

This Regular Meeting of the Brant Town Board was held on Tuesday, July 12th, 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
Mike Muffoletto	Councilman
Linda Giancarlo	Councilwoman
William Trask, Sr.	Town Attorney
Barbara Daniel	Recording Secretary

Absent:

Janice Ross	Councilwoman
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ALSO PRESENT AND LEGIBLY SIGNED IN WERE:

Donald Hepkins	Police Chief
Mark Slawek	Police Lieutenant
Tracy Kaczmarek	Supervisor's Secretary
Ellsworth Nolan	Highway Superintendent
Amanda Palmer	Deputy Town Clerk
Brian Rott	Resident
Kristen Podkulski	Resident
Joe Giancarlo	Resident
Joe Gardyjan	ZBA
Dolly Huffnagle	Farnham Village Trustee

The meeting opened at 7:00 PM.

THE MEETING OPENED WITH A PLEDGE TO THE FLAG

MINUTE APPROVAL June 14, 2022 REGULAR TOWN BOARD MEETING: Councilman Muffoletto motioned to approve the minutes, seconded by Supervisor DeCarlo. 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.**

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

COURT CLERK'S May 2022 FINANCIAL REPORTS FOR KACZMAREK REGULAR AND BAIL ACCOUNTS: Councilmen Muffoletto motioned to approve both Bail and Regular Financial accounts for Justice Kaczmarek's for May 2022, and was seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED. (Judge Gier's reports were tabled)**

DOG CONTROL OFFICER'S REPORT FOR June 2022: the Dog Control Officer presented her June dog report. She advised of a who can't afford the impound fees (\$168) for her 2 dogs. She advised the Town

Board that she is about to sue Mr. Yoder in small claims for \$3,000 for leaving unfinished work and incorrectly installing materials on the kennel. She will be asking for the full \$3,000 because whatever was installed was done wrong (i.e. he covered over all the vents which means the kennel can no longer be heated with anything but electric) Supervisor DeCarlo motioned to approve the report as read, seconded by Councilman Muffoletto. 3 ayes, 1 abstain. **MOTION CARRIED.**

Councilwomen Giancarlo explained that she refrained from voting until a policy is made. The Board said they will create a policy in case a situation with a resident not be able to pay impound fees. Attorney Trask said not to do anything until a policy is in place.

POLICE REPORT FOR June 2022: LT. Slawek read the June Police report. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwomen Giancarlo. 3 ayes, 0 nays. **MOTION CARRIED.**

Highway Report for June 2022: Ellsworth Nolan read his report. Gave the board quotes for oil & stoning the roads, Perry st, Detroit st, Versailles Plank, Morley rd & Railroad ave, \$90, 414.00 . The Park road will cost \$5,546.00. He request to purchase a box scraper for the back of the John Deere Tractor, LandPro Quoted \$1475 & \$1395 from Tractor Supply. He Requested someone but it on the Brant Web page & Send Thank you cards, to the Reservation & Farnham fire Depts. for filling the Brant Pool. Farnham Donated all the water, They are not going to charge the Town. He requested that the town pay for a portion of Peter's & Daryl's Phone bill as this is the only way he can get ahold of them during the day. Supervisor DeCarlo then motioned to approve the report as read, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

Town Clerk's Report for June 2022: The Town Clerk read her report. The Board is requesting a copy of the current rental agreement to make changes when a cancellation occurs. The Supervisor said they will make a decision at next board meeting about the requested cancellations for the month of July. Supervisor DeCarlo then motioned to approve the report as read, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

CODE ENFORCEMENT OFFICER'S REPORT: Tabled

Councilwoman Marien mentioned that she had driven around Town and then she read from a list of properties that need to be looked at for property maintenance issues:

1051 Brant Farnham Rd
10754 Brant Angola Rd
10284 Brant Angola Rd, junk cars in field
House between 1830 & 1838 Milestrip Rd
Shirl's Pick-A-Toy house
Lonkey – someone living upstairs
1st house on the left after Hardpan Rd

A letter containing these addresses will be given to the Code Officer.

At this time, Supervisor DeCarlo acknowledged Jeffrey Sulry, representative from Assemblyman DiPietro's office. The representative stated he was here to remind people they can contact his office at (716) 665-0951 with any assistance they may need.

PLANNING BOARD MINUTES: The Planning Board report for their June 7th meeting was read by Supervisor DeCarlo. Supervisor DeCarlo then motioned to approve the report as read, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

RECREATION DIRECTOR'S REPORT: No report was presented but it was noted that 140 kids were signed up.

TOWN HISTORIAN REPORT: Tabled

BRANT SENIOR'S REPORT: Tabled

OLD BUSINESS: No old business

NEW BUSINESS:

TOWN HALL PHONE SYSTEM: Supervisor DeCarlo asked Building Superintendent Allen Nolan about the quotes received for upgrading the Town's phone system. Mr. Nolan advised the Town Board that if they do not upgrade the system, the next time the phones go down, it will take more than three days to get the phones up and running again. Allen also noted that without a maintenance policy in place, we won't be able to change voice greetings on the phones or any other issues. A proposal was received from NFP Telecom in the amount of \$2,290 to upgrade the system plus \$509 per year of the maintenance agreement. It was noted that a maintenance agreement will not be available unless the Town upgrades the system. Mr. Nolan continued that if the Town does not upgrade, then the Town will be invoiced for \$744 the recent services to repair the phones.

DISCUSSION REGARDING PROPOSED NEW BLDG AT BRANT TOWN PARK: At this time, Councilwoman Giancarlo asked to speak under old business about the pole barn (24' x 40') she is requesting for the Town Park. She asked if the Board had gone down to the park to review the proposed location (near the Recreation bldg.) to see if that would be something they would like to do. The quote she received was \$7,300.00 from Build-A-Barn. She added that with a little help from our employees and some of our Officials, they offered to put it up. She added that all those who use the area would benefit from it. Supervisor DeCarlo then asked if it might be better to build onto the end of the existing Recreation pavilion in the shape of an "L" or a "T". He was concerned that the proposed location would interfere with the viewing of the football field. Councilman Muffoletto spoke of the quote he received from an Amish contractor in the amount of \$17,000 for everything.

Highway Superintendent Ellsworth Nolan asked if the Town Board could have chicken wire installed under the rafters of the Recreation pavilion to stop birds from nesting on them. The board acknowledged his request.

Attorney Trask then noted that any work conducted by non employee workers, must be paid under prevailing wage. Supervisor DeCarlo asked what the cost of Cement would be. Ellsworth will look into the square footage pricing. Councilwoman Marien stated she would like to hold off with the building because the Town has other things they need to spend money on. Councilwoman Giancarlo reiterated that she would like the Board to make a decision now but that it can wait until the next regular Town Board meeting.

At this time Beth Czaster spoke about the proposed project. She asked the Town Board why they would build the structure during the highest price of lumber. Also, she noted that the building will not be able to be rented to anyone while someone is renting the Rec building because that is all one area. Beth also noted the \$15,000 being "not spent". Councilman Muffoletto then responded that the original agreement about the \$15,000 that was placed in the Budget for the Brant Festival was on the agreement that through donations and fund raisers, the money would be replenished, and that it was

never intended to be spent. Another question was the liability of have volunteers building the structure. Allen Nolan reiterated that the Town Board stated that no one can assist with painting the kennel because of the liability. Supervisor DeCarlo then noted that the Town Board will not be making a decision tonight.

PRIVILEGE OF THE FLOOR:

Marylou Vaughan from Wide Beach then spoke about a problem she is having with a floodlight pointing towards her home that turns on at all hours of the night. She stated it was a quality of life issue and needs help from the Town. Supervisor DeCarlo stated he needs time to look into the code to see if there are regulations for floodlights. He will get back to her.

Meetings & Correspondence:

- The second July sales tax remittance is in. The current transfer is 5.32% greater than the corresponding 2021 amount. Year-to-date transfers are running 10.13% above last year at this time.
- 2nd quarter Sales Tax Distribution received \$157,377 (25% above budget)
- Mortgage Tax (Oct 2021 to Mar 2022) received \$20,295 (74% pf budget; second payment due in the fall.
- Letter from NYS informing we will be receiving the 2nd half of the Total America Rescue Plan Act Local Fiscal Recovery Funds Allocation (ARPA Funds) of \$86,461.00. Payments to be made in the summer of 2022
- Rural Transit is in need of volunteers: Drivers, Substitute Drivers and Office help. Please call them at 716-549-5098

At 7:55 PM, Supervisor DeCarlo then “untabled” the Historical Report as the Town Historian arrived.

Town Historian Patty Friend presented her report for June 2022. The Town Board did not vote to approve. Possible oversight.

Councilwoman Marien commended the way Erie County had set up their Hazardous Waste drop off event held at the Highway Barns on July 9th. She stated the event went smoothly.

Supervisor DeCarlo read the Abstract:

ABSTRACT 7 of 2022

*Prepaid and unpaid as of 7/12/22 Total Claims **\$ 187,910.14**

Gen Fund Town wide Vouchers Totaling: **\$ 43,502.04**

Gen Fund – Part Town Voucher Totaling: **\$ 8,424.20**

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

Highway P.T. Vouchers, Totaling: **\$ 8,028.98**

Street Lighting: Voucher Totaling: **\$ 3,041.92**

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

Fire Protection District: \$ **124,913.00**

PAYROLL (2 pay periods):

General Town Wide Payroll 5/22/22-6/18/22 – Totaling \$ **57,224.93**

General Part Town Payroll 5/25/22-6/18/22 Totaling: \$ **734.32**

Highway Payroll TW 5/22/22-6/18/22 Totaling: \$

Highway Payroll PT 5/22/22-6/18/22 Totaling: \$ **7,094.01**

Supervisor DeCarlo motioned to approve Abstract 7 of 2022, seconded by Councilman Muffoletto. A roll-call vote was taken: Supervisor DeCarlo-aye, Councilman Muffoletto-aye, Councilwoman Giancarlo-aye, Councilwoman Marien-aye. 4 ayes, 0 nays. **MOTION CARRIED.**

Next REGULAR Town Board meeting is Tuesday August 9, 2022 at 7 PM.

At 8:04 PM Supervisor DeCarlo motioned to enter executive session for personnel and contractual reasons. He was seconded by Councilman Muffoletto. 4 ayes, 0 nays. **MOTION CARRIED.**

At 8:51 PM, Councilman Muffoletto motioned to close the executive session and adjourn the meeting in memory of Carmen Vacco. He was seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

Respectfully submitted by,

Barbara J. Daniel
Brant Town Clerk