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

Other Officials Present:
   Town Clerk Merilu O’Dell
   Town Attorney Ronald Bennett
   Building & Codes Justin Quant
   Zoning Board of Appeals Chairman William O’Dell
   Zoning Enforcement Officer Michael Sluce
   Town Engineer David Pratt
   Dog Enforcement Officer Bill Newell

RESOLUTION # 20-2017

8:02 p.m. - Motion made by C. Kolacki, Second by C. Kline, resolve the Town of Holland approve the minutes of the Regular Town Board Meeting held February 8, 2017.

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

PUBLIC COMMENTS – None.

SUPERVISOR’S REPORT – Supervisor Michael Kasprzyk

A. Meals on Wheels Status – Coordinator June McArthur reported to the Supervisor that there are now 17 active MOW clients. He also said that he had received a letter of appreciation for the support check sent to the organization.

B. Code review Update – The committee is now meeting on Wednesdays again. The Supervisor asked if anyone had “anything to go into the pile” of items to be reviewed. Councilwoman Kline said she will be meeting with Planning Board Chairman Marty Regan regarding the solar moratorium and hunting/seasonal cabins.

C. Master Plan Update – Authorize Supervisor Michael Kasprzyk to sign the contract with Erie County Department of Environment and Planning, to have LaBella do the Master Plan Update.
RESOLUTION # 21-2017

8:05 p.m. - Motion made by C. Kolacki, Second by C. Hack, resolve the Town of Holland authorize Supervisor Michael Kasprzyk to sign the contract with Erie County Department of Environment and Planning for the Town of Holland Master Plan.

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

D. State of the County Address – County Executive Mark Poloncarz, March 29 at 4:15 p.m., at Burchfield Penney

E. Solar Liberty project Update – The Supervisor said, “The project is signed, sealed, and awaiting delivery.” He estimated the installation to take about nine weeks, dependent upon the weather.

F. Franchise Assessments – “It’s a mixed bag this year,” said the Supervisor, noting that some were up and some down. The railroad is up 11.1%, and NYSEG is up 3.3%. National Fuel (-3.9%), Verizon (-13.4%), and Time Warner (-2%) were all down. “The Town has no say in this,” the Supervisor said. “This is all the New York State Office of Real Property’s call. This is really a tax increase for our residents, without us having any say in it.”

G. Retirement/Standard Work Day – Required by New York State, this report establishes standard work days for town employees, and must be posted on the Town’s message Board (in the Town Hall), the Town Clerk’s sign board, and on the Town’s website for 30 days.

H. Insurance – After speaking with New York Municipal Insurance Reciprocal (NYMIR) officials, the Town has determined to stay with the Reciprocal for its insurance. “NYMIR assured me that it has never lost one of over 600 towns,” said the Supervisor. “I think it’s a waste of time to go out for bids,” adding that the process is very involved, and that the Town of Holland is very satisfied with NYMIR. “They [NYMIR] are very proactive,” he said.

I. Association of Towns Annual Meeting – The Supervisor reported on the AOT annual Meeting and training in New York City in February, saying the “schedule was jam-packed, with multiple classes at the same time.” He said he “can’t say enough about the NYS Comptroller’s Office personnel. “They were very good, and they were very accessible,” with “top-notch classes.”

COMMITTEE REPORTS

A. Buildings – Councilman Kolacki – No additional report.

B. Cemetery – Councilman Hack – No additional report.

C. Planning Board Liaison – Councilwoman Kline – The Board reviewed the solar law, and sent it to the Code Review Committee.

D. Town Park & Community Center – Councilman Hack – Three bids were received for the partial wall enclosing two sides of the Town Park shelter, including David Lafferty at $1,200 per day, John Matuszak at $1,190 per day, and Eric Lafferty at $1,000 per day. Eric Lafferty was the low bid. This will be a masonry, hip-height wall
at 27" high, with openings for pedestrians and access. Town Highway Superintendent Patrick Joyce said the Town will be paying for the materials, about $26,000.

RESOLUTION # 22-2017

8:13 p.m. - Motion made by S. Kasprzyk, Second by C. Hack, resolve the Town of Holland accept the lowest of three bids, Eric Lafferty, to construct the partial wall enclosing two sides of the Town Park shelter.

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

E. Environmental Committee - Councilman Kolacki – No additional report.
F. Beautification – Councilwoman Herr – No additional report.
G. 200th Anniversary – The committee selected banner styles for Main Street. Holland will have a joint meeting with the other two towns on March 20. Old photos of life in Holland are being sought for the commemorative book, with a submission deadline of April 30. Photos may be dropped off at the Town Clerk’s Office.

COMMUNICATIONS

B. Zoning Board of Appeals – No meeting.
C. Town of Wales – Letter regarding the town’s lead agency status in adopting code for solar energy projects


DOG CONTROL OFFICER – William Newell. Report submitted. “Nature is making a lot of firewood,” noted Sluce, referring to the abundance of downed branches and trees from the wind storm. He reminded residents that, although they may be tempted to start a bonfire to take care of the downed branches, there is an NYS Open Burning Law in effect from March 16 - May 14.

FACILITIES MANAGER – Patrick Joyce.

GRANT WRITER – Jill Zientek.

HIGHWAY SUPERINTENDENT – Patrick Joyce. Report submitted. Joyce said he set up a propane tank pickup. “We have over 200 [propane tanks that have been dropped off] now, and it is $1.50 per tank to dispose of,” said Joyce. “It’s an added cost [to the Town], but we have to get rid of them.” He also reported that the old shed behind the Community Center had been taken down.

NEW BUSINESS

A. Resolution – STAR Program – To urge NYS Legislature to reverse the STAR Program (reductions in property taxes) amendments passed in 2016.

RESOLUTION # 23-2017

WHEREAS, Section #425 of the Real Property Tax Law was adopted by the New York State Legislature in 1997,

WHEREAS, Section #425, known as the STAR - School Tax Relief - exemption has since provided significant tax savings to millions of homeowners,

WHEREAS, the administration of the STAR program has been successfully conducted by local municipal Assessors, who, also, administer all of New York State's other property tax exemptions,

WHEREAS, local exemption administration provides easy access for taxpayers and is cost effective,

WHEREAS, in an effort to save New York State money, Section #425 was amended in 2016 from a local Exemption program to a state Reimbursement check program,

WHEREAS, the amended program was hastily implemented - costing the State thousands of additional dollars to correct and resulting in taxpayer frustration and confusion,

WHEREAS, the taxpayers were better served by the original exemption protocol,

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Holland, NY, that WE, as the elected representatives of the Town of Holland residents, do hereby respectfully urge the NEW YORK STATE LEGISLATURE to take IMMEDIATE action to REPEAL the 2016 amendments to Section #425 of the Real Property tax law, hereby returning STAR to its original exemption status; AND

The Town Clerk is hereby directed to send copies of this Resolution to the governing boards of adjoining towns, as well as NYS Senator Patrick Gallivan and NYS Assemblyman David DiPietro.

8:22 p.m. - Motion made by C. Hack, Second by C. Kolacki
VOTE:
5 YEA – Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN
MOTION CARRIED

B. Resolution – Oppose status conversion.

RESOLUTION #24-2017

The Town of Holland, by this Resolution, staunchly opposes the conversion of multi-family homes and apartment houses to condominium status. Tax Law should be uniform and fair, and should not favor one classification of property type.
The Town Clerk is directed to send copies of this Resolution to New York State Assemblyman David DiPietro and New York State Senator Patrick Gallivan, as well as to adjoining towns’ governing Boards.

8:26 p.m. – Motion by Supervisor Michael Kasprzyk; Second by Councilman Geoffrey Hack

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

C. Resolution – Eliminate Position of Tax Collector. Since Tax Collector June McArthur will be retiring from this position at the end of the year, the Town Board is eliminating the separate position and rolling the duties into the Town Clerk’s responsibilities.

**RESOLUTION #25-2017**

WHEREAS, New York Town Law Section 36 provides that a Town Board of a town of the second-class may, by resolution duly adopted at least one hundred fifty days prior to any biennial town election, determine that said office of Tax Collector be abolished, same to take effect at the expiration of the term of office to which the incumbent was elected,

NOW, THEREFORE, be it

RESOLVED, the Town Board of the Town of Holland does hereby adopt by resolution duly appointed at least one hundred fifty days prior to the next biennial town election and does so determine that the Office of Tax Collector be abolished, and be it further

RESOLVED, the abolishment shall take effect at the expiration of the term of office to which the incumbent was elected, and be it further

RESOLVED, that no such tax collector oftaxes shall be elected at any biennial town election held not less than one hundred fifty days thereafter, and be it further

RESOLVED, it shall be the duty of the Town Clerk of the Town of Holland to collect and receive all state, county and town taxes and assessments that may be levied in the Town of Holland and the Town Clerk shall have all the powers and be subject to all the duties of a collector with respect to the collection of such taxes, the deposit of receipts and the return of unpaid taxes as provided by Subdivision 1 of Section 35 of this Chapter, and be it further

RESOLVED, that a certified copy of this resolution shall be submitted to the Erie County Board of Elections advising of the abolishment of the position of Tax Collector in the Town of Holland.

8:31 p.m. – Motion by Councilman Geoffrey Hack, Second by Councilman William Kolacki.

VOTE: 5 YEA - Hack, Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN
MOTION CARRIED

D. Resolution - AIM and funding. The Governor has linked AIM funds to county-wide consolidation. “This is built into our budget,” said the Supervisor, adding, “This is per capital aid that every town and village in New York State receives, based upon Census figures…We are being held hostage to join consortiums. New York State would have the power to, for example, force county-wide assessing with a county-wide assessor, or the
County would take over all the roads in the county, or even to dissolve townships. The Association of Towns tells us that this is the way for us to lose local government control. We are highly opposed.”

RESOLUTION #26-2017

WHEREAS, the Town of Holland has a long-standing history of cooperating with neighboring towns and the County of Erie on various project, and
WHEREAS, the Town of Holland has consistently taken logical and practical actions to streamline delivery of services, and
WHEREAS, the Town of Holland has maintained an ongoing effort to minimize taxes, and
WHEREAS, local government essential and best qualified in matching citizen needs with revenue sources, and
WHEREAS, AIM Funding (New York State per capita) is an essential part of balancing the local budget,
BE IT THEREFORE RESOLVED, that the Town Board of the Town of Holland urges the New York State Legislature to resist and attempt to link AIM funding to any county-wide mandated consolidation planning, and
BE IT FURTHER RESOLVED, that the New York State Legislature be urged to affirm the strong tradition of local governance.

The Town Clerk is directed to send copies of this Resolution to New York State Assemblyman David DiPietro and New York State Senator Patrick Gallivan, as well as to adjoining towns’ governing Boards.

8:29 p.m. – Motion by Supervisor Michael Kasprzyk; Second by C. Geoffrey Hack

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

OLD BUSINESS – None.

TOWN ATTORNEY – Ronald Bennett – No report.

TOWN CLERK – Merilu O’Dell – No report.

COMMENTS FROM THE PUBLIC – None.

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

Abstract 3

General District Claims as set
Forth in Abstract A-3

#65-98 in the amount of $19,551.51
TOWN OF HOLLAND

Highway District Claims as set
Forth in Abstract DA-3

Garbage District Claims as set
Forth in Abstract SR-3

Water Fund Claims as set
Forth in Abstract SW-3

Lighting District Claims as set
Forth in Abstract SL-3

Trust & Agency as set
Forth in TA-3

RESOLUTION # 27-2017

8:32 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 8:33 p.m., in memory of late Holland residents Emil Bohadlo, John Fischer, Cynthia Smith, Trevor Sobkowiak, Richard Waligora and Walter Waligora.

RESPECTFULLY SUBMITTED,
March 10, 2017.

MERILU O’DELL, TOWN CLERK