

This Regular Meeting of the Brant Town Board was held on Tuesday June 10, 2025, at the Brant Town Hall, located at 1272 Brant North Collins Rd, Brant, New York at 7:00 PM.

PRESENT WERE:

Mark DeCarlo	Supervisor
Tish Brady	Councilwoman
Donna Marien	Councilwoman
William Trask Sr.	Town Attorney
Barbara Daniel	Recording Secretary

ABSENT WERE:

Mike Muffoletto	Councilman
Linda Giancarlo	Councilwoman

ALSO, PRESENT AND LEGIBLY SIGNED IN WERE:

Tracy Kaczmarek	Supervisor's Secretary
Ellsworth Nolan	Highway Superintendent
Kristen Podkulski	Deputy Town Clerk
James George	Resident
Debra Ritz	Planning Board Chairman
Brian Rott	Resident
Mark Slawek	Chief of Police
Patty Friend	Town Historian
Janice Ross	Resident
Megan Smaldino	Resident
Mike Smaldino	Resident
Frank Broughton	ZBA Chairman
Joe Reynolds	Resident (SUP renewal)
Stefan Artymowicz	Resident (SUP renewal)
Ayush Dhupar	SUP Permit applicant Rt 20 Auto
Jeff Palumbo	Attorney to address Solar Law Concerns for new law
Daryl Novoa	Highway
Karen Arcara	SUP Renewal (2K's Corporation)

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

APPROVE MINUTES of the MAY 13, 2025 MEETING: Councilwoman Brady motioned to approve the minutes of the May 13, 2025 Regular Town Board meeting, and was seconded by Councilwoman Marien. 3 ayes, 0 nays. **MOTION CARRIED.**

SUPERVISOR'S FINANCIAL REPORT: Councilwoman Brady motioned to approve the Supervisor's Financial Report, seconded by Councilwoman Marien. 3 ayes, 0 nays. **MOTION CARRIED.**

TOWN CLERK/TAX COLLECTOR'S APRIL 2025 FINANCIAL REPORT: Supervisor DeCarlo motioned to approve the Town Clerk's report for April 2025, seconded by Councilwoman Marien. 3 ayes, 0 nays. **MOTION CARRIED.**

COURT CLERK'S APRIL 2025 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 2025, seconded by Councilwoman Marien. 3 ayes, 0 nays. **MOTION CARRIED.**

POLICE REPORT FOR MAY 2025: Police Chief Mark Slawek read the summarized May Police Report. The Chief asked the Board to approve the appointment of Zack Whitney as part-time police officer. He described the qualifications of Mr. Whitney including his completion of Phase 1 and 2 of the Academy. He requested the part-time officer to receive \$28.60 per hour with an 18-month probationary period. The Board asked how many officers are on duty now. He responded with about 15, with 5 regulars. Supervisor DeCarlo motioned to approve the hiring of Zachary Hunter Whitney at a rate of \$28.50 per hour with an 18-month probationary period, seconded by Councilwoman Brady. A roll call vote was taken: Supervisor DeCarlo-aye, Councilwoman Brady-aye, Councilwoman Marien-aye. 3 ayes, 0 nays. **MOTION CARRIED.**

Supervisor DeCarlo then motioned to approve the police report as read, seconded by Councilwoman Brady. 3 ayes, 0 nays. **MOTION CARRIED.**

HIGHWAY SUPERINTENDENT'S REPORTS: Highway Superintendent Ellsworth Nolan presented his May Highway report. He also wanted to discuss the single axle dump. He received three quotes on trucks, and one quote on the dump body. He preferred not to go out of Town for the dump body. He discussed going through Valley Fab for the dump body, plow and wing (large plow truck) was \$161,500. After applied discounts, the price will be \$113,050.00. Kenworth quoted \$191,036.00 plus other fees in the amount of approximately \$1,555.00 plus prepaid freight of \$3,775.00 plus \$8,629.00 and \$12,552.00. He also received another quote from Western Star for \$156,000. All quotes were state bid, except Western Star. Attorney Trask will talk to the Superintendent regarding proper procurement. Dump body, plow and wing will require a one year wait, once ordered. Councilwoman Marien asked for the final quotes to be timed for a week after the next board meeting (July 8th).

The Superintendent then asked why he must purchase a laptop through Synchronet. It was explained that it must be able to interface with the network which is maintained by Synchronet. The Town Board did not vote to approve the Highway Superintendent's report. He will order laptop from Synchronet.

TOWN CLERK'S MAY ACTIVITY REPORT TO THE BOARD: TABLED

PLANNING BOARD REPORT: Planning Board chairman Debra Ritz summarized the June 3rd Planning Board report. She reminded the Board to keep in mind that the minutes of the June 3rd meeting have not been accepted by the Planning Board, and are meant to let you know what happened at the meeting.

- Planning Board reviewed and forwarded its recommendations to the Town Board regarding the SUP application from Ironyard Properties, LLC for 10216 Southwestern Blvd.
- Review a Variance application per request of ZBA chairman. Letter to chairman will be sent with recommendations for 1428 Ellis Rd application.

The Town Board did not approve the report.

ZONING BOARD REPORT: Public Hearing scheduled for June 23rd to review the area variance of 1428 Ellis Rd. Supervisor DeCarlo motioned to accept the report as read, seconded by Councilwoman Marien. 3 ayes, 0 nays. **MOTION CARRIED.**

PARK'S & BUILDINGS REPORT: No Report.

OLD BUSINESS:

PUBLIC HEARING: At 7:15 pm, the Supervisor asked the Town Clerk to 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 Town Hall, 1272 Brant-North Collins Road, Brant, New York on the 10th day of June, 2025 at 7:15 P.M. local time for the purpose of considering the Special Use Permit application of Megan Smaldino and Pro Dock and Door, LLC to conduct short-term storage of garage doors and ancillary items at an existing structure at **1369 Milestrip Road**, otherwise identified as SBL# 284.00-5-19 within the Town of Brant New York.

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

Dated: May 13, 2025

By order of the Brant Town Board

BARBARA DANIEL

BRANT TOWN CLERK

Supervisor DeCarlo then motioned to OPEN the public hearing, seconded by Councilwoman Brady. 3 ayes, 0 nays. MOTION CARRIED.

The Supervisor asked if anyone present had questions regarding the Special Use Permit application from Megan Smaldino. No one spoke. The Town Board also had no questions or comments.

With no comments to address, Supervisor DeCarlo motioned to CLOSE the public hearing, seconded by Councilwoman Brady. 3 ayes, 0 nays. MOTION CARRIED.

REPORTS (CONTINUED):

TOWN HISTORIAN REPORTS: Town Historian Patty Friend presented her report for the May 17 Historical Meeting. The next meeting is July. Supervisor DeCarlo motioned to approve the report as presented, seconded by Councilwoman Giancarlo. 3 ayes, 0 nays. MOTION CARRIED.

BRANT FARNHAM SENIORS APRIL & MAY MINUTES: Councilwoman Giancarlo read the minutes of the June 4th Senior's meeting. Supervisor DeCarlo motioned to approve the reports as read, seconded by Councilwoman Marien. 3 ayes, 0 nays. MOTION CARRIED.

CODE ENFORCEMENT: Supervisor DeCarlo read the Code Officer's report for the month of May. Supervisor DeCarlo motioned to accept the report as read, seconded by Councilwoman Marien. 3 ayes, 0 nays. **MOTION CARRIED.**

Councilwoman Brady questioned which permits need fees and which don't. Town Clerk noted several examples of what hasn't needed permit fees such as demolition permits, sheds smaller than 144 SF, etc. The Councilwoman asked for a list of items that need no permit.

SMALDINO SPECIAL USE PERMIT ACTIONS:

Supervisor DeCarlo then motioned to adopt the following resolution:

**RESOLUTION OF THE BRANT TOWN BOARD
ADOPTING A NEGATIVE DECLARATION UNDER SEQRA
(Application for Special Use Permit and
Site Plan Approval at 1369 Milestrip Road, Brant, NY)**

WHEREAS the Town Board of the Town of Brant, Erie County, New York received an application of Megan Smaldino and Pro Dock and Door, LLC for a Special Use Permit and site plan approval for short-term storage of garage doors and ancillary items at an existing structure at 1369 Milestrip Road in the Town of Brant (hereafter “proposed project”), which application was referred to the Planning Board for review and recommendation, and

WHEREAS, the Town Board previously declared itself Lead Agency under the requirements of the State Environmental Review Act (“SEQRA”), 6 NYCRR Part 617, and

WHEREAS, the Town Board also made a zoning referral to Erie County Department of Environment and Planning pursuant to General Municipal Law Section 239-m and received a response thereto with no recommendation, and

WHEREAS, a public hearing on the proposed Special Use Permit and Site Plan was held by the Town Board on June 10, 2025 and the Town Board has taken a hard look at the environmental impacts of the proposed project and has considered all comments from interested agencies and the public.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Brant hereby finds that the proposed project will have no significant adverse impacts on the environment and hereby issues a Negative Declaration under SEQRA, 6 NYCRR Part 617.

Councilwoman Brady seconded the motion.

A roll call vote was taken and resulted as follows:

Supervisor DeCarlo aye

Councilwoman Brady aye

Councilwoman Marien aye **AYES: 3 NOES: None RESOLUTION ADOPTED**

Supervisor DeCarlo then motioned to approve the resolution to approve the Smaldino Special Use Permit:

**Resolution of the Brant Town Board
Approving Site Plan and Application for Special Use Permit for
Business Materials Storage at 1369 Milestrip Road, Brant, New York**

WHEREAS, the applicants, Megan Smaldino and Pro Dock and Door, LLC, submitted an application for a storage facility for applicants’ business materials at 1369 Milestrip Road in the Town of Brant, and

WHEREAS, a zoning referral was made to Erie County DEP as required by General Municipal Law Section 239-m, and pursuant to such zoning referral, Erie County DEP’s response was no recommendation, and

WHEREAS, said application was sent to the town Planning Board for review and recommendation as required by the Brant Code, and

WHEREAS, the Planning Board recommended approval of application with some minor conditions, and

WHEREAS, on June 10, 2025, the Town Board held a public hearing on said application and completed all reviews required under NYS SEQR, and the Town Board issued a negative declaration pursuant to SEQR,

NOW, THEREFORE, be it RESOLVED, that the Brant Town Board hereby approves the Site Plan and Special Use Permit (SUP), subject to the following conditions:

1. The uses permitted by this SUP are temporary storage of product/materials for applicants’ business awaiting installation elsewhere. All storage shall be inside the existing building and no outdoor storage is permitted. No hazardous materials or supplies are permitted to be stored on-site and no other uses, including, but not limited to on-site sales or office space, are permitted under this SUP.
2. SUP is non-transferable and non-assignable and the fee-title owner of 1369 Milestrip Road must be a Permittee under this Special Use Permit.
3. SUP is subject to annual renewal, at which time, following public hearing, conditions could be modified or
4. supplemented, based upon the Permittee’s performance record hereunder.
5. Access to the storage site must remain unobstructed for emergency vehicles and any changes to the existing Site Plan are subject to additional review and approval.

Councilwoman Marien seconded the motion.

A roll call vote was taken and resulted as follows:

Supervisor DeCarlo	aye			
Councilwoman Marien	aye			
Councilwoman Brady	aye	AYES: 3	NOES: None	RESOLUTION ADOPTED

At 7:30 pm, Supervisor DeCarlo motioned to OPEN the public hearing to review and approve the annual Special Use Permit renewals. Councilwoman Marien seconded the motion. 3 ayes, 0 nays. **MOTION CARRIED.**

The Town Clerk read the legal notice:

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 10, 2025 at the Brant Town Hall, 1272 Brant North Collins Road, Brant, New York.

The Public Hearing will be held at 7:30 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 Special Use Permits:

1. Stefan Artymowycz
10216 Southwestern Blvd.
Angola, NY 14006
Junk yard
2. Thomas C. Bowman Jr.
10623 Southwestern Blvd.

Irving, NY 14081
Junk yard

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. John D. Snyder
1506 Burns Rd.
Angola, NY 14006
Unrestricted used car sales at
10623 So. Western Blvd
Brant, NY 14027
6. Karen Arcara (2K's Corporation)
10962 Southwestern Blvd
Irving, NY 14081
Retail/Boat storage/Repair
7. Andrew Lonkey
10936 Southwestern Blvd
Irving, NY 14081
Automotive Repair Shop
8. Verizon
10825 Erie Road
Irving, NY 14081
Verizon Cell Tower
9. Family Life Ministry
1824 Milestrip Rd
North Collins, NY 14111
Broadcasting Tower
10. Tim Clark
1461 Milestrip Rd
North Collins, NY 14111
Windmill

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

Barbara Daniel / Brant Town Clerk
Dated: May 13, 2025

Supervisor DeCarlo then read aloud each of the Special Use Permits and asked for public and Town Board comments or concerns, pausing for each permit. No one commented. It was noted that a renewal application was not received for Tim Clark’s windmill, therefore no action will be taken on his permit.

At 7:35 pm, Supervisor DeCarlo motioned to CLOSE the public hearing, seconded by Councilwoman Marien. 3 ayes, 0 nays. **MOTION CARRIED.**

At this time, Supervisor DeCarlo motioned to approve the renewal of Special Use Permits 1 through 9, based on subjecting each permit to the conditions originally set for their approval. Councilwoman Brady seconded the motion. A roll call vote was taken: Supervisor DeCarlo-aye, Councilwoman Brady-aye, Councilwoman Marien. 3 ayes, 0 nays. **MOTION CARRIED.**

NEW BUSINESS:

SET PUBLIC HEARING FOR SPECIAL USE PERMIT – AYUSH DHUPAR & IRONYARD PROPERTIES, LLC: Supervisor DeCarlo then motioned to set a public hearing to consider the approval of a Special Use Permit for Ayush Dhupar and Ironyard Properties, LLC for Tuesday July 8th, 2025 at 7:30 pm. Councilwoman Brady seconded the motion. 3 ayes, 0 nays. **MOTION CARRIED.**

At this time, Attorney Trask advised the Town Board members that he will not be attending the July Town Board meeting and requested they send any comments or questions regarding the Special Use Permit application to him no later than June 28.

APPOINTMENT OF 2025 RECREATION NEW HIRES: Supervisor DeCarlo then presented the 2025 Recreation hires:

Supervisor DeCarlo motioned to approve the hiring of the follow:

POSITIONS: Recreation Returning Counselors: \$17.25

Elizabeth Jarzynski
Marina Whelan
Angelina DeJoy
Nicole Vaught
Jackson Horning
Cooper Hazard
Daiya Kowalski
Shannon Frazier
Delaney Glose
Hyde Horning
Olivia Sullivan
Ben Mauer
Josie DeJoy

Councilwoman Marien seconded the motion. A roll call vote was taken and resulted as follows:

Supervisor DeCarlo aye

Councilwoman Marien aye

Councilwoman Brady aye

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

Supervisor DeCarlo motioned to approve the hiring of the follow:

POSITION: Recreation New Counselor: \$16.75

Mason John
Caden Herc
Jordyn Colvin
Paiton Michael
Max Hazard
Zoe Frazier
Tyler Kwilos
John Haskins
Aidan Monnin

Councilwoman Marien seconded the motion. A roll call vote was taken and resulted as follows:

Supervisor DeCarlo	aye	
Councilwoman Brady	aye	
Councilwoman Marien	aye	3 ayes, 0 nays. MOTION CARRIED

POSITION: Recreation Junior Counselor: \$15.65

Elizabeth DeJoy
Caprina Pecori
Max Pitillo

Councilwoman Marien seconded the motion. A roll call vote was taken and resulted as follows:

Supervisor DeCarlo	aye	
Councilwoman Marien	aye	
Councilwoman Brady	aye	3 ayes, 0 nays. MOTION CARRIED

POSITION: Recreation Lifeguard : \$21.50

Brianna Browning
Abigail Rocque

Councilwoman Marien seconded the motion. A roll call vote was taken and resulted as follows:

Supervisor DeCarlo	aye	
Councilwoman Marien	aye	
Councilwoman Brady	aye	3 ayes, 0 nays. MOTION CARRIED

POSITION: Returning Lifeguard: \$18.25

Amelia Smaldino
Ella Podkulski
Ilyssa Gangler
Madison Kwilos
Morgan Kreinheder
Quinn Maybee
Zoe Kreinheder

Councilwoman Marien seconded the motion. A roll call vote was taken and resulted as follows:

Supervisor DeCarlo	aye	
Councilwoman Marien	aye	
Councilwoman Brady	aye	3 ayes, 0 nays. MOTION CARRIED

POSITION: New Lifeguards: \$17.25

Aliyah Wakelam
Kylie Wegrzynowski

Councilwoman Marien seconded the motion. A roll call vote was taken and resulted as follows:

Supervisor DeCarlo	aye
Councilwoman Marien	aye

Councilwoman Brady aye

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

Councilwoman Marien asked if all hires have been background checked. The Supervisor confirmed the background checks were done.

APPOINTMENT OF PART-TIME BUILDINGS AND GROUND LABORER: Supervisor DeCarlo then motioned to appoint Max Pitillo as part-time laborer for the Parks department at a rate of \$15.65 per hour. Max will have limited hours and Supervisor DeCarlo will oversee his hours. Councilwoman Brady seconded the motion. 3 ayes, 0 nays. **MOTION CARRIED.**

ADOPTION OF CORRECTED STANDARD WORKDAY RESOLUTION: Supervisor DeCarlo then motioned to adopt a corrected resolution for Standard Workday for New York State Retirement for the Town's elected officials.

New York State Local Retirement System:

BE IT RESOLVED, that the Town of Brant – 30687 hereby established the following standard workdays for these titles and will report the officials to the New York State and Local Retirement:

Mark DeCarlo, Town Supervisor, Term ending 12/25	6 hours
Barbara Daniel, Town Clerk, Term ending 12/28	6 hours
Jeffrey Gier, Town Justice, Term ending 12/27	6 hours
Chad Kaczmarek, Town Justice, Term ending 12/25	6 hours

Councilwoman Brady seconded the motion. A roll call vote was taken:

Supervisor DeCarlo Aye

Councilwoman Brady Aye

Councilwoman Marien Aye

3 ayes, 0 nay. **RESOLUTION ADOPTED**

ANNOUNCEMENTS:

E-WASTE COLLECTION: The next e-Waste collection will be held on Saturday June 28, 2025 at the Brant Town Park from 9:00 am to noon.

BRANT SUMMER FESTIVAL: The Brant Summer festival will be held Friday and Saturday June 20 & 21. Supervisor DeCarlo thanked the Brant Festival Committee and Chairperson Kristen Podkulski. The Board asked her to mention an update. She noted the Promotional booklets are completed and received. She noted that S.H.A.R.E. will not be handling a basket raffle this year. They will be handling the 50/50. She thanked the vendors who advertised in the booklet.

At 7:45 pm, the Town Supervisor instructed the Town Clerk to read the legal notice for the possible adoption of Local Law #1-2025:

The clerk read the 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 10th day of June, 2025 at 7:45 P.M. Local Time, for the purpose of considering Proposed Local Law No.1-2025 which, if approved, would amend the Town of Brant Zoning Law by establishing regulations for the siting, installation and operation of Commercial and Residential Solar Energy Systems in the Town of Brant, by **RE-CODIFYING** Chapter 161-39-I entitled “Solar Energy Systems” **and will now be entitled “Solar Energy Systems Law of 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 13, 2025

By order of the Brant Town Board
Barbara Daniel
Brant Town Clerk

Supervisor DeCarlo motioned to OPEN the public hearing, seconded by Councilwoman Brady. 3 ayes, 0 nays.
MOTION CARRIED.

The Supervisor asked for public comment regarding the proposed local law #1-2025.

Frank Broughton of Brant North Collins Rd spoke that he felt the law was well written and easy to read. He acknowledged that the Zoning Board may still receive Interpretation requests but for the most part they should be easy to handle.

Jeff Palumbo, A local Land Use Attorney who represents Solar Developers: New Energy Development & National Energy Development (has a proposed solar location on Mileblock). Mr. Palumbo thanked all who assisted in the writing of the law and commended its completion before the moratorium expired. He then listed several items in the law that concern him, that he claimed may hinder clean energy installations:

- **Setbacks:** He noted that in most Towns they deal with require 100 to 300 feet setback. But Town of Brant is requiring up to 1,000 feet setback. He feels this setback will make it difficult to do business in Brant.
- **Lot Coverage:** He spoke about a section in the proposed code that limits coverage to 33%, and that the Town has the ability to make it higher based on certain circumstances. He said, this leads to ambiguity, which leads to Variances, Article 78's, etc.
- **Annual Review requirement:** He explained that it will be hard for a developer to spend millions of dollars and then they have to worry about annual reviews. He suggests the Town Review the solar project location only in the event there are complaints.
- **Prime Soil:** On Section 161-39 (Use Avoids Areas of potential of environmental sensitivity including prime soils. He explained that total prohibition of areas of prime soil may make it almost impossible to develop in this town. Potential sites are already limited by the Solar Overlay districts. He suggested rather than complete ban, add a provision that provides that disturbance of Prime Farmland and drain farmland of state-wide importance shall be avoided to the maximum extent practicable.
- **Consulting cost:** He explained the new Town law will impose a much higher cost to the project by charging the amount listed in the law's consulting fee requirements. He explained that the new law would require a \$100,000 consulting fee for a 10-million-dollar project. He suggested the Town instead impose a \$10,000 escrow account and when it got down to \$5,000 remaining, the Town would require a replenishment of the \$5,000.00. He stated he agrees with requiring consulting fees for the future review of the solar site.

Frank Broughton: Frank advised that the 1,000 foot setback pertains to residential home.

Attorney Trask then responded to the suggestion from Mr. Palumbo, who he acknowledged as a leading attorney for Land Use. Trask stated that based on the impending expiration of the previous moratorium, the law will most likely be adopted, but added that his suggestions will be looked at for possible future amendments to the law.

Bridget O'Toole, the attorney retained by the Town of Brant to draft the new solar law legislation based on the concerns addressed by the Planning Board during multiple meetings. She spoke in regards to a few of Mr. Palumbo's concerns and suggestions. She stated the following:

- There are no prohibition for construction in Prime soils, it is an avoidance to the maximum extent practicable.
- The annual renewal is what many municipalities are doing
- Regarding the escrow amount, it is the same amount listed in other Towns and Counties.
- Regarding the setback concern, she explained that it was the result of discussions with the Planning Board.
- She noted that the Town has two Solar Overlay districts available to developers.

She concluded by saying, there are any conditions of the law that an applicant seeks waiver of, there are Use and Area Variance options available to them. She also stated if any project does not comply with the law, they can be decided on a case-by-case basis.

No further comment was received.

At 7:59 PM, Supervisor DeCarlo motioned to close the public hearing, seconded by Councilwoman Brady. 3 ayes, 0 nays. MOTION CARRIED.

Supervisor DeCarlo then motioned to adopt the following resolution:

**ADOPTION BY THE TOWN BOARD OF THE TOWN OF BRANT OF A RESOLUTION ADOPTING A
NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE FOR THE PROPOSED LOCAL LAW
ENTITLED
"Chapter 161-39-I: Solar Energy Systems" UNDER SEQRA**

WHEREAS, on or about May 13, 2025, the Town Board of the Town of Brant introduced a proposed local law entitled "Chapter 161-39-I: Solar Energy Systems," and

WHEREAS, the Town Board of the Town of Brant recognizes that solar energy is a clean, readily available source of energy and intends to accommodate the use of appropriately sited solar energy systems in the Town, and

WHEREAS, on May 13, 2025, the Town Board referred the Local Law to the Erie County Planning Board pursuant to GML §239-m, and

WHEREAS, the Erie County Planning Board responded that they had no recommendation as the proposed action is one of local concern, and

WHEREAS, the Town Board adopted a Resolution on May 13, 2025, which classified the Local Law as a Type I action under the New York State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, the Town Board has prepared a Full Environmental Assessment Form (“FEAF”) which is attached hereto, and

WHEREAS, the Town Board assumed lead agency status pursuant to 6 NYCRR 617.6(b)(1);

WHEREAS, the Town Board held a public hearing on June 10, 2025, and

WHEREAS, The Town Board has considered the content of the proposed, Local law, the FEAF, communications from interested agencies, and

WHEREAS, The Town Board has considered any relevant public input, and

WHEREAS, the Town Board has thoroughly analyzed the relevant concerns discussed in the attached negative declaration of environmental significance, and has determined that no significant adverse environmental impacts will result from the proposed Local Law, and

NOW, THEREFORE, the Town Board hereby finds that enactment of the proposed Local Law will not have any significant adverse impacts on the environment.

AND THEREFORE, the Town Board further resolves to adopt a negative declaration of environmental significance with respect to the adoption of the proposed Local Law.

AND THEREFORE, the Town Board hereby adopts the attached negative declaration of environmental significance and incorporates it herein.

Councilwoman Marien seconded the motion. A roll call vote was taken:

Supervisor DeCarlo Aye

Councilwoman Marien Aye

Councilwoman Brady Aye

RESOLUTION ADOPTED

Supervisor DeCarlo then motioned to adopt the following resolution:

**TOWN OF BRANT TOWN BOARD RESOLUTION
ADOPTING THE PROPOSED LOCAL LAW ENTITLED
“Chapter 161-39-I: Solar Energy Systems”**

WHEREAS, on May 13, 2025 the Town Board of the Town of Brant introduced a proposed local law entitled “Chapter 161-39-I: Solar Energy Systems” and

WHEREAS, on May 13, 2025, the Town Board referred the Local Law to the Erie County Planning Board pursuant to GML §239-m, and

WHEREAS, the Erie County Planning Board responded that they had no recommendation as the proposed action is one of local concern, and

WHEREAS, the Town Board adopted a Resolution on May 13, 2025, which classified the Local Law as a Type I action under the New York State Environmental Quality Review Act (“SEQRA”), and

WHEREAS, the Town Board prepared a Full Environmental Assessment Form (“FEAF”), and

WHEREAS, the Town Board held a public hearing on June 10, 2025, and

WHEREAS, The Town Board issued a Negative Declaration of Environmental Significance (a “Neg Dec”) and passed a resolution adopting said Neg Dec, and

WHEREAS, The Town Board has satisfied its obligation under the New York State Environmental Quality Review Act (“SEQRA”), and

NOW, THEREFORE, it is resolved that the Town Board hereby approves and adopts the Local Law.

Councilwoman Marien seconded the motion. A roll call vote was taken:

Supervisor DeCarlo Aye

Councilwoman Marien Aye

Councilwoman Brady Aye

RESOLUTION ADOPTED

The Town Board then thanked all those who worked on the local law.

ANNOUNCEMENTS (cont’d):

SUMMER CONCERT SERIES:

It was announced that the summer concert series will begin on Monday July 7th and continue every Monday until August 4th at Farnham’s Veteran Park.

BRANT COMPREHENSIVE PLAN PUBLIC MEETING:

The Town of Brant will be holding a public meeting & workshop regarding the update of the Comprehensive Plan on Wednesday July 9th from 6:30 pm to 7:30 pm at the Brant Fire Hall. Surveys and flyers will be available in the Town Clerk’s office.

TOWN BOARD REPORTS:

Councilwoman Brady: Spoke about the projects she would like to work on this summer. She requests work done to get water and electricity outside the Town Hall. She would like to seek bids. She also wants to resurface our playgrounds. Discussion regarding the contractor hired by the Village of Farnham. She then asked about the status of the retention pond dredging, noting that another Board member was going to look into it. During discussion, Councilwoman Marien suggested hiring Paul Schlegel if the other option is unavailable.

RECOGNIZED PRIVILEGE OF THE FLOOR:

Frank Broughton stated he will be out of Town in July. He also asked who was responsible for the maintenance of the concession stand at the Park. He advised that the windows need be painted. Supervisor DeCarlo noted that it is a joint effort because the building was donated to the Town so the Town and the entity that donated share the responsibility. Councilwoman Brady stated she will reach out to .

Meetings & Correspondence:

- The first June sales tax remittance is in. The current transfer rate is 3.00% greater than the corresponding 2024 amount. Year-to-date transfers are running 8.57% above last year at this time.

APPROVAL OF ABSTRACT 6: Supervisor DeCarlo read the Abstract (6 of 2025):

ABSTRACT 6 of 2025

*Prepaid and unpaid as of 6/10/25 Total Claims \$ **149,415.51**

Gen Fund Town wide Vouchers Totaling: \$ **89,433.18**

Gen Fund – Part Town Voucher Totaling: \$ **14,437.88**

Highway T.W. Vouchers Totaling: \$ **7,349.78**

Highway P.T. Vouchers, Totaling: \$ **21,258.69**

Street Lighting: Voucher Totaling: \$ **2,515.98**

Brant Water Dist 1 (SS2&SW): – Totaling \$ **14,420.00**

PAYROLL (2 pay periods):

General Town Wide Payroll 4/20/25-5/17/25 – Totaling \$ **63,420.56**

General Part Town Payroll 4/20/25-5/17/25 Totaling: \$ **1,366.34**

Highway Payroll TW 4/20/25-5/17/25 Totaling: \$ -

Highway Payroll PT 4/20/25-5/17/25 Totaling: \$ **9,827.78**

Supervisor DeCarlo motioned to approve Abstract 6 of 2025, seconded by Councilwoman Brady. 3 ayes, 0 nays.

Roll Call was taken:

Supervisor DeCarlo Aye

Councilwoman Brady Aye

Councilwoman Marien Aye

MOTION CARRIED.

Supervisor DeCarlo announced the next regular Town Board meeting to be held Tuesday July 8th, 2025 at 7:00 PM.

At 8:14 pm, Supervisor DeCarlo motioned to adjourn the meeting in memory of Doris Steeprock, seconded by Councilwoman Brady. 5 ayes, 0 nays.

A roll call vote was taken:

Supervisor DeCarlo Aye

Councilwoman Brady Aye

Councilwoman Marien Aye

MOTION CARRIED

Respectfully submitted by,

Barbara J. Daniel

Brant Town Clerk