

September 14, 2011

The Regular Town Board Meeting was called to order by Supervisor Michael Kasprzyk at 8:00 pm at the Town Hall on 47 Pearl St.

Officials Present Were:

COUNCILMAN GEOFFREY HACK  
COUNCILWOMAN ROBERTA HERR  
COUNCILWOMAN KAREN KLINE  
COUNCILMAN WILLIAM KOLACKI

Other Officials Present Were:

ZONING ENFORCEMENT OFFICER MICHAEL SLUCE  
HIGHWAY SUPERINTENDENT PAT JOYCE  
TOWN ATTORNEY RONALD BENNETT  
TOWN ENGINEER DAVE PRATT  
DOG CONTROL OFFICER WILLIAM NEWELL  
PLANNING BOARD CHAIRMAN ROBERT WEISNER  
PLANNING BOARD MEMBER MARTY REAGAN  
DEPUTY TOWN CLERK TAMMY ADSITT

#### **RESOLUTION #75**

Motion made by Councilwoman Kline and seconded by Councilman Kolacki, resolve the Town of Holland approve the minutes of the August 2011 Board Meeting. ALL AYES. CARRIED.

#### **STRYKERSVILLE FIRE CONTRACT**

#### **RESOLUTION #76**

Motion made by Councilman Hack and seconded by Councilman Kolacki, resolve the Town of Holland approve the contract of the Strykersville Fire District. ALL AYES. CARRIED.

**255 VERMONT ST.** – Moving forward in the process of demolition, no response from notification of the owner(s) once declared unfit for habitation and is marked for demolition. Procedure now is to solicit quotes from a few different sources as to the cost of removing the building(s) to justify the amount of the cost incurred which is to be added to the taxes. The owners of the property have done nothing for 2 months now either to sell the property or address it's condition. Pat Joyce is to get these quotes as well as estimate the cost it would be for the Town of Holland to execute the demolition. They do not have to be formal bids as they are just estimates as the Town will probably do the demolition. These quotes to be received by the first week in October. One more formal notice is to be sent to the owner and if no positive response is received then it is to be removed.

**Park Grant** – There was a delay as the applications were withdrawn because of the Governor's Regional Development Program. Now we are back on track and the applications must be filed by October 31.

**Alternative Third Party Billing for Gas & Electric Service Providers** – Board approved for Jill Zientek to look into any cost savings to the Town.

#### **COMMUNITY DEVELOPMENT BLOCK GRANT**

The Town Board is in agreement to use the grant to refurbish the existing well, filter and equipment on Water St. That is dependent upon getting the second source of water up and online. Dave Pratt has advised that for all intents and purposes we have all approvals we need to proceed with construction. Dave and Pat are to attain the bids for materials. Needs to be done before the deadline for the Community Funding which is the end of October. Dave's fees have already been paid and the materials are what is covered under the grant.

#### **2012 BUDGET**

**NATIONAL FUEL** – now reacting to the negativity with regard to gas well drilling/fracking and has set a meeting for the public on Sept. 27<sup>th</sup> in Williamsville from 8:30 – 10 am. There is a storage field in Holland that is active. Geoff Hack is able to attend.

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## **BUFFALO & ERIE COUNTY PUBLIC LIBRARY**

Meeting with the Executive Director who is pursuing a dedicated tax district for the libraries. Supervisor is advising the board that he feels the Director is way “off base” in having a commitment from the County for 18.3 million dollars for the next four years. She wants a special district so she can raise taxes up to raise up to \$28 million – a 33% increase. Supervisor Kasprzyk advised the Director that the taxpayers will not go for a special district, especially if the result is a 33% increase in taxes.

**HEMS** – have asked for a special meeting with the Town Board as they now have definitive from the Attorney Generals, Comptrollers position on their wanting to organize through the Fire District – that can not be done. The alternative is now to come back to the Town Board and explore this whole issue once again. Supervisor suggested setting a work session with HEMS early in October to listen what their latest thoughts would be. Agreed to October 6, 2011 at 7 pm.

## **CEMETERY**

### **RESOLUTION #77**

Motion by Councilwoman Kline and seconded by Councilwoman Herr, resolve the Town of Holland to authorize people who have signed a waiver of indemnity to work at salvaging the wood that got pushed over the bank at the cemetery. ALL AYES. CARRIED.

Request was made by Pat Joyce to wait until the ground freezes as the area has just been seeded. Agreed to not disturb the newly seeded area.

## **COMMITTEE REPORTS**

**CEMETERY** – Councilman Hack: The area was spread with topsoil as part of the agreement and seed has been planted. Tammy Adsitt asked the Town Attorney, Ron Bennett what kind of information can legally be put on a website with regard to cemetery lots. Attorney Bennett advised that he will look into the matter and advise.

**WEBSITE** – Councilwoman Kline – is in the process of compiling the information of the Departments in the Town and loading that onto the website. It is estimated that it may take another 3 weeks to gather all the information. At that time a meeting will be set with Aurora Consulting and hopefully it will go live shortly after that meeting.

**PLANNING BOARD LIASON** – Councilwoman Kline – Last meeting was with Charles Dunham – the prospective purchaser of the Hunters Creek Mobil Home Park – No change to the park property – just a change in ownership. The Planning Board voted and approved his request and recommend the Town Board grant him the Special Use Permit. Dan Yox filed a request to add a car redemption center to the car wash site. The Planning Board approved his plan and recommend the Town Board grant him the Special Use Permit. The planning board also discussed with Marty Reagan, a planning board member who has a strong background in conservation and soil environment having the aquifer along Olean Rd. designated as a sole source aquifer which would protect it against possible fracking. Marty Reagan added it would be protected not only from fracking but other activities. Once designated as a sole source aquifer – the federal designation results in any activity at all that has federal funding would have to be reviewed by the EPA. Currently about 14 communities in upstate NY have Designated Sole Source Aquifers. It is effective on the Federal level and on the state level is recognizing the designation.

Request that a 10 page Petition/Information Form be looked by our Engineer, Grant Writer or someone and see what is needed to get this area designated. In order for an area to be designated as a sole source aquifer at least 50% of the area population must use that as a water supply. Our area does meet this criteria.

The Town Board approved Marty Reagan to continue to research into more detail and advise the Town Board of the findings. The Planning Board will discuss at their next meeting.

**TOWN PARK & COMMUNITY CENTER** – Councilman Hack – Requesting all in attendance sign a petition supporting improvements at the Town Park as part of the Grant Application.

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BEAUTIFICATION – Councilwoman Herr – Discussed with Pat Joyce storing the Town’s flower boxes for the winter, taking down banners and putting up the next ones.  
Tulip bulbs – Councilwoman Herr is checking with the Bank of Holland to see what variety they plant as they seem to last longer and will still be in bloom for the Town’s Annual Tulip Festival. If we are ordering from the Kiwanis it has to be decided soon if the Town is placing their order with them.

ENVIRONMENTAL PLANNING WORKSHOP – Invitation received from the Town of Elma to attend.

ZONING ENFORCEMENT OFFICER’S REPORTS – Michael Sluce: report given  
Supervisor stated that he continues to receive complaints about the former gas station/repair shop on South Main St. The intent is not to discourage their business, however they are encroaching on the Right of Way. Michael Sluce will advise the owner.  
Supervisor also requested that one more notification be sent to the owners of 255 Vermont St. regarding the demolition.

BUILDING ZONING OFFICER’S REPORT – Scott Hess: report given

FACILITIES MANAGER – Pat Joyce: Planning a meeting with regard to the lighting in the Town’s Buildings.

HIGHWAY SUPERINTENDENT’S REPORT – Pat Joyce: Postponing the Park St. rebuild project and put all the effort into the water project to make sure it gets done so there is not a loss.

DOG CONTROL OFFICER’S REPORT – William Newell: report given.  
Dog Census is still in progress.

**HUNTERS CREEK MOBILE HOME PARK**

Request from Charles Dunham for a Special Use Permit for the Hunters Creek Mobile Park – due to the fact that he is purchasing this property.

**RESOLUTION #78**

Motion made by Councilman Hack and seconded by Councilwoman Herr  
To approve the Special Use Permit for Charles Dunham, as CC Dunham Property Management, LLC of the Hunters Creek Mobile Home Park. ALL AYES. CARRIED.

**TENTATIVE BUDGET**

**RESOLUTION #79**

Motion made by Councilman Kolacki and seconded by Councilwoman Kline to approve the Tentative Budget as the Preliminary Budget.

Councilman Hack  
Councilwoman Herr  
Councilwoman Kline  
Councilman Kolacki  
Supervisor Kasprzyk

ALL AYES. CARRIED.

**COMMUNITY DEVELOPMENT BLOCK GRANT**

**RESOLUTION #80**

Motion made by Councilman Hack and seconded by Councilwoman Herr resolve the Town of Holland set a Public Hearing for October 12, 2011 at 8:00 pm regarding the Community Development Block Grant. ALL AYES. CARRIED.

**BUDGET**

**RESOLUTION #81**

Motion made by Councilwoman Kline and seconded by Councilwoman Herr resolve the Town of Holland to set a Public Hearing for October 12, 2011 at 8:15 pm regarding of the Adoption of the 2012 Budget. ALL AYES. CARRIED.

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**NEW YORK STATE OFFICE OF PARKS AND RECREATION AND HISTORIC PRESERVATION**

**RESOLUTION #82**

Motion made by Councilman Hack and seconded by Councilwoman Kline authorizing and directing the Supervisor to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$400,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this Town of Holland for park development for Holland Town Park. ALL AYES. CARRIED.

**DAN YOX** - Request for a Special Use Permit for a can and bottle recycling facility at 325 North Main Street and a 24'x36' building to be built.

**RESOLUTION #83**

Motion made by Councilwoman Kline and seconded by Councilwoman Herr to approve the Special Use Permit to Dan Yox for a can and bottle recycling facility at 325 North Main St. ALL AYES. CARRIED.

**RESOLUTION #84**

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

General District Claims as set Forth in Abstract A-9	#333-373	in the amount of \$16,320.43
Highway District Claims as set Forth in Abstract DA-9	#120-131	in the amount of \$209,007.62
Water District Claims as set Forth in Abstract SW-9	#70-79	in the amount of \$6,054.04
Light District Claims as set Forth in Abstract SL-9	#8	in the amount of \$1,530.81
Garbage District Claims as set Forth in Abstract SR-9	#22	in the amount of \$21,108.67
Trust & Agency Claims as set Forth in Abstract TA-9	#22	in the amount of \$4,446.25
Cemetery District Claims as set Forth in Abstract CM-9	#20-21	in the amount of \$910.30

ALL AYES. CARRIED.

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**RESOLUTION #85**

Motion made by Councilwoman Kline and seconded by Councilman Hack, resolve the Town of Holland adjourn the Regular Town Board meeting at 8:38 pm. ALL AYES. CARRIED.

RESPECTFULLY SUBMITTED:

TAMMY ADSITT  
DEPUTY TOWN CLERK