



# Town of Brant Erie County New York

**SUPERVISOR**  
Leonard K. Perc  
716-549-0301 op

**TOWN CLERK**  
Barbara J Danle  
716-549-0282 opt

**COUNCILMAN**  
Jeffrey W. Gier  
Donald Clark  
Clark H. Borngrab  
Chad Kaczmarek

Hon. Clerk of the County Robert Graber  
Old County Hall  
92 Franklin Street  
Buffalo, NY 14202

February 15, 2013

**Re: Resolution adoped by Town of Brant re: Justice Court funding**

Dear Hon. Robert Graber,

Please forward a copy of the enclosed resolution adopted during a recent regular Brant Town Board Meeting held in the Town of Brant, NY on February 12, 2013.

A roll call vote was taken by the Town Board, and the vote to adopt this resolution was unanimous.

Respectfully submitted,

Barbara J. Daniel  
Brant Town Clerk

1272 Brant North Collins Rd, PO Box 228, Brant, New York 14027 PH (716)549-0282 (716)549-0623  
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STATE OF NEW YORK  
COUNTY OF ERIE  
TOWN OF BRANT

SS.

## RESOLUTION ADOPTED 2-12-13

I, Barbara J Daniel, the duly qualified and acting Town Clerk of the Town of Brant, Erie County, New York, DO HEREBY CERTIFY, that on February 12, 2013, the Brant Town Board held a regular monthly Board, and the foregoing is a true and correct transcript of the aforementioned meeting, which was called, constituted, and duly posted for the public. The resolution below was duly adopted by the said Town Board, is on file in my office, therefore to wit: On a motion from Supervisor Pero and duly seconded by Councilmen Gier, Clark and Kaczmarek, the following resolution was adopted with a roll call vote resulting in:

Supervisor Leonard K. Pero	Voting	Aye	Councilman Kaczmarek	Voting	Aye
Councilman Clark	Voting	Aye	Councilman Gier	Voting	Aye
Councilman Borngraber	Absent				

**4 AYES - 0 NAYS**

WHEREAS, town justice courts provide an essential service that is primarily funded by local real property taxes; and

WHEREAS, the State established reimbursement fund (General Municipal Law GML §99-L), designed to assist towns with the operational expenses of justice courts, has not been amended to reflect an increase in operational expenses for more than a decade; and

WHEREAS, since last amended, the New York State Police discontinued the practice of prosecuting and plea-bargaining traffic violations in town justice courts, placing a burden on local governments to provide prosecutors for traffic violations, thereby further increasing court operational expenses; and

WHEREAS, the 2013-2014 Executive Budget seeks to impose limitations on the plea bargaining process as it pertains to speeding tickets issued to drivers in excess of 20 miles over the posted speed limit.

WHEREAS, state law sets forth the surcharges and fines for many actions adjudicated in town justice courts as well as the distribution of fines and surcharges between the state and the town;

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Brant calls upon the Governor and the State Legislature to increase GML §99-L reimbursement fees to assist local taxpayers in funding justice court operational expenses; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Brant requests legislative action to establish a new surcharge to maintain the office of town prosecutor thereby reducing the expense to town taxpayers; and

BE IT FURTHER RESOLVED that the Town Board of the Town of Brant calls upon the Governor and the State Legislature to ensure that costs associated with new state laws, regulations and policies affecting the courts are not borne by town taxpayers.

I, BARBARA DANIEL, Town Clerk of the Town of Brant, do hereby certify that the foregoing is a full and true transcript of the Resolution passed at the Town of Brant Board Meeting, as Held in the Town of Brant on February 12, 2013, and that said meeting was duly called and Duly constituted and that a quorum was present.

  
Barbara J. Daniel, Brant Town Clerk

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