

**TOWN OF HOLLAND
TOWN BOARD MINUTES
September 10, 2014**

Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:05 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 Karen Kline
- Councilwoman Roberta Herr
- Councilman William Kolacki
- Town Supervisor Michael Kasprzyk

Other Officials Present:

- Town Clerk Merilu O’Dell
- Highway Superintendent Patrick Joyce
- Town Attorney Ronald Bennett
- Bookkeeper Jill Zientek
- Town Engineer David Pratt
- Zoning Enforcement Officer Michael Sluce
- Planning Board Chairman Marty Regan
- Zoning Officer Scott Hess
- Dog Control Officer William Newell – arrived late

RESOLUTION # 72-2014

8:06 p.m. - Motion made by C. Kline. Second by C. Hack, resolve the Town of Holland approve the minutes of the Regular Town Board Meeting held August 13, 2014.

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

NO PUBLIC COMMENTS

SUPERVISOR’S REPORT – Michael Kasprzyk

- A. Presentation of Tentative Budget for 2015 – Supervisor thanked Budget Officer Jill Zientek for her budget preparation, saying it was a “big burden,” in light of the impact of rising costs. He also thanked the Town Board for being “very diligent” in holding the past nine years’ budgets to the tax caps, and that the effort has been “successful, until this year.” He reported that revenues have been static, with expenses “anything but static, with significant increases in just about every category.” Because of this, the Town Board is seeking to override the tax cap (which necessitates a 60% “supermajority” of voters to

approve), and have increases in both the General Budget and the Highway Budget. Even though the Board has “tried very hard” to avoid these increases, the result will be “no pay raises for anyone.” In regards to the contract for Highway Department workers, the Supervisor stated the Board had tried to give a three-year contract, but is proposing a one-year contract. He noted that the town had adopted a High-Deductible health insurance policy for employees in the past, with a Health Savings Account feature, to avoid large increases. The premiums will be increasing 30% for these. “The Governor might have a 2% tax cap,” but even [highway] salt is up 20%, and paper is up more than 2%, “and all the way down the line,” Supervisor Kasprzyk said, noting that the budget proposal includes “significant cuts, except for programs and organizations that the Town supports.” He said a typical house worth \$100,000 with taxes of about \$940 would see an increase of \$100 - \$102 more. The Town Board “was very adamant that we cut wherever we could, and we have done that,” he said. The Proposed Budget becomes the Preliminary Budget upon approval by the Town Board; a budget hearing will be set for October 8.

B. Resolution to Accept Tentative Budget and Set Date for Public Hearing on October 8

RESOLUTION #73-2014

8:12 p.m. - Motion made by C. Kline. Second by C. Herr, resolve the Holland Town Board accept the 2015 Tentative Budget as the Preliminary Budget, and set a date for a public hearing on October 8 at 7:15 p.m.

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

C. Resolution to Enact Local Law Authorizing override of Tax Cap and Set Date for Public Hearing on October 8

RESOLUTION #74-2014

8:14 p.m. - Motion made by C. Kline. Second by C. Hack, resolve the Holland Town Board enact a Local Law authorizing an override of the 1.56% tax cap and set a date for a public hearing on October 8 at 7:00 p.m.

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

D. Hazardous Waste and Electronics Recycling Event – jointly with Town of Colden – September 20, from 8:00 a.m. to Noon, at the Colden Fire Hall on the corner of Partridge and Center. This has a 50% matching grant from NYS attached. A question regarding the pre-registration was fielded from resident Gary Kingston. The Supervisor replied that it is requested, but not required. Many positive comments have been received, and 25 residents are pre-registered for the event.

- E. Meals On Wheels update – 14 clients now 3 days a week, and 11 on the other two weekdays. Supervisor reported that the Holland route now has a full volunteer crew again and is running well.
- F. Appointment of Laurie Sullivan as a Deputy Town Clerk

RESOLUTION #75-2013

8:17 p.m. - Motion made by C. Hack. Second by C. Kline, resolve the Town Board approve the appointment of Laurie Sullivan as a Deputy Town Clerk, effective immediately.

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

- G. Tulip Bulbs available from Kiwanis - \$7 for 20 bulbs, “which is roughly half price,” said the Supervisor. “Plant them now, in the fall, so they will bloom next spring for the Tulip Festival.” Pre-order forms are available in the Town Clerk’s Office.
- H. Flu shot clinic at the Town Hall on Monday, October 27, from 10:00 a.m. to 2:00 p.m. This is a “walk-in” event.
- I. Unsafe building on South Main St. – The Town has been dealing with this for a few months, and the Supervisor spoke with owner Grant Mix that day, as well as Mix meeting with Zoning Officer Scott Hess. “It is his intent, as of 7:45 this evening, to try to save the building,” the Supervisor said, adding that Mix had told him he had contractors lined up to take a look at the building, and that Mix was told that the Supervisor wanted to see proof that roof repairs were underway by a week from that day, or September 17. Mix has already been notified “that if activity did not commence by September 15, that we would proceed with demolition. He understands that.” He referred to the process as “a long, ongoing saga.” C. Kline asked if this was the first time the Supervisor had heard from Mix since the last Board meeting, to which the Supervisor replied that Mix had been in touch with both Code Enforcement Officer Michael Sluce and with Scott Hess, but that this was the first time Mix had sat down with him to discuss the matter.
- J. Natural Gas Pipeline from National Fuel – Councilman Kolacki reported on a meeting he attended regarding the matter in Sardinia. The high pressure, high volume gas line from McKean County, PA to Elma will intersect with the southwest portion of Holland before it heads west into the Town of Colden. The Supervisor asked Planning Board Chairman Mary Regan to give him a list of the specific property owners this would impact. Regan said the Planning Board would be addressing this issue at its October meeting. “This is not a small line,” said the Supervisor. “This is a 24-inch, high pressure line. This is a major transmission line. I think we want to be very careful of our infrastructure.” Councilwoman Kline invited the Town Board to the October Planning Board meeting, which begins at 7:30 p.m.

- K. Blue Star Memorial – A dedication will be held at the Holland Cemetery on Saturday, October 11, at 10:00 a.m. Legion Commander Gary Kingston said refreshment will follow the dedication, at the Legion. The Supervisor said this is a very nice way to honor those who sacrificed for their country.
- L. Equalization Rate – The final equalization rate, has been calculated by the NYS Real Property Services Office, and is set at .94 percent. This is a drop from .96. The Supervisor stated that the Town has no input into this calculation, which affects both county and school taxes. Both Erie County and the state agency recommend annual revaluations, but the Supervisor stated, “This Board has historically thought that it is counterproductive to have to fight the challenges that are expensive to defend.” He said most towns do not do annual revals, and gave the example of Freedom, which is down to .04 equalization rate and has never done a reval.
- M. Planning Board Vacancy – Re-appointment of Robert Weisner, whose term expired.

RESOLUTION #76-2014

8:20 p.m. - Motion made by S. Kasprzyk. Second by C. Kline. Resolved, that the Town Board re-appoint Robert Weisner to his position on the Planning Board.

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

- N. Budget Amendments – None needed.

COMMITTEE REPORTS

- A. Buildings – C. Kolacki. No report.
- B. Cemetery – C. Hack. Thanked Pat Joyce’s crew, Legion Commander Gary Kingston, and the Legion, as well as Christine Hausauer, for their work on the memorial.
- C. Planning Board Liaison - C. Kline. No formal business. Meeting held, with discussion centering on updating the Master Plan and the National Fuel gas pipeline.
- D. Town Park & Community Center – C. Hack. No report.
- E. Environmental Committee – C. Kolacki. Discussion regarding the National Fuel gas pipeline issue.
- F. Beautification – C. Herr. No report, other than the mums (flowers) are in.

COMMUNICATIONS

- A. Planning Board Minutes – Report given.
- B. Board of Appeals Minutes – None.
- C. Erie County Department of Senior Services letter – Countywide meeting inviting input into senior services.
- D. Reminder letter from New York State regarding the Lifeline Telephone Service for low- and very low-income people.
- E. League of Women Voters Consolidation Study - Supervisor said his first impression was that the study would be supportive of consolidation, but that he was surprised to find the study very open and well put together. He said it pointed out both the advantages and disadvantages. “The status quo is probably the best thing,” he said. “Very interesting reading.”
- F. Community Development Hearings – Required for determining, when Community Development Block Grants are being awarded, that public hearings are being held.

BUILDING/ZONING OFFICER – Scott Hess. Report given.

DOG CONTROL OFFICER – William Newell. Report given.

FACILITIES MANAGER – Patrick Joyce. No report.

GRANT WRITER – Jill Zientek. Supervisor said he had signed a contract with the consulting engineering firm to proceed with the preliminary design of the DOT sidewalk project. Jill Zientek said the Town has received the new tables and chairs for the Community Center, through the Erie County Board of Elections.

HIGHWAY SUPERINTENDENT – Patrick Joyce – Report given. Joyce added that he had received the new snow blower attachment; the Town was able to receive a discount.

ZONING ENFORCEMENT OFFICER – Michael Sluce. Report given.

NEW BUSINESS

- A. Special Use Permit – Josh Penfold – Horses/Chickens. The couple already has two horses. Mrs. Penfold spoke, noting that the previous owners had five horses on the property, and that she and her husband were unaware that they needed a special use permit to have horses. Chickens are not there yet. She said the manure would be spread on their fields. There is already a barn, as well as pastures, present on the property, located at 9038 East Holland Rd. The Supervisor said it is normal procedure to refer this

type of request to the Planning Board, but he pointed out to the Town Board that the horses are already there. Councilwoman Kline said she would still like it to go before the Planning Board. The matter was referred to the Planning Board, for its input on any special conditions to the requested permit.

- B. Special Use Permit – George Archer – Permission to use motor home while repairing home at 8260 East Holland Rd. He said they purchased the property sight unseen, and that for the past six weeks, they have been cleaning the property itself up, since many items and much trash were left behind by the previous owners. They would like to live in the motor home while they are repairing the home, and said the septic system is working and the motor home waste is being deposited in it. He said that staying in hotels was very expensive. He said that, since the motor home was not designed for this type of climate, he would cease work on the property in November and resume in April. He estimated another 2-3 months of work would remain for the spring. The Supervisor asked if a one-year timeframe would work, and Archer said, “That would be great.” The Supervisor asked if he had Health Department approval, and Archer replied that he did not, but that neighbors had told him it was upgraded about five years ago. The Supervisor asked Town Attorney Ron Bennett for his opinion; Bennett replied that there is a two-year provision for construction, so it would be OK, but he did question the septic system. Archer said he had purchased the property “as is,” so there was no certification from the health department. The Supervisor said he would recommend a one-year special use permit for living in the motor home while the home is being remodeled, but that he “strongly advised” Archer to check with the Erie County Health Department regarding the septic system.

RESOLUTION #77-2014

8:37 p.m. - Motion made by S. Kasprzyk. Second by C. Hack. Resolved, that the Town Board grant a one-year Special Use Permit to George Archer, for the purpose of living in his motor home on his property while he works on the property.

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

OLD BUSINESS – None.

TOWN ATTORNEY – Ronald Bennett – No report.

TOWN CLERK – MERILU O’DELL – No report.

COMMENTS FROM THE PUBLIC – Gary Kingston – Questioned why the Town would not want to keep the equalization rate at 100%. “I know you don’t like it, but it keeps going down... why don’t we keep it at 100%?” he asked. Supervisor Kasprzyk said this is a question that the Board has wrestled with often. He said that, when a reval is done, about 1/3 of the people find that their assessed value goes up, about 1/3 stay the same, and the other 1/3 go up. “That is historically,” he said. “The third that go up wind up protesting, and challenging the assessment, which the Town then has to defend in court. Appraisals are very expensive and cost a lot of

money that the Town never recoups.” Kingston replied, “I accept that, but I still think we should keep it at 100%.”

Kingston then changed topics, and commended Highway Superintendent Patrick Joyce for the job he and his crew do. He noted that the Town of Sardinia is going to acquire new vehicles, so that they can begin to trade every year. He said that the Holland Highway Department has a lot of old equipment, and asked if there was anything in the budget for updating. Joyce replied that it is a line item in the budget, but that equipment, because of the Environmental Protection Agency [regulations], as an example, the price of a wood chipper has jumped \$20,000.

PAYMENT OF VOUCHERS

The following vouchers were presented for payment:

Highway District Claims as set Forth in Abstract DA-9	#113-132	in the amount of \$20,638.77
Garbage District Claims as set Forth in Abstract SR-9	#19	in the amount of \$22,459.46
Lighting District Claims as set Forth in Abstract SL-9	#8	in the amount of \$1,414.56
General District Claims as set Forth in Abstract A-9	#343-376	in the amount of \$12,194.36
Trust & Agency Claims as set Forth in Abstract TA-9	#17	in the amount of \$7,729.51
Cemetery Fund as set Forth in Abstract CF-9	#14	in the amount of \$1,050.00
Water Fund as set Forth in Abstract 9	#90-99	in the amount of \$10,245.51

RESOLUTION # 78-2014

8:40 p.m. - Motion made by C. Hack and seconded by C. Kline, resolve the Town of Holland pay the preceding vouchers.

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

ADJOURNMENT - Supervisor Kasprzyk adjourned the Regular Town Board Meeting at 8:45 p.m., with a moment of silence, in memory of late Holland residents Rose (Berry) Schultheis, Paul Allen and Frank Noeson Jr.

RESPECTFULLY SUBMITTED September 17, 2014.

MERILU O'DELL, TOWN CLERK