

JULY 13, 2011

Public Hearing regarding one appointed assessor was opened at 8:00 pm by Supervisor Michael Kasprzyk. The public notice was read by the Town Clerk. The Supervisor stated that as of now there were only two assessors since one resigned, and another one was not going to run in the election. One assessor would be appointed for six years starting January 1, 2012.

Dave McArthur spoke – with three assessors they have more power dealing with NYS Real Property people in Albany. One assessor can be king – no checks and balances. Doesn't think the town will save that much money, especially if the one assessor decides they want more money to bring it up to what three assessors were receiving. The decision should be put up for the voters on election day if they want to change from three elected assessors to one appointed.

No other people spoke at the hearing, so the hearing was closed at 8:07.

The Regular Town Board Meeting was called to order at 8:07pm by Supervisor Michael Kasprzyk at 47 Pearl St., Holland.

Officials Present Were:

COUNCILMAN GEOFFREY HACK  
COUNCILWOMAN KAREN KLINE  
COUNCILMAN WILLIAM KOLACKI

COUNCILWOMAN ROBERTA HERR was absent.

Other Officials Present Were:

HIGHWAY SUPERINTENDENT PAT JOYCE  
ATTORNEY RONALD BENNETT  
TOWN ENGINEER DAVID PRATT  
BOOKKEEPER JILL ZIENTEK  
DOG CONTROL OFFICER WILLAM NEWELL  
ZONING ENFORCEMENT OFFICER MICHAEL SLUCE

### **RESOLUTION #59**

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland approve the minutes of the June board meeting. ALL AYES. CARRIED.

**HEMS (Holland Emergency Medical Services) third party billing** – formal ruling was that the proposed method is not possible. Will explore new avenues for the community.

**Rayna Grossman from “HOME”** will make a presentation at the August Board Meeting

MEALS ON WHEELS - looking for more applicants. We need a total of 5 people to stay on the program.

**PUBLIC HEARING** regarding 255 Vermont St as an unsafe building was opened at 8:15 pm.. The public notice was read by the Town Clerk. Supervisor Kasprzyk stated that the town has done all they can do to locate property owners etc. There will be a 60 day notice to repair or the building will be demolished and the cost of such will be put on the owners tax bill. There were no comments from the public and Chris Starkweather did not show so the public hearing was closed at 8:20 pm.

Regular Board Meeting was opened at 8:20 pm

RGM Consultants Report – Audit from NYSEG on the Town Hall and the Community Center - if the town updates the old style lighting with new – there is a rebate from NYSEG  
No current grant programs. Still want to look into other alternatives for installing portable walls around the shelter at the Community Center, and playground equipment etc.  
Councilwoman Kline – would like to keep looking for grants.  
Councilman Hack – still wants sidewalks and energy efficient projects.

8:24pm – Chris Starkweather came in – who is one of the owners of the property at 255 Vermont St.

JULY 13, 2011

COMMITTEE REPORTS

BUILDINGS – Councilman Kolacki – lighting proposal will take 8.2 months to see a savings.

Cemeteries – Councilman Hack: grading continuing and the seeding of the grass will be done in the fall. Ron & Tammy have been checking into grants for funding for maintenance etc. on the cemeteries.

Planning Board – Councilwoman Kline: no report

Website – Aurora Consultants are doing a general layout

Town Park & Community Center – Councilman Hack: no report

Town Engineer has been in contact with the Holland Raiders regarding the lighting for the football field.

ZONING ENFORCEMENT OFFICER’S REPORT – Michael Sluce: report given

BUILDING INSPECTOR’S REPORT – Scott Hess: report given

FACILITIES MANAGER – Pat Joyce: report given

Water project is coming along slowly but surely – there were more changes – reducing pipe size will be less costly.

HIGHWAY SUPERINTENDENT’S REPORT – Pat Joyce: report given

DOG CONTROL OFFICER’S REPORT – William Newell: report given

Still working on the dog census

NEW BUSINESS

Julie Smith – request to amend their special use permit to add 4 goats and 6 chickens. There is a shed already on their property which they will house these animals. They will be fenced in.

**RESOLUTION #60**

Motion made by Councilman Hack and seconded by Councilwoman Kline, resolve the Town of Holland refer Julie Smith to the Planning Board regarding the amendment to their Special Use Permit. ALL AYES. CARRIED.

LOCAL LAW 1-2011 Single Appointed Assessor

**RESOLUTION #61**

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland adopt Local Law 1-2011 Regarding One Appointed Assessor. ROLL CALL

COUNCILMAN HACK	AYE	
COUNCILWOMAN KLINE	AYE	
COUNCILMAN KOLACKI	AYE	
SUPERVISOR KASPRZYK	AYE	ALL AYES. CARRIED.

UNSAFE BUILDING

**RESOLUTION #62**

Motion made by Councilman Kolacki and seconded by Councilwoman Kline,

WHEREAS, by Resolution adopted on June 8, 2011 incorporated by reference, the Town

authorized a public hearing to be held on the 13<sup>th</sup> day of July, 2011 at 8:15 p.m. in regard to an unsafe building located at 255 Vermont Street in the Town of Holland, County of Erie and State of New York, bearing SBL No. 246.16-1-11, and

WHEREAS, a copy of the Notice of Public Hearing was served by registered mail and by regular U.S. Mail to Chris (Kristin) Starkweather at 1085 Chaffee Road, Arcade, New York 14009, and

WHEREAS, the Notice of Public Hearing was properly posted by the Town Clerk, and

WHEREAS, at the public hearing Michael Sluce as Code Enforcement Officer confirmed his report in regard to the condition of the property, and

WHEREAS, there was no appearance by Chris Starkweather or any other party in reference to the public hearing, and

WHEREAS, the Board has carefully reviewed the report of the Code Enforcement Officer, advising that the present condition of the property is in dilapidation, disrepair, uncleanliness, and lack of proper maintenance (i.e. high grass and weeds causing breeding grounds for mosquitoes, rodents, etc.). That there are several broken windows, siding and gutters need repair, roof shingles are badly weathered, doors need repair, and an accessory building on the south side of the house is completely collapsed, and

WHEREAS, the general appearance of the property is considered an eyesore as no maintenance has been performed for many years, and

WHEREAS, the neighbors have expressed concern for their health and safety regarding the possibility of rodents extending their presence onto the adjacent properties, and

WHEREAS, that the Notice of inspection and report has been served by registered mail upon Chris Starkweather, a person having a vested or contingent interest in the property as shown by the records of the County Clerk and Surrogate's Court of the County of Erie, and

WHEREAS, a copy of such Notice has been filed in the Erie County Clerk's Office on the 24<sup>th</sup> day of June, 2011,

NOW, THEREFORE, be it

RESOLVED, the Town does hereby determine that the buildings under such consideration are unfit for human habitation, occupancy or use, and be it further

RESOLVED, that a copy of this Order shall be served upon Chris Starkweather at 1085 Chaffee Road, Arcade, New York 14009, requiring that the repair, alteration or improvement of the buildings be made by the owner within sixty (60) days, and be it further

RESOLVED, that the buildings are in such condition as to make them dangerous to the health and safety of persons on or near the premises and if the owner fails to repair, alter or improve the buildings within the time specified herein, the owner shall be required to remove or demolish the buildings within sixty (60) days, and be it further

RESOLVED, if the owner fails to comply with the Order to repair, alter or improve, the Town Board shall order the building to be demolished with an assessment of all costs and expenses incurred by the Town in connection with the proceeding in the removal of the buildings, including the costs of actual removal of said buildings or structures, against the land on which the buildings or structures are located, and be it further

RESOLVED, these proceedings are in accord with Chapter 59 of the Codes of the Town of Holland and Section 30(16) of the New York Town Law.

ALL AYES. CARRIED.

Chris Starkweather spoke to the board. Stated the property was not hers, she did not have a deed etc. saying that it wasn't hers. It's her parent's property. Everyone is sending her papers since she was the last person to take care of her mother.

Attorney Bennett – nothing changes – The Town has gone through all the channels that needed to be done. She has 60 days from this board meeting to sell or tear down.

Ms. Starkweather stated there was a public administrator that was taking care of the property and then just left it.

Supervisor Kasprzyk asked her if she understood what was going to happen and she stated yes. Then he asked if she had any other questions for the board and she stated no not really.

## **HYDROFRACKING**

Susan Everett – spoke on hydrofracking. Containment pits were overflowing and no monitoring or testing of water wells. They don't know what chemicals were used. Asking the Town Board to stand with her on opposing the hydrofracking. Keep the moratorium on this.

Mark Vanderwater – Holland Resident – spoke on hydrofracking. There will be real estate impact – land value goes down. Cost to the towns regarding the roads. Enforcement is not there to watch what is going on. Wanted to know what action the town was going to take. Would sit down and speak with all of them.

Kim Meyer – commented

Councilman Hack and Councilwoman Kline – said they were concerned and would think about what action should be taken by the town.

Supervisor Kasprzyk – this board wants to learn more.

## **RESOLUTION #63**

Motion made by Councilwoman Kline and seconded by Councilman Kolacki, resolve the Town of Holland pay the following vouchers:

General District Claims as set Forth in Abstract A-7	#249-290	in the amount of \$13,509.40
Highway District Claims as set	#88-107	in the amount of \$79,398.89

Forth in Abstract DA-7

Water District Claims as set	#45-61	in the amount of \$6,612.04
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Forth in Abstract SW-7

Light District Claims as set	#6	in the amount of \$1,388.43
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Forth in Abstract SL-7

Garbage District Claims as set	#8	in the amount of \$21,018.01
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Forth in Abstract SR-7

Trust & Agency Claims as set	#18-19	in the amount of \$5,966.25
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Forth in Abstract TA-7

Cemetery District Claims as set	#12-16	in the amount of \$4,913.97
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Forth in Abstract CM-7

ALL AYES. CARRIED.

**RESOLUTION #64**

Motion made by Supervisor Kasprzyk to adjourn the meeting at 9:10 pm in memory of Shirley Zywczyński. ALL AYES. CARRIED.

RESPECTFULLY SUBMITTED:

SANDRA SMITH, TOWN CLERK