

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: Sept 8, 2026

RESOLUTION NUMBER: 65 YEAR: 2026

MOVED BY: Mr. McClory SECOND BY: Mrs. Hahn

TITLE: RESOLUTION ADOPTING LOCAL LAW NO. 2 OF 2026, ESTABLISHING A TEMPORARY ZONING MORATORIUM ON DATA CENTERS, ARTIFICIAL INTELLIGENCE COMPUTING FACILITIES, CRYPTOCURRENCY MINING FACILITIES, AND SIMILAR HIGH-INTENSITY COMPUTING USES

WHEREAS, the Town Board of the Town of Franklinville introduced proposed Local Law No. 2 of 2026, entitled "*A Local Law Amending the Zoning Law of the Town of Franklinville to Establish a Temporary Moratorium on Data Centers, Artificial Intelligence Computing Facilities, Cryptocurrency Mining Facilities, and Similar High-Intensity Computing Uses*"; and

WHEREAS, the proposed Local Law establishes a temporary twelve (12) month moratorium to allow the Town to study and consider appropriate zoning regulations governing such uses; and

WHEREAS, the proposed Local Law was referred to the Cattaraugus County Planning Board pursuant to General Municipal Law § 239-m, and the Town Board has received and considered the County Planning Board's recommendation, if any; and

WHEREAS, the Town Board duly noticed and held a public hearing on the proposed Local Law on September 8, 2026, at 7:01 p.m., at which time all interested persons were provided an opportunity to be heard; and

WHEREAS, the Town Board has completed the required review pursuant to the New York State Environmental Quality Review Act ("SEQRA");

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklinville hereby adopts Local Law No. 2 of 2026, entitled "*A Local Law Amending the Zoning Law of the Town of Franklinville to Establish a Temporary Moratorium on Data Centers, Artificial Intelligence Computing Facilities, Cryptocurrency Mining Facilities, and Similar High-Intensity Computing Uses*"; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to file Local Law No. 2 of 2026 with the New York State Secretary of State and to take such other actions as may be necessary to effectuate the Local Law.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 8th day of Sept the year 2024 the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

Aye Sharon Hahn, Deputy Supervisor

Aye Dave Furman, Councilman

Aye Terry McClory, Councilman

Aye Mike Forward, Councilman

CERTIFIED: Andrea Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville

TOWN OF FRANKLINVILLE

Local Law No. 2 of 2026

A Local Law Amending the Zoning Law of the Town of Franklinville to Establish a Temporary Moratorium on Data Centers, Artificial Intelligence Computing Facilities, Cryptocurrency Mining Facilities, and Similar High-Intensity Computing Uses

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

Section 1. Authority

This Local Law is adopted pursuant to the Municipal Home Rule Law of the State of New York, Article 16 of the Town Law of the State of New York, and the Town's authority to adopt and amend zoning regulations for the purpose of promoting the health, safety, morals, and general welfare of the community.

Section 2. Legislative Findings and Intent

The Town Board of the Town of Franklinville finds that recent technological advances and increased demand for digital infrastructure have resulted in proposals throughout New York State for large-scale data centers, artificial intelligence computing facilities, cloud computing facilities, cryptocurrency mining operations, and other high-intensity computing uses.

The Town Board further finds that these facilities may require significant electrical infrastructure, water resources, cooling systems, backup power generation, transportation improvements, and emergency response capabilities that differ substantially from traditional commercial and industrial land uses. Such uses may also create impacts relating to noise, traffic, land use compatibility, environmental resources, and community character.

The Town's Zoning Law does not presently contain standards specifically regulating these uses. The Town Board finds that acceptance or approval of such applications before appropriate regulations are developed could result in development inconsistent with the Town's Comprehensive Plan and the orderly development of the Town.

The Town Board further finds that it is necessary to temporarily amend the Town's Zoning Law to preserve the status quo while appropriate zoning regulations are studied and considered. The Town Board intends to evaluate whether and under what conditions such uses should be permitted within the Town and, if so, in which zoning districts and subject to what standards.

Accordingly, the Town Board finds that a temporary moratorium is necessary to preserve the status quo while the Town evaluates whether amendments to its Zoning Law are appropriate.

Section 3. Purpose

The purpose of this Local Law is to temporarily suspend the acceptance and approval of applications for certain high-intensity computing facilities while the Town studies and .studies and develops appropriate amendments to the Town of Franklinville Zoning Law.

Section 4. Definitions

For purposes of this Local Law:

Artificial Intelligence Computing Facility means a facility whose primary purpose is providing computing capacity for artificial intelligence, machine learning, large language models, or other high-performance computational processing.

Cryptocurrency Mining Facility means a facility primarily engaged in validating blockchain transactions or producing digital assets through computational processing.

Data Center means a building or group of buildings designed or used primarily for housing computer servers, networking equipment, data storage equipment, cloud computing infrastructure, or other information technology equipment supporting digital processing or storage.

High-Intensity Computing Use means any principal use involving large-scale computer processing, digital data storage, cloud computing, blockchain processing, cryptocurrency mining, artificial intelligence computing, or substantially similar operations requiring significant computing infrastructure.

Section 5. Temporary Moratorium

Then continue with the existing moratorium language. For a period of twelve (12) months following the effective date of this Local Law, the Town shall not accept, process, approve, issue, or act upon any application for the establishment, construction, reconstruction, expansion, enlargement, conversion, change of use, or operation of any:

- Data Center;
- Artificial Intelligence Computing Facility;
- Cryptocurrency Mining Facility; or
- Other High-Intensity Computing Use as defined herein.

The moratorium shall apply to, but not be limited to:

- Building Permits;
- Site Plan Approvals;
- Special Use Permits;
- Use Variances;
- Area Variances where required for such use;
- Certificates of Occupancy; and
- Any other municipal approval necessary to establish such use.

Section 6. Exemptions

This Local Law shall not apply to:

1. Facilities lawfully operating on the effective date of this Local Law.
2. Ordinary computer equipment, servers, or information technology systems accessory to another permitted principal use.
3. Residential computer equipment and home office activities.
4. Schools, hospitals, government buildings, emergency service facilities, banks, and similar institutional uses operating normal computer equipment incidental to their primary function.
5. Telecommunications facilities regulated by federal or state law whose primary purpose is providing communications services.

Section 7. Pending Applications

Applications determined by the Code Enforcement Officer to be complete prior to the effective date of this Local Law shall not be subject to this moratorium.

Applications that have not been determined to be complete prior to the effective date shall be subject to this Local Law.

Section 8. Study During Moratorium

During the moratorium period, the Town Board shall review and consider amendments to the Town of Franklinville Zoning Law governing Data Centers, Artificial Intelligence Computing Facilities, Cryptocurrency Mining Facilities, and other High-Intensity

Computing Uses, including whether such uses should be prohibited, permitted, or allowed by Special Use Permit within designated zoning districts.

Such evaluation may include consideration of:

- Appropriate zoning districts;
- Utility and electrical infrastructure impacts;
- Water supply and wastewater impacts;
- Traffic and road impacts;
- Fire protection and emergency response;
- Noise and environmental impacts;
- Community character;
- Agricultural land preservation; and
- Any other matters deemed relevant by the Town Board.

Section 9. Enforcement

This Local Law shall be administered and enforced by the Town Code Enforcement Officer.

No permit or approval shall be issued in violation of this Local Law. Any permit issued in violation of this Local Law shall be null and void.

Enforcement of this Local Law shall be in accordance with the applicable enforcement provisions of the Town of Franklinville Zoning Law.

Section 10. Severability

If any clause, sentence, paragraph, subdivision, section, or part of this Local Law shall be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part directly involved in the controversy.

Section 11. Effective Date

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

Unless repealed or extended by subsequent Local Law, this moratorium shall expire twelve (12) months after its effective date.

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: Sept 8 2026

RESOLUTION NUMBER: 66 YEAR: 2026

MOVED BY: Ms. Campbell SECOND BY: Mr. McClory

TITLE: APPOINTMENT OF FULL-TIME HIGHWAY DEPARTMENT EMPLOYEE

WHEREAS, the Town of Franklinville Highway Department has a need to fill a full-time position due to the anticipated departure of Robert Reese; and

WHEREAS, Dennis Zak, Jr. has been selected for the position and will initially train with Robert Reese to assist with an orderly transition of duties;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklinville hereby approves the hiring of Dennis Zak, Jr. as a full-time employee of the Town of Franklinville Highway Department, effective Sept 14, 2026, 2026, at a starting rate of \$24.62 per hour, subject to the applicable terms and conditions of the Town's collective bargaining agreement and Town employment policies; and

BE IT FURTHER RESOLVED, that Dennis Zak, Jr. will train with Robert Reese during the transition period in preparation to assume the duties associated with Mr. Reese's position.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 8 day of Sept the year 2026 the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor

Aye Sharon Hahn, Deputy Supervisor

Aye Dave Furman, Councilman

Aye Terry McClory, Councilman

Aye Mike Forward, Councilman

CERTIFIED: _____

Andrea Stanbro
Andrea Stanbro, Clerk,
Town of Franklinville

Catharyn Campbell, Supervisor
Town of Franklinville
Andrea Stanbro, Clerk

Sharon Hahn, Deputy Supervisor
Mike Forward, Councilman
Terrance McClory, Councilman
Dave Furman, Councilman

DATE: Sept 8, 2026

RESOLUTION NUMBER: 67 YEAR: 2026

MOVED BY: Mr. McClory SECOND BY: Mr. Forward.

TITLE: APPOINTMENT OF SEASONAL CEMETERY WORKER

WHEREAS, a vacancy exists in a seasonal cemetery worker position due to the departure of a current employee; and

WHEREAS, the Town Board desires to fill the vacant position to maintain adequate staffing for cemetery operations;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Franklinville hereby appoints Ray Westfall to fill the position of **Seasonal Cemetery Worker**, effective Sept 09, 2026, at a rate of **\$18.00 per hour**.

RESOLVED, the resolution as stated above is hereby adopted by a majority vote of the Town of Franklinville Town Board at an official meeting held on the 8 day of Sept the year 2026 the ayes and nays take and recorded below:

Aye Catharyn Campbell, Supervisor
Aye Sharon Hahn, Deputy Supervisor
Aye Dave Furman, Councilman
Aye Terry McClory, Councilman
Aye Mike Forward, Councilman

CERTIFIED: _____
Andrea Stanbro, Clerk,
Town of Franklinville