

This Regular Meeting of the Brant Town Board was held on Tuesday September 15, 2026, at the Brant Town Hall, located at 1272 Brant North Collins Rd, Brant, New York at 7:00 PM.

PRESENT WERE:

Mark DeCarlo	Town Supervisor
Mike Muffoletto	Councilman
Linda Giancarlo	Councilwoman
Tish Brady	Councilwoman
Barbara Daniel	Recording Secretary

ABSENT WAS:

Donna Marien	Councilwoman
William Trask Sr.	Town Attorney

ALSO, PRESENT AND LEGIBLY SIGNED IN WERE:

Brian Rott	Resident
Mark Slawek	Chief of Police
Patty Friend	Town Historian
Frank Broughton	ZBA Chairman
Angela Bedaske	Resident
Weston Hilligas	Sr. Project Manager of RIC Energy (Solar)
Nick DeJohn	RIC Energy (Solar)
Kate Spierdowis	Wendel (With RIC Energy)
Lori Raysor	Resident
Lydia Raysor	Resident
Brian Wray	Resident
John Czech	Resident
Christopher Czech	Resident (ZBA member)
Phil Pericak	Resident

The meeting opened at 7:00 PM with the Pledge of Allegiance to the flag.

At 7:01 PM, Supervisor DeCarlo motioned to enter executive session, seconded by Councilman Muffoletto. 4 ayes, 0 nays. MOTION CARRIED.

At 7:21 PM, Councilwoman Giancarlo motioned to close the executive session, seconded by Councilwoman Brady. 4 ayes, 0 nays. MOTION CARRIED.

Upon returning from executive session, the Supervisor motioned to open the public hearing that was scheduled for 7:15 PM. Councilwoman Giancarlo seconded the motion. 4 ayes, 0 nays. MOTION CARRIED.

7:15 PM PUBLIC HEARING: BRANT PV SOLAR APPLICATION:

At 7:22 pm, the Town Clerk read the legal notice:

LEGAL NOTICE

TOWN OF BRANT TOWN BOARD

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN of a **PUBLIC HEARING** to be held by the Brant Town Board in the Brant Town Hall, 1272 Brant-North Collins Road, Brant, New York on the 15th day of September, 2026 at 7:15 P.M. local time for the purpose of considering the Special Use Permit application of **Brant PV, LLC** for a **Solar Energy System project** pursuant to Chapter 218 of the Town Code on property located at 10790 Erie Road identified as SBL# 265.00-2-28 within the Town of Brant New York.

All interested parties will be given an opportunity to be heard.

Dated: August 11, 2026

By order of the Brant Town Board

BARBARA J DANIEL
BRANT TOWN CLERK

DISCUSSION:

Weston Hilligas began presenting their application to installed a four-Megawatt Solar Energy system at 10790 Erie Rd in the Town of Brant. He spoke of the natural screening that surrounded the portion of land they would use. He explained the project as low profile, with panels reaching 14 feet in height at full tilt. He noted that the Town's solar law allows 20-foot full height. He stated they conducted a visual impact study, mentioning the existing trees that act as natural screening.

As for setback, he described it as approximately 750 feet from Erie Rd. Along the western, southern and eastern boundary 7-foot-tall evergreen plantings which will be parallel to Erie Road and Maiden Lane. He then discussed a noise study that was also conducted. They measured the ambient area noise and compared it with the sounds generated by inverters and transformers. Councilman Muffoletto asked if they have a decibel report. Weston stated they do, just not with them right now.

Weston then discussed another common concern, the environmental impact. He explained that they do not store any chemicals and do not employ any industrial manufacturing process. There has been a pre-installation soil testing to ensure no contamination occurs after the panels are installed. Streams and wetlands were avoided. Chemical, fertilizers, etc. associated with agriculture will now cease. Traffic to the site will be minimal once the project is completed. A decommissioning agreement will also be paid if the panels become abandoned. The site will be restored after its useful life.

Weston explained the need for variance. One is for being "outside the Solar Overlay district". And one is needed because a few of the setbacks are inadequate.

At 7:34 pm, Supervisor DeCarlo interrupted the presenter explaining that a pause in their presentation will be necessary to address the second public hearing scheduled for 7:30 pm.

PUBLIC HEARING FOR PROPOSED LOCAL LAW #2-2026:

At this time, Supervisor DeCarlo motioned to open the public hearing to consider the adoption of Local Law # 2-2026. Councilwoman Brady seconded the motion. 5 ayes, 0 nays. MOTION CARRIED.

The Town Clerk read the legal notice:

LEGAL NOTICE
TOWN OF BRANT TOWN BOARD
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN of a **PUBLIC HEARING** to be held by the Brant Town Board in the Brant Town Hall, 1272 Brant-North Collins Road, Brant, New York on the 15th day of September, 2026 at 7:30 P.M. local time for the purpose of considering the adoption of a Local Law imposing a **Twelve (12) month moratorium on siting, development or construction of Data Centers, Accessory Data Centers, and Cryptocurrency Data Mines** within the Town of Brant New York.

All interested parties will be given an opportunity to be heard.

Dated: August 11, 2026

By order of the Brant Town Board

BARBARA DANIEL

BRANT TOWN CLERK

DISCUSSION:

Supervisor DeCarlo asked if anyone present had any comments or questions about the local law being presented.

Resident Frank Broughton asked why the law was necessary. Supervisor DeCarlo responded that it will allow the Town time to consider and process a law governing Data Centers before applications start coming in.

No further discussion.

With no further discussion, Supervisor DeCarlo motioned to close the public hearing, and was seconded by Councilwoman Brady. 4 ayes, 0 nays. MOTION CARRIED.

RE-OPEN PUBLIC HEARING FOR BRANT PV, LLC SOLAR:

Supervisor DeCarlo then motioned reopening the public hearing for the Solar application of Brant PV, LLC to locate a 4 Mega Watt solar project at 10790 Erie Road in the Town of Brant. Councilman Muffoletto seconded the motion. 4 ayes, 0 nays. MOTION CARRIED.

Weston then began to list the community benefits of the project. He noted that it allows area residents and businesses to apply for discounts on their electric bills. It will also generate additional revenue to the Town through increased tax base. Supervisor DeCarlo asked the applicant if his project meets the acreage usage

limits. Attorney Bridget stated the limit is 33% and the applicant is utilizing approximately 13% based on the coverage of the panels and impervious pads.

Frank Broughton asked if the panels and structures are inspected annually. The reply was yes. Frank asked if something is damaged, is it repaired and if trees die, will they be replanted. Weston stated the trees would be replanted in the next growing season. He added that if they don't fulfill the conditions, the Code Officer can pull the permit.

Resident of Maiden Lane, Lori Raysor wanted to confirm that the discount "benefit" to residents is available to anyone right now. She added that this is not a benefit directly because of this application. Weston stated yes.

Lori then advised the applicant that the trees and vegetation behind his project is her property and asked what if she wants to build on that land? She stated that her property is on the back of the photo that was shown in the plans and the wooded area shown is not part of that property and it is owned by surrounding landowners. Weston stated that they have proposed double row screening except for the north end. Lori stated that it is unfair for them to assume that they won't be utilizing their land and not have any kind of buffer. She then questioned the size of the panels and the glare that they will emit, she is concerned that she won't be able to look out her windows if they are tilted towards her home. Weston stated that the 14-foot panels are tilted in a way that the panels will absorb with sun and the way they are tilted will reflect back towards the sun. Lori then stated her concern of the panels being 70 feet away from her property, that she will hear the noise the panels emit during that day. A female representative explained that based off their own noise analysis the noise that the panels give off are measured at 38 to 45 decibels. Lori then explained that a constant humming sound is not natural and concerned that the fencing will disrupt wildlife and will have an environmental impact. Weston stated that the panels do act as a safe area from predators. Councilman Muffoletto stated that these are the reason why these meetings are held, for residents to come and voice their concerns. Discussion continued with residents voicing their concern and support against the solar farm. Frank Broughton questions how consistent the humming noise will be. Councilman Muffoletto stated as long as the sun is shining, they will make noise. Frank Broughton asked if they were to go bankrupt and equipment gets broken, is there funding that is provided to the town? Weston explained yes that there is a bond. Frank asked about chemicals inside the panels that would poison the ground if they were to break. Weston explained that there are no chemicals that would contaminate the land. Councilwoman Giancarlo asked about the transformers, Weston explained that they do have an oil but it is a biodegradable oil. Lori then stated that the homeowner of the land that is being leased does not live in that home and actually resides in Eden and this will not impact his life whatsoever. Chief Slawek asked if the area will be monitored or if there is danger or training for any law enforcement to monitor this area. He stated that the Brant police were not notified or have any training in monitoring this property. Weston stated that there are no cameras installed. Patty Frend questioned who exactly who does the testing of the noise and glares? Representatives stated that Herself and her company does the noise analysis and glare analysis was done by TRC along with the Towns Engineer. Patty asked about a tax increase on that land? Weston stated that the solar facility will be taxed. Lori commented that these solar farms decrease the value of surrounding land and how these will directly affect her property value. Chris Czech questioned the noise analysis was wrong who is responsible for addressing that issue. Weston stated that it would have to go through the Code Enforcer with a filed complaint and then will be addressed. Councilwoman Giancarlo asked if there is a solar farm nearby that they can go and examine for themselves. Weston stated that there is one in Hanover and he will get the address. Brain Wray asked if there was any way to have another public hearing after surrounding residents get together and have all the details of this project. Supervisor DeCarlo agreed that that and stated that no decisions will be being made at this time. Discussion continued.

**Clerk note: The entire recording of this discussion is available in the Town Clerks office.*

At 8:10pm Supervisor DeCarlo motioned to close the public hearing, seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**

APPROVAL OF THE MINUTES for the August 11th, 2026 TOWN BOARD MEETING: Councilwoman Brady motioned to approve the minutes of the August, 2026 Regular Town Board meeting, and was seconded by Councilman Muffoletto. 4 ayes, 0 nay. **MOTION CARRIED.**

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

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

COURT CLERK'S AUGUST 2026 FINANCIAL REPORTS FOR KACZMAREK & CLARK REGULAR AND BAIL ACCOUNTS: Councilwoman Giancarlo motioned to approve both Bail and Regular Financial accounts for Justice Kaczmarek's & Justice Clark for August 2026, seconded by Councilman Muffoletto. 4 ayes, 0 nay. **MOTION CARRIED.**

POLICE REPORT FOR JUNE 2026: Police Chief Slawek read his Police Report. Chief asked for approval of hiring part time police officer Caleb McTige (sp?). He reported that the SPCA case for animal cruelty was held in court in Evans and the couple took a guilty plea. Supervisor DeCarlo then motioned to approve the police report as read, seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**

Supervisor DeCarlo motioned to approve the appointment of Caleb McTige as a part time police officer contingent of background check and psych evaluation. Seconded by Councilwoman Brady. 4 ayes. 0 nays. Roll Call was taken.

Supervisor DeCarlo aye

Councilwoman Brady aye

Councilwoman Giancarlo aye

Councilman Muffoletto aye

MOTION CARRIED.

HIGHWAY SUPERINTENDENT'S REPORTS: TABLED

PLANNING BOARD REPORTS: No Meeting.

TOWN CLERK'S AUGUST ACTIVITY REPORT TO THE BOARD: Barbara Daniel read her report. She asked about the budget request sheets and also made a reminder that the Town of Brant Chat Facebook page is not an official town page and that anyone is free to post on the page. Supervisor DeCarlo motioned to approve the report. Seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

ZONING BOARD OF APPEALS REPORT: Chairman Frank Broughton read his report. Supervisor DeCarlo approved the report as read. Seconded by Councilwoman Giancarlo/ 4 ayes, 0 nays. **MOTION CARRIED.**

TOWN HISTORIAN REPORT: The Town Historian Patty Friend read her report. She mentioned that she will be changing the hours that the Historical Room will be open to Mondays 2:30pm to 4:30pm. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

BRANT SENIOR'S MEETING: Councilwoman Brady presented the minutes from the meeting. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**

FIRE COMPANY REPORT: Supervisor DeCarlo read the report. Supervisor DeCarlo motioned to accept the report, seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**

CODE ENFORCEMENT OFFICER'S REPORT: The report was read by Supervisor DeCarlo. Supervisor DeCarlo motioned to approve the report as read, seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**

OLD BUSINESS:

RESOLUTION ADOPTING A SEQRA NEGATIVE DECLARATION OF THE BRANT PV, LLC SOLAR ENERGY PROJECT:

Attorney Bridget O'Toole summarized the resolution. Supervisor DeCarlo motioned to approve. Seconded by Councilman Muffoletto. 4 ayes, 0 nays. Roll Call was taken:

Supervisor DeCarlo aye

Councilman Muffoletto aye

Councilwoman Giancarlo aye

Councilwoman Brady aye

MOTION CARRIED.

RESOLUTION ADOPTING A SEQRA NEGATIVE DECLARATION FOR THE MILEBLOCK RD TIER 3 SOLAR ENERGY

SYSTEM: Attorney Bridget O'Toole summarized the resolution. Supervisor DeCarlo motioned to approve.

Seconded by Councilman Muffoletto. 4 ayes, 0 nays. Roll Call was taken:

Supervisor DeCarlo aye

Councilwoman Brady aye

Councilwoman Giancarlo aye

Councilman Muffoletto aye

MOTION CARRIED.

UPDATED PLAYGROUND PROPOSALS: the Town Board agreed to move forward with the demolition of the current playground and agreed to go with the wood fiber base for the new playground.

NEW BUSINESS:

SET PUBLIC HEARING FOR THE TOWN OF BRANT'S COMPREHENSIVE PLAN UPDATE: Supervisor DeCarlo motioned to set the public hearing date for October 13th 2026 at 7:30pm. Seconded by Councilwoman Brady. 4 ayes, 0 nays. **MOTION CARRIED.**

APPOINTMENT OF BRIAN WRAY TO THE PLANNING BOARD TO VACANT POSITION WITH TERM ENDING

12/31/2031: Supervisor DeCarlo motioned to approve the appointment. Seconded by Councilwoman Giancarlo. 4 ayes, 0 nays. **MOTION CARRIED.**

E-WASTE EVENT SET FOR SATURDAY SEPTEMBER 26TH FROM 8:30AM TO 12:30PM AT THE BRANT TOWN PARK.

TOWN OF BRANT TRUNK OR TREAT WILL BE HELD AT THE BRANT TOWN HALL ON FRIDAY OCTOBER 30TH 2026 FROM 6PM-8PM.

TOWN OF BRANT CHRISTMAS TREE LIGHTING & TRACTOR PARADE WILL BE HELD ON SATURDAY DECEMBER 5TH. TIME TO BE DECIDED.

PRIVILEGE OF THE FLOOR:

Patty Friend: Wanted to make is clear that she is not in favor of the solar farms.

Frank Broughton: Commented that the garbage totes are working out great.

Chris Czech: Requested more police presence in the Village of Farnham. 4-wheelers are a huge problem and he's worried about the safety of his small children.

Brian Wray: Stated that he agrees with the 4-wheeler issues and knows the family personally and will talk to them without getting the police involved.

Meetings & Correspondence:

The second September sales tax remittance is in. The current transfer is 1.05% less than the corresponding 2025 amount. Year-to-date transfers are running at 5.49% ahead of last year at this time.

Supervisor DeCarlo made a motion to re-appoint Police Chief Mark Slawek at his current rate of pay provisionally until they receive a current chiefs list from civil service. Seconded by Councilwoman Brady. 4 ayes, 0 nays. Roll call was taken:

Supervisor DeCarlo aye

Councilwoman Brady aye

Councilwoman Giancarlo aye

Councilman Muffoletto aye

MOTION CARRIED.

Town Clerk Barbara Daniel summarized the correspondence that if anyone is interested in putting property in an agricultural district, they have until September 30th to apply and there are forms in the Town Clerks office to apply for that.

APPROVAL OF ABSTRACT 9: Supervisor DeCarlo read the Abstract 9 of 2026:

ABSTRACT 9 of 2026

*Prepaid and unpaid as of 9/15/26 Total Claims **\$ 145,421.57**

Gen Fund Town wide Vouchers Totaling: **\$ 46,358.79**

Gen Fund – Part Town Voucher Totaling: **\$ 77,343.28**

Highway T.W. Vouchers Totaling: **\$ 3,499.38**

Highway P.T. Vouchers, Totaling: **\$ 2,781.27**

Fire Protection District: **\$ 12,484.00**

Street Lighting: Voucher Totaling: **\$ 2,954.85**

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

PAYROLL (2 pay periods):

General Town Wide Payroll 7/26/26-8/22/26 – Totaling \$ **118,130.89**

General Part Town Payroll 7/26/26-8/22/26 Totaling: \$ **1,803.61**

Highway Payroll TW 7/26/26-8/22/26 Totaling: \$ -

Highway Payroll PT 7/26/26-8/22/26 Totaling: \$ **8,867.00**

Supervisor DeCarlo motioned to approve Abstract 9 of 2026, seconded by Councilwoman Brady. 4 ayes, 0 nays.

Roll Call was taken:

Supervisor DeCarlo aye

Councilwoman Brady aye

Councilwoman Giancarlo aye

Councilman Muffoletto aye

MOTION CARRIED.

Supervisor DeCarlo announced the next regular Town Board meeting to be held Tuesday October 13th, 2026 at 7:00 PM.

At 8:45 pm, Supervisor DeCarlo motioned to adjourn the meeting in memory of Lynn Bowman Jr. Carol Kin, Michael Grant & Paul Richter, seconded by Councilman Muffoletto. 4 ayes, 0 nays.

Roll Call was taken:

Supervisor DeCarlo aye

Councilman Muffoletto aye

Councilwoman Giancarlo aye

Councilwoman Brady aye

MOTION CARRIED.

Respectfully submitted by,

Barbara J. Daniel & Kristen Podkulski

Brant Town Clerk & Brant Deputy Town Clerk