

**BOARD MEETING NO.14
REGULAR NO. 11**

**TOWN BOARD MEETING
TOWN OF ALDEN**

**Monday, June 15, 2026
6:00 PM**

The Town Board Meeting of the Alden Town Board was held at 3311 Wende Road, Alden, N.Y. on Monday, June 15th at 6:00 P.M. Supervisor, Pautler, called the Meeting to Order and led the Pledge of Allegiance.

The Roll Call was taken by Alyssa Cooper, who is the Town Clerk.

PRESENT: Randy Crist, Councilmember
Colleen Pautler, Supervisor
Mark Drogi, Councilmember
Mark Kerl, Councilmember

ABSENT: Gwendolyn Bork, Councilmember

Town Clerk: Alyssa Cooper

OTHERS PRESENT: Town Attorney, Jennifer Strong, Budget Officer Colleen Rogers, Highway Superintendent Bill Rogers, Code Enforcement Officer Rick Coburn, Town Engineer, Mike Metzger. Residents
Andy & Debby Szajta, Kevin Martin, Lynn & Paul Baker, Charles Holcomb.

Motion to approve Minutes of the Borad Meeting of June 2, 2026, was made by Councilman Crist, seconded by Councilman Kerl.

The forgoing Motion was duly put to a Roll Call vote, June 15 2026 and was:

CARRIED

Ayes: 4 (Crist, Drogi, Pautler, Kerl)

Nays: 0

Absent: 1 (Bork)

Jun-26

THE FOLLOWING RESOLUTION WAS OFFERED BY Councilmember Crist , SECOND BY Supervisor Pautler, WHO MOVED THAT THE FOLLOWING VOUCHERS BE ALLOWED AND PAID TO WIT; VOUCHERS # [505] to # [552]. ALL BILLS REVIEWED BY THE TOWN BOARD.

ACCOUNT

GENERAL FUND "A"

<u>AMOUNT</u>					
6/2/2026	6/15/2026				TOTAL
\$9,837.45	\$18,472.08				\$28,309.53

HIGHWAY "DA/DB"	FUND	\$1,050.32	\$9,550.61				\$10,600.93
PART-TOWN FUND "B"		\$1,800.00	\$19.98				\$1,819.98
SR CTR EXPANSION/4 SEASON "HS"							\$0.00
GRANTS "G"							\$0.00
SPECIAL PROTECTION "SF"	FIRE	\$50.00	\$212.82				\$262.82
SEWER PARK "SI"	INDUSTRIAL						\$0.00
SEWER DIST. #2 FUND "SA"		\$459.80	\$438.83				\$898.63
TRUST & AGENCY "T"		\$3,633.86	\$3,356.57				\$6,990.43
SPECIAL REFUSE FUND "SR"			\$47,723.35				\$47,723.35
STREET FUND "SL"	LIGHTING	\$377.76	\$5,291.66				\$5,669.42
PERIWINKLE DIST."SL1"	LTG.	\$15.59	\$48.67				\$64.26
ZOELLER RD. WATER DIST."WZ"							\$0.00
WATER NEWSTEAD "WO"	DIST.						\$0.00
CONS. WATER DIST "WR"							\$0.00
WATER EXCHANGE "WX"	DIST.						\$0.00
CAYUGA CREEK WATER DIST "HY"			\$2,780.00				\$2,780.00
CAPITAL PROJECTS SALT BARN "HB"			\$5,601.35				\$5,601.35
WATER DIST. NO. 1 "WA"							\$0.00
TOTAL		\$17,224.78	\$93,495.92	\$0.00	\$0.00	\$0.00	\$110,720.70

BUSINESS FROM THE FLOOR

Supervisor Pautler- Addressed the room before opening to Business from the Floor, Supervisor Pautler announced that the Code Enforcement Officer, Rick Coburn is here to give an update first, after the update from Mr. Weber's court hearing we will open up business from the floor.

Code Enforcement Officer, Rick Coburn: Updated the residents of the Weber Supreme Court case on June 4th. Rick will be able to go into the building on June 30th. Weber has until 7/21 to have the cars removed from the property. If they are not removed by 7/21 on 7/22 Rick will be able to go in and start the removal process of the cars. Rick is going to get to working the RFP and notice bidders for the removal of cars. Jennifer is going to review the Court orders and RFP to make sure everything is in order. Mr. Weber's next court date is set for 7/23/2026.

Lynn Baker 907 Alaura Drive- Wants to know if cars will be removed first or will they go in first to remove any rodents and if the bid will go out right away to have the cars removed by the Town if Mr. Weber does not have them removed.

PRESENTATIONS OF COMMUNICATIONS FROM BOARD MEMBERS AND OTHER TOWN OFFICIALS

Supervisor Pautler- Received an email regarding garbage lids from a resident. Please put the garbage lids on the next work session agenda. The Alden Home Bureau sent in a request to use the Alden Community Center, Town Clerk, Alyssa will mail them out the Alden Community Center application to reserve the requested dates.

Councilmember Kerl- Have received complaints from residents on Mayfield and Lori Drive about a dog not on a leash, the Dog Control officer is following up on this. On June 8th the Dog Control Officer picked up a 7-8 month old dog, this dog was not claimed and I am happy to say that the Dog Control Officer has taken the dog to a pet rescue agency to be adopted.

Councilmember Drogi- Please add garbage cans and lids to the work session for next Monday.

Town Clerk- Nothing to report.

Town Attorney Strong- Received the Town Line Water District Map and report. Attended a seminar on Battery Storage, we are going to review and maybe tweak some of our Battery Storage Law.

Councilmember Crist- Nothing to report.

NEW BUSINESS

RESOLUTION APPROVING AN AUDIT OF THE TOWN COURT RECORDS

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER KERL, WHO MOVED
ITS ADOPTION SECONDED BY COUNCILMEMBER DROGI

WHEREAS, the Office of Court Administration of the Unified Court System of the State of New York has directed that the Town of Alden perform audits of all the departments of the Town of Alden; and

WHEREAS, pursuant to such direction, the Town Board has requested that Drescher & Malecki perform an audit of the Town Court records; and

WHEREAS, Drescher & Malecki has performed such audit and has determined that the records of the Town Court records are in order and that there are no deficiencies or unexplained discrepancies.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS THAT:

1. The Town Board does hereby acknowledge the requirement for the audit of the Town Court of the Town of Alden, which audit has been performed by Drescher & Malecki.
2. That the Town Board does hereby accept the report of the audit by Drescher & Malecki indicating that the records of the Town Court of the Town of Alden are in order and are proper.
3. This resolution shall take effect immediately and a copy of this resolution shall be forwarded to the Office of Court Administration of the State of New York.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 15, 2026, as follows:

Councilperson Crist	Aye
Councilperson Bork	Absent
Supervisor Pautler	Aye
Councilperson Drogi	Aye
Councilperson Kerl	Aye

Motion to approve the request of the Alden Soccer Club to use the Town Parks (6.15.26)

Motion to approve the request of the Alden Soccer Club to use the Robert O. Park and shelter for Soccer Camp from July 6 – 9th, 2026 from 8.30 am until 12.30pm:

The Alden Soccer Club will submit proof of insurance to the Town Clerk before using the fields.

All players must sign Waivers, to be filed with the Town Recreation Director, prior to participating in any practices or games.

1st: COUNCILMEMBER DROGI

2nd: SUPERVISOR PAUTLER

Councilperson Crist:	Aye
Councilperson Bork:	Absent
Supervisor Pautler:	Aye
Councilperson Drogi:	Aye
Councilperson Kerl:	Aye

Motion to Allow Use of Town Park (6.15.26)

Motion to approve the request of Matthew Rennicks to use the Alden Town Park for an expanded Summer-Fest, as per application dated June 2, 2026 on June 20, 2026 from 12 noon until 8 pm; participants are not allowed to set up on the sports fields. Mr. Rennicks will provide a certificate of liability insurance with the Town of Alden named as an additional insured in the amount of \$1,000,000 per occurrence, \$3,000,000 aggregate, and will sign an indemnification agreement. Mr. Rennicks will provide two (2) port-a-potties for the event and must have a nurse/EMT on site for the event.

Inflatable devices are prohibited.

Mr. Rennicks is responsible for making sure that all food vendors obtain Erie County Health Department permits.

Mr. Rennicks is responsible for cleaning up the Town Park after the event.

Mr. Rennicks is responsible for obtaining all require gaming licenses.

The Alden Town Clerk is directed to send notice of this approval to Mr. Rennicks.

1st: SUPERVISOR PAUTLER

2nd: COUNCILMEMBER CRIST

Councilperson Crist:	AYE
Councilperson Bork:	ABSENT
Supervisor Pautler:	AYE

Councilperson Drogi: AYE
Councilperson Kerl: AYE

Resolution To Hire Contractor To Replace The Air Conditioning Unit In The Alden Town Hall Board Meeting Room

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMEMBER CRIST, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER KERL

WHEREAS, the Town Board has realized the need to replace the air conditioning unit in the Alden Town Hall Board Meeting Room the cost of which is estimated to be less than \$35,000.00;

WHEREAS, the Procurement Policy & Procedure Guidelines (“Guidelines”) of the Town of Alden and the General Municipal Law state that the Town must obtain written quotes from at least three (3) vendors;

WHEREAS, the Councilperson Crist obtained three quotes as follows:

the highest quote is from Cellino Plumbing Heating Cooling & Electric at \$9,100.00

the second highest quote is from Comfort Zone Heating and Cooling at \$6,940.00; and

the lowest quote is from Petschke, Inc. at \$6,900.00;

WHEREAS, Petschke Inc. (who is registered with the NYS DoL) is the lowest responsible quote;
and

WHEREAS, The Town Board after full and careful review finds that it is in the public interest to authorize the replacement of the air conditioning unit in the Town Hall Board Meeting Room.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

1. **The Town Board hereby approves the hiring of Petschke, Inc. to replace the air conditioning unit in the Town Hall Board Meeting Room at a cost not to exceed \$6,900.00;**
2. Petscke, Inc. must pay NYS Prevailing wages, file a certified payroll with the NYS Department of Labor; and must comply with all labor law requirements and postings prior to starting any work and must provide proof of liability insurance to the Town prior to starting any work; and
3. That the Town Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this purchase and installation; and
4. **This resolution shall take effect immediately.**

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 15, 2026, as follows:

Councilperson Crist	Aye
Councilperson Bork	Absent
Supervisor Pautler	Aye
Councilperson Drogi	Aye
Councilperson Kerl	Aye

Motion to hire part-time seasonal lifeguards (6.15.26)

Motion to hire the following summer lifeguards for a period of June 24, 2026 through September 6, 2026 for the rates of pay set forth below:

Anthony Kudla \$17.51
Ayden Daigler \$17.51
Carolyn Freeman \$18.06
Julia Salim (sub) \$18.06
Mackenzie Lang \$17.51
Skylar King \$17.51
Meghan Cole \$18.03
Nathan Williams \$17.51

Sheeanne DeFedericis \$17.51
Zoe Turton \$17.51
James Fecio (sub) \$18.03
Vincent Puccio \$17.00
Thomas Kawalek \$17.00
Karson Doktor \$17.00
Noah Golas \$17.00
And Brianna Quinn (Aquatic Supervisor): \$20.50

Benefits as per Employee Handbook and effective upon successful completion of all pre-employment checks including proof of life guard certification.

1st: COUNCILMEMBER KERL
2nd: COUNCILMEMBER DROGI

Councilmember Crist: AYE
Councilmember Bork: ABSENT
Supervisor Pautler: AYE
Councilmember Drogi: AYE
Councilmember Kerl: AYE

Motion to hire part-time recreation staff (6.15.26)

Motion to hire the following Recreation Supervisors for a period of June 24, 2026 through August 7, 2026, not to exceed 19.5 hours per week for the hourly rates of pay set forth below:

Alexandria Ertel \$17.25
Sarah Chowaniec \$17.25
Cassidy Bauer \$17.25
Alex Lysiak \$17.25
Isabella Decker \$17.48
Madeline Uhrich \$17.25
Steven Insinna \$24.07
Molly Bauer \$17.25
Ashley Wagner \$17.00
Camryn Speranza \$17.00

And the following Senior Recreation Attendants for a period of June 24, 2026 through August 7, 2026, not to exceed 19.5 hours per week for the hourly rates of pay set forth below:

Abigail White \$16.25
Adam Bauer \$16.25
Allison Sentz \$16.25
Braden Ertel \$16.25
Brooke Cotton \$16.25
Brooklyn Jankowski \$16.25
Campbell Jones \$16.25
Cole Ertel \$16.25
Emma Stroh \$16.25
Jessica Bauer \$16.25
Jillian Uhrich \$16.25
John Mikulski \$16.25
Kaylen Jaworowicz \$16.25
Liam McCarthy \$16.25
Lilly Cameron \$16.25
Morgan Enser \$16.25
Noah Leonard \$16.25
Taylor Blatner \$16.25
Claire Shadle \$ 16.75
David Earsing \$16.50
Hannah Cuthbertson \$16.50
Madeline Jones \$16.50
Emma Loos \$16.00
Mylah Urso \$16.00
Ceilia Olejniczak \$16.00
Lilyana Pendrak \$16.00
Jade Silvertson \$16.00
Alivia Gadd \$16.00
Natalie Long \$16.00
Hailey Mederski \$16.00
Chloe Green \$16.00
Robert Fix \$16.00

And to hire Sophia Mikulsi as a Substitute Recreation Supervisor for a period of June 24, 2026 through July 10, 2026, not to exceed 19.5 hours per week at \$17.00 per hour and as Senior Recreation Attendant for a period of July 13, 2026 through August 7, 2026 not to exceed 19.5 hours per week at \$16.50 per hour.

Benefits as per Employee Handbook and effective upon successful completion of all pre-employment checks including proof of life guard certification.

1st: COUNCILMEMBER DROGI

2nd: SUPERVISOR PAUTLER

Councilmember Crist: AYE
Councilmember Bork: ABSENT
Supervisor Pautler: AYE
Councilmember Drogi: AYE
Councilmember Kerl: AYE

Motion to Introduce Local Law regulating Battery Energy Storage Systems (6.15.26)

Motion to introduce a Proposed Local Law for the regulation of Battery Energy Storage Systems and to refer the same to the Planning Board for review and recommendation.

1st: SUPERVISOR PAUTLER

2nd: COUNCILMEMBER CRIST

Councilperson Crist: Aye
Councilperson Bork: Absent
Supervisor Pautler: Aye
Councilperson Drogi: Aye
Councilperson Kerl: Aye

Town of Alden

Local Law # 3 of the Year 2026

A Local Law to Regulate Battery Energy Storage Systems

Be it enacted by the Town Board of the Town of Alden as follows:

Section 1. Authority

This Battery Energy Storage System Law is adopted pursuant to Article IX of the New York State Constitution, § 2(c)(6) and (10), New York Statute of Local Governments, § 10(1) and (7); and §§ 261 through 263 of the Town Law and § 10 of the Municipal Home Rule Law of the State of New York, which authorize the Town to adopt zoning provisions that advance and protect the health, safety and welfare of the community.

Section 2. Purpose and Intent

This article is adopted to advance and protect the public health, safety, welfare, and quality of life of the Town by creating regulations for the installation and use of battery energy storage systems, with the following objectives:

- A. To provide a regulatory scheme for the designation of properties suitable for the location, construction and operation of battery energy storage systems;
- B. To ensure compatible land uses in the vicinity of the areas affected by battery energy storage systems;
- C. To mitigate the impacts of battery energy storage systems on environmental resources such as important agricultural lands, forests, wildlife and other protected resources; and
- D. To create synergy between battery energy storage system development and the goals of the Comprehensive Master Plan and its addenda, including but not limited to sustainable development goals and exploring opportunities for the utilization of solar and other alternative energy fixtures and facilities.

Section 3.

The Town of Alden Code be and hereby is amended by this Local Law as follows

§ 1. Definitions.

BATTERY ENERGY STORAGE MANAGEMENT SYSTEM — An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

BATTERY ENERGY STORAGE SYSTEM — One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a standalone 12-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a Tier 1 or Tier 2 battery energy storage system as follows:

- (1) Tier 1 battery energy storage systems have an aggregate energy capacity less than or equal to 600 kilowatt hours ("kWh") and, if in a room or enclosed area, consist of only a single energy storage system technology.
- (2) Tier 2 battery energy storage systems have an aggregate energy capacity greater than 600 kWh or are comprised of more than one storage battery technology in a room or enclosed area.

BATTERY(IES) — A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this chapter, batteries utilized in consumer products are excluded from these requirements.

UL — Underwriters Laboratory, an accredited standards developer in the U.S.

UNIFORM CODE — The New York State Uniform Fire Prevention and Building Code adopted pursuant to Article 18 of the Executive Law, as currently in effect and as hereafter amended from time to time

§ 2. Applicability.

- A. The requirements of this chapter shall apply to all battery energy storage systems permitted, installed, or modified in the Town after the effective date of this chapter, excluding general maintenance and repair.
- B. Battery energy storage systems constructed or installed prior to the effective date of this chapter shall not be required to meet the requirements of this chapter.
- C. Modifications to, retrofits or replacements of an existing battery energy storage system that increase the total battery energy storage system designed discharge duration or power rating shall be subject to this chapter.

§3. General requirements.

- A. A building permit and an electrical permit shall be required for installation of all battery energy storage systems.
- B. Issuance of permits and approvals by the Town Board shall include review pursuant to SEQRA.
- C. All battery energy storage systems, all dedicated use buildings, and all other buildings or structures that: (1) contain or are otherwise associated with a battery energy storage system; and (2) subject to the Uniform Code and/or the Energy Code, shall be designed, erected, and installed in accordance with all applicable provisions of the Uniform Code, all applicable provisions of the Energy Code, and all applicable provisions of the codes, regulations, and industry standards as referenced in the Uniform Code, the Energy Code, and the Town Code.

§4. Permitting requirements for Tier 1 battery energy storage systems.

Tier 1 battery energy storage systems shall be permitted in all zoning districts, subject to the Uniform Code¹ and the "Battery Energy Storage System Permit," and exempt from site plan review.

§5. Permitting requirements for Tier 2 battery energy storage systems.

Tier 2 battery energy storage systems are permitted through the issuance of a special use permit within the M1 and M2 Zoning Districts, and shall be subject to the Uniform Code and the site plan application requirements set forth in this section.

- A. Applications for the installation of Tier 2 battery energy storage system shall be:
 - (1) Reviewed by the Code Enforcement Officer for completeness. An application shall be complete when it addresses all matters listed in this section, including but not necessarily limited to: (a) compliance with all applicable provisions of the Uniform Code and all applicable provisions of the Energy Code; and (b) matters relating to the proposed battery energy storage system and floodplain, utility lines and electrical circuitry, signage, lighting, vegetation and tree-cutting, noise, decommissioning, site plan and development, special use and development, ownership changes, safety, and permit time frame and abandonment. Applicants shall be advised within 10 business days of the completeness of their application or any deficiencies that must be addressed prior to substantive

review.

- (2) Subject to a public hearing to hear all comments for and against the application. The Town Board shall have a notice printed in a newspaper of general circulation in the Town at least five days in advance of such hearing. Applicants shall have delivered the notice by first class mail to adjoining landowners or landowners within 200 feet of the property at least 10 days prior to such a hearing. Proof of mailing shall be provided to the Town Board at the public hearing.
- (3) Referred to the Erie County Department of Environment and Planning pursuant to General Municipal Law § 239-m if required.
- (4) Upon closing of the public hearing, the Town Board shall take action on the application within 62 days of the public hearing, which can include approval, approval with conditions, or denial. The 62-day period may be extended upon consent by both the Town Board and applicant.

B. Utility lines and electrical circuitry. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.

C. Signage.

- (1) The signage shall be in compliance with ANSI Z535 and shall include the type of technology associated with the battery energy storage systems, any special hazards associated, the type of suppression system installed in the area of battery energy storage systems, and 24-hour emergency contact information, including reach-back phone number.
- (2) As required by the NEC, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

D. Lighting. Lighting of the battery energy storage systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.

E. Vegetation and tree-cutting. Areas within 10 feet on each side of Tier 2 battery energy storage systems shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees, shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers shall be permitted to be exempt, provided that they do not form a means of readily transmitting fire. Removal of trees should be minimized to the extent possible.

F. Noise. The one-hour average noise generated from the battery energy storage systems, components, and associated ancillary equipment shall not exceed a noise level of 60 dBA as measured at the outside wall of any nonparticipating residence or occupied community building. Applicants may submit equipment and component manufacturers' noise ratings to demonstrate compliance. The applicant may be required to provide operating sound pressure level measurements from a reasonable number of sampled locations at the perimeter of the battery energy storage system to demonstrate compliance with this standard.

G. Decommissioning.

- (1) Decommissioning plan. The applicant shall submit a decommissioning plan, developed in accordance with the Uniform Code, to be implemented upon abandonment and/or in conjunction with removal from the facility. The decommissioning plan shall include:
 - (a) A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the site;
 - (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
 - (c) The anticipated life of the battery energy storage system;
 - (d) The estimated decommissioning costs and how said estimate was determined;
 - (e) The method of ensuring that funds will be available for decommissioning and restoration;
 - (f) The method by which the decommissioning cost will be kept current;
 - (g) The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and
 - (h) A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
- (2) Decommissioning fund. The owner and/or operator of the energy storage system shall continuously maintain a fund or bond payable to the Town of Lancaster, in a form approved by the Town Board and Town Attorney for the removal of the battery energy storage system, in an amount to be determined by the Town Board, for the period of the life of the facility. This fund may consist of a letter of credit from a State of New York licensed-financial institution. All costs of the financial security shall be borne by the applicant.

H. Site plan application. For a Tier 2 battery energy storage system requiring a special use permit, site plan approval shall be required. Any site plan application shall include the following information:

- (1) Property lines and physical features, including roads, for the project site.
- (2) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.
- (3) An electrical diagram detailing the battery energy storage system layout, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over-current devices.

- (4) A preliminary equipment specification sheet that documents the proposed battery energy storage system components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
- (5) Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the battery energy storage system. Such information of the final system installer shall be submitted prior to the issuance of building permit.
- (6) Name, address, phone number, and signature of the project applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the battery energy storage system.
- (7) Zoning district designation for the parcel(s) of land comprising the project site.
- (8) Commissioning plan. Such plan shall document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in the Uniform Code. Where commissioning is required by the Uniform Code, battery energy storage system commissioning shall be conducted by a New York State (NYS) licensed professional engineer after the installation is complete but prior to final inspection and approval. A corrective action plan shall be developed for any open or continuing issues that are allowed to be continued after commissioning. A report describing the results of the system commissioning and including the results of the initial acceptance testing required in the Uniform Code shall be provided to the Code Enforcement Officer prior to final inspection and approval and maintained at an approved on-site location.
- (9) Fire safety compliance plan. Such plan shall document and verify that the system and its associated controls and safety systems are in compliance with the Uniform Code.
- (10) Operation and maintenance manual. Such plan shall describe continuing battery energy storage system maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information and shall meet all requirements set forth in the Uniform Code.
- (11) Erosion and sediment control and stormwater management plans prepared to New York State Department of Environmental Conservation standards, if applicable, and to such standards as may be established by the Planning Board.
- (12) Prior to the issuance of the building permit or final approval by the Town Board, but not required as part of the application, engineering documents must be signed and sealed by a NYS licensed professional engineer.
- (13) Emergency operations plan. A copy of the approved emergency operations plan shall be given to the system owner, the local fire department, and local fire code official. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials, and emergency responders. The emergency operations plan shall include the following information:
 - (a) Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe startup following cessation of emergency conditions.
 - (b) Procedures for inspection and testing of associated alarms, interlocks, and controls.

- (c) Procedures to be followed in response to notifications from the battery energy storage management system, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed-upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
- (d) Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the Fire Department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
- (e) Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
- (f) Procedures for dealing with battery energy storage system equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged battery energy storage system equipment from the facility.
- (g) Other procedures as determined necessary by the Town to provide for the safety of occupants, neighboring properties, and emergency responders.
- (h) Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.

I. Special use permit standards.

- (1) Setbacks. Tier 2 battery energy storage systems shall comply with the setback requirements of the underlying zoning district for principal structures.
- (2) Height. Tier 2 battery energy storage systems shall comply with the building height limitations for principal structures of the underlying zoning district.
- (3) Fencing requirements. Tier 2 battery energy storage systems, including all mechanical equipment, shall be enclosed by a seven-foot-high fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building and not interfering with ventilation or exhaust ports.
- (4) Screening and visibility. Tier 2 battery energy storage systems shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area and not interfering with ventilation or exhaust ports.

J. Ownership changes. If the owner of the battery energy storage system changes or the owner of the property changes, the special use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning plan. A new owner or operator of the battery energy storage system shall notify the Code Enforcement Officer of such change in ownership or operator within 30 days of the ownership change. A new owner or operator must provide such notification to the Code Enforcement Officer in writing. The special use permit and all other local approvals for the battery energy storage system are

void if a new owner or operator fails to provide written notification to the Code Enforcement Officer in the required time frame. Reinstatement of a void special use permit will be subject to the same review and approval processes for new applications under this chapter.

§ 6. Safety.

- A. System certification. Battery energy storage systems and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for Battery Energy Storage Systems and Equipment) with subcomponents meeting each of the following standards, as applicable:
 - (1) UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power, and Light Electric Rail Applications).
 - (2) UL 1642 (Standard for Lithium Batteries).
 - (3) UL 1741 or UL 62109 (Inverters and Power Converters).
 - (4) Certified under the applicable electrical, building, and fire prevention codes as required.
 - (5) Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 and applicable codes, regulations and safety standards may be used to meet system certification requirements.
- B. Site access. Battery energy storage systems shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including snow removal at a level acceptable to the local fire department and, if the Tier 2 battery energy storage system is located in an ambulance district, the local ambulance corps.
- C. Battery energy storage systems, components, and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70.

§7. Permit time frame and abandonment.

- A. The special use permit and site plan approval for a battery energy storage system shall be valid for a period of 24 months, provided that a building permit is issued for construction and construction is commenced within that time. In the event construction is not completed in accordance with the final site plan, as may have been amended and approved, as required by the Town Board, within 24 months after approval, the Town Board may extend the time to complete construction for 180 days. If the owner and/or operator fails to perform substantial construction after 36 months, the approvals shall expire.
- B. The battery energy storage system shall be considered abandoned when it ceases to operate consistently for 12 months. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the Town may, at its discretion, enter the property and utilize the available bond and/or security for the removal of a Tier 2 battery energy storage system and restoration of the site in accordance with the decommissioning plan.

§8. Enforcement.

Any violation of this Battery Energy Storage System Law shall be subject to the same enforcement requirements contained in this chapter.

Section 4. Severability.

The invalidity or unenforceability of any section, subsection, paragraph, sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

Section 5. Repealer

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

Section 6. Effective Date

This Local Law shall take effect immediately upon filing in the office of the New York State Secretary of State.

(CORRECTED) TO BE POLLED AND ADDED:

RESOLUTION TO ACCEPT WORKER'S COMPENSATION INSURANCE COVERAGE

THE FOLLOWING RESOLUTION WAS OFFERED BY SUPERVISOR PAUTLER, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMEMBER CRIST

WHEREAS, the Alden Town Board has reviewed its worker's compensation insurance coverage and has received quotes from two insurances brokers and conducted interviews for new policies in an attempt to save taxpayer monies;

WHEREAS, the Procurement Policy & Procedure Guidelines ("Guidelines") of the Town of Alden states that professional services are exempt from the Guidelines;

WHEREAS, a request for proposal was made by the Town to Haylor, Freyer & Coon, who investigated comparable policies through two insurance carriers, with Comp Alliance being the best value;

WHEREAS, The Town Board after full and careful review and consideration of the request finds that it is in the public interest to worker's compensation insurance from Comp Alliance.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS, THAT:

- 1. The Town Board approves the policy offered by Haylor, Fryer & Coon through Comp Alliance for a period of two years at a cost of \$63,185.00 per year;**
2. The Supervisor of the Town of Alden is authorized to sign any and all necessary documents to effectuate this policy; and
3. This resolution shall take effect immediately.

The foregoing Resolution was duly put to a roll call vote at a regular meeting on June 15, 2026, as follows:

Councilman Crist	Aye
Councilwoman Bork	ABSENT
Supervisor Pautler	Aye
Councilman Drogi	Aye
Councilman Kerl	Aye

APPENDIX A

Resolution Approving Membership in the Alliance

WHEREAS, there has been proposed a "NEW YORK STATE MUNICIPAL WORKERS' COMPENSATION ALLIANCE PLAN DOCUMENT" pursuant to Section 50 3-a of the Workers' Compensation Law (hereinafter "the Plan"); and

WHEREAS, the Town of Alden is eligible for membership in the Plan; and

WHEREAS, the Town of Alden has made an independent investigation of the Plan and reviewed the Plan document, and has concluded that it would be in the interests of the Town of Alden to participate therein; now, therefore, be it

RESOLVED, that the Town of Alden enter into membership in the Plan pursuant to Section 50 Subdivision 3-a of the Workers' Compensation Law; and be it further

RESOLVED, that Town Supervisor Pautler be and hereby is authorized and instructed to execute the Plan's charter document on behalf of the Town of Alden; and be it further

RESOLVED, that the custody of all joint Plan moneys by the Plan Administrator under the Plan be and the same hereby is approved.

A MOTION was made by Councilmember Crist and seconded by Councilmember Kerl to adopt the above resolution by the Governing Board of the Town of Alden at its June 15, 2026 meeting.

_____ (signature)

**Member Seal*

Alyssa Cooper / Town Clerk (name/title)

_____ (date)

APPENDIX B

Election of Self-Insurance to Satisfy Workers' Compensation Obligation

The following is an exact copy of a portion of the Minutes of the Governing Board meeting dated June 15, 2026.

“WORKERS' COMPENSATION - SELF INSURANCE”

“A MOTION was made by Councilmember Crist and seconded by Councilmember Kerl to adopt the following resolution:

“RESOLVED, that the Town of Alden hereby elects, pursuant to Subdivision 3-a of Section 50 of the Workers' Compensation Law, to become a self-insurer as to Workers' Compensation claims against this Municipality; and be it further

“RESOLVED, that pursuant to Section 50 Subdivision 3-a of said Workers' Compensation Law, notice of such election shall be filed forthwith with the Chairman of the Workers' Compensation Board, Self-Insurance Section; and be it further

“RESOLVED, that this election shall become effective on July 1, 2026.

“MOTION carried”.

_____ (signature)

**Member Seal*

_____ Alyssa Cooper / Town Clerk (name/title)

_____ (date)

REPORTS OF COMMITTEE, OFFICIALS AND PERSONAL-

Councilmember Kerl- I would like to thank Code Enforcement Officer Rick and his building staff for working and with Prosecutor Morh to get this Weber situation going and not giving up on it. Thanked the residents of Alura Drive for having faith and sticking with it.

Councilmember Drogi- Nothing to report

Town Clerk Cooper- Nothing to report

Town Attorney Strong- Please add Town Fee Schedule, Town Cemetery and 250th celebration to the next work session. The 250th Celebration Committee is meeting soon.

Councilmember Bork- Absent

Councilmember Crist- Nothing to report

Code Enforcement Officer Coburn- I just would like to say that in the court order it does say other people can execute order. There is another court date on July 23rd. The judge is making sure things are moving along and not getting held up.

Budget Officer Rogers- Nothing to report

Highway Supervisor- Nothing to report.

Town Engineer Metzger- I met with the contractors for Cayuga Creek last week and all the contracts were signed by all including the Supervisor and Town Clerk. The project should start soon.

ANNOUNCEMENTS FROM THE SUPERVISOR

I would like to wish everyone a Happy Fourth of July; our next board meeting will be after the holiday. Please add Sandridge Road Cemetery to the next work session meeting.

NOTICE OF MEETINGS

Reg. Board Meeting – Monday July 6, 2026- 6:00pm
Work Session – Monday June 22, 2026- 6:00pm

MEMORIAL REMEMBRANCE

Adjournment

Supervisor Pautler adjourned the regular board meeting at 6:31pm.

Councilman Crist	Aye
Councilwoman Bork	Absent
Supervisor Pautler	Aye
Councilman Drogi	Aye
Councilman Kerl	Aye