

Town Board Meeting March 14, 2022

Supv. Crossen called the monthly meeting of the Alabama Town Board to order at 7:00 p.m. Roll Call was taken, Councilperson Fisher, LaGrou, Klotzbach, Veazey and Supv. Crossen were present. Also present were Supt. Covell, Attorney Boylan, Mark Masse and Dave Bencic. Also present via zoom: Kaylen Olwin.

Privilege of the Floor

Kaylen Olwin, EDPR – the bird study continues through mid-April. After that a study on breeding birds.

Highway – Supt. Covell gave an update:

Snow plowing continues.

Working on specs for new truck.

Disc. held on applying for no cost grant programs for Town Roads leading to the Reservation.

MOTION by Councilperson Klotzbach, seconded by Councilperson Veazey to allow Supv. Crossen to sign grant applications for Town road improvements. Approved by roll call vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

USDA has asked for permission to put European fruit fly traps in town cemeteries

MOTION by Councilperson LaGrou, seconded by Councilperson Klotzbach to allow the USDA to put European Fruit Fly traps in the Town Cemeteries. Approved by roll call vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Long Term Planning

Supv. Crossen attended a virtual presentation on Long Term Planning, he shared the slide show with Board Members.

New Town Hall/Highway Buildings

Supv. Crossen will put money in the 2023 budget for professional plans for a new town hall/highway.

No Parking on Town Roads

Disc. held on creating this local law, Nov. 1 to April 30 no parking midnight to 6 a.m. Attorney Boylan to draw up proposed local law for next meeting.

Town Insurance Policy

Tompkins Insurance provided updated pricing.

MOTION by Councilperson Fisher, seconded by Councilperson Klotzbach to accept the \$27,807 insurance package from Tompkins Insurance for 2022/2023. Approved by roll call vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

MOTION by Councilperson Fisher, seconded by Councilperson Klotzbach to accept the \$1,263.00 Excess Liability Ins. From Tompkins Insurance. Approved by roll call vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

STAMP – Mark Masse gave update:

Infrastructure for Plug Power begins next month.

Long Term Management Plan being updated, Town to get a copy for review.

Will be meeting with the DEC to resolve open items.

Continue meetings with interested businesses on the STAMP site.

Attorney Boylan submitted an update on Plug Power:

FEBRUARY 2022 PLUG POWER CONSTRUCTION UPDATE

The Town's engineer, Wendel completed 6 site visits in February and made the following observations;

- SWPPP inspections by the Plug Power engineer of record are taking place weekly and the mailbox is in place that contains inspection reports.
- A stormwater violation was issued by NYSDEC on the site (silt sock was not placed around the NE stockpile area). The matter was discussed with NYSDEC and it was agreed that the issue will be addressed by the company once the weather improves.
- Sphere foundation work is ongoing.
- Topsoil is continuing to be stripped and stockpiled. All unsuitable soil is being hauled offsite. Granular fill is continuing to be imported and placed.
- The tent structure continues to be constructed to accommodate the construction of the storage sphere and foundations.
- National Grid has supplied temporary power to the site.
- Storm pipe installation has started.

Wendel is currently in discussions with the Plug Power design and engineering team regarding the following items:

- They have submitted to the Plug Power engineering team their first engineering review of the utility site plan

Water District 2

Working on finding a place to put the antenna, possibly at the Highway Dept.

Morsch negative change order, \$140,155, Phase 3A

MOTION by Councilperson LaGrou, seconded by Councilperson Veazey to approve the Morsch change order for Phase 3A, \$140,155. Approved by roll call vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Town Hall –

Disc. held on purchasing OWL system for meetings.

MOTION by Councilperson Fisher, seconded by Councilperson Veazey to purchase the OWL system at a cost not to exceed \$1,000. Approved by roll call vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Disc. held on purchasing a second TV for the meeting room.

MOTION by Councilperson Fisher, seconded by Councilperson Klotzbach to purchase a 75" TV at a cost not to exceed \$850.00, plus a bracket. Approved by roll call vote:

C. Fisher – yes C. LaGrou – no C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Disc. held on removing court bench, replacing carpet below, at an approx. cost of \$500.00 and getting a few tables from the fire hall.

MOTION by Councilperson Veazey, seconded by Councilperson Klotzbach to remove the court bench and replace the carpet at a cost of approx. \$500.00. Approved by roll call vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Executive Session

MOTION by Councilperson Fisher, seconded by Councilperson Klotzbach to go into executive session at 8:00 p.m. to discuss matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation; and/or Negotiations and updates subject to NDAs regarding the IZA; and/or Negotiations regarding the Teamsters Contract with Attorney Boylan and Mark Masse.

Approved by roll call vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

MOTION by Councilperson LaGrou, seconded by Councilperson Fisher to come out of executive session at 8:43 p.m. Approved by roll call vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Court

COP Security sent an email on Feb. 24, 2022 stating that they could not provide court security effective 2/28/22. Disc. held. Supv. Crossen signed a memo of understanding with the Sheriff’s Dept. for security.



**MEMORANDUM OF UNDERSTANDING
SPECIAL/ADDITIONAL POLICE SERVICES**

WHEREAS, The Town of Alabama with offices at 2218 Judge Road, Town of Alabama, New York is desirous of receiving additional police services from the Genesee County Sheriff’s Office, and

WHEREAS, the Genesee County Sheriff’s Office hereby agrees to provide such additional police services within its means.

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

1. The Genesee County Sheriff’s Office shall provide such additional police services as agreed upon and within its resources; one Deputy for Town Court security held at Oakfield Town Court, 3219 Drake St. Rd., Oakfield, New York 14125.
2. The Town of Alabama with offices at 2218 Judge Road, Town of Alabama, New York will pay the Genesee County Sheriff’s Office after an invoice is submitted. Hourly rates will be based upon an individual officer’s hourly rate, overtime rate, fringe benefits and workers’ compensation rate as provided by the Genesee County Sheriff’s Office. The rate is based upon the current Labor Agreement with the Deputy Sheriff’s Association. The current hourly rates are: \$69.20 for a Deputy and \$79.35 for a Sergeant.
3. The Town of Alabama with offices at 2218 Judge Road, Town of Alabama, New York will save, hold harmless and indemnify the County and the Genesee County Sheriff’s Office against any claim or cause of action against the Sheriff, any member of the Sheriff’s Office, or County, arising out of the willful misconduct, negligence and/or gross negligence of any employee of The Town of Alabama with offices at 2218 Judge Road, Town of Alabama, New York during the execution of this Memorandum of Understanding.
4. The duration of this Memorandum of Understanding shall be for the period of January 1, 2022 through December 31, 2022.
5. It is specifically understood and agreed upon by the parties that the Genesee County Sheriff’s Office is providing additional police services as an independent contractor. Specifically, Genesee County Sheriff’s Office employees shall in no regard be construed as employees or agents of The Town of Alabama with offices at 2218 Judge Road, Town of Alabama, New York nor in any other capacity except as an independent contractor.

Dated this 28th of February 2022.

William A. Sheron Jr.
Sheriff William A. Sheron Jr.

Robert Crossen
Robert Crossen, Alabama Town Supervisor

MOTION by Councilperson LaGrou, seconded by Councilperson Klotzbach to accept the memo of understanding with the Genesee County Sheriff's Office for court security. Approved by roll call vote:
C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Supv. Crossen will reach out to Brian Thompson and other retired Sheriff's to provide court security. The cost will be less than the Sheriff's Office per hour, the Town will need to obtain insurance at a cost of approx. \$1,000 per year.

2020 Audit – The audit is complete and has been submitted.

Approval of Minutes

2/14/2022 Board Meeting – MOTION by Councilperson Fisher, seconded by Councilperson Klotzbach to accept minutes as presented. Approved by roll call vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Supervisors Report

3/5/2022 -- MOTION by Councilperson Veazey, seconded by Councilperson LaGrou to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Audit Bills

MOTION by Councilperson Fisher, seconded by Councilperson LaGrou to accept Abstract #003-2022 and pay bills in the amount of \$22,688.96 vouchers 68 to 90 General Fund; \$17,574.54 vouchers 32 to 44 Highway Fund; \$64,591.35 vouchers 6 to 8 Water District 2; \$2,496.82 vouchers 4 to 7 Water District 1. Approved by Roll Call Vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Town Clerk's Report

February 2022 -- MOTION by Councilperson LaGrou, seconded by Councilperson Klotzbach to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Assessor's Report

January 2022 Transfers -- MOTION by Councilperson Veazey, seconded by Councilperson LaGrou to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

CEO/ZEO Report

February 2022 -- MOTION by Councilperson Fisher, seconded by Councilperson Veazey to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

2021 Historian Report

MOTION by Councilperson Veazey, seconded by Councilperson Klotzbach to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Website

The updated website will be going live on Thursday.

MOTION by Councilperson Fisher, seconded by Councilperson Veazey to adjourn meeting at 8:57 p.m.

Approved by roll call vote:

C. Fisher – yes C. LaGrou – yes C. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Respectfully Submitted,

Rebecca L. Borkholder
Town Clerk