

**TOWN OF ROYALTON  
BOARD MEETING AGENDA  
MARCH 11, 2024**

1. **Open Meeting**
2. **Pledge to the Flag**
3. **Public Hearing – LOCAL LAW #1 FOR 2024 – A LOCAL LAW IMPOSING A SIX-MONTH MORATORIUM ON PLACEMENT AND/OR CONSTRUCTION OF SOLAR/WIND ENERGY SYSTEMS THAT ARE DESIGNED TO USE BATTERY STORAGE SYSTEMS**
4. **Additions or corrections of the minutes as presented**
5. **Public Comment – Agenda Items Only**
6. **Communications / Petitions**

**NEW BUSINESS**

- Resolution to accept the Supervisor’s Report for the month of February 2024.
- Resolution to adopt Local Law #1 for 2024 entitled “A LOCAL LAW IMPOSING A SIX-MONTH MORATORIUM ON PLACEMENT AND/OR CONSTRUCTION OF SOLAR/WIND ENERGY SYSTEMS THAT ARE DESIGNED TO USE BATTERY STORAGE SYSTEMS”
- Resolution to award the Cemetery Mowing Bid to Exclusive Property Services, LLC, owner Zachary Rouse, for the 2024-2026 mowing seasons.

There were two (2) bids received for these services as follows:

Name of Company	Company Address	Phone #	2024 Price	2025 Price	2026 Price
Exclusive Property Services, LLC	7761 W. Somerset Road	716-302-9229	\$ 46,500.00	\$ 47,895.00	\$ 49,332.00
Zachary Rouse	Appleton, NY 14008		\$7,750.00/mo	\$7,983.00/mo.	\$8,222.00/mo

Lockport Lawsharks, LLC	225 Lincoln Avenue	716-799-2975	\$ 50,712.00	\$ 52,233.00	\$ 53,800.00
Robert Pagan	Lockport, NY 14094		\$8,452.00/mo.	\$8,705.00/mo.	\$8,967.00/mo..

- Resolution to accept the proposal from Chris Wesolek to mow and trim the Town Hall grounds for 2024. The fees are as follows:

- \$ 85.00 per mowing
- \$125.00 per month to weed and trim bushes as needed
- \$375.00 for spring clean-up including trimming all bushes, weeding, replacing sod from plowing and preparing lawn for mowing (one time charge)
- \$325.00 to apply mulch before Memorial Day (one time charge) \*Not including materials

- Resolution to accept the price increases from CAM Trenching, Inc. for cemetery services in our four (4) active cemeteries. Mr. Criswell increased his prices by \$50.00 for all services. The last price increase we received was in 2019. The new pricing will be as follows:

➤

- Grave Openings \$600.00
- Grave Openings (Sundays & Holidays) \$700.00
- Cremation Burials \$325.00
- Cremation Burials (Sundays & Holidays) \$425.00
- Winter Burials (Nov. 1 – April 1) – Fee will be the same as Sundays & Holidays

**TOWN OF ROYALTON  
BOARD MEETING AGENDA  
MARCH 11, 2024  
PAGE 2**

- Resolution to purchase a 40' Cube Storage Container from All Metal Works at a cost not to exceed \$4,950.00.to store the new garbage totes in There were three (3) quotes submitted for this purchase:
  - All Metal Works \$4,950.00 (New Unit)
  - A-VERDI \$7,030.00 (Reconditioned Unit #46097)
  - A-VERDI \$7,360.00 (Reconditioned Unit #46074)
  
- Resolution to accept the following individuals into membership of the Wolcottsville Vol. Fire Co.:
  - Peyton Waterbury – Junior Member
  - Daren Outten – Active Firefighter
  
- Resolution for permission to pay the bills.
  
- Any additional items that need to come before the board at this time.

**Public Comment – Good and Welfare of the Community**

**Adjournment – Motion to Adjourn Motion \_\_\_\_\_ Second \_\_\_\_\_ Time: \_\_\_\_\_**

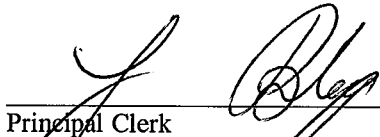
STATE OF NEW YORK  
NIAGARA COUNTY, } SS, \_\_\_\_\_

Jackie Bilogan, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

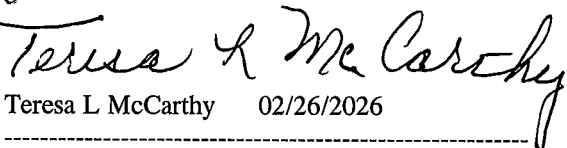
LOCKPORT UNION-SUN & JOURNAL

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 329645 was printed and published in said paper on the following dates:

03/01/2024

  
Principal Clerk

Subscribed and sworn to before me this  
3.1.24

  
Teresa L. McCarthy 02/26/2026

Notary Public                      Expiration Date

TERESA L. MCCARTHY  
Notary Public - State of New York  
No. 01MC4962698  
Qualified in Niagara County  
My Comm. Expires Feb. 26, 2026

**TOWN OF ROYALTON  
NOTICE OF PUBLIC HEARING**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Royalton will meet on March 11, 2024, at 7:00 p.m. at the Town Hall, 5316 Royalton Center Road, Middleport, New York 14105, to hear and consider adoption of Local Law No. 1 of 2024 of the Town of Royalton which would amend the Town of Royalton Code and its Zoning Map as follows: by imposing a six-month moratorium on the review or approval of any applications to the Town, any of its Boards, or any of its employees, involving the establishment, construction, or operation of battery storage of electricity facilities, including those connected or associated with solar or wind powered projects.

Please take further notice that the environmental significance of the proposed Local Law will be reviewed at said public hearing.

A copy of the proposed Local Law is on file at the Town Clerk's Office located at the Town Hall, 5316 Royalton Center Road, Middleport, New York, 14105, and may be viewed during regular business hours. All parties in interest and citizens will be heard at the public hearing to be held as aforesaid.

**BY ORDER OF THE TOWN BOARD  
TOWN OF ROYALTON  
MARIE L. LITTLE, MMC/RMC,  
TOWN CLERK, TOWN OF ROYALTON  
L#329645**

3/1/2024

NEW YORK STATE DEPARTMENT OF STATE  
Division of Corporations, State Records and Uniform Commercial Code  
One Commerce Plaza, 99 Washington Avenue  
Albany, NY, 12231  
Local Law Filing

---

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Local Law No. 1 of 2024

**A LOCAL LAW IMPOSING A SIX-MONTH MORATORIUM ON PLACEMENT AND/OR CONSTRUCTION OF SOLAR/WIND ENERGY SYSTEMS THAT ARE DESIGNED TO USE BATTERY STORAGE SYSTEMS**

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

Section 1. Title

This Local Law shall be referred to as the “Local Law Imposing a Six Month Moratorium On Placement and/or Construction of solar/wind energy systems that are designed to use battery storage systems.”

Section 2. Purpose and Intent

Pursuant to the statutory powers vested in the Town Board of the Town of Royalton to regulate and control land-use and protect the health, safety and welfare of its residents, the Town Board of the Town of Royalton hereby declares a six-month moratorium on the establishment, placement, construction, and enlargement of solar/wind energy systems that are designed to use battery storage systems.

The Town has recently received an application for the construction and location of a energy battery storage system. It is clear that this application, and any others like it, will involve issues affecting the health, safety, and welfare of the Town’s residents and property.

The Town Board of the Town of Royalton desires to address, in a careful manner, the establishment, placement, and construction of solar/wind energy

systems that are designed to use battery storage systems, and/or independent battery storage systems.

### Section 3. Scope of Controls

- A. During the effective period of this Local Law:
1. The Town Board of the Town of Royalton shall not grant any approvals that would have as a result the establishment, placement, construction, enlargement or erection of solar/wind energy systems that are designed to use battery storage systems, and/or independent battery storage systems.
  2. The Town of Royalton Planning Board shall not grant any preliminary or final approval to a plat, site plan, special use permit or other permit that would have as a result the establishment, placement, construction, enlargement or erection of solar/wind energy systems that are designed to use battery storage systems, and/or independent battery storage systems.
  3. The Town of Royalton Zoning Board of Appeal shall not grant any variance, special use permit or other permit for any use that would result in the establishment, placement, construction, enlargement or erection of a solar/wind energy systems that are designed to use battery storage systems, and/or independent battery storage systems.
  4. The Building Inspector/Code Enforcement Officer of the Town of Royalton shall not issue any permit that would result in the establishment, placement, construction, enlargement or erection of a solar/wind energy systems that are designed to use battery storage systems, and/or independent battery storage systems.
- B. The Town Board of the Town of Royalton reserves the right to direct the Building Inspector/Code Enforcement Officer to revoke or rescind any building permits or certificates of occupancy issued in violation of this Local Law.

#### Section 4. No Consideration of New Applications

No applications for construction affected by this Local Law or for approvals for a site plan, variance, special use permit or other permit shall be considered by any board, officer, or agency of the Town of Royalton while the moratorium imposed by this Local Law is in effect.

#### Section 5. Term

The moratorium imposed by this Local Law shall be in effect for a period of six months from the effective date of this Local Law.

#### Section 6. Penalties

Any person, firm or corporation that shall establish, place, construct, enlarge, or erect solar/wind energy systems that are designed to use battery storage systems, and/or independent battery storage systems in violation of the provisions of this Local Law or shall otherwise violate any of the provisions of this Local Law shall be subject to:

- A. Such penalties as may otherwise be provided by applicable local laws, ordinances, rules, and regulations of the Town of Royalton for violation; and
- B. Injunctive relief in favor of the Town of Royalton to cease any and all such actions which conflict with this Local Law and, if necessary, to remove any construction that may have taken place in violation of this Local Law.

#### Section 7. Validity

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

#### Section 8. Hardship

Should any owner of property affected by this Local Law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then the owner of said property may apply to the Town Board of the Town

of Royalton in writing for a variation from strict compliance with this Local Law upon submission of proof of such unnecessary hardship. For the purposes of this Local Law, unnecessary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a variance, special use permit, site plan, building permit, or other permit during the period of the moratorium imposed by this Local Law.

Section 9. Effective Date

This Local Law shall take effect immediately when it is filed in the Office of the New York State Secretary of State in accordance with section 27 of the Municipal Home capital Law.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2024 of the Town of Royalton, was duly passed by the Town Board on March 11, 2024, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)

I hereby certify that the local law annexed hereto, designated as Local Law No. \_\_\_\_\_ of 200\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 200\_\_, and was approved/not approved/repassed after disapproval by the (Elective Chief Executive Officer\*) and was deemed duly adopted on \_\_\_\_\_ 200\_\_, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the Local Law annexed hereto, designated as Local Law No. \_\_\_\_\_ of 200\_ of the Town of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_, 200\_, and was approved/not disapproved/repassed after

disapproval by the (Elective Chief Executive Officer\*) on \_\_\_\_\_, 200\_. Such Local Law was submitted to the people by reason of a mandatory/permissive referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the general/special/annual election held on \_\_\_\_\_, 200\_, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the Local Law annexed hereto, designated as Local Law No. \_\_\_\_ of 200\_\_ of the County/City/Town/Village of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 200\_, and was approved/not approved/repassed after disapproval by the (Elective Chief Executive Officer\*) on \_\_\_\_\_ 200\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 200\_, in accordance with the applicable provisions of law.

\*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as Local Law No. \_\_\_\_ of 200\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special/general election held on \_\_\_\_\_ 200\_, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated at Local Law No. \_\_\_\_ of 200\_\_ of the County of \_\_\_\_\_, State of New York, having been submitted to the electors at the General Election of November \_\_\_\_, 200 \_\_,



pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

(Seal)

---

Clerk of the County legislative body, City,  
Town or Village Clerk or officer designated  
by local legislative body

Marie L. Little, Town Clerk MMC/RMC  
Town of Royalton  
Date: March 11, 2024

**TOWN OF ROYALTON 2024 - 2026  
CEMETERY LAWN MOWING BIDS  
BID OPENING 3/6/2024**

<b>Name of Company</b>	<b>Company Address</b>	<b>Phone #</b>	<b>2024 Price</b>	<b>2025 Price</b>	<b>2026 Price</b>
Exclusive Property Services. LLC Zachary Rouse	7761 W. Somerset Road Appleton, NY 14008	716-302-9229	\$ 46,500.00 \$7,750.00/mo	\$ 47,895.00 \$7,983.00/mo.	\$ 49,332.00 \$8,222.00/mo

Lockport Lawnsharks, LLC Robert Pagan	225 Lincoln Avenue Lockport, NY 14094	716-799-2975	\$ 50,712.00 \$8,452.00/mo.	\$ 52,233.00 \$8,705.00/mo.	\$ 53,800.00 \$8,967.00/mo..
--	--	--------------	--------------------------------	--------------------------------	---------------------------------

3/7/24 ml

**Marie Little**

**From:** Chris Wesolek  
**Sent:** Saturday, March 2, 2024 12:00 PM  
**To:** Marie Little  
**Subject:** [EXTERNAL] -Quote for Mowing Town Hall 2024

RECEIVED

MAR 04 2024

TOWN OF ROYALTON  
TOWN CLERK'S OFFICE

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Marie,

I would like the opportunity to provide the mowing service for the Town Hall for 2024. I will mow and trim the property weekly or as needed. There may be a delay in mowing due to weather or ground conditions. The cost for each mow would be \$85.00.

I would be interested in doing a spring cleanup including trimming all bushes, weeding, replacing sod from plowing and preparing lawn for mowing. The price would be \$375.00. I would apply mulch before Memorial Day for \$325.00 ( not including price of materials). I will weed and trim bushes as needed for \$145.00 per month. I will provide the Town with proof of insurance upon request. Thank you for the opportunity.

Sincerely,

Christopher D. Wesolek

n

# Bid Memo

RECEIVED

MAR 04 2024

TOWN OF ROYALTON  
TOWN CLERK'S OFFICE

**To:** Town of Royalton  
**From:** Cam Criswell  
**Date:** March 3, 2024  
**Re:** Royalton Mountain Ridge Cemetery, Union Cemetery, Husky Cemetery, & Orangeport

---

Grave Openings	\$600.00
Grave Openings (Sundays & Holidays)	\$700.00
Cremation Burials	\$325.00
Cremation Burials (Sundays & Holidays)	\$425.00

**Winter Burials (Nov. 1 to April 1)**

Burials will be done at the digression of the Cemetery operator and the town board members. Decision will be made according to the weather and conditions of the cemetery. Price for winter burials will be the same as Sundays and Holiday as listed above.

**Grave Openings**

The cemetery operator and a member of the board will be responsible for marking (layout) of the grave site.

Extra soil from excavation will be removed and stored on site or dispersed on grave sites that settled prior that year.

All grave openings will be backfilled and seeded after closing. Not responsible for seed to grow.

**Extras**

Graves that settled or caved in from prior years will result in extra cost.



# Estimate

Date	Estimate #
2/22/2024	1

4321 BOLTON ROAD | GASPORT, NEW YORK 14067

716.772.7029 [www.allmetalworksinc.com](http://www.allmetalworksinc.com)

orders@allmetalworksinc.com 716.772.2037

Name / Address
Town of Royalton 5316 Royalton Center Road Middleport, NY 14105

Ship To

Job Name

Qty	Item Code	Description	U/M
1	MISC	New 1 Trip 40' High Cube Storage Container 40'L x 8'W x 9'6" Tall	

<b>Total</b>	\$4,950.00
--------------	------------

DISCLAIMER: This document's purpose is only to provide an estimate of materials based on information known at the time the document was prepared. All Metal Works is not responsible for any omissions, corrections, changes or errors. Please review and double check before placing an order. Actual cost may change once project elements are finalized. Prices are valid for 30 days from the date noted at the top of this estimate sheet.

Customer Purchase Order # \_\_\_\_\_

Storage & Office Solutions.....Delivered



www.averdi.com



**QUOTE/PROPOSAL**

Date: 2024-02-26  
 Quote Number: 134598  
 Sales Person: Gio  
 Phone Number: 800-248-3734  
 Valid until: 2024-03-26

Customer	Requested By	Delivery Site
Royalton (Town of) 5316 Royalton Center Rd Middleport, NY 14105	Jeff Brown	Town of Royalton HQ  Royalton, NY 14001

Product Description	Amount	Billing Type
<b>40' Container Reconditioned A-Verdi Storage Container (Fully inspected, washed, prepped &amp; painted) (choice of colors; gray, green, brown, tan, or off white) unit #46097</b>	7,030.00	One Time
	0.00	
	0.00	
<b>40' Container Reconditioned A-Verdi Storage Container (Fully inspected, washed, prepped &amp; painted) (choice of colors; gray, green, brown, tan, or off white) unit #46074</b>	7,360.00	One Time
	0.00	
	0.00	
	0.00	
	0.00	
	0.00	

Enhancement Items	Amount

Additional Details if Applicable:

All transportation fees & the first rental cycle (two cycles for office units) are billed at the time of delivery. Rental units are subject to minimum lease term based on a per-job basis & noted in the quoted price above. The unit must have insurance naming A-Verdi LLC as additionally insured prior to delivery or a damage waiver fee will be charged for coverage of the unit only. This quote is based on the standard terms & Conditions of the A-Verdi Lease Agreement. The customer shall pay any/all local, state, personal property taxes, and/or permit/fines related to the leased equipment. If sales tax exempt, a proof of exempt status is required before delivery. The tax-exempt must be validated by A-Verdi. Standard delivery & pick up includes an allocated half-hour of time on site, if additional time is required, there will be additional charges. The site must be a firm & level surface with room to accommodate the delivery vehicle & unit.

RECEIVED

MAR 04 2024

TOWN OF ROYALTON  
TOWN CLERK'S OFFICE

Wolcottsville Volunteer Fire Company

6337 Wolcottsville Rd. P.O. Box 189

Akron, NY 14001

Phone: 542-4422

Fax: 542-4422

February 2, 2024

Marie Little, Town Clerk

Royalton Town Hall

5316 Royalton Center Road

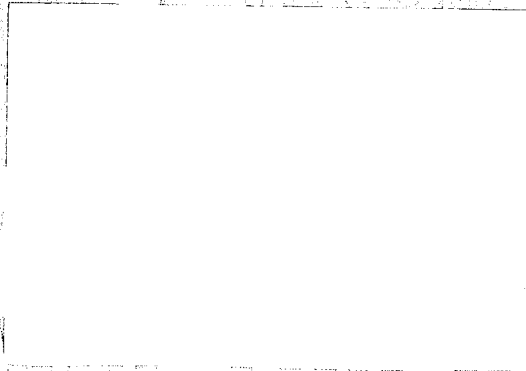
Middleport, NY 14105

Dear Marie:

At our regular meeting held on February 1, 2024, we approved the following person into the membership into the Wolcottsville Volunteer Fire Company. We now await the Town's approval.

On February 1, 2024, the following member was voted into the Membership as a Junior Fireman with the Wolcottsville Volunteer Fire Company.

Peyton Waterbury



Sincerely Yours,

A handwritten signature in black ink, appearing to read "Darlene Gurnett". The signature is fluid and cursive, written over the printed name.

Darlene Gurnett

Secretary

**Wolcottsville Volunteer Fire Company**

**6337 Wolcottsville Rd. P.O. Box 189**

**Akron, NY 14001**

**RECEIVED**

**MAR 04 2024**

**TOWN OF ROYALTON  
TOWN CLERK'S OFFICE**

**Phone: 542-4422**

**Fax: 542-4422**

February 2, 2024

Marie Little, Town Clerk

Royalton Town Hall

5316 Royalton Center Road

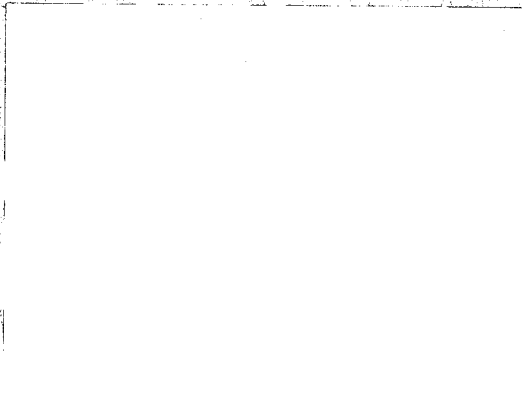
Middleport, NY 14105

Dear Marie:

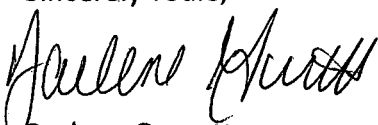
At our regular meeting held on February 1, 2024, we approved the following person into the membership into the Wolcottsville Volunteer Fire Company. We now await the Town's approval.

On February 1, 2024, the following member was voted into the membership as an active Fireman with the Wolcottsville Volunteer Fire Company.

**Daron Outten**



Sincerely Yours,



Darlene Gurnett

Secretary