

**TOWN OF HOLLAND
TOWN BOARD MINUTES
April 8, 2020**

REGULAR TOWN BOARD MEETING- Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:00 p.m., open to the public and practicing safe social distancing amid the Covid 19 virus crisis at the Holland Town Hall, 47 Pearl St., Holland, NY 14080. Roll Call followed.

Town Board Members Present:

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

Other Officials Present:

Town Clerk Jill M. Zientek

**APPROVAL OF TOWN BOARD MEETING MINUTES
RESOLUTION # 30-2020**

Motion made by Councilwoman Kline and seconded by Councilman Kolacki to approve the March 11, 2020 Regular Meeting minutes

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

SUPERVISOR'S REPORT

- A. The Town of Holland and the Holland Kiwanis have offered publicly to provide residents with any food or prescription needs as needed.
- B. Meals on Wheels is still in operation during the Covid 19 crisis but have split the routes to single persons for safe social distancing.
- C. Rural Transit has ceased operation during the Covid 19 crisis
- D. Supervisor Kasprzyk is preparing for the effects on Erie County Sales Tax revenue during the Covid 19 crisis.

COMMITTEE REPORTS

Buildings- Councilman Kolacki-new outdoor lighting is complete

Beautification- Councilwoman Herr will watch the updates for social distancing for the Covid 19 crisis to potentially cancel the summer Music in the Park series of events.

COMMUNICATIONS

- A. Zoning Board of Appeals minutes. One variance granted.

BUILDING/ZONING OFFICER –Justin Quant. Report submitted.

ZONING ENFORCEMENT OFFICER – Michael Sluce. Report submitted.

DOG CONTROL OFFICER – William Newell. Report submitted.

GRANT WRITER – Jill Zientek

HIGHWAY SUPERINTENDENT AND FACILITIES- Jason Simmons. Report Submitted.

NEW BUSINESS

A. Iron, Magenese and Methane Removal System- Water District

RESOLUTION # 31-2020

STATUTORY INSTALLMENT BOND RESOLUTION

WHEREAS, the Town Board of the Town of Holland, by a resolution duly adopted on the 8TH day of April, 2020, authorized the Town to enter into a Contract with TC Water, Inc. in regard to a proposal dated January 28, 2020, for the completion of the water supply for the Holland Water District #1 at a total cost of \$97,295.00 with estimated additional cost to the Town for a total of \$100,000, such cost to be paid from the proceeds of the obligations issued pursuant to Local Finance Law,

NOW, THEREFORE, BE IT RESOLVED:

1. The specific object or purpose for which obligations are to be issued pursuant to this resolution is to finance the cost of water supply completion in conformity with the New York State Department of Health.
2. The maximum cost of such materials and service is \$100,000, and the plan of financing such cost is as follows:
\$97,295.00 is to be provided for the completion of the water supply and current funds in the amount of \$2,705.00. The total cost is to be provided by the issuance of a statutory installment bond in the amount of \$100,000 pursuant to this Resolution.
3. The following determinations are made:
 - (a) The probable period of usefulness of the water supply is 40 years.
 - (b) The subdivision of paragraph A of section 11.00 of the Local Finance Law which is applicable in the circumstances is subdivision “1”.
 - (c) The proposed maturity of the obligation authorized will not be in excess of 10

years.

4. That the Town of Holland on behalf of the Holland Water District #1 to issue its statutory installment bond in the amount of \$100,000 to finance such cost in accordance with the financial plan as herein described. Such bond shall be dated as of the date of the issuance.

5. Such bond shall be in the amount of \$100,000, and shall mature 10 years from the date of the bond and shall be paid in equal annual installments of \$10,000 on the 1st year of the bond together with interest at the rate to be determined by public bidding.

The power to determine the date upon which such installments of principal and of interest shall become due and payable is hereby delegated to the Supervisor. The bond shall be issued in bearer form without coupons and shall not contain a power to convert to registered form. The bond shall bear interest at a rate not exceeding five per cent payable per annum payable semi-annually. Both the installments of principal and the interest on this bond shall evidence by notation on the bond at the time of the payment. The bond shall be in the form as approved by the Town Board upon issuance of the statutory installment bond.

6. The Supervisor is hereby delegated the power to prepare such bond and to sell such bond at private sale at an interest rate not to exceed five percent rate said interest to be borne by such bond within the limitations as set forth in this resolution. The Supervisor shall deliver such bond to purchaser thereof only against cash or certified check. The proceeds of the sale of the bond shall be deposited in a special bank account as required by section 165.00 of the Local Finance Law. The powers delegated to the Supervisor by this resolution shall be exercised in conformity with the provision of the Local Finance Law.

7. The validity of said statutory installment bond issued in the anticipation of the sale of said bond may contested only if:

1. (a) Such obligations are authorized for an object or purposed for which the Town is not authorized to expend money, or

- (b) The provisions of the law which should be complied with as of the date of publication of this resolution are not substantially complied with and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication, or

2. Such obligations are authorized in violation of the provisions of the Constitution of the State of New York.
8. The Town Clerk is hereby authorized and directed to publish this resolution with a Notice and substantially the form provided by section 81 of the Local Finance Law and section 92 of the New York Town Law in the newspaper of general circulation in the Town and designated as the official of the Town for such publication. Such Notice shall be published within 10 days of the adoption of this resolution.
9. This resolution is effective immediately.

The resolution, having received at least two-thirds vote of the members of the Town Board, being declared by the Supervisor to be duly adopted.

The question of the adoption of this resolution was duly put to vote on a roll call, which resulted as follows:

Supervisor Kasprzyk Voted AYE
Councilwoman Kline Voted AYE
Councilwoman Herr Voted AYE
Councilman Hack Voted AYE
Councilman Kolacki Voted AYE

AYES: 5

NAYS: 0

ABSENT: 0

RESOLVED, the Town Clerk is hereby directed to publish notice of the Resolution subject to a permissive referendum.

B. R & S Development- 7238 Olean Rd

RESOLUTION #32-2020

A RESOLUTION REGARDING THE DECLARATION AS LEAD AGENCY

WHEREAS, R&S Property Development LLC has submitted an application of a Special Use Permit for property located at 7238 Olean Rd in the Town of Holland; and

WHEREAS, pursuant to 6 NYCRR 617.4, the proposed project is identified as a Type 1 action, requiring the determination of Lead Agency; and

WHEREAS, the Town Board of the Town of Holland is duly qualified to act as Lead Agency for environmental review of the project;

NOW, THEREFORE, BE IT,

RESOLVED that the Town Board of the Town of Holland hereby declares itself as Lead Agency of SEQRA review purposes and hereby determines that the proposed action is a Type 1 action.

DULY ADOPTED, this 8th day of April, 2020, by the following vote:

- Supervisor Kasprzyk Voted AYE
- Councilwoman Kline Voted AYE
- Councilwoman Herr Voted AYE
- Councilman Hack Voted AYE
- Councilman Kolacki Voted AYE

OLD BUSINESS-

- A. Attorney Bennett is finalizing the lease agreement for 7 South Main Street for the Holland Historical Society

TOWN ATTORNEY – Ronald Bennett

TOWN CLERK – Jill M. Zientek

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

<p>General District Claims as set Forth in Abstract A-4</p>	<p><u>Abstract 4</u> in the amount of \$21,667.48</p>
<p>Highway District Claims Forth in Abstract DA-4</p>	<p>in the amount of \$152,755.13</p>
<p>Water District Claims Forth in Abstract SW-4</p>	<p>in the amount of \$4,371.12</p>
<p>Light District Claims Forth in Abstract SL-4</p>	<p>in the amount of \$910.72</p>
<p>Garbage District Claims Forth in Abstract SR-4</p>	<p>in the amount of \$24,259.84</p>
<p>Trust and Agency Claims as set Forth in Abstract TA-4</p>	<p>in the amount of \$466,144.62</p>

RESOLUTION # 33-2020

Motion made by Councilwoman Kline and seconded by Councilman Kolacki, resolve the Town of Holland pay the preceding vouchers.

5 YEA / 0 NAY / 0 ABSTAIN
MOTION CARRIED

COMMENTS FROM THE PUBLIC- none

ADJOURNMENT –Supervisor Kasprzyk adjourned the Regular Town Board Meeting at 8:24 p.m. in honor of Rita Langford

RESPECTFULLY SUBMITTED,
Jill M. Zientek

Holland Town Clerk

DRAFT