

This First Regular Meeting of the Brant Town Board was held on Tuesday February 14, 2023 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
Linda Giancarlo	Councilwoman
Janice Ross	Councilwoman
Michael Muffoletto	Councilman
Barbara Daniel	Recording Secretary

ALSO, PRESENT AND LEGIBLY SIGNED IN WERE:

Debra Ritz	Resident
Patty Friend	Town Historian
Lynda Ostrowski	Sec to Boards
Joe Ostrowski	Planning Board Chair
Mark Slawek	Chief of Police
Brian Rott	Resident
Kristen Podkulski	Resident
Joe Giancarlo	Resident
David Rice	Resident
Jeffrey Souder	Assemblyman DiPietro's representative
Kevin Bartus	Resident
Gina Hallmark	Resident

The meeting opened at 7:00 PM.

THE MEETING OPENED WITH A PLEDGE TO THE FLAG

APPROVE MINUTES of the January 10, 2023 ORGANIZATIONAL MEETING and the 1st REGULAR TOWN BOARD MEETING OF 2023 held directly following the Organizational meeting: Councilwoman

Giancarlo motioned to approve the minutes of the meeting and was seconded by Councilwoman Ross. 5 ayes, 0 nays. **MOTION CARRIED.**

SUPERVISOR'S FINANCIAL REPORT: Councilwoman Giancarlo motioned to approve the minutes of the meeting and was seconded by Councilman Muffoletto. 5 ayes, 0 nays. **MOTION CARRIED.**

TOWN CLERK/TAX COLLECTOR'S DECEMBER 2022 FINANCIAL REPORT: Councilman Muffoletto made a motion to approve the report, seconded by Supervisor DeCarlo. 4 ayes, 0 nays, 1 abstain (Councilwoman Giancarlo abstained). **MOTION CARRIED**

COURT CLERK'S DECEMBER 2022 FINANCIAL REPORTS FOR KACZMAREK & GIER REGULAR AND BAIL ACCOUNTS: Councilwoman Ross motioned to approve both Bail and Regular Financial accounts for Justice Kaczmarek's & Justice Gier for December 2022, and was seconded by Supervisor DeCarlo. 5 ayes, 0 nays. **MOTION CARRIED.**

DOG CONTROL OFFICER'S REPORT FOR JANUARY 2023: TABLED

POLICE REPORT FOR JANUARY, 2023: Chief Slawek read the January Police report. A grant to cover Body Cams is being looked into. He thanked the Grant writer Connie Miner for her assistance with the Grant. It may take two months to receive the body cams. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Giancarlo. 5 ayes, 0 nays. **MOTION CARRIED.**

HIGHWAY REPORT for JANUARY 2023: Councilwoman Ross read the January Highway report. Councilman Muffoletto asked for more details of the "Shared Services" in future Highway reports. Supervisor DeCarlo made a motion to the report as read, and was seconded by Councilman Muffoletto. 5 ayes, 0 nays. **MOTION CARRIED.**

TOWN CLERK'S JANUARY 2023 ACTIVITY REPORT TO THE BOARD: The Town Clerk read her January 2023 Activity report. The Town Clerk reminded the Board that she needed final approval of the dog census which would then be added to the Tax mailing the following day. Attorney Trask then reviewed the proposed census form and nodded his approval.

Attorney Trask then advised to the Town Clerk to announce the hiring of a new Deputy Clerk. Debra Ritz asked if it was posted. The Town Clerk explained there was no time to post the position, and the Town Attorney responded that this position does not require posting as the Clerk position does not require Town Board approval. Supervisor DeCarlo motioned to approve the report as read. He also motioned to approve the dog census form provided the Town Attorney approves it. Councilman Muffoletto seconded the motion. 4 ayes, 0 nays, 1 abstain. (Councilwoman Giancarlo abstained). **MOTION CARRIED.**

PLANNING BOARD MINUTES: Councilwoman Ross read the February 7th Planning Board report. Councilwoman Ross advised to be sure the Town Clerk's Office receives a copy of all training certificates. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Giancarlo. 5 ayes, 0 nays. **MOTION CARRIED.**

TOWN HISTORIAN REPORT: Town Historian Patty Friend presented her report. The historian mentioned that Peter Chiavetta and Evan Russell donated a combined two hundred dollars to the Historical Society. Joyce Creo donated a collection of mass cards that were put in alphabetical order. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Marien. 5 ayes, 0 nays. **MOTION CARRIED.**

BRANT FARNHAM SENIORS REPORT FOR FEBRUARY 1, 2023: The report was read by Councilwoman Ross. Supervisor DeCarlo motioned to approve the report, and was seconded by Councilwoman Giancarlo. 5 ayes, 0 nays. **MOTION CARRIED.**

CODE ENFORCEMENT: Gary Brecker read his January 2023 report. He announced that his approximate retirement date will be April 1st unless the Town Board feels it needs to be extended. Supervisor DeCarlo asked him to hold off on presenting his letter to the Town Clerk until next month so the Board can appoint another Code Officer and allow for him to train the new person. Attorney Trask noted that the Town cannot have two Code Officer's at the same time for more than 60 days, so he advised to coordinate the date of the letter to coincide. Councilwoman Marien responded that April 1st will be a good date for Gary to submit his letter advising of his retirement. A short discussion about three abandoned homes with caved in roofs and what can be done about them. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Marien. 5 ayes, 0 nays. **MOTION CARRIED.**

NEW BUSINESS:

LIST 3 HAND PUNCH 1000 TIME CLOCKS AS SURPLUS: Supervisor DeCarlo motioned to approve listing the 3 hand punch time clocks as surplus to allow for possible sale. The new time clocks have been installed. Councilwoman Ross seconded the motion. 5 ayes, 0 nays. **MOTION CARRIED.**

POLICE CARS SOLD ON AUCTIONS INTERNATIONAL:

Supervisor DeCarlo spoke regarding the Police Ford Explorers that were listed as surplus have been sold on Auctions International. It was noted that one sold for \$5,100.00 and the other sold for \$5,200.00. The Gold Crown Victoria had not been listed yet because they had to get the title. It too will be listed on Auctions International, but not until next month.

APPOINT COUNCILMAN MUFFOLETTO AS DISCIPLINARY HEARING OFFICER: Supervisor DeCarlo presented and motioned to adopt the following resolution:

Resolved, that Councilman Michael Muffoletto is hereby designated as Hearing Officer to preside over and make determinations over matters of disciplinary proceedings regarding certain employees scheduled for February 27, 2023 pursuant to Civil Service Section 75 of Civil Service law.

Councilwoman Giancarlo seconded the motion. A roll call vote was taken: Supervisor DeCarlo-aye, Councilwoman Giancarlo-aye, Councilman Muffoletto-abstain, Councilwoman Marien-aye, Councilwoman Ross-aye. 4 ayes, 0 nays, 1 abstain. **MOTION CARRIED.**

DISCUSSION ON THE APPOINTMENT OF DAVID RICE AS NEW CODE ENFORCEMENT OFFICER:

The question of start date was brought up. Attorney Trask responded that the Town Board must take the current budgeted amount into consideration since there will be two Code Officer's for a short duration. He explained that the position can run as part-time for a short duration with training as the explanation. He advised the Supervisor's office to monitor the pay until Gary is officially retired from the position. Supervisor DeCarlo explained that he had already considered the overage to be approximately \$1,600 and he would remedy that with a budget modification pulling money from Parks and Rec to cover it. It was then decided that the Start Date for the new CEO would be March 1st.

At this time, Supervisor DeCarlo motioned to appoint David Rice as Code Enforcement Officer/Building Inspector for a pro-rated salary of \$9,134 annually as per the adopted budget effective March 1st, 2023. Councilwoman Marien seconded the motion. A roll call vote was taken: Supervisor DeCarlo-aye, Councilwoman Marien-aye, Councilwoman Giancarlo-aye, Councilman Muffoletto-aye, Councilwoman Ross-aye. 5 ayes, 0 nays. **MOTION CARRIED.**

Supervisor DeCarlo thanked Councilwoman Marien and Councilman Muffoletto for putting the newly added potion together. They then welcomed Mr. Rice.

COMMITTEE REPORTS: No reports were presented

TOWN BOARD REPORTS:

Councilwoman Ross- Announced that she had attended the February Planning Board meeting. She then discussed the planning of the upcoming Easter Egg hunt (April 2, 2023 Palm Sunday) and requested the amount budgeted for this year's event. Resident Brian Rott asked if the Sound System will be there. Councilwoman Marien asked if he would help bring it to the event. Brian Rott then announced that

Snyder Law will be donating another \$250 towards the event. The Town Board then spoke of the Town contributing \$750 to the event for a total budget of \$1,000.00. Supervisor DeCarlo then motioned to approve the event and the approval to spend up to \$750.00 in Town funds for the event. Councilman Muffoletto seconded the motion. 5 ayes, 0 nays. MOTION CARRIED.

Councilwoman Giancarlo- Spoke regarding the poor condition of the Town Hall Parking lot and the need for more lighting. She asked if the Pickleball grant could help to pay for part of these improvements. She reminded the public that the Brant Summer Festival will be held on June 16th and 17th and they are seeking donations to help with expenses. She then mentioned that one day she passed the Town Hall and saw the Caretaker Allen Nolan on the roof. Councilwoman Marien responded that he was repairing a leak near the heating system. Councilwoman Ross then added that he was also in the septic tank one day repairing a broken wire that goes to the pump. Supervisor DeCarlo mentioned that Allen actually saves the Town a lot of money. Councilwoman Ross asked if the Town has a generator for the Town Hall. It was noted that the Town does not have a generator, and the Town will look into getting one since the Town is considered a warming station. Councilwoman Giancarlo then reminded those present that the Brant Festival Committee is seeking donations and sponsorship to offset the cost of some of the events being held at the Brant Festival. If anyone wishes to sponsor any of the events to be held, it would be appreciated. The Committee is trying to provide as much free family entertainment as possible.

Councilwoman Marien- Questioned when the Memorial Park repairs will get finished. Supervisor DeCarlo then stated they have received quotes and are awaiting one last quote for the electrical work. Marien requested they get started on the clean up soon and stated she really would like a large Christmas Tree planted in the center of the park and to reposition the bricks around the tree. She added that the clock needs to be fixed also. Councilwoman Ross mentioned that the Memorial Day service will be in Farnham this year due to the Memorial Park's condition. Councilwoman Marien asked to be involved in the Committee to repair the Memorial Park. Supervisor DeCarlo responded that he will put her in charge of it.

Supervisor DeCarlo- Spoke on the need for a faster internet connection. Some of the office programs will not run with such low speed. It was mentioned that the Town Clerk requested assistance of the Caretaker who normally contacts Spectrum when there are connection problems. They noted our 15 Mb connection speed and explained it is inadequate. Supervisor DeCarlo noted the lowest price upgrade to our currently free service, would be \$129.00/mo. for 300 Mb. This is the minimum recommended for Commercial use. Attorney Trask suggested contacting neighboring Towns to see what they are getting from Spectrum.

Councilman Muffoletto – Nothing to report

PRIVILEGE OF THE FLOOR: No one spoke

Supervisor DeCarlo announced the next regular Town Board meeting will be Tuesday March 14, 2023 at 7 PM. He noted the Town Board will hold a short executive session following the Board meeting to discuss personnel and contractual. He advised that no action will be taken following the session. He added that after the executive session, the Town Board will be adjourning in memory of Loretta Ann Giambrone, Raymond McCarty, Santa Marie Baumea, Goldie DiSaverio and Ray E. Barefoot.

Supervisor DeCarlo read the Abstract (14 of 2022 and 2 of 2023):

ABSTRACT 14 of 2022

*Prepaid and unpaid as of 2/14/23 Total Claims **\$ 25,924.79**

Gen Fund Town wide Vouchers Totaling: **\$ 17,700.21**

Gen Fund – Part Town Voucher Totaling: **\$ 8,211.63**

Highway T.W. Vouchers Totaling: **\$ 12.95**

Street Lighting: Voucher Totaling: **\$ 0**

Brant Water Dist 1 (SS2&SW): – Totaling **\$ 0**

ABSTRACT 2 of 2023

*Prepaid and unpaid as of 2/14/23 Total Claims **\$ 113,737.42**

Gen Fund Town wide Vouchers Totaling: **\$ 86,377.38**

Gen Fund – Part Town Voucher Totaling: **\$ 10,448.80**

Highway T.W. Vouchers Totaling: **\$ 13,707.86**

Street Lighting: Voucher Totaling: **\$ 3,203.38**

Brant Water Dist 1 (SS2&SW): – Totaling **\$ 0**

FIRST PAYROLL 2023 (2 pay periods):

General Town Wide Payroll 01/01/23-01/28/23 – Totaling **\$ 48,958.02**

General Part Town Payroll 01/01/23-01/28/23 Totaling: **\$ 756.34**

Highway Payroll TW 01/01/23-01/28/23 Totaling: **\$ 8,136.30**

Highway Payroll PT 01/01/23-01/28/23 Totaling: **\$ 0**

Supervisor DeCarlo motioned to approve Abstract 14 of 2022 and Abstract 2 of 2023, seconded by Councilwoman Ross. A roll-call vote was taken: Supervisor DeCarlo-aye, Councilwoman Ross-aye, Councilwoman Giancarlo-abstain, Councilman Muffoletto-aye, Councilwoman Marien-aye. 4 ayes, 0 nays, 1 Abstain. **MOTION CARRIED.**

Meetings & Correspondence:

- The 2nd February sales tax remittance is in. The current transfer rate is .48 % greater than the corresponding 2022 amount. Year-to-date transfers are running 6.16 % above last year at this time.

Councilwoman Giancarlo then asked a question regarding legality of her as auditor for the abstracts. Discussion ensued regarding the options. Attorney Trask then stated there would be a conflict if Councilman Muffoletto was appointed since he is a signer on the Bank Account. It was noted that Councilwoman Giancarlo would be a conflict. *[clerk's note: Councilwoman Giancarlo's daughter was recently hired as deputy Town Clerk and would therefore be preparing the abstracts]*. It was then decided that Councilwoman Ross would then be re-appointed as auditor for the 4th consecutive years. Attorney Trask commended Councilwoman Ross' great job with auditing.

Councilwoman Marien asked when the lighting bill should go down. Supervisor DeCarlo stated probably next month, otherwise he will call them.

At 7:49 pm Supervisor DeCarlo motioned to enter executive session, seconded by Councilman Muffoletto. 5 ayes, 0 nays. MOTION CARRIED.

At 8:15 pm Supervisor DeCarlo motioned to close the executive session, seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. MOTION CARRIED.

The meeting was adjourned.

Respectfully submitted by,

Barbara J Daniel
Brant Town Clerk