

**TOWN OF HOLLAND
TOWN BOARD MINUTES
August 12, 2026**

REGULAR TOWN BOARD MEETING- Supervisor Geoffrey Hack called the Regular Town Board Meeting to order at 7:00 p.m., open to the public at the Holland Town Hall, 47 Pearl St., Holland, NY 14080. Roll Call followed.

Town Board Members Present:

Councilwoman Karen Kline
Councilman Dan Lotito
Councilwoman Lynne Roth
Supervisor Geoffrey Hack

Other Officials Present:

Town Clerk Jill Dix
Highway Superintendent Jason Simmons
Attorney Ron Bennett
Bookkeeper Peg Koss
Planning Board Chairman Marty Regan
Zoning Officer Deputy William Shimburski
Town Engineer Robyn Cierniak

Pledge of Allegiance

APPROVAL OF TOWN BOARD MEETING MINUTES

RESOLUTION # 54-2026

Motion made by Councilwoman Kline and seconded by Councilwoman Roth to approve the July 2026 Regular Town Board Meeting Minutes.

4 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

SUPERVISOR'S REPORT

- A. Proclamation: Bruce Reinagel- Constabulary
- B. Highway Superintendent Fall Conference

RESOLUTION # 55-2026

Motion made by Councilman Lotito and seconded by Councilwoman Roth to allow Jason Simmons, Highway Superintendent to attend the Highway Superintendent Fall Conference.

4 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

- C. Open Area Development

RESOLUTION #56-2026

Motion was made by Supervisor Hack to accept the application of Zachary Emer 11732 North Canada Street for review and to refer the application to the Planning Board. It was noted, the tentative driveway agreement should be provided to the Planning Board and filed with Erie County. Also, a non-conforming structure currently on the site, will be removed by the applicant. Seconded by Councilwoman Kline.

4 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

D. 2027 Water Rates

RESOLUTION # 57-2026

Councilwoman Roth motioned to approve the proposed water rates for 2027. Councilwoman Kline seconded the motion.

**WATER RATES
2027**

Account Set Up Fee: \$30.00

Shut Off Fee: \$30.00

Minimum for first 5,000 gallons: Zone #1 - \$39.93
Then \$6.56 per thousand

Zone #2 - \$43.20
Then \$7.29 per thousand

FLAT RATES – 7%

CAPITAL PROJECT

Residential \$39.47 per quarter

Commercial. Institutional with less than 20 sanitary water closets - \$77.54

Commercial. Institutional with more than 20 sanitary water closets - \$203.65

Tapping Fee \$2,500.00 for ¾"

\$2,700.00 for 1"

\$3,000.00 minimum for larger than 1" plus time and material

Relevy Fee: \$100.00

Late fee interest rate: 10%

Non-Compliance Fee (no return of meter cards): \$150 (enacted by TB January 2017)

4 YEA / 0 NO / 0 ABSTAIN

MOTION CARRIED

E. Delinquent Water Accounts

RESOLUTION # 58-2026

Motion made by Councilwoman Kline and seconded by Councilman Lotito, resolve the Town of Holland, in accordance with New York Town Law, Section 198, has authorized the Erie County Tax Department to place a lien upon the real property for various unpaid accounts of water and other charges.

4 YEA / 0 NO / 0 ABSTAIN

MOTION CARRIED

F. NYS Department of Transportation Undertaking for State Highways

RESOLUTION #59-2026

WHEREAS, the undersigned Town of Holland, hereinafter referred to as ("Permittee") from time to time receives permits from the New York State Department of Transportation (hereinafter referred to as the "NYSDOT") and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, Permittee's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and/or 234, including the conditions that Permittee assume all

responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

1. Permit Applications. Excepting only activities undertaken to protect public safety because of emergency conditions or incidents, Permittee shall provide timely written notice to NYSDOT of operations or activities affecting state right-of-way. Under normal circumstances, a minimum of five business days notice shall be provided. Notification of emergency activities shall be provided to NYSDOT as soon as practicable after the activity. The Permittee shall apply for project-specific permits for activities not allowed under any existing annual permit. Such application shall identify proposed project locations, desired dates/hours, proposed work/activities, traffic control, and site restoration
2. Applicable Rules, Regulations & Conditions. Permittee shall comply with all of the laws, rules and regulations applicable to construction, maintenance activities and operations and shall further comply with such terms and conditions that may be imposed by NYSDOT in connection with permitted activity or operations. Temporary Traffic Control, highway safety appurtenances, and restoration of state facilities shall be completed in accordance with NYSDOT regulations and standards.
3. Site Restoration. Permittee shall, at its own expense, promptly complete the work allowed under each permit and, within a reasonable time, restore State property damaged by its work/activities to substantially the same or equivalent condition as existed before such work was begun as determined by the Commissioner or his/her designee. In the event that the Permittee fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Permittee, may restore the property to substantially the same or equivalent condition as existed before the Permittee's work/activities, in which case, Permittee agrees to reimburse the reasonable expenses in connection therewith
4. Payment & Release of Liens. Permittee shall be responsible for the payment of all costs and materials relating to its work in the public right-of-way, and agrees to defend and save harmless NYSDOT against any and all lien claims made by persons supplying services or materials to Permittee in connection with Permittee's work.
5. Indemnity. In addition to the protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations, whether undertaken by Permittee's own forces or by contractors or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT, and their agents from and against all claims, damages, losses and expenses, including but not limited to, claims for personal injuries, property damage, wrongful death, and/or environmental claims and attorney fees arising out of any such claim, that are in any way associated with the Permittee's, activities or operations under any and all permits issued using this Undertaking.

FURTHERMORE, Permittee hereby warrants that the obligations of this Undertaking are backed by the full faith and credit of Permittee. Permittee may insure or bond any of the obligations set forth herein, or may rely upon self-insurance, budgeted funds, or funds for general operations.

This Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect. This Undertaking may be revoked by the Permittee or rejected by NYSDOT upon thirty days written notice but will continue to apply to all

permitted activities/operations that were permitted by virtue of this Undertaking. Unless terminated for the purpose of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply.

IN WITNESS WHEREOF, Town of Holland agrees to the terms of this Undertaking, and has caused its execution by the authorized officer or employee. Motioned by Councilwoman Kline and seconded by Councilwoman Roth.

4 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

G. Fort Humphrey Marker – replacement

RESOLUTION #59-2026

Councilman Lotito motioned to replace the Fort Humphrey Marker for \$2,595.00. Seconded by Councilwoman Kline.

4 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

COMMITTEE REPORTS

Buildings- Councilman Kolacki

Constabulary- Councilman Kolacki

Town Park and Community Center- Councilman Lotito

Planning Board- Councilwoman Kline

Environmental Committee- Councilman Lotito

Beautification- Councilwoman Roth

COMMUNICATIONS-

n/a

BUILDING/ZONING OFFICER –Justin Quant. Report submitted.

AURORA DOG CONTROL OFFICER –Report submitted.

GRANT WRITER – Jill Dix

HIGHWAY SUPERINTENDENT AND FACILITIES- Jason Simmons. Report Submitted.

NEW BUSINESS

A. Special Use Permit Application- Luke Eames- 7810 Olean Road- The Wandering Goose

RESOLUTION #61-2026

Councilwoman Kline motioned to refer Luke Eames- 7810 Olean Road- The Wandering Goose to the Planning Board for further review. Seconded by Councilwoman Roth.

4 AYE/ 0 NAY/ 0 ABSTAIN

MOTION CARRIED

OLD BUSINESS

A. n/a

DEPUTY SHANE MILLER- Reported on Police calls for the month of July 2026

TOWN ATTORNEY- Ron Bennett

TOWN CLERK – Jill Dix

COMMENTS FROM THE PUBLIC

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

General District Claims forth in Abstract A-8	<u>Abstract 8</u> in the amount of \$37,205.64
Highway District Claims as set forth in Abstract DA-8	in the amount of \$17,338.88
Water District Claims as set forth in Abstract SW-8	in the amount of \$24,604.32
Light District Claims as set forth in Abstract SL-8	in the amount of \$1,502.79
Garbage District Claims as set forth in Abstract SR-8	in the amount of \$35,657.79
Trust and Agency District Claims as set forth in Abstract TA-8	in the amount of \$8,872.68

RESOLUTION # 62-2026

Motion made by Councilman Lotito and seconded by Councilwoman Roth resolve the Town of Holland pay the preceding vouchers.

4 YEA / 0 NAY / 0 ABSTAIN

MOTION CARRIED

Supervisor Hack adjourned the June Regular Town Board Meeting at 7:40pm in honor of community members that have passed away.

RESPECTFULLY SUBMITTED,

Jill Dix
Holland Town Clerk