

ALEXANDER TOWN BOARD MINUTES
ALEXANDER TOWN HALL
November 10, 2025
REGULAR MEETING

PRESENT: Supervisor David Miller
TOWN BOARD: Jerry Krupka, Eric Wagner, Laura Schmieder, Ronald Merrill
TOWN CLERK: Shannon Bartholomew
HIGHWAY SUPT:
GUESTS: Sarah Kohl, Tim Hagen, Teresa Thorley, Brenda Post, Gabe Meyers, Mike Meyers,
Nathan Fix, Tim Hagen, Beth Ann Gloss, Larry Smith, Anne Miller
ABSENT: Brian Farnsworth

Supervisor Miller called the meeting to order at 6:00 p.m. with the Pledge of Allegiance and a moment of silence for our first responders, our military serving around the world and Our Veterans.

COMMUNICATIONS

Mercy Flight report was on the table

On motion by Councilperson Schmieder and seconded by Councilperson Merrill and carried, the minutes of October 13, 2025, meeting were adopted.

5– Yes Miller, Krupka, Wagner, Schmieder , Merrill 0 – No Absent

On motion by Councilperson Krupka and seconded by Councilperson Merrill and carried, The Public Hearing “Granting of a Cable Television Franchise Held by Spectrum Northeast LLC and the Town of Alexander” was opened at 6:05 PM on November 10, 2025

5– Yes Miller, Krupka, Wagner, Schmieder , Merrill 0 – No Absent

***Lauren Kelly from Charter Communications spoke regarding the resolution for “Granting of a Cable Television Franchise Held by Spectrum Northeast LLC and the Town of Alexander” and opened the floor for questions.

**On motion by Councilperson Krupka and seconded by Councilperson Merrill and carried the Town Board opened the public hearing for the 2026 Fire Tax Contract at 6:31 pm November 10, 2025.*

**On motion by Councilperson Merrill and seconded by Councilperson Krupka and carried the Town Board opened the public hearing for the 2% Tax Cap Override at 6:25pm on November 10, 2025.*

**On motion by Councilperson Krupka and seconded by Councilperson Schmieder and carried the Town Board opened the public hearing for the 2026 Preliminary Budget at 6:50pm on November 10,2025.*

OLD BUSINESS:

WD No. 6:

County Funded Portion:

- Electric rough-in work for the remote level sensor installation for the Halstead Tank has been completed. Expecting delivery of the sensor mid-November.
- Progressing SCADA installations for system pressure monitoring for the 2 Alabama sites.
- EYW is modifying the SCADA software to allow viewing of all facilities for each water system. Access to change any settings or configuration is to remain ONLY for the water system user.

- Josh Landscape has completed the tree planting at the Halstead Tank site.

WD No. 7:

- After receiving feedback from NYSDEC, the team will address comments from NYSDOT on the Phase 1 plans and specifications; so far, no comments have been received. NYSDEC was made aware that the project will be ready to bid in December and cannot afford to have any additional delays in permitting.
- The application for the Norfolk Southern Corporation railroad crossing is being prepared for submission in December.
- Deuel Archaeology & CRM will be completing the Final 1B investigation report next week and will submit to SHPO who will have 30 days to comment. They have been in contact with SHPO and feel they will not have any comments and a “No Effect” letter should be forthcoming.
- Information is being gathered with assistance from CPL to present to the County regarding possible cost sharing for the redesigned projects between Bethany and Alexander.

WD No. 8:

- The Draft Map, Plan, and Report and draft Agreement were forwarded to the to the Town Attorney for their approval before sharing with the residents.
- Comments dated 10/24/2025 were received from the Town Attorney acknowledging it doesn’t comply with State Law. The letter states that when there is a problem, the Town will assist in the repair and look to get reimbursed by the Genesee Street residents. In the attorney’s opinion the Village of Attica is looking to extract a benefit from the residents that doesn’t need to be paid. The attorney feels the Town and Village must reach an agreement with a less expensive remedy.
- Mountain Engineering is setting up a meeting with the Village of Attica and Dave Miller to see if the Town Attorney’s concern can be rectified with a change in verbiage.

NEW BUSINESS:

RESOLUTION 115 : RESCIND PUBLIC HEARING RELATING TO PROPOSED LOCAL LAWS RESOLUTION #S 93,94,95

On motion by Councilperson Schmieder and seconded by Councilperson Krupka and carried, The Town approves the resolution to Rescind Public Hearings relating to the proposed local laws of Automotive repair shops, off-site signs and dog kennels

5– Yes Miller, Krupka, Wagner, Schmieder , Merrill 0 – No Absent

TOWN OF ALEXANDER RESOLUTION TO RESCIND PUBLIC HEARING RELATING TO THE PROPOSED LOCAL LAWS

Adopted: November 10, 2025

WHEREAS the Town Board of the Town of Alexander met at a regular board meeting at the Town Hall located at 3350 Church Street, Alexander, New York on the 10th day of November 2025, commencing at 06:00 p.m. at which time and place the following members were:

Present:	Supervisor	David Miller
	Council Member	Laura Schmieder
	Council Member	Eric Wagner
	Council Member	Ronald Merrill
	Council Member	Jerry Krupka
Absent:	__N/A____	____N/A____

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Town Board of the Town of Alexander is considering three proposed local laws regarding automotive shops, off-premises signs, and kennels within the Agricultural Residential District in the Town of Alexander; and

WHEREAS, by Resolution #93, Resolution #94, and Resolution #95 dated October 13, 2025, the Town Board of the Town of Alexander resolved to hold public hearings on the 10th day of November, 2025 at 6:10 p.m. to discuss a proposed local law regarding Automotive Repair shops in the Agricultural/Residential District with a special use permit, at 6:15 p.m. to discuss a proposed local law allowing Off-Premises signs to be allowed with the issuance of a special use permit, and at 6:20 p.m. to discuss a proposed local law requiring a person with 6 or more dogs to use a special use permit, at which time all interested parties and citizens for or against the proposed local law would be heard; and

WHEREAS, the Town Board of the Town of Alexander acknowledges that the Town of Alexander is still in the early stages of these proposed local laws and is not ready to present final drafts of the local laws for the scheduled public hearings; and

WHEREAS, the Town Board feels it is in the best interest of the Town of Alexander to rescind the public hearings to consider said proposed local laws for a later time and date to be determined; and

NOW ON MOTION OF Councilperson Schmieder which has been duly seconded by Councilperson Krupka, now therefore, be it

RESOLVED, that Town Board of the Town of Alexander will rescind Resolution #93, Resolution #94, and Resolution #95 and the public hearings to consider said proposed local laws at a later time and date to be determined, at which time all interested parties and citizens for or against the proposed local law will be heard.

Ayes: 5

Nays: 0

Quorum Present: X Yes ☐ No
Dated: November 10, 2025

Shannon Bartholomew, Town Clerk
Town of Alexander

RESOLUTION 116: AUTHORIZE DELINQUENT WATER BILLS TO BE LEVIED AGAINST 2026 TAX WARRANT-TOWN OF BATAVIA

WHEREAS, the Town Clerk has received a list of all property owners who owe water rents in Water District #2, #5, and #6 to the Town of Batavia; and

WHEREAS Section 229-15 (c) of Town Law stipulates that such amounts owing shall be levied against the property to which the service is rendered.

NOW, THEREFORE, BE IT RESOLVED, that the attached list in the amount of \$2,317.58 or as may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant.

Motion made by Councilperson Schmieder and seconded by Councilperson Wagner and carried.

5- Yes Miller, Schmieder, Krupka, Merrill and Wagner

0- No

RESOLUTION 117: AUTHORIZE DELINQUENT WATER BILLS TO BE LEVIED AGAINST 2026 TAX WARRANT-VILLAGE OF ALEXANDER

WHEREAS, the Town Clerk has received a list of all property owners who owe water rents in Water District #1 and #4 to the Village of Alexander; and

WHEREAS Section 229-15 (c) of Town Law stipulates that such amounts owing shall be levied against the property to which the service is rendered.

NOW, THEREFORE, BE IT RESOLVED, that the attached list in the amount of \$8262.73 or as may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2026 tax warrant.

Motion made by Councilperson Wagner and seconded by Councilperson Krupka and carried.

5- Yes Miller, Schmieder, Krupka, Merrill and Wagner

0- No

RESOLUTION 118: SET SPECIAL MEETING DATE FOR CEO/ZEO VACANCY AND POSSIBLE INTERVIEWS

On motion by Councilperson Schmieder and seconded by Councilperson Wagner and carried, The Town approves the resolution to host a special meeting on 11/25/25 @ 6:00 pm to discuss the open position and for possible interviews.

5– Yes Miller, Krupka, Wagner, Schmieder, Merrill 0 – No Absent

On motion by Councilperson Wagner and seconded by Councilperson Schmieder and carried, The Public Hearing “Granting of a Cable Television Franchise Held by Spectrum Northeast LLC and the Town of Alexander” was closed at 6:30 PM on November 10, 2025.

5- Yes Miller, Krupka, Wagner, Merrill and Schmieder 0- No Absent:

RESOLUTION 119: GRANTING A CABLE TELEVISION FRANCHISE HELD BY SPECTRUM NORTHEAST, LLC IN THE TOWN OF ALEXANDER, COUNTY OF GENESEE, NEW YORK

On motion by Supervisor Miller and seconded by Councilperson Schmieder and carried, The Town approves the resolution to Authorize Charter Communications, Spectrum Northeast, LLC Franchise Agreement.

5– Yes Miller, Krupka, Wagner, Schmieder, Merrill 0 – No Absent

TOWN OF ALEXANDER

RESOLUTION TO AUTHORIZE

CHARTER COMMUNICATIONS FRANCHISE AGREEMENT

Adopted: November 10, 2025

The Town Board of the Town of Alexander met at a regular board meeting at the Town Offices of the Town of Alexander on the 10th day of November, 2025, commencing at 06:00 p.m., at which time and place the following members were:

<u>Present:</u>	Supervisor	David Miller
	Councilman	Laura Schmieder
	Councilman	Eric Wagner
	Councilman	Ronald Merrill
	Councilman	Jerry Krupka

Absent: -----

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, an application has been made to the Town Board of the Town of Alexander, County of Genesee, New York, by Spectrum Northeast, LLC, which is an indirect subsidiary of Charter Communications, Inc. (“hereinafter referred to as “Charter”), a limited liability company organized and existing in good standing under the laws of the State of New York, doing business at 2604 Seneca Avenue, Niagara Falls, New York 14305, for the approval of a renewal agreement for Charter’s cable television franchise for fifteen (15) years commencing with the date of approval by the Public Service Commission; and

WHEREAS, the franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act of 1984, as amended, and certain court rulings; and

WHEREAS, The Town of Alexander and Charter Communications desire to enter into a Franchise Agreement for the construction and operation of a cable system within the Town of Alexander. The proposed franchise agreement is annexed hereto as Exhibit A; and

WHEREAS, the Town Board of the Town of Alexander held a public hearing in the Town of Alexander, New York on November 10th, 2025 at 06:05 P.M., as the public hearing was set by the Town Board at their monthly Town Board meeting on November 10, 2025 and notice of such public hearing was published in the Batavia Daily Newspaper on October 3, 2025 and October 31, 2025; and

NOW ON MOTION OF Supervisor Miller which has been duly seconded by Councilperson Schmieder, be it

RESOLVED, the Town Board of the Town of Alexander finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with

- applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached hereto as Exhibit A; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests; and be it further

RESOLVED, that the Town Board of the Town of Alexander hereby grants the cable television franchise of Spectrum Northeast, LLC and the Town of Alexander for fifteen (15) years commencing with the date of approval by the Public Service Commission and expiring fifteen (15) years; and be it further

RESOLVED, the Town Board of the Town of Alexander authorizes and empowers David Miller, the Town Supervisor of the Town of Alexander to sign the Franchise Agreement between Charter Communications.

Ayes: 5

Nays: 0

Quorum Present: X Yes ___ No

Dated: November 10, 2025

Shannon Bartholomew, Clerk

[SEAL]

Town of Alexander

**On motion by Councilperson Krupka and seconded by Councilperson Merril and carried the Town Board closed the public hearing for the 2026 Fire Contract at 6:53 pm.*

RESOLUTION 120: 2026 FIRE CONTRACT

The Town Board of the Town of Alexander met at a regular board meeting at the Town Offices of the Town of Alexander located at 3350 Church Street, Alexander, New York on the 10TH day of November, 2025 commencing at 6:00 p.m., and thereafter a public hearing was held at 6:25 p.m. at which time and place the following members were:

<u>Present:</u>	Supervisor	David Miller
	Councilman	Laura Schmieder
	Councilman	Jerry Krupka
	Councilman	Eric Wagner
	Councilman	Ronald Merrill
<u>Absent:</u>	-----	-----

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS such fire protection, rescue, and ambulance services are vital and necessary to the health and welfare of the inhabitants of the Town of Alexander; and

WHEREAS the Fire Department maintains adequate and suitable vehicles, apparatus and equipment for the furnishing of fire protection and ambulance services in said fire protection district of the Town; and

WHEREAS pursuant to Article 5-G of the General Municipal Law (§§119-m - 119-oo) authorizes municipal corporations and districts to enter into agreements for the performance among themselves or one for the other of their respective functions, powers or duties on a cooperative or contract basis or for the provision of a joint service (General Municipal Law, §119-o[1]; see also General Municipal Law, §119-o[3], relative to mutual sharing plans); and

WHEREAS the Town Board of the Town of Alexander wishes to engage in an Agreement with the Alexander Fire Department, Inc. for Emergency Ambulance Service and Fire Protection for Fire Protection District located in the Town of Alexander and the Agreement is in the sum of \$200,000.00; and

WHEREAS notice of said public hearing was duly advertised in the Batavia Daily News, the official newspaper of said Town; and

WHEREAS said public hearing was held on November 10th, 2025, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed agreement, or any part thereof; and

WHEREAS the Town Board feels it is in the best interest of the Town of Alexander to authorize David Miller to sign the Agreement for Emergency Ambulance Service and Fire Protection for Fire Protection District located in the Town of Alexander.

NOW ON MOTION OF Councilperson Merrill which has been duly seconded by Councilperson Wagner, be it

RESOLVED, the Town Board of the Town of Alexander finds it to be in the best interest of the Town of Alexander to authorize David Miller to sign the Agreement for Emergency Ambulance Service and Fire Protection for Fire Protection District located in the Town of Alexander.

RESOLVED, by the Town Board of the Town of Alexander hereby authorizes David Miller to sign the Agreement for Emergency Ambulance Service and Fire Protection for Fire Protection District located in the Town of Alexander.

Ayes: 5

Nays: 0

Quorum Present: X Yes ☐ No

Dated: November 10, 2025

Shannon Batholomew, Clerk
Town of Alexander

[SEAL]

RESOLUTION 121: BUDGET TRANSFER # 1

WHEREAS Budget line A1620.4 Buildings and Grounds is over budget by \$1,110.28 and

WHEREAS there are sufficient funds in A 3650.4 Demo of Highway Barn-Contractual

THEREFORE BE IT RESOLVED THAT A1620.4 Buildings and Grounds be increased by \$2,500.00 and A 3650.4 Demo of Highway Barn-Contractual be decreased by \$2,500.00 and

Motion made by Supervisor Miller and seconded by Councilperson Merrill and carried.

5- Yes Miller, Krupka, Wagner, Merrill and Schmieder

0- No

Absent:

RESOLUTION 122 : BUDGET TRANSFER # 2

WHEREAS due to an increase in the number of meeting notices and public hearings that need to be published and that there are more meeting notices that will need to be published before the end of 2025 and

WHEREAS budget line A 6410.4 Publicity-Contractual is over budget by \$381.53 and

WHEREAS there are sufficient funds in A3650.4 Demo of Highway Barn-Contractual

THEREFORE BE IT RESOLVED THAT A 6410.4 Publicity-Contractual be increased by \$750.00 and A3650.4 Demo of Highway Barn-Contractual be decreased by \$750.00

Motion made by Supervisor Miller and seconded by Councilperson Krupka and carried.

5- Yes Miller, Krupka, Wagner, Merrill and Schmieder

0- No

Absent:

RESOLUTION 123 : BUDGET TRANSFER # 3

WHEREAS B1910.4 Special Items-Insurance is over budget by \$308.35 and

WHEREAS B1990.4 Special Items-Contingent has sufficient funds

THEREFORE BE IT RESOLVED THAT B1910.4 Special Items-Insurance be increased by \$400.00 and B1990.4 Special Items-Contingent be decreased by \$400.00

Motion made by Supervisor Miller and seconded by Councilperson Schmieder and carried.

5- Yes Miller, Krupka, Wagner, Merrill and Schmieder 0- No Absent:

**On motion by Councilperson Merrill and seconded by Councilperson Krupka and carried the Town Board closed the public hearing for the 2% Tax Cap Override at 6:56 pm.*

RESOLUTION 124 : 2% TAX CAP OVERRIDE

The Town Board of the Town of Alexander met at a regular board meeting at the Town Offices of the Town of Alexander located at 3350 Church Street, Alexander, New York on the 10TH day of November, 2025 commencing at 6:00p.m., and thereafter a public hearing was held at 6:31 p.m. at which time and place the following members were:

<u>Present:</u>	Supervisor	David Miller
	Councilman	Laura Schmieder
	Councilman	Jerry Krupka
	Councilman	Eric Wagner
<u>Absent:</u>	Councilman	Ronald Merrill

WHEREAS all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS Chapter 97 of the Laws of 2011 – “The Property Tax Cap” added a new section 3-c to the General Municipal Law that provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

WHEREAS in order to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, only if the Town Board first enacts, by a vote of sixty percent (60%) of the total voting power, a local law to override such limit for such coming fiscal year only; and

WHEREAS notice of said public hearing was duly advertised in the Batavia Daily News, the official newspaper of said Town; and

WHEREAS said public hearing was held on November 10, 2025, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS after due consideration and discussion the Town Board has decided to adopt said proposed local law.

NOW ON MOTION OF Councilperson Schmieder which has been duly seconded by Councilperson Merrill, therefore, be it

RESOLVED, that the Town Board of the Town of Alexander feels it is in the best interests of the Town of Alexander to adopt Local Law No. 4 of 2025 entitled, “Override the Tax Levy Limit Established in General Municipal Law § 3-c.”; and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York.

Ayes: 5

Nays: 0

Absent/Abstain: 0

Quorum Present: X Yes ___ No

Dated: November 10, 2025

Shannon Bartholomew, Clerk

[SEAL]

Town of Alexander

**On motion by Councilperson Krupka and seconded by Councilperson Merrill and carried the Town Board closed the public hearing for the 2026 Preliminary Budget at 7:22 pm.*

RESOLUTION 125: ADOPTION OF THE 2026 BUDGET

On motion by Councilperson Schmieder and seconded by Supervisor Miller and carried, the Town Board approves the adoption of the 2026 budget with the changes that were stated in discussion.

5- Yes Miller, Schmieder, Krupka, Wagner, Merrill

0- No

On motion by Councilperson Schmieder and seconded by Councilperson Krupka and carried, The Public Hearing "Granting of a Cable Television Franchise Held by Spectrum Northeast LLC and the Town of Alexander" was closed at 8:55 PM on October 13, 2025. The Town Board has decided to hold an additional Public Hearing and have a representative from Spectrum come and address the board.

5- Yes Miller, Krupka, Wagner, Merrill and Schmieder

0- No

Absent:

DISCUSSION:

New Highway Barn

The Town Board discussed the three options of the Highway Barn, 1) Fix issues with the current Highway Barn 2) Purchasing Thompson Property on Stannard Road 3) Construct a New Building at 2145 Broadway Road Alexander, NY location.

**On motion of Councilperson Krupka and seconded by Councilperson Merrill to table the discussion of the highway barn until the next board meeting.*

3435 Railroad Avenue

The Town Board has agreed to place a purchase offer of \$4,000 to purchase for the property located at 3435 Railroad Avenue Alexander, NY, waiting to hear back on the offer.

CEO/ZEO Vacancy

Town Board discussed open permits that will need to be addressed. They also discussed reaching out to the Town of Batavia as a possible back up in emergency situations. In that instance they would need to be paid per incident. Supervisor Miller is going to reach out and see if this is something the Town of Batavia would be interested.

REPORTS:**Insurance:** None**Building:** Will contact a Locksmith regarding clerk door**CEO/ZEO:** vacant**Clerk:** Monthly reports on table, suggested posting Drafts of Minutes on website, board in agreement**Tax Collector:** none**Dog control:** none**Games of Chance:** no report**Town Justice:** October 2025 reports on the table.**GAM:** next meeting November 20, 2025 at 7 pm, County Building #2**Transfer Station:** Scrap metal was picked up, check should be ready soon, clerk to place ad for**Transfer Station:** Closings on 12/24/25 & 12/31/25**H'way Superint:** Trucks are ready for Plowing, Waiting to hear back from Sheriff's Office regarding damage to the grader, surplus items were listed on auction site**H'wy Equipment:** New Plow truck is currently being built by Henderson**Senior Citizen:** discussed Senior Citizen budget**Town Historian:** Had over 40 people at the open houses**RESOLUTION 126: INCREASE HAPPY AGERS BUDGET**

On motion by Councilperson Merrill and seconded by Supervisor Schmieder and carried, the Town Board approves the increase in Happy Agers budget from \$500.00 to \$1500.00.

5- Yes Miller, Schmieder, Krupka, Wagner, Merrill

0- No

Payment of Bills: Motion by: Councilperson Schmieder Second by: Councilperson Krupka

5- Yes Miller, Krupka, Wagner, Schmieder , Merrill

0- No Absent:

General Fund A	Vouchers	254-277	\$31,623.12
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General Fund B	Vouchers	55-59	\$5186.98
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Highway Fund A	Vouchers	15-17	\$3272.70
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Highway Fund B	Vouchers	157-177	\$32,054.55
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Capital Fund	Vouchers	27-31	\$93,142.70
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T A Fund	Vouchers	12	\$232.00
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Motion to adjourn at 8:11 pm made by Councilperson Merrill and seconded by Councilperson Schmieder and carried. 5-0

5-Yes Miller, Schmieder, Krupka, Wagner, Merrill

No – 0 Carried

Absent:

Respectfully Submitted,

Shannon Bartholomew
Town Clerk