

**TOWN OF HOLLAND  
TOWN BOARD MINUTES  
March 10, 2021**

**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:

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

Other Officials Present:

Town Clerk Jill M. Zientek  
Attorney Ronald Bennett  
Highway Superintendent Jason Simmons  
Code Enforcer Michael Sluce  
Building Inspector Justin Quant  
Town Engineer Dave Pratt  
Bookkeeper Peg Koss  
Dog Control Bill Newell

**APPROVAL OF TOWN BOARD MEETING MINUTES**

**RESOLUTION # 25-2021**

Motion made by Councilman Hack and seconded by Councilwoman Kline to approve the February 2021 Town Board Minutes.

4 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

**SUPERVISOR'S REPORT**

- A. Notice of Tentative Special Franchise Full Values
- B. Annual Report Document is completed and available for review in the Town Clerk's office.
- C. Provided updates and draft of an agreement on the possible Vermont Street project with Erie County.
- D. NYS Association of Towns- all new resolutions for 2021 have passed.
- E. Outside organizations supported by the Town will need to provide certificates of liability insurance.
- F. Commented on two new business opening in town. Rose's Hardwoods and Break'n Grounds Coffee.
- G. 255 Vermont Street property

**RESOLUTION # 26-2021**

Councilman Kolacki motions to request Erie County to foreclose on the property at 255

Vermont Street so the property could eventually be put back on the tax rolls. Seconded by Councilman Hack.

**A RESOLUTION REGARDING VACANT PROPERTY  
IN THE TOWN OF HOLLAND**

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an Intermunicipal Agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns and villages within Erie County to address the growing problem of distressed, vacant, abandoned and tax-delinquent properties; and

WHEREAS, the Town of Holland, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT,

RESOLVED, that the Town of Holland hereby officially requests that BENLIC acquire the following property:

Penfold, Earl W., 255 Vermont Street, Holland, New York, SBL # 246.16-1-11; and be it further

RESOLVED, that the Town of Holland has completed the required Acquisition Applications for each property listed above and has attached the Acquisition Applications to this resolution; and be it further

RESOLVED, that the Town of Holland agrees to reimburse Erie County for the costs associated with foreclosure of this property; and be it further

RESOLVED, that the Town of Holland agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property including removal of

motor vehicles upon BENLIC property by use of municipal emergency services (i.e. police and fire department); and be it further

RESOLVED, in the event that after a period of one year from the date of BENLIC acquisition, BENLIC is unable to dispose of vacant lots which do not contain structures and which are identified herein, BENLIC retains option to transfer to the Town of Holland, the Town of Holland agrees to accept a transfer of title of all non-disposed vacant lots which do not contain structures by quit claim deed; and be it further

RESOLVED, that certified copies of this Resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

DULY ADOPTED, this 10th day of March, 2021, by the following vote:

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

#### MOTION CARRIED

H. Next Code Review meeting scheduled for March 23, 2021 at 6pm

#### COMMITTEE REPORTS

**Buildings-** minor roof leak at the Town Hall to be investigated.

**Town Park & Community Center-** Councilman Hack thanked Jason and the crew on a great ice-skating season.

**Beautification-** Music in the Park is scheduled for Thursday evenings in July and August.

#### COMMUNICATIONS

- A. Zoning Board of Review- 2 variances granted
- B. Planning Board minutes
- C. Draft agreement on Vermont Street road project

**BUILDING/ZONING OFFICER** –Justin Quant. Report submitted.

**ZONING ENFORCEMENT OFFICER** – Michael Sluce. Report submitted. Reminded residents to change the batteries in their smoke detectors.

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

**GRANT WRITER** – Jill Zientek- has applied for a Historical Marker grant for the Historical Society.

**HIGHWAY SUPERINTENDENT AND FACILITIES-** Jason Simmons. Report Submitted.

- NYS Department of Health has approved the plans for the methane and iron removal system.
- Replacing the 2004 Backhoe

**RESOLUTION # 27-2021**

Motion made by Councilman Kolacki to replace the 2004 Backhoe. Highway Superintendent Simmons will get quotes for a trade in value. The Backhoe will be purchased under NYS contract. Seconded by Councilwoman Herr.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

**NEW BUSINESS**

- A. Special Use Permit- Mutka- 7612 Olean Rd.- did not attend. Tabled
- B. Special Use Permit- Ozimek- 145 Taylor Heights- Chicken request

**RESOLUTION # 28-2021**

Councilwoman Kline motions to refer Scott Ozimek to the Planning Board to discuss the request to raise chickens for personal use. Seconded by Councilman Kolacki.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

**OLD BUSINESS-**

- A. R & S Development update

**RESOLUTION # 29-2021**

A motion was made by Supervisor Kasprzyk and seconded by Councilman Kolacki to allow (1) lower traffic volume store to open at 7238 Olean Road, prior to the turning lane being installed.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

- B. Special Use Permit Amendment- Greg Putney- Wagner Rd- Farm Store - adding an approved commercial kitchen.

**RESOLUTION # 30-2021**

Motion made by Councilwoman Kline and seconded by Councilman Hack to approve the special use permit amendment for Greg Putney- Wagner Rd-with the following conditions:

1. Grease trap be secured
2. Approved septic system
3. Ag and Markets requirements met
4. Proper disposal of waste products

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

**TOWN ATTORNEY** – Ronald Bennett

**TOWN CLERK** – Jill M. Zientek

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

**Abstract 3**

