

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

**REGULAR TOWN BOARD MEETING** - Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:05 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
- Councilwoman Karen Kline
- Councilwoman Roberta Herr (arrived at 8:12 p.m.)
- Town Supervisor Michael Kasprzyk

**Officials Absent:**

- Councilman William Kolacki

**Other Officials Present:**

- |                               |   |
|-------------------------------|---|
| Town Clerk Merilu O’Dell      | Zoning Board of Appeals Chairman William O’Dell |
| Hwy. Supt. Patrick Joyce      | Zoning Enforcement Officer Michael Sluce        |
| Building Officer Justin Quant | Bookkeeper Jill Zientek                         |
| Town Engineer David Pratt     | Dog Control Officer William Newell              |
| Town Attorney Ronald Bennett  |   |

**APPROVAL OF NOVEMBER 2017 TOWN BOARD MEETING MINUTES**

**RESOLUTION # 94-2017**

8:06 p.m. - Motion made by C. Kline, Second by C. Hack, resolve the Town of Holland approve the minutes of the November 2017 Regular Town Board Meeting.

3 YEA – Hack, Kline, Kasprzyk / 0 NO / 0 ABSTAIN  
MOTION CARRIED

**PUBLIC COMMENTS** – None.

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

- A. 2017 Water Rates – To increase by 2% (water usage charge only). All other aspects of billing to remain the same.

**RESOLUTION # 95-2017**

8:07 p.m. - Motion made by C. Hack, Second by C. Kline, resolve the Town of Holland approve a 2% water rate increase for water usage for 2018.

3 YEA – Hack, Kline, Kasprzyk / 0 NO / 0 ABSTAIN  
MOTION CARRIED

- B. Resolution - Extend two junkyard licenses, a mobile park license, and all appointed positions until January 10, 2018. All would expire on December 31. This would extend them until the next Town Board Meeting on January 10, 2018.

**RESOLUTION # 96-2017**

8:08 p.m. - Motion made by C. Kline, Second by C. Hack, resolve the Town of Holland extend two junkyard licenses, a mobile park license, and all appointed positions until January 10, 2018.

3 YEA - Hack, Kline, Kasprzyk/ 0 NO / 0 ABSTAIN  
MOTION CARRIED

- C. Board of Assessment Review – Re-appoint Laurie Gould – She has indicated her desire to remain on the Board for another five-year term.

**RESOLUTION # 97-2017**

8:08 p.m. - Motion made by S. Kasprzyk, Second by C. Hack, resolve the Town of Holland re-appoint Laurie Gould to the Board of Assessment Review for an additional five-year term.

3 YEA - Hack, Kline, Kasprzyk/ 0 NO / 0 ABSTAIN  
MOTION CARRIED

- D. Resignation – Keith Schuessler, Planning Board (Alternate) and Zoning Board of Appeals (Alternate). Scheussler is now living at a nursing home, and will be unable to fulfill his duties as an alternate member of both the Planning Board and the Zoning Board of Appeals.

**RESOLUTION # 98-2017**

8:09 p.m. - Motion made by S. Kasprzyk, Second by C. Hack, resolve the Town of Holland accept, with regrets, the resignation of Keith Scheussler from both the Planning Board and the Zoning Board of Appeals (Alternate).

3 YEA - Hack, Kline, Kasprzyk/ 0 NO / 0 ABSTAIN  
MOTION CARRIED

- E. Appointment – Nan Regan as Alternate Member of the Planning Board.

**RESOLUTION # 99-2017**

8:10 p.m. - Motion made by S. Kasprzyk, Second by C. Kline, resolve the Town of Holland appoint Nan Regan as an alternate on the Planning Board.

3 YEA - Hack, Kline, Kasprzyk/ 0 NO / 0 ABSTAIN      MOTION CARRIED

- F. Resolution - Set Annual Re-organizational Meeting for January 10, 2018.

**RESOLUTION # 100-2017**

8:22 p.m. - Motion made by C. Kline, Second by C. Hack, resolve the Town of Holland set the 2017 Re-organizational Meeting for January 11, 2018, at 8:00 p.m.

3 YEA - Hack, Kline, Kasprzyk/ 0 NO / 0 ABSTAIN  
MOTION CARRIED

- G. SPCA Contract – Dog Control Officer Bill Newell said this is the first time the SPCA has asked for a contract, as it is now operating on a fee basis. He recommended discontinuing use of the SPCA; that decision may be changed in the future.
- H. Meals on Wheels – Update. Clients have not been informing Coordinator June McArthur when they would not be able to accept their meals. Volunteers cannot just leave meals at the door, as they are responsible for checking on the welfare of their clients, as well. She has informed clients of what their responsibility is, when receiving MOW meals. “She is on top of this,” said the Supervisor.

(Councilwoman Roberta Herr joined the meeting at 8:12 p.m.)

- I. Picnic Shelter – Quotes for shelter side walls. Roll-up doors would cost between \$55,000 and \$65,000. “I think we should keep looking [at other options],” said the Supervisor. “That is a lot of money to keep the sun off the skating ice.” In order to install roll-up, garage-type doors, structural reinforcements would have to be done, as well. Councilwoman Herr said she thought the town board should hold off on that decision, as “It’s an awful lot of money just to have ice.” Highway Superintendent Pat Joyce said tarps are not an option, in response to a question from Councilwoman Kline. There is some money still available from the \$75,000 grant procured by NYS Senator Patrick Gallivan; about \$47,000 was spent on the half walls at the shelter. Joyce said he could block the openings with plywood, but it was decided to table the idea for now.
- J. Association of Towns Annual Meeting and Training – Will be held in New York City in February. The AOT is asking for suggestions for resolutions, some of which could be capital aid and an increase of CHIPS (highway) funding. “We need some meaningful state mandate relief,” said the Supervisor. Joyce added, “This is a grassroots thing: we need changes to the underground digging regulations. It is three feet on either side of a gas line, and is all in favor of National Fuel.” The Supervisor asked him to “get together some suggested language for a resolution.”
- K. Special Use Permit Request – Reid’s/Crosby’s gas/convenience store on Route 16. The company is already in possession of the preliminary SUP, but other requirements still apply, such as traffic and drainage studies, as well as a firm building plan. Other requirements include a full, long-form SEQR study and a parking plan. “I think we are wise to require a traffic study,” said the Supervisor. “They (Crosby’s) are saying they would like to ‘fast track’ this project, but we haven’t yet seen any of the required details.”

- L. Vermont St. Property – Vermont St. resident Stanislaw Swacha requested that he be able to purchase unused town property behind his. He did pay for a formal appraisal, and the Supervisor said the property is “useless to the town.” Swacha did verbally say he wants to proceed in acquiring this property.
- M. Sidewalk Project – The sidewalk project on Capitol Heights and Canada Street is ready to be closed out, with all work done to New York State Department of Transportation’s satisfaction, said the Supervisor. “We did the best we could to get around the problem of underground utilities,” he said, adding that the crosswalk is now in near the high school. He said NYSDOT does want the town to comply with a solution compatible with the Americans with Disabilities Act in the future.
- N. Solar Array – “I hesitate to say this, but I think everything is done,” said the Supervisor, adding, “Credits are being accrued, going back to August.”
- O. Spectrum/Charter – Additional Service. The cable company is being sued by NYS for not defining and extending additional rural service areas, in accordance with NYS law. With the schools requiring students to have Internet access in order to complete homework assignments, Dish Network has offered to install access for \$49.99 per month for three years.
- P. Budget Modifications – These are needed to close out 2017 financials. The planning component is for Labella’s work on the new Master Plan, which the town will be reimbursed for, said the Supervisor.

<b>BUDGET MODIFICATIONS</b>		<b>12/13/2017</b>	
<b>GENERAL FUND</b>			
From:	A1620.1	Personal Service-Buildings	\$782.76
To:	A1620.11	Personal Service-Buildings CC	\$394.50
A7110.1		Parks Personnel Services	\$388.26
From:	A1990.4	Contingent Account	\$1,193.76
To:	A8510.4	Beautification	\$554.83
A1220.4		Supervisor- Contractual	\$59.99
A1680.4		Central Data Processing	\$578.94
From:	A599	Unexpended Fund Balance	\$22,439.19
A960		Appropriations	
To:	A3120.4	Constabulary-Contractual	\$2,979.04
A8020.4		Planning Contractual	\$12,300.00
A7510.41		200Yr Celebration	\$7,160.15
<b>HIGHWAY FUND</b>			
From:	DA599	Unappropriated Fund Balance	\$15,773.48
To:	DA960	Appropriations	\$15,773.48
DA 5110.4		Road Repairs	
<b>WATER FUND</b>			
From:	SW8310.4	Water Admin-Contractual	\$500.00
To:	SW9030.8	Social Security	\$500.00
<b>CEMETERY FUND</b>			
From:	CM599	Unappropriated Fund	\$354.98

To:	CM8810.4	Balance Contractual- Cemetery	\$354.98
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### **RESOLUTION # 101-2017**

8:32 p.m. - Motion made by C. Herr, Second by C. Kline, resolve the Town of Holland approve the Budget Amendments for December 2017, as outlined above.

4 YEA - Hack, Kline, Herr, Kasprzyk/ 0 NO / 0 ABSTAIN  
MOTION CARRIED

### **COMMITTEE REPORTS**

- A. Buildings – Councilman Kolacki.
- B. Cemetery – Councilman Hack
- C. Planning Board Liaison – Councilwoman Kline – As there were no formal requests or business, general issues were discussed, including the new Master Plan, Erie County water issues, and training opportunities. Kline called the draft Master Plan “very good.” The Town Board will be asked to approve the Plan, and it will be followed. The Plan needs to be done by March 1. Kline said Labella has been excellent to work with. “They immediately incorporated our suggestions, and we had a real diversity of opinions and ideas,” she said. “They were very accommodating.”
- D. Town Park & Community Center – Councilman Hack – No report.
- E. Environmental Committee - Councilman Kolacki – No report.
- F. Beautification – Councilwoman Herr – The Christmas decorations are up for the season.
- G. Holland’s 200<sup>th</sup> Anniversary – Councilwoman Kline – Calendars have been distributed, and books have been delivered and are for sale. “We are getting very close to our kick-off event,” said Kline, referring to the New Year’s Eve Ball Drop. The event will be held in the Commons parking lot on Main St., and will feature music, bell ringing, toasts, proclamations, a town crier, cookies, hot cider and cocoa. It will begin at 11:15 p.m.

### **COMMUNICATIONS**

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

**BUILDING/ZONING OFFICER** –Justin Quant. Report submitted. There have been permits issued for \$1.7 million’s worth of building.

**ZONING ENFORCEMENT OFFICER** – Michael Sluce. The condemned house on Whitney Road has been demolished by the owner.

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

**FACILITIES MANAGER** – Patrick Joyce. New well – The pre-final operational inspection is being done the following Monday, with town engineer Dave Pratt. Pre-chlorination is also to be done; both Pratt and a representative from the Erie County Health Department must be present. Pat Joyce said the Health Department rep was “impressed.” “Everyone has been very diligent with meeting all the requirements,” said the Supervisor.

**GRANT WRITER** – Jill Zientek

**HIGHWAY SUPERINTENDENT** – Patrick Joyce. Report submitted.

- A. Surplus Equipment – A V plow and other highway equipment must be declared as surplus, before they can be sold.

**RESOLUTION # 102-2017**

8:44 p.m. - Motion made by S. Kasprzyk, Second by C. Hack, resolve the Town of Holland declare an unused V plow, a roller, skidsteer, and ATV as surplus equipment.

4 YEA - Hack, Kline, Herr, Kasprzyk/ 0 NO / 0 ABSTAIN  
MOTION CARRIED

- B. Request permission to purchase new roller, broom tractor, skidsteer and ATV, on NYS or Erie County bid.

**RESOLUTION # 103-2017**

8:47 p.m. - Motion made by C. Hack, Second by C. Kline, resolve the Town of Holland approve the purchase of a new roller, broom tractor, skidsteer and ATV, on NYS or Erie County bid.

4 YEA - Hack, Kline, Herr, Kasprzyk/ 0 NO / 0 ABSTAIN  
MOTION CARRIED

**NEW BUSINESS**

- A. Special Use Permit – Charlie and Barb Roberts. The couple is purchasing the Holland Pharmacy, and wishes to install a new lighted sign. The Board referred this request the Planning Board for its recommendation.
- B. Permit Request – Gary Greco, agent for Hunters Creek Mobile Park prospective owner Marty Lougen of Laurythian Properties, LLC. The Board informed Greco and Lougen that there is no need for a new Special Use Permit, as long as the operation of the park does not substantially change after purchase. Since Lougen did not intend to make substantial changes, the existent SUP remains in effect. The annual permit fee of \$560, however, does need to be paid.

**OLD BUSINESS** – None.

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

**TOWN CLERK** – Merilu O’Dell – O’Dell read a statement on the occasion of her last official board meeting as Town Clerk. Town Supervisor Michael Kasprzyk then presented her with a plant, and motioned for a Resolution of Appreciation.

Supervisor, members of the Town Board, and residents of Holland,

Tonight marks the last Town Board meeting where I will serve as your Town Clerk.

Four years ago, I came into this position having some knowledge of how town government operates. Since then, I have learned much more, made many new friends, and had the opportunity to know many of you much better.

During that time, I took the time and energy to earn the respected designation of Registered Municipal Clerk from the New York State Town Clerks Association, which is nearly equivalent to a college degree. I had also begun work on my Certified Town Official designation from the Association of Towns of the State of New York.

Perhaps even more important than those achievements was the opportunity I had to learn from each of you – that each one has a story, skills, blessings and trials, a place in the world, family, and a life that they hold dear. I thank God that I had the chance to perhaps make some small difference in many lives - a smile when you entered my office, help solving a problem, taking care of some business, a shoulder to lean on a little, someone to pray with you when needed, and, hopefully, the chance to make your day a little brighter.

Now, as my term draws to a close at the end of this year, I will be a former town clerk, pastor’s wife, church clerk, fundraising director for Angel Gowns of Western New York, member of the Kiwanis Club of Holland, member of the Bicentennial Committee, wife, mother, and grandmother.

A busy schedule, I know, but I assure you I will continue to be there for each one of you, and continue to be a productive resident of Holland. Thank you for the opportunity to serve you and our wonderful town!

**RESOLUTION # 104-2017**

8:55 p.m. - Motion made by S. Kasprzyk, Second by C. Hack, resolve the Town of Holland express its appreciation for Holland Town Clerk Merilu O’Dell, whose term expires on December 31, 2017.

4 YEA - Hack, Kline, Herr, Kasprzyk/ 0 NO / 0 ABSTAIN  
MOTION CARRIED

**PUBLIC COMMENT:** Deputy Amy Klimowicz of the Erie County Sheriff’s Office’s Crash Investigation Unit reported on the results of the traffic speed study she recently conducted on Partridge Road near Route 16. The two-week study featured a speed sign “on black,” or not displaying information. She found the sign had an alert “for being hit,” she said. She changed the

batteries and made it operational again. Three days later, she said she found the sign face down on the ground. She said she didn't know exactly what happened, but noted the Asplundh (trees) was still working near the intersection. When the two-week period was up, Deputy Klimowicz said, "The majority of people were staying within the posted speed limit. No one was flying down the hill at any speed greater than 44-45 mph, and the average speed stayed well within the [speed] limit. Most people are braking as they come down the hill", she added. "Overall, people are slowing way down [as they approach the intersection]."

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

**Abstract 12**

General District Claims as set Forth in Abstract A-12	#424-481	in the amount of \$174,882.99
Highway District Claims as set Forth in Abstract DA-12	#192-219	in the amount of \$111,660.12
Garbage District Claims as set Forth in Abstract SR-12	#27-29	in the amount of \$24,314.96
Water Fund Claims as set Forth in Abstract SW-12	#97-108	in the amount of \$20,479.58
Lighting District Claims as set Forth in Abstract SL-12	#12	in the amount of \$1,707.38
Trust & Agency Claims as set Forth in Abstract TA-12	#32-37	in the amount of \$5,806.26
Cemetery Claims as set Forth in Abstract CF-12	#30-31	in the amount of \$354.98

**RESOLUTION # 105-2017**

9:04 p.m. - Motion made by C. Hack and seconded by C. Kline, resolve the Town of Holland pay the preceding vouchers.



4 YEA – Hack, Kline, Herr, Kasprzyk / 0 NO / 0 ABSTAIN  
MOTION CARRIED

**ADJOURNMENT** –Supervisor Kasprzyk adjourned the Regular Town Board Meeting at 9:05 p.m., with a moment of silence, in memory of late Holland residents Geraldine Hutchison, Gertrude Rice, Brad Roth, Derek Stock and George Weissenberger.

**RESPECTFULLY SUBMITTED on December 15, 2017**

**MERILU O'DELL, RMC**  
**Holland Town Clerk**