

**TOWN OF HOLLAND
TOWN BOARD MINUTES
September 8, 2021**

PUBLIC HEARING- 8:00 p.m.- Cannabis sales and consumption allowance- Nadine Kingston and Bill Michalski spoke in support of the allowance of the sale of cannabis in the Town of Holland. Robert Weisner submitted a letter of support. Lynne Hille commented on the specifications of the options. The Public Hearing closed at 8:07 p.m.

REGULAR TOWN BOARD MEETING- Holland Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:07 p.m., open to the public at the Holland Town Hall, 47 Pearl St., Holland, NY 14080. Roll Call followed.

Town Board Members Present:

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

Other Officials Present:

Town Clerk Jill M. Zientek
Attorney Ronald Bennett
Highway Superintendent Jason Simmons
Town Engineer Dave Pratt
Building Inspector Justin Quant
Planning Board Marty Regan
Zoning Officer Mike Sluce

APPROVAL OF TOWN BOARD MEETING MINUTES

RESOLUTION # 71-2021

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

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

SUPERVISOR'S REPORT

A. Fire Protection District

RESOLUTION #72-2021

Motion made by Councilwoman Herr to set a public hearing regarding the Fire Protection District contract for October 13, 2021 at 8:00pm at the Holland Town Hall. Seconded by Councilman Kolacki

**RESOLUTION FOR SERVICES FOR
HOLLAND FIRE PROTECTION DISTRICT NO. 1**

WHEREAS, New York Town Law §184 requires the Town Board to provide for the furnishing of fire protection and an ambulance service within the Holland Fire Protection District No. 1, and

WHEREAS, the services can be provided with a contract with Fire Districts or incorporated Fire Companies maintaining adequate and suitable apparatus and appliances for the purpose of furnishing fire and ambulance protection, and

WHEREAS, the contracting for services shall not be entered into until a Public Hearing has been held by the Town Board with Notice of a Hearing being published at least once in a designated newspaper having general circulation in the District, and

WHEREAS, such notice shall specify the time and place where the Hearing will be held and described in general terms the proposed Contract, and

WHEREAS, the first publication shall be at least ten (10) days prior to the date specified for the Hearing, and

WHEREAS, the term of the Contract shall be for a definite period of time, but in no event shall the term exceed five (5) years, with the provision the Contract shall be for an original term of one calendar year or less and provide that it shall be deemed renewed on the same basis each year thereafter for a future term of one full calendar year without any further public notice, and

WHEREAS, the term of any such Contract including renewals, shall not exceed five (5) years but the Contract may provide that there shall be less than four (4) such renewals, and

NOW, THEREFORE, be it

RESOLVED, that a Public Hearing shall be held for the purpose of considering new contracts for the Holland Fire Protection District No. 1 with said Public Hearing to be held on Wednesday, October 13, 2021, at 8:00 p.m.; and be it further

RESOLVED, that the Town Clerk is requested to publish a Notice of the Hearing in the designated Town of Holland newspaper for the purpose of considering any applications for providing fire and ambulance services; and be it further

RESOLVED, that any proposal for services must set forth, in detail, the items of equipment of fire units and ambulances, the program of training, the number of qualified firefighters, emergency medical technicians and paramedics, the number of calls the applicant has provided in the past concerning fire and ambulance services and any additional information on support units to provide the required services for the protection district; and be it further

RESOLVED, that any applications for contract shall be submitted no later than October 3, 2021, to the Town Board of the Town of Holland.

Duly adopted this 8th day of September 2021.

5 AYE/ 0 NAY/ 0 ABSTAIN
MOTION CARRIED.

B. Community Development Block Grant- Public Hearing

RESOLUTION # 73-2021

Motion made by Councilman Hack to set a public hearing for Community Development Block Grant for Rural Transit Van services. Seconded by Councilwoman Kline.

5 AYE/ 0 NAY/ 0 ABSTAIN
MOTION CARRIED

C. Override the 2% Tax Cap- Local Law #2-2021-Public Hearing

RESOLUTION # 74-2021

Motion made by Councilwoman Herr to set a public hearing for Local Law #2-2021 to override the NYS Tax Cap for the 2022 Budget year. Seconded by Councilwoman Kline.

RESOLUTION TO SET A PUBLIC HEARING

Local Law #2-2021 – Override Tax Cap 2022 Budget

WHEREAS, Local Law No. 2-2021 has been introduced to the Town Board on Wednesday, September 8, 2021, 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 13th day of October 2021 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 2022 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

D. Fiscal year 2022 Budget - Public Hearing

RESOLUTION # 75-2021

Councilwoman Herr motioned to set public hearing. Seconded by Councilman Kolacki. Resolve to set a public hearing on October 13, 2021, at 8:00pm for the 2022 Fiscal Year Budget for the Town of Holland.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

E. 2022 Fiscal Year Tentative Budget

RESOLUTION # 76-2021

Motioned by Councilwoman Kline, Seconded by Councilman Hack the adoption of the Tentative Budget for the 2022 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

RESOLUTION # 77-2021

Motion made by Supervisor Kasprzyk to publish request for proposals to replace the roof at the Town Hall. Bid to be opened on October 8, 2021, at 10:00am at the Holland Town Hall Clerk's office. Seconded by Councilman Kolacki.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

- F. Boys and Girls Club of Holland celebrates its 50th year anniversary. A Birthday celebration is planned, and the public is welcome on September 14, 2021 from 4pm-7pm

RESOLUTION # 78-2021

Motion made by Councilwoman Kline to proclaim September 14, 2021, as the Boys and Girls Club of Holland's 50th Anniversary. Seconded by Councilman Hack.

Whereas, The Boys and Girls Club of Holland officially chartered on September 14, 1971, in the Town of Holland

Whereas, the Town of Holland recognizes the Boys and Girls Club of Holland for their 50 years of service and honors its distinguished youth service, and marks this anniversary with a series of celebrations beginning September 14, 2021; and

Whereas, the people of the Town of Holland thankfully recognized the men and women who have so faithfully labored over the years to keep our Club prosperous, successful, and active; and those who served our youth in good times and bad;

Now, therefore, be it

Resolved, that the Town of Holland, New York respectfully and officially celebrate 50 years of dedication and success to The Boys and Girls Club of Holland.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

- G. NYS Agriculture District enrollment is open enrollment September 1st- September 30th annually. Applications available at www.townofhollandny.com

H. Welcome to Holland signs

RESOLUTION # 79-2021

Motion made by Councilwoman Kline to purchase and install (2) Welcome to Holland signs on the North and South end of town. Seconded by Councilman Hack.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

COMMITTEE REPORTS

Buildings- Town Hall roof replacement bids will be published.

Cemetery- New shed is ready for delivery. Roof is complete on the vault building.

Planning Board- Councilwoman Kline reported (1) Special Use Permit was discussed at the July Planning Board meeting. Dave Fahmer- Dave's Butcher Shoppe

Town Park and Community Center- Dumpster to be ordered to dispose of excess items in the basement.

Environmental- Will be attending a walkthrough of Modern Disposal

Beautification- Reported the flowers on Main Street have been replaced, we did not have proper drainage in our new pots. This was not a vendor issue. A banner will be ordered for Concerts in the Park for next year.

COMMUNICATIONS

A. Planning Board minutes

BUILDING/ZONING OFFICER –Justin Quant. Report submitted.

ZONING ENFORCEMENT OFFICER – Michael Sluce. Report submitted.

DOG CONTROL OFFICER – William Newell.

GRANT WRITER – Jill Zientek

HIGHWAY SUPERINTENDENT AND FACILITIES- Jason Simmons. Report Submitted.

A. Reported we received \$1,100 for the old cemetery mower and \$3,375 for the old Kubota at auction which were previously declared surplus inventory.

NEW BUSINESS

A. **Olean Rd residence-** complains of dangerous conditions at Crosby's gas station- tabled for next month.

B. **Special Use Permit- 9806 Wagner Rd- Putney-** will submit a new application to amend his Special Use Permit to possibly add slaughtering at his location for the Board's review

OLD BUSINESS-

A. **Special Use Permit- 9286 Olean Rd-** Butcher/Deli/Grocery store

RESOLUTION # 80-2021

Motion made by Councilwoman Kline and seconded by Councilman Kolacki to approve the Special Use Permit for Dave Fahmer to operate Dave's Butcher Shoppe at 9286 Olean Rd with the following conditions.

- All Department of Health requirements are met.
- Proper disposal of all waste
- A sign permit will be required before its installation.

5 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED.

B. **Special Use Permit- Kevin Nelson- 57 Rumsey Rd.-** Chickens. The applicant failed to attend the planning board meeting on August 4,2021 and on September 1,2021. The applicant is due back in Holland Town Court on September 16, 2021.

C. Cannabis Sales Allowance and Cannabis Consumption

RESOLUTION # 81-2021

Councilwoman Kline motions for the Town of Holland to opt out of the allowance to sell Cannabis until further information becomes available allowing the Town to do our due diligence in the matter with the understanding opting in could be addressed in the future.

Councilwoman Herr seconds the motion.

3 AYE/ 2 NAY / 0 ABSTAIN

MOTION CARRIED.

RESOLUTION # 82-2021

Councilwoman Kline motions for the Town of Holland to opt out of the allowance to consume Cannabis on premises until further information becomes available with the understanding opting in could be addressed in the future. Councilman Hack seconds the motion.

5 AYE/ 0 NAY / 0 ABSTAIN

MOTION CARRIED.

DISASTER COORDINATOR- Councilman Hack reported the Erie County Mitigation Policy is almost complete. The Town will need to accept this policy once it is reviewed and agreed upon.

TOWN ATTORNEY – Ronald Bennett

TOWN CLERK – Jill M. Zientek- Holland Central School taxes will be mailed out on September 15, 2021 and will be due on October 15, 2021

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 \$21,236.65
Highway District Claims as set forth in Abstract DA-9	in the amount of \$19,110.38
Water District Claims as set forth in Abstract SW-9	in the amount of \$6,571.34
Light District Claims as set forth in Abstract SL-9	in the amount of \$1,012.23
Garbage District Claims as set Forth in Abstract SR-9	in the amount of \$25,230.77
Trust and Agency Claims as set forth in Abstract TA-9	in the amount of \$8,097.92

RESOLUTION # 83-2021

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

5 YEA / 0 NAY / 0 ABSTAIN

MOTION CARRIED

Gary Kingston thanked the town for the “Concert in the Park” series.

Gary Kingston also requested to remove the “No Parking on the grass sign” at the park due to the large amount of cars at Raiders events.

ADJOURNMENT –Supervisor Kasprzyk adjourned the Regular Town Board Meeting at 8:57 p.m. in honor of Sandy Heeb and Ro Doster

RESPECTFULLY SUBMITTED,

Jill M. Zientek
Holland Town Clerk