

This Regular Meeting of the Brant Town Board was held on Tuesday, April 19th, 2022 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
Janice Ross	Councilwoman
Linda Giancarlo	Councilwoman
William Trask, Sr.	Town Attorney
Barbara Daniel	Recording Secretary

Absent was: Michael Muffoletto Councilman

ALSO PRESENT / SIGNED IN WERE:

Donald Hepkins	Police Chief
Andrew Lonkey	Empire Collision
Daryl Novoa	Highway
Ellsworth Nolan	Highway Superintendent
Allen Nolan	Building Superintendent
Tracy Kaczmarek	Supervisor's Secretary
Phil Tremblay	Police Officer
MaryLou Vaughan	Resident
Brian Rott	Resident
Debra Ritz	Resident/Planning Board member
Lynda Ostrowski	Planning Board Secretary
Joseph Ostrowski	Planning Board Chairman

The meeting opened at 7:00 PM.

THE MEETING OPENED WITH A PLEDGE TO THE FLAG

MINUTE APPROVAL MARCH 8, 2022 REGULAR TOWN BOARD MEETING: Councilwoman Giancarlo requested a notation made within the March minutes be removed. (The notation was the mention of the Police Chief's efforts to get the Town Board's attention regarding the discussion that was occurring). Councilwoman Ross then motioned to approve the minutes with the amendment notated. She was seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

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

BUDGET MODIFICATION: No Budget modifications were presented.

TOWN CLERK/TAX COLLECTOR'S FEBRUARY 2022 FINANCIAL REPORT: Supervisor DeCarlo motioned to accept the Town Clerk's Financial Report for February 2022, seconded by Councilwoman Ross. 4 ayes, 0 nays. **MOTION CARRIED.**

COURT CLERK'S FEBRUARY 2022 FINANCIAL REPORTS FOR JUSTICES GIER AND KACZMAREK REGULAR AND BAIL ACCOUNTS: Supervisor DeCarlo motioned to approve both Bail and Regular Financial accounts

for Justice Gier and Justice Kaczmarek's February 2022, and was seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

DOG CONTROL OFFICER'S JANUARY THRU MARCH 2022 REPORT: A question was asked regarding liability insurance on the dog kennel. The DCO responded that the Town placed liability insurance on the kennel while Supervisor Pero was in office. The DCO's liaison was asked to ensure there was still coverage on the kennel. Supervisor DeCarlo motioned to accept the report as read, seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

POLICE REPORT FOR MARCH 2022: Chief Hepkins read his report. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

PRESENTATION OF RETIREMENT BADGE TO RETIRING OFFICER PHIL TREMBLAY: The Police Chief then asked the Town Board to present Officer Tremblay with a retirement badge for the years of service he put into the Town of Brant. The Town Board posed for a photo with Officer Tremblay as they presented his badge.

HIGHWAY SUPERINTENDENT MARCH 2022 REPORT: Highway Superintendent Ellsworth Nolan presented the March Highway report. He advised the Town Board that Daryl may have Jury Duty. He then asked about ordering speed limit signs for the new speed limit on Versailles Plank. It was determined that he should order the signs and put them up. He noted that he will be placing the new speed limit signs from the Reservation line on Versailles Plank and Route 249. Chief Hepkins noted that a 30 day warning period will follow the installation of the new signs. The Superintendent also asked about what they want to do about the retention pond. Supervisor DeCarlo noted that Councilman Muffoletto has looked into it and was going to speak about it tonight. Other discussion pertained to the removal of the dead tree on Versailles Plank. Attorney Trask stated the work would be subject to prevailing wage laws. Upon review of the quotes, the Board decided on hiring Sammy Sicurella's Twin Pines tree service at a quoted rate of \$1,850.00. Supervisor DeCarlo motioned to accept the report as read, seconded by Councilwoman Giancarlo. 5 ayes, 0 nays. **MOTION CARRIED.**

PLANNING BOARD MINUTES: The Planning Board report for the April 5, 2022 meeting was presented by Secretary Lynda Ostrowski. The report noted that the current Town of Brant code is inadequate regarding the handling of site plans, non conforming uses and Special Use permits. The Town of Alden's code will be reviewed for help with updating Brant's. Councilwoman Marien then asked about the changing of setbacks as they relate to the zoning code. Chairman Ostrowski noted that it would require the Town's Zoning Board of Appeals review. Attorney Trask added that it would require changes be made to the current zoning code, if setbacks are to be changed. Supervisor DeCarlo then added that he is speaking with the Grant writer about obtaining grant funding to update the Town's Master Plan. He is hoping to have information for the May meeting. Supervisor DeCarlo motioned to approve the Planning Board minutes, seconded by Councilwoman Ross. 4 ayes, 0 nays. **MOTION CARRIED.**

ZONING BOARD REPORT: No meeting held

RECREATION REPORT: No recreation report present.

TOWN CLERK'S REPORT TO THE BOARD: The Town Clerk's March activity report was presented by the Town Clerk. Supervisor DeCarlo motioned to accept the report as read, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

QUESTION REGARDING PROPOSED AUDIT: Councilwoman Marien asked if the Town Board was going to follow through on an audit of the Town Clerk's office. Town Clerk Barbara Daniel reminded the Town

Board that she has requested an audit as far back as September of last year. Councilwoman Ross stated that she felt any department that handles money should be audited. Attorney Trask noted that Drescher & Malecki would be willing to perform an audit every year across all departments that handle money. He also noted that performing annual audits will require annual budgeting for it.

PARK COMMISSIONER'S REPORT: Nothing to report.

TOWN HISTORIAN REPORT: Tabled

BRANT SENIOR'S REPORT: The April 6th Senior's report was presented by Lynda Ostrowski. Ostrowski advised the Town Board that the Senior's will need the Town Board's permission to continue to use the Town's EIN# for their bank account. The Supervisor's Secretary stated she spoke with the bank and they require the Supervisor to sign the signature card authorizing them to use the Town's EIN#. Attorney Trask noted that to allow the Senior's to use the Town's EIN means the Town is assuming some responsibility for the record keeping of their books, and he noted that going forward, the Town would then need financial reports from the Senior Organization. Further discussion mentioned the Senior's applying with the IRS for their own EIN number. It was noted that they are an un-incorporated Association and not a tax exempt organization so they will be answerable to the IRS directly. The current name on the Bank account for the Senior's is not their legal name, and therefore needs to be changes to the correct legal name: Brant Senior Citizen's Organization. Because of this correction, the bank is requiring proof that the Town Board has approved their continued use of the Town's EIN#. After further discussion, Supervisor DeCarlo stated he will make some phone calls and discuss the issue further with the Senior's. Supervisor DeCarlo motioned to accept the report as read, seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. MOTION CARRIED.

CODE ENFORCEMENT OFFICER REPORT FOR MARCH 2022: Code Officer Gary Brecker was absent due to NYS training. His March report will be tabled until next month.

OLD BUSINESS:

CONTINUATION OF THE ANDREW LONKEY SPECIAL USE PERMIT APPLICATION:

On the 8th of March, 2022 at 7:30 P.M. the Brant Town Board reviewed the application for Special Use Permit from Andrew Lonkey to operate an automobile repair & Collision shop at their location at 10936 Southwestern Boulevard, otherwise identified as SBL# 266.00-2-17 within the Town of Brant New York. During the public hearing, the Town Board felt the Site plan was inadequate, and lacked certain details. The Public Hearing was then postponed until the April meeting. The Town Board now had the updated Site review.

Discussion:

Attorney Trask advised the Town Board to exempt Mr. Lonkey's Special Use permit renewal during the upcoming Special Use Permit renewal process coming in June. His next renewal review would then be June of 2023.

As for the site review, it now clearly showed the location of the handicapped parking spot. It also detailed the required fence for the storage area. The site showed the fence to be 8 feet high with a black mesh over it. The plan also showed the gate location. At this time, Supervisor DeCarlo motioned to approve the special use permit, and to exempt the Lonkey Application from renewal in June of 2022.

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

The Code Enforcement Officer will send a letter of approval to the Andrew Lonkey. The letter will contain the conditions of the permit.

NEW BUSINESS:

Recreation fees/Attendant wages: Supervisor DeCarlo requested suggestions for the 2022 Recreation fee schedule. A fee schedule was given to all Board members. It showed options of 10 & 20% increases. For example, last year's cost for 1 "resident" child at \$95. A 10% increase would bring the cost to \$105.00.

Councilwoman Giancarlo requested no increase. The Board discussed the options. Councilwoman Ross noted that no increase occurred last year. Councilwoman Marien reminded the Board that an increase in Recreation wages must be accounted for in the cost to run the program. Supervisor DeCarlo suggested the Town increase the non-resident fees. The Board then began to evaluate the wages paid to Rec attendants in an effort to determine the cost per child for the rec program. The increase would require the Recreation fees to be raised by 10% across the board for both residents and non residents. Supervisor DeCarlo then made a motion to approve the new wages for the Recreation employees, seconded by Councilwoman Marien. A roll call vote was taken: Supervisor DeCarlo-aye, Councilman Marien-aye, Councilwoman Giancarlo-aye, Councilwoman Ross-aye. 4 ayes, 0 nays. MOTION CARRIED.

The wages were adopted as follows:

Rec Attendants: Were \$12.50/hour, Now \$13.20/hour

Rec Supervisor: Was \$19.15/hour, Now \$20.00/hour

Lifeguards: Were \$13.00/hour, Now \$13.70

Lifeguard/pool supervisor: Was \$14.00/hour, Now \$14.70/hour

The Supervisor's Secretary then spoke advising the Board that it may be difficult to find lifeguards this year because other Town's are paying higher wages, and use a sliding scale for returning lifeguards. At this time, the Supervisor discussed the possibility of raising the lifeguards to a pay scale closer to other Towns. After discussion the Town Board decided that a new spreadsheet describing lifeguard pay rates would be created for the May meeting. The new spreadsheet will take into account how the increase in Rec fees will affect the bottom line costs. Therefore, the pay increase listed above for lifeguards is a tentative figure until further discussion at the May meeting.

Councilwoman Ross asked if there is a standard policy for the lifeguard certification. She questioned the differences in cost. Park Commissioner Allen Nolan noted that he has a person that will train all the lifeguards this year.

2022 RECREATION FEE INCREASE: At this time, Supervisor DeCarlo motioned to raise the Recreation fees by 10%. Councilwoman Marien seconded the motion. A roll call vote was

taken: Supervisor DeCarlo-aye, Councilwoman Marien-aye, Councilwoman Giancarlo-aye, Councilwoman Ross-aye. 4 ayes, 0 nays. MOTION CARRIED.

BUS DRIVER PAY SET: Supervisor DeCarlo motioned to approve the following pay rate for the bus drivers. The bus driver increases will be as follows:

Bus Drivers: Was \$57/day, Now \$75/day

Bus Driver for Field trips: Was \$135/day, Now \$150/day

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

E-WASTE FEES: Councilwoman Marien announced the new eWaste fees to be imposed:

- Tube type monitors and TV's are free for Town Residents with a limit of 1. For non-residents, the fee is \$25.00
- Tire drop offs are free for Town residents with a limit of 4. Non-residents will be charged \$5.00/tire with NO rims allowed.

Supervisor DeCarlo motioned to accept the new e-Waste fees as listed above, and seconded by Councilwomen Marien and Giancarlo. 4 ayes, 0 nays. MOTION CARRIED.

POOL FEE INCREASE: The new pool fee schedule was presented as follows:

- Individual day passes will increase to \$5.00 from \$3.00
- Family Pass will include 4 people for \$100.00 with \$25 for each additional family member
- Senior Summer pass: \$25.00
- Individual Summer Pass: \$45.00

Supervisor DeCarlo motioned to accept the new Pool fee increase as listed above, seconded by the Town Board. 4 ayes, 0 nays. MOTION CARRIED.

COMMITTEE REPORTS

- **Councilwoman Marien:** Easter egg hunt was great. 130-140 kids attended. The Board thanked Brian Rott for his donation and help.
- **Councilwoman Giancarlo:** Brant Summer Festival is moving along. There will be a "Burn-out" event. Attorney Trask advised to check with insurance before the event is held. Parade line-up be begin at 11:30 am on Saturday the 18th. It will be "Hero" themed. It will start in the St. Anthony's Church parking lot in the Village, and end (for the walkers) at Sicurella's horse farm, and the driving portion of the parade will continue across Route 20 to the park. A new Facebook page called the "Brant Bulletin" and everyone is invited to join. The Bounce house will be free. There will also be free children's games.
- **Supervisor DeCarlo:** Nothing to report
- **Councilwoman Ross:** Nothing to report

PRIVILEGE OF THE FLOOR:

Daryl Novoa, Highway employee, asked if the Town could get drinking water to the Highway garage for this summer. Supervisor DeCarlo responded that he will make sure water is available to the highway department.

Tracy Kaczmarek then asked what the Town Board would like to see in the new spreadsheet for the proposed Recreation expenses. Councilwoman Giancarlo responded that an estimate of income and outgoing expenses. Supervisor DeCarlo stated we need the total number of hours the lifeguards have worked over a season. In other words, the total wages, from a budgetary standpoint.

Meetings & Correspondence:

- The second April sales tax remittance is in. The current transfer is 19.61% greater than the corresponding 2021 amount. Year-to-date transfers are running 18.4% above last year at this time.

Supervisor DeCarlo read the Abstract:

ABSTRACT 4 of 2022

*Prepaid and unpaid as of 3/8/22 Total Claims **\$ 85,842.38**

Gen Fund Town wide Vouchers Totaling: **\$ 52,678.77**

Gen Fund – Part Town Voucher Totaling: **\$ 18,647.50**

Highway T.W. Vouchers Totaling: **\$ 6,415.81**

Highway P.T. Vouchers, Totaling: **\$ 3,962.57**

Street Lighting: Voucher Totaling: **\$ 4,137.73**

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

PAYROLL (2 pay periods):

General Town Wide Payroll 2/27/22-3/26/22 – Totaling **\$55,618.05**

General Part Town Payroll 2/27/22-3/26/22 Totaling: **\$734.32**

Highway Payroll TW 2/27/22-3/26/22 Totaling: **\$7,848.74**

Highway Payroll PT 2/27/22-3/26/22 Totaling: **\$0**

Supervisor DeCarlo motioned to approve Abstract 4 of 2022, seconded by Councilwoman Giancarlo. A roll-call vote was taken: Supervisor DeCarlo-aye, Councilwoman Giancarlo-aye, Councilwoman Marien-aye, Councilwoman Ross-aye. 5 ayes, 0 nays. **MOTION CARRIED.**

Next REGULAR Town Board meeting is Tuesday May 10, 2022 at 7 PM.

At 8:21 PM Supervisor DeCarlo motioned to enter executive session for personnel and contractual reasons. He added that no actions will follow the session, and the meeting will be adjourned in memory of Margaret Bates, Phyllis George, Martin Crouse, Dennis Dombrowski, Charles Winters and Edward Brant. Councilwoman Giancarlo seconded the motion. 4 ayes, 0 nays.

At 9:36 PM Supervisor DeCarlo motioned to close the executive session and adjourn the meeting, seconded by Councilwoman Ross. 4 ayes, 0 nays. MOTION CARRIED.

Respectfully submitted by,

Barbara J. Daniel
Brant Town Clerk