

This Regular Meeting of the Brant Town Board was held on Tuesday, Sept.13, 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
Michael Muffoletto	Councilman
Linda Giancarlo	Councilwoman
Janice Ross	Councilwoman
William Trask, Sr.	Town Attorney
Barbara Daniel	Recording Secretary

ALSO PRESENT AND LEGIBLY SIGNED IN WERE:

Donald Hepkins	Police Chief
Joe Gardyjan	Resident
Patty Friend	Town Historian
Joe Ostrowski	Planning Board Chair
Lynda Ostrowski	Sec to PB & BOAR
Debra Ritz	Resident
Brian Rott	Resident
Tracy Kaczmarek	Supervisors Secretary
Mary Lou Vaughn	Resident

The meeting opened at 7:00 PM.

THE MEETING OPENED WITH A PLEDGE TO THE FLAG

MINUTES of the AUGUST ,2022 REGULAR TOWN BOARD 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 Supervisor's financial report. Councilwoman Marien seconded the motion. 5 ayes, 0 nays. **MOTION CARRIED.**

TOWN CLERK/TAX COLLECTOR'S August, 2022 FINANCIAL REPORT: Supervisor DeCarlo motioned to accept the Town Clerk's Financial Report for August 2022, seconded by Councilwoman Marien. 5 ayes, 0 nays. **MOTION CARRIED.**

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

DOG CONTROL OFFICER'S REPORT FOR AUGUST 2022: Supervisor DeCarlo motioned to approve the report as read, seconded by Councilman Muffoletto. 5 ayes, 0 nays. **MOTION CARRIED.**

POLICE REPORT FOR AUGUST, 2022: Supervisor DeCarlo read the Police report. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Giancarlo. 5 ayes, 0 nays. **MOTION CARRIED.**

HIGHWAY REPORT for AUGUST 2022 was Tabled until the October Board Meeting.

TOWN CLERK'S REPORT TO THE BOARD: The Town Clerk presented her August activity report. A Motion was made by Supervisor DeCarlo, seconded by Councilwoman Marien to approve the Town Clerk's Report. **MOTION CARRIED**

PLANNING BOARD MINUTES: The Planning Board report for the September, 2022 meeting was read by Secretary Lynda Ostrowski. It was noted that the November Planning Board meeting will be changed to November 9th because of the election. Supervisor DeCarlo then motioned to approve the report as read, seconded by Councilwoman Giancarlo. **MOTION CARRIED.**

ZONING BOARD: No report presented.

RECREATION DIRECTOR'S REPORT: Councilwoman Ross asked for a report on the Recreation Program. Councilwoman Marien questioned the status of the Pickle Ball Court Grant. She asked when the Playground at the Town Hall will be cleaned up. Supervisor DeCarlo responded regarding the pickle ball grant that the Town has been approved for a \$100,000 grant but we need to get specs and bid it out. Supervisor DeCarlo noted that he will speak to the Building Superintendent to schedule when the playground will be cleaned up.

TOWN HISTORIAN REPORT: Patty read the report. She mentioned that Robin Evenhouse of Evenhouse printing has passed away. At the next meeting Josephine Battaglia will be honored. Motion was made by Supervisor DeCarlo and seconded by Councilwoman Ross. **MOTION CARRIED**

FIRE DEPT: No Report.

BRANT SENIOR'S REPORT: Report was read by Secretary Ostrowski. At the Senior's September 7th meeting it was discussed to Invite Assessor Joe DeCarlo, Assessors Clerk, Joanna McDougall, and Supervisor DeCarlo to discuss the "State of the Town". A Motion to approve the report was made by Supervisor DeCarlo, seconded by Councilwoman Marien to approve the Brant Seniors Report. **MOTION CARRIED**

CODE ENFORCEMENT OFFICER'S REPORT: Supervisor DeCarlo read the August report submitted by CEO Gary Brecker. A Motion was made by Supervisor DeCarlo, seconded by Councilwoman Ross approve the Report as submitted. **MOTION CARRIED.**

OLD BUSINESS:

Dog Control Impound Fees policy: The impound fee policy will be left as is.

Park building rental policy: Mark read the old and the new Park Building Rental Policies. Supervisor DeCarlo read the old and new park rental policy:

OLD policy:

Applicant is TOTALLY responsible to PAY FOR ALL DAMAGES OCCURING DURING THEIR RENTAL. A security deposit shall be paid at the time of booking and shall be refunded AFTER inspection of rented area (See rules). If damages amount to more than the amount of the deposit, the balance shall be paid by renter. The rental fee may be paid at the time of booking but NO later

than two weeks prior to the occasion. Deposits are NOT refundable due to cancellations, UNLESS A SUBSTITUTE PART IS AVAILABLE. Checks must be made out to the Town of Brant.

NEW Policy:

Applicant is TOTALLY responsible to PAY FOR ALL DAMAGES OCCURRING DURING THEIR RENTAL. A security deposit shall be paid at the time of booking and shall be refunded AFTER satisfactory inspection of rented area (see rules). If damages amount to more than the amount of the deposit, the balance shall be paid by renter. The rental fee must be paid at the time of booking and is non-refundable unless booking is cancelled no less than 30 days prior to the event. Checks must be made out to the Town of Brant.
Rev. 9/1/22

A motion to approve the policy was made by Supervisor DeCarlo, and seconded by Councilwomen Marien. A roll-call vote was taken: Supervisor DeCarlo-aye, Councilwomen Marien-aye, Councilwoman Giancarlo-aye, Councilmen Muffoletto-aye, Councilwoman Ross. 5 ayes, 0 nays. **MOTION CARRIED.**

Copier Proposal for Brant Court: Councilman Muffoletto spoke of his concerns for the amount of being spent on the printer, adding that we can buy 15 regular printers for that amount of money. Supervisor DeCarlo responded that based on the number of copies currently being made by the Court clerks, and the cost of the toners, it would be more feasible to spend the \$180 per month to lease the printers. The Board agreed and Supervisor DeCarlo motioned to approve the signing of the lease agreement of the new copier/fax machine , seconded by Councilwomen Ross. A roll-call vote was taken: Supervisor DeCarlo-aye, Councilwomen Ross-aye, Councilwoman Giancarlo-aye, Councilmen Muffoletto-aye, Councilwoman Marien. 5 ayes, 0 nays. **MOTION CARRIED.**

NEW BUSINESS:

Supervisor DeCarlo noted that it was necessary to schedule the annual CBDG public hearing for Oct. 11th, 2022 at 7:30pm regarding the application of use of Federal Community Development funds in the Town. Supervisor DeCarlo motioned to approve the Legal Notice , seconded by Councilwomen Giancarlo. 5 ayes, 0 nays. **MOTION CARRIED.**

30 DAY INCLUSION INTO PREDOMINANTLY AGRICULTURAL LAND NOTICE:

The Town Clerk read the notice:

PUBLIC NOTICE 30-DAY PERIOD FOR INCLUSION OF PREDOMINANTLY VIABLE AGRICULTURAL LANDS INTO EXISTING AGRICULTURAL DISTRICTS Per New York State Agriculture and Markets Law Section 303-b, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which landowners may submit requests to include predominantly viable agricultural land into an existing certified agricultural district. Copies of the application form have been provided to Municipal Clerks, Assessors, and Chief Elected Officials for distribution to interested landowners. The application is also available on the DEP website at www.erie.gov/agenrollment. The Erie County Department of Environment and Planning will accept applications from September 1 through September 30. Any questions on this process should be directed to the Erie County Department of Environment and Planning. A public hearing will also be scheduled at a later date to consider all inclusion requests and the

recommendations of the Erie County Agricultural and Farmland Protection Board. CONTACT:
Sarah Gatti, Principal Planner Erie County Environment & Planning 95 Franklin Street, 10th Floor
Buffalo, NY 14202 Phone: (716) 858-6014 Fax: (716) 858-7248 Email: agriculture@erie.gov

SOUND PROOFING OF SENIOR COMMUNITY BLDG:

Sound Proofing for the Senior Building- 6 Panels for \$250.00 to lower the echo in the room,
Janice is requesting 3 sets of 6 panels- the board request to see reviews on the panels. -Tabled

Town Board Reports:

Councilwoman Marien- nothing to report

Councilmen Muffoletto- nothing to report

Councilwoman Ross- nothing to report

Councilwoman Giancarlo- nothing to report

PRIVILEGE OF THE FLOOR:

- Mary Lou Vaughan- She informed the board about the spot light that is shining at her house. There are no laws to prevent this. She Called Gary Brecker & he isn't returning her calls. 96 Wide Beach Oval. She was suggested to speak with her neighbor. Property with 2 spot lights on her house is 108 Wide Beach Oval. Pictures were given to Gary Brecker. Mary Lou is stating that the spot lights are a quality of life issue. Supervisor DeCarlo stated that he would talk to Gary Brecker about this, and for Mary Lou to get his cell phone number from Barb Daniel.

Meetings & Correspondence:

- The 2nd September sales tax remittance is in. The current transfer rate is 8.96 % greater than the corresponding 2021 amount. Year-to-date transfers are running 7.32 % above last year at this time.
- The Assoc. of Erie County Government Meeting is 9/22/22 @ 5:30pm At Curly's in Lackawanna

Supervisor DeCarlo read the Abstract:

ABSTRACT 9 of 2022

*Prepaid and unpaid as of 9/13/22 Total Claims **\$ 213,841.35**

Gen Fund Town wide Vouchers Totaling: **\$ 41,050.29**

Gen Fund – Part Town Voucher Totaling: \$ **64,468.64**
Highway T.W. Vouchers Totaling: \$ **1,945.14**
Highway P.T. Vouchers, Totaling: \$ **91,104.18**
Fire Protection District: \$ **11,530.00**
Street Lighting: Voucher Totaling: \$ **3,743.10**
Brant Water Dist 1 (SS2&SW): – Totaling \$

PAYROLL (3 pay periods):

General Town Wide Payroll 7/17/22-8/27/22 – Totaling \$ **138,399.87**
General Part Town Payroll 7/17/22-8/27/22 Totaling: \$ **1,101.48**
Highway Payroll TW 7/17/22-8/27/22 Totaling: \$
Highway Payroll PT 7/17/22-8/27/22 Totaling: \$ **11,242.22**

Supervisor DeCarlo motioned to approve Abstract 9 of 2022, seconded by Councilwomen Marien. A roll-call vote was taken: Supervisor DeCarlo-aye, Councilwomen Marien-aye, Councilwoman Giancarlo-aye, Councilman Muffoletto-aye, Councilwoman Ross. 5 ayes, 0 nays. **MOTION CARRIED.**

Supervisor DeCarlo announced the next regular Town Board meeting will be Tuesday October 11, 2022 at 7 PM. He also advised the public that the Board will go into executive session and no action will be taken afterwards. He added that the meeting will be adjourned in memory of Frances Notaro, David Wasmund & Ethel Winters.

At 7:47 PM Supervisor DeCarlo motioned to enter executive session for personnel & Contractual reasons, Seconded by Councilwomen Ross. 5 ayes, 0 nays. **MOTION CARRIED.**

At 8:15 pm Supervisor DeCarlo motioned to close the executive session and adjourn the meeting. He was seconded by Councilwoman Marien. 5 ayes, 0 nays. **MOTION CARRIED.**

Respectfully submitted by,

Barbara J. Daniel
Brant Town Clerk