

**TOWN OF HOLLAND
TOWN BOARD MINUTES
October 3, 2018**

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. The Pledge of Allegiance and official roll call followed.

Town Board Members Present:

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

Other Officials Present:

Highway Superintendent Patrick Joyce
Town Clerk Jill M. Zientek
Town Attorney Ronald Bennett
Zoning Enforcement Officer Michael Sluce
Bookkeeper Margaret Koss

APPROVAL OF SEPTEMBER 12, 2018 TOWN BOARD MEETING MINUTES

RESOLUTION # 57-2018

Motion made by Councilman Kolacki, Second by Councilwoman Kline, resolve the Town of Holland approve the September minutes for 2018.

5 YEA / 0 NO / 0 ABSTAIN
MOTION CARRIED

PUBLIC HEARING – 8:02 p.m. - To declare the Town's intention to override the NYS 2% property tax cap calculation. Hearing no public comments, the Public Hearing closed at 8:04 p.m.

PUBLIC HEARING – 8:04 p.m. – To present the 2019 Fiscal Year Preliminary Budget. Hearing no public comments, the Public Hearing closed at 8:06 p.m.

PUBLIC COMMENTS – None.

SUPERVISOR'S REPORT

- A. Rural Transit Van Service is in need of volunteers.
- B. Community Development Block Grant

RESOLUTION # 58-2018

Motion made by Councilman Kolacki; Second by Councilman Hack, to designate partial funding for Rural Transit as the #1 priority for the Community Development Block Grant Program (CDBG) for 2019.

5 / 0 NO / 0 ABSTAIN
MOTION CARRIED

- C. Meals on Wheels currently has 15 participants
- D. Kiwanis will be hosting their Senior Citizen Dinner at the Holland Willows on November 7, 2018
- E. Household Hazardous Waste Drop Off was a big success. Five tractor trailers full of recycling.
- F. Reid Petroleum/Crosby Project- Still awaiting the traffic study and sewage system approval
- G. South Wales Community Center- Association of Residents within a 3 mile radius of the Community Center. The Town of Holland established funding for the building in the 2019 Budget.
- H. Supervisor Kasprzyk will set up a meeting with the Constabulary to discuss their budget.
- I. Senior Citizen Tax Exemption Income Limit possible changes.

RESOLUTION TO SET PUBLIC HEARING

RESOLUTION #59- 2018

RESOLUTION TO SET A PUBLIC HEARING

WHEREAS, Local Law Intro. No. #3-2018 has been introduced to the Town Board on October 3, 2018, and

WHEREAS, such Local Law No. #3-2018 amends the maximum annual income for persons sixty-five (65) years of age or over and excludes from the calculation of exemption for any senior citizen who has a service connected disability veteran and receive disability compensation from the United States Department of Veteran Affairs.

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 of November, 2018 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 amending the maximum annual income for persons sixty-five (65) years of age or over and excludes from the calculation of exemption for any senior citizen who has a service connected disability veteran and receive disability compensation from the United States Department of Veteran Affairs.
and be it further

RESOLVED, that the Town Clerk is hereby directed to publish a notice of said public hearing in the Arcade Herald.

Duly adopted this 3rd of October, 2018 by the following vote:

ROLL CALL VOTE

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

J. Erie County Stop DWI

RESOLUTION # 60-2018

Motion made by Councilman Hack, Seconded by Councilwoman Kline, resolve to participate in Erie County Stop DWI Program for 2019

5 YEA / 0 NO / 0 ABSTAIN

MOTION CARRIED

RESOLUTION # 61-2018

Motion made by Councilman Kolacki, Seconded by Councilman Hack, resolve to accept the 2019-2022 Highway and Water Employee Negotiated Contract.

5 YEA / 0 NO / 0 ABSTAIN

MOTION CARRIED

K. Budget Amendments

GENERAL FUND

From: A1990.4	Contingency	\$1,704.15	
To:			
A3120.4	Constabulary- Contractual		\$542.95
A8510.1	Beautification- Personal Service		\$678.20
A8510.4	Beautification- Contractual		\$483.00
WATER FUND			
From: SW599	Unexpended Fund Balance	\$8,294.83	
To: SW960	Appropriations		
SW8310.1	Water Administration- Personal Service		\$8,294.83

RESOLUTION # 62-2018

Motion made by Councilwoman Kline. Second by Councilwoman Herr, resolve the Town of Holland approve the Budget Amendments for October 2018, as outlined above.

5 YEA / 0 NO / 0 ABSTAIN

MOTION CARRIED

COMMITTEE REPORTS

Buildings- Councilman Kolacki- Generator project is now complete

Cemetery- Councilman Hack- Mower has been repaired and is back in use.

Planning Board-Councilwoman Kline. Met with two new Special Use Permits prior to the board meeting.

Town Park and Community Center- Councilman Hack- Discussed possible tarps for the shelter for the winter season

Environmental- Councilman Kolacki

Beautification-Councilwoman Herr- will start getting ready for holiday decorations

200 year celebration-Councilwoman Kline

Councilwoman Kline reported the Bicentennial Celebration Quilt raffle will be drawn on October 10th. The Bicentennial Committee is planning a New Year's Eve Ball Drop to ring out the 200th year.

COMMUNICATIONS

- A. Erie County- Will have a lane closure on Hunter's Creek Rd from October 1, 2018- October 19, 2018

BUILDING/ZONING OFFICER –Justin Quant.

ZONING ENFORCEMENT OFFICER – Michael Sluce. Report submitted. Reminded residents to clean their chimneys

DOG CONTROL OFFICER – William Newell. Report submitted.

FACILITIES MANAGER – Patrick Joyce

GRANT WRITER – Jill Zientek

HIGHWAY SUPERINTENDENT – Patrick Joyce- Requested the Town of Holland write a letter to encourage the New York State Department of Transportation to move its headquarters back to Buffalo instead of the current location in Rochester. Work and Repairs in our area has been lacking since its move to Rochester.

RESOLUTION # 63-2018

Supervisor Kasprzyk motions to request the NYS Department of Transportation reestablish the Buffalo location office. Seconded by Councilman Hack.

5 YEA / 0 NO / 0 ABSTAIN

MOTION CARRIED

NEW BUSINESS

RESOLUTION # 64-2018

**RESOLUTION APPROVING ADOPTION OF LOCAL LAW
IN RELATION TO THE TAX LEVY LIMIT**

WHEREAS, General Municipal Law Article 2, Section 3-c places a limit upon real property tax levies by local governments, and

WHEREAS, General Municipal Law Section 3-c(5) provides for a local government to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, provided the governing body of such local government first enacts, by a vote of two-thirds (2/3) of the total voting power of such body, a local law to override such limit for such coming fiscal year only, and

WHEREAS, the proposed budget is required to accurately appropriate funds in the

operation of the Town with an unprecedented increase in costs such as highway salt, medical coverage, New York State pension costs and others, and

WHEREAS, it is required to adopt a Local Law to override the tax levy prescribed by General Municipal Law Section 3-c, and

WHEREAS, the Town has complied with the provisions of New York Municipal Home Rule Law regarding the requirements for adoption of the Local Law including a public hearing,

NOW, THEREFORE, be it

RESOLVED, the Town Board does hereby approve and enact Local Law 1-2018 providing for an override of the tax limit prescribed by General Municipal Law Section 3-c for the fiscal year of 2019, and be it further

RESOLVED, the Town Clerk is hereby directed to immediately file the Local Law with the New York Secretary of State.

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 # 65-2018
RESOLUTION FOR THE 2019 FISCAL YEAR BUDGET

Motion made by Councilman Kolacki, Second by Councilwoman Kline to approve the 2019 Preliminary Budget.

Tax Levy and Rate Summary						
Town of Holland, New York						
		AMOUNT	TAXABLE	TAX RATE	UNIT	
	General & Highway Funds	TO RAISE	VALUE	PER 1000	RATE	
A	GENERAL FUND	391,477.02	217,743,673.00	1.797880		
DA	HIGHWAY FUND	821,049.50	217,743,673.00	3.770716		
	Total General Items	1,212,526.52				
DIST						
CODE	Special Districts					
	CEMETERY FUND	0.00	0.00	0.000000		
24020	FIRE PROTECTION DISTRICT	6,170.08	6,066,016.00	1.017155		
24021	FIRE COMMISSIONER DISTRICT	445,556.15	216,323,225.00	2.059678		
24030	LIGHTING DISTRICT	26,000.00	89,383,430.00	0.290882		
24040	WATER DISTRICT	0.00		0.000000		
24650	REFUSE DISTRICT	304,200.00		n/a		216.20
	Total Special Districts	781,926.23				
Other items per Letter of Authorization						
	Delinquent Water to Levy	22,144.44				
	Delinquent Garbage to Levy	0.00				
	Delinquent Other	0.00				
	Total Other Items	22,144.44				
	Grand Total All items	2,016,597.19				

ROLL CALL VOTE:

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

5 YEA / 0 NO / 0 ABSTAIN
 MOTION CARRIED

OLD BUSINESS**RESOLUTION # 66-2018**

Councilwoman Kline motions to approve the Special Use Permit application for Shawn Doman to open an antique store at 100 North Main Street with the conditions as stated in the Special Use Permit. Seconded by Councilman Kolacki.

5 YEA / 0 NAY / 0 ABSTAIN
 MOTION CARRIED

RESOLUTION # 67-2018

Councilwoman Kline motions to approve the Special Use Permit application for Jessica Carlson to open a Barber Shop at 12 North Main Street with the conditions as stated in the Special Use Permit. Seconded by Councilman Hack

ADJOURNMENT –Supervisor Kasprzyk adjourned the Regular Town Board Meeting at 8:41 p.m., with a moment of silence, in memory of James Chamberlin, Rev. Robert Zimmerman, and Shirley Berry

RESPECTFULLY SUBMITTED ,

Jill M. Zientek
Holland Town Clerk