

This Regular Meeting of the Brant Town Board was held on Tuesday February 11, 2025 at the Brant Town Hall, located at 1272 Brant North Collins Rd, Brant, New York at 7:00 PM.

Present were:

Mark DeCarlo	Supervisor
Donna Marien	Councilwoman
Michael Muffoletto	Councilman
Tish Brady	Councilwoman
Barbara Daniel	Recording Secretary

Absent was:

Linda Giancarlo	Councilwoman
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ALSO, PRESENT AND LEGIBLY SIGNED IN WERE:

Patty Friend	Historian
Daryl Novoa	Highway
Pete Czaster	Highway
Debra Ritz	Resident
Ellsworth Nolan	Highway Supervisor
Brian Rott	Resident
Janice Ross	Planning Board member
Joseph DeCarlo	Assessor
Frank Broughton	ZBA Chairman
Tracy Kaczmarek	Supervisor's Secretary
Thomas Bowman	Pro Shop
Mark Slawek	Police Chief
Jeffrey Souder	Assemblyman DiPietro's office representative
James George	Resident

The meeting opened at 7:00 PM with the Pledge of Allegiance to the Flag

MINUTES of the Organization meeting and first Regular Town Board meeting directly following. Both were held on January 7, 2025. Councilman Muffoletto motioned to approve the minutes of both meetings and was seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**

SUPERVISOR'S FINANCIAL REPORT: Councilman Muffoletto motioned to approve the Supervisor's financial report; Councilwoman Marien seconded the motion. 4 ayes, 0 nays. **MOTION CARRIED.**

TOWN CLERK/TAX COLLECTOR'S FINANCIAL REPORT: Supervisor DeCarlo motioned to approve the report, seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**

COURT CLERK'S DECEMBER 2024 FINANCIAL REPORTS FOR KACZMAREK & GIER REGULAR AND BAIL ACCOUNTS: Councilman Muffoletto motioned to approve both Bail and Regular Financial accounts for Justice Kaczmarek's & Justice Gier for December 2024 and was seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**

POLICE REPORT FOR JANUARY 2025: Chief Slawek presented the January police report. He requested the Town Board appoint Michael McKerski as peace officer to assist on Court nights at a rate of

\$25.00/hour for less than 15 hours per pay period. The chief then discussed a Facebook post that occurred because of a traffic stop. The post received 400 hits. He expressed to the Town Board that the officer who performed the stop did nothing wrong. He then explained that the complainant contacted Mr. Warmus [clerk's note: Mr. Warmus is the man who visits Erie County local Towns with his cell phone in the name of auditing Erie County for proper activity within local government]. The Chief stated this gentleman might show up on court night. Councilwoman Brady commended the work of the Brant police.

Following discussion, Supervisor DeCarlo motioned to approve the appointment of Michael McKerski as part time Peace Officer/Constable at an hourly rate of \$25/hour subject to successful background check and polygraph test. He will also be subject to an eighteen-month probationary period. Councilman Muffoletto seconded the motion. 4 ayes, 0 nays. **MOTION CARRIED.**

Supervisor DeCarlo then motioned to approve the police report as presented by Chief Slawek. Councilwoman Brady seconded the motion. 4 ayes, 0 nays. **MOTION CARRIED.**

HIGHWAY REPORT January 2025: Highway Superintendent Ellsworth Nolan presented his January report. He noted that he is still waiting for road salt. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilman Muffoletto. 4 ayes, 0 nays. **MOTION CARRIED.**

TOWN CLERK'S REPORT TO THE BOARD: The Town Clerk presented her January Activity report. It was noted that an insert explaining the upcoming Comprehensive plan updates to Town residents. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

PLANNING BOARD MINUTES: Planning Board chairman Debra Ritz presented the February 4th meeting report. She noted that three special use permit applications were submitted for the Town Board to address. Supervisor DeCarlo stated the Town Board will set the public hearings for next month, and added that Board members were given documentation regarding each permit application. Chairman Ritz then stated she is hoping to present the final Solar law draft to the Town Board in April. Supervisor DeCarlo then motioned to approve the report as presented, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

ZONING BOARD: No ZBA meeting held in January.

RECREATION DIRECTOR'S REPORT: No report presented

TOWN HISTORIAN REPORT: Patty read her report. She thanked the Board for reappointing her. She then advised that St. Anthony's church in Farnham will be closing in April. She then advised the Town Board that she may change the date or hours for the Historical meetings because she would like to hold the meetings when the Town Hall has other people present. Supervisor DeCarlo suggested the possibility of having a council person attend the meetings. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

FIRE DEPT: No Report presented.

BRANT SENIOR'S REPORT: The Senior's report for Wednesday February 5th was presented by Councilwoman Brady. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

CODE ENFORCEMENT OFFICER'S REPORT: Supervisor DeCarlo presented the December Code Enforcement Officer's January report. Someone requested an update on the Milestrip Rd windmill

complaint. Attorney Trask stated the owner of the windmill has been cooperative with the Code Officer. A windmill inspector came out at the expense of the owner. It was determined that the windmill was not functioning properly and has been rendered inoperable. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**

ACKNOWLEDGMENT OF VISITORS: Supervisor DeCarlo acknowledged Jeffrey Souder, representative of Assemblyman DiPietro's office. He asked if there was anything he wished to speak on. Mr. Souder declined by reminded those present that if they need anything, they can contact David DiPietro's office at 716-655-0951.

OLD BUSINESS:

Supervisor DeCarlo then motioned to schedule three public hearings for March 11, 2025 to consider the following Special Use Permit applications:

- Thomas Bowman & Chris Delprince for March 11, 2025 at 7:30 pm
 - Motion by Supervisor DeCarlo, seconded by Councilman Muffoletto 4 ayes, 0 nays. Carried
- Jay Vacco for March 11, 2025 at 7:45 pm
 - Motion by Supervisor DeCarlo, seconded by Councilwoman Marien. 4 ayes, 0 nays Carried
- Mike Donlin for March 11, 2025 at 8:00 pm
 - Motion by Supervisor DeCarlo, seconded by Councilwoman Brady. 4 ayes, 0 nays. Carried

NEW BUSINESS:

RE-APPOINTMENT OF BOARD OF ASSESSMENT REVIEW: Supervisor DeCarlo motioned to approve the appointment of Janet Bowman as a full member of the Board of Assessment and Review Board for a 5-year term October 1, 2024 to September 30, 2029. Councilwoman Brady seconded the motion. 4 ayes, 0 nays. **MOTION CARRIED.**

RE-APPOINTMENT OF ZONING BOARD OFF APPEALS FULL MEMBER: Supervisor DeCarlo motioned to renew the appointment of Richard Vespa to the Zoning Board of Appeals for a 5-year term January 1, 2025 to December 31, 2029. Councilwoman Brady expressed concern about appointing first degree family members to the same Board. Supervisor DeCarlo stated he understands her concern but there is nothing illegal about it. He added that no one is urgently asking for these positions and he doesn't want to reward the hard work already done by the current members by getting rid of them when they want to remain on the Board. Councilwoman Brady reiterated that her suggestion in no way translates to diminishing the work they have done on the boards. A roll call vote was taken: Supervisor DeCarlo-aye, Councilwoman Marien-aye, Councilman Muffoletto-aye, Councilwoman Brady-nay. 3 ayes, 1 nay. **MOTION CARRIED.**

RE-APPOINTMENT OF ZONING BOARD OF APPEALS ALTERNATE MEMBER: Supervisor DeCarlo motioned to renew the appointment of Hannah Broughton as alternate member of the Zoning Board of Appeals for a 1-year term January 1, 2025 to December 31, 2025. Councilman Muffoletto seconded the motion. A roll call vote was taken: Supervisor DeCarlo-aye, Councilman Muffoletto-aye, Councilwoman Marien-aye, Councilwoman Brady-nay. 3 ayes, 1 nay. **MOTION CARRIED.**

UPDATE TO TOWN OF BRANT'S COMPREHENSIVE PLAN: Supervisor DeCarlo explained that the Town received a grant from Erie County to update the Town's Comprehensive Plan. A committee has been formed and is working with Erie County and CPL. The Town would like two of three more Town residents, possibly business owners, to contact the Supervisor's office. There will be opportunities to give feedback as the process progresses. The next meeting date has not been set. It was discussed to invite someone with an agricultural background within the Town and someone from a local business.

MAILERS REGARDING COMPREHENSIVE PLAN WILL BE INCLUDED WITH TAX BILL MAILING: Supervisor DeCarlo stated that a flyer will be included in all tax bill envelopes to make residents aware of the upcoming re-work of the Town's Comprehensive plan. The flyer will contain a QR code to allow people a link to the project's website.

REPORT OF COMMITTEES:

Councilwoman Marien: Will be announcing the Easter Egg hunt date at the March meeting after she checks with Farnham to determine their date.

PRIVILEGE OF THE FLOOR:

EZ Pass scam texts: Chief Slawek advised that when receiving a text from EZ pass, be careful clicking on links as they can possibly send them to a scam website.

Frank Broughton: Wants to say he is very happy with our refuse company..

Meetings & Correspondence:

- The 1st February sales tax remittance is in. The current transfer rate is 5.15 % less than the corresponding 2024 amount. Year-to-date transfers are running .55 % below last year at this time.

Supervisor DeCarlo read the Abstract:

ABSTRACT 14 of 2024

*Prepaid and unpaid as of 2/11/25 Total Claims **\$45,175.49**

Gen Fund Town wide Vouchers Totaling: **\$ 30,741.14**

Gen Fund – Part Town Voucher Totaling: **\$ 14,005.13**

Highway T.W. Vouchers Totaling: **\$429.22**

ABSTRACT 2 OF 2025

*Prepaid and unpaid as of 2/11/25 Total Claims **\$147,396.43**

Gen Fund Town wide Vouchers Totaling: **\$113,522.31**

Gen Fund – Part Town Voucher Totaling: **\$2,060.57**

Highway T.W. Vouchers Totaling: **\$28,451.70**

Highway P.T. Vouchers, Totaling: **\$**

Street Lighting: Voucher Totaling: **\$3,361.85**

Brant Water Dist 1 (SS2&SW): – Totaling \$

PAYROLL (2 pay periods):

General Town Wide Payroll 12/29/24-1/25/25 – Totaling **\$62,154.19**

General Part Town Payroll 12/29/24-1/25/25 - Totaling: **\$1,754.73**

Highway Payroll TW 12/29/24-1/25/25 - Totaling: **\$15,267.31**

Highway Payroll PT 12/29/24-1/25/25 - Totaling: **\$0**

Supervisor DeCarlo motioned to approve Abstract 14 of 2024 and Abstract 2 of 2025. He was seconded by Councilwomen Brady. A roll-call vote was taken: Supervisor DeCarlo-aye, Councilwomen Brady-aye, Councilman Muffoletto-aye, Councilwoman Marien-aye. 4 ayes, 0 nays. **MOTION CARRIED.**

Supervisor DeCarlo announced the next regular Town Board meeting will be Tuesday March 11, 2025 at 7 PM.

At 7:47 PM Councilwoman Brady motioned to Adjourn in memory of Cyrus Schindler and David Kozlowski, seconded by Supervisor DeCarlo. A roll call vote was taken: Councilwoman Brady-aye, Supervisor DeCarlo-aye, Councilman Muffoletto-aye, Councilwoman Brady-aye. 4 Ayes, 0 Nays **Motion Carried.**

Respectfully submitted by,

Barbara J Daniel
Brant Town Clerk