

Town Board Meeting April 8, 2024

Supv. Crossen called the monthly meeting of the Alabama Town Board to order at 7:00 p.m. Roll Call was taken, Councilperson J. Klotzbach, Veazey, D. Klotzbach, Fisher and Supv. Crossen were present. Also present were Supt. Covell, Attorney Boylan, Mark Masse, Drew Klotzbach and Gordon & Denise Linsey.

Supv. Crossen read the following statement : Councilperson Dianne Klotzbach has informed me of a conflict with STAMP. Councilperson D. Klotzbach will not participate anytime the issue is discussed and simply vote 'present' on any vote taken.

Privilege of the Floor

Gordon & Denise Linsey – applied for a special use permit for their property on Knowlesville Rd. for a coffee shop. Would like to open at 5:30 a.m. instead of 7:00 a.m. as allowed in the Zoning Law. Gen. Co. Planning says a use variance cannot be issued for hours. Disc. held. Supv. Crossen says a Zoning Law amendment needs to be made to allow the Town Planning Board to approve.

Zoning Law Changes

Supv. Crossen recommends the following changes to the Zoning Law:

SECTION 623 NEIGHBORHOOD BUSINESS

5. Hours of Operation

The Neighborhood Business shall be conducted in such a manner that all clients, customers and others coming to do business shall arrive and depart between the hours of 7:00 a.m. and 9:00p.m. **During the process of granting a special use permit, the Planning Board may consider and is empowered to modify these hours of operation.**

SECTION 617

A. HOME BUSINESS CLASS I

11. Hours of Operation

The Home Business shall be conducted in such a manner that all clients, customers and others coming to do business shall arrive and depart between the hours of 7:00 a.m. and 9:00 p.m. (Exceptions may be made in the case of family day care when a dependent must be dropped off or picked up outside of those specified hours). **During the process of granting a special use permit, the Planning Board may consider and is empowered to modify these hours of operation.**

B. HOME BUSINESS CLASS II

11. Hours of Operation

The Home Business shall be conducted in such a manner that all clients, customers and others coming to do business shall arrive and depart between the hours of 7:00 a.m. and 9:00 p.m. (Exceptions may be made in the case of family day care when a dependent must be dropped off or picked up outside of those specified hours). **During the process of granting a special use permit, the Planning Board may consider and is empowered to modify these hours of operation.**

Disc. held. Supv. Crossen to send a referral to County Planning for the above Zoning Law changes.

Highway – Supt. Covell gave update:

- Had a few small snow events in March.
- Snow fence is down and being put away.
- Equipment – working on maintenance.
- Signs – working on converting signs to current code.
- Cemeteries have been cleaned up.
- NYS Snow & Ice agreements w/amendment to be signed.

NYSDOT Snow and Ice Adjustment/Calculation 2023/24 Snow & Ice Season & Amendment No. 3 to Contract No. D014801

Councilperson Fisher offered the following resolution

WHEREAS, the Town of Alabama is under contract with the New York State Department of Transportation to provide snow and ice control on specified State roads within the Town and,

WHEREAS, the base agreement, a five-year contract (No. D014801) commencing July 1, 2019 and ending June 30, 2024, was approved at the March 9, 2020 Town Board Meeting and,

WHEREAS, the NYSDOT Municipal Snow & Ice Program Agreement Adjustment/Calculation Worksheet for Index Lump Sum Agreements for the 2023/24 Snow & Ice Season show an estimate of \$249,117.64, an increase of \$56,259.09 from the original base season estimate of \$192,858.55 from the current agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes Supervisor Crossen to execute the NYSDOT Municipal Snow & Ice Program Agreement Adjustment/Calculation Worksheet for Index Lump Sum Agreements for the 2023/24 Snow & Ice Season with an increase of \$56,259.09 and Amendment No. 3 to Contract No. D014801.

The resolution was seconded by Councilperson J. Klotzbach and approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

CDL Classes for Union Employees

Genesee Valley BOCES offers CDL Class B to Class A courses at a cost of \$4,500; Stevens Truck School offers the course at a cost of \$5,900. Supt. Covell would like approval for Alec and Kurt to attend the course at Genesee Valley BOCES.

MOTION by Councilperson Veazey, seconded by Councilperson Fisher to allow Alec Covell and Kurt Pastuszynski to attend the CDL course at Genesee Valley BOCES at a cost, to the Town, of \$4,500.00 each. Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Trucks

New Truck @ Van Bortel should be ready for pick up at the end of the month. Supt. Covell would like permission to sell the ¾ ton pickup and plow separately. Disc. held on where/how to sell. Supv. Crossen recommends using Auctions International.

MOTION by Councilperson Veazey, seconded by Councilperson Fisher to allow Supt. to sell the ¾ ton pickup and plow separately. Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Street Lights – Supt. Covell working with National Grid to get the paperwork for new street lights to be installed this year. Early estimate shows that the four street lights are coming in at half the budgeted amount.

STAMP – Mark Masse gave update:

Edwards started earth moving this week.

Geotech for roadway and water tank being done.

FASTNY approved by Empire State Development. Should get funds by July/August.

Had a site visit last week.

Eminent Domain case in court on April 16th.

Water District #2 – nothing

Executive Session

MOTION by Councilperson J. Klotzbach, seconded by Councilperson D. Klotzbach to go into executive session at 7:21 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. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Councilperson D. Klotzbach excused herself from the executive session portion with Mark Masse. She entered executive session after Mark Masse left.

MOTION by Councilperson Fisher, seconded by Councilperson J. Klotzbach to come out of executive session at 7:57 p.m. Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Court – nothing new

Town Hall – nothing new

Solar Law Update – Supv. Crossen to send information to Wendel and have them review the solar law.

Standard Work Day Resolution

Councilperson Fisher offered the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Alabama hereby establishes the following as a standard workday for elected and appointed officials for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement system:

All Elected Officials: Supervisor, Councilperson, Town Clerk, Receiver of Taxes, Town Justice – six (6) hour day.

Superintendent of Highways – eight (8) hour day

Appointed Officials: Members of Board of Zoning Appeals, Members of Planning Board, Zoning Enforcement Officer, Code Enforcement Officer, Court Clerk, Water System Operator, Cleaner and Tax Assessor – six (6) hour day.

Town Highway Workers – eight (8) hour day.

Councilperson D. Klotzbach seconded the resolution which was approved by roll call vote:
C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Standard Workday Reporting Resolution for Elected and Appointed Official for the New York State Retirement System:

Councilperson Veazey offered the following resolution:

RESOLVED, That the Town of Alabama hereby establishes the following as standard work day for this title and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities (ROA).

Title	Standard Work Day (hrs/day)	Name	Current Term begin & end	ROA results
Town Clerk	6	Rebecca Borkholder	1/1/2024-12/31/2027	21.67 month
ZEO/ZEO	6	Michael Morris	1/1/2024-12/31/2024	11.67 /Quarter
Highway Supt.	8	Jeffrey Covell	1/1/2024-12/31/2027	21.67 /month
Water System Operator	6	John Asmus	1/1/2024-12/31/2024	5/ Quarter

Supv. Crossen seconded the resolution which was approved by roll call vote:
C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Appointment – Planning/Zoning Board Clerk

MOTION by Councilperson Veazey, seconded by Councilperson D. Klotzbach to appoint Rebecca Borkholder as the Planning/Zoning Board Clerk. Approved by roll call vote:
C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

MOTION by Councilperson Fisher, seconded by Councilperson Veazey to pay a stipend to Rebecca Borkholder in the amount of \$1,500.00 for Planning/Zoning Board clerk. Approved by roll call vote:
C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Resignation

Joe Cassidy, Town Historian, submitted a resignation letter on 3/27/24.

MOTION by Councilperson Fisher, seconded by Councilperson J. Klotzbach to accept the resignation letter from Joe Cassidy, with regrets, effective 3/31/24. Approved by roll call vote:
C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Highway Capital Savings Money Market Account

MOTION by Councilperson Fisher, seconded by Supv. Crossen to open a new money market account with Bank on Buffalo with the Highway Capital Savings funds. Approved by roll call vote:
C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Approval of Minutes

3/11/24 and 3/25/24 Board Meetings – MOTION by Councilperson Fisher, seconded by Councilperson Veazey to accept minutes as presented. Approved by roll call vote:
C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Supervisors Report

4/2/2024 -- MOTION by Councilperson J. Klotzbach, seconded by Councilperson D. Klotzbach to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Audit Bills

MOTION by Councilperson Veazey, seconded by Councilperson Fisher to accept Abstract #004-2024 and pay bills in the amount of \$16,901.51 vouchers 70 to 87 General Fund; \$26,036.89 vouchers 57 to 80 Highway Fund; \$357.56 vouchers 11 to 12 Water District 1. Approved by Roll Call Vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Town Clerk’s Report

March 2024 -- MOTION by Councilperson J. Klotzbach, seconded by Supv. Crossen to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Assessor’s Report – not submitted

CEO/ZEO Report

March 2024 -- MOTION by Councilperson Fisher, seconded by Councilperson Veazey to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

MOTION by Councilperson J. Klotzbach, seconded by Councilperson Veazey to adjourn meeting at 8:11 p.m. Approved by roll call vote:

C. Fisher – yes C. J. Klotzbach – yes C. D. Klotzbach – yes C. Veazey – yes Supv. Crossen – yes

Respectfully Submitted,

Rebecca L. Borkholder
Town Clerk