

**Town Board Meeting  
November 13, 2023**

Supv. Crossen called the monthly meeting of the Alabama Town Board to order at 7:00 p.m.

MOTION by Councilperson Fisher, seconded by Councilperson Veazey to open the public hearing for the Alabama Fire Dept. 2024 budget 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

MOTION by Councilperson LaGrou, seconded by Councilperson Klotzbach to open the public hearing for the Town of Alabama 2024 budget 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 notices that were published in the Nov. 7, 2023 Daily News:

**Legal Notice  
Notice of Public Hearing**

NOTICE IS HEREBY GIVEN that the Preliminary Budget for the **Town of Alabama** for the fiscal year beginning January 1, 2024, has been completed and filed in the Office of the Town Clerk, 2218 Judge Road, Town of Alabama, Genesee County, where it is available for inspection by any interested person during regular office hours and also on the Town website [alabamany.com](http://alabamany.com).

FURTHER NOTICE IS HEREBY GIVEN, that the Town Board will meet and review said preliminary budget and hold a public hearing thereon at the Alabama Town Hall, 2218 Judge Road at 7:00 p.m. on the 13th Day of November, 2023, and that at such hearing any such person may be heard in favor or against any item or items therein contained. Pursuant to Section 108 of Town Law, the proposed salaries of the following Town Offices are hereby specified as follows:

**Supervisor** \$19,000.00

**Councilpersons** (4) \$12,240.00 (\$3,060.00 each)

**Town Clerk/Tax Collector** \$39,790.00

**Town Justices** (2) \$19,700.00 (\$9,850.00 each)

**Town Highway Superintendent** \$77,365.00

By Order of the Town Board, Rebecca L. Borkholder, Town Clerk

**Legal Notice  
Notice of Public Hearing**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the **Town of Alabama** at the Alabama Town Hall, 2218 Judge Rd., Town of Alabama, County of Genesee NY at 7:00 p.m. on the 13th Day of November, 2023 for the purpose of considering the contraction with the Alabama Fire Department Inc. For the Fire Protection District established in said Town and known as “Town of Alabama Fire Protection District” upon the following general terms to wit:

1. The Alabama Fire Department will furnish and maintain at its sole expense and risk, suitable firefighting apparatus in Alabama and South Alabama.
2. The Alabama Fire Department shall respond and attend, when notified, upon any fire and rescue call in district with one or more companies and with suitable apparatus,
3. For such service, said Alabama Fire Department, Inc. Shall receive \$105,876.00 for the year 2024.
4. The Alabama Fire Department, Inc. Shall be responsible for all liabilities.
5. This agreement shall continue for a period of one year, commencing January 1, 2024.

By Order of the Town Board, Rebecca L. Borkholder, Town Clerk

Supv. Crossen opened the floor up for comments on the budgets:

Dave Bencic – asked what the difference is from last year to this year in the amount to be raised by taxes. East Pembroke went up 9% and Alabama Fire Dept. 2%, can the Town not accept the increase from East Pembroke? Disc. held. Noted that the Town added \$20,000.00 to the budget for police.

Todd Thompson – There are eight new members in the Dept. who are active.

Roll Call was taken, Councilperson Fisher, LaGrou, Klotzbach and Supv. Crossen were present. Also present were Mark Masse, Mark Boylan, Todd Thompson, Max Maerten, Jeff Tauscher, Vivian Williams, Dianne Klotzbach, Drew Klotzbach and Dave Bencic.

**Privilege of the Floor**

Dave Bencic – commented on disc. from last month’s meeting regarding PILOT’s, says it doesn’t make sense to keep taxes high just to get more PILOT money.

**Highway** – Report sent to Board Members. New truck and loader were delivered today.

**Engine Brake Complaint**

Supv. Crossen received a complaint from a resident on Ham Road regarding trucks using j-brakes. Disc. held.

**National Grid Street Light Authorization Form**

National Grid sent an authorization form to be signed by the Supv. approving installation of street lights at the intersections of Casey/Alleghany Rd and Marble/Alleghany Roads at a cost of \$14,952.00.

MOTION by Councilperson Klotzbach, seconded by Councilperson Veazey to accept the National Grid Authorization Form for installation of street lights at the intersections of Casey/Alleghany Rd and Marble/Alleghany Roads at a cost of \$14,952.00 and to 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

**Resignations**

Supv. Crossen received resignation letter from Pam LaGrou, Planning/Zoning Board Clerk, effective 12/31/2023 and Jeff Tauscher, Town Justice effective 3/31/2024. Disc. held.

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to accept the resignation letter from Pam LaGou, Planning/Zoning Board Clerk, effective 12/31/2023, with regrets. 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 Supv. Crossen to accept the resignation letter from Jeff Tauscher, Town Justice effective 3/31/2024, with regrets. Approved by roll call vote:

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

Disc. held on advertising for the open positions.

### **Close Public Hearings**

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to close the public hearing for the Town of Alabama 2024 budget at 7:19 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 Supv. Crossen to close the public hearing for the Alabama Fire Dept. 2024 budget at 7:19 p.m. 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:

FASTNY awarded \$56 million to EDC.

Force main construction halted for the year due to weather.

Another company is coming back for their 3<sup>rd</sup> site visit, three other companies interested as well.

Scannell – nothing new.

Edwards Vacuum – public hearing scheduled for Nov. 20<sup>th</sup> for site plan. Findings need to be done and host community agreement as well.

**Water Dist. 2** – nothing new.

### **Executive Session**

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to go into executive session at 7:24 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 Dianne Klotzbach. Approved by roll call vote:

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

MOTION by Councilperson Veazey, seconded by Councilperson LaGrou to come out of executive session at 7:46 p.m. Approved by roll call vote:

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

**Court** – nothing new

**Town Hall** – nothing new.

### **Solar Law Update**

Disc. on possible changes to the setbacks, landscaping and decommissioning.

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to have a second meeting at 7:00 p.m., Monday, November 27, 2023. Approved by roll call vote:

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

**Union Contract** – nothing new, working on scheduling a meeting.

**Approval of Minutes**

10/9/2023 Board Meeting – MOTION by Councilperson Veazey, 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**

11/5/2023 -- MOTION by Councilperson Fisher, 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 LaGrou, seconded by Councilperson Fisher to accept Abstract #01-2023 and pay bills in the amount of \$43,501.74 vouchers 202 to 209 General Fund; \$143,733.45 vouchers 160 to 182 Highway Fund; \$19,191.36 vouchers 30 to 32 Water District 2; \$3,488.24 vouchers 26 to 29 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**

October 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

**Official Undertaking for Tax Collection Officer:**

Councilperson LaGrou offered the following **RESOLUTION**:

**RESOLVED**, that we the undersigned members of the Town Board of the Town of Alabama, County of Genesee, State of New York, do hereby approve the bond as to it’s form, manner of execution, amount and sufficiency thereof, and to the sureties named thereon.

**BE IT FURTHER RESOLVED**, that said bond shall be conditioned that the Collector of Taxes shall well and truly keep, pay over and account for all monies and property coming into her hands as such Collector.

Councilperson Fisher seconded the **RESOLUTION** which was approved by roll call vote:

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

Form was signed by all Councilperson present and will be forwarded to the Genesee County Clerk and Treasurer along with the Certificate of Insurance from Tompkins.

**Assessor’s Report** – not submitted

**CEO/ZEO Report**

October 2023 -- 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

**AUTHORIZE DELINQUENT WATER BILLS TO BE LEVIED AGAINST 2024 TAX WARRANT**

**WHEREAS**, the Town Clerk has received a list of all property owners who owe for water rents in Water District #1 to the Town of Alabama; and

**WHEREAS**, Section 229-15 (c) of Town Law stipulates that such amounts owing shall be levied against the property to which the service is rendered.

**NOW, THEREFORE, BE IT RESOLVED**, the amount of \$836.40, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, David Berghorn, property located at 254 Wright Road, tax parcel #17.-1-13; and

The amount of \$358.80, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Thomas Hart, property located at 339 Wright Road, tax parcel #17.-1-40; and

The amount of \$392.40, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Gregory Crawford, property located at 345 Wright Road, tax parcel #17.-1-41; and

The amount of \$172.86, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, James Sullivan, property located at 323 Bloomingdale Road, tax parcel #17.-1-5.1.

Councilperson Fisher offered the resolution, which was seconded by Supv. Crossen and approved by roll call vote:

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

**AUTHORIZE DELINQUENT WATER BILLS TO BE  
LEVIED AGAINST 2024 TAX WARRANT**

**WHEREAS**, the Town Clerk has received a list of all property owners who owe for water rents in Water Districts #2 and #3 to the Town of Batavia; and

**WHEREAS**, Section 229-15 (c) of Town Law stipulates that such amounts owing shall be levied against the property to which the service is rendered.

**NOW, THEREFORE, BE IT RESOLVED**, the amount of \$1,886.38, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Rene Swanson, property located at 845 Lewiston Road, tax parcel #6.-1-11.2; and

The amount of \$1,268.43, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Juan Rivas, property located at 1368 Judge Road, tax parcel #15.-1-3; and

The amount of \$1,004.78, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Tyler Palmassano, property located at 1281 Bloomingdale Road, tax parcel # 14.-1-13; and

The amount of \$653.75, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Sara Currier, property located at 6956 Knowlesville Road, tax parcel # 12.-1-59.2; and

The amount of \$626.47, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Ronald Szpylman, property located at 1254 Bloomingdale Rd., tax parcel # 14.-1-37; and

The amount of \$521.14, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Kayla VanBilliard, property located at 6951 Knowlesville Road, tax parcel # 12.-1-39; and

The amount of \$501.50, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Andrew Peters, property located at 801 Lewiston Road, tax parcel # 6.-1-78.2; and

The amount of \$492.98, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Patrick & Nicole Soellner, property located at 1139 Lewiston Road, tax parcel # 6.-1-54; and

The amount of \$492.80, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, David & Verna Hall, property located at 7714 Maple Road, tax parcel #20.-1-22.1; and

The amount of \$414.74, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Jacob Ward, property located at 815 Lewiston Road, tax parcel #6.-1-8.2;

The amount of \$405.06, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Dustin Sutton, property located at 1151 Bloomingdale Road, tax parcel #14.-1-6;

The amount of \$366.79, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Judy Gilbert, property located at 1377 Lewiston Road, tax parcel #7.-1-33;

The amount of \$359.65, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Heather Mancuso, property located at 1934 Roberts Road, tax parcel #8.-1-3;

The amount of \$338.62, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Tracy Burr, property located at 6591 Alleghany Road, tax parcel #11.-1-73.2;

The amount of \$338.09, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Tracy Burr, property located at 6591 Alleghany Road, tax parcel #11.-1-73.2;

The amount of \$309.76, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Justin Sepi, property located at 1331 Sumner Road, tax parcel #14.-1-27.1;

The amount of \$306.50, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Robert Showler, property located at 1401 Lewiston Road, tax parcel #7.-1-31;

The amount of \$282.31, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Irving & Virginia Emerson, property located at 1368 Church St., tax parcel #11.-1-11;

The amount of \$281.78, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Irving & Virginia Emerson, property located at 1368 Church St., tax parcel #11.-1-11;

The amount of \$274.29, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Willie Burns Estate, property located at 6827 Knowlesville Road, tax parcel #12.-1-62.212;

The amount of \$249.48, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Jason Kkirkum, property located at 2241 Judge Road, tax parcel #12.-1-35.211;

The amount of \$246.14, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Tricia Velletta, property located at 7466 Macomber Road, tax parcel #20.-1-33.2;

The amount of \$242.17, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Jeremy Will, property located at 6440 Knowlesville Road, tax parcel #8.-1-70;

The amount of \$163.95, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Ronald Swimline, property located at 1875 Lewiston Road, tax parcel #7.-1-16.111;

The amount of \$147.75, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Joseph & Ana Wudarski, property located at 7691 Alleghany Road, tax parcel #19.-1-28;

The amount of \$128.30, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Jennifer Boyki, property located at 1299 Bloomingdale Road, tax parcel #14.-1-16;

The amount of \$114.05, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Jeff Bowker, property located at 1300 Casey Road, tax parcel #6.-1-48.111;

The amount of \$112.64, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Michael Pask, property located at 2104 Lewiston Road, tax parcel #12.-1-6.2;

The amount of \$99.79, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Alan Stevens, property located at 7204 Macomber Road, tax parcel #16.-1-70;

The amount of \$92.66, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Brian Richardson, property located at 7069 Maple Road, tax parcel #16.-1-37.2;

The amount of \$91.61, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Michael Walter, property located at 7156 Alleghany Road, tax parcel #14.-1-23;

The amount of \$85.54, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Stephen & Angeline Coast, property located at 781 Lewiston Road, tax parcel #6.-1-9;

The amount of \$85.54, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Michael & Kristina Smith, property located at 7107 Gorton Road, tax parcel #16.-1-1.2;

The amount of \$78.41, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Brianna Zuch, property located at 7047 Maple Road, tax parcel #16.-1-33;

The amount of \$77.18, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Lee & Sarah Tracy, property located at 1285 Bloomingdale Road, tax parcel #14.-1-14;

The amount of \$64.15, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Brian Weaver, property located at 6244 Alleghany Road, tax parcel #6.-1-26.1;

The amount of \$57.02, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Angela Falker, property located at 7048 Maple St. Road, tax parcel #16.-1-21;

The amount of \$57.02, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Darrin & Denise Bull, property located at 6386 Knowlesville Road, tax parcel #8.-1-83.2;

The amount of \$42.77, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Theresa Doyle, property located at 1921 Lewiston Road, tax parcel #8.-1-81.2;



The amount of \$28.51, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Stephen & Carol Jemison, property located at 7220 Ackerson Road, tax parcel #14.-1-56.2;

The amount of \$21.38, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, William Ruth, property located at 7389 Maple Road, tax parcel #16.-1-93;

The amount of \$14.02, or as may be amended before final submission to the Genesee County treasurer, be and is hereby approved for levying against the property owner, Ronald Benben, property located at 1363 Church Street, tax parcel #11.-1-12.2.

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

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

### **2024 Town Budget**

Disc. held on tax rate. Currently the proposed rate is \$2.65, Supv. Crossen would like to use more unexpended funds and decrease the amount raised by taxes. \$10,000.00 decrease in amount to be raised by taxes will lower tax rate to approx. \$2.57.

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to increase the unexpended fund balance by \$10,000.00 and decrease the amount to be raised by taxes by \$10,000.00 in the 2024 budget. Approved by roll call vote:

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

### **2024 Town of Alabama Budget Resolution**

Councilperson Fisher offered the following **RESOLUTION**:

**RESOLVED**, that the Town Board does duly adopt such Preliminary Budget as the Annual Budget of the Town of Alabama for the fiscal year beginning on the first day of January 2024, and that such budget as so adopted, at the one decimal level, be entered in detail in the minutes of the proceedings of the Town Board;

**AND BE IT FURTHER RESOLVED**, that the Town Clerk of this Town shall prepare and certify a copy of the annual budget as adopted by this Town Board with the estimates of any adopted pursuant to Section two hundred two-a of the NYS Town Law and within five days deliver copy of such budget to the Supervisor of this Town to be presented by him/her to the Genesee County Legislature within ten days after receipt from the Clerk.

Councilperson LaGrou seconded the **RESOLUTION**, which was adopted by roll call vote:

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

### **2024 Alabama Fire Dept. Budget**

Councilperson Klotzbach offered the following **RESOLUTION**:

**RESOLVED**, that the Town Supervisor is authorized to sign the Contract with the Alabama Fire Department for the year 2024 in the amount of \$105,876.00.

Councilperson Veazey seconded the **RESOLUTION**, which was adopted 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 Klotzbach to adjourn meeting at 8:23 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