

Minutes of the Organizational Meeting of the Brant Town Board held on January 2, 2003 at the Brant Town Hall, 1294 Brant-North Collins Rd., Brant, New York at 7:00 P.M.

PRESENT:

Samuel Chiavetta Jr.	Supervisor
Dennis Rubeck	Councilman
Ellen Bowman	Councilwoman
Eugene Czyz	Councilman
Martin Rosiek	Councilman

ALSO PRESENT:

John Grennell	Town Attorney
Diane Czyz	Supervisors Secretary
Annette Dispence	Carmen Vacco
Sherman Rieckart	Leah Mirusso
Bill Henry	Alice Escott, Town Crier

Meeting was opened with the Pledge to the Flag led by Supervisor Chiavetta.

Town Clerk, Jamie Nolan, read the legal notice for the "Notice of Meeting" which was published in the Hamburg, SUN.

Councilwoman Bowman moved and Councilman Rubeck seconded that a resolution be adopted that in all matters of parliamentary procedure, ROBERT'S RULE OF ORDER SHALL PREVAIL, except where such rules are inconsistent with any local rule or resolution pertaining to the conduct of Town Business.

ROLL CALL VOTE:

Councilwoman Bowman	aye
Councilman Rubeck	aye
Councilman Czyz	aye
Councilman Rosiek	aye
Supervisor Chiavetta	aye

RESOLUTION ADOPTED 5 ayes no nays

Councilman Rosiek moved and Councilman Czyz seconded that the Rules of Conduct for the order of a Roll Call shall be the following: (1) The Board Member who moves the resolution shall be called upon first to vote. (2) The Board Member who seconds the resolution shall be called upon second to vote. (3) The remainder of the roll call shall be at the discretion of the Clerk. MOTION CARRIED.

A motion was made by Councilman Rubeck, seconded by Councilman Czyz to attend the Association of Towns' Meeting in New York City in February 2003. MOTION CARRIED.

Councilman Rubeck made a motion to adopt a resolution that as it is desirable to attend the Association of Town's Meeting in New York for training purposes, that each department head may designate two (2) officials/employees to attend the Association of Towns Meeting and that each official/employee attending will be allowed a maximum of \$1,000.00 for all expense incurred. Reimbursed expense will include; registration, travel, room and meals. The motion was seconded by Councilman Czyz and a roll call vote taken.

ROLL CALL VOTE:

Councilman Rubeck	aye
Councilman Czyz	aye
Councilman Rosiek	aye
Councilwoman Bowman	aye
Supervisor Chiavetta	aye

RESOLUTION ADOPTED, 5 ayes, no nays.

A motion was made by Councilman Rosiek and seconded by Councilman Czyz that Supervisor Chiavetta be appointed delegate and Councilwoman Bowman be appointed alternate delegate to the Association of Towns Meeting. MOTION CARRIED.

A motion was made by Councilman Rubeck and seconded by Councilwoman Bowman to approve the bonds for Town Officials. MOTION CARRIED.

A motion was made by Councilman Rubeck and seconded by Councilman Czyz that THE SUN, be designated as the official paper and the TOWN CRIER, DUNKIRK OBSERVER and BUFFALO NEWS as alternates. MOTION CARRIED.

A motion was made by Councilman Rosiek and seconded by Councilwoman Bowman that the monthly meetings be held the 2<sup>nd</sup> Tuesday of each month at 8:00 P.M. The only conflicts would be primary day on September 9<sup>th</sup>, and possibly Veterans Day on November 11<sup>th</sup>, which a date to reschedule would be set at a later time. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Rubeck that HSBC BANK, USA and EVANS NATIONAL be designated as depositories. MOTION CARRIED.

A motion was made by Councilman Czyz and seconded by Councilman Rubeck that the appointment recommendations by Town Clerk of Thea Ells, Senior Deputy Clerk at a hourly rate of \$10.35; and Tammy Czyz, Junior Deputy Town Clerks at the hourly rate of \$9.57. Gina DeMaria was also appointed as an as needed base at \$9.57 hourly. MOTION CARRIED.

A motion was made by Councilman Rubeck and seconded by Councilman Czyz that Goldie DeSaverio be appointed the Town Hall Custodian at the hourly rate of \$7.00 be approved. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Czyz that Marge Bates be appointed the Community Building and Recreation Building Custodian at the hourly rate of \$7.00 be approved. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Czyz that Phyllis Muscato be appointed Bingo Inspector at \$25.00 per occasion for a maximum of 12 occasions. MOTION CARRIED.

A motion was made by Councilman Rubeck and seconded by Councilman Czyz that Gary Brecker be appointed as Code Enforcement Officer at a salary of \$6,300.00 per year. MOTION CARRIED.

A motion was made by Councilwoman Bowman seconded by Councilman Czyz that Joe Giambrone be appointed as Superintendent of Buildings, Grounds and Parks at a salary of \$4,300.00 per year. MOTION CARRIED.

A motion was made by Councilman Rubeck and seconded by Councilman Rosiek to adopt a resolution that the Dog Control Officer be under the direct Supervision of the Police Chief.

ROLL CALL VOTE:

Councilman Rubeck	aye
Councilman Rosiek	aye
Councilwoman Bowman	aye
Councilman Czyz	aye
Supervisor Chiavetta	aye

RESOLUTION ADOPTED, 5 ayes, no nays.

A motion was made by Supervisor Chiavetta to go to executive session at the end of the meeting to review the Personnel appointments for Court Clerks, seconded by Councilman Rubeck. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Rubeck that Diane Czyz be appointed Bookkeeper/Secretary to the Supervisor and the salary to be \$14,000.00 per year. Councilman Czyz abstained. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Rosiek that a resolution be adopted to plow private roads for EMERGENCY USE only at the discretion of the Highway Superintendent.

ROLL CALL VOTE:

Councilwoman Bowman	aye
Councilman Rosiek	aye
Councilman Rubeck	aye
Councilman Czyz	aye
Supervisor Chiavetta	aye

RESOLUTION ADOPTED 5 ayes, No nays.

A motion was made by Councilman Rubeck and seconded by Councilman Czyz that the mileage rate for Town Officials be set at .32 cents per mile. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Rubeck that Bill Wesp be appointed as Deputy Highway Superintendent at a rate of \$15.78 hourly, as recommended by the Highway Superintendent. MOTION CARRIED.

A motion was made by Councilman Rubeck and seconded by Councilman Czyz that Willa Rosenblatt be appointed as Clerk to Highway Superintendent at a salary of \$2,650.00 yearly. MOTION CARRIED.

A motion was made by Councilman Rosiek, and seconded by Councilman Czyz that the following salaries be designated for the year 2003 for Elected Officials.

Supervisor Chiavetta	\$13,884.00
TOWN JUSTICES:	
To Be Determined	\$ 7,680.00
Peter F. Gugino	\$ 7,680.00
COUNCILMAN:	
Dennis Rubeck	\$ 4,000.00
Martin Rosiek	\$ 4,000.00
Ellen Bowman	\$ 4,000.00
Eugene Czyz	\$ 4,000.00
TOWN CLERK/TAX COLLECTOR:	
Jamie S. Nolan	\$22,600.00
HIGHWAY SUPERINTENDENT:	
Joseph Giambrone	\$20,400.00
ASSESSOR:	
Joe DeCarlo	\$ 9,000.00
Ronald Kobel, Asst.	\$ 4,500.00
TOWN ATTORNEY/PROSECUTOR:	
John Grennell	\$13,300.00

MOTION CARRIED.

A motion was made by Councilman Rubeck and seconded by Councilman Czyz to set the salaries for Election Inspectors at \$100.00 per day, \$15.00 for school and \$10.00 Chairperson. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Rubeck to appoint Jamie Nolan as Records Management Officer at a salary of \$1,300.00 per year. MOTION CARRIED.

A motion was made by Councilman Rosiek and seconded by Councilman Rubeck to appoint Roseanne Paternostro as Part Time School Crossing Guard at the discretion of the Police Chief, as needed at a salary of \$8.00 per occasion. MOTION CARRIED.

A motion was made by Councilwoman Bowman, seconded by Councilman Rubeck to set salaries for the Highway Department: Deputy Highway Superintendent, Bill Wesp at \$15.78 per hour; Motor Equipment Operator, Marion Kijek at \$15.21 per hour; Truck Drivers at \$10.24 per hour; Laborers at \$10.24 per hour. MOTION CARRIED.

A motion was made by Councilman Rosiek and seconded by Councilman Czyz to adopt a resolution to sign Snow Removal Contract with the Village of Farnham.

ROLL CALL VOTE:

Councilman Rosiek	aye
Councilman Czyz	aye
Councilman Rubeck	aye
Councilwoman Bowman	aye
Supervisor Chiavetta	aye

RESOLUTION ADOPTED. 5 ayes, no nays.

A motion was made by Councilman Rubeck and seconded by Councilwoman Bowman to appoint Carl Militello as Dog Control Officer at a salary of \$4,140.00 per year. Councilman Rosiek, Nay. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Rubeck to appoint Police Officers at a salary of \$12.93 per hour at the recommendation of the Police Chief: John Giacchino, Investigator, Samuel C. Pinto, Patrolman, Ronald J. Raczka, Patrolman, Michael P. Green, Patrolman, Daniel R. Hontz, Patrolman, Ernest P. Masullo, Patrolman (reserve). MOTION CARRIED.

A motion was made by Councilman Rubeck seconded by Councilman Czyz to appoint Sam Pinto as Court Bailiff at an hourly rate of \$12.93. MOTION CARRIED.

A motion was made by Councilman Rubeck seconded by Councilman Czyz to appoint Janet Bowman, Assessors Clerk at a salary of \$10.35 hourly, not to exceed the \$9,900.00 budgeted for the year. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Rubeck to re-appoint Michele Hy as planning board member. MOTION CARRIED.

A motion was made by Supervisor Chiavetta and seconded by Councilwoman Bowman to table the appointment of Planning Board Chairman. MOTION TABELLED.

A motion was made by Councilman Rubeck and seconded by Councilwoman Bowman to appoint John Chiavetta as an alternate to the Zoning Board. MOTION CARRIED.

A motion was made by Councilman Rosiek, seconded by Councilman Bowman to appoint Donald Clark as Zoning Board of Appeals Chairman. Councilman Czyz and Supervisor Chiavetta, Nay. MOTION CARRIED.

A motion was made by Councilman Rosiek and seconded by Councilman Czyz to re-appoint John Grennell as Town Prosecutor and Town Attorney (2 year term). His salary of \$13,300.00 would be a combined salary for both Prosecutor and Attorney positions. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Rubeck to appoint Amy Hamm and Roseann Turner as Police Matrons at a salary of \$18.00 per occasion, as recommended by the Police Chief. MOTION CARRIED.

A motion was made by Councilman Rubeck seconded by Councilman Rosiek to appoint Judith Kranick as Court Stenographer at a salary of \$80.00 per occasion. MOTION CARRIED.

A motion was made by Councilman Rubeck, seconded by Councilwoman Bowman to appoint Julie Sager as Clerk/Secretary of various boards at a salary of \$7.70 per hour. MOTION CARRIED.

A motion was made by Councilman Czyz seconded by Councilman Rubeck to adopt a resolution to pay legal and permissible expenses for Town Officials Documentation of mileage and receipts are required and limited by budgeted amounts.

ROLL CALL VOTE:

Councilman Czyz	Aye
Councilman Rubeck	Aye
Councilwoman Bowman	Aye
Councilman Rosiek	Aye
Supervisor Chiavetta	Aye

RESOLUTION CARRIED, 5 ayes, No nays.

A motion was made by Councilman Rubeck seconded by Councilman Czyz giving authorization for Supervisor to Hire Accountant to do supervisor's Annual Reports. Also to permit bookkeeper, Accountant, and Supervisor to make minor changes at end of year. MOTION CARRIED.

A motion was made by Councilman Czyz seconded by Councilman Rubeck to appoint Richard Gryksa as Town Accountant at a salary of \$10,100 per year to include auditing. MOTION CARRIED.

A motion was made by Councilman Czyz and seconded by Councilman Rubeck to adopt a resolution that all department heads, elected and appointed must consult with the Supervisor prior to the purchase of any item or groups of items costing \$100.00 or more. Exception: Highway Department must consult with the Supervisor prior to the purchase of item or items of \$600.00 or more. All department heads, elected and appointed must also consult with the Supervisor before the hiring of any employee or of any major repair job of the town.

ROLL CALL VOTE:

Councilman Czyz	Aye
Councilman Rubeck	Aye
Councilwoman Bowman	Aye
Councilman Rosiek	Aye
Supervisor Chiavetta	Aye

RESOLUTION ADOPTED. 5 Ayes, No nays.

A motion was made by Councilman Rosiek and seconded by Councilman Czyz to set fees for Town Park Facilities: Recreation Building \$40.00 (includes the adjacent pavilion), Gym \$20.00; Grove Pavilions \$25.00; Community Building \$50.00. A \$50.00 refundable Security Deposit will be charged for each. Fees doubled for Non-residents and organizations. Organizations need to supply a Certificate of Insurance and that no group or individual may rent the whole park. MOTION CARRIED.

A motion was made by Councilman Czyz and seconded by Councilman Rubeck to set the salary of Police Chief at \$39,200.00 yearly. MOTION CARRIED.

A motion was made by Councilman Czyz seconded by Councilman Rubeck to appoint Wayne Falk, Police Chief, to the Youth Outreach Program at a salary of \$4,200.00 yearly. MOTION CARRIED.

A motion was made by Councilman Rosiek and seconded by Councilman Czyz to appoint Dennis Rubeck as Parks Commissioner with no salary. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Rubeck to appoint the Brant and Farnham Volunteer Fire Chiefs and Clark Borngraber as Fire Wardens. MOTION CARRIED.

A motion was made by Councilman Rosiek and seconded by Councilman Rubeck to appoint Ellen Bowman as Census Liaison. MOTION CARRIED.

A motion was made by Councilman Rosiek seconded by Councilman Rubeck to appoint Jamie Nolan as Registrar of Vital Statistics. MOTION CARRIED.

A motion was made by Councilwoman Bowman seconded by Councilman Czyz to set salaries of the Planning Board Members and Zoning Board Members at \$10.00 per meeting and Planning Board Chairman and Zoning Board Chairman at \$15.00 per meeting. MOTION CARRIED.

A motion was made by Councilman Rosiek and seconded by Councilman Czyz to appoint Vincent Fininzio and Jennifer Chiavetta as Recreation Directors. Supervisor Chiavetta Abstained. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Czyz to authorize Accountant and Auditing Committee to audit the Justice Court, Town Clerks and Water District records. MOTION CARRIED.

A motion was made by Councilman Rosiek, seconded by Councilman Czyz to adopt a resolution to authorize the Supervisor to sign the BAN for the highway and sewer as needed upon the recommendation of the Town Attorney.

#### ROLL CALL VOTE:

Councilman Rosiek	Aye
Councilman Czyz	Aye
Councilman Rubeck	Aye
Councilwoman Bowman	Aye
Supervisor Chiavetta	Aye

RESOLUTION ADOPTED. 5 Ayes, no nays.

A motion was made by Councilwoman Bowman, seconded by Councilman Czyz to hire Connie Miner as Grants Consultant as per contract submitted \$14,000.00. MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Czyz that Payroll Timesheets must have an original signature authorization by department heads before being submitted for payment. MOTION CARRIED.

Leah Mirusso also asked if there was a limit to the number of hours a person can work before being considered eligible for benefits.

Supervisor Chiavetta stated that is one item that was going to be discussed when they go into executive session.

Annette Dispenca questioned if the Town had regular part-time employees with hourly rates.

Supervisor Chiavetta stated that most of the appointments are part-time, some departments are only budgeted for a certain number of hours and stick to the budget. Others tend to go over the budget amount year after year.

Leah Mirusso stated that if they continually go over, they could then come back to the Town for full-time benefits.

Annette Dispenca stated that with the school, 26 hours per week and under is considered part-time.

Supervisor Chiavetta stated that the Town has never set the hours for part-time versus full-time and they may need to do so.

Carmen Vacco stated that if they don't consider this, someone may come back and try to sue the town for benefits.

Bill Henry questioned who is the Freedom of Information Act Officer. He was told that the Town Clerk was.

Councilman Rosiek stated that he was not aware of this appointment, if you need information you come in and ask for it. The Town Clerk stated that she does have the forms however, if she did not have access to the information, she would forward it to the appropriate department. She did state that there are certain items that are confidential such as income and personal items. Forms completed in the assessor's office based on income limits are not subject to the freedom of information act.

Attorney Grennell stated that some items are exempt from the Act but he was not certain of all the items. He would look more fully into the items and the possible appointment of a Freedom of Information Act Officer appointment.

Leah Mirusso questioned the shoveling of the sidewalks at the Town Hall, sometimes the snow is high making it difficult to enter. The Town Clerk stated that the Contract with DM&K did allow some shoveling and that they do try to come before 9:00 a.m. and court dates, however if we get any amount of snow, it can quickly accumulate. A suggestion was made to have the Superintendents of Buildings and Grounds check it when we get additional snow throughout the day.

A motion was made by Councilman Rosiek seconded by Councilwoman Bowman to appoint Rose Falk as secretary to the police chief as needed. MOTION CARRIED.

Councilman Rubeck moved and Councilman Czyz seconded to accept Supervisor Chiavetta's appointments for 2003 and the first name is the head of that committee.

Deputy Supervisor	Councilman Rubeck
Police Committee	Supervisor Chiavetta, Councilman Rubeck
Highway Committee	Councilman Rubeck, Supervisor Chiavetta
Park Committee, grove & grounds	Supervisor Chiavetta, Councilman Rubeck
Pool	Councilman Rubeck, Supervisor Chiavetta
Recreation Building	Councilman Rubeck, Councilwoman Bowman
Recreation Committee	Supervisor Chiavetta, Councilman Rubeck
Volunteer Fire Dept. Liaison	Supervisor Chiavetta
Employee Benefits	Councilwoman Bowman, Councilman Rosiek
Refuse Committee	Councilman Czyz, Councilman Rosiek
Insurance Committee	Councilman Rosiek, Councilwoman Bowman,
Street Light Committee	Councilman Czyz, Councilman Rosiek
Auditing Committee	Councilman Rosiek, Supervisor Chiavetta

#### TOWN BOARD LIASON TO:

Planning Board	Councilman Czyz
Zoning Board of Appeals	Councilman Rosiek, Councilman Czyz
Board of Assessment and Review	Councilman Rubeck
Assessor's Office	Councilman Rubeck
Town Clerk's Office	Councilwoman Bowman
Town Justice Court	Councilwoman Bowman
Police Chief	Supervisor Chiavetta
Dog Control Officer	Councilman Czyz
Code Enforcement Officer	Councilman Czyz
Telecommunications	Councilwoman Bowman
Master Plan	Councilman Rosiek, Councilman Czyz
Water Committee	Supervisor Chiavetta, Councilman Czyz
Fire & Ambulance Contract	Supervisor Chiavetta
Regionalization Committee	Supervisor Chiavetta, Councilman Rosiek
Erie County Government	Councilman Czyz, Supervisor Chiavetta
Disaster Coordinator Committee	Supervisor Chiavetta, Brant & Farnham Fire Chiefs, Police Chief, Highway Superintendent, Mike Walters

MOTION CARRIED.

A motion was made by Councilwoman Bowman and seconded by Councilman Czyz to go to executive session at 7:52 p.m. MOTION CARRIED.

The meeting was called back to order at 8:37 p.m.

A motion was made by Councilwoman Bowman and seconded by Councilman Czyz to re-appoint Lynda Mason as a member of the Board of Assessment and Review and Joyce Ellis as an alternate member. MOTION CARRIED.

A motion was made by Councilman Rosiek and seconded by Councilwoman Bowman to appoint Linda Crouse at \$8.79 hourly and Michele Browning at \$9.83 hourly as Court Clerks not to exceed the part-time threshold to be determined and the budgeted amount. MOTION CARRIED.

Councilwoman Bowman gave a summary of the interviews on Saturday for the Justice position. She stated that the same ten questions were asked of each applicant and then each were rated. Although most of the candidates were very close in ratings, she recommended Bill Trask for the position to fill the term vacated by the passing of Bill Dispence.

Supervisor Chiavetta stated that the discussion and appointment would be made at the regular meeting to be held on January 14, 2003.

A motion was made by Councilman Rubeck, seconded by Councilman Czyz to adjourn the meeting at 8:52 P.M. MOTION CARRIED.

Respectfully Submitted,

Jamie S. Nolan, Town Clerk

APPROVED BY:

SUPERVISOR CHIAVETTA\_\_\_\_\_

COUNCILMAN RUBECK\_\_\_\_\_

COUNCILWOMAN BOWMAN\_\_\_\_\_

COUNCILMAN ROSIEK\_\_\_\_\_

COUNCILMAN CZYZ\_\_\_\_\_