

This First Regular Meeting of the Brant Town Board was held on Tuesday November 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
Michael Muffoletto	Councilman
Linda Giancarlo	Councilwoman
Barbara Daniel	Recording Secretary

ABSENT WAS:

Janice Ross	Councilwoman
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ALSO, PRESENT AND LEGIBLY SIGNED IN WERE:

Lynda Ostrowski	Sec to Boards
Ellsworth Nolan	Highway Superintendent
Daryl Novoa	Highway
Kristen Podkulski	Resident
Mark Slawek	Chief of Police
Brian Rott	Resident
Debra Ritz	Resident
Mike Donlin	Resident
Jeneen Hill	CEO applicant
Tyler Hill	CEO Applicant

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

APPROVE MINUTES of the OCTOBER 10, 2023 REGULAR TOWN BOARD MEETING: Councilwoman Giancarlo motioned to approve the October 10th minutes and was seconded by Councilman Muffoletto. 4 ayes, 0 nays. **MOTION CARRIED.**

SUPERVISOR'S FINANCIAL REPORT: Councilwoman Giancarlo motioned to approve the Supervisor's September Financial Report, seconded by Councilman Muffoletto. 4 ayes, 0 nays. **MOTION CARRIED.**

TOWN CLERK/TAX COLLECTOR'S SEPTEMBER 2023 FINANCIAL REPORT: Supervisor DeCarlo made a motion to approve the Town Clerk's September 2023 Financial report, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED**

COURT CLERK'S SEPTEMBER 2023 FINANCIAL REPORTS FOR KACZMAREK & GIER REGULAR AND BAIL ACCOUNTS: Councilwoman Giancarlo motioned to approve both Bail and Regular Financial accounts for Justice Kaczmarek's & Justice Gier for September 2023, seconded by Supervisor DeCarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

POLICE REPORT FOR OCTOBER 2023: Chief Mark Slawek presented the October police activity report. He advised the Town Board of several scams being conducted on the Seniors in Town. He also noted that an instructor from Erie County would like to come in and do a presentation to teach about the scams. He also mentioned that the post office is very slow at mail delivery and phone bills are being received late. He noted

that the phone bills are not being charged late fees. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

HIGHWAY SUPERINTENDENT REPORT: The Highway Superintendent presented his October Highway Report. Councilman Muffoletto asked the Superintendent to separate the gas usage from the diesel usage for his report. They discussed the possibility of a new big truck. The Superintendent also advised the Board that the Culvert pipe going into the park is sinking. He received a quote for 30" by 40' of pipe, \$1,235.00. The Board acknowledged the need for the new pipe. Supervisor DeCarlo motioned to accept the report as read, seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

TOWN CLERK'S OCTOBER 2023 ACTIVITY REPORT TO THE BOARD: The Town Clerk read her October 2023 Activity report. The Supervisor then motioned to accept the Town Clerk's report as presented. Councilwoman Marien seconded the motion. 4 ayes, 0 nays. **MOTION CARRIED.**

PLANNING BOARD REPORT: Secretary Ostrowski presented the Planning Board report for November 8th, 2023. The meeting reviewed a Variance application for 10455 Versailles Plank to build a barn that would not meet the 50-foot setback requirements. After discussion, the Planning Board voted to recommend the approval of the application. The application will now be given to the Zoning Board of Appeals for final determination. A second application for a Special Use permit was then reviewed. The permit was to run a small dog breeding kennel facility. The applicant provided his license with NYS Ag & Markets. The Planning Board voted to approve the Special Use permit. The Secretary noted the Planning Board voted to re-appoint Joe Ostrowski as Chairman. Supervisor DeCarlo motioned to approve the report as read, and was seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

ZONING BOARD REPORT: Zoning Board chairman Frank Broughton acknowledged receipt of the Planning Board's paperwork for the Variance application. A ZBA Public Hearing will be scheduled. Supervisor DeCarlo motioned to accept the Zoning Board report into the record, and was seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

PARK'S REPORT: No report was presented.

RECREATION REPORT: No report was presented.

TOWN HISTORIAN REPORT: Tabled.

BRANT FARNHAM SENIORS REPORT FOR NOVEMBER 8TH 2023: The Secretary presented her report for the November meeting. The Senior's Christmas party will be held at the Colony House on Sunday December 10th. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

EXECUTIVE SESSION:

At 7:17 pm, the Supervisor motioned to enter executive session for personnel reasons, seconded by Councilman Muffoletto. 4 ayes, 0 nays. **MOTION CARRIED.**

At 7:30 pm, the Supervisor motioned to close the executive session, seconded by Councilman Muffoletto. 4 ayes, 0 nay. **MOTION CARRIED.**

OLD BUSINESS: No old business presented.

At 7:30 PM, the Supervisor instructed the Town Clerk to read the Public Notice:

The Town Clerk read the notice:

TOWN OF BRANT

LEGAL NOTICE OF PUBLIC HEARING

THE TOWN OF BRANT will hold a public hearing on Tuesday, November 14, 2023 at 7:30 PM at the Brant Town Hall, 1272 Brant North Collins Rd., Brant, New York, regarding the use of Federal Community Development funds in the Town of Brant.

THE TOWN OF BRANT is eligible for a Federal Community Development grant under Title I of the Housing and Community Development Act of 1974, as amended.

THE PURPOSE OF the hearing is to provide an opportunity for Citizens to express Community development and housing needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Brant.

CITIZENS ARE URGED to attend this meeting to make known their views and/or written proposals on the Town of Brant's selection of potential projects to be submitted for possible funding by the Federal Community Development Grant Program.

THE HEARING WILL also present a review of prior Community Development projects and expenditures and a discussion of eligible activities. The meeting room is wheelchair accessible. Those needing special arrangements should call the Town of Brant at (716) 549-0282, ext. 2.

November 6, 2023

By order of the Brant Town Board
Barbara J. Daniel, Brant Town Clerk

Supervisor DeCarlo then motioned to open the public hearing, seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

The Supervisor asked for public comment. No one spoke.

The Supervisor then motioned to close the public hearing, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

NEW BUSINESS:

Supervisor DeCarlo presented the following resolution:

ERIE COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT REQUESTS

WHEREAS, the Brant Town Board submits the following projects to be considered for funding by the Erie County Community Development Block Grant Program during the 2024-2025 grant cycle:

- 1st Priority – Rural Transit Service

NOW THEREFORE BE IT RESOLVED that the Brant Town Board authorizes Mark J DeCarlo, Town Supervisor, to sign, submit and if funded, execute a contract with Erie County Community Development Block Grant (ECCDBG) Program for Rural Transit Service.

Councilwoman Giancarlo motioned to adopt the proposed resolution, seconded by Councilwoman Marien. A roll call vote was taken: Councilwoman Giancarlo-aye, Councilwoman Marien-aye, Councilman Muffoletto-aye, Supervisor DeCarlo-aye. 4 ayes, 0 nays. **RESOLUTION ADOPTED.**

CREATION OF SECOND PART-TIME CODE ENFORCEMENT OFFICER POSITION WITH CIVIL SERVICE:

Supervisor DeCarlo presented the following resolution:

WHEREAS, The Town of Brant has found it necessary to create a second, Part-Time Code Enforcement Officer employment position,

THEREFORE, BE IT RESOLVED, the Town of Brant Town Board requests the additional part-time position be added to its Civil Service Inventory.

Councilman Muffoletto motioned to adopt the proposed resolution, seconded by Councilwoman Marien. A roll call vote was taken: Councilman Muffoletto-aye, Councilwoman Marien-aye, Councilwoman Giancarlo-aye, Supervisor DeCarlo-aye. 4 ayes, 0 nays. **RESOLUTION ADOPTED.**

APPOINTMENT OF TWO CODE ENFORCEMENT OFFICERS: Supervisor DeCarlo motioned to approve the appointment of Tyler Hill as Code Enforcement Officer for the Town of Brant at a salary of \$7,500.00 annually. His motion also included the appointment of Jeneen Hill at a salary of \$7,500.00 annually. Pay for both positions will be effective immediately. Both positions will have a one-year probationary period to expire in November 2024. If both probationary periods do well, their one-year terms will be re-appointed at the Organizational Meeting in January. Councilman Muffoletto seconded the motion. A roll call vote was taken: Supervisor DeCarlo-aye, Councilman Muffoletto-aye, Councilwoman Giancarlo-aye, Councilwoman Marien-aye. 4 ayes, 0 nays. **MOTION CARRIED.**

SET PUBLIC HEARING DATE FOR PROPOSED LOCAL LAWS #2 and #3 of 2023: Supervisor DeCarlo motioned to set December 12th, 2023 to hold a public hearing to consider the adoption of Local Law #2-2023 "*Updating the Senior Citizens Property Tax Exemption*" at 7:30 PM, and Local Law #3 of 2023 "*Exemption for Persons with Disabilities and Limited Income*" at 7:35 PM. Councilwoman Marien seconded the motion. A roll call vote was taken: Supervisor DeCarlo-aye, Councilwoman Marien-aye, Councilwoman Giancarlo-aye, Councilman Muffoletto-aye. **MOTION CARRIED.**

APPOINTMENT TO FILL ZONING BOARD OF APPEALS VACANT POSITION: Supervisor DeCarlo motioned to approve the appointment of Richard Vespa to the ZBA position vacated by Joseph Gardyjan. The term will end December 31, 2023 to finish the term of Joseph Gardyjan. Councilwoman Giancarlo seconded the motion. 4 ayes, 0 nays. **MOTION CARRIED.**

APPOINTMENT TO FILL ALTERNATE POSITION IN ZONING BOARD OF APPEALS: Supervisor DeCarlo motioned to approve the appointment of Hannah Broughton as an Alternate member of the Zoning Board of Appeals, term to end December 31, 2024. Councilwoman Giancarlo seconded the motion. 4 ayes, 0 nays. **MOTION CARRIED.**

REAPPOINT JAMES HOOGE TO THE BOARD OF ASSESSMENT & REVIEW: Supervisor DeCarlo motioned to approve the reappoint of James Hooge to the Board of Assessment and Review, term to be October 2023 to September 2024. Councilwoman Giancarlo seconded the motion. 4 ayes, 0 nays. **MOTION CARRIED.**

LATER TABLED

DISCREPENCY IN REAPPOINTMENT OF JAMES HOOGE: Joseph Ostrowski spoke regarding the appointment of James Hooge. He noted that James Hooge would need to be appointed as Board of Assessment and Review Chair (1 yr) and Board of Assessment & Review member for a 5-year term. The Board then tabled the reappointment until next month.

APPOINTMENT OF DIANE CZYZ AS ALTERNATE MEMBER OF THE BOARD OF ASSESSMENT AND REVIEW:

Supervisor Mark DeCarlo motioned to appoint Diane Czyz as an alternate member of the Board of Assessment and Review for a 1-year term to end September of 2024. Councilwoman Marien seconded the motion. 4 ayes, 0 nays. MOTION CARRIED.

SET PUBLIC HEARING DATE FOR FIRE PROTECTION AND AMBULANCE SERVICES: Supervisor DeCarlo motioned to set the Public Hearing to consider the proposed new contracts for the Fire and Ambulance contracts for Tuesday December 12, 2023 at 7:45 PM. Councilwoman Giancarlo seconded the motion. 4 ayes, 0 nays. MOTION CARRIED.

TOWN BOARD REPORTS:

The Supervisor asked if anyone had anything to report.

COUNCILWOMAN MARIEN: Councilwoman Marien spoke of the success of the recent Trunk or Treat event. She stated that at least 70 children attended the event. She then advised those present to watch for the advertisement of the Tree lighting ceremony. She advised that there will be live music. She then noted that she is looking into the Highway Barn letters. It was suggested to hire someone to recreate the two litters that are missing. They are made of wood. Donna suggested the picnic guy make them.

COUNCILMAN MUFFOLETTO: Nothing to report

COUNCILWOMAN GIANCARLO: She updated the Town Board regarding the informational sign for the Park entrance. She stated Lenny is not doing well and has been unable to get a commitment letter from the Pero's. She confirmed that Chiavetta's have committed. She then noted that many people are of the opinion that an LED sign would be better. Because the cost would be \$25 to \$30 thousand dollars, the only way the Town can do that is if the area business and people donate towards it. She commented that a plaque could be installed on the sign to recognize those who donated. She asks for letters from those who wish to donate.

PRIVILEGE OF THE FLOOR:

MIKE DONLIN OF 165 LOTUS POINT ROAD: Mr. Donlin asked the Town Board to advise of the next step in his application for Special Use Permit. Supervisor DeCarlo stated he will have the code enforcement officer reach out to him.

DEBRA RITZ: Advised the Town Board that Mr. Donlin needs to know what to do to get his application going. She noted concern over the delay.

LYNDA OSTROWSKI: Lynda reminded everyone about the craft show to benefit SHARE scheduled for November 18th at the Senior Community Building.

Meetings & Correspondence:

- The first November sales tax remittance is in. The current transfer rate is .85 % greater than the corresponding 2022 amount. Year-to-date transfers are running 2.55% above last year at this time.

Supervisor DeCarlo announced the next regular Town Board meeting will be Tuesday December 12, 2023 at 7 PM.

Supervisor DeCarlo read the Abstract (11 of 2023):

ABSTRACT 11 of 2023

*Prepaid and unpaid as of 11/14/23 Total Claims **\$ 158,103.48**

Gen Fund Town wide Vouchers Totaling: **\$ 130,748.46**

Gen Fund – Part Town Voucher Totaling: **\$ 18,291.76**

Highway T.W. Vouchers Totaling: **\$ 4,128.78**

Highway P.T. Vouchers, Totaling: **\$ 2,334.24**

Street Lighting: Voucher Totaling: **\$ 2,600.24**

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

PAYROLL (3 pay periods):

General Town Wide Payroll 9/24/2023-11/4/2023 – Totaling **\$ 67,393.68**

General Part Town Payroll 9/24/2023-11/4/2023 Totaling: **\$ 567.26**

Highway Payroll TW 9/24/2023-11/4/2023 Totaling: **\$ 9,527.41**

Highway Payroll PT 9/24/2023-11/4/2023 Totaling: **\$ 0**

Supervisor DeCarlo motioned to approve Abstract 11 of 2023, seconded by Councilwoman Giancarlo. A roll-call vote was taken: Supervisor DeCarlo-aye, Councilwoman Giancarlo-aye, Councilman Muffoletto-aye, Councilwoman Marien-aye. 4 ayes, 0 nays. **MOTION CARRIED.**

At 7:53 pm, Supervisor DeCarlo motioned to adjourn the meeting, seconded Councilwoman Marien seconded the motion. 4 ayes, 0 nays. **MOTION CARRIED.**

Respectfully submitted by,

Barbara J Daniel
Brant Town Clerk