

Town Board Meeting March 9, 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 and Supv. Crossen were present. Councilperson Shultz was present via Zoom. Also present were Supt. Covell, Attorney Boylan, Mark Masse, Dave Bencic, Mr. & Mrs. Hahn, Anne Bacon, Vance Wyder, Ron Pritchett, Nina Ballou, Kathryn Weaver, Pam LaGrou, Francis Aquina, Heather Macpherson, David Alton, Ron Long, Brian Hirtzel, Anthony Capozzi, Andrew Goldstein, Kim Allen, Dave Steele.

Privilege of the Floor

Francis Aquina – Solar: what is the Local Law for solar? Disc. it's on the town website.

Anne Bacon – STAMP: DEC says the GEIS from 2012 doesn't address data center. Disc. Attorney Boylan answered that a data center is in the EIS.

Will the Town re-evaluate it?

Will the consolidation of questions and answers by Wendel be available before the public hearing.

Will Stream be given waivers in the Town Zoning Law for sound, noise, light and vibration. Disc.

Heather Macpherson – concerned about the data center, will the Town commit that no site plan review is to be done before the full environmental review is complete?

Andrew Goldstein – urges the Town to take their time and not be rushed into the project.

Sound – 65 db at edges and 150 chillers will create the same amount of sound as a highway. It will not be a quiet thing. Construction noise will be loud, pounding pillars will create noise.

The financial package is going up, project cost going up to \$19 billion, why rush this when the numbers are out.

Kim Allen – she is totally against the data center, the noise, electric use, just against all of it.

Dave Steel – EDC is a public benefit corp. What does the Town think the public benefits are? Supv. Crossen stated that we will know when the benefit package comes out. Disc. on 2012 IZA.

Anthony Capozzi – where is the water coming from? Where is the sewer going? Disc.

Brian Hirtzel – all the numbers, water, sound decibels, etc., is this going to be true? Disc.

Light from the substation is bright. Disc. Supv. Crossen stated that public utilities don't have to follow the rules.

Why does everyone like living in the Town of Alabama?

Gary Ciurczak – the potential tenant for the data center, their normal requirement for backup power is diesel, 1.2 mw generator. Fortune 50 companies require bigger generators. Disc. Supv. Crossen answered that the generators proposed are for life safety only.

Diane Ciurczak – Mark Masse has signed a non-disclosure agreement, has the Town Board sign one? Disc. Supv. Crossen signs one with the GCEDC for executive sessions at the EDC meetings.

What is the purpose of the secrecy of the operator?

Has the EDC or Town investigated Stream?

The closed loop system with coolant, how is it going to be cooled? How many chillers?
Backup electric plan doesn't make sense, they need 500 mw.

Sandy Steel – Thank you all (EDC, Planning Board, Town Board) because she doesn't want to fight.
Everything is getting worse and worse in the Town, Country and World.

We will have to live with this for the rest of our lives.

Who profits from this \$19 billion project?

What happens to the animals? Noise will affect kids and animals.

How much is the Town profiting from this?

Vance Wyder – the sanitary waste, is it going to Oakfield?

Sharon Larmon – a 35 year resident of the Town. The Town Board answers to the residents. Can make it better if you try. In 2012 data centers weren't around.

Jason Slocum – if it goes in and problems arise (water, noise, etc.) how does this affect real property values?

Marianne Molaro – Do they have permission to go down Ham Road with the sewer? Disc.

The sewer is going to Oakfield behind the park, won't that affect them?

The State is giving \$800 million for them to build. Disc. Supv. Crossen stated that \$800 million is being waived, not collected by Stream.

NYS & the EDC hold land in the STAMP site, feels that the Town has no control over any of this.
Disc.

Vance Wyder – are we responsible for their electric and water? Supv. Crossen answered no.

Nina Ballou from Wendel

Introduced herself and explained what Wendel does. This is not Wendel's first time working on an application for an AI facility. She talked about the process for this application.

Highway – Supt. Covell gave update:

February – plowed most of the month.

Had a culvert freeze up, once thawed it was repaired.

Repair Equipment -- did an in-house repair on the dozer, using after-market parts, saved approx. \$3,000. Replace the SCR (valve) and two sensors.

Were able to patch some potholes and service equipment as needed.

Replaced mailboxes and signs.

Travel Request for Highway Supt.

Travel dates 5/31/26 through 6/3/26 for Highway School, approx. cost to be \$872.12, with a budget of \$1,750.00 in line A5010.41. Disc. held.

MOTION by Supv. Crossen, seconded by Councilperson Klotzbach to approve the Highway Supt's travel request for Highway School from 5/31/26 to 6/3/26 at the cost of approx. \$872.12. Approved by roll call vote:

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

STAMP – Mark Masse gave update:

Disc. held on power for Stream and being down to 6 generators, 2 per building.

Stream -- Assessment approx. \$100.00 per sq ft. \$285 mil. Sales tax to Genesee County. Disc. incentives received by the Town to date.

Public hearing for Stream Data Center incentives next week.

Edwards Light Issue – Wendel is working on reviewing it. Edwards have dimmed their lights.
Working on getting final C-of-O.

Plug Power – selling their property to Stream.

Disc. on Host Community Agreement for Stream. A public hearing is not needed.

Nina Ballou from Wendel Talked about the Data Center Findings Statements:

Work on Planning Board Findings first.

Need more info. on sound, landscaping, storm water systems.

Sound Engineer will review the study submitted.

Disc. on the roll of the Planning Board and Town Board with the application. Attorney Boylan stated that it is not the Planning Board’s job to deny the application, but to help them comply with the law.

Solar – received a letter from Young/Sommer LLC, who is representing the Alabama Solar Park. The letter was for Local Law Consultations. They will be able to comply with most of the Solar Law, there are some items they can’t comply with. Disc. held.

Attorney Boylan stated that the Towns (Oakfield, Alabama, Batavia & Genesee Co) are reviewing a retainer agreement for special counsel for the Solar project.

Water District #2 – nothing new

Water District #1 – nothing new

Battery Storage Law – nothing new

Court – nothing new

Town Board Committees

1. Solar, Wind & Renewable Energy Committee – All Town Board Members
2. STAMP / Major Industrial Development Committee – All (rotate 2 at a meeting)
Councilperson Shultz can attend some 8:00 a.m. meeting
3. Water & Utilities Committee – Supv. Crossen Councilperson Warner
4. Finance & Budget Committee – Supv. Crossen, Councilpersons Warner & Shultz
5. Personnel & Labor Relations (Union) Committee – Supv. Crossen & Councilperson Warner
6. Court Committee – Councilpersons Klotzbach and Shultz
7. Buildings & Grounds Committee – Supv. Crossen & Councilperson Warner
8. Emergency Services & Public Safety Committee – Supv. Crossen & Councilperson Fisher
9. GAM & Intergovernmental Affairs Committee – Supv. Crossen & rotate Councilpersons
10. Town Capital Projects Committee – Supv. Crossen, Councilperson Fisher & Supt. Covell

Data Center Site Visit – Supv. Crossen is working with Wendel to set it up. Disc. held on the number of board members who can attend. More than two can go as long as no other Town business is conducted.

Flagpole @ Alabama Cemetery

Supt. Covel received two estimates for a new flagpole and flag:
Grand New Flag -- \$2,633.95
Ace Flagpole Company -- \$1,040.00

MOTION by Councilperson Klotzbach, seconded by Councilperson Warner to allow Supt. Covel to purchase a flagpole and flag from Ace Flagpole Co. at a cost of \$1,040.00

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

2025 Annual Update Document

MOTION by Councilperson Warner, 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 – absent Supv. Crossen – yes

Meetings being disrupted – Supv. Crossen disc. the recent planning board meeting and attendees being excessively disrupting. He has calls into the Association of Towns and Committee on Open Government for options. He will be looking into a better microphone for the next meeting.

Town Insurance – Tompkins sent the proposed insurance costs for 2026. \$45,616.10 for all insurance policies and \$1,263. For the excess policy. Disc. held.

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to approve the insurance estimates from Tompkins Insurance. Approved by roll call vote:

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

Approval of Minutes

2/12/26 Board Meeting – MOTION by Councilperson Fisher, seconded by Councilperson Klotzbach to accept minutes as presented. Approved by roll call vote:

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

Supervisors Report

3/2/2026 -- MOTION by Councilperson Fisher, 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 – absent Supv. Crossen – yes

Williamson Law Contracts

MOTION By Councilperson Klotzbach, seconded by Councilperson Warner to accept the Williamson Support Contracts for the Payroll and Town Clerk programs and allow Supv. Crossen to sign them.

Approved by roll call vote:

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

Audit Bills

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to accept Abstract #003-2026 and pay bills in the amount of \$100,826.04 vouchers 51 to 70 General Fund; \$23,809.79 vouchers 30 to 45 Highway Fund; \$1,924.95 vouchers 7 to 9 Water District 2 Approved by Roll Call Vote:

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

Town Clerk's Report

February 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 – absent Supv. Crossen – yes

Assessor's Report – not submitted

CEO/ZEO Report – not submitted

Historian/Bicentennial Report

February 2026 – MOTION by Councilperson Warner, seconded by Councilperson Fisher to accept the report as written. Approved by Roll Call Vote:

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

Bicentennial Events

The Committee will have a Proclamation at the Town Hall, Saturday, April 18, 2026 at 1:00 p.m. Assemblyman Hawley will be present.

MOTION by Councilperson Klotzbach, seconded by Supv. Crossen to have a Proclamation ceremony at the Town Hall on Saturday, April 18, 2026 as part of the Bicentennial Celebration. Approved by Roll Call Vote:

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

Disc. held on security. Supv. Crossen will contact the Sheriff's Office for the April 18th event. The next Committee meeting will be March 28th, the "museum" will be open from 10 a.m. to Noon.

MOTION by Councilperson Klotzbach, seconded by Councilperson Fisher to adjourn meeting at 9:00 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