

This Regular Meeting of the Brant Town Board was held on Tuesday October 14, 2025, at the Brant Town Hall, located at 1272 Brant North Collins Rd, Brant, New York at 7:00 PM.

**PRESENT WERE:**

Mark DeCarlo Town Supervisor

Tish Brady Councilwoman

Linda Giancarlo Councilwoman

Donna Marien Councilwoman

Michael Muffoletto Councilman

mmmmdcclvii. Trask, Sr. Town Attorney

Barbara Daniel Recording Secretary

Absent

**ALSO, PRESENT AND LEGIBLY SIGNED IN WERE:**

Janice Ross Planning Board

Chad Kaczmarek Town Justice

Mark Slawek Police Chief

Tracy Kaczmarek Supervisor's Secretary

Brian Rott Resident

James George Resident

Joe DeCarlo Town Assessor

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

**APPROVE MINUTES of the SEPTEMBER 9 2025 MEETING:** Councilman Muffoletto motioned to approve the minutes of the September 9 2025 Regular Town Board meeting, and was seconded by Councilwoman Marien. 5 ayes, 0 nays. **MOTION CARRIED.**

**SUPERVISOR'S AUGUST 2025 FINANCIAL REPORT:** Councilwoman Brady motioned to approve the Supervisor's August Financial Report, seconded by Councilman Muffoletto. 4 ayes, 1 nay. **MOTION CARRIED.**

**TOWN CLERK/TAX COLLECTOR'S SEPTEMBER 2025 FINANCIAL REPORT:** TABLED.

**COURT CLERK'S AUGUST 2025 FINANCIAL REPORTS FOR KACZMAREK & GIER REGULAR AND BAIL ACCOUNTS:** Councilwoman Brady motioned to approve both Bail and Regular Financial accounts for Justice Kaczmarek's & Justice Gier for August 2025, seconded by Supervisor DeCarlo. 5 ayes, 0 nays. **MOTION CARRIED.**

**POLICE REPORT FOR SEPTEMBER 2025:** The Police Report for September 2025 was read by Police Chief Slawek. He mentioned that the parking complaints at the park has decreased. There have been multiple complaints about car break-ins and reminded residents to make sure their vehicles are locked and keys are not left in vehicles. He stated that Route 249 is experiencing the most break ins but is starting to come into Brant. He mentions a State Wide blitz with following school busses. He mentioned 957 Hammond Road has had several complaints the last few days and he spoke to the CEO and they in are in process of fighting with the bank. The house has a few broken windows and front door is wide open but there is not much they can do. He mentioned a call regarding a house on route 5, CEO came out and condemned the house and also contacted adult protective services and they wouldn't do anything to help. The gentleman that resided in the house is in the hospital and hospital is sending a case worker out. He also mentioned issues that they are having issues with Cain Road with debris; road was shut down and cleaned up by the County. He brought up the poor conditions and marking of the road updates on Route 5. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Giancarlo. 5 ayes, 0 nays. **MOTION CARRIED.**

**HIGHWAY SUPERINTENDENT'S REPORTS:** The September Highway Report was presented by Supervisor DeCarlo. Requested purchasing 4 new tires for the Kenworth and hiring a PT for wingman duties in the winter. The Board expressed their concern about the fence around the pond and safety. Supervisor DeCarlo stated he will talk to them about getting that back up. Councilwoman Giancarlo motioned to approve the report as read. Seconded by Supervisor DeCarlo. 5 ayes, 0 nays. **MOTION CARRIED.**

**TOWN CLERK'S SEPTEMBER 2025 ACTIVITY REPORT TO THE BOARD:** The Town Clerk's activity report for September was presented. She mentioned Legislator Mills will be donating \$4,500 toward the Town Hall Playground Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Marien. 5 ayes, 0 nays. **MOTION CARRIED.**

**PLANNING BOARD REPORT:** No September meeting.

**ZONING BOARD REPORT:** Secretary to the Zoning Board, Barbara Daniel stated that they had a meeting September 25<sup>th</sup> to look at a variance for 231 Lotus Point Road.

**TOWN HISTORIAN REPORTS:** TABLED.

**FIRE DEPARTMENT REPORT:** Supervisor DeCarlo read the EMS report for September 2025. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Brady. 5 ayes, 0 nays. **MOTION CARRIED.**

**BRANT FARNHAM SENIORS:** The September report was read by Councilwoman Brady. Supervisor DeCarlo motioned to approve the report as presented, seconded by Councilwoman Marien. 5 ayes, 0 nays. **MOTION CARRIED.**

**CODE ENFORCEMENT REPORT:** The September Code Enforcement Officer's report was presented by Supervisor DeCarlo. Supervisor DeCarlo motioned to accept the report as read, seconded by Councilwoman Brady. 5 ayes, 0 nays. **MOTION CARRIED.**

**NEW BUSINESS:**

**NEW 2025-2028 INTERMUNICIPAL SNOW REMOVAL & ICE CONTROL AGREEMENT:** Supervisor DeCarlo advised that the rates are: Year 1-\$162,517, Year 2- \$169,017 and Year 3-\$175,778. Agreement will begin on September 1, 2025 and expires on August 31, 2028. Supervisor DeCarlo asked the board to vote on him signing the agreement. Attorney Trask questioned whether the Highway Superintendent should also sign the agreement. Councilman Muffoletto made the motion for Supervisor DeCarlo to sign the agreement, Seconded by Councilwoman Marien. **Roll Call was taken.**

Roll Call:

Councilwoman Marien AYE

Councilman Muffoletto AYE

Councilwoman Giancarlo AYE

Councilwoman Brady AYE

Supervisor DeCarlo Abstain

4 ayes, 0 nays, 1 Abstain.

**MOTION CARRIED.**

**UPDATED AGREEMENT WITH TOWN OF EVANS DOG CONTROL:** Supervisor DeCarlo stated that he spoke with the Town of Evans and negotiated the updated agreement for Dog Control services. He stated that the agreement is effective for a 5-year term, January 1, 2026-December 31, 2030. The rate in 2026 is \$8,000 with a \$500 increase each year. Councilwoman Giancarlo motioned to approve the agreement. Seconded by Councilman Muffoletto. **Roll call was taken:**

Roll Call:

Councilwoman Giancarlo AYE

Councilman Muffoletto AYE

Councilwoman Marien AYE

Councilwoman Brady AYE

Supervisor DeCarlo AYE

5 ayes, 0 nays.

**MOTION CARRIED.**

**UPDATED AGREEMENT WITH THE TOWN OF EVANS FOR POLICE DISPATCH SERVICES:**

Supervisor DeCarlo and Police Chief Mark Slawek negotiated the updated agreement with the Town of Evans for dispatch services. The Agreement will be a 5-year term effective January 1, 2026 – December 31, 2030. The rate for 2026 will be \$9,500 with a \$500 increase each year after.

Councilwoman Giancarlo made the motion to approve Supervisor DeCarlo to sign the agreement. Seconded by Councilman Muffoletto. **Roll call was taken.**

Roll Call:

Councilwoman Giancarlo AYE

Councilwoman Brady AYE

Councilman Muffoletto AYE

Councilwoman Marien AYE

Supervisor DeCarlo AYE

5 ayes, 0 nays.

**MOTION CARRIED.**

**RESOLUTION IN SUPPORT OF CONGRESSMAN NICK LANGWORTHY'S ENERGY CHOICE ACT (HR 3699, S 1945) AND IN OPPOSITION TO GOVERNMENT-MANDATED NATURAL GAS**

**BANS:** Supervisor DeCarlo and the Town Board discussed their thoughts and opinions. Everyone was in agreement to vote to support the resolution. Supervisor DeCarlo motioned to approve the support of the resolution. Seconded by Councilman Muffoletto. **Roll call was taken:**

Roll Call:

Supervisor DeCarlo AYE

Councilman Muffoletto AYE

Councilwoman Giancarlo AYE

Councilwoman Marien AYE

Councilwoman Brady AYE

5 ayes, 0 nays.

**MOTION CARRIED.**

**DISCUSSION PROPOSED LOCAL LAW IMPOSING A SIX (6) MONTH MORATORIUM PROHIBITING THE REVIEW AND APPROVAL OF APPLICATIONS AND ISSUANCE OF PERMITS FOR "BATTERY ENERGY STORAGE SYSTEMS" IN THE TOWN OF BRANT:** Councilman

Muffoletto has concerns and feels a conversation with someone familiar with these storage systems and have them advise us. Attorney Trask advised to have a zoning referral to Erie County.

**SET PUBLIC HEARING FOR PROPOSED LOCAL LAW:** Supervisor DeCarlo advised that we hold the Regular Town Board Meeting, Public Hearing and Budget Meeting all on the same day. The Town Board agreed to set the date of Tuesday November 3, 2025 starting at 7pm, Public hearing of Local Law at 7:30pm and Budget public hearing at 7:45pm. [Supervisor DeCarlo motioned to approve the Regular Town Board meeting to be held on November 3 2025 at 7pm, Seconded by Councilwoman Giancarlo.](#) Supervisor DeCarlo motioned to approve the Public Hearing for Local Law to be held on November 3 2025 at 7:30pm, Seconded by Councilwoman Giancarlo. Supervisor DeCarlo motioned to approve the Budget Hearing to be held on November 3 2025 at 7:45pm, Seconded by Councilwoman Giancarlo. 5 ayes, 0 nays. **MOTION CARRIED.**

**Edit: RESOLUTION for October 14, 2025 ERIE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT REQUESTS:** Supervisor DeCarlo read the resolution including 2 separate requests: Brant Town Hall Playground Replacement Project and Rural Transit Service. Supervisor DeCarlo motion to accept, Seconded by Councilwoman Brady.

~~**RESOLUTION FOR CDBG-PHASE 2 PLAYGROUND PROJECT:** Supervisor DeCarlo read the resolution. Supervisor DeCarlo motion to accept, Seconded by Councilwoman Brady. Roll call was taken:~~

Roll Call:

Supervisor DeCarlo AYE

Councilwoman Brady AYE

Councilwoman Giancarlo AYE

Councilman Muffoletto AYE

Councilwoman Marien AYE

5 ayes, 0 nays.

**MOTION CARRIED.**

**SETTING BUDGET WORKSHOP DATE:** Supervisor DeCarlo and the Town Board agreed to set the workshop meeting for October 20 2025 at 6:30 pm. Supervisor DeCarlo motion to accept, Seconded by Councilwoman Marien. 5 ayes, 0 nays. **MOTION CARRIED.**

#### **REMINDERS:**

Town of Brants Trunk or Treat will be held on Thursday October 30<sup>th</sup> 2025 at 6:30pm at the Brant Town Hall.

**APPOINTMENT OF NEW HIRES:** Supervisor DeCarlo would like to appoint Blake Werhfriz for E-Waste Laborer Attendant at \$75.00 per event. Supervisor DeCarlo motioned to accept, Seconded by Councilman Muffoletto. **Roll call was taken.**

Roll Call:

Supervisor DeCarlo AYE

Councilman Muffoletto AYE

Councilwoman Giancarlo NAY

Councilman Marien ABSTAIN

Councilwoman Brady AYE

3 ayes, 1 nay, 1 Abstain.

**MOTION CARRIED.**

**APPOINTMENT OF NEW HIRE:** Supervisor DeCarlo asked to appoint Dana Gibbons as PT Labor position for Buildings & Grounds Department not to exceed 19 hours per week. Supervisor DeCarlo motioned to accept, Seconded by Councilwoman Marien. **MOTION CARRIED.**

**NEW TIRES FOR KENWORTH & PT POSITION AS WINGMAN FOR PLOWING:** Supervisor DeCarlo motioned to approve the purchase for 4 new tires for the Kenworth to be prepared for winter. Also, would like approval of previously hired Zach Militello to help out during plowing as a wingman. Supervisor DeCarlo motioned to approve. Seconded by Councilman Muffoletto. **Roll call was taken.**

Roll Call:

Supervisor DeCarlo AYE

Councilman Muffoletto AYE

Councilwoman Giancarlo AYE

Councilman Marien AYE

Councilwoman Brady AYE

5 ayes, 0 nay. **MOTION CARRIED.**

### **Reports of Committee & Town Board Reports:**

Councilwomen Brady: She spoke regarding complaints about the sudden closure of the playground at the Town Hall. She asked that we really look into accommodating families or getting it cleaned up in the meantime for it to be used. She also brought up an issue regarding the fence at the Town Hall needs repair. ~~She also addressed having interior outlets outside the building and that the gym is cleaned up and ready for early voting.~~

**Edit: ...She also addressed having electrical outlets outside the building and that the gym is cleaned up and ready for early voting.**

Councilwoman Marien: She spoke about e-waste and that items were left behind. Supervisor DeCarlo stated he would call to find out about picking these items up before winter.

## **Meetings & Correspondence:**

- The second October sales tax remittance is in. The current transfer is 6.38% greater than the corresponding 2024 amount. Year-to-date transfers are running at 4.9% ahead of last year at this time.
- Erie County notified the Town of Brant that the work on Cain Road over Big Sister Creek will be extended to October 17<sup>th</sup> 2025.

## **ABSTRACT 10 of 2025**

\*Prepaid and unpaid as of 10/14/25 Total Claims **\$ 156,401.32**

Gen Fund Town wide Vouchers Totaling: **\$ 52,049.28**

Gen Fund – Part Town Voucher Totaling: **\$ 78,088.69**

Highway T.W. Vouchers Totaling: **\$ 5,426.81**

Highway P.T. Vouchers, Totaling: **\$ 5,401.93**

Street Lighting: Voucher Totaling: **\$ 2,950.61**

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

Brant Fire Protection Dist.: - Totaling **\$ 12,484.00**

## **PAYROLL (2 pay periods):**

General Town Wide Payroll [8/24/25-9/20/25](#) – Totaling **\$ 67,067.05**

General Part Town Payroll 8/24/25-9/20/25 Totaling: **\$ 1,778.10**

Highway Payroll TW 8/24/25-9/20/25 Totaling: **\$ -**

Highway Payroll PT 8/24/25-9/20/25 Totaling: **\$ 9,179.86**

Supervisor DeCarlo motioned to approve Abstract 10 of 2025, seconded by Councilwoman Brady. A roll-call vote was taken:

Supervisor DeCarlo-aye,

Councilwoman Brady-aye,  
Councilwoman Giancarlo- aye  
Councilman Muffoletto-aye  
Councilwoman Marien- aye.  
5 ayes, 0 nays. **MOTION CARRIED.**

The next regular Town Board meeting will be held November 3, 2025 at 7:00 PM. Supervisor DeCarlo moved to enter into executive session at 7:55pm. There will be no action taken after the executive session the meeting will adjourn in memory of Robert Sager & Penny Getz. Seconded by Councilwoman Marien. 5 ayes, 0 nays. **MOTION CARRIED.**

Executive session concluded at 9:03 pm. Councilwoman Giancarlo motioned, Seconded by Councilwoman Brady. 5 ayes, 0 nays. **MOTION CARRIED.**

Respectfully submitted by,  
Kristen Podkulski  
Brant Deputy Town Clerk