Regular Town Board Meeting - Holland Town Supervisor Michael Kasprzyk called the Regular Town Board Meeting to order at 8:02 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: 
   Councilwoman Karen Kline
   Councilwoman Roberta Herr
   Councilman William Kolacki
   Town Supervisor Michael Kasprzyk

Town Board Members Absent: 
   Councilman Geoffrey Hack

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

RESOLUTION # 28-2017

8:03 p.m. - Motion made by C. Kline, Second by C. Herr, resolve the Town of Holland approve the minutes of the Regular Town Board Meeting held March 8, 2017.

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

PUBLIC COMMENTS – None.

SUPERVISOR’S REPORT – Supervisor Michael Kasprzyk

A. Comprehensive/Master Plan – Supervisor Michael Kasprzyk is forming a Steering Committee, for oversight of the Master Plan update. Public meetings will be held, if the public wishes to attend. “This has been nearly a year long project,” he said. A 2004 attempt to update the Master Plan was not approved. Kasprzyk and Councilman William Kolacki will be on the committee, as will Building and Codes Officer Justin Quant, and representatives of agriculture, the school, and the community. The final committee has not yet been completed Five meetings will be scheduled for now, with the first to be held on April 13.
B. Resolution – Appointment of Fran Vaughan to the Board of Assessment Review. A vacancy was created upon the resignation of Richard White from the BAR.

**RESOLUTION # 29-2017**

8:07 p.m. - Motion made by S. Kasprzyk, Second by C. Kolacki, resolve the Town of Holland approve the appointment of Fran Vaughan to the Board of Assessment Review.

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

C. Resolution – Sidewalk Project Start – Begun over two and a half years ago, New York State took over the project to install sidewalks on Capitol Heights, from the Cazenovia Creek bridge to Pleasantview Drive. Bids came in over $30,000 more than expected. The original resolution was for $71,000 in funding, and it is now necessary to authorize an increase in funding for the project. Councilman Kolacki stated that, if the Town Board did not approve the increased amount, “it will hold up the whole project.” Councilwoman Herr said she wants to see a detailed list of the overages.

**RESOLUTION #30-2017**

Authorizing the implementation and funding of a State “Marchiselli” Program-aid eligible transportation Federal-aid project, to fully fund the local share of Federal and State aid eligible and ineligible project costs and appropriating funds therefor.

WHEREAS, a project for the Town of Holland, PIN 5760.88 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds, and

WHEREAS, as provided for by agreement with the NYS Department of Transportation, PE and/or ROW Incidental or ROW acquisition work performed by the municipality for the Federal aid-eligible construction project covered by the agreement, the costs of such work that are approved in writing by NYSDOT as applicable to the Federal aid and Marchiselli aid construction work (excluding costs applicable to non-Federally eligible or non-Marchiselli eligible project elements) shall be credited following FHWA’s construction phase closeout audit of the Project to Project costs that are eligible for Federal aid and Marchiselli aid; and

WHEREAS, the Town Board of Holland desires to advance the project by making a commitment of 100% of the non-Federal share of the costs of Project Phase work for the Project or portions thereof, with the Federal share of such costs to be applied directly by NYSDOT, pursuant to agreement; and

NOW, THEREFORE, the Holland Town Board, duly convened, does hereby RESOLVE, that the Holland Town Board hereby approves the Project; and it is further RESOLVED, that the Holland Town Board hereby authorizes the Town of Holland to pay in the first instance the full non-Federal share of the cost of $85,000 work for the Project or portions thereof; and it is further
RESOLVED, that the sum of $85,000 is hereby appropriated from A5410.2 and made available to cover the cost of participation in the above Phase of the Project; and it is further
RESOLVED, that in the event the non-Federal share of the costs of the project exceed the amount appropriated above, the Town Board of Holland shall convene as soon as possible to appropriate said excess amount immediately upon the notification by NYSDOT thereof; and it is further
RESOLVED, that the Supervisor of the Board of the Town of Holland be and is hereby authorized to execute all necessary Agreements, certifications, or reimbursement requests for Federal aid or Marchiselli aid on behalf of the Town of Holland with NYSDOT, in connection with the advancement or approval of the Project, and providing for the administration of the Project and the municipality’s first instance funding of the non-Federal share of Project costs and permanent funding of the local share of Federal aid- and state aid-eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and it is further
RESOLVED, that a certified copy of this Resolution be filed with the NYS Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further
RESOLVED, that this Resolution shall take effect immediately.

8:11 p.m. - Motion made by C. Kolacki, Second by C. Kline.

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

D. Solar Liberty Project Update – Construction at the Water St. site has already begun, with erosion control barriers installed. Installation of posts will begin soon.

E. Water – Meter problems. Thirty-six water customers have not read their meters in substantial periods of time, sometimes 15 years. At the January 2017 Town Board meeting, the Board approved a fee schedule change, to begin imposing a $150 fee for those who do not return their water meter reading cards. “We want people to realize that returning the cards in a timely fashion is not a suggested action – it is mandatory,” said the Supervisor. “Consistent readings are what keep water accounts on track.” He added that not returning the card regularly can result in over-or under-estimating water accounts, which could result in very high water bills, once the account gets an actual reading.

A letter was sent out in February to these 36 account holders, informing them of their non-compliant status and the $150 fee. In addition, all meter read cards had the notice printed on them. Twenty-two account holders returned their cards. Several of these accounts were found to have faulty meters, some of which date back to the 1940s. These received, or soon will be receiving, new meters. Water Operator Michael Hayden attended the meeting, and told the Town Board that meters are usually good for 15 to 20 years, and many were much older than that. “They are just not meant to last 60 years,” he said. “One of the reads was for 7.5 million gallons of water consumption, and that’s just not possible.” He said, “We’ll just have to replace them one at a time; we don’t have enough money [in the water budget] to do them all at once.”
In addition, there are 21 outside meters that are not working properly. These will also be replaced, in time. Those affected by this situation will receive a letter explaining the situation.

Town Clerk Merilu O’Dell reported that nine customers will be receiving a letter, explaining the $150 fee imposed on them for not returning their meter cards.

F. Resignation – Constable Jeffrey Koch. David Buresch, captain of the Holland Constables, received a letter dated March 29 form Jeffrey Koch, resigning as a constable.

RESOLUTION #31-2017

8:16 p.m. - Motion made by S. Kasprzyk, Second by C. Kolacki, resolve the Town of Holland accept, with regrets, the resignation of Constable Jeffrey Koch.

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

G. Garbage Contract – Services to bid. The Supervisor asked the Town Board for their input on which services to bid for the garbage contract, which is expiring later this year. Currently, residents are limited to one extra item outside of their trash totes.

H. Route 16 Parking Area – The Kiwanis Club and the Boy Scouts have inquired about re-opening the parking area just south of the hamlet on Route 16. It has been closed for several years, after problems with trash being dumped there, and is usually open only during deer season. These service groups would maintain the property, and asked if the Town Board would have a problem with the groups approaching New York State about the parking area. Highway Superintendent Patrick Joyce brought up the issues of winter plowing, and possible insurance policies. “[New York State] wanted [the Town] to plow, salt, and have the liability for it,” he said. Councilwoman Kline asked about mowing, and whose equipment would be used. “I also don’t want it to be a garbage drop off,” she said.

I. JCAP (New York State Justice Grant) – Cameras and doors. Cameras have been installed at the Town Hall for security purposes. Two new doors have been installed, one at the outdoor entrance to the elevator, and one at the court administrator’s office. Funding for these and other items was secured by a JCAP Grant, totaling $75,000.

J. Code Review Update – The committee is meeting Wednesdays at 4:00 p.m. It is reportedly “progressing well.”

K. Local Government Training – Houghton College on May 10

L. Tulips Festival 5K Run – Since the Bank of Holland no longer wishes to sponsor this event, sponsorship has been taken over by the Boys and Girls Club. In an effort to make this a “sanctioned race”, it will be held downtown on Saturday of the Tulip Fest. The Erie County Undersheriff is bringing 12 deputies to help with crowd control. There were concerns from the Town Board regarding having the race in this location during a very busy time in the hamlet. Previously, the race was held on the west hill, near the racetrack.
M. Crosby/Yellow Goose – The Yellow Goose gas station and convenience store has been purchased by Crosby’s, and “major changes” are planned, said the Supervisor. This would include razing the current building, constructing a new one, which could possibly include a drive-thru. The company is requesting to be on the Town Board agenda for the May meeting, and more will be known then.

N. Franchise Assessments – The final franchise assessments were received by the Town, with three down and one up. 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 Supervisor said, “This is, in essence, a tax increase for our residents, without the Town having any say in it.”

O. Budget Modifications

<table>
<thead>
<tr>
<th>GENERAL FUND</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>To:</td>
</tr>
<tr>
<td>A1110.4</td>
<td>A1110.1111</td>
</tr>
<tr>
<td>Justice- Contractual</td>
<td>Justice- Court Security</td>
</tr>
<tr>
<td>$2,500.00</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>A7110.4</td>
<td>A7110.1</td>
</tr>
<tr>
<td>Parks- Contractual</td>
<td>Parks- Personal Services</td>
</tr>
<tr>
<td>$5,000.00</td>
<td>$5,000.00</td>
</tr>
<tr>
<td>A8510.4</td>
<td>A8510.1</td>
</tr>
<tr>
<td>Community Beautification- Contractual</td>
<td>Community Beautification- Personal Services</td>
</tr>
<tr>
<td>$2,000.00</td>
<td>$2,000.00</td>
</tr>
</tbody>
</table>

**RESOLUTION # 32-2017**

8:31 p.m. - Motion made by C. Kline, Second by C. Kolacki, resolve the Town of Holland approve the Budget Modifications, as outlined above.

4 YEA –Kline, Herr, Kolacki, Kaspryzk / 0 NO / 0 ABSTAIN
MOTION CARRIED

**COMMITTEE REPORTS**

A. Buildings – Councilman Kolacki –No additional report.

B. Cemetery – Councilman Hack – In response to a request to sell a gravesite back to the Town, Attorney Ron Bennett said this could be done, but the Town “needs to make sure of who is the rightful owner” of the plot, as well as what the original price paid was. He recommended doing a blanket resolution, so that future instances of this would not need separate resolutions.

**RESOLUTION # 33-2017**

8:33 p.m. - Motion made by C. Kline, Second by C. Kolacki, resolve the Town of Holland approve the “buy-back” of cemetery plots from the owners, contingent upon proof of ownership and original price paid.
4 YEA –Kline, Herr, Kolacki, Kasprzyk / 0 NO / 0 ABSTAIN
MOTION CARRIED

C. Planning Board Liaison – Councilwoman Kline – The Board reviewed the Town Code, as well as training opportunities.

D. Town Park & Community Center – Councilman Hack – The project at the Town Park shelter is currently underway. The masonry, hip-height wall is 27” high, with openings for pedestrians and access. Town Highway Department employees are helping with the construction. The Supervisor asked the Town Board to “think about how to close it in,” referring to the area above the wall. Possibilities include garage-type doors, removable panels, or industrial-grade accordion doors; tarpaulins are being rejected as “not being durable enough.” He said that “money will be left over from the grant” secured by NYS Senator Patrick Gallivan.

E. Environmental Committee - Councilman Kolacki – No additional report.

F. Beautification – Councilwoman Herr – No additional report.

G. 200th Anniversary – The committee is continuing to meet twice monthly, and Kline said the planned Barn Quilt project will be launched in May. She reported “making real progress” on the history book, and said June 6 is the deadline for all 10 chapters to be submitted.

COMMUNICATIONS


C. Sewer District #3 Inspection – The Department of Environmental Conservation has suggested “remedial work” be done on Cazenovia Creek, the Supervisor said.

D. DOT – Sidewalk Letter. The contract for excavation on Capitol Heights has been awarded to D&H Excavating, Inc. of Arcade.

E. Erie County Department of Parks, Recreation and Forestry – Community Survey. The agency sent a letter explaining the parks usage survey, which was then posted on the Clerk’s sign board and sent to the Town’s website for posting. The website for the survey is www.eriecountysurvey.org/open.

F. Family Health Fair – NYS Senator Patrick Gallivan, in Springville, April 22.

G. Letter of Acknowledgement - NYS Assemblyman David DiPietro, regarding AIM NYS funding resolution from March 8 meeting.


DOG CONTROL OFFICER – William Newell. Report submitted. Two NYS audit/inspections were completed; no problems found.


a. Joyce requested permission to advertise for sealed bids on a new excavator, both purchase outright, or with trade-in of the current excavator. The money for this, estimated at about $30,000, is in the budget already. Bids will be opened May 10, 2017 at 10:00 a.m. Bid documents will be available from both Joyce and the Town Clerk. Joyce will draw up a notice, which will be placed in the Arcade Herald by Town Clerk Merilu O’Dell. He said he believes another town is interested in the 2012 excavator.

**RESOLUTION # 34-2017**

8:43 p.m. - Motion made by S. Kasparyk, Second by C. Kolacki, to approve the request by Holland Highway Superintendent Patrick Joyce, to advertise for sealed bids for a new excavator, both purchase outright, and with a trade-in of the current 2012 excavator. Sealed bids will be opened May 10, 2017 at 10:00 a.m.

4 YEA - Kline, Herr, Kolacki, Kasparyk / 0 NAY / 0 ABSTAIN
MOTION CARRIED

b. Joyce reported that the County Highway plowing program (CHIPS) is up to $52,000. This has been passed in the new New York State budget, which Joyce called “very good news.”

c. Joyce said Rote 400 was supposed to be worked on this summer, but that they project has been delayed, due to the Rochester area getting the projects. “It says a lot that the regional office of the DOT is there,” he said.


**NEW BUSINESS**

a. SUP Request - Lar’s Used Cars, Al Federico. Request for a Special Use Permit, to open a vehicle repair shop at the site. In response to a question from Councilwoman Kline regarding disposal of fluids, Federico said NOCO supplies steel drums, which the business fills, and NOCO picks up. He is using the existing facility for the repair shop, and needs to acquire a repair license from Albany. The outside appearance of the business will not change, with the exception of a repair shop sign. The Supervisor told him he needs a site plan and a narrative. The matter was referred to the Planning Board for its recommendation.

**RESOLUTION # 35-2017**

8:48 p.m. - Motion made by C. Kline, Second by C. Kolacki, resolve the Town of Holland rend the Special Use Permit request of Al Federico of Lar’s Used Cars (vehicle repair shop) to the Planning Board for its recommendation.

4 YEA –Kline, Herr, Kolacki, Kasparyk / 0 NO / 0 ABSTAIN 
MOTION CARRIED
OLD BUSINESS – None.

TOWN ATTORNEY – Ronald Bennett – No report.

TOWN CLERK – Merilu O’Dell – She reported that she had been awarded a $400 scholarship to attend the New York State Town Clerks Association 2017 Convention in Rochester April 23-26.

COMMENTS FROM THE PUBLIC – None.

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

**Abstract 3**

<table>
<thead>
<tr>
<th>Description</th>
<th>Number</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General District Claims</td>
<td>#99-154</td>
<td>$148,529.17</td>
</tr>
<tr>
<td>as set</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forth in Abstract A-4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Highway District Claims</td>
<td>#38-69</td>
<td>$30,911.75</td>
</tr>
<tr>
<td>as set</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forth in Abstract DA-4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garbage District Claims</td>
<td>#4</td>
<td>$23,391.17</td>
</tr>
<tr>
<td>as set</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forth in Abstract SR-4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lighting District Claims</td>
<td>#3-4</td>
<td>$2,992.11</td>
</tr>
<tr>
<td>as set</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forth in Abstract SL-4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trust &amp; Agency</td>
<td>#10-14</td>
<td>$392,268.40</td>
</tr>
<tr>
<td>as set</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forth in Abstract TA-4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cemetery Fund</td>
<td>#1-2</td>
<td>$1,700.00</td>
</tr>
<tr>
<td>as set</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forth in Abstract CF-4</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**RESOLUTION # 36-2017**

8:49 p.m. - Motion made by C. Kline and seconded by C. Herr, resolve the Town of Holland pay the preceding vouchers.

4 YEA – Kline, Herr, Kolacki, Kasprzyk / 0 NAY / 0 ABSTAIN
MOTION CARRIED
ADJOURNMENT – Supervisor Kasprzyk adjourned the Regular Town Board Meeting at 8:50 p.m., in memory of late Holland residents James Copella, Jason Prybyl and Nik Weisner.

RESPECTFULLY SUBMITTED,
April 17, 2017.

MERILU O’DELL, TOWN CLERK