

**TOWN OF HOLLAND
TOWN BOARD MINUTES
September 9, 2020**

PUBLIC HEARING – 8:00 p.m. - Franchise Agreement Contract renewal with Spectrum Northeast LLC, Charter Communications, Inc. Hearing closed at 8:02 p.m. with no comments from the public.

REGULAR TOWN BOARD MEETING- Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:02 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
- Councilman William Kolacki
- Councilwoman Karen Kline
- Councilman Geoff Hack
- Supervisor Michael Kasprzyk

Other Officials Present:

- Town Clerk Jill M. Zientek
- Highway Superintendent Jason Simmons
- Town Engineer David Pratt
- Code Enforcer Michael Sluce
- Zoning Board of Appeals Chairman William O’Dell
- Planning Board Chairman Marty Regan

APPROVAL OF TOWN BOARD MEETING MINUTES

RESOLUTION # 65-2020

Motion made by Councilman Hack and seconded by Councilman Kolacki to approve the August 12, 2020 Regular Meeting minutes.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

SUPERVISOR’S REPORT

- A. Set Public Hearing- Local Law 2020-1 NYS Tax Cap Override for October 14, 2020 at 8:00 pm

RESOLUTION # 66-2020

Councilman Hack motioned to set public hearing. Seconded Councilwoman Kline.

RESOLUTION TO SET A PUBLIC HEARING

Local Law #1-2020 – Override Tax Cap 2021 Budget

WHEREAS, Local Law No. 1-2020 has been introduced to the Town Board on Wednesday, September 9, 2020, 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 14th day of October, 2020 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 2021 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.

5 AYE/ 0 NAY/ 0 ABSTAIN
MOTION CARRIED.

B. Set Public Hearing- 2021 Fiscal Year Budget Hearings for October 14, 2020 at 8:00 pm

RESOLUTION # 67-2020

Councilwoman Kline motioned to set public hearing. Seconded by Councilman Kolacki. Resolve to set a public hearing on October 14, 2020 at 8:00pm for the 2021 Fiscal Year Budget for the Town of Holland.

5 AYE/ 0 NAY/ 0 ABSTAIN
MOTION CARRIED.

C. Levy outstanding water bill account balances of September 30, 2020.

RESOLUTION # 68-2020

Motion made by Councilwoman Kline, and seconded by Councilman Hack, 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

D. Holland Water District rates 2021

RESOLUTION # 69-2020

Councilman Hack motions to accept the proposed water rates for 2021. Seconded by Councilwoman Kline.

Account Set Up Fee: \$30.00

Shut Off Fee: \$30.00

Minimum for first 5,000 gallons: Zone #1 - \$27.39
 Then \$4.49 per thousand
 Zone #2 - \$29.64
 Then \$5.00 per thousand

FLAT RATES – 4%

CAPITAL PROJECT

Residential \$27.08 per quarter

Commercial. Institutional with less than 20 sanitary water closets - \$53.21

Commercial. Institutional with more than 20 sanitary water closets - \$139.78

Tapping Fee \$2,500.00 for ¾”

\$2,700.00 for 1”

\$3,000.00 minimum for larger than 1” plus time and material

Relevy Fee: \$100.00

Late fee interest rate: 10%

Non-Compliance Fee (no return of meter cards): \$150 (enacted by TB January 2017)

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

- E. Town of Holland and Town of Colden Household Hazardous Waste and Electronics drop off September 19, 2020. Sign up online at www.hazmanusa.com
- F. Erie County to also offer various drop off times for household hazardous waste.
- G. Agricultural District Open Enrollment is September 1, 2020- September 30, 2020.
- H. Hunters Creek Mobile Home Park License application.

RESOLUTION #70-2020

Councilman Kolacki motioned to approve a Mobile Home Park License to Al Benedicto for 7207 Hunter’s Creek Rd. for the remainder of 2020. Seconded by Councilwoman Herr. Renewal will come due on January 1, 2021. The property was inspected by Zoning Officer Sluce.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

- I. Speed Limit on Wagner Rd and Wilkens Rd.

RESOLUTION #71-2020

Councilman Hack motioned to request a traffic study and have the speed limit lowered to 45 MPH on Wagner and Wilkens Rd for safety reasons. Seconded by Councilwoman Herr.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

RESOLUTION #72-2020

Councilman Kolacki moves to enter in to an intermunicipal agreement with Erie County to provide funds under the CARES Act for Covid 19 related expenses for the Town of Holland.

Seconded by Councilman Hack.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

J. Intermunicipal Agreement with Holland Central School for school crossing

RESOLUTION #73-2020

Councilwoman Kline motioned to enter into an intermunicipal agreement with Holland Central School to provide a crossing guard at the Elementary School driveway. Holland Central School will pay any related expenses to the Town of Holland. Seconded by Councilman Hack.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

K. Intermunicipal Agreement with Holland Central School for Community Center usage.

RESOLUTION #74-2020

Councilman Hack motioned to enter into an intermunicipal agreement with Holland Central School to use the Community Center if necessary for Covid 19 compliance. Seconded by Councilwoman Kline.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

L. Erie County Legislator Chairman April Baskin has offered help where possible.

Supervisor Kasprzyk invited her to inspect the Erie County roads in our area.

M. Historical Society's new location will be 7 South Main St. setting up and moving in is in process.

N. The time capsule contents will be buried at the Town Park.

O. Budget Modifications

RESOLUTION # 75-2020

Motion made by Councilwoman Herr, Second by Councilman Kolacki to approve the following budget amendments.

GENERAL FUND

From: A1990.4	Contingency	\$140.11
To: A8510.1	Beautification- Personal Services	\$140.11

WATER FUND

From: SW599	Unexpended Fund Balance	\$6,850.00
To: SW9060.8	Hospitalization	\$6,850.00

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

COMMITTEE REPORTS

Park- Dedication in memory of Patrick Joyce has been installed at the park. A small ceremony with Pat's family was performed.

Beautification- Councilwoman Herr has ordered tulips and will order more lights for the holiday wreaths.

COMMUNICATIONS

- A. Planning Board minutes
- B. Conservation Connections

BUILDING/ZONING OFFICER –Justin Quant. Report submitted.

ZONING ENFORCEMENT OFFICER – Michael Sluce. Report submitted. Court appearances will be issued once Courts open back up from the Covid 19 shut down.

DOG CONTROL OFFICER – William Newell. Report submitted.

RESOLUTION #76-2020

Councilwoman Kline motions to allow for only two late dog licensing renewals and then start court proceedings for delinquent dog licenses. Seconded by Councilman Hack.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

GRANT WRITER – Jill Zientek- working on CARES Act funding and exploring possible cemetery grants related to Veterans.

HIGHWAY SUPERINTENDENT AND FACILITIES- Jason Simmons. Report Submitted. Thanked Erie County Sewer and Water for their excellent help and contributions to the Wilkens Road project.

NEW BUSINESS

RESOLUTION #77- 2020

Special Use Permit- 7238 Olean Rd- Nu Pipe- fire protection business.

Motion by Councilwoman Kline and seconded by Councilman Hack to approve the Special Use Permit with the Planning Board’s special conditions.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

RESOLUTION #78- 2020

Special Use Permit- 7238 Olean Rd- Tim Horton’s Restaurant

Motion by Councilwoman Kline and seconded by Councilman Hack to approve the Special Use Permit with the Planning Board’s special conditions.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

2021 Fiscal Year Proposed Budget

RESOLUTION # 79-2020

Motioned by Supervisor Kasprzyk, Seconded by Councilwoman Kline the adoption of the Tentative Budget for the 2021 Fiscal Year. Roll call vote:

- 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

OLD BUSINESS-

RESOLUTION # 80-2020

Special Use Permit

302 North Main Street- chickens for personal use

Motion by Councilwoman Kline and seconded by Councilman Kolacki to approve the Special Use Permit with the Planning Board’s special conditions.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

RESOLUTION # 81-2020

FRANCHISE AGREEMENT- CHARTER COMMUNICATIONS

Councilwoman Herr motions to accept the Franchise Agreement contract with Charter Communications Inc. for a fifteen-year period and approves Supervisor Kasprzyk to sign the contract, Councilwoman Kline seconds the motion.

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:

	<u>Abstract 9</u>
General District Claims forth in Abstract A-9	in the amount of \$11,014.43
Highway District Claims as set forth in Abstract DA-9	in the amount of \$86,690.84
Water District Claims as set forth in Abstract SW-9	in the amount of \$5,522.20
Light District Claims as set forth in Abstract SL-9	in the amount of \$941.76
Garbage District Claims as set Forth in Abstract SR-9	in the amount of \$24,598.01

