

Town Board Meeting January 12, 2026

Supv. Crossen called the monthly meeting of the Alabama Town Board to order at 7:00 p.m. Roll Call was taken, Councilperson Fisher, Klotzbach, Warner, Shultz and Supv. Crossen were present. Also present: Attorney Boylan, Dave Bencic, Supt. Covell, Katie Weaver, Gaye Drock and Sharon Larmon.

Privilege of the Floor --

Katie Weaver – Solar Update: finished cultural services. Will share layout with the Towns soon. Notice of intent to file application will be sent in February or March.

Disc. held of people doing solar studies parking on the side of the road with no cones on Townline Road. Not safe.

Dave Bencic – Lynch’s windmill has been extremely noisy the last few weeks with the high winds. Supv. Crossen will notify CEO/ZEO Morris.

Solar – if he signs the neighbor agreement with solar, does it allow him to waive the setbacks?
Disc. held.

Is there a sound ordinance?

Gaye Drock – Can the Town put meeting on the sign board at the Fire Hall for Meetings? Disc.

Sharon Larmon – when will the Planning Board share comments with residents on the Stream Data Center?

When will the Town post the site plan? When will they vote on it?

When will the public hearing be?

There are different heights for the building on the SEQR documents and the sketch plan, which is correct?

The SEQR application says Stream is working on a sound study, how will the Planning Board address it? What is obnoxious noise?

Power – 500 mw of power is enough to power all of the homes in the GLOW region. What is our small town going to do to benefit from it?

This is a heavy burden for the Town for what we may get for it.

Highway

Supt. Covell gave update:

Plowed snow and chased trees during December.

Gave brief overview of overtime hours for snowplowing.

The Ford truck needs a new motor, still under warranty.

Salt barn – awards haven’t been released yet.

Soil & Water asked Jeff to test some live edge cutting edge for salt. Cost is \$4,000. Jeff is interested in trying it out on the Reservation Roads. They are looking to test the equipment with three or four Towns.

Meadville Rd – the DEC called the highway dept. to help with farm animal carcasses that were dumped on the side of road.

Town hall – cameras up and running. Furnace repairs were done for propane smell. Outside lights updated to LED.

Purchase from Bid Sheets

MOTION by Councilperson Fisher, seconded by Councilperson Klotzbach 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. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Road Striping and Signage

MOTION by Councilperson Klotzbach, seconded by Councilperson Warner to allow Supt. Covell to spend money from A3310 for road striping and signage. Approved by roll call vote: C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

RESOLUTION AUTHORIZING THE PURCHASE OF A TEN WHEEL TRUCK FROM THE CAPITAL RESERVE FUND

WHEREAS, the Town Board of the Town of Alabama previously established a Capital Reserve Fund pursuant to Section 6-c of the New York State General Municipal Law for the purpose of financing the acquisition of highway equipment, including trucks; and

WHEREAS, the Town Board has determined that it is necessary and in the best interest of the Town to purchase a truck for use by the Highway Department; and

WHEREAS, funds are available in the Capital Reserve Fund to pay the majority of said purchase; and

WHEREAS, the proposed expenditure is consistent with the purpose for which the Capital Reserve Fund was established;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Alabama hereby authorizes the expenditure of up to \$342,899.78 from the Highway Capital Reserve Fund for the purchase of a truck for the Town Highway Department; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to transfer said funds from the Capital Reserve Fund to the appropriate capital or highway fund with any needed balance coming from the equipment fund and to execute any and all documents necessary to complete the purchase; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately, subject to permissive referendum as required by law.

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

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

STAMP – Mark Masse gave update:

Data Center Water – will use approx. 20,000 gpd from municipal water. Genesee Co. has allocated 200,000 gpd for the STAMP site, the data center usage is well below the allotment.

Data Center Waste Water – just regular sanitary sewer. DEC issued a new permit to the Village of Oakfield.

Power @ STAMP – studies have been done. The power to the STAMP site will not affect residential electric rates.

Stream chose the Plug Power site, 60 acres, because there are no wetlands there.

Financial Incentive package will be on the February agenda for the EDC.

IZA – the Town has received \$14 million in incentives to date. \$10 million of that was for Town water. Highway used some of the funds to widen roads.

There was an email campaign to the DEC to have them take Lead Agency on the SEQR process for Stream. They received over 400 emails, mostly from out-of-town people. Approx. 20 were from Town Residents.

Basis of Design, Oakfield Force Main – Supv. Crossen and Supt. Covell requested changes to some of the manhole placements. CPL reviewing them. Waiting for updated plans.

Edwards Lighting – Supv. Crossen received complaint about Edwards lights. Edwards is working on it. They have dimmed the lights. Wendel to follow up on it.

Supv. Crossen has also received complaints on lighting at the substation.

2026 PILOT/Host Comm. Agreement Payments

Plug Power and Edwards Vacuum have not paid their PILOT/Host Comm. Agreement payments that were due on January 1st. Disc. held on sending default letters to both. Will hold Edwards letter until next week, they are working on sending payment.

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to send default letters to Plug Power and Edwards Vacuum for the 2026 PILOT/Host Comm. Agreement Payments. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Data Center Site Visit

Supv. Crossen would like permission to start working on a site visit to a Data Center with himself, a Town Board Member, Planning Board members, Fire Dept. members. Disc. held.

MOTION by Councilperson Klotzbach, seconded by Councilperson Warner to allow Supv. Crossen to set up a site visit to a Data Center when the application fee funds become available. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Water District #1 – Supv. Crossen has looked into State Law regarding shutting off water to residents for non-payment. The Town cannot shut off water, we are required to set up a payment plan if needed. Supv. Crossen and Attorney Boylan to look into it further.

Water District #2 – nothing new

Executive Session

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to go into executive session at 7:48 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. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

MOTION by Councilperson Klotzbach, seconded by Councilperson Shultz to come out of executive session at 8:11 p.m. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Solar Law Update – Nothing new.

Battery Storage Law – Nothing new.

Court – received letter from the Justices that they are ready for their 2025 books to be audited.

Town Hall – nothing new

Noise Ordinance Request from Gerald Bacon

Disc. held. Currently use the NYSDEC regulations for noise. Suggested that Mr. Bacon send the request to the Assemblyman Steve Hawley at the State Level.

Facebook Page for Town

Disc. held on creating a Facebook page. Supv. Crossen stated that people don't like going to the website for information. Highway would like to use it for dangerous condition notifications.

Town of Alabama Facebook Policy

1. Purpose

The Town of Alabama Facebook page is established as a **one-way communication tool** to provide residents with timely access to official Town information, including but not limited to:

- Emergency alerts
- Meeting notices and agendas
- Public hearings
- Town events and announcements

This page is **not intended to be a forum for public discussion or debate.**

2. Comment and Interaction Settings

- **Comments Disabled by Default:**
Where the Facebook platform allows, the “Comment” function will be disabled on all posts.
 - **Moderation Controls:**
For post types where comments cannot be fully disabled, the Town will utilize available moderation tools, including **Prohibited Expression filters**, to automatically hide all incoming text.
 - **No Engagement Policy:**
Town employees, officers, and elected officials **shall not respond to comments**, react to comments, or engage in discussion threads on the official Facebook page.
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3. Content Management

- The Town reserves the right to remove or hide any content that appears on the page where platform controls permit.
 - The Town does not endorse comments, reactions, or messages posted by third parties.
 - The Facebook page shall not be used to solicit public comment, conduct polls, or engage in dialogue.
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4. Official Public Comment Channels

This Facebook page is for **informational broadcast purposes only**.

Residents wishing to provide formal input, comments, or engage in dialogue with Town officials must do so through established legal and official channels, including:

- Public hearings
 - Town Board meetings
 - Written correspondence to the Town Clerk or appropriate Town office
 - Other legally recognized public comment processes
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5. Transparency and Records Retention (FOIL Compliance)

Pursuant to **New York State Public Officers Law**, the Town Clerk serves as the Town's **Freedom of Information Law (FOIL) Officer**.

As such:

- Any documents, records, or postings placed on the Town's official Facebook page by individuals authorized to do so **shall be forwarded to the Town Clerk**.
 - The Town Clerk shall retain and archive such materials in accordance with applicable records retention schedules and FOIL requirements.
 - Records maintained by the Town may be subject to public disclosure upon proper request.
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6. Disclaimer

Facebook is a third-party platform not controlled by the Town of Alabama. The Town is not responsible for:

- Facebook's technical limitations or policies
- The availability of features such as comments or filters
- Content posted by users outside Town control

WHEREAS, the Town of Alabama desires to utilize social media platforms, including Facebook, to disseminate official Town information to residents and the general public; and

WHEREAS, the Town Board desires to ensure that the Town’s use of social media is conducted in a lawful, transparent, orderly, and consistent manner; and

WHEREAS, the Town Board finds it necessary to formally establish a policy governing the purpose, operation, and limitations of the Town of Alabama’s official Facebook page; and

WHEREAS, the Town Board recognizes that social media content generated or maintained by the Town constitutes a public record subject to the New York State Freedom of Information Law (FOIL) and applicable records retention requirements;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Alabama hereby adopts the **Town of Alabama Official Facebook Page Policy**, establishing the Town’s Facebook page as a one-way informational communication tool and not a forum for public discussion or debate; and

BE IT FURTHER RESOLVED, that comments shall be disabled on the Town’s Facebook page where the platform allows, and where comments cannot be fully disabled, available moderation tools shall be used to automatically restrict or hide incoming comments; and

BE IT FURTHER RESOLVED, that Town staff and elected officials are prohibited from responding to comments, participating in comment threads, or engaging in discussions on the Town’s official Facebook page; and

BE IT FURTHER RESOLVED, that residents wishing to provide public comment or communicate with Town officials shall do so through established and legally recognized channels, including public meetings, direct contact with the Town Clerk or Department Heads, or written correspondence; and

BE IT FURTHER RESOLVED, that the Town Board affirms that the Town of Alabama Facebook page constitutes a public record, and all posts, associated metadata, and related activity shall be archived in accordance with New York State records retention schedules; and

BE IT FURTHER RESOLVED, that pursuant to New York State law, the Town Clerk serves as the Town’s Freedom of Information Law (FOIL) Officer, and all documents, images, notices, and other materials posted to the Town of Alabama Facebook page by any individual authorized to do so shall be forwarded to the Town Clerk for official archiving and records retention; and

BE IT FURTHER RESOLVED, that a public notice describing the broadcast-only nature of the Facebook page shall be permanently pinned to the top of the page and included in the page’s “About” section; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption.

Councilperson Klotzbach offered the resolution which was seconded by Councilperson Warner and approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Alabama Fire Dept. New Members

MOTION by Councilperson Shultz, seconded by Councilperson Warner to approve Mark Johnson and Abigail Johnson as new members of the Alabama Fire Dept. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Fire Dept. Analysis of Future Fire Services Proposal

MOTION by Councilperson Fisher, seconded by Councilperson Klotzbach to allow the Analysis of Future Fire Services to move forward when funds are available. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Town Website

Supv. Crossen updated the Board Members on the website:

Currently in the process of converting to the .gov website.

Will be working with Beth Kemp to update the website to be able to upload larger documents.

Organizational

2026 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	Rebecca Borkholder
Historian	Terry Thompson
Court Clerk	Kim Florian
CEO/ZEO	Michael Morris
Bingo Inspector	Robert Crossen
Assessor 10/1/2024 to 9/30/2029	Barry Flansburg
Town Prosecutor	Robert Zickl
Town Engineer	Wendel
Planning Board Alternate (2 yr term)	Pam LaGrou

MOTION By Councilperson Klotzbach, seconded by Councilperson Warner to make the appointments as listed above. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Supervisor Appointments

Deputy Supervisor – Kevin Fisher

Historian -- Dawn Fisher

Bookkeeper – Mary Jo Hinkson

Highway Supervisors’ Appointment -- Deputy Highway Superintendent – Scott Harkness

Town Clerk Appointment -- Deputy Town Clerk – Samantha Duboy

Town Prosecutor Agreement

RETAINER AGREEMENT FOR TOWN PROSECUTOR

THIS AGREEMENT, made the _____ day of _____, 2025 by and between the TOWN OF ALABAMA, a Municipal Corporation of the State of New York, with offices located at 2218 Judge Road, Alabama, New York 14013, (hereinafter referred to as the "Town"), and Robert Zickl, with a business address of 9238 Fargo Rd., Stafford, NY, (heinafter referred to as "Zickl").

WITNESSETH:

WHEREAS, the Town wishes to retain Zickl for prosecuting services as set forth hereinafter and Zickl has agreed to provide these services.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, it is agreed as follows:

1. Zickl does hereby accept the appointment by the Town as the Town Prosecutor.
2. Zickl agrees to be liable and responsible for the duties set forth herein, and will act on behalf of the Town.
3. As Town Prosecutor, Zickl will provide the following legal services:
 - A. Take all steps necessary to prosecute in the Town of Alabama Court all Uniform Traffic Tickets issued for violations of the Vehicle and Traffic Law, except those for misdemeanors; as well as all Uniform Traffic Tickets for violations of the Transportation Law, including misdemeanors.
 - B. Zickl will decide whether or not to offer Defendants plea reductions in his discretion after review of each Defendant's driving history and/or driving abstract.
 - C. Zickl will appear one time per month before Justice Williams and one time per month before Justice Williams for meetings with Defendants who have appeared in Court, as well as for the disposition or trials of the Uniform Traffic Tickets.
 - D. Conducting all trials, including performing legal research, responding to pre-trial motions, trial preparation, and issuing Subpoenas to the ticketing Officers for their attendance.
4. As compensation for the services provided, Zickl will be paid the sum of \$6,000.00 per year to be paid out in quarterly installments by the Town.
5. The term of this Agreement will commence on January 1, 2026, and will end on December 31, 2027.
6. Zickl hereby agrees and acknowledges that he will be acting in his duty as Town Prosecutor as an "independent contractor" and is not an officer or employee of the Town. As an "independent contractor" the Town will not be responsible to pay for any benefits or additional compensation other than set forth herein.
7. Zickl hereby agrees to indemnify and hold harmless the Town for all claims, losses, costs and damages arising out of any activities of Zickl pursuant to the terms and conditions of this Agreement.
8. Zickl will be responsible to obtain any malpractice or other insurance coverage that he deems advisable, and the Town will not be responsible to pay or provide for any insurance coverage to benefit Zickl.
9. This Agreement may not be assigned by either party in whole or in part, without the prior written consent of the other party. Any assignment in violation of the foregoing shall be deemed void.
10. This Agreement shall constitute a Retainer Agreement between the parties and not a contract of employment. The Agreement may be terminated at anytime with or without cause by the Town Board, subject only to payment to the Attorney of any fees earned and disbursements expended.
11. This Agreement may not be assigned by either party in whole or in part, without the prior written consent of the other party. Any assignment in violation of the foregoing shall be deemed void.

IN WITNESS WHEREOF the parties have last signed this Agreement the day and year first written above.

Disc. held on it being a 2 year agreement. Attorney Boylan said it is normally just a one year agreement. Clerk Borkholder was directed to contact Attorney Zickl to revise the agreement to one year.

MOTION by Councilperson Shultz, seconded by Councilperson Warner to accept the Prosecutor Agreement for 2026 and have Supv. Crossen sign it. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

OFFICIAL UNDERTAKING OF MUNICIPAL OFFICIALS

Councilperson Fisher 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, **Mark Williams**, 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, **Vivian Williams**, 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 Covell** 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.

Supv. Crossen seconded the resolution, which was approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE YEAR 2026 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 **\$3,050.00**, 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 2026 Joint Youth Project as herein described, is approved, as is the Town's contribution of **\$3,050.00**.

Councilperson Warner seconded the resolution which was approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Town Depositories

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

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Town Board/Planning Board Meeting Dates and Times –

MOTION by Supv. Crossen seconded by Councilperson Warner to hold Town Board Meetings at 7:00 p.m. on the second Monday of the Month, and the fourth Monday as needed and Planning Board meetings at 7:00 p.m. on the First and Third Monday of the Month. All meetings to be held at the Town Hall, unless more room is needed then they will be moved next door to the Alabama Fire Hall. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Highway Superintendent School/Conference/Advocacy Day

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher 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. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Highway Superintendent Health Insurance

MOTION by Councilperson Klotzbach, seconded by Councilperson Shultz 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. Klotzbach – yes C. Warner – yes C. Shultz – 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 \$244,000.00 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 \$212,367.74 shall be set aside for permanent repairs.

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 Warner, seconded by Councilperson Shultz to approve the Highway 284 Agreement. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

2026 Mileage Rate

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to set the 2026 mileage rate at .725 cents per mile. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

2026 Comprehensive Fee Schedule

**Town of Alabama
Comprehensive Fee Schedule – 2026**

1. Building and Inspection Permit Fees

Permit / Service	Fee
Commercial Buildings	\$0.30 per sq. ft.
One- and Two-Family Dwellings (incl. attached garage)	\$0.15 per sq. ft.
Multi-Family Dwellings	\$0.15 per sq. ft.
Mobile Homes	\$100.00
Additions / Remodeling	\$0.15 per sq. ft. (min. \$50.00)
Attached or Unattached Garage	\$0.15 per sq. ft. (min. \$50.00)
Accessory Structures (pre-fab < 150 sq. ft.)	free
Accessory Structures	\$0.25 per sq. ft.
Decks & Porches (0–100 sq. ft.)	\$25.00
Decks & Porches (101 sq. ft. or more)	\$0.15 per sq. ft. (min. \$25.00)
Swimming Pools / Hot Tubs / Spas (Above Ground)	\$50.00
Swimming Pools (In-Ground)	\$75.00
Generators	\$50.00
Electric Vehicle Charging Stations	\$50.00
Wind Energy Systems	\$5000 per MW needs review
Battery Storage	\$5000 per MW needs reviews
Telecommunications Towers (≤175 ft.)	\$1200
Telecommunications Towers (>175 ft.)	\$1,200 plus \$25 per foot over 175 feet
Demolition Permit (if not rebuilding)	\$50.00
Annual Fire Inspections	Free
Miscellaneous Inspections	\$50.00
Handicap Ramps	No Fee
Water Tap-In Fee	\$1,250.00 (minimum or actual cost)
Permit Renewal	\$50.00
Permit Extension (one time)	\$25.00
Outdoor Special Events	\$50.00

2. Zoning Fee Schedule (2026)

Permit / Application	Fee
Zoning Permit	\$50.00
Outdoor Special Event Permit	\$50.00
Accessory Structure (0–100 sq. ft.) and handicap ramps	No Fee
Accessory Structure (101 sq. ft. or more)	\$50.00
Non-Commercial Wind Energy Systems (see Petitions for additional fees)	\$30.00

Standby Generator Systems / Electric Charging Station	\$25.00
Permit Extension (one time only)	\$25.00
Permit Renewal (one time only; thereafter re-apply for new permit)	\$50.00
Pools / Hot Tubs / Spas – In-ground (any size)	\$50.00
Pools / Hot Tubs / Spas – Above ground (30 inches or more in depth OR electric inspection required)	\$50.00
Pools / Hot Tubs / Spas – Above ground (29 inches or less in depth; no electric)	No Fee
Junk Yard License (annual)	\$100.00
Trailer Court (minimum annually up to ten (10) trailers; \$10.00 each additional trailer over 10)	\$100.00
Planned Unit Development	\$500.00
Petition requiring a Public Hearing	\$200.00
Petition not requiring a Public Hearing	\$140.00
Petition for variance for handicap ramps	No Fee
Subdivision – Preliminary Plot (+\$25 per each lot)	\$100.00
Subdivision – Subdivision Plot	\$100.00
Review of Site Plan and SEQR by Town Engineer (+\$25 per each lot)	\$100.00

3. Highway & Right-of-Way Permit Fees

Permit / Service	Fee
Residential Driveway Permit	\$100.00
Non-Residential Driveway Permit	\$250.00
Work Commenced Without Permit	Triple fee as permitted by law

Notes:

All permits involving chance of occupancy shall be the same as new building.
 All Electrical Inspections are not included in building permit fees and must be completed separately.
 Septic system permits are not included and must be completed separately.
 All inspections are done in accordance with NYS uniform fire and building code.

4. STAMP Technology District Fees

The Towns application checklist shall be considered as an initial guide to all applicants within Technology District 1, Technology District 2, or Technology District 3.

An initial, non-refundable fee of \$10,000 shall be paid by all applicants presenting, or substantially amending, any proposed project to the Town.

Determination of a substantial amendment shall be made by the Town and its

consultants no more than 7 days from the applicant’s submission of its amended plans based on the complexity and extent of changes to the previously submitted plans and the review required by the Town. This payment will be considered compensation to the Town for costs associated with the preliminary review of the application.

Thereafter an application fee shall be assessed by the Town based on the square footage of the proposed structures at a rate of three dollars (\$3.00) per square foot.

Within 30 days of submission the Town will review the application for completeness and will calculate the structures square footage. The Applicant will be notified of the Town’s calculation and the fee shall be immediately due and payable. This fee shall be applied to all costs incurred by the Town associated with the project. These costs include but are not limited to Town Board and Planning Board review, engineering, legal, administrative, inspection, and any other costs and expenses deemed necessary by the Town at its sole discretion.

Unless otherwise negotiated and agreed to by the Town, all fees shall be paid in full prior to any Town action. In the unlikely event that the costs exceed 80% of the \$3.00 per square foot assessment the applicant shall be notified and provided a basic accounting of the costs incurred to date. The Town will then account for and bill the applicant monthly for all costs incurred by the Town. This monthly billing will continue until the project is completed (Certificate of Occupancy Issued) or suspended by the applicant.

5. Solar Energy System Fees

Tier / Application	Fee
Tier 1 Solar Energy System – Building Permit	\$100.00
Tier 2 Solar Energy System – Site Plan Application	\$200.00
Tier 2 Solar Energy System – Building Permit	\$100.00
Tier 3 Solar Energy System – Special Use Permit	\$500.00 + \$20.00 per acre fenced
Tier 3 Solar Energy System – Site Plan	\$200.00 + \$100.00 per acre fenced

Application	
Tier 3 Solar Energy System – Building Permit	\$500.00 + \$0.008 per sq. ft. of panel area
Tier 4 Solar Energy System – Special Use Permit	\$500.00 + \$20.00 per acre fenced
Tier 4 Solar Energy System – Site Plan Application	\$200.00 + \$100.00 per acre fenced
Tier 4 Solar Energy System – Building Permit	\$500.00 + \$0.008 per sq. ft. (up to 2.178M sq. ft.) + \$0.003 per sq. ft. over 2.178M

6. Cemetery Fees

Service	Fee
Grave/Lot (per grave)	\$600.00
Adult Interment	\$650.00
Child Interment	\$350.00
Cremated Remains Interment	\$350.00
Companion Cremated Remains Interment	\$450.00
Columbarium niche	\$600.00
Columbarium interment, up to 2 per niche	\$300.00 per cremation
Deed Transfer	\$50.00
Vault Storage	\$150.00
Headstone Foundation (each installation or removal action)	\$450 plus \$.85 per square inch over 420 square inches
Weekend / Holiday / Evenings after 3pm Interment	\$250.00 additional
Internments completed April 1 to November 30 as weather permits	

7. Town Clerk Fees

Service	Fee
Zoning Law (paper copy)	\$25.00
Subdivision Law (paper copy)	\$15.00
Comprehensive Plan (paper copy)	\$25.00
Returned/Bad Check Fee	\$35.00
Copies (per page/side)	\$0.50
Replace Lost/Uncashed Checks	\$10.00
Bulk Water Billing (from Highway Water Shed) (per invoice)	\$50.00
Dog License Spayed/Neutered	\$8.00 (\$7.00 local fee+ \$1.00 state fee)
Dog License Unspayed/Unneutered	\$16.00 (\$13.00 local fee + \$3.00 state fee)
Purebred License up to 10 dogs	\$25.00 (plus required State fee)
Purebred License 11 to 25 dogs	\$50.00 (plus required State fee)
Purebred License 26 or more dogs	\$100.00 (plus required State fee)
Replacement Dog Tag	\$3.00
Impound Fee (Assesses to Dog Owner)	\$10.00 1 st \$20.00 2 nd \$30.00 3 rd time or more within 1 year from first time
Late Dog License Renewal Fee	\$5.00 if renewed Aug. 1 st or later
Vital Records (Birth, Death & Marriage)	\$10.00 per copy
Marriage License	\$40.00

General Notes

All applications for building permits, zoning variances, site plan approvals, and similar requests shall be accompanied by the applicable fee(s) as set forth in this Comprehensive Fee Schedule. These fee(s) are intended to cover any and all the administrative costs incurred by the Town in processing such applications, including but not limited to staff time, inspections, legal and engineering costs, ongoing oversight, and general administrative overhead.

All fees are nonrefundable, regardless of the outcome of the application, including denial, withdrawal, or abandonment. However, the Town Board, at its sole discretion, may authorize a partial refund upon written request and a determination that extenuating circumstances exist.

All projects commenced without a required permit shall be subject to permit fees plus triple fees.

All costs associated with public hearings, legal notices, consultants, engineering review, inspections, and escrow requirements shall be paid by the applicant.

All inspections are done in accordance with NYS uniform fire and building code.
Adopted 1/12/2026

2026 Comprehensive Fee Schedule Resolution

WHEREAS, the Town Board of the Town of Alabama is authorized under New York State law to establish fees for permits, applications, inspections, and services; and

WHEREAS, the Town Board has reviewed and determined to adopt a consolidated fee schedule entitled “Town of Alabama – Comprehensive Fee Schedule – 2026”;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Alabama hereby adopts the Town of Alabama Comprehensive Fee Schedule – 2026, effective on a date to be determined by the Town Board; and

BE IT FURTHER RESOLVED, that upon the effective date, the Comprehensive Fee Schedule shall supersede all prior Town fee schedules addressing the same subject matter; and

BE IT FURTHER RESOLVED, that all fees set forth therein shall be nonrefundable except as expressly authorized by the Town Board; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to maintain and make available the adopted fee schedule as an official Town record.

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

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

STAMP Fee Schedule for Stream Data

Attorney Boylan stated that the Town has the ability to amend the application fee as needed. The application fee for Stream Data @ \$3.00 per sq. ft. would be \$6.6 million. Stream is pushing back on that

amount. Disc. held. The suggestion is \$3.00 per sq. ft. for the first building and \$1.00 per sq. ft. for the remaining.

MOTION by Councilperson Shultz, seconded by Councilperson Fisher to modify the STAMP Fee Schedule to reduce the fee assessed to Stream Data Center to \$1.00 per sq. ft. for the North Campus project from \$3.00 per sq. ft. for the review and approval including all administrative costs through the granting of the Certificate of Occupancy.

Stream Data Reimbursement Agreement

MOTION by Councilperson Warner, seconded by Councilperson Shultz to authorize Supv. Crossen, in consultation with the Deputy Supv. and the Town Attorney, to enter into a reimbursement agreement with Stream Data Center to cover all costs in connection with the review of the site plan, as well as all inspections and administration costs from construction through the issuance of the certificate of occupancy which shall include but NOT be limited to specific project related expenses to be negotiated with Stream Data Center. The account shall be replenished at \$500,000.00 increments when the account reaches at or below \$500,000.00. Stream Data Center will have 60 days to object to any expenses submitted. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Official Newspaper

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

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Town Board Committees 2026 – will set at February meeting.

Approval of Minutes

12/8/2025 Board Meeting – MOTION by Councilperson Klotzbach, seconded by Supv. Crossen to accept minutes as presented. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Supervisors Report

1/6/2026 -- MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to accept report as written. Approved by Roll Call Vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Audit Bills

MOTION by Councilperson Klotzbach, seconded by Councilperson Shultz to accept Abstract #001-2026 and pay bills in the amount of \$41,280.66 vouchers 1 to 26 General Fund; \$41,013.51 vouchers 1 to 17 Highway Fund; \$2,418.97 vouchers 1 to 4 Water District 1. Approved by Roll Call Vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Assessor's Report – not submitted

CEO/ZEO Report – not submitted

Town Clerk's Report

December 2025 & 2025 Annual Report -- MOTION by Councilperson Warner, seconded by Councilperson Shultz to accept reports as written. Approved by Roll Call Vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Historian/Bicentennial Report

December 2025 – MOTION by Supv. Crossen, seconded by Councilperson Klotzbach to accept the Historian/Bicentennial Report as written. Approved by roll call vote

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Dawn Fisher gave a brief update:

There are 10 people on the Committee.

The Board was given a calendar of events. January 17 pancake breakfast.

Sent sponsorship letters to Town businesses.

Storybridge.org – looking into it.

MOTION by Councilperson Klotzbach, seconded by Councilperson Warner to adjourn meeting at 9:02 p.m. Approved by roll call vote:

C. Fisher – yes C. Klotzbach – yes C. Warner – yes C. Shultz – yes Supv. Crossen – yes

Respectfully Submitted,

Rebecca L. Borkholder, Town Clerk