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

## N. Budget Modifications

**GENERAL FUND**

From:	A599	Unappropriated Fund Balance	\$46,867.74	
To:	A960	Appropriations		\$46,867.74
	A3989.4	Public Safety- tornado/creek		\$27,935.27
	A8020.4	Planning- Master Plan- grant		\$18,932.47
From:	A1990.4	Contingent Account	\$17,593.51	
	A1110.4	Justice- Contractual- State share		\$10,000.00
	A7110.1	Parks- Personal Services- project/mowing		\$5,460.52
	A5410.1	Sidewalks- Contractual- Pearl/Main		\$1,288.30
	A8510.4	Beautification- Contractual- flowers		\$844.69
From:	DA599	Unexpended Fund Balance	\$5,201.00	
To:	DA960	Appropriations		\$5,201.00
	DA5130.2	Machinery-final pymt on excavator		
From:	DA201	Savings	\$54,500.00	
To:	DA231E	Highway Equipment Reserve sale of equipment to Colden		\$54,500.00
From:	DA599	Unappropriated Fund Balance	\$36,753.44	
To:	DA960	Appropriations		\$36,753.44
	DA 5110.4	Road Repairs		

From:	SW599	Unexpended Fund Balance	\$37,400.00	
To:	SW960	Appropriations		\$37,400.00
	SW8310.1	Water Admin- Full-time operator		\$20,000.00
	SW8310.11	Water Admin- Part-time operator		\$15,000.00
	SW9060.8	Health Insurance		\$2,400.00

### **RESOLUTION # 69-2017**

8:44 p.m. - Motion made by C. Hack, Second by C. Kline, resolve the Town Board approve the above mentioned Budget Modifications

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

O. Order to Remedy – 12895 Whitney Road. Code Officer Michael Sluce issued an Order to Remedy to owner John Sewastynowicz on August 10. Sluce notified the Town Board by letter on September 2, saying, “I have found the following building to be deemed unsafe and unfit for human habitation, occupancy or use.” Sluce’s request is to declare the building condemned and not habitable.

### **RESOLUTION # 70-2017**

8:46 p.m. - Motion made by C. Hack, Second by C. Herr, resolve the Town Board acknowledge the August 10, 2017 Order to Remedy issued by Code Officer Michael Sluce to John Sewastynowicz, owner of 12895 Whitney Road. The Board will hold a Hearing to declare the building condemned, as being uninhabitable.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

### **COMMITTEE REPORTS**

- A. Buildings – Councilman Kolacki – No report.
- B. Cemetery – Councilman Hack – The big tree, as well as fallen branches, has been removed. The stump still needs removal.
- C. Planning Board Liaison – Councilwoman Kline – No formal agenda at meeting.
- D. Town Park & Community Center – Councilman Hack – Haack recommended the purchase and installation of steel, garage-type doors for the south and west sides of the shelter at the Town Park.
- E. Environmental Committee - Councilman Kolacki – No report.
- F. Beautification – Councilwoman Herr - No report.
- G. 200<sup>th</sup> Anniversary – The committee is continuing to meet twice monthly. The quilt workshop held on August 31, at the East Aurora Library, drew 27 attendees. Kline also reported that the committee is continuing to work on the project list. The banners and other décor has been ordered.

**COMMUNICATIONS**

- A. Planning Board Minutes – Report submitted.
- B. Zoning Board of Appeals – Report submitted.

**BUILDING/ZONING OFFICER** –Justin Quant. Report submitted. Quant reported September as “extremely busy, so far.”

**DOG CONTROL OFFICER** – William Newell. Report submitted.

**FACILITIES MANAGER** – Patrick Joyce. Report submitted.

**GRANT WRITER** – Jill Zientek.

**ZONING ENFORCEMENT OFFICER** – Michael Sluce. Report submitted.

**HIGHWAY SUPERINTENDENT** – Patrick Joyce. Report submitted. The Supervisor said he wished Erie County crews could see the excellent job Pay Joyce’s highway workers have done, chipping and sealing the town roads, and do the same quality of work.

**NEW BUSINESS**

- A. Partridge Road traffic and speed problems – James Daminski. Daminski lives at the intersection of Partridge Road and Route 16, and complained about the lack of enforcement of the speed limit, as well as the dangerous conditions near the middle school athletic fields. “I don’t want to see another fatality or tragedy happen,” he said. He submitted pictures of the area, including long skid marks as drivers brake suddenly. He also noted a passing zone just seven dashes long. He asked for police to “sit in my driveway and hand out some tickets. Something needs to be done,” he added.

**RESOLUTION # 71-2017**

9:01 p.m. - Motion made by C. Hack, Second by C. Kolacki, resolve the Town Board of Holland study the traffic and speed situation at the intersection of Partridge Road and Route 16, near the athletic fields.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

- B. Special Use Permit – Arthur Sweet – Home business. He needs to be “a bona fide retailer” to do repairs to Gernatt’s radios and antennas, and wants a Special Use Permit to conduct this business from his basement. There will be no signage.

**RESOLUTION # 72-2017**

9:06 p.m. - Motion made by C. Herr, Second by C. Hack, resolve the Town Board of Holland refer the Special Use Request of Arthur Sweet (home business) to the Planning Board for its recommendation.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

**TOWN ATTORNEY** – Ronald Bennett – No report.

**TOWN CLERK** – Merilu O’Dell – O’Dell publicly congratulated Jill Zientek on her Republican Primary win, and wished her the best.

**NUMBERED SIGNS FOR RESIDENCES** – Geoffrey Hack – He is looking into reflective house number signs and posts, to facilitate locations for emergency purposes. There are 1,528 properties to be marked, and each double-sided sign is \$3.64 each.

**COMMENTS FROM THE PUBLIC** – Rev. William J. O’Dell Jr. O’Dell had two items to discuss with the Board. First, regarding the trash/recycling options, O’Dell said he is “all for the wheeled recycling totes,” citing the ability to keep it next to the trash tote, and preventing items from being blown out by the wind. The second topic was the lights not being on outside at the Community Center during the September 12 primary. He asked that they be checked out, and working for the general election in November.

**PAYMENT OF VOUCHERS** - The following vouchers were presented for payment:

**Abstract 9**

General District Claims as set Forth in Abstract A-9	#313-350	in the amount of \$55,615.19
Highway District Claims as set Forth in Abstract DA-9	#130-152	in the amount of \$20,526.27
Garbage District Claims as set Forth in Abstract SR-9	#18-21	in the amount of \$25,761.58
Lighting District Claims as set Forth in Abstract SL-9	#9	in the amount of \$1,509.37
Trust & Agency	#26-27	in the amount of \$6,691.45



Forth in Abstract TA-9

Cemetery Fund #16-19 in the amount of \$3,945.94  
as set

Forth in Abstract CF-9

Water District #1 #67-77 in the amount of \$7,326.42  
as set

Forth in Abstract SW-9

**RESOLUTION # 73-2017**

9:12 p.m. - Motion made by C. Herr and seconded by C. Kline, resolve the Town of Holland pay the preceding vouchers.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

**ADJOURNMENT** –Supervisor Kasprzyk adjourned the Regular Town Board Meeting at 9:13 p.m., in memory of late Holland resident Joyce Auer.

**RESPECTFULLY SUBMITTED, September 18, 2017**

**MERILU O’DELL, TOWN CLERK.**