

Town Board Meeting February 9, 2026

Supv. Crossen called the monthly meeting of the Alabama Town Board to order at 7:04 p.m. Roll Call was taken, Councilperson Fisher, Klotzbach, Warner, Shultz and Supv. Crossen were present.

Also present were Supt. Covell, Attorney Boylan, Drew Reilly, Nina Ballou, Dave Bencic, Katherine Weaver, Gerald & Anne Bacon, Marianne Molaro, Sharon Larmon, Gaye Drock, Meg Logan, Rachel Smith, Natalie Parker and Melissa Smith.

Privilege of the Floor

Anne Bacon – procedural questions:

Negative Declaration from August 2024, has the DEC sent statement. Supv. Crossen, No.

North Campus plans are on EDC website, did the Town get them before hand? They weren't posted until after the open house.

The EDC proposed roundabout – the size is larger than the GEIS allows.

Any update on low frequency noise?

Megan Logan – worried about power and the strain from the Data Center. Who is responsible for upgrade to the grid?

Gerry Bacon – submitted question a month ago, haven't received answered. Disc. on where he would get answers.

Will the Town require an independent noise study?

Why is this 2.2 million sq. ft. building being placed across from existing homes? Disc. Supv.

Crossen and Drew Reilly answered.

How does the Town justify supporting this large project and bringing it on to Town Residents?

Disc. Supv. Crossen said it has to fit into the 2012 Impact Statement.

Sharon Larmon

Does the Town know the identity of the Data Center Operator? Disc.

Does the Board know the date of the meeting/public hearing for the financial incentives? No date yet, the public hearing will be at the Fire Hall.

Why does the Board think that offering 6.4 million dollar per job to Stream Data Centers is a good deal for Town residents? This industry is very likely to crash in the next few years. How will that impact the Town's economic well being if we have invited an AI data center into our community?

The Planning Board meetings have been cancelled and the time clock is ticking? Disc.

Landscaping was discussed at the Planning Board meeting, this is irrelevant. Disc.

Gaye Drock – is the facility visit been done yet?

Marianne Molaro – if they bought land for \$22 million in 2004 and now are offering \$800 million in incentives, how is that feasible? If residents are opposed to the data center, what other businesses would come here? In 2012 residents were sent a questionnaire, why can't we have another one? There are new residents here. Disc. held.

Gerald Bacon – how does this project align with the comprehensive plan and how does it fit with the rural character of our Town?

Marianne Molaro – the spotted owl stopped woods being taken down, do we have any other endangered species?

Melissa Smith – Forever chemicals will be spilled on the land from the data center. Data centers only last 10 years.

Anne Bacon – If the planning board says the application is complete does it mean that nothing else can be added? Disc.

Highway – Supt. Covell gave update:

Plowing snow and fixing equipment 34 out of the last 40 days.

Ford truck returned with new motor.

Water/Soil Grant for Live Edge – grant will cover \$3,000 of the \$3,700 cost.

Salt Barn Grant – awarded a grant for \$470,000. It's a 75% match, 25% can be in-kind services.

Will need to figure out placement of new salt barn.

Live Edge Grant – MOTION by Councilperson Warner, seconded by Councilperson Klotzbach to allow Supt. Covell to move forward with the Live Edge Grant. 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:

Edwards temporary C of O issued.

Lighting – Rob Klavoon looking into it.

PILOTS & Host Community Funds for Plug Power and Edwards were received.

Stream – made application to the Town for the South Campus, deposit and application fee paid. North Campus application submitted, working on application fee.

Nina from Wendel gave an update and timeline of the project application.

Drew Reilly from Wendel explained the SEQR process for the Town Board and the Planning Board.

Water District #2 – nothing new.

Water District #1 – nothing new.

Executive Session

MOTION by Councilperson Shultz, seconded by Councilperson Klotzbach to go into executive session at 8:00 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 Drew Reilly. Approved by roll call vote:

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

MOTION by Councilperson Shultz, seconded by Councilperson Klotzbach to come out of executive session at 8:21 p.m. Approved by roll call vote:

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

Solar – Rachel Smith gave update:

Notice of intent to file an application will be sent soon.

A letter will be sent to the Town saying that they will abide by the 200 ft. setback for panels.
Working on landscape designs.

Attorney Boylan – the County is working on farmland preservation and loss of local control with the Governor.

Battery Storage Law – Supv. Crossen to update the law and send it to Wendel for their review.

Town Hall – nothing new.

Court -- nothing new.

Basis of Design Force Main to Oakfield

Manholes were moved as requested. Received new design layout. Disc.

**Town of Alabama Resolution of the Town Board
Approving the Updated Basis of Design Report for the Construction of the Oakfield Force Main
and Issuing Other Related Approvals**

WHEREAS, the Town of Alabama (“Town”) Town Board (“Town Board”) Genesee County, New York, received a request from the STAMP Sewer Works, Inc. (“SSW”), in accordance with the provisions of Article 10 of the New York Transportation Corporation Law (“TCL”); and

WHEREAS, SSW has been working in conjunction with the Genesee County Industrial Development Agency d/b/a the Genesee County Economic Development Center (“GCEDC”), the Genesee Gateway Local Development Corporation (“GGLDC”), to develop sewer infrastructure to support the Western New York Science & Technology Advanced Manufacturing Park (“STAMP”), an advanced manufacturing technology campus on approximately 1,262 acres located on the west side of New York State Route 63/77, approximately five miles north of the I-90/New York State Thruway in the Town of Alabama, New York (“Site”); AND

WHEREAS, SSW is a sewage-works corporation formed in accordance with the TCL to construct, own and operate all sewer infrastructure and provide sewage treatment and discharge services to STAMP’s commercial tenants; and

WHEREAS, SSW, in conjunction with the Village of Oakfield and others, seeks to construct and operate sewer infrastructure consisting of: (1) a force main from the STAMP Site to the connection point within the Village of Oakfield to the Village of Oakfield Wastewater Treatment Facility (“Oakfield WWTF”); (2) pump stations and related equipment and infrastructure; and (3) upgrades to the Oakfield WWTF (collectively 1-3, the “Oakfield Force Main”); and

WHEREAS, upgrades to the Oakfield WWTF, including the addition of phosphorus removal facilities and improvement of sludge processing facilities will benefit the Town by improving the local water quality and extending the useful life of the Oakfield WWTF; and

WHEREAS, in accordance with an updated Basis of Design Report dated September 2025 (“Updated BODR”), a portion of the Force Main will be constructed in the Town in the right-of-way; and

WHEREAS, a coordinated environmental review for the Oakfield Force Main pursuant to New York State Environmental Quality Review Act (“SEQRA”), was undertaken by the GCEDC as lead agency

culminating in a negative declaration that was issued on August 1, 2024 (“2024 Negative Declaration”); and

WHEREAS, the Town participated in that review as an Involved Agency and is bound by the 2024 Negative Declaration and no additional SEQRA review of the Oakfield Force Main is permitted or required at this time; and

WHEREAS, SSW has developed an updated Basis of Design Report last revised September 2025 (“Updated BODR”), detailing the basis for the design and construction of the Oakfield Force Main; and

WHEREAS, in accordance with the Updated BODR, a portion of the Force Main will be constructed within the Town of Oakfield; and

WHEREAS, the Town Board has received and reviewed the Updated BODR.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN OF ALABAMA TOWN BOARD AS FOLLOWS:

Section 1. Pursuant to TCL § 122, the Town Board does hereby approve the construction of the portion of the Oakfield Force Main proposed to be constructed in the Town, in accordance with the Updated BODR.

Section 2. Pursuant to TCL § 116, the Town Board does hereby consent to an amendment of SSW’s certificate of incorporation authorizing the SSW to extend the Oakfield Force Main from the Town into the Town of Oakfield and then into the Village of Oakfield.

Section 3. The Town Board hereby waives: (i) the engineering review authorized by TCL § 118, (ii) the posting of a performance bond for the completion of the construction of the Oakfield Force Main, and (iii) the provision of a guaranty that SSW will maintain and operate the sewage-works system for a period of at least five years per TCL § 119.

Section 4. The Town Board hereby acknowledges that the Town will continue to hold SSW stock in escrow and take over operation of the Oakfield Force Main in the event of failure to complete the construction, or in the event of abandonment or discontinuance of the maintenance and operation of the sewer system by SSW.

Councilperson Fisher offered the above 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

Facebook Page – Supv. Crossen informed the Board that the Town Clerk will be the admin. for the facebook page. All posts will be approved by the Supv. before being posted.

Town Board Committees

**TOWN OF ALABAMA
RESOLUTION ESTABLISHING TOWN BOARD COMMITTEES**

At a regular meeting of the Town Board of the Town of Alabama, Genesee County, New York, held at the Town Hall, 2218 Judge Road, Oakfield, New York, on the 9th day of February , 2026, the following resolution was offered by Councilperson Klotzbach:

WHEREAS, the Town Board finds it beneficial to establish standing advisory committees to assist in research, coordination, oversight, and development of recommendations on matters affecting the Town; and

WHEREAS, such committees are advisory only and shall not exercise final decision-making authority, which remains with the full Town Board;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Alabama hereby establishes the following standing committees:

1. Solar, Wind & Renewable Energy Committee
2. STAMP / Major Industrial Development Committee
3. Water & Utilities Committee
4. Finance & Budget Committee
5. Personnel & Labor Relations Committee
6. Court Committee
7. Buildings & Grounds Committee
8. Emergency Services & Public Safety Committee
9. GAM & Intergovernmental Affairs Committee
10. Town Capital Projects Committee

BE IT FURTHER RESOLVED, that all committees established herein are advisory in nature and shall report recommendations to the full Town Board for consideration and action at duly noticed public meetings in accordance with New York State Open Meetings Law; and

BE IT FURTHER RESOLVED, that committee members and chairpersons shall be recommended by the Town Supervisor and subject to approval by the full Town Board.

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

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

Supv. Crossen will draft the committee members for the next meeting.

Town Website – the Town was approved for a .gov website. Millennium Computers working on switching the current website over. Disc. held on .gov emails.

Alabama Fire Dept New Member – Betsy Riexinger & Michael Summers

MOTION by Councilperson Klotzbach, seconded by Councilperson Shultz to approve Betsy Riexinger and Michael Summers 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

Planning Board Alternate Member – Pam La Grou has declined the appointment.

Employee Handbook – Supv. Crossen offered a draft of an Employee Handbook as requested by the Insurance Company:

1. PURPOSE AND DISCLAIMER

This Employee Handbook establishes personnel policies and procedures for employees of the Town of Alabama. It is intended to promote fair, consistent, lawful, and efficient municipal operations.

This Handbook is not a contract of employment and does not create contractual rights. The Town Board reserves the right to amend or repeal any provision by resolution.

In the event of any conflict between this Handbook and a collective bargaining agreement, New York State Civil Service Law, Genesee County Civil Service Rules, or other applicable law, the governing agreement or law shall supersede.

2. CIVIL SERVICE COMPLIANCE

Positions within the Town may be classified under New York State Civil Service Law and are subject to the rules and regulations of the Genesee County Civil Service Department.

Appointments, promotions, transfers, and separations shall comply with Civil Service Law and applicable rules.

3. EMPLOYMENT CLASSIFICATIONS

Employees may be classified as Full-Time, Part-Time, Seasonal, Temporary, Elected, or Appointed.

Union-represented employees are governed by applicable collective bargaining agreements.

4. EQUAL EMPLOYMENT OPPORTUNITY

The Town provides equal employment opportunity in accordance with federal and New York State law. Discrimination and harassment are prohibited.

5. ANTI-HARASSMENT POLICY

Harassment, including sexual harassment, is prohibited. Complaints may be made to the Town Supervisor, a Town Board Member, or the Town Attorney.

Retaliation is strictly prohibited.

6. WORK HOURS AND ATTENDANCE

Work schedules are established by department heads with Town Board approval.

Employees must report absences promptly and comply with attendance requirements.

Union employees shall follow the attendance provisions of their collective bargaining agreement.

7. PAYROLL AND COMPENSATION

Compensation is established by Town Board resolution or collective bargaining agreement.

Payroll may be administered weekly, bi-weekly, quarterly, semi-annually, or annually, consistent with applicable law.

Overtime shall comply with the Fair Labor Standards Act and applicable agreements.

8. BENEFITS

Eligible employees participate in the New York State Retirement System.

Health insurance and other benefits are governed by Town Board resolution and/or collective bargaining agreements.

9. LEAVE POLICIES

Leave benefits may include vacation, sick leave, personal leave, bereavement leave, jury duty leave, and military leave.

Accruals and eligibility for union employees are governed by collective bargaining agreements.

10. CODE OF CONDUCT AND ETHICS

Employees shall conduct themselves professionally and comply with the Town Code of Ethics and General Municipal Law §§801–805.

Conflicts of interest must be disclosed.

11. USE OF TOWN PROPERTY AND TECHNOLOGY

Town equipment and systems are for official municipal use.

Electronic communications may be subject to FOIL and public records laws.

The Town Clerk serves as the Records Access Officer (FOIL Officer).

12. SAFETY AND WORKPLACE STANDARDS

Employees must comply with OSHA standards and department-specific safety requirements, including Highway Department safety procedures.

13. DRUG AND ALCOHOL POLICY

Employees must report to work free from impairment.

Testing may be conducted where authorized by law, including CDL requirements.

Union provisions shall control where applicable.

14. DISCIPLINE AND DUE PROCESS

Corrective action may include verbal warning, written warning, suspension, or termination.

Employees covered by Civil Service Law §75 or a collective bargaining agreement shall receive the procedural protections afforded by law or agreement.

15. WHISTLEBLOWER PROTECTION

Employees may report suspected misconduct without fear of retaliation.

16. PROCUREMENT AND FISCAL RESPONSIBILITY

Employees must comply with Town procurement policies and New York State municipal accounting requirements.

17. RECORDS MANAGEMENT

All Town records are subject to FOIL and records retention schedules. Employees must preserve official records accordingly.

18. SEPARATION FROM EMPLOYMENT

Upon separation, employees must return Town property and complete required documentation.

19. AMENDMENTS

This Handbook may be amended at any time by resolution of the Town Board.

ADOPTION OF EMPLOYEE HANDBOOK

WHEREAS, The Town Board of the Town of Alabama desires to establish comprehensive personnel policies and procedures to promote fair, consistent, lawful, and efficient municipal operations; and

The Town Board has reviewed a proposed Employee Handbook setting forth employment policies, workplace standards, compensation administration, benefits guidance, Civil Service compliance, FOIL compliance, and operational expectations; and

The Town Board recognizes that certain employees of the Town are governed by the New York State Civil Service Law and the rules and regulations of the Genesee County Civil Service Department; and The Town Board further recognizes that certain employees may be covered by duly negotiated collective bargaining agreements; and

The Town Clerk serves as the Town's designated Records Access Officer (FOIL Officer) pursuant to the New York State Freedom of Information Law.

NOW, THEREFORE, BE IT RESOLVED:

1. The Town Board hereby adopts the Town of Alabama Employee Handbook attached hereto as Exhibit A.
2. The Employee Handbook shall serve as the official personnel policy manual of the Town of Alabama.
3. Nothing in the Employee Handbook shall be construed to create a contract of employment.
4. In the event of any inconsistency between the Employee Handbook and any applicable collective bargaining agreement, New York State Civil Service Law, Genesee County Civil Service Rules, or other governing law, the applicable agreement or law shall supersede.
5. Compensation, payroll schedules (including weekly, bi-weekly, quarterly, semi-annual, or annual payroll administration), benefits, leave accruals, and disciplinary procedures shall be governed by Town Board resolution, Civil Service Law, and/or applicable collective bargaining agreements.
6. The Town Board reserves the right to amend, modify, or repeal any portion of the Employee Handbook at any time by resolution.
7. The Town Clerk is directed to maintain and distribute copies of the Handbook and retain signed acknowledgments in accordance with records retention schedules.

Councilperson Fisher offered the resolution which was seconded by Councilperson Warner and adopted by roll call vote:

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

EXHIBIT A

TOWN OF ALABAMA EMPLOYEE HANDBOOK

Purpose and Disclaimer

This Handbook establishes personnel policies and procedures for the Town of Alabama. It is not a contract of employment. In the event of any conflict between this Handbook and a collective bargaining agreement, Civil Service Law, Genesee County Civil Service Rules, or other governing law, the applicable agreement or law shall control.

Civil Service Compliance

Positions may be governed by the New York State Civil Service Law and the rules of the Genesee County Civil Service Department. All hiring, promotions, discipline, and separations shall comply with applicable Civil Service requirements.

Payroll and Compensation

Compensation is established by Town Board resolution or collective bargaining agreement. Payroll may be administered weekly, bi-weekly, quarterly, semi-annually, or annually, consistent with applicable law.

Benefits and Leave

Retirement participation shall comply with the New York State Retirement System. Health insurance and leave accruals shall be governed by Town Board resolution and/or applicable collective bargaining agreements.

FOIL and Records Compliance

The Town Clerk serves as the Records Access Officer (FOIL Officer). All employees shall cooperate in preserving and producing records in accordance with New York State law.

Discipline

Corrective action may include verbal warning, written warning, suspension, or termination. Employees covered by Civil Service Law §75 or a collective bargaining agreement shall receive the procedural protections afforded by law or agreement.

Code of Conduct

Employees shall act professionally, avoid conflicts of interest, comply with General Municipal Law §§801–805, protect confidential information, and use Town property for official purposes only.

Safety

Employees must comply with OSHA standards and department-specific safety protocols, including Highway Department requirements.

Approval of Minutes

1/12/26 Board Meeting – MOTION by Councilperson Shultz, 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

2/1/26 -- 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 #002-2026 and pay bills in the amount of \$166,385.07 vouchers 27 to 50 General Fund; \$30,880.44 vouchers 18 to 29 Highway Fund; \$110,153.00 voucher 3 Alabama Fire Protection District; \$10,174.13 voucher 4 E. Pembroke Fire District; \$1,870.64 vouchers 5 to 6 Water District 1. Approved by Roll Call Vote:

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

2025 Accrual Budget Transfers:

\$49.00 from A1410.4 to A1410.42

\$1,450.00 from A1110.4 to A1110.43

\$632.39 from A1110.42 to A1110.43

\$280.52 from A1990.4 to A1989.43

\$686.50 from SW1-8310.1 to SW1-8320.4

\$93.86 from SW1-9030.8 to SW1-8320.4

\$466.00 from SW1-8310.1 to SW1-8340.4

\$6,005.67 from DA5142.4 to DA5142.1

\$2,345.35 from DA5110.1 to DA9030.8

\$14.00 from DA5110.1 to DA9055.8

MOTION by Councilperson Klotzbach, seconded by Councilperson Warner to approve the 2025 accrual budget transfers as listed above. Approved by roll call vote:

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

Town Clerk's Report

January 2026 -- MOTION by Councilperson Fisher, seconded by Supv. Crossen 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

Assessor's Report – not submitted.

CEO/ZEO Report

2025 Annual Report & January 2026 -- MOTION by Councilperson Klotzbach, seconded by Councilperson Shultz 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

Historian/Bicentennial Report

January 2026 – MOTION by Supv. Crossen, seconded by Councilperson Warner 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

MOTION by Councilperson Klotzbach, seconded by Councilperson Shultz to adjourn meeting at 8:41 p.m. Approved by roll call vote:

Respectfully Submitted,

Rebecca L. Borkholder
Town Clerk