

This Regular Meeting of the Brant Town Board was held on Tuesday June 16, 2026, at the Brant Town Hall, located at 1272 Brant North Collins Rd, Brant, New York at 7:00 PM.

PRESENT WERE:

Mark DeCarlo Supervisor

Linda Giancarlo Councilwoman

Donna Marien Councilwoman

Tish Brady Councilwoman

mmmmdcclvii. Trask Sr. Town Attorney

Barbara Daniel Recording Secretary

ABSENT WAS: Michael Muffoletto

ALSO, PRESENT AND LEGIBLY SIGNED IN WERE:

Tracy Kaczmarek Supervisor's Secretary

Joe DeCarlo Town Assessor

Janice Ross Resident

Brian Rott Resident

Patty Friend Town Historian

Martin Rosiek Resident

Joe Reynolds Resident

Jana Reynolds Resident

Ayush Dhupar Ironyard Properties, LLC

Cindy Lin Ironyard Properties, LLC

Jim Bodecker Solar Developer (NED)

Patrick Bodecker Solar Intern Engineer (NED)

Jay Vacco WNY Scrap

Kristen Podkulski Deputy Town Clerk

Debby Bushnell Resident

Thomas Bowman Pro Shop

Karen Arcara 2 K's Corporation (SUP)

The meeting opened at 7:15 PM with the Pledge of Allegiance to the flag.

SUPERVISOR'S FINANCIAL REPORT: Councilwoman Brady motioned to approve the Supervisor's Financial Report, seconded by Councilwoman Marien. 3 ayes, 1 nay (Councilwoman Giancarlo opposed). **MOTION CARRIED.**

TOWN CLERK/TAX COLLECTOR'S APRIL 2026 FINANCIAL REPORT: Supervisor DeCarlo motioned to approve the report. Seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

COURT CLERK'S APRIL 2026 FINANCIAL REPORTS FOR KACZMAREK & GIER REGULAR AND BAIL ACCOUNTS: Councilwoman Brady motioned to approve both Bail and Regular Financial accounts for Justice Kaczmarek's & Justice Gier for April 2026, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

POLICE REPORT FOR MAY 2026: Supervisor DeCarlo read the May Police report. Supervisor DeCarlo motioned to approve the report. Councilwoman Marien seconded the motion. 5 ayes, 0 nays. **MOTION CARRIED.**

BULLETPROOF VEST PURCHASE APPROVAL: Supervisor DeCarlo motioned to approve the purchase new bulletproof vests. A Federal grant has been secured by grant writer Connie Miner that will provide 50% of the purchase cost for the vests. *[clerk's note: the Award amount is \$5,339.51]*. Councilwoman Marien seconded the motion. 4 ayes, 0 nays. **MOTION CARRIED.**

DASH CAM QUOTE: A quote for In-Car Video Deployment was also received for review. The camera have a Mobile License Plate reader built in. The dash cams would automatically turn on when a pre-determined speed was reached and/or emergency lights activated, or manually. The cameras can also go on when the officer pulls his gun from its holster. This purchase would be paid off over the course of 5 years at a rate of \$7,500.00 annually, making the total cost \$37,500.00.

HIGHWAY SUPERINTENDENT'S REPORT: tabled

APPROVE MINUTES of the MAY 12, 2026 MEETING: Councilwoman Giancarlo motioned to approve the minutes of the April 14, 2026 Regular Town Board meeting, and was seconded by Councilman Muffoletto. 4 ayes, 0 nays. **MOTION CARRIED.**

TOWN CLERK'S MAY REPORT TO THE BOARD: The report was presented by the Town Clerk. Supervisor DeCarlo motioned to approve the report as presented, seconded by Councilwoman Brady. 4 ayes, 0 nays. MOTION CARRIED.

PLANNING BOARD REPORT: The Town Clerk, who is also secretary to the Planning Board, summarized the meeting held on June 2nd which included review of a proposed site plan amendment from Ironwood Properties, and further review of the two current solar applications. Supervisor DeCarlo motioned to approve the report as presented, seconded by Councilwoman Brady. 4 ayes, 0 nays. MOTION CARRIED.

ZONING BOARD REPORT: No Report.

HISTORIAN REPORTS: Town Historian Patty Friend presented her report. She spoke of her preparations for the Brant Summer Festival. She also noted that the Supervisor's secretary is looking into the possibility of a grant to help with expenses associated with the celebration of the 250-year celebration of the United States. Supervisor DeCarlo motioned to approve the report, seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

FIRE DEPARTMENT REPORT:

May 2026 Complaint Summary

38 activations

EMS 28

F-8 covered 14

8 medical, 1 MVA, 5 M/A to LEB (5 additional dispatch for LEB no crew)

Seneca EMS 9

8 M/A (F-8 did not crew) 1 Higher Level of Care request (CPR in progress)

Erie County EMS

1 M/A F-8 did not crew

Fire 10

All Call 7 mutual aid request for fire. F-2 responded to 4 actual fires.

1 vehicle fire.

1 CO

1 Community Service, Memorial Day Color Guard.

Peter A. Chiavetta

Farnham 9-1

BRANT FARNHAM SENIORS: Councilwoman Brady presented the Senior's June 3rd report. Supervisor DeCarlo motioned to approve the report as presented, seconded by Councilwoman Marien. 4 ayes, 0 nays. MOTION CARRIED.

CODE ENFORCEMENT: Supervisor DeCarlo read the Code Enforcement Officer's report for May. One condemnation letter was issued. Code Officer prepared 10 inspection reports related to the renewal of special use permits. Supervisor DeCarlo motioned to approve the report as read and was seconded by Councilwoman Brady. 4 ayes, 0 nays. MOTION CARRIED.

APPROVAL OF MINUTES OF THE MAY 12, 2026 TOWN BOARD MEETING: Supervisor DeCarlo motioned to approve the minutes of the May 12, 2026 Town Board meeting, seconded by Councilwoman Brady. 4 ayes, 0 nays. MOTION CARRIED.

Prior to the opening of the public hearing scheduled for 7:30 PM, Attorney Bridget O'Toole provided an overview of the contents of the public hearing. Bridget explained that this public hearing is not to approve a Battery Storage project. It is just the Town's effort to be prepared in the event of an application. The law will regulate where they can be situated. The proposed law will provide three different classifications of batteries. The first two will be batteries will be related to use by a property, the third will be where the energy is going stored and sold back to the Grid. The one that sells the energy back to the Grid can only be situated in the Solar Overlay areas. They will need to have a fire safety compliance and response plan. They will also require:

1. Emergency response plan
2. Hazard mitigation analysis
3. Decommissioning plan
4. Maintenance plan
5. Fire Department training
6. Must keep Emergency Contact information in the Town at all times
7. Notice to the local fire companies
8. Applicant required to cover the Town's expense of hiring an expert to review the safety and fire materials, engineers, attorneys, experts, etc.
9. There will be enhanced setback requirements from Schools, occupied residences, parks or other public places.
10. The minimum setback will be 200 feet front setback, 50 feet for a side setback. These may be increased based on the hazard mitigation analysis recommends.

11. There will be design requirements such as height, Lot coverage, access roads, fencing, lighting, screening, noise impacts, etc.
12. Decommissioning and financial security
13. Annual Special Use Permit requirements
14. There will be enforcement tools in the event a project comes out of compliance

At 7:30 PM, Supervisor DeCarlo motioned to open the public hearing, seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. MOTION CARRIED.

The Town Clerk read the Legal Notice:

LEGAL NOTICE

TOWN OF BRANT, NEW YORK

NOTICE OF PUBLIC HEARING

Pursuant to resolution of the Town Board of the Town of Brant, New York, notice is hereby given that a public hearing will be held by the Brant Town Board in the Brant Town Hall, 1272 Brant-North Collins Road, Brant, New York on the 16th day of June, 2026 at 7:30 P.M. Local Time, for the purpose of considering Proposed Local Law No.1-2026 which, if approved, would add to the Town of Brant Zoning Law by establishing regulations for the use of "Battery Energy Storage Systems" in the Town of Brant.

Copies of the proposed local law are available for review in the office of the Town Clerk. All interested parties will be given an opportunity to be heard.

Dated: May 12, 2026

By order of the Brant Town Board

Barbara J Daniel

Brant Town Clerk

DISCUSSION:

Resident Patty Friend asked if all Special Use Permit fees are the same. Attorney Bridget responded that the fee may be adjusted based on Town Board resolution to offset administrative costs. Patty then questioned the language in the law that stated the battery would be "producing" energy. Bridget clarified it as a typo and should have said it will "storing" energy. Bridget also noted that annually, the applicant will be required to present a report on activities.

No further discussion. Supervisor DeCarlo then made a motion to close the public hearings, seconded by Councilwoman Marien. 4 ayes, 0 nays. MOTION CARRIED.

Attorney Bridget O'Toole advised the Town Board that the SEQRA they have in front of them is the new NYS amended version. The attorney explained that the NYS DEC amended their EAF form Part 1. The SEQRA they would vote on tonight contains the amendment to part 1, which became updated on June 12, 2026. Therefore, tonight's SEQRA will conform to the new regulations.

Supervisor DeCarlo read the heading of the resolution: **TOWN OF BRANT TOWN BOARD RESOLUTION, SEQRA NEGATIVE DECLARATION FOR PROPOSED LOCAL LAW NO. 1 OF 2026 "BATTERY ENERGY STORAGE SYSTEMS LAW"** Supervisor DeCarlo asked for a vote to approve as drafted (See full resolution below). Councilwoman Brady motioned to approve, seconded by Councilwoman Marien. A Roll Call was taken:

Councilwoman Brady-Aye

Councilwoman Marien-Aye

Councilwoman Giancarlo-Aye

Supervisor DeCarlo-Aye

4 ayes, 0 nays. **MOTION CARRIED.**

[Clerks Note: Please see the Resolution Below for review as it was not read at the meeting]:

**TOWN OF BRANT TOWN BOARD RESOLUTION
SEQRA NEGATIVE DECLARATION
FOR PROPOSED LOCAL LAW NO. 1 OF 2026
"BATTERY ENERGY STORAGE SYSTEMS LAW"**

WHEREAS, the Town Board of the Town of Brant introduced Proposed Local Law No. 1 of 2026 entitled "Battery Energy Storage Systems Law" to establish regulations governing the siting, design, construction, operation, maintenance, decommissioning, and enforcement of Battery Energy Storage Systems within the Town; and

WHEREAS, on March 10, 2026, the Town Board determined that consideration and adoption of the proposed local law constitutes a Type I Action pursuant to the State Environmental Quality Review Act ("SEQRA"), Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617; and

WHEREAS, by resolution adopted on March 10, 2026, the Town Board declared its intent to serve as Lead Agency and commenced coordinated review pursuant to 6 NYCRR § 617.6; and

WHEREAS, notices of intent to serve as Lead Agency were circulated to all involved and interested agencies identified by the Town Board, including the Erie County Department of Environment and Planning, Brant Volunteer Fire Company No. 1, Inc., the Towns of Evans, Eden, Collins, and North Collins, and the Village of Farnham and Village of Farnham Volunteer Fire Department; and

WHEREAS, no involved agency objected to the Town Board serving as Lead Agency within the time prescribed by 6 NYCRR § 617.6, and the Town Board therefore became and remains the duly established Lead Agency for purposes of conducting environmental review of Proposed Local Law No. 1 of 2026 pursuant to SEQRA; and

WHEREAS, the Proposed Local Law was referred to the Erie County Department of Environment and Planning pursuant to General Municipal Law § 239-m; and

WHEREAS, the Proposed Local Law was also referred to the Town of Brant Planning Board for review and recommendation; and

WHEREAS, the Planning Board reviewed the Proposed Local Law and recommended its adoption; and

WHEREAS, following the adoption by the New York State Department of Environmental Conservation of amendments to the SEQRA regulations and Environmental Assessment Forms, which became effective June 12, 2026, the Town Board caused the previously executed Full Environmental Assessment Form Part 1 to be amended and updated to conform to the newly adopted SEQRA regulations and forms; and

WHEREAS, the Town Board has reviewed the amended Full Environmental Assessment Form Part 1, Full Environmental Assessment Form Part 2, and Full Environmental Assessment Form Part 3 prepared in connection with the Proposed Local Law; and

WHEREAS, a duly noticed public hearing on Proposed Local Law No. 1 of 2026 was held by the Town Board on June 16, 2026 at 7:30 p.m., at which all persons desiring to be heard were afforded an opportunity to comment; and

WHEREAS, other than the recommendation of the Planning Board supporting adoption of the Proposed Local Law, no comments were received from involved agencies during the coordinated review process; and

WHEREAS, the Town Board has thoroughly reviewed and considered the amended Full Environmental Assessment Form Part 1, Full Environmental Assessment Form Part 2, Full Environmental Assessment Form Part 3, the Planning Board recommendation, all comments received, the record developed during the public hearing process, and all other information prepared in connection with the Proposed Local Law; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, taken a hard look at those areas of concern, and made a reasoned elaboration of the basis for its determination, as reflected in the Full Environmental Assessment Form Part 2 and Part 3; and

WHEREAS, the Town Board finds that the Proposed Local Law establishes a legislative and regulatory framework governing the future siting and operation of Battery Energy Storage Systems within the Town but does not authorize, approve, or permit the construction of any specific Battery Energy Storage System project; and

WHEREAS, the Town Board further finds that the Proposed Local Law is intended to promote public health, safety, and welfare through the establishment of siting, design, operational, emergency response, decommissioning, and enforcement standards applicable to future Battery Energy Storage Systems; and

WHEREAS, after considering the magnitude, duration, geographic scope, and likelihood of potential impacts identified in the environmental review record, the Town Board finds that adoption of the Proposed Local Law will not result in any significant adverse environmental impacts.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby ratifies and confirms that it is and remains the duly established Lead Agency for purposes of environmental review of Proposed Local Law No. 1 of 2026 pursuant to Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Brant, as Lead Agency under SEQRA, hereby determines that adoption of Proposed Local Law No. 1 of 2026 entitled "Battery Energy Storage Systems Law" will not have a significant adverse impact on the environment; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts and issues a Negative Declaration pursuant to SEQRA and directs that the same be filed, published, and distributed as required by law; and

BE IT FURTHER RESOLVED, that the Town Board hereby adopts the findings and conclusions set forth in the Full Environmental Assessment Form Part 2 and Part 3 as the basis for this Negative Declaration, and the Full Environmental Assessment Form Part 2 and Part 3 are hereby incorporated into this Resolution by reference and shall be maintained in the official records of the Town Clerk; and

BE IT FURTHER RESOLVED, that the Supervisor, Town Clerk, Special Counsel, and any other appropriate Town officials are authorized and directed to take all actions necessary to effectuate this Resolution; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Supervisor DeCarlo then read the following resolution below:

TOWN OF BRANT TOWN BOARD RESOLUTION
ADOPTION OF LOCAL LAW NO. 1 OF 2026
"BATTERY ENERGY STORAGE SYSTEMS LAW"

WHEREAS, on March 10, 2026, the Town Board of the Town of Brant introduced Proposed Local Law No. 1 of 2026 entitled "Battery Energy Storage Systems Law" to establish regulations governing the siting, design, construction, operation, maintenance, decommissioning, and enforcement of Battery Energy Storage Systems within the Town of Brant; and

WHEREAS, the proposed local law was referred to the Town of Brant Planning Board for review and recommendation; and

WHEREAS, the Planning Board reviewed the proposed local law and recommended its adoption; and

WHEREAS, the proposed local law was referred to the Erie County Department of Environment and Planning pursuant to General Municipal Law §239-m; and

WHEREAS, the Town Board conducted coordinated review pursuant to the State Environmental Quality Review Act ("SEQRA"), Article 8 of the Environmental Conservation Law and 6 NYCRR Part 617, declared its intent to serve as Lead Agency on March 10, 2026, and, after no involved agency objected within the applicable coordination period, became and remained Lead Agency for the proposed local law; and

WHEREAS, following the adoption by the New York State Department of Environmental Conservation of amendments to the SEQRA regulations and Environmental Assessment Forms, which became effective June 12, 2026, the Town Board caused the previously completed Full

Environmental Assessment Form Part 1 to be amended and updated utilizing the current Environmental Assessment Form adopted pursuant to 6 NYCRR Part 617; and

WHEREAS, a duly noticed public hearing was held by the Town Board on June 16, 2026 at 7:30 p.m., at which all interested persons were afforded an opportunity to be heard; and

WHEREAS, the Town Board completed its review pursuant to SEQRA and, by resolution adopted on June 16, 2026, issued a Negative Declaration finding that adoption of the proposed local law will not result in any significant adverse environmental impacts; and

WHEREAS, the Town Board has carefully considered the proposed local law, the Planning Board recommendation, the absence of objections or substantive comments from involved agencies, the public hearing record, the SEQRA record, and all other comments and recommendations received regarding the proposed local law; and

WHEREAS, the Town Board has determined that adoption of Local Law No. 1 of 2026 is in the best interests of the health, safety, and welfare of the residents of the Town of Brant.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Brant hereby adopts Local Law No. 1 of 2026 entitled "Battery Energy Storage Systems Law," a copy of which is attached hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to file the adopted local law with the New York State Department of State pursuant to Municipal Home Rule Law §27; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish, post, file, and distribute such notices and documents as may be required by law in connection with adoption and filing of Local Law No. 1 of 2026; and

BE IT FURTHER RESOLVED, that the Town Clerk and all other Town officials are authorized and directed to take such actions as may be necessary to implement this resolution and the adopted local law; and

BE IT FURTHER RESOLVED, that Local Law No. 1 of 2026 shall take effect immediately upon filing with the Secretary of State in accordance with applicable law.

Supervisor DeCarlo motioned to approve, seconded by Councilwoman Brady.

A Roll Call was taken:

Supervisor DeCarlo-Aye

Councilwoman Brady-Aye

Councilwoman Giancarlo-Aye

Councilwoman Marien-Aye

4 ayes, 0 nays. **MOTION CARRIED.**

[clerk's note: the final adopted local law no. 1-2026 will be attached hereto as an Appendix]

At 7:45 pm Supervisor DeCarlo then motioned to open the Public Hearing Annual Renewal of Special Use Permits. Seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

Town Clerk Barbara J. Daniel read the Legal Notice:

TOWN OF BRANT, NEW YORK NOTICE OF PUBLIC HEARINGS

The Town of Brant Town Board will conduct a Public Hearing on Tuesday June 16, 2026 at the Brant Town Hall, 1272 Brant North Collins Road, Brant, New York. The Public Hearing will be held at 7:45 PM local time pursuant to resolution of the Town Board and pursuant to Local Law No. 1-2016 for the purpose of considering annual renewals for the following Town of Brant Special Use Permits:

1. Ironyard Properties, LLC 170 Arcadian Drive, Amherst, NY 14228 Junk yard located at 10216 Southwestern Blvd. Angola, NY 14006
2. Thomas C. Bowman Jr./ProShop 10623 Southwestern Blvd. Irving, NY 14081 Junk yard & Auto Repair
3. Michael & Barbara Daniel 10575 Southwestern Blvd. Irving, NY 14081 Used car sales, auto detailing and windshield repair
4. Joseph Reynolds 10564 Southwestern Blvd Irving, NY 14081 Used car sales
5. Duncan Motors 11 Roslind Dr. Angola, NY 14006 used car sales at 10623 Southwestern Blvd Brant, NY 14027
6. Karen Arcara (2K's Corporation) 10962 Southwestern Blvd Irving, NY 14081 Retail/Boat storage/Repair shop
7. Andrew Lonkey/Empire Collision 25 Henry Drive, Angola, NY 14006 Auto repair shop at 10936 Southwestern Blvd Irving, NY 14081

8. Nixon Peabody/Verizon 211 High Point Dr, Ste. 110, Victor, NY 14564 Verizon Cell Tower at 10825 Erie Road Irving, NY 14081

9. Megan Smaldino/Pro Dock & Door LLC 1492 Milestrip Rd North Collins, NY 14111
Garage Door business located at 1369 Milestrip Rd North Collins, NY 14111

10. Jay Vacco/WNY Scrap Processing 6290 Genesee Rd, Springville, NY 14141 Scrap processing at 1132 Brant Farnham Rd North Collins, NY 14111

All interested parties will be given an opportunity to be heard during each Public Hearing.

Barbara Daniel

Brant Town Clerk

Dated: May 12, 2026

Supervisor DeCarlo stated that the public hearing is now open and requested any Public Comments regarding each renewal applicant:

1. Nixon Peabody/Verizon 211 High Point Dr, Ste. 110, Victor, NY 14564 Verizon Cell Tower at 10825 Erie Road Irving, NY 14081

-No Comment from Public. Supervisor DeCarlo commended the reports from the Code Enforcement Officer. Attorney Trask stated that he received a request for their renewals to be changed to have a longer period of time. Attorney Trask recommended a 5-year renewal with continued structural certification and certification of demolition and renewal costs being done every 1 or 2 years, whatever the Board decides. He recommended every 3 years for the certifications. Councilwoman Giancarlo was concerned with how to determine who is eligible for these extended renewals and others wanting the same conditions. Attorney Trask advised that one of the factors should follow the changes onsite being minimal like cell towers and radios towers as opposed to an ongoing use that affects neighboring properties. Supervisor DeCarlo suggested voting after the public hearing.

2. Jay Vacco/WNY Scrap Processing 6290 Genesee Rd, Springville, NY 14141
Scrap processing at 1132 Brant Farnham Rd North Collins, NY 14111

-No comment from public. Councilwoman Giancarlo mentioned how well maintained the property looks.

3. Megan Smaldino/Pro Dock & Door LLC 1492 Milestrip Rd North Collins, NY 14111 Garage Door business located at 1369 Milestrip Rd North Collins, NY 14111

-No Comment from Public.

4. Joseph Reynolds 10564 Southwestern Blvd Irving, NY 14081 Used car sales

-No Comment From public.

5. Andrew Lonkey/Empire Collision 25 Henry Drive, Angola, NY 14006 Auto repair shop at 10936 Southwestern Blvd Irving, NY 14081

-No Comment from Public

6. Ironyard Properties, LLC 170 Arcadian Drive, Amherst, NY 14228 Junk yard located at 10216 Southwestern Blvd. Angola, NY 14006 No comment from the public. The Town Attorney acknowledged that changes to the Special Use permit are being discussed. He advised that any changes to the site plan requires a new Special Use Permit.

7. Michael & Barbara Daniel 10575 Southwestern Blvd. Irving, NY 14081 Used car sales, auto detailing and windshield repair

-No Comment from Public.

8. Duncan Motors 11 Roslind Dr. Angola, NY 14006 used car sales at 10623 Southwestern Blvd Brant, NY 14027

-No Comment from Public.

9. Thomas C. Bowman Jr./Proshop 10623 Southwestern Blvd Brant, NY 14027

Junk yard & auto repair

-No Comment from Public.

10. Karen Arcara (2K's Corporation) 10962 Southwestern Blvd Irving, NY 14081
Retail/Boat storage/Repair shop

-No Comment from Public

Supervisor DeCarlo made a motion to **close** the public hearing. Seconded by Councilwoman Brady. 4 ayes, 0 nays.

Supervisor DeCarlo then proceeded to vote to approve or deny these SUP:

1. Nixon Peabody/Verizon 211 High Point Dr, Ste. 110, Victor, NY 14564 Verizon Cell Tower at 10825 Erie Road Irving, NY 14081. Supervisor DeCarlo made a motion to approve the SUP with renewal every 5 years contingent upon the current special use conditions as well as a 3-year review of construction costs for demolition to make sure appropriate bonds are in place as well as structural certification. [Seconded by Councilwoman Marien. 4 ayes, 0 nays. MOTION CARRIED.](#)
2. Jay Vacco/WNY Scrap Processing 6290 Genesee Rd, Springville, NY 14141
Scrap processing at 1132 Brant Farnham Rd North Collins, NY 14111.
Supervisor DeCarlo motioned to approve for 1 year contingent to the current SUP conditions, seconded by Councilwoman Marien. 4 ayes, 0 nays. MOTION CARRIED.
3. Megan Smaldino/Pro Dock & Door LLC 1492 Milestrip Rd North Collins, NY 14111
Garage Door business located at 1369 Milestrip Rd North Collins, NY 14111. [Supervisor DeCarlo motioned to approve 1 year renewal subject to the current SUP conditions](#) Seconded by Councilwoman Marien. 4 ayes, 0 nays. MOTION CARRIED.
4. Joseph Reynolds 10564 Southwestern Blvd Irving, NY 14081 Used car sales.
Supervisor DeCarlo motioned to approve 1 year renewal subject to the current SUP conditions, seconded by Councilwoman Brady. 4 ayes, 0 nays. MOTION CARRIED.

5. Andrew Lonkey/Empire Collision 25 Henry Drive, Angola, NY 14006 Auto repair shop at 10936 Southwestern Blvd Irving, NY 14081. Supervisor DeCarlo motioned to approve 1 year renewal subject to the current SUP conditions Seconded by Councilwoman Marien. 4 ayes, 0 nays. MOTION CARRIED.
6. Ironyard Properties, LLC 170 Arcadian Drive, Amherst, NY 14228 Junk yard located at 10216 Southwestern Blvd. Angola, NY 14006.

Supervisor DeCarlo noted this permit is their original permit. He advised that there are site plan changes being proposed, but this permit is the original permit. Supervisor DeCarlo then motioned to approve the permit subject to the same conditions as the original permit. Councilwoman Brady seconded the motion. Attorney Trask then addressed the Board regarding the report from the Code Officer. He advised that the Code Officer noted in their report that Ironyard had a violation for having cars outside the fenced area. He then advised that it is within their purview as a Town Board to hold off on their annual renewal until they get verification from the code officer that they are in compliance with the conditions noted in the report. The Town Attorney then advised the Town Board to repeal their initial motion to approve the annual Special Use Permit. He then responded to the Town Board when they asked if they can issue a 30-day extension stating they can, with conditions.

Supervisor DeCarlo then motioned to repeal their previous approval. Councilwoman Brady seconded the motion. 4 ayes, 0 nays. MOTION CARRIED.

Attorney Trask then instructed the Town Board with the proper verbiage to issue the 30-day extension. He stated the renewal would be subject to the original conditions, plus the code enforcement conditions which were set forth in the code officer's report. They are:

- Property shall operate strictly as a junkyard. Scrap metal processing is strictly prohibited
- All business operations, vehicle drop-offs, storage, etc must be conducted entirely inside the fenced area.

At this time, Supervisor DeCarlo motioned to approve the special use permit 30-day extension for 10216 Southwestern Blvd, subject to the conditions noted by the Town Attorney. Councilwoman Brady seconded the motion. 4 ayes, 0 nays. MOTION CARRIED.

7. Michael & Barbara Daniel 10575 Southwestern Blvd. Irving, NY 14081 Used car sales, auto detailing and windshield repair. Supervisor DeCarlo motioned to approve 1 year renewal subject to the current SUP conditions Seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**
8. 10623 Southwestern Blvd Brant, NY 14027. Supervisor DeCarlo motioned to approve 1 year renewal subject to the current SUP conditions, seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**
9. Karen Arcara (2K's Corporation) 10962 Southwestern Blvd Irving, NY 14081 Retail/Boat storage/Repair shop. Supervisor DeCarlo motioned to approve 1 year renewal subject to the current SUP conditions Seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

NEW BUSINESS:

APPOINTMENT OF RECREATION SUMMER HIRES: Supervisor DeCarlo read the new hire for lifeguards at a rate of \$17.25/hr: Jason Conklin & Vivian Maybee. Returning lifeguards: Quinn Maybee, Ilyssa Gengler, Eliese Maybee, Morgan Kreinheder, Zoe Kreinheder, Ella Podkulski, Amelia Smaldino & Madison Kwilos at the rate of \$18.25/hr. Recreation Lifeguards at the rate of \$21.50/hr.: Abbey Rocque & Brianna Browning. Lifeguard Supervisor at \$19.50/hr after Recreation is completed: Brianna Browning. Employment is dependent upon background checks and current lifeguard certification. Councilwoman Marien asked if these background checks will be finished before Recreation starts. Supervisor DeCarlo confirmed that they will be finished and most of them have already been completed. Supervisor DeCarlo made a motion to approve these hires. Seconded by Councilwoman Marien. 4 ayes, 0 nays. Roll Call was taken:

Supervisor DeCarlo-Aye

Councilwoman Marien-Aye

Councilwoman Giancarlo-Aye

Councilwoman Brady-Aye

MOTION CARRIED.

APPOINTMENT OF 2026 RECREATION COUNSELORS: Supervisor DeCarlo read the list of additional counselors for approval pending a successful background check. Returning Counselors at the pay rate of \$17.25/hr: Paiton Michael & Mason John. New Counselors for approval with the payrate of \$16.75/hr: Nina Thomas, Ella Lodestro, Nick Beinko, Zoey Augustino, James Manning, Sam Smaldino, Cassidy Dembowski & Brooke DelPrince. Junior Counselor at the payrate of \$15.65/hr: Brooke Manning. Supervisor DeCarlo motioned for approval, seconded by Councilwoman Brady. 4 ayes, 0 nays. Roll Call was taken:

Supervisor DeCarlo-Aye

Councilwoman Brady-Aye

Councilwoman Giancarlo-Aye

Councilwoman Marien-Aye

MOTION CARRIED.

NED-NEW ENERGY SOLAR 19 LLC SOLAR ENERGY SYSTEM TIER 3 APPLICATION:

Supervisor DeCarlo presented Atty Brigit O'Toole to refresh the Town Board on the project. She stated that the planning board recommended approval with conditions to the Town Board at their last meeting. She asked that that Town Board to confirm lead agency and schedule a public hearing at the August Town Board Meeting. She then introduced the Developer & Engineer for the project, Jim Bodecker, Patrick Bodecker. They proceeded to talk about the solar project, provided plans and reports and answered any questions that the Town Board may have. Councilwoman Giancarlo asked if they ever applied and were denied by other municipalities. He stated that they have never been denied. Councilwoman Marien asked what the time frame of the entire project from start to finish, Mr. Bodecker explained they won't start until next spring and goal for it to be operational by the end of 2027. Councilwoman Giancarlo asked if there will be some kind of fencing to deter wildlife from damaging the panels. Mr. Bodecker explained that there will be fencing around the perimeter of the solar panels. Supervisor DeCarlo then read the resolution to declare lead agency:

TOWN OF BRANT TOWN BOARD

RESOLUTION CONFIRMING LEAD AGENCY STATUS, ACKNOWLEDGING RECEIPT OF REVISED FULL ENVIRONMENTAL ASSESSMENT FORM, AND SCHEDULING A PUBLIC HEARING REGARDING THE APPLICATION OF NED-NEW ENERGY SOLAR 19 LLC

WHEREAS, NED- New Energy Solar 19 LLC (the "Applicant") has submitted an application for a Tier 3 Solar Energy System pursuant to Chapter 218 of the Town Code on property located on Mileblock Road in the Town of Brant; and

WHEREAS, on January 29, 2026, the Town Board declared its intent to serve as Lead Agency for purposes of coordinated review under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, notice to the Town Board's intent to serve as Lead Agency was circulated to involve agencies and no objection to the Town Board serving as Lead Agency was received; and

WHEREAS, the Planning Board has completed its advisory review of the application and has adopted a resolution recommending approval of the project subject to conditions; and

WHEREAS, since initiation of environmental review, the New York State Department of Environmental Conservation adopted revised SEQRA regulations and Environmental Assessment Forms effective June 12, 2026; and

WHEREAS, consistent with the Planning Board's recommendation, the Applicant has submitted an updated Full Environmental Assessment Form utilizing the revised SEQRA forms; and

WHEREAS, the Town Board has reviewed the revised Full Environment Assessment Form and desires to continue coordinated environmental review of the project; and

WHEREAS, the Town Board further finds that additional public input should be obtained prior to making a determination of significance under SEQRA and prior to acting on the Special Use Permit application, and

WHEREAS, the Town Board is continuing review of the Applicant's proposed Payment in Lieu of Taxes Agreement, Host Community Agreement, decommissioning plan, financial security requirements, and related application materials.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby confirms its status as Lead Agency for purpose of coordinated environmental review of the proposed project under SEQRA; and

BE IT FURTHER RESOLVED, that the Town Board hereby acknowledges receipt of the Applicant's revised Full Environmental Assessment Form prepared pursuant to the SEQRA regulations and forms effective June 12, 2026; and

BE IT FURTHER RESOLVED, that a public hearing regarding the proposed project and associated SEQRA review is hereby scheduled for August 11, 2026, at 7:00pm at the Brant Town Hall, 1272 Brant-North Collins Road, Brant, New York; and

BE IT FURTHER RESOLVED, that the purpose of the public hearing shall be to receive public comment regarding the proposed project, the environmental review record, and any matters relevant to the Town Board's review of the application; and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized and directed to publish and post notice of said public hearing as required by law; and

BE IT FURTHER RESOLVED, that no determination of significance under SEQRA is made by this Resolution and that environmental review shall continue following receipt of public comment and any additional information deemed necessary by the Town Board of the Town of Brant.

DULY ADOPTED this 16th day of June, 2026, by the Town Board of the Town of Brant.

4 ayes

0 nays

1 absent

DECLARE LEAD AGENCY UNDER SEQRA regarding Ironyard LLC application for site plan change: Supervisor DeCarlo made a motion to declare lead agency for SEQRA 239-M and referral to Erie County Environmental. Seconded by Councilwoman Brady. 4 ayes, 0 nays. MOTION CARRIED.

Supervisor DeCarlo mentioned that they are currently looking at a new tech company due to not renewing the contract with our current company. He had a proposal from Elk IT which was 30% cheaper than the current plan. He asked the Town Board to review it and would like to discuss it at the next Town Board Meeting.

Supervisor DeCarlo addressed the playground grant. He is in coordination with Erie County to get some options with NYS bid. Once he has those options, he will provide it to the Town Board. Deputy Town Clerk questioned if the demolition of the current playground is included with the grant funding.

Supervisor DeCarlo was hoping to use in kind and have our town employees do the removal to save some money. Councilwoman Marien asked that the new playground be ADA compliant.

Supervisor DeCarlo confirmed that all the final paperwork has been completed for the NY BRICKS Grant. A final review of the whole project is being done and he is waiting to hear back from New York State.

Supervisor DeCarlo addressed the issue with part time employees having limited jobs to do. He asked to look at our policy and add a minimum of 2 hour pay. Supervisor DeCarlo and the Town board will create a written policy to grant the 2-hour minimum pay.

Supervisor DeCarlo mentioned that he received the invoice for the E-Waste event. Councilwoman Giancarlo mentioned that it went very well, everyone gave positive feedback and are looking to do another event in September. Councilwoman Marien asked how much of the truck was filled. Councilwoman Giancarlo stated that $\frac{3}{4}$ of the truck was full, 4100 lbs. Supervisor DeCarlo provided the report from Sunnking for the board to review. Councilwoman Marien was unhappy with the cost. Councilwoman Giancarlo explained that Sunnking provided a truck and a worker to teach our worker to properly collect, stack and wrap and then they hauled it away instead of leaving a mess in the parking lot and was operated very well. Supervisor DeCarlo stated that it will be something to consider for September. Councilwoman Brady stated that it was a relief that it was cleaned up and that there was a mess sitting there for the Brant Summer Festival.

Supervisor DeCarlo stated that Summer Recreation starts Monday July 6th.

The Brant Summer Festival will be held this weekend, June 19th & 20th at the Brant Town Park.

REPORTS OF THE TOWN BOARD:

Councilwoman Brady stated that she represented Supervisor DeCarlo at the May 13th Rural Transit Drivers & Office workers recognition meeting and thanks him for the opportunity to be involved in that.

Councilwoman Marien thanked Tracy and Chad Kaczmarek for the set up and organization of the Memorial Day Ceremony. Supervisor DeCarlo thanked Neil Ross for his speech and service to our country.

PRIVILEGE OF THE FLOOR: No one spoke.

MEETINGS & CORRESPONDENCE

The second June sales tax remittance is in. The current transfer is 6.51% greater than the corresponding 2025 amount. Year-to-date transfers are running at 3.48% ahead of last year at this time.

APPROVAL OF THE ABSTRACT:

ABSTRACT 6 of 2026

*Prepaid and unpaid as of 6/16/26 Total Claims **\$ 92,425.24**

Gen Fund Town wide Vouchers Totaling: **\$ 51,987.16**

Gen Fund – Part Town Voucher Totaling: **\$ 28,002.07**

Highway T.W. Vouchers Totaling: **\$ 6,114.35**

Highway P.T. Vouchers, Totaling: **\$ 3,452.54**

Street Lighting: Voucher Totaling: **\$ 2,869.12**

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

PAYROLL (2 pay periods):

General Town Wide Payroll [4/19/26-5/16/26](#) – Totaling **\$ 56,731.32**

General Part Town Payroll [4/19/26-5/16/26](#) Totaling: **\$ 2,114.17**

Highway Payroll TW [4/19/26-5/16/26](#) Totaling: **\$ -**

Highway Payroll PT [4/19/26-5/16/26](#) Totaling: **\$ 8,827.30**

Supervisor DeCarlo made a motion to approve the abstract. Seconded by Councilwoman Brady. 4 ayes, 0 nays. Roll Call was taken:

Supervisor DeCarlo-Aye

Councilwoman Brady-Aye

Councilwoman Giancarlo-Aye

Councilwoman Marien-Aye

MOTION CARRIED.

Councilwoman Giancarlo asked if Dresher and Malecki has come to start the audit yet. Supervisor's Secretary Tracy Kaczmarek confirmed that she has had 2 meetings with them and they are currently uploading the documents.

Next regular Town Board Meeting is scheduled for July 14th 2026 at 7pm.

Supervisor DeCarlo motioned to adjourn the meeting at 8:39 pm in memory of Josephine Battaglia, Lucy Catalano and Steven Hamm Jr. Seconded by Councilwoman Marien. 4 ayes, 0 nays. **MOTION CARRIED.**

Respectfully submitted by,

Kristen Podkulski

Brant Deputy Town Clerk