

**Town Board Meeting & Public Hearing
Sept. 11, 2023**

Public Hearings

MOTION by Councilperson LaGrou, seconded by Councilperson Klotzbach to open the public hearing for the Plug Power Incentive Agreement Proposal at 7:00 p.m. Approved by roll call vote:

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

Clerk Borkholder read the legal notice:

**TOWN OF ALABAMA LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Town Board of the Town of Alabama will hold a Public Hearing at 7:00 p.m. on Monday, September 11, 2023 at the Town Hall 2218 Judge Road Oakfield, NY 14125, in the Town of Alabama to consider the Incentive Zoning application from Plug Power to have three (3) signs on their site.

By Order of the Alabama Town Board
Rebecca Borkholder
Town Clerk
Dated: Sept. 5, 2023

MOTION by Councilperson Veazey, seconded by Councilperson Fisher to open the public hearing for the Water District #1 Rate Increase at 7:01 p.m. Approved by roll call vote:

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

Clerk Borkholder read the legal notice:

**TOWN OF ALABAMA LEGAL NOTICE
NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Town Board of the Town of Alabama will hold a Public Hearing at 7:00 p.m. on Monday, September 11, 2023 at the Town Hall 2218 Judge Road Oakfield, NY 14125, in the Town of Alabama to consider increasing the water rate from \$6.00 to \$8.25 per 1,000 gallons for residents in Water District #1.

By Order of the Alabama Town Board
Rebecca Borkholder, Town Clerk
Dated: Sept. 5, 2023

Supv. Crossen opened the floor for public comments. No comments received.

Supv. Crossen called the monthly meeting of the Alabama Town Board to order at 7:02 p.m. Roll Call was taken, Councilperson Fisher, LaGrou, Veazey, Klotzbach and Supv. Crossen were present. Also present were Supt. Covell, Attorney Boylan, Mark Masse, Dave Bencic, Craig Nale, Jeff Mickel and Dave Ciurzynski.

Councilperson LaGrou has informed me of a conflict with Solar. Councilperson LaGrou will not participate anytime the issue is discussed and simply vote 'present' on any vote taken.

Privilege of the Floor

Dave Bencic – asked if Tax Cap Override law was passed at the last meeting. Asked if there is money coming from STAMP in the 2024 budget.

Highway – Supt. Coval gave update:

- Salt barn has been filled for winter.
- Route 63 ditch has been mowed.
- Tree trimming done around Town.
- Working on ditch and culvert cleaning.
- Last road mowing is done ahead of schedule.
- New employee, Kurt has started.

Lewiston Road Detour complaints – County added a big sign at the school to keep left, State Police are in Town to help keep speeding issues down.

Maple Rd. Complaint – 7047 Maple

Owner contacted the CEO/ZEO. He gave them until Sept. 12th to clean it up. They are working on it.

Public Hearings

Supv. Crossen asked if there were any comments on the public hearings for the Plug Power IZA or Water District #1 rate increase. None.

MOTION by Councilperson LaGrou, seconded by Councilperson Fisher to close the Plug Power IZA public hearing at 7:10 p.m. Approved by roll call vote:

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

MOTION by Councilperson Klotzbach, seconded by Councilperson Veazey to close the Water District #1 rate increase public hearing at 7:10 p.m. Approved by roll call vote:

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

Plug Power Incentive Zoning Agreement Proposal

RESOLUTION AUTHORIZING APPROVAL BY THE TOWN BOARD OF THE
TOWN OF ALABAMA
OF THE PLUG POWER INCENTIVE ZONING PROPOSAL

WHEREAS, a resolution was duly adopted by the TOWN BOARD of the TOWN of ALABAMA for a public hearing to be held by said Board on September 11, 2023 at 7 pm at the Alabama Town Hall, Judge Road Oakfield, NY 14125 to hear all interested parties on the Incentive Zoning Proposal of Plug Power, Inc, and

WHEREAS, notice of said public hearing was duly advertised in The Daily News, the official newspaper of said Town, on Sept. 5, 2023 and

WHEREAS, said public hearing was duly held on September 11, 2023 at 7 pm at the Town Hall Judge Road Oakfield, NY 14125 and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said Proposal or any parts thereof, and

WHEREAS, pursuant to the Findings Statement prepared by the Town under part 617 of the implementing regulations pertaining to article 8 of the State Environmental Quality Review Act (SEQRA)

it has been determined by the TOWN BOARD of said TOWN that adoption of said Proposal would not have a significant effect upon the environment and could be processed by other applicable governmental agencies without further regard to SEQRA, and

WHEREAS, the TOWN BOARD of the TOWN of ALABAMA, after due deliberation, finds it in the best interest of said TOWN to adopt said Incentive Zoning Proposal.

NOW, THEREFORE, BE IT RESOLVED, that the TOWN BOARD of the TOWN of ALABAMA hereby finds that the proposed amenity provides sufficient public benefit to provide the requested incentive, it is hereby approved.

RESOLVED, that this Resolution shall take effect immediately.

Councilperson Fisher offered the resolution which was seconded by Councilperson LaGrou and approved by roll call vote:

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

Town Clerk Online Dog Licensing

Clerk Borkholder asked for permission to set up online dog licensing through Williamson Law Books at a cost of \$175.00 for setup and \$250 per year annual support. Disc. held.

MOTION by Councilperson Veazey, seconded by Councilperson Klotzbach to allow Clerk Borkholder to add online dog licenses at a cost of \$175.00 for setup and \$250 per year annual support. Approved by roll call vote:

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

Alabama Cemetery Fee Schedule

Alabama Cemetery Price List

Lot price per grave	\$600.00
April 1 st to Nov. 30 th :	
Adult interment charge*	\$650.00
Child interment charge (up to 30 inches)*	\$350.00
Cremated remains interment (grave)*	\$350.00
Companion cremated remains interment (grave)*	\$450.00
*Saturday/Sunday/Evenings after 3 p.m. Internments additional	\$250.00
Colibarium	
One niche	\$600.00
Interment (2 per niche)	\$300.00 per cremation
Other	
Deed transfer	\$50.00
Vault Storage	\$150.00
Headstone Foundations (Installation or Removal)	
up to 419 sq/in.	\$300.00 minimum**
**Over 420 sq. in. \$.60/sq. in.	

MOTION by Councilperson Fisher, seconded by Supv. Crossen to amend the Alabama Cemetery Fee Schedule to include headstone removal. 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:

Crosby Road rebuild is complete.
Had a site visit today.
Force main construction work continues.

Edwards Vacuum – Jeff Mickel and Dave Ciurzynski gave a presentation to the Board.

Phase 1 will create 300 jobs by the end of 2025.
Phase 2 will create another 300 jobs.
Closing anyday on property.
Potential groundbreaking in the Spring of 2024; C-of-O by 4th quarter 2025.

Water District #2 Municipal Solutions Amendment #5

Dear Supervisor Crossen:

Municipal Solutions, Inc. is submitting this amendment to our original contract dated April 12, 2017 to add additional fiscal services through project completion.

The total fee for this contract based on the current project scope will increase by \$1,500 and is **not to exceed** \$80,500 at a rate of \$155. If the estimated total fee is exhausted due to unanticipated changes in project plans, scope, or timeline, we reserve the right to amend this agreement through project completion.

The fees may be adjusted annually based on the U.S. Bureau of Labor and Statistics Consumer Price Index – All Urban Consumers.

Municipal Solutions, Inc. is registered as a recognized municipal advisor with the Securities and Exchange Commission (MS ID #867-00383) and the Municipal Securities Rule Making Board (MS ID #K0173) as mandated by the Dodd-Frank Wall Street Reform and Consumer Protection Act (the Dodd-Frank Act).

Upon acceptance of this proposal, please execute and return one copy to our LeRoy office located at 62 Main Street, LeRoy, New York 14482 following the next Board meeting. This contract will remain in effect until terminated by either party. The terms set forth above are subject to change if a signed contract is not received within 30 days.

We look forward to our continued working relationship with the Town.

MOTION by Councilperson Fisher, seconded by Supv. Crossen to accept Municipal Solutions Amendment #5 and have Supv. Crossen sign it. Approved by roll call vote:

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

Water District #2 Project Budget Modifications

WHEREAS, the Town of Alabama has received funding from Rural Development for their Water District #2 (“Project”); and

WHEREAS, the Town Board wishes to adjust project budget items to more accurately reflect actual costs and;

WHEREAS, Rural Development requires the Town Board to authorize all changes to the Administrative Budget as shown on the Form E; NOW, therefore be it

RESOLVED, that the Town Board of the Town of Alabama authorizes the following Budget modifications for the Project:

Meter Pit (Rusty Hoffmeister)	Increase of	\$691.89
Fiscal Advisor (Municipal Solutions Inc)	Increase of	\$1,500.00
Contingency	Decrease of	\$2,191.89

MOTION by Councilperson LaGrou, seconded by Supv. Crossen to approve the budget modifications for Water District #2. Approved by roll call vote:

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

Water District #1 Water Rate Increase

MOTION by Councilperson Fisher, seconded by Councilperson Klotzbach to increase the water rate for Water District #1 from \$6.00 to \$8.25 per thousand gallons, effective January 1, 2024. Approved by roll call vote:

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

Water District #2

Howard septic issue has been resolved.

Water meter tower installation is complete except for the fence. Should be installed by next week.

Court – Nothing new.

Town Hall – Nothing new.

Approval of Minutes

8/14/23 Public Hearings and Board Meeting – MOTION by Councilperson LaGrou, seconded by Councilperson Veazey 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

9/3/2023 -- 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

Audit Bills

MOTION by Councilperson LaGrou, seconded by Supv. Crossen to accept Abstract #009-2023 and pay bills in the amount of \$24,906.08 vouchers 168 to 185 General Fund; \$162,567.56 vouchers 132 to 146 Highway Fund; \$49,868.65 vouchers 15 to 24 Water District 2; \$1,491.47 vouchers 22 to 23 Water District 1. Approved by Roll Call Vote:

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

Transfers

MOTION by Councilperson Fisher, seconded by Councilperson LaGrou to transfer \$1,303.90 from DA5110.4 to DA51123.4. Approved by roll call vote:

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

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to transfer \$160.00 from A8015.1 to A8015.41. Approved by roll call vote:

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

Town Clerk’s Report

August 2023 -- MOTION by Councilperson Fisher, seconded by Supv. Crossen 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 – not submitted

CEO/ZEO Report – not submitted

FEMA – nothing new

2024 Budget

Preliminary budget to board members for review.

MOTION by Councilperson LaGrou, seconded by Councilperson Fisher to have a second meeting at 7:00 p.m., Monday, Sept. 25, 2023. Approved by roll call vote:

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

Solar

Craig Nale from EDPR gave a brief presentation to the Board regarding their Solar Project. Disc. held.

Executive Session

MOTION by Councilperson Veazey, seconded by Councilperson LaGrou to go into executive session at 8:20 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, Mark Masse and Supt. Covell. Approved by roll call vote:

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

MOTION by Councilperson Klotzbach, seconded by Supv. Crossen 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

MOTION by Councilperson LaGrou, seconded by Councilperson Veazey to adjourn meeting at 8:44 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