

**TOWN OF HOLLAND
TOWN BOARD MINUTES
October 12, 2016**

PUBLIC HEARING – 8:00 p.m. - To select possible projects for the Community Development Block Grant Program (CDBG). Project #1 would be partial funding for Rural Transit. Dependent upon the results of an income survey in the hamlet, would be the refurbishing of Pump House #1 on Water Street. Four hundred twenty-four anonymous surveys were sent out by Stuart Brown & Associates, the Rochester-based firm contracted by Erie County to do the income survey. The Supervisor reported “dismal results” to the initial survey; consequently, a second survey was mailed in September. The results (35.9%) were still short of the 51% low- to moderate-income responses required to program participation. A door-to-door response is underway. If the Town does not qualify under the program, water line rehabilitation on a couple of streets will still be undertaken. With no public comments, the Public Hearing was closed at 8:06 p.m.

PUBLIC HEARING – 8:06 p.m. – To present the 2017 Preliminary Budget, and to declare the Town’s intention to override the NYS property tax cap calculation. With what the Supervisor termed “very modest increases” in the 2017 budget proposal, “The bottom line is that even the health care cost increases for highway and water departments are more than the 0.6% tax cap... It simply is not attainable,” he said. Holland has no fund balance to apply to the budget, while some others do. He predicted, however, that “Most towns and school districts will be forced to override [the tax cap], as more and more are finding that they have no other choice.” All town employees will receive a 2% raise under the 2017 proposed budget. With no public comments, the Public Hearing closed at 8:09 p.m.

REGULAR TOWN BOARD MEETING - Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:09 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:

Highway Superintendent Patrick Joyce
Town Clerk Merilu O’Dell
Building Officer Justin Quant
Town Engineer David Pratt
Town Attorney Ronald Bennett
Zoning Enforcement Officer Michael Sluce
Zoning Board of Appeals Chairman William O’Dell
Bookkeeper Jill Zientek

Dog Control Officer William Newell

RESOLUTION # 72-2016

8:10 p.m. - Motion made by C. Hack, Second by C. Kline, resolve the Town of Holland approve the minutes of the September 2016 Regular Town Board Meeting.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN
MOTION CARRIED

PUBLIC COMMENTS – None.

SUPERVISOR’S REPORT – Supervisor Michael Kasprzyk

- A. 2017 Preliminary Budge / Override Tax Cap - With total appropriations of \$2,885,163.80, anticipated revenue of \$999,635.83, an unexpended balance of \$118,700.00, the amount to be raised through taxes is expected to be \$1,766,827.97. This resolution approves the Town Board’s intention to override the .58% NYS tax cap for 2017.

RESOLUTION # 73-2016

8:12 p.m. - Motion made by C. Kline, Second by C. Herr, resolve the Town of Holland declare its intention to override the New York State tax cap for the 2017 Budget.

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 – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN
MOTION CARRIED

RESOLUTION # 74-2016

8:12 p.m. - Motion made by C. Hack, Second by C. Herr, resolve the Town of Holland set a Public Hearing for proposed Local Law #2-2016, to override the New York State tax cap for the 2017 Budget.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN
MOTION CARRIED

- B. Adoption of Final Budget for 2017

RESOLUTION # 75-2016

8:14 p.m. - Motion made by C. Hack, Second by C. Kolacki, resolve the Town of Holland approve the 2017 Preliminary Budget, subject to approval of the Local Law to Override the NYS Tax Cap.

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 –Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN

MOTION CARRIED

- C. Community Development Block Grant – Project selection - Partial funding for Rural Transit. If the town qualifies, it will request refurbishing the interior of Pump House #1 on Water Street (1930s building), as well as changing the way chlorine is added to the water supply. If not, water line rehab will be done on a couple streets, including Vermont St.

RESOLUTION # 76-2016

8:16 p.m. - Motion made by Councilwoman Roberta Herr. Second by Councilwoman Karen Kline. Resolved, that the Town Board seek a Community Development Block Grant with priorities as follows: First selection would be Rural Transit van service – partial funding, for the 2017 - 2018 CDBG year. Second selection is refurbishment of Pump House #1 and chlorine infusion processes.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN

MOTION CARRIED

- D. Trick-or-Treating Curfew – Halloween Trick- or-Treating will be on October 31, with a curfew of 8:30 p.m.

RESOLUTION # 77-2016

8:18 p.m. - Motion made by Councilwoman Roberta Herr. Second by Councilwoman Karen Kline. Resolved, that the Town Board sets Halloween Trick-or-Treating on October 31, with a curfew of 8:30 p.m.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN

MOTION CARRIED

- E. Legion Steak Roast – Use of Community Center on November 5, from 6:00 p.m. until Midnight, and to serve wine and beer at the event.

RESOLUTION # 78-2016

8:19 p.m. - Motion made by C. Hack. Second by C. Kolacki. Resolved, that the Town Board approve the use of the Community Center by the Holland Legion on November 5, from 6:00 p.m. until Midnight, and to serve wine and beer at the event.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN
MOTION CARRIED

- F. Resignation of Town Justice William Franczak

RESOLUTION # 79-2016

8:21 p.m. - Motion made by C. Hack, Second by C. Herr, resolve the Town Board accepts, with regrets, the resignation of Town Justice William Franczak.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN
MOTION CARRIED

- G. Appointment of New Town Justice Jill Anderson – Several people were interested in the job, but withdrew. Anderson will have to run for election in 2017.

RESOLUTION # 80-2016

8:22 p.m. - Motion made by S. Kasprzyk, Second by C. Hack, resolve the Town Board approve the appointment of Jill Anderson as the new Town Justice for the Town of Holland, replacing William Franczak, who resigned.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN
MOTION CARRIED

- H. Rebate from NYMIR – Town insurance company, for a total of \$2,433 (in four payments). This is a rebate from last year's premium.
- I. Southtowns Rural Preservation – There is a new executive director, since Karen Diemuensch retired. SRP is also opening a new round of funding for necessary home repairs for low-income residents in 10 towns and five villages in Southern Erie County. There is still money available from last round of funding.
- J. Meals on Wheels – Status report. There are still almost more clients than one route can handle, said the Supervisor. The route is 26 miles and 14 clients, but the route is not being split yet.

- K. East Aurora Fire Control Contract – The 1977 agreement “needs to be looked at,” said the Supervisor. “We have had good service from this, but it does need to be gone over,” he added. He said that certain provisions haven’t been followed, like having an annual meeting. “We need to take a look before July 2017,” he said. Percentages: 80% police calls, and 20% fire calls. There is a 25% administration fee. Holland’s share is \$19,000, and is looking at an 8.5% increase.
- L. The Valley – Notified the Town that it is renewing its liquor license.
- M. Resolution – Justice Court Assistance Program Grant – Town Justice Christopher O’Brien has put together a grant application, and needs Town Board approval to apply.

RESOLUTION # 81-2016

8:29 p.m. - Motion made by C. Kolacki, Second by C. Kline, resolve the Town of Holland approve the submission of a Justice Court Assistance Program Grant, by Town Justice Christopher O’Brien.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN
MOTION CARRIED

- N. Karl Simmeth from NYS Assemblyman David DiPietro’s Office – Simmeth said there is new legislation pending, where any veteran can buy back up to three years of service, for retirement purposes.
- Simmeth requested an amendment of minutes, reflecting an erroneous statement of DiPietro’s position on a subject. The text of the February 10, 2016 minutes follows: “Not on Agenda – Karl Simmeth present. He is a representative of NYS Assemblyman David DiPietro’s office. Simmeth said it is always a pleasure to be in Holland. He reported that DiPietro “is making waves about the Safe Act and the Common Core.” *He said DiPietro is also pushing for making the members of the Assembly full-time.* He also reminded Holland residents that if there are any issues the Assemblyman could help them with, to call his office. He said that if there are any citations or proclamations that could be issued, to please let the office know about them.” The italicized words are requested to be deleted.

RESOLUTION # 82-2016

8:31 p.m. - Motion made by S. Kasprzyk, Second by C. Hack, resolve the Town of Holland delete the words “*He said DiPietro is also pushing for making the members of the Assembly full-time.*” from the minutes, as this was a misstatement on the part of Karl Simmeth.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN
MOTION CARRIED

O. Budget Amendments

General Fund

From:	A1990.4	Contingency Account	\$541.15	
To:	A8510.4	Beautification		\$541.15

RESOLUTION # 83-2016

8:34 p.m. - Motion made by C. Hack, Second by C. Kline, resolve the Town of Holland approve the Budget Amendments for October 2016, as outlined above.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN
MOTION CARRIED

COMMITTEE REPORTS

- A. Buildings – Councilman Kolacki – The Kiwanis storage building will be finished soon. He is also looking at having a committee for the new highway building to meet soon. The Supervisor asked Highway Superintendent Patrick Joyce to check out other towns' highway buildings.
- B. Cemetery – Councilman Hack – Work is being done on the new cremation section.
- C. Planning Board Liaison – Councilwoman Kline – The Board met concerning the Special Use Permit request of T. Luke Eames. Marty Regan, Mike Hayden, Pat Joyce and Kline met regarding a water quality assessment. Erie County now has the packet, which may result in a new Master Plan for the Town.
- D. Town Park & Community Center – Councilman Hack – He urged people to say something, if they see vandalism happening at the park.
- E. Environmental Committee - Councilman Kolacki – Several people attended a solar power presentation..
- F. Beautification – Councilwoman Herr – No report.
- G. Holland's 200th Anniversary – Councilwoman Kline – The next meeting will be held November 14, at the Town Hall, at 4:00 p.m.
- H. Security Cameras – No report.

COMMUNICATIONS

- A. Planning Board Minutes – Minutes submitted.
- B. Zoning Board of Appeals – Minutes submitted.

BUILDING/ZONING OFFICER –Justin Quant. Report submitted. The Town has now surpassed \$2 million in new building for 2016.

ZONING ENFORCEMENT OFFICER – Michael Sluce.

DOG CONTROL OFFICER – William Newell. Report submitted.

FACILITIES MANAGER – Patrick Joyce. No report.

GRANT WRITER – Jill Zientek. No report.

HIGHWAY SUPERINTENDENT – Patrick Joyce. Report submitted.

NEW BUSINESS

- A. SUP Revisions – The can redemption center, laundromat and beverage center (325 North Main St.) owned by Dan Yox is requested to be transferred to Mindy Yox, by request of both parties.

RESOLUTION # 84-2016

8:36 p.m. - Motion made by C. Hack, Second by C. Herr resolve the Town of Holland approve the transfer of the Special Use Permit for the can redemption center, beverage center, and laundromat at 325 North Main St., from Dan Yox to Mindy Yox. All operations will continue to comply with the terms of the SUP.

5 YEA –Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN MOTION CARRIED

- B. Kennel License Request – Laura Murawski. Did not attend this meeting, so consideration was tabled until the November 9 meeting.

OLD BUSINESS

- A. Special Use Permit – T. Luke Eames – sawmill. Upon recommendation of the Planning Board, with conditions, the Board approved the SUP request.

RESOLUTION # 85-2016

8:38 p.m. - Motion made by C. Kline, Second by C. Hack, resolve the Town of Holland approve the Special Use Permit request of T. Luke Eames to operate a sawmill, upon recommendation of the Planning Board, with conditions.

5 YEA –Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN MOTION CARRIED

TOWN ATTORNEY – Ronald Bennett – No report.

TOWN CLERK – Merilu O’Dell – Fourteen people received flu and pneumonia immunizations at the flu shot clinic in September .

COMMENTS FROM THE PUBLIC – None.

PAYMENT OF VOUCHERS - The following vouchers were presented for payment:

Abstract 10

General District Claims as set Forth in Abstract A-10	#337-373	in the amount of \$16,193.71
Highway District Claims as set Forth in Abstract DA-10	#153-167	in the amount of \$25,940.94
Garbage District Claims as set Forth in Abstract SR-10	#31-35	in the amount of \$31,957.64
Water Fund Claims as set Forth in Abstract SW-10	#77-86	in the amount of \$5,054.73
Lighting District Claims as set Forth in Abstract SL-10	#9	in the amount of \$1,817.77
Trust & Agency Claims as set Forth in Abstract TA-10	#27-29	in the amount of \$7,208.62
Cemetery Claims as set Forth in Abstract CF-10	#17-18	in the amount of \$4,767.63

RESOLUTION # 86-2016

8:44 p.m. - Motion made by C. Kline and seconded by C. Hack, resolve the Town of Holland pay the preceding vouchers.

5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NO / 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 resident Laura Rucker.

RESPECTFULLY SUBMITTED on October 15, 2016

MERILU O'DELL, TOWN CLERK