

**TOWN OF HOLLAND
TOWN BOARD MINUTES
October 9, 2019**

PUBLIC HEARING – 8:00 p.m. - To declare the Town’s intention to override the NYS 2% property tax cap calculation. Local Law #3-2019. Hearing no public comments, the Public Hearing closed at 8:02 p.m.

PUBLIC HEARING – 8:02 p.m. – To present the 2020 Fiscal Year Preliminary Budget. Hearing no public comments, the Public Hearing closed at 8:06 p.m.

PUBLIC HEARING- 8:06 p.m.- Community Development Block Grant Public. Hearing no public comments, the Public Hearing closed at 8:08 p.m.

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. Roll Call followed.

Town Board Members Present:

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

Other Officials Present:

Town Clerk Jill M. Zientek
Town Attorney Ronald Bennett
Zoning Enforcement Officer Michael Sluce
Bookkeeper Margaret Koss
Building Inspector Justin Quant
Town Engineer Dave Pratt
Planning Board Chairman- Marty Regan
Zoning Board of Appeals- William O’Dell

APPROVAL OF TOWN BOARD MEETING MINUTES

RESOLUTION # 63-2019

Motion made by Councilwoman Kline and seconded by Councilman Kolacki to approve the September 2019 Regular Board meeting minutes

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

SUPERVISOR’S REPORT

- A. Supervisor Kasprzyk and Highway Superintendent Simmons met with Erie County to discuss the possibility of the Town of Holland taking over possession of Vermont Street
- B. Rural Transit Van is still seeking volunteer drivers.
- A. Code Review Work Session scheduled for October 29, 2019 at 7:00pm
- B. Security Cameras are continuing to be installed at the Park, Highway Building and Water Buildings
- C. Looking into rebates for LED lighting installed on Town buildings.
- D. Budget Modifications

RESOLUTION # 64-2019

Motion made by Councilman Hack, Second by Councilwoman Kline to approve the following budget amendments.

BUDGET MODIFICATIONS

GENERAL FUND

From: A1990.4	Contingent Account	\$2,545.19
To: A1910.4	Unallocated Insurance	\$430.50
A7110.4	Parks-Contractual	\$2,114.69
	to cover additional expenses and cameras	

- E. R & S Development Project- provided a project update.

RESOLUTION #65-2019

Special Use Permit- R&S Property Development LLC- Olean Rd- Commercial/Multi Use

Councilman Hack motions to approve a Special Use Permit for one driveway and one 60x120 building with the special conditions listed in the permit. Seconded by Councilwoman Kline.

5 YEA / 0 NO / 0 ABSTAIN

MOTION CARRIED

F. Crosby Project is scheduled to be open the second week of November 2019.

G. Erie County Board of Elections will be hosting voting for 10 days prior to Election Day at the Holland Community Center.

H. Delinquent Water Bills- levied to property taxes

RESOLUTION #66-2019

Motion made by Councilman Hack, and seconded by Councilman Kolacki, resolve the Town of Holland, in accordance with New York Town Law, Section 198, has authorized the Erie County Tax Department to place a lien upon the real property for various unpaid accounts of water and other charges.

5 YEA / 0 NO / 0 ABSTAIN

MOTION CARRIED

COMMITTEE REPORTS

Buildings- Councilman Kolacki-flooring for the Trooper's office coming soon.

Planning Board- Councilwoman Kline- met with Kelly Kensy, re: Special Use Permit

Town Park and Community Center- Councilman Hack

Environmental Committee- Councilman Kolacki- Natural Resource mapping

Beautification Committee- Councilwoman Herr- is planning Music in the Park for next summer

COMMUNICATIONS

A. Zoning Board of Appeals Minutes. 1 variance denied

B. Planning Board Minutes

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-**RESOLUTION #67-2019**

A. Local Law #3-2019 Override Tax Levy Limit

**TOWN OF HOLLAND
LOCAL LAW INTRO. No. #3-2019
LOCAL LAW NO. #3-2019**

A LOCAL LAW, TO AMEND LOCAL LAW 2-1988 KNOWN AS “THE CODES OF THE TOWN OF HOLLAND”, ADOPTED BY THE TOWN BOARD ON JULY 13, 1988 BY AMENDING CHAPTER 108, TAXATION, TO EXCLUDE THE PROVISIONS OF REAL PROPERTY TAX LAW §487 GRANTING A TAX EXEMPTION.

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HOLLAND AS FOLLOWS:

SECTION 1. LEGISLATIVE INTENT

It is the intent of this Local Law to amend Chapter 108 Taxation to exclude the provisions of Real Property Tax Law §487 that grant a tax exemption for Solar Energy Systems that would otherwise be eligible within the Town of Holland.

SECTION 2. CHAPTER 101, TAXATION

Chapter 108 of the Code of the Town of Holland is amended by adding Article VII excluding a tax exemption for any Solar Energy Systems, as follows:
 Article VII, Property Tax Exemption, §108-10: The provisions of Real Property Tax Law §487 providing for exemption from taxation to the extent of any increase in the value thereof by reason of the inclusion of such Solar Energy System for a period of fifteen (15) years is excluded as authorized by the enactment of this Local Law within the Town of Holland.

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect immediately upon adoption by the Town Board of the Town of Holland and filing with the Secretary of State.

Councilman Hack motions to adopt Local Law #3-2019 to override the tax levy limit.

Councilwoman Kline seconds.

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

B. 2020 Fiscal Year Budget

RESOLUTION #68-2019

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland adopt the Preliminary Budget for 2020 as the Final Budget for 2020.

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

5 YEA / 0 NO / 0 ABSTAIN

MOTION CARRIED

C. Community Development Block Grant

RESOLUTION #69-2019

Motion made by Councilwoman Kline and seconded by Councilman Kolacki, resolve the Town of Holland prioritize the Projects for the Community Development Block Grant Program for 2020 as follows: 1. Water District Improvements and 2. Rural Transit Van Program
 And also authorize the Supervisor to execute, sign and submit a contract with Erie County for the prioritized Community Development Block Grant Projects.

5 YEA / 0 NO / 0 ABSTAIN

MOTION CARRIED

OLD BUSINESS-

A. Special Use Permit- 182 South Main Street- T & T Rentals- Mixed Use

RESOLUTION #70-2019

Motion made by Councilwoman Kline to approve a Special Use Permit for 182 South Main Street to operate a commercial kitchen with conditions as specified in the Special Use Permit.

Seconded by Councilman Hack.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

TOWN ATTORNEY – Ronald Bennett

TOWN CLERK – Jill M. Zientek-

RESOLUTION #71-2019

Motion made by Councilman Hack. Second by Councilwoman Karen Kline. Resolved, that the Town Board sets Halloween Trick-or-Treating on October 31, with a curfew of 8:30 p.m.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

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

Abstract 10

General District Claims

in the amount of \$20,247.46

as set
Forth in Abstract A-10

Highway District Claims in the amount of \$100,050.06
As set
Forth in Abstract DA-10

Water District Claims in the amount of \$7,553.70
Forth in Abstract SW-10

Light Fund Claims in the amount of \$1,522.79
as set
Forth in Abstract SL-10

Garbage District Claims in the amount of \$24,245.63
as set
Forth in Abstract SR-10

Trust and Agency Claims in the amount of \$7,942.57
as set
Forth in Abstract TA-10

RESOLUTION # 72-2019

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

5 YEA / 0 NO / 0 ABSTAIN

MOTION CARRIED

COMMENTS FROM THE PUBLIC-

No comments

ADJOURNMENT –Supervisor Kasprzyk adjourned the Regular Town Board Meeting at 9:01p.m. in honor of Ruby Bruce, Zachary Hochadel, Halley Bogucki, Liz Snyder

RESPECTFULLY SUBMITTED,

Jill M. Zientek

Holland Town Clerk