

**TOWN OF HOLLAND  
TOWN BOARD MINUTES  
FEBRUARY 12, 2014**

Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:01 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:

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

Other Officials Present:

- Town Clerk Merilu O'Dell
- Bookkeeper Jill Zientek
- Highway Superintendent Pat Joyce
- Town Engineer David Pratt
- Zoning Enforcement Officer Michael Sluce
- Town Attorney Ronald Bennett (arrived at 8:20 p.m.)
- Board of Appeals Chairman William O'Dell
- Dog Control Officer William Newell
- Zoning Board of Appeals Alternate Keith Scheussler

**RESOLUTION # 9**

Motion made by C. Hack and seconded by C. Kline, resolve the Town of Holland approve the minutes of the 2014 Organizational Meeting, held January 8, 2014.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

**RESOLUTION # 10**

Motion made by C. Hack and seconded by C. Kolacki, resolve the Town of Holland approve the minutes of the January 2014 Regular Town Board Meeting, held January 8, 2014.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

**NO PUBLIC COMMENTS**

Supervisor Kasprzyk apologized for not getting three items onto the agenda for the meeting, but said they were all necessary to address.

### **RESOLUTION # 11**

Motion made by C. Hack and seconded by C. Kolacki, to approve the yearly resolution authorizing road repairs for 2014.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

Supervisor Kasprzyk said Southtowns Rural Preservation must do a mandated, updated needs assessment, which necessitates a professionally-prepared contract to have the services of an outside consultant. Southtowns Rural Preservation is asking each town in the consortium to contribute \$250 in additional funding (Holland already contributes \$350 per year) to accomplish this. He noted that Southtowns has done much work in Holland.

### **RESOLUTION # 12**

Motion made by C. Kolacki and seconded by C. Hack, to contribute an additional \$250 to Southtowns Rural Preservation, to do an updated needs assessment, and to hire the services of an outside consultant.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

Supervisor Kasprzyk noted that money had been rolled over from 2013, along with money in the 2014 budget, to plant trees. He said he would like to see a subcommittee comprised of C. Kline and C. Kolacki to research the project, which would probably see trees planted in the fall. Both consented.

### **SUPERVISOR'S REPORT**

- A. Western New York Meals on Wheels update - Supervisor Kasprzyk said the MOW program has been getting complements on the meals served. MOW Coordinator June McArthur “quickly straightened out the problems” encountered last month, with it being the first month with the new provider, WNY Meals on Wheels. Client count in town now numbers 10, with five teams of two staffers, plus two backups, delivering meals. One new person lives in the Town of Sardinia, but Holland is the closest route.
- B. NYS Department of Transportation grant award letter received for the Town of Holland Sidewalk Connection and Beautification project on January 16. The grant is worth \$370,505, and will cover several projects, including sidewalk connectors, crosswalks, bicycle racks, hanging flower baskets, event flags and holders, signs with landscaped gardens, and other miscellaneous items. Supervisor Kasprzyk gave his thanks and commendations to Grant Writer Jill Zientek and Engineer David Pratt for their hard work in securing the grant funding.

- C. Home Rule Legislation – Regional Industrial Development Agency. Five independent IDAs have petitioned NYS to allow them to annex adjoining towns. Holland currently has to go through Erie County, which Supervisor Kasprzyk noted “does not do re-use requests outside the City of Buffalo, while the five independents do it all the time.” The town is joining others to ask the state to allow the town to choose which IDA to work with, and the proposed resolution asks legislators to push the Community Choice Act legislation through as a matter of policy. With numerous towns desiring to preserve their historic downtown buildings, they have found that Erie County does not want to approve repurposing of existing buildings.

**RESOLUTION # 13**

Motion by C. Hack; seconded by C. Kolacki, that the Town of Holland approve the Community Choice Act Resolution.

RESOLVED, the Town Board of the Town of Holland approve the Community Choice Act legislation resolution, enabling Erie County towns without their own Industrial Development Agency to choose to work with a local IDA, rather than with the Erie County Industrial Development Agency.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

- D. Association of Towns 2014 Annual Meeting in New York City in February – voting direction.

**RESOLUTION # 14**

Motion by C. Hack; seconded by C. Herr, to direct Town Representative Supervisor Michael Kasprzyk to vote “YEA” on all resolutions at the Association of Towns Annual Meeting.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

- E. Hazardous Materials Drop Off – Recycling firm HAZMAN has approached the town regarding running a hazardous waste drop off event. The firm is recommended by Waste Management. Frequent long lines at Erie County’s two events per year at Erie Community College’s North and South campuses. HAZMAN did an event for the Town of Colden last year, with the town “very happy about it,” said Supervisor Kasprzyk. C. Kline termed the proposal “a bit pricey,” and Supervisor Kasprzyk said the Town of Colden was agreeable to joining with Holland, and switching off locations each year. With mixed reactions, the Board decided to explore the idea further.
- F. Newsletter – The Town of Wales puts out an informational newsletter. Supervisor Kasprzyk asked the Town Board if it would like to explore this idea in detail for

- Holland. C. Kline said mailing is redundant with the town website, and that most towns are moving away from doing mailings. Supervisor Kasprzyk said one issue's mailing would cost about \$700 just for postage. After discussion, the Board decided to not pursue the idea.
- G. Deputy Disaster Coordinator – Supervisor Kasprzyk said he had spoken to Town of Holland Disaster Coordinator Howard Smith regarding appointing a deputy, preferably someone who is a member of the Fire Department. No name has yet been put forth for the position.
- H. Confirmation of Appointment of Deputy Town Clerk – Town Clerk Merilu O'Dell has appointed Elizabeth Snyder for the position; Mrs. Snyder has accepted the appointment.

### **RESOLUTION # 15**

Motion by C. Kline; seconded by C. Hack, to confirm the appointment by Town Clerk Merilu O'Dell of Elizabeth Snyder as Deputy Town Clerk.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

- I. Request to Extend Sewer District #3 south to Zider Zee – Supervisor Kasprzyk said Nelson Rausch requested of the Erie County Legislature that the sewer district be extended to include the Zider Zee Restaurant on Route 16. The request was then made known to town officials. It was noted that if the district were extended, every home and business served by the extension would have to link to the system, and that it would be “expensive.” Supervisor Kasprzyk said he would inform the county that the town would not be interested, and that it was a “dead issue.”
- J. Seasonal Cabins/Buildings – In response to the recent request of Jim Peacock of East Aurora to build a non-conforming building on land he owns in Holland, the Town Board discussed the issue. Noting that the current size requirement is 1,120 square feet, all Town Board members said they do not wish this to be changed. Supervisor Kasprzyk said the “previously set requirements were put in place to reflect the Board's sentiment.” He expressed concern that “the cabin of today may become the home of the future.” C. Kline said the town has “just finished revising the Code,” and C. Hack said “the Code was written to satisfy what we want.” All members of the Town Board concurred.

### **COMMITTEE REPORTS**

- A. Buildings – C. Kolacki. No Report.
- B. Cemetery - Proposed Cremation Section in Cemetery; Columbarium – C. Hack. Looking at having a section of the cemetery reserved for cremated remains. Will

- further pursue details. Regarding columbarium request, no firm prices yet. Will research further.
- C. Planning Board Liaison- C. Kline. Reported no meeting in February, due to snowstorm.
  - D. Town Park & Community Center – C. Hack. Reported “a lot of snow,” commended Highway Superintendent Patrick Joyce and his crew of doing “a great job.”
  - E. Environmental Committee – C. Kolacki. No report.
  - F. Beautification – C. Herr. Reported on negotiations on contract with Time Warner, “trying to nail down specifics.” She reported people shifting to/from different positions, “and will communicate anything specific” to the Board.

## COMMUNICATIONS

- A. Planning Board Minutes – None.
- B. Board of Appeals Minutes – None.
- C. Addressed issue of Jim Peacock’s request to build a non-conforming structure; reiterated that the Code specifies what the Town Board wants in place.

## BUILDING ZONING OFFICER’S REPORT – Scott Hess.

- A. Update on Dollar General - building plans brought in; permits paid. Has been granted a demolition permit for barn tear-down, as well as the building permit. Supervisor Kasprzyk asked engineer David Pratt “to look at these, especially drainage.”

## DOG CONTROL OFFICER’S REPORT – William Newell. Report given.

## FACILITIES MANAGER – Patrick Joyce. No report.

**GRANT WRITER** – Jill Zientek. Regarding aforementioned NYSDOT grant, thanked engineer David Pratt for his help.

## HIGHWAY SUPERINTENDENT – Patrick Joyce.

- A. Possibility of getting more grant money; will get details to Jill Zientek.
- B. Reported 100 or so plowing trips all of last winter. This year, the plowing crew has already made 105 trips, and winter is not yet over.
- C. Have three vehicles (two from water department and one from highway department); need to sell. Have already been declared surplus. Have three bids (for all three vehicles):
  1. Carl’s - \$600,
  2. Nuwer’s - \$1,100, and
  3. Lar’s - \$1,400 – This is the high bid.

**RESOLUTION #16**

Motion by C. Hack; seconded by C. Herr, to accept the bid of \$1,400 for all three surplus vehicles, from the high bidder, Lar's.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

**ZONING ENFORCEMENT OFFICER** – Michael Sluce. Report filed.

**NEW BUSINESS**

Special Use Permit request from David Blendinger of Creekside Saddlery. Request to install a lighted sign at the entrance to his business. He brought diagrams of a 12-inch-long 12" x 12" on top, which would have three LED lights shining down on the sign. There will be no flashing lights on the sign. Supervisor Kasprzyk stated there was no need to refer this request to the town's Planning Board, and asked for a motion.

**RESOLUTION # 17**

Motion by C. Kline; seconded by C. Hack, resolve the Town of Holland approve the Special Use Permit for a lighted sign at Creekside Saddlery for David Blendinger.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

**REQUEST TO ADDRESS BOARD:** Christine Hausauer of the Holland Garden Club, regarding a request to order and install a "Blue Star Marker" at the Holland Cemetery, in the veterans' area. The marker would be located 10' from the road edge, with a small garden surrounding it, and would be installed perpendicular to Route 16, so it could be viewed by traffic headed both north and south. Mrs. Hausauer said the Garden Club would install and maintain the garden, and the club is working on fund-raisers to pay for the marker. The club has \$250 now, and has asked for donations from the Kiwanis and the Legion. The total cost for the marker would be \$1,350; delivery would be about two months after ordering.

**RESOLUTION # 18**

Motion by C. Herr; seconded by C. Kline, to approve the installation of a Blue Star Marker at the Holland Cemetery, as presented by Christine Hausauer of the Holland Garden Club.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

**REQUEST TO ADDRESS BOARD:** Supervisor Kasprzyk stated that Gary Kingston, commander of the Legion, wished to address the Board. Although 72 hours' notice is usually required, the requirement was waived, due to time constraints and an upcoming deadline.

Kingston addressed the issue of the recently-approved school tax exemption for veterans. This would be applicable in addition to the NYS Star exemption. Kingston noted only a small article in the *Buffalo News* marked the passage of the legislation, as though it were unimportant. Kingston said he had already spoken to the school board about this issue. In order for the town's veterans to be able to claim the exemption, the school board would have to approve it by the March 1 deadline, which left very little time for school boards to consider whether or not to offer the exemptions. Kingston said he had spoken to Assessor Tammy Adsitt, who, he said, told him that about 142 Town of Holland veterans would qualify for the program. "I just don't think it's right that they [state] didn't notify anyone," he concluded.

**COMMENDATION-** Michael Sluce. C. Hack brought up the fact that the town's Code Enforcement Officer, Michael Sluce had received a letter of thanks from the Town of West Seneca, regarding Sluce's help with inspecting homes during the recent flooding there. Supervisor Kasprzyk commended Sluce for his help during a difficult situation in West Seneca, and thanked him for his efforts.

**OLD BUSINESS:** None

**TOWN ATTORNEY** – Ronald Bennett. Regarding the assessment challenge by Suzanne Draper, of property located at 400 North Main Street, Holland. Supervisor Kasprzyk said more information should be available by the next town board meeting. He stated, "It has been our policy to back up our assessor. In this case, we feel we are right." A third-party evaluation is currently being done.

**TOWN CLERK – MERILU O'DELL:** Thanked everyone at the Town Hall for "helping me get settled in" as the town clerk. Regarding appointment of Deputy Town Clerk Elizabeth Snyder, said Mrs. Snyder was well-qualified to be deputy, with her computer knowledge, customer service background, and other skills. "I am honored to have her working with me," she said.

**COMMENTS FROM THE PUBLIC** - Gary Kingston, Commander of the Legion. He said that, in four years, the town will be 200 years old, and wondered if the Town Board has begun planning for the event.

#### **PAYMENT OF VOUCHERS**

The following vouchers were presented for payment:

Highway District Claims as set Forth in Abstract DA-2	#1-19	in the amount of \$22,276.39
Water District Claims as set Forth in Abstract SW-2	#1-15	in the amount of \$17,209.19

Garbage District Claims as set Forth in Abstract SR-2	#1	in the amount of \$22,188.48
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Cemetery District Claims as set Forth in Abstract CM-2	#1	in the amount of \$425.00
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General District Claims as set Forth in Abstract A-2	#20-88	in the amount of \$54,565.53
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Trust & Agency Claims as set Forth in Abstract TA-2	#3-4	in the amount of \$7,547.56
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**RESOLUTION # 19**

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

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

Supervisor Kasprzyk spoke briefly about two town residents who had died since the January Town Board Meeting:

VERNON BUSH  
ALBERT GILLEN

**RESOLUTION # 20**

Motion made by Supervisor Kasprzyk, seconded by Councilman Hack, to adjourn the Regular Town Board Meeting at 9:07p.m., in memory of the two men.

5 YEA – Hack, Herr, Kasprzyk, Kline, Kolacki / 0 NAY / 0 ABSTAIN  
MOTION CARRIED

**MEETING ADJOURNED AT 9:08 P.M.**

**RESPECFULLY SUBMITTED, January 9, 2014.**

**MERILU O’DELL, TOWN CLERK**