

Town Board Meeting January 11, 2021

Supv. Crossen called the monthly meeting of the Alabama Town Board to order at 7:00 p.m. Roll Call was taken, Councilperson LaGrou and Supv. Crossen were present; Councilperson Fisher, Veazey and Klotzbach were present via zoom. Also present were Supt. Covell and Mike Morris. Present via zoom were Mark Masse, Attorney Boylan, Jeremy DeLyser, Drew Reilly, Scott Harkness, Jeff Tauscher and Chad Klotzbach.

Privilege of the Floor

Dave Bencic sent written comments regarding the official newspaper, The Daily News. A lot of residents do not receive the paper, he wants to make sure that legal notices are also posted on the website.

Communications

Association of Towns sent a list of trainings available to Town Officials.

Shared Services Agreement with Alabama Fire Dept.

Board members were sent a copy of the proposed shared services agreement with AFD. Disc. held. Will forward to the Fire Dept. for their review.

NYSERDA Zoom Meeting

MOTION by Councilperson LaGrou, seconded by Councilperson Fisher to have a zoom meeting with NYSERDA and the Planning Board at 6:00 p.m., Monday, February 8, 2021 to discuss solar and green energy. Approved by roll call vote:

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

Ledge Rd. Accident

The Town received a notice of claim for an accident on Alleghany Rd. at the Ledge Rd. intersection. It has been forwarded to the Town Attorney and insurance company.

Appointments

| Position | Name |
|---|----------------|
| Cleaner | Debra Falker |
| Alabama Cemetery Caretaker | Jeffrey Covell |
| Buildings/Grounds Maintenance | Jeffrey Covell |
| Town Attorney | Mark Boylan |
| Large Project Administrator | Mark Boylan |
| Water System/Treatment Plant Operator WD1 | John Asmus |
| Zoning/Planning Board Clerk | |
| Town Prosecutor | Kevin Finnell |
| | |

MOTION by Councilperson LaGrou, seconded by Councilperson Klotzbach to approve the appointments as written. Approved by roll call vote:

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

Supervisor Appointments

Deputy Supervisor – Kevin Fisher
Historian -- Joseph Cassidy
Bookkeeper – Mary Jo Hinkson

Highway Supervisors’ Appointment

Deputy Highway Superintendent – Scott Harkness

OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS

Councilperson LaGrou offered the following resolution:

WHEREAS, various sections of New York State Town Law and Public Officers Law require that certain officials execute and Official Undertaking; and

WHEREAS, we, the Town Board of the Town of Alabama hereby require the Supervisor, Town Clerk, Tax Collector, Town Justice, and Highway Superintendent to execute said Official Undertaking as required by said law;

NOW, THEREFORE BE IT RESOLVED that we, the Town Board of the Town of Alabama approve the document entitled “Town of Alabama Official Undertaking of Municipal Officers” as to its form and manner of execution and the sufficiency of the insurance, and

BE IT FURTHER RESOLVED that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the Office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

TOWN OF ALABAMA
OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, **Robert Crossen**, of the Town of Alabama, County of Genesee, New York, has been appointed to the Office of Supervisor of the Town of Alabama, and

WHEREAS, **Rebecca L. Borkholder** of the Town of Alabama, County of Genesee, New York, has been elected to the Office of Town Clerk of the Town of Alabama, and

WHEREAS, **Rebecca L. Borkholder** of the Town of Alabama, County of Genesee, New York, has been elected to the Office of Town Tax Collector of the Town of Alabama, and

WHEREAS, **Jeffrey Tauscher**, of the Town of Alabama, County of Genesee, New York, has been elected to the Office of Town Justice of the Town of Alabama, and

WHEREAS, **Pamela Thurber**, of the Town of Alabama, County of Genesee, New York, has been elected to the Office of Town Justice of the Town of Alabama, and

WHEREAS, **Jeffrey Covel** of the Town of Alabama, County of Genesee, New York, has been elected to the Office of Superintendent of Highways of the Town of Alabama, and

NOW, THEREFORE, we as respective officers above, do hereby undertake with the Town of Alabama that we will faithfully perform and discharge the duties of our office, and will promptly account for and pay over all moneys or property received as a Town Officer, in accordance with the law; and

This undertaking of the Town Supervisor is further conditioned upon that he will well and truly keep, pay over and account for all moneys and property, including any special district funds, belonging to the Town and coming into his hands as such Supervisor; and

This undertaking of the Town Clerk is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Town Clerk; and

This undertaking of the Tax Collector is further conditioned that she will well and truly keep, pay over and account for all moneys and property coming into her hands as such Tax Collector; and

This undertaking of the Town Justice is further conditioned that he/she will well and truly keep, pay over and account for all moneys and property coming into his/her hands as such Town Justice; and

The Town does and shall maintain insurance coverage, presently with ENB Insurance, in the sum of \$1,000,000.00 for the Tax Collector, Supervisor and Town Clerk to indemnify against losses through the failure of the officers, clerks and employees covered thereunder faithfully to perform their duties or to account properly for all monies or property received by virtue of their positions or employment, and through fraudulent or dishonest acts committed by the officers, clerks and employees covered thereunder.

Councilperson Veazey seconded the motion, which was approved by roll call vote:

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

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE YEAR 2021 JOINT YOUTH PROGRAM**

Councilperson Klotzbach offered the resolution:

WHEREAS, the Town of Alabama has previously set up and administered a Joint Youth Program with the Village of Oakfield, Towns of Oakfield and Batavia, and

WHEREAS, the Town of Oakfield's contribution to this joint project has most recently been approved in the amount of **\$2,500.00**, and such contribution qualifies for a fifty percent (50%) NYS State Aid reimbursement, or the maximum allowable according to the State Aid Eligibility Summary for the Program Year as provided by Genesee County Division for Youth; and

WHEREAS, the Alabama Town Board has deemed this Joint Youth Project to be worthwhile and of distinct benefit to area Youth, and the Town wishes to continue participation in this youth project;

NOW THEREFORE, BE IT RESOLVED, that the Year 2021 Joint Youth Project as herein described, is approved, as is the Town's contribution of **\$2,500.00**.

Councilperson LaGrou 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

Town Depositories –

Motion by Councilperson Fisher, seconded by Councilperson LaGrou to use the Bank of Akron and M&T Bank for Town Depositories. Approved by roll call vote:

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

Town Board Meeting Dates and Times –

MOTION by Councilperson Veazey, seconded by Councilperson Fisher to hold Town Board Meetings at 7:00 p.m. on the second Monday of the Month, and the fourth Monday as needed. Approved by roll call vote:

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

Planning Board Meetings

MOTION by Councilperson Fisher, seconded by Councilperson LaGrou to hold Planning Board Meetings at 7:00 p.m. on the Third Monday of the Month. Approved by roll call vote:

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

Highway Superintendent School/Conference/Advocacy Day

MOTION by Councilperson Fisher, seconded by Councilperson LaGrou to allow Highway Supt. Covell to attend the highway superintendent school, Fall conference and advocacy day in March.

Approved by roll call vote:

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

Highway Superintendent Health Insurance

MOTION by Councilperson Veazey, seconded by Councilperson Klotzbach to pay for the Highway Superintendent’s Health Insurance as agreed to in the Union Contract. Approved by roll call vote:

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

Highway 284 Agreement

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONEYS

AGREEMENT between the Town Superintendent of the Town of Alabama, Genesee County, New York, and the undersigned members of the Town Board. Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected in the Town for the repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$300,863.00 shall be set aside to be expended for primary work and general repairs upon 32.40 centerline miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. PERMANENT IMPROVEMENTS: The sum of \$98,400.00 shall be set aside for permanent repairs.

Due to COVID-19, the Town Board members are attending meetings via zoom, therefore a certification of the resolution approving this agreement is attached in lieu of original signatures from Board Members.

County Superintendent of Highways

Town Superintendent

NOTE: This agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. Both copies must be approved by the County Superintendent. One copy must be filed in the Town Clerk’s office and one in the County Superintendent’s office. COPIES DO NOT HAVE TO BE FILED IN Albany.

MOTION by Councilperson LaGrou, seconded by Councilperson Fisher to accept the Highway 284 agreement as written. Approved by roll call vote:

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

Fee Schedules

Dog License Fees for 2021

Spayed/Neutered Dog \$7.00 (\$6.00 local fee plus \$1.00 state fee*)

Unspayed/Unneutered Dog \$15.00 (\$12.00 local fee plus \$3.00 state fee*)

Purebred License

\$25.00 no more than 10 dogs (plus required state fees*)

\$50.00 11 to 25 dogs (plus required state fees*)

\$100.00 more than 25 dogs (plus required state fees*)

*Required state fees:

*\$1.00 per spayed/neutered dog;

*\$3.00 per unspayed/unneutered dog

Replacement tag: \$3.00 (upon tag replacement, a new license # will be issued)

Impound Fee: \$10.00 1st

Assessed to dog owner \$20.00 2nd

NOT the Dog \$30.00 3rd & more w/in 1 year from first time.

Late Dog License Renewal Fee \$5.00

if renewed Aug. 1st or later.

TOWN OF ALABAMA

2021 Building Permit & Inspection Fee Schedule

| <u>Building Permits</u> | <u>Fee</u> |
|--|--------------------------------|
| One & two family dwellings (to include attached garage) | \$.15 per sq ft |
| Multi-family dwellings (to include attached garage) | \$.15 per sq ft |
| Mobile homes (minimum 20ft wide and a minimum of 750 sq. ft of floor area) | \$100.00 |
| Additions to dwelling (to include second story) (minimum fee \$50) | \$.15 per sq ft |
| Remodeling Permits (300 sq ft or more or 2 rooms) (minimum fee \$50) | \$.15 per sq ft |
| Garage -- Attached (minimum fee \$50) | \$.15 per sq ft |
| Garage -- Un-attached | Same as stick built structures |
| Handicap Ramp (Residential) | No Fee |
| Decks & porches 0 - 100 sq ft | \$25.00 |
| Decks & porches 101 sq ft or more (minimum fee \$25) | \$.15 per sq ft |
| Accessory Building 0 - 150 sq. ft (pre-fab) | No Fee |
| Accessory Building 151 sq ft or more (pre-fab) (pre-fab) | Same as stick built structures |
| Accessory structure 0 - 150 sq. ft (stick built) | \$25.00 |
| Accessory structure 151-300 sq ft (stick built) | \$75.00 |
| Accessory structure 301-499 sq ft (stick built) | \$125.00 |
| Accessory structure 500-999 sq ft (stick built) | \$175.00 |
| Accessory structure 1000 sq ft or more (stick built) | \$225.00 |
| Chimney and solid fuel permits | \$40.00 |
| Swimming pools, hot tubs & spas (above ground) | \$25.00 |

| | | |
|---|--------------------------|------------------------|
| Swimming pools & cement ponds (in-ground) | | \$50.00 |
| Standby Generator Systems | | No Fee |
| Non-Commercial Wind energy systems | | \$30.00 |
| Telecommunication tower up to 175ft | | \$1,200.00 |
| Telecommunication tower over 175ft | add per additional ft -- | \$25.00 |
| Outdoor Special Events Permit | | \$50.00 |
| Permit Renewals | | See Zoning Fees |
| Permit Extension | | See Zoning Fees |

| | | |
|---|--|---------|
| Demolition permit (only needed for dwellings if not re-building) | | \$30.00 |
|---|--|---------|

State required Annual Fire inspections

| | | |
|--|--|---------|
| Non-Residential Commercial, Public Assembly, Non-Profit Organizations | | No Fee |
| Multi-Family dwellings 3-5 units; Multi-Family dwellings 6 units or more | | No Fee |
| Misc. inspections | | \$50.00 |

| | | |
|---------------------|---|--------------|
| Water tap in | <i>* Any additional costs over \$1,250.00 to be paid by homeowner</i> | \$1,250.00 * |
|---------------------|---|--------------|

- **Permit involving change of Occupancy shall be the same as for a New Building**
- **Electrical inspections are not included in building permit fees and must be purchased separately**
- **Septic system permits are not included in building permit fees and must be purchased separately**
- **All inspections are done in accordance with NYS uniform fire and building code**

**TOWN OF ALABAMA
2021 Zoning Fee Schedule**

| <u>Zoning Permits</u> | <u>Fee</u> |
|--|---|
| Zoning Permit | \$50.00 |
| Outdoor Special Event Permit | \$50.00 |
| Accessory Structure 0 to 100 sq ft and handicap ramps | No Fee |
| Accessory Structure 101 to 150 sq ft | \$50.00 |
| Wind Energy Systems | \$30.00 |
| Standby Generator Systems | No Fee |
| <u>Permit Extensions</u> | (one time only) \$25.00 |
| <u>Permit Renewals</u> | (one time only then must re-apply for new permit) \$50.00 |
| <u>Pools, Hot tubs & Spas</u> | (Code Specifications available at Town Clerk's Office) |
| In-ground (any size) | \$50.00 |
| Above ground, 30 inches or more in depth or electric insp required | \$25.00 |
| Above ground, 29 inches or less in depth (no electric) | No fee |
| <u>Junk Yard License (Annual)</u> | \$100.00 |
| <u>Trailer Court</u> | \$100.00 |

Minimum annually up to ten (10) trailers, \$10.00 each additional trailer over 10

| | |
|--|----------|
| Planned Unit Development** | \$500.00 |
| <i>**All costs incurred by Town of Alabama (i.e. consultants, attorneys etc.) shall be paid by applicant</i> | |

| | |
|---|----------|
| Petitions | |
| Petitions requiring a Public Hearing * ** | \$140.00 |
| Petitions not requiring a Public Hearing * ** | \$100.00 |
| Petitions to Town Board | * ** |
| Petitions for variance for Handicap Ramps | No Fee |

Section 813 -- Public hearing and Notice Requirements. Town of Alabama Zoning Law
When a public hearing is required by the Town of Alabama Zoning Law, the requirements set forth in this section, as well as the applicable requirements of the NYS Town Law, shall be followed. All costs for the public hearing including, but not limited to the legal ad(s), required mail notifications and posting of signs, shall be paid by the applicant.
***All cost incurred by the Town of Alabama (i.e. consultants, attorney etc.)*

| | | | |
|---|------|-------------------------------|-------------------------------|
| Subdivision | * ** | See Above for additional cost | |
| Preliminary Plot | * ** | | (+\$25 per each lot) \$100.00 |
| Subdivision Plot | * ** | | \$100.00 |
| Review of site plan and SEQR by Town Engineer | * ** | | (+\$25 per each lot) \$100.00 |

| | | | |
|------------------------|----|--------|--------------------|
| Town Clerk Fees | | | |
| Zoning Law | CD | \$5.00 | Paper Copy \$15.00 |
| Subdivision Law | CD | \$5.00 | Paper Copy \$10.00 |
| Comprehensive Plan | CD | \$5.00 | Paper Copy \$15.00 |
| Bad Check Fee | | | \$35.00 |
| Copies (per page/side) | | | \$0.25 |

Solar Energy Fee Schedule

Tier 1 Solar Energy Systems
 Building Permit Fee: \$100

Tier 2 Solar Energy Systems*
 Site Plan application fee: \$200
 Building Permit Fee: \$100

Tier 3 Solar Energy Systems*
 Special Use Permit Application Fee: \$500 plus \$20 per acre of fenced in area
 Site Plan Application Fee: \$200 plus \$100 per acre of fenced in area
 Building Permit Fee: \$500 plus, \$.008 per square foot of panel area

Tier 4 Solar Energy Systems*

Special Use Permit Application Fee: \$500 plus \$20 per acre of fenced in area

Site Plan Application Fee: \$200 plus \$100 per acre of fenced in area

Building Permit Fee: \$500 plus, \$.008 per square foot up to 2.178 million square foot of panel area, plus \$.003 per square foot panel area over 2.178 million square foot of panel area

*The Town may require any applicant to enter into an escrow agreement to pay for any and all engineering and legal cost associated with the review and any needed specialty studies.

MOTION by Councilperson LaGrou, seconded by Councilperson Veazey to approve the dog, zoning, building and solar fee schedules as presented with edits. Approved by roll call vote:

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

Official Newspaper

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to name The Daily News as the official Newspaper for the Town. Approved by roll call vote:

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

Town Board Committees 2021

Solar – All Board members

Wind – Councilperson Klotzbach and Fisher

Water – Supv. Crossen and Councilperson Fisher

STAMP – Supv. Crossen and Councilperson Veazey

Court – Councilpersons LaGrou and Klotzbach

Buildings – Councilpersons Fisher and Veazey

Disaster Plan Review – Supv. Crossen

Union Contract Negotiations – Supv. Crossen and Councilperson LaGrou

Time Warner/Spectrum Negotiations – Supv. Crossen & Councilperson Klotzbach

GAM -- Supv. Crossen and Councilpersons LaGrou & Fisher will rotate.

Wind -- Nothing new.

STAMP – Mark Masse gave update

Continues to be increased interest from two companies in the STAMP site.

Working on sewer line to Medina.

In discussions with Town of Batavia to have them do O&M on water for STAMP site.

Would like to have a statement on Town website for STAMP. Currently only have link to EDC.

Water Dist. #2 – Jeremy DeLyser gave update

Sergi stated working on Phase 3B

Morsch will be working on Ham Road meter vault.

Morsch will re-start working on Pembroke line in the next few weeks.

Lamkin easement at Alleghany/Ledge Rd. is not going to be signed, will need to re-work lines in that area.

Spectrum Franchise Agreement

Spectrum sent their agreement, Supv. Crossen and Councilperson Klotzbach to work on it.

Union Contract – Nothing new.

Purchase from Bid Sheets

MOTION by Councilperson Fisher, seconded by Councilperson LaGrou to allow Supt. Covell to purchase from bid sheets that meet New York State piggybacking laws. Approved by roll call vote:

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

Safe Driver Solutions/ Drug Testing

MOTION by Councilperson LaGrou, seconded by Councilperson to accept the contract from Safe Drive Solutions for Drug Testing and allow Supv. Crossen to sign it. Approved by roll call vote:

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

Highway Drug and Alcohol Policy

MOTION by Councilperson LaGrou, seconded by Councilperson Klotzbach to adopt the Drug and Alcohol Policy as written. Approved by roll call vote:

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

Road Striping and Signage

MOTION by Councilperson Veazey, seconded by Councilperson Fisher to allow Supt. Covell to spend money from A3310 for road striping and signage. Approved by roll call vote:

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

Approval of Minutes

12/14/2020 – MOTION by Councilperson Klotzbach, 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

1/4/2021 -- MOTION by Councilperson Veazey, seconded by Councilperson Fisher 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 #001-2021 and pay bills in the amount of \$56,484.58 vouchers 1 to 26 General Fund; \$32,506.99 vouchers 1 to 22 Highway Fund; \$32,492.25 vouchers 1 to 3 Water District 2; \$531.00 vouchers 1 to 2 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

Dec. 2020 and 2020 Annual -- MOTION by Councilperson Fisher, seconded by Councilperson LaGrou to accept reports as written. Approved by Roll Call Vote:

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

Highway – Supt. Covell gave update:

Received a complaint from a resident a few weeks ago when we had significant snow. Returned the call and left message. Haven't heard back from him.

Snow fence is all up.

Equipment repairs and service being done.

Entryway to shop is done.

Sign work being done, replacing as needed.
Received CHIPS money.
Lights all converted to LED at Town Hall and Highway Dept.

Court – notified Supv. Crossen they are ready for audit.

Town Hall – Disc. held on removing the clerk's portion of the court bench to make more room for meetings. Supv. Crossen will work with Supt. Covell to remove it.

Garbage Service Update

Supv. Crossen received a few calls from residents.

PB/ZB Clerk

Received interest from two applicants. Supv. Crossen and Clerk Borkholder will interview them. It will be open to the PB and ZB Chairman as well.

COVID-19 – Supv. Crossen gave update

A TV was installed in the Board Room for meetings at a cost of \$500.

Testing is on-going through the County.

Vaccination clinics starting next week.

County is in need of volunteers. Highway guys will volunteer to direct traffic if needed and as available due to the weather.

Zoning Law Update

The Planning Board is not happy with LaBella. Disc. held. Supv. Crossen will get a list of what they are not happy with and reach out to LaBella.

Code-Zoning Enf. Officer

Mike Morris is getting prices through the Town of Oakfield to use their code/zoning program through BAS. Disc. held. He will get prices for next meeting.

MOTION by Councilperson Klotzbach, seconded by Councilperson Veazey to adjourn meeting at 8:40 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