*The Town of Rotterdam Town Board Meeting will be held in person; however, the public may access the meeting electronically via Zoom conference call. Members of the public may listen to the board meeting by dialing **1 (929) 205-6099(** followed by the pound symbol) or by logging into Zoom.com, then enter the conference **ID NO. 867 0373 0307**. Video of the town board meeting will be posted on the Town of Rotterdam website (www.rotterdamny.org) the following Friday after the meeting.*

MEETING OF THE
ROTTERDAM TOWN BOARD
December 28, 2022
7:00 PM
AGENDA REVIEW 6:30 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SUPERVISOR'S REMARKS: Supervisor Mollie A. Collins

EXECUTIVE SESSION

PROCLAMATIONS/PRESENTATIONS

PUBLIC HEARING

- For the potential enactment of Introductory Local Law No. 9 of 2022 to amend Chapter 270 of the Town Code of the Town of Rotterdam, Zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible and adopting regulations for such uses.

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR:

Those members of the public wishing to address the Town Board will be asked to sign in before the meeting is called to order on the sign-in sheets being provided. Speakers will be called to the podium in the order of their signing in. Persons recognized by the Chair to speak during privilege of the floor shall direct his/her comments to the Town Supervisor as Chair of the meeting. Persons granted the privilege of the floor shall first clearly state his/her name and address for the record. Persons so addressing the Chair through the use of a prepared written statement shall submit a copy of the same to the Town Clerk for the purpose of maintaining clear and accurate official minutes of the Town Board meeting.

GENERAL RULES OF PROCEDURE FOR PUBLIC HEARINGS & PRIVILEGE OF THE FLOOR:

Any person recognized by the town supervisor to speak during privilege of the floor shall direct his/her comments to the town supervisor as chair of the meeting. Any person granted the privilege of the floor shall first clearly state his/her name and address for the record. The purpose of privilege of the floor shall be for speakers to express their views, thoughts and speak freely. Each speaker, who wishes to address the town board, shall have an equal and reasonable opportunity to be heard by the town board. Each speaker shall be afforded a maximum of four (4) minutes to address the town board.

INTRODUCTION OF MOTIONS, ORDERS AND RESOLUTIONS

RESOLUTIONS

354.22 To Accept Town Board Meeting Minutes.

355.22 To Authorize an Agreement with Ausfeld and Waldruff Land Surveyors LLP for the design of a crosswalk at the Curry Road and Fayette Drive intersection.

356.22 To authorize an agreement with Ausfeld and Waldruff Land Surveyors LLP for the design of a new parking lot at the Rotterdam Senior Center.

357.22 To amend Resolution 349.22 of the year 2022.

358.22 To authorize contracts for 2023 insurance coverage.

359.22 To recognize the introduction of Introductory Local Law No. 11 of 2022 and scheduling a public hearing thereon.

360.22 To adopt a negative declaration under SEQRA for the proposed enactment of Introductory Local Law No. 9 of 2022.

361.22 To enact Introductory Local Law No. 9 of 2022; To amend chapter 270 of the town code of the Town of Rotterdam, zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible.

LIAISON REPORTS

MISCELLANEOUS

EXECUTIVE SESSION

ADJOURNMENT

Mollie A. Collins, Supervisor

12/28/2022

PUBLIC HEARING

#1

- **For the potential enactment of Introductory Local Law No. 9 of 2022 to amend Chapter 270 of the Town Code of the Town of Rotterdam, Zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible and adopting regulations for such uses.**

RESOLUTION NO. 301.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, October 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW NO. 9 OF 2022 AND AUTHORIZING COMMENCEMENT OF THE REVIEW AND ADOPTION PROCESS

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Supervisor **COLLINS,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board recognizes the introduction of Introductory Local Law No. 9 of 2022, which would designate zoning districts in which adult-use cannabis retail dispensaries and adult-use on-site consumption facilities would be permissible and would regulate same.

SECTION 2. The Town Board hereby determines that the proposed enactment of Local Law No. 9 of 2022 is a Type I action under the State Environmental Quality Review Act pursuant to 6 NYCRR § 617.4 (b) (2), that there are no other involved agencies (as that term is defined under the SEQRA regulations) other than the Town Board, and therefore establishes itself as lead agency for purposes of conducting the SEQRA review.

SECTION 3. The Town Board hereby authorizes the Town Senior Planner to prepare, file, publish, and distribute all documents necessary to comply with 6 NYCRR Part 617 (SEQRA).

SECTION 4. The Town Board hereby authorizes and directs the Town Senior Planner to refer Introductory Local Law No. 9 of 2022 to the Planning Commission of the Town of Rotterdam for report and recommendation thereon.

SECTION 5. The Town Board hereby authorizes and directs the Town Senior Planner to refer Introductory Local Law No. 9 of 2022 to the Schenectady County Department of Economic Development & Planning pursuant to N.Y. General Municipal Law § 239-m and to circulate such other notices as may be required by law.

SECTION 6. The Town Clerk is hereby directed to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided for hereby the following notice:

TOWN OF ROTTERDAM
NOTICE OF HEARING

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00 p.m. on the 14th day of December, 2022 for the following purpose:

For receipt of comment on the potential enactment of Introductory Local Law No. 9 of 2022 to amend Chapter 270 of the Town Code of the Town of Rotterdam, Zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible and adopting regulations for such uses.

BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK

DATED: October 26, 2022
Daily Gazette: Please publish once on December 1, 2022
Town Clerk
Post

SECTION 7. This resolution shall become effective October 26, 2022.

DATED: October 26, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on October 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this October 28, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

Type text here

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

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.

□County □City √Town □Village
(select one:)

of Rotterdam

Introductory Local Law No. 9 of the year 2022

A LOCAL LAW TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE OF THE TOWN OF ROTTERDAM

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

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF ROTTERDAM

INTRODUCTORY LOCAL LAW NO. 9 OF THE YEAR 2022

A LOCAL LAW TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE OF THE TOWN OF ROTTERDAM

SECTION 1 – TITLE

This local law shall be referred to as "A Local Law to Amend Chapter 270, Zoning, of the Town Code of the Town of Rotterdam".

SECTION 2 – AUTHORITY

This local law is enacted by the Town Board of the Town of Rotterdam pursuant to the N.Y. Municipal Home Rule Law, N.Y. Town Law Article 16, and N.Y. Cannabis Law § 131.

SECTION 3 – AMENDMENTS

Chapter 270, Zoning, of the Town Code of the Town of Rotterdam shall be amended as follows:

A. Section 270-5, relating to definitions of terms, is hereby amended to add the following definitions of terms, to be inserted in proper alphabetical order:

LICENSED ADULT-USE CANNABIS ON-SITE CONSUMPTION FACILITY
A facility or business at which the consumption of cannabis is allowed pursuant to a lawfully issued license for an adult-use cannabis on-site consumption location under the N.Y. Cannabis Law and regulations promulgated thereunder.

LICENSED ADULT-USE CANNABIS RETAIL DISPENSARY
A facility or business engaged in the acquisition, possession, sale and delivery of cannabis to cannabis consumers pursuant to a lawfully issued license for an adult-use cannabis retail dispensary under the N.Y. Cannabis Law and regulations promulgated thereunder, and not including any licensed adult-use cannabis on-site consumption facility.

B. Section 270-65, relating to special uses permissible within the B-2 General Business zoning district, is hereby amended to add a new Paragraph O to read in its entirety as follows:

O. Licensed adult-use cannabis retail dispensaries.

C. Section 270-73, relating to special uses permissible within the I-1 Light Industrial zoning district, is hereby amended to add new Paragraphs P and Q to read in their entirety as follows:

P. Licensed adult-use cannabis retail dispensaries.

Q. Licensed adult-use cannabis on-site consumption facilities.

D. Paragraph C of Section 270-75, relating to prohibited uses in the I-1 Light Industrial zoning district, is hereby amended to read in its entirety as follows:

C. All uses listed in the I-2 District, except those uses listed in this article as permitted.

E. Paragraph A of Section 270-83, relating to uses permitted as of right in the I-2 Heavy Industrial zoning district, is hereby amended to read in its entirety as follows:

A. All principal permitted and special uses listed in the I-1 District use regulations, except towers, licensed adult-use cannabis retail dispensaries, and licensed adult-use cannabis on-site consumption facilities.

F. Section 270-84, relating to special uses permissible within the I-2 Heavy Industrial zoning district, is hereby amended to add new Paragraphs H and I to read in their entirety as follows:

H. Licensed adult-use cannabis retail dispensaries.

I. Licensed adult-use cannabis on-site consumption facilities.

G. Paragraph G of Section 270-157, relating to prohibited home occupations, is hereby amended to add new subparagraphs (9) and (10) to read in their entirety as follows:

(9) Licensed adult-use cannabis retail dispensaries.

(10) Licensed adult-use cannabis on-site consumption facilities.

H. Article XVIII, relating to specific use regulations, is hereby amended to add a new Section 270-162.1, entitled "Licensed Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Facilities", to immediately follow Section 270-162 and to read in its entirety as follows:

§ 270-162.1. Licensed Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Facilities.

A. Permissible locations of licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities.

(1) Licensed adult-use cannabis retail dispensaries are permissible in the B-2 General Business, I-1 Light Industrial, and I-2 Heavy Industrial Zoning Districts in the Town of Rotterdam upon issuance of a special use permit and site plan approval by the Planning Commission.

(2) Licensed adult-use cannabis on-site consumption facilities are permissible in the I-1 Light Industrial, and I-2 Heavy Industrial Zoning Districts in the Town of Rotterdam upon issuance of a special use permit and site plan approval by the Planning Commission.

B. All applications for licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall be reviewed and determined in accordance with the procedures and standards set forth in Article XVII (Site Plan Approval) and Article XIX (Special Use Permits) of this chapter. In addition, the following provisions shall apply:

(1) Licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall not open before 9 AM nor remain open after 9 PM Mondays through Saturdays and shall not open before 12 PM nor remain open after 6 PM on Sundays.

(2) Licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall comply with all location, distance and separation requirements imposed by state regulations and licensing.

(3) An applicant for a special use permit and site plan approval under this section shall demonstrate, through competent technical proof, that its proposal includes sufficient off-street parking to fully support the

anticipated parking load for the proposed use. Such competent technical proof shall include an assessment of parking loads at other established similar adult-use cannabis uses within the region (including, where appropriate, outside of New York State).

(4) An applicant for a special use permit and site plan approval under this section shall demonstrate that its proposal and the surrounding neighborhood includes sufficient pedestrian facilities and amenities (including as appropriate and without limitation, sidewalks, crosswalks, traffic signals, paths, bike lanes, benches, bus stops, and adequate lighting) to provide invitees a safe and efficient means to access the site through means other than by motor vehicle.

(5) An applicant for a special use permit and site plan approval under this section shall demonstrate that its proposal includes sufficient ingress and egress points designed to permit safe and efficient access from adjoining public streets and to avoid traffic congestion.

(6) An applicant for a special use permit and site plan approval under this section shall demonstrate that its proposed use will not cause discernable odors beyond the property line, or where the proposed use is permissible as one of multiple uses on the same lot, beyond the boundary of the area designated specifically for the proposed adult-use cannabis use (e.g., the tenant space).

(7) Any special use permit approval or site plan approval shall be deemed to be conditioned upon the applicant securing and continuously maintaining the appropriate state license for its proposed use. No applicant shall begin adult-use cannabis retail dispensary or adult-use cannabis on-site consumption facility operations until such state license has been issued, and proof thereof has been provided to the enforcement official of the Town. Any special use permit approval or site plan approval shall be deemed to expire upon the suspension, revocation, termination, non-renewal, or expiration of any such state license that results in any period of time during which the use lacks a current, effective and valid state license for such use.

I. Paragraph A of Section 270-169, relating to expiration of special use permits, is hereby amended to read in its entirety as follows:

A. Expiration. In addition to any other provisions set forth in this chapter relating to expiration of a special use permit, the following provisions shall apply:

(1) In any case where a special use is not in operation within one year after the date of granting thereof, the special use or authorization thereof shall be null and void.

(2) A special use permit shall expire if such use shall cease for more than six consecutive months for any reason.

J. Article XXI, relating to miscellaneous provisions, is hereby amended to add a new Section 270-183.1, entitled "Severability", to immediately follow Section 270-183 and to read in its entirety as follows:

§ 270-183.1. Severability.

The provisions of this chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

SECTION 4 – SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this local law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this local law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 5 – EFFECTIVE DATE

This Local Law shall become effective upon filing with the New York Secretary of State.

(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. ___ of 2022 of the ~~(County)(City)~~(Town)~~(Village)~~ of Rotterdam was duly passed by the Town Board of the Town of Rotterdam on _____, 2022 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20_____ in accordance with the applicable provisions of law.~~
~~*(Name of Legislative body)*~~
~~*(Elective Chief Executive Officer*)*~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20_____. 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 _____ 20_____, in accordance with the applicable provisions of law.~~
~~*(Name of Legislative body)*~~
~~*(Elective Chief Executive Officer*)*~~

~~**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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20_____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20_____, in accordance with the applicable provisions of law.~~
~~*(Name of Legislative body)*~~
~~*(Elective Chief Executive Officer*)*~~

* 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 20____ 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 _____ 20_____, became operative.~~

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

~~I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 20_____, 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 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.

_____
Diane Marco, Town of Rotterdam Town Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Introductory Local Law No. 9 of 2022 - A Local Law To Amend Chapter 270, Zoning, of the Town of Rotterdam Town Code (Cannabis)		
Project Location (describe, and attach a general location map): Town of Rotterdam		
Brief Description of Proposed Action (include purpose or need): Adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities are anticipated to be sited within the Town of Rotterdam. Introductory Local Law No. 9 of 2022 would designate the B-2 (General Business), I-1 (Light Industrial), and I-2 (Heavy Industrial) zoning districts as the zoning districts in which adult-use cannabis retail dispensaries would be permissible (by special use permit and site plan approval). It would also designate I-1 (Light Industrial) and I-2 (Heavy Industrial) as the zoning districts in which adult-use cannabis on-site consumption facilities would be permissible (by special use permit and site plan approval). Both such uses would be prohibited as home occupations. Both such uses would be subject to regulation, including restricted hours of operation, location/distancing requirements, and the life of the special use permit of any such use would be coterminous with the life of the appropriate state license for such use.		
Name of Applicant/Sponsor: Town Board of the Town of Rotterdam	Telephone: 518-355-7575 E-Mail: mcollins@rotterdamny.org	
Address: 1100 Sunrise Boulevard		
City/PO: Rotterdam	State: NY	Zip Code: 12306
Project Contact (if not same as sponsor; give name and title/role): Peter Comenzo, Senior Planner	Telephone: 518-355-7575 E-Mail: pcomenzo@rotterdamny.org	
Address: 1100 Sunrise Boulevard		
City/PO: Rotterdam	State: NY	Zip Code: 12306
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes☐No	Town Board - Enactment of Local Law	10/26/2022
b. City, Town or Village Planning Board or Commission ☐Yes☐No		
c. City, Town or Village Zoning Board of Appeals ☐Yes☐No		
d. Other local agencies ☐Yes☐No		
e. County agencies ☐Yes☐No		
f. Regional agencies ☐Yes☐No		
g. State agencies ☐Yes☐No		
h. Federal agencies ☐Yes☐No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No

If Yes, identify the plan(s):
Remediaton Sites:447001, Remediaton Sites:447024, Remediaton Sites:V00063, Remediaton Sites:V00649, Remediaton Sites:447027, Remediaton Sites:447031, Remediaton Sites:V00011, Remediaton Sites:447005, Remediaton Sites:447006, Remediaton Sites:447004, NYS Heritage Areas:Mohawk Valley Heritage Corridor, NYS Heritage Areas:Schenectady

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☑Yes☐No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
B-2 (General Business), I-1 (Light Industrial), I-2 (Heavy Industrial)

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? The local law would designate zoning districts for and regulate adult-use cannabis uses.

C.4. Existing community services.

a. In what school district is the project site located? Schalmont, Rotterdam-Mohonasen, Schenectady

b. What police or other public protection forces serve the project site?
Rotterdam Police Department, Schenectady County Sheriff's Office, New York State Police

c. Which fire protection and emergency medical services serve the project site?
FD# 1 Rotterdam Jct, FD# 2 Curry Rd, FD # 3 Carman, FD # 4 Pattersonville, FD # 5 Pine Grove, FD #6 S. Schenectady, FD#7 Schonowe, FD #8 Plotterki

d. What parks serve the project site?
Boxwood Park, Erie Canal Lock Parks, Eunice O. Esposito Park, Fiero Park, Juracka Park, Kiwanis Park, Leonard C. White Park, Memorial Park, Pansy Park, Plotter Kill Nature Preserve, Rotterdam Junction, Woestina Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes☐No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes☐No
If Yes,
i. Total number of structures _____
ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes☐No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:
_____
iii. If other than water, identify the type of impounded/contained liquids and their source.
_____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):
_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐Yes☐No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
If Yes:
i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.
_____
_____
iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes☐No
If yes, describe. _____
_____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐Yes☐No
ix. Summarize site reclamation goals and plan: _____
_____
_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes☐No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____
_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? ☐Yes ☐No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☐No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

_____

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project site? ☐Yes☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

_____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes☐No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

_____

_____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

_____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

_____

- If to surface waters, identify receiving water bodies or wetlands: _____

_____

_____

- Will stormwater runoff flow to adjacent properties? ☐Yes☐No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☐No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes☐No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

_____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐Morning ☐Evening ☐Weekend

☐Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐Yes ☐No

If yes:

i. Provide details including sources, time of day and duration:

_____

_____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐Yes ☐No

Describe: _____

_____

n. Will the proposed action have outdoor lighting? ☐Yes ☐No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

_____

_____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐Yes ☐No

Describe: _____

_____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐Yes ☐No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

_____

_____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐Yes ☐No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

_____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐No

If Yes:

i. Describe proposed treatment(s):

_____

_____

_____

_____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____

_____

- Operation: _____

_____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____

_____

- Operation: _____

_____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes☐No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐Yes☐No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐Yes☐No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes☐No

If Yes:

i. Has the facility been formally closed? ☐Yes☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes☐No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑Yes☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑Yes☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☑ Yes – Environmental Site Remediation database — Provide DEC ID number(s): 447001, 447024, V00063, V00...

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑Yes☐No

If yes, provide DEC ID number(s): 447001, 447021, 447024, V00063, V00649, 447027,...

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____%
_____ _____%
_____ _____%

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: ☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☑ Yes ☐ No
If Yes, describe: Plotterkill Preserve - Rotterdam, Scotia Sand & Stone Company

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 863-640, 863-686, 863-687, 863-691, 876-99, 876... Classification A, C, C(T), B, B(T)
- Lakes or Ponds: Name 863-686, 876-98, 876-101 Classification C
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) RJ-1, P-12, P-13, S-117, S-...

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☑ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____
Name - Pollutants - Uses:Minor Tribs to Mohawk River – Unknown Toxicity – Recreation;Habitat/Hydrolgy;Aquatic Life

i. Is the project site in a designated Floodway? ☑ Yes ☐ No

j. Is the project site in the 100-year Floodplain? ☑ Yes ☐ No

k. Is the project site in the 500-year Floodplain? ☑ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑ Yes ☐ No
If Yes:

i. Name of aquifer: Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names:Schenectady-Niskayuna SSA

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? ☑ Yes ☐ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): Pitch Pine-Oak Forest, Pine Barrens Vernal Pond

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: 2819.0, 0.53 acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No

If Yes:

i. Species and listing (endangered or threatened): Side Oats Grama, Brown Bog Sedge, Bald Eagle, Karner Blue, Carey's Smartweed

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:

i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☑ Yes ☐ No

If Yes, provide county plus district name/number: SCHE001

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☑ Yes ☐ No

If Yes:

i. CEA name: Aquifer Area Overlay Zone

ii. Basis for designation: Conserve, improve, protect natural resources

iii. Designating agency and date: Agency:Rotterdam, Town of, Date:4-5-85

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: Eligible property:Rotterdam Fire District No. 7, Eligible property:Rotterdam Area Maintenance Support Activity #8, El...

iii. Brief description of attributes on which listing is based:

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

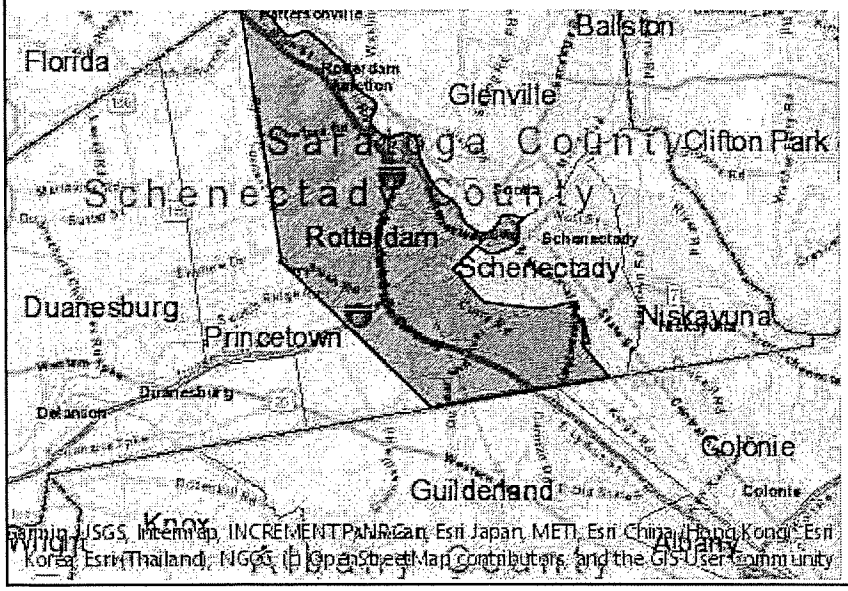
Applicant/Sponsor Name Town Board of the Town of Rotterdam Date October 20, 2022

Signature _____ Title Town Supervisor

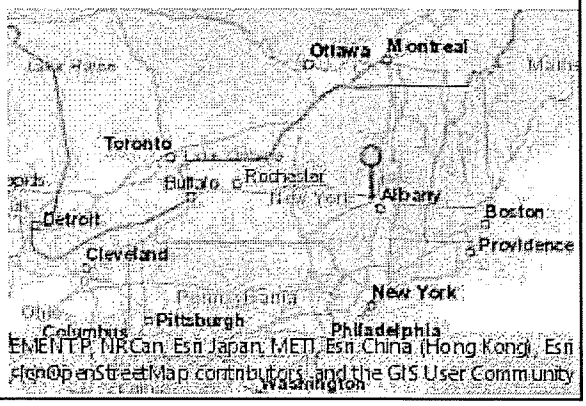
PRINT FORM

EAF Mapper Summary Report

Thursday, October 20, 2022 8:13 AM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediaton Sites:447001, Remediaton Sites:447024, Remediaton Sites:V00063, Remediaton Sites:V00649, Remediaton Sites:447027, Remediaton Sites:447031, Remediaton Sites:V00011, Remediaton Sites:447005, Remediaton Sites:447006, Remediaton Sites:447004, NYS Heritage Areas:Mohawk Valley Heritage Corridor, NYS Heritage Areas:Schenectady
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	447001, 447024, V00063, V00649, 447027, 447031, V00011, 447005, 447006, 447004
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	447001, 447021, 447024, V00063, V00649, 447027, 447031, V00011, 447005, 447006, 447004, 447007, 447026, E447035, 447047, B00167
E.2.g [Unique Geologic Features]	Yes
E.2.g [Unique Geologic Features]	Plotterkill Preserve - Rotterdam, Scotia Sand & Stone Company
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.

E.2.h.iv [Surface Water Features - Stream Name]	863-640, 863-686, 863-687, 863-691, 876-99, 876-102, 876-110, 876-111, 876-113, 876-106, 876-105, 876-8, 876-103, 876-109, 876-108, 876-39, 863-688, 863-690, 863-689, 876-98, 876-101, 876-100, 876-7
E.2.h.iv [Surface Water Features - Stream Classification]	A, C, C(T), B, B(T)
E.2.h.iv [Surface Water Features - Lake/Pond Name]	863-686, 876-98, 876-101
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):34.7, NYS Wetland (in acres):12.1, NYS Wetland (in acres):43.1, NYS Wetland (in acres):93.7, NYS Wetland (in acres):1.9, NYS Wetland (in acres):158.4, NYS Wetland (in acres):27.6, NYS Wetland (in acres):157.1
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	RJ-1, P-12, P-13, S-117, S-13, S-4, S-118, S-115
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Minor Tribs to Mohawk River – Unknown Toxicity – Recreation;Habitat/Hydrolgy;Aquatic Life
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names:Schenectady-Niskayuna SSA
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Pitch Pine-Oak Forest, Pine Barrens Vernal Pond
E.2.n.i [Natural Communities - Acres]	2819.0, 0.53
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Side Oats Grama, Brown Bog Sedge, Bald Eagle, Karner Blue, Carey's Smartweed
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	SCHE001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	Aquifer Area Overlay Zone
E.3.d.ii [Critical Environmental Area - Reason]	Conserve, improve, protect natural resources
E.3.d.iii [Critical Environmental Area – Date and Agency]	Agency:Rotterdam, Town of, Date:4-5-85
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.

E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:Rotterdam Fire District No. 7, Eligible property:Rotterdam Area Maintenance Support Activity #8, Eligible property:SCHERMERHORN HOUSE, Eligible property:THE ARENT SAMUELSE BRADT HOUSE, Eligible property:NEWBERRY HOUSE, Eligible property:THE PUTNAM HOUSE, Eligible property:Van Wormer farm, Eligible property:Enlarged Erie Canal Lock 25, Eligible property:VEDDER HOUSE 300P, Eligible property:Five-bay Frame Farmhouse, Barn Complex, Eligible property:Frame Farmhouse and Barn, Eligible property:Former Schoolhouse No. 11, ca. 1866/1960s, Eligible property:SUPPLY DEPOT HOUSING (?), Eligible property:Former Schenectady General Reserve Depot, Eligible property:VAN SLYKE HOUSE, Eligible property:Aaron Bradt House/Keepers of the Circle, Eligible property:GIFFORD HOUSE, Eligible property:R. Bradshaw house, New York State Barge Canal Historic District, Mabee House, Dellemont-Wemple Farm, Enlarged Double Lock No. 23, Old Erie Canal, Hotel Van Curler, Stockade Historic District, General Electric Research Laboratory
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Town of Rotterdam
Office of the Planning Commission

Thomas P. Yuille, Chairman
Peter J. Comenzo, Senior Planner

Telephone (518) 355-7575
Facsimile (518) 355-2725

Resolution Number Planning Commission 56-2022
Moved by Mrs. Flansburg seconded by Mr. Collins

Resolution Adopting a Report and Recommendation on Introductory Local Law No. 9 of 2022 – A Local Law to Amend Chapter 270 ("Zoning") to Address Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Facilities

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") is currently considering an amendment to Chapter 270 of the Town Code of the Town of Rotterdam, which would address adult-use cannabis retail dispensaries and on-site consumption facilities; and

WHEREAS, the Town Board referred the proposed amendment to the Planning Commission on October 26, 2022 for a report and recommendation thereon; and

WHEREAS, the Planning Commission reviewed the proposed amendment at its regularly scheduled meeting held on November 1, 2022; and

WHEREAS, the Planning Commission has deliberated on the proposed amendment;

NOW, THEREFORE, upon motion of Member Flansburg, seconded by Member Collins,

BE IT RESOLVED, by the Planning Commission of the Town of Rotterdam as follows:

1. The Planning Commission hereby adopts the following as its report on the proposed amendment:

   In 2021, New York State passed legislation legalizing the growing, processing, distribution, and retail sale of adult-use cannabis (commonly referred to as recreational marijuana). Under the State legislation, the State has authority to issue licenses for (among other uses) adult-use retail dispensaries (selling cannabis products at retail, for off-site consumption) and adult-use on-site consumption facilities (selling cannabis products for on-site consumption).

   The State legislation provides that all municipal governments are prohibited from adopting laws pertaining to the operation or licensure of adult-use cannabis licenses, with two exceptions:

   (1) Prior to December 31, 2021, municipalities were permitted to adopt a local law to opt-out of allowing adult-use cannabis uses within their boundaries; and
   (2) Municipalities may pass local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries and/or on-site consumption facilities, provided such local laws and regulations do "not make

the operation of such licensed retail dispensaries or on-site consumption sites unreasonably impracticable".

The Town of Rotterdam did not adopt a local law prior to December 31, 2021 to opt-out of allowing either retail dispensaries or on-site consumption facilities. Accordingly, it is reasonable to anticipate that these types of uses may begin to operate within the Town's boundaries. The proposed amendment, Introductory Local Law No. 9 of 2022, would address licensed adult-use cannabis retail dispensaries and on-site consumption facilities by making zoning amendments to regulate the time, place and manner of operation of these uses.

First, the proposed amendment would provide definitions for each of licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities. Each of those uses would be defined in a way that tracks the State's definition and licensing of those uses.

Next, the proposed amendment would designate zoning districts in which these two types of uses would be permissible. Under the proposed amendment, licensed adult-use cannabis retail dispensaries would be permissible within the B-2 (General Business), I-1 (Light Industrial), and I-2 (Heavy Industrial) zoning districts, and licensed adult-use on-site consumption facilities would be permissible within the I-1 (Light Industrial) and I-2 (Heavy Industrial) zoning districts. To further minimize the potential for siting these types of uses in residentially zoned neighborhoods, the proposed amendment would also make clear that these two uses would not be permissible as "home occupations".

Within the designated zoning districts, these newly defined uses would be subject to special use permit review and site plan approval. Accordingly, the Planning Commission would be empowered to require applicants for these uses to demonstrate that they meet the standards applicable to all special use permits (which are essentially designed to minimize the impact of such uses on the neighborhood), and to demonstrate that they meet the standards for site plan approval (which are essentially designed to make sure that the site design is safe and functional for the use proposed).

In addition to the otherwise applicable special use permit and site plan review standards, both of these uses would also be subject to additional standards. These uses would be restricted to particular hours of operation (9AM to 9PM, Monday through Saturday, 12PM to 6PM Sunday), and further would be required to comply with state-imposed distance/separation requirements (including not locating within 500 feet of school grounds or within 200 feet of houses of worship).

Additionally, an applicant for special use permit and site plan approval for these two types of newly defined uses would be required to demonstrate:

- That its proposal includes sufficient off-street parking to support the anticipated parking load for the use;
- That its proposal and the surrounding neighborhood includes sufficient pedestrian facilities and amenities (such as sidewalks, crosswalks, traffic signals, paths, bike lanes, benches, bus stops, and lighting) to provide invitees a safe and efficient means of accessing the site through means other than by motor vehicle;
- That its proposal includes sufficient ingress and egress points designed to permit safe and efficient access from adjoining public streets to avoid traffic congestion; and

- That its proposal will not cause discernable odors beyond the property line, or where the proposed use is permissible as one of multiple uses on the same lot, beyond the boundary of the area designated specifically for the proposed adult-use cannabis use (e.g., the tenant space).

Finally, the proposed zoning amendments would deem any special use permit or site plan approval for these two newly defined uses to be conditioned upon the operator securing and continuously maintaining the appropriate state license for its use. Upon a lapse of the state license, the local zoning approvals would likewise be deemed to expire.

2. The Planning Commission hereby adopts a **positive recommendation** on the proposed amendment. The Planning Commission believes that it is important for the Town to have in place a land use regulatory structure in anticipation of property owners/applicants seeking to establish adult-use cannabis retail dispensaries and adult use cannabis on-site consumption facilities.

Member	Aye	Nay
John Denny III	**X**	
Wayne Calder	**X**	
Mark D'Alessandro	**X**	
Clark Collins	**X**	
Joseph Signore		**X**
Lynn Flansburg	**X**	
Thomas Yuille	**X**	

Peter J. Comenzo
Senior Planner

Thomas P. Yuille
Planning Commission Chairman

ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING

Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 11-1-22
Case No. R-21-22
Returned 11-10-22

FROM: ☑ Legislative Body
☐ Zoning Board of Appeals
☐ Planning Board

Municipality: Town of Rotterdam

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225
(fax) 382-5539

Received
Schenectady County
NOV 01 2022
Economic Development and Planning Dept

ACTION:
☑ Zoning Code/Law Amendment
☐ Zoning Map Amendment
☐ Subdivision Review
☐ Site Plan Review
☐ Special Permit
☐ Use Variance
☐ Area Variance
☑ Other (specify) Local Law - Cannabis

PUBLIC HEARING OR MEETING DATE: December 14, 2022

SUBJECT: Town of Rotterdam – Code Amendment. Report and Recommendation to the Town Board for a Local Law to amend Chapter 270 of the Town Code of the Town of Rotterdam in regards to Adult -Use Cannabis Retail Dispensaries and Adult Use Cannabis On-Site Consumption Facilities.

RECEIVED
NOV 16 2022
TOWN OF ROTTERDAM
PUBLIC WORKS

REQUIRED ENCLOSURES:
1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.

2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:

☐ the boundary of any city, village or town;
☐ the boundary of any existing or proposed County or State park or other recreation area;
☐ the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
☐ the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
☐ the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
☐ the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

Name: Peter Comenzo Title: Sr. Planner

Address: 1100 Sunrise Boulevard Schenectady, NY 12306

E-mail: pcomenzo@rotterdamny.org Phone: 518-355-7575 Ext 338

Signature Date: 10 27 22

PLANNING & ZONING COORDINATION REFERRAL

Case No. R-21-22 Applicant Town Board

Referring Officer Peter Comenzo Municipality Rotterdam

Considerations: Proposed zoning code amendment to allow adult use Cannabis Retail Dispensaries in the B-2 General Business District, I-1 Light Industrial District and I-2 Heavy Industrial District by special use permit and allow adult use cannabis on-site consumption facilities in the I-2 District only.

RECOMMENDATION

Receipt of zoning referral is acknowledged on November 1, 2022. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

☐ ***Approve of the proposal.**

☑ **Defer to local consideration (No significant county-wide or inter-community impact)**

☐ **Modify/Conditionally Approve.** Conditions:

☐ **Advisory Note:**

☐ **Disapprove.** Reason:

*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

11/4/22
Date

Ray Gillen, Commissioner
Economic Development and Planning

2

RESOLUTION NO. 354.22

TO ACCEPT TOWN BOARD MEETING MINUTES

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby adopts the minutes of the December 14, 2022 Town Board meeting as attached.

SECTION 2. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LEGISLATIVE REQUEST FORM

DATE: **December 16, 2022**
TO**: Mollie A. Collins, Supervisor**

FROM: Diane M. Marco, Town Clerk

TITLE OF LEGISLATIVE REQUEST: To adopt meeting minutes from the **December 14, 2022, Town Board Meeting.**

TO BE PLACED ON TOWN BOARD AGENDA OF: **December 28, 2022**

TO BE PLACED ON TOWN BOARD MEETING OF: **December 28, 2022**

Background Information: Attached. To adopt the meeting minutes from the **December 14, 2022, Town Board Meeting.**

Evaluation/Analysis: N/A

Recommendation(s): To place on Town Board agenda and Town Board meeting of **December 28, 2022.**

Attachment/Document(s): Attached

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): N/A

LEGISLATION WAS PREPARED BY: Town Clerk Diane M. Marco

TOWN OF ROTTERDAM

DIANE M. MARCO
Town Clerk

John F. Kirvin Government Center * 1100 Sunrise Boulevard * Rotterdam, NY 12306
Telephone: (518) 355-7575 Ext: 352 * Fax: (518)355-7837* Website: www.rotterdamny.org
Email * dmarco@rotterdamny.org

December 16, 2022

Certified Resolution: -#328.22-#353.22 for the year 2022 was duly adopted at the Town Board Meeting held at J.F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, NY 12306 that was held Wednesday, December 14, 2022 at 7:00 p.m. The Town Board Agenda review started at approximately 6:30 p.m. The agenda review was adjourned at approximately 6:42 p.m. All agreed to adjourn the agenda review meeting. The Town Board meeting began at approximately 7:00 p.m. Motion #47 was made by Councilmember Dodson and seconded by Supervisor Collins to keep public hearing #1 open and the Town Board Meeting was adjourned at approximately 8:53 p.m. by Councilmember Dodson and seconded by Councilmember Mastroianni. All agreed to adjourn the Town Board Meeting.

All Councilmembers were present

Diane M. Marco

Diane M. Marco, Town Clerk

*The Town of Rotterdam Town Board Meeting will be held in person; however, the public may access the meeting electronically via Zoom conference call. Members of the public may listen to the board meeting by dialing **1 (929) 205-6099(** followed by the pound symbol) or by logging into Zoom.com, then enter the conference **ID NO. 867 0373 0307**. Video of the town board meeting will be posted on the Town of Rotterdam website (www.rotterdamny.org) the following Friday after the meeting.*

MEETING OF THE
ROTTERDAM TOWN BOARD
December 14, 2022
7:00 PM
AGENDA REVIEW 6:30 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SUPERVISOR'S REMARKS: Supervisor Mollie A. Collins

EXECUTIVE SESSION

PROCLAMATIONS/PRESENTATIONS

- Proclamation honoring Julius Boreali
- Presentation honoring the Rotterdam Police Department

PUBLIC HEARING

- For the potential enactment of Introductory Local Law No. 9 of 2022 to amend Chapter 270 of the Town Code of the Town of Rotterdam, Zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible and adopting regulations for such uses. **PUBLIC HEARING LEFT OPEN**
- For the potential enactment of Introductory Local Law No. 10 of 2022 relating to the establishment of a 12-month moratorium on solar farms and solar power plants. **PUBLIC HEARING CLOSED**

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR:

Those members of the public wishing to address the Town Board will be asked to sign in before the meeting is called to order on the sign-in sheets being provided. Speakers will be called to the podium in the order of their signing in. Persons recognized by the Chair to speak during privilege of the floor shall direct his/her comments to the Town Supervisor as Chair of the meeting. Persons granted the privilege of the floor shall first clearly state his/her name and address for the record. Persons so addressing the Chair through the use of a prepared written statement shall submit a copy of the same to the Town Clerk for the purpose of maintaining clear and accurate official minutes of the Town Board meeting.

GENERAL RULES OF PROCEDURE FOR PUBLIC HEARINGS & PRIVILEGE OF THE FLOOR:

Any person recognized by the town supervisor to speak during privilege of the floor shall direct his/her comments to the town supervisor as chair of the meeting. Any person granted the privilege of the floor shall first clearly state his/her name and address for the record. The purpose of privilege of the floor shall be for speakers to express their views, thoughts and speak freely. Each speaker, who wishes to address the town board, shall have an equal and reasonable opportunity to be heard by the town board. Each speaker shall be afforded a maximum of four (4) minutes to address the town board.

INTRODUCTION OF MOTIONS ORDERS AND RESOLUTIONS

MOTIONS

47.22 Motion to keep Public Hearing #1 open.

RESOLUTIONS

328.22 To accept Town Board meeting minutes.

329.22 To appoint a part time confidential records management liaison.

330.22 To appoint Nicholas Tietz to water and sewer maintenance worker.

331.22 To appoint Peter Greisler to water and sewer maintenance worker.

332.22 To authorize change order two (2) for the Wellfield chlorination building with Brunswick Electric, Inc.

333.22 To authorize a release of retainage to Brunswick Electric Inc.

334.22 To authorize a permanent easement to National Grid for the Inghams Rotterdam Project.

335.22 To authorize an agreement with Ausfeld and Waldruff Land Surveyors LLP.

336.22 To authorize an agreement with R.M Dalrymple Company, Inc.

337.22 Accept and award contract for the purchase of two (2) Navistar Model HV507 SFA single axle trucks equipped with snow equipment & dump body.

338.22 Accept and award contract for vehicle repair and maintenance services for the Rotterdam Police Department vehicles.

339.22 Accept and award contract for car wash services for the Rotterdam Police Department vehicles.

340.22 Accept and award contract for dry cleaning services for the Rotterdam Police Department.

341.22 To accept revenue for Town Clerk's office for November 2022.

342.22 To approve budget transfers to the 2022 and 2023 budget.

343.22 To authorize a first amendment to MJ Engineering Consultant.

344.22 To authorize an agreement with Rotterdam Heating and Air Conditioning.

345.22. Resolution for a SEQRA Determination of Significance for adoption of the Comprehensive Plan.

346.22 Adoption of the Town of Rotterdam Comprehensive Plan.

347.22 To enact Introductory Local Law No. 10 of 2022; Establish a 12-month moratorium on solar farms and solar power plants.

348.22 To authorize the purchase of one Kubota tractor for the Parks Department.

349.22 To authorize healthcare insurance contracts for 2023.

350.22 To call for a Public Hearing concerning the applications of Beukendaal Temple Association, Cyprus Shriners, Schenectady Shrine Club, and Notre Dame Bishop Gibbons School for a hardship determination and licensing in connection with conducting bingo/games of chance operations within the Town of Rotterdam.

351.22 To renew an agreement with Ameriflex for healthcare reimbursement accounts.

352.22 To authorize the Supervisor to execute a Memorandum of Agreement with the Rotterdam Patrolmen's Benevolent Association Inc.

353.22 To schedule a special meeting of the Town Board.

LIAISON REPORTS

MISCELLANEOUS

EXECUTIVE SESSION

ADJOURNMENT

Mollie A. Collins, Supervisor

MOTION 47-22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022 at 7:00 p.m., the following motion passed.

THEREFORE, UPON MOTION OF Councilmember **DODSON** seconded by Supervisor **COLLINS,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. I make a motion to keep Public Hearing#1 open.

SECTION 2. This motion shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing motion passed by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing motion is a true and correct transcript of the original motion and of the whole thereof and that said motion is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 328.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO ACCEPT TOWN BOARD MEETING MINUTES

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **CHRISTOU**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby adopts the minutes of November18, 2022 Town Board meeting as attached.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of the Town Clerk Schenectady County, NY

RESOLUTION NO. 329.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO APPOINT JASON MURPHY AS A PART TIME CONFIDENTIAL RECORDS MANAGEMENT LIAISON

THEREFORE, UPON MOTION OF Councilmember **CHRISTOU**, seconded by Councilmember **MASTROIANNI,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby appoints Jason Murphy of Schenectady New York to the position of Confidential Records Management Liaison, part-time, provisional, with no employee benefits, and subject to pre-employment background checks, at the hourly rate of thirty dollars ($30.00) per hour, with a weekly workload not to exceed thirty (30) hours commencing December 15, 2022.

SECTION 2. This resolution shall be effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of the Town Clerk Schenectady, County NY

RESOLUTION NO. 330.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO APPOINT NICHOLAS TIETZ TO WATER AND SEWER MAINTENANCE WORKER

THEREFORE, UPON MOTION OF Councilmember **DODSON** seconded by Councilmember **MASTROIANNI,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Nicholas Tietz, of Rotterdam New York 12306, is hereby appointed to the position of Water and Sewer Maintenance Worker, full time, probationary, with full employee benefits, at an annual salary of forty-nine thousand one hundred fifty-six and 95/100($49,156.95) dollars, commencing December 19, 2022.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of the Town Clerk Schenectady, County, NY

RESOLUTION NO. 331.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO APPOINT PETER GREISLER TO WATER AND SEWER MAINTENANCE WORKER

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **MASTROIANNI,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Peter Greisler, of Rotterdam New York 12306, is hereby appointed to the position of Water and Sewer Maintenance Worker, full time, probationary, with full employee benefits, at an annual salary of forty-nine thousand one hundred fifty-six and 95/100($49,156.95) dollars, commencing December 19, 2022.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of the Town Clerk Schenectady, County, NY

RESOLUTION NO. 332.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE CHANGE ORDER TWO (2) FOR THE WELLFIELD CHLORINATION BUILDING WITH BRUNSWICK ELECTRIC, INC.

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **CHRISTOU**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute Change Order No. 2 with Brunswick Electric Inc, located at 290 Hoosick Street, Troy New York, 12180, for an increase in the amount of six hundred sixty and 00/100 dollars ($660.00), for a total contract amount of one hundred thirty thousand six hundred five and 68/100 ($130,605.68) dollars, for the Wellfield Chlorination Building.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of the Town Clerk Schenectady, County NY

RESOLUTION NO. 333.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE A RELEASE OF RETAINAGE TO BRUNSWICK ELECTRIC INC.

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **MASTROIANNI**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute the release of retainage and issue final payment no. 4 and change order no. 2, to Brunswick Electric Inc, located at 290 Hoosick Street, Troy New York, 12180, in the total amount of seven thousand one hundred twenty-seven and 28/100 dollars ($7,127.28), for the Water System Improvements Phase 1-Wellfield Chlorination Contract No. 2.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Mastroianni	X		
Miller-Herrera	X		
Dodson	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of the Town Clerk Schenectady, County NY

RESOLUTION NO. 334.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE A PERMANENT EASEMENT TO NATIONAL GRID FOR THE INGHAMS ROTTERDAM PROJECT

THEREFORE, UPON MOTION OF Councilmember **CHRISTOU,** seconded by Councilmember **DODSON,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the supervisor to negotiate and execute an agreement with National Grid to grant a permanent easement and danger tree rights on approximately 0.79 acres of a ± 36.76-acre parcel (Tax Map No. 38.-1-1) in exchange for payment to the Town of $2,202.00 in connection with the Inghams Rotterdam project, subject to review and approval of the Attorney for the Town.

SECTION 2. The Town Board of the Town of Rotterdam hereby authorizes the supervisor, or her designee(s), to take such further steps and execute such further documents and instruments as may be reasonably necessary and appropriate to effectuate the purposes of this Resolution and the agreement authorized thereby.

SECTION 3. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

TOWN OF ROTTERDAM Office of the Town Clerk Schenectady, County N.Y.

Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 335.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE AN AGREEMENT WITH AUSFELD AND WALDRUFF LAND SURVEYORS LLP

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **MASTROIANNI,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with Ausfeld and Waldruff Land Surveyors LLP located at 323 Clinton Street, Schenectady, New York 12305, for the purposes of providing a field survey and base mapping for the boundary survey of the Fisher Cemetery, in the amount not to exceed $3,400.00, with the option of an addition lump sum not to exceed $500.00 to have the property corners marked with a steel pin, in accordance with the fee schedule attached.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of the Town Clerk Schenectady, County NY

RESOLUTION NO. 336.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE AN AGREEMENT WITH R.M DALRYMPLE COMPANY, INC.

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **MASTROIANNI,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with R.M Dalrymple Company, Inc. located at 2940 Curry Road Schenectady New York 12303, for the purchase & installation of an updated fuel system in an amount not to exceed fifteen thousand six hundred thirty-five and 00/100 ($15,635.00) dollars.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM
Office of the Town Clerk
Schenectady County, NY

RESOLUTION NO. 337.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

ACCEPT AND AWARD CONTRACT FOR THE PURCHASE OF TWO (2) NAVISTAR MODEL HV507 SFA SINGLE AXLE TRUCKS EQUIPPED WITH SNOW EQUIPMENT & DUMP BODY

WHEREAS, Pursuant to notice duly published according to Section One Hundred Three of the General Municipal Law of the State of New York, the Town of Rotterdam on Monday, November 28, 2022 posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (https://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk for public inspection upon request for the purchase by the Town of Rotterdam of the following:

TWO (2) NAVISTAR MODEL HV507 SFA SINGLE AXLE TRUCKS EQUIPPED WITH SNOW EQUIPMENT & DUMP BODY

THEREFORE, UPON MOTION OF Councilmember **MASTROIANNI**, seconded by Councilmember **CHRISTOU**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam does hereby accept and award the bid to purchase Two (2) Navistar Model HV507 SFA Single Axle Trucks Equipped with Snow Equipment & Dump Body for an amount not to exceed five hundred ten thousand and 00/100($510,000.00) dollars for the Town of Rotterdam to Tenco Industries, 5700 South Lima Rd. Lakeville, NY 14480; at the mutual consent of both the Town and the Tenco Industries.

SECTION 2. The Supervisor of the Town of Rotterdam is hereby authorized to execute a contract with said bidder in accordance with the terms of the bid proposal as submitted. Summary of bid prices are on file in the Town Clerk's office.

SECTION 3. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 338.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

ACCEPT AND AWARD CONTRACT FOR VEHICLE REPAIR AND MAINTENANCE SERVICES FOR THE ROTTERDAM POLICE DEPARTMENT VEHICLES

WHEREAS, Pursuant to notice duly published according to Section One Hundred Three of the General Municipal Law of the State of New York, the Town of Rotterdam on Friday, October 28, 2022 posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (https://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk for public inspection upon request for the purchase by the Town of Rotterdam of the following:

VEHICLE REPAIR AND MAINTENANCE SERVICES

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **MASTROIANNI,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam does hereby accept and award the bid for Vehicle Repair and Maintenance Services for the Town of Rotterdam Police Department Vehicles to M. DePaula, located at 1100 Wedgewood Heights Rotterdam New York 12306, at a hourly labor rate of $80 per hour, for a two-year period commencing January 1, 2023 and ending December 31, 2024.

SECTION 2. The Supervisor of the Town of Rotterdam is hereby authorized to execute a contract with said bidder in accordance with the terms of the bid proposal as submitted. Summary of bid prices are on file in the Town Clerk's office.

SECTION 3. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 339.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

ACCEPT AND AWARD CONTRACT FOR CAR WASH SERVICES FOR THE ROTTERDAM POLICE DEPARTMENT VEHICLES

WHEREAS, Pursuant to notice duly published according to Section One Hundred Three of the General Municipal Law of the State of New York, the Town of Rotterdam on Friday, October 28, 2022 posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (https://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk for public inspection upon request for the purchase by the Town of Rotterdam of the following:

CAR WASH SERVICES

THEREFORE, UPON MOTION OF Councilmember **MASTROIANNI**, seconded by Councilmember **CHRISTOU**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam does hereby accept and award the bid for Carwash Services for the Town of Rotterdam Police Department Vehicles to Colonial Car Wash located at 1530 Altamont Avenue Rotterdam New York 12303, at a cost per vehicle of $5.00, for a two-year period commencing January 1, 2023 and ending December 31, 2024.

SECTION 2. The Supervisor of the Town of Rotterdam is hereby authorized to execute a contract with said bidder in accordance with the terms of the bid proposal as submitted. Summary of bid prices are on file in the Town Clerk's office.

SECTION 3. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 340.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

ACCEPT AND AWARD CONTRACT FOR DRY CLEANING SERVICES FOR THE ROTTERDAM POLICE DEPARTMENT

WHEREAS, Pursuant to notice duly published according to Section One Hundred Three of the General Municipal Law of the State of New York, the Town of Rotterdam on Friday, October 28, 2022 posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (https://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk for public inspection upon request for the purchase by the Town of Rotterdam of the following:

DRY CLEANING SERVICES

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Supervisor **COLLINS,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby rejects the bid of Arizona Works Cleaning Services LLC, 6059 S. 19th Place, Phoenix, Arizona, 85042 as not responsive to the bid specifications as upon investigation of the bid received, such bidder indicated that it was not providing drycleaning services directly but was instead intending to contract with another company to do so that did not itself submit a bid or any documents required by the bid specifications, and such proposed relationship was not disclosed in the bid submission.

SECTION 2. The Town Board of the Town of Rotterdam does hereby accept and award the bid for Dry Cleaning Services for the Town of Rotterdam Police Department to Regal Cleaners, located at 1410 Central Avenue Albany New York 12205, according to the fee schedule attached in the bid packet per item of clothing, for a two-year period commencing January 1, 2023 and ending December 31, 2024.

SECTION 3. The Supervisor of the Town of Rotterdam is hereby authorized to execute a contract with said bidder in accordance with the terms of the bid proposal as submitted. Summary of bid prices are on file in the Town Clerk's office.

SECTION 4. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	**X**		
Miller-Herrera	**X**		
Dodson	**X**		
Mastroianni	**X**		
Collins	**X**		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM
Office of the Town Clerk
Schenectady County, NY

RESOLUTION NO. 341.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO ACCEPT REVENUE FOR TOWN CLERK'S OFFICE FOR NOVEMBER 2022

THEREFORE, UPON MOTION OF Supervisor **COLLINS**, seconded by Councilmember **DODSON**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Clerk's report for the month of November 2022, has been placed on file and the town clerk's check in the amount of six thousand one hundred ninety-two dollars and 23/100 ($6,192.23) has been submitted to the supervisor for deposit.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM NY Schenectady County

RESOLUTION NO. 342.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO APPROVE BUDGET TRANSFERS TO THE 2022 AND 2023 BUDGET

THEREFORE, UPON MOTION OF Councilmember **MASTROIANNI**, seconded by Supervisor **COLLINS**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Pursuant to Section 36 of the General Municipal Law of the State of New York and Sections 102, 112 and 113 of Town Law of the State of New York, regarding the Uniform System of Accounts, the following transfers to the various accounts for **2022** are hereby audited and approved:

Fund	*Account No.*		*Title*	*Amount*
General	A3120 119532	FROM:	Retirement Allowance	-65,000.00
General	A3120 2540	FROM:	Miscellaneous Equip.	-15,000.00
General	A3120 4300	FROM:	Expenses School, Inv.	-8,000.00
General	A3120 4317	FROM:	Emgncy Equip & Suppl	-16,000.00
General	A3120 4362	FROM:	Police Academy Expen.	-17,500.00
General	A3120 4803	FROM:	Pol Comp Maint. Con.	-36,000.00
General	A3120 108032	INTO:	Overtime Police Officers	+157,500.00
General	A3120 2010	FROM:	Patrol Vehicles	-19,430.00
General	A3120 4316	INTO:	Emergency Generator	+2,000.00
General	A3120 4318	INTO:	Uniform Allowance PO	+6,000.00
General	A3120 4327	INTO:	Refuse Collection	+230.00
General	A3120 4805	INTO:	Police Internet Serv.	+200.00
General	A3120 4900	INTO:	Building Repairs	+4,000.00
General	A3120 110032	INTO:	School Traffic Officer	+1,000.00
General	A3120 105032	INTO:	Secretary to the Chief	+6,000.00
General	A7110 4149	FROM:	Summer Rec Prog Supp.	-3,000.00
General	A7110 4152	INTO:	Dumpster Rental	+3,000.00
General	A7110 4151	FROM:	Supply Material Ball	-1,046.32
General	A7110 4200	INTO:	Parks Telephone	+1,046.32
General	A7110 4145	FROM:	Parks Machinery Repair	-2,900.00
General	A7110 4904	INTO:	Parks Maint. & Supplies	+2,900.00
General	A7110 4153	FROM:	Parks Improvements	-24,000.00
General	A7110 2000	INTO:	Parks Mower/Table/Equip	+24,000.00
General	A1440 4850	FROM:	Engineering Consultant	-7,315.73
General	A1440 2000	INTO:	Equipment	+2,334.44
General	A1490 4100	INTO:	DPW Office Supplies	+846.88
General	A1490 4200	INTO:	DPW Telephone	+2,709.23
General	A1490 4400	INTO:	DPW Repair/Machine Cont.	+668.18
General	A1490 4801	INTO:	DPW Software & Supply	+684.00
General	A1490 4300	INTO:	DPW Conferences	+73.00

General	A1620 130012	FROM:	Laborer P/T	-11,634.18
General	A1620 4120	INTO:	Buildings Fire Alarm	+1,279.41
General	A1620 4601	INTO:	Preventative Maintenance	+10,224.16
General	A1620 1902	INTO:	Buildings HVAC Maint.	+130.61
General	A3620 2000	FROM:	Safety Inspection Equip.	-1,884.02
General	A3620 4201	INTO:	Building Inspector Cell Ph.	+454.02
General	A3620 4300	INTO:	Safety Inspector Conference	+1,430.00
General	A3620 4901	FROM:	Building Insp. Demolition	-1,190.00
General	A1620 2000	INTO:	Equipment	+1,190.00
General	A8020 4300	FROM:	Planning Conferences	-50.00
General	A8020 4421	INTO:	Zone & Plan Books	+50.00
General	A8189 4904	FROM:	Maintenance & Supply	-500.00
General	A8189 4302	INTO:	Gasoline	+500.00
General	A1315 130004	FROM:	Sr Pr Audit Clerk	-5,342.14
General	A1315 140004	INTO:	Senior Account Sp	+5,342.14
General	A1315 130004	FROM:	Sr Pr Audit Clerk	-2,040.36
General	A1315 150004	INTO:	Payroll Audit Clerk	+2,040.36
General	A1315 100004	FROM:	Comptroller	-14,625.00
General	A1315 150004	INTO:	Payroll Audit Clerk	+14,625.00
General	A1620 120012	FROM:	Laborer P/T	-2,695.24
General	A1620 110012	INTO:	Cleaner	+2,695.24
General	A1620 130012	FROM:	Laborer P/T	-40.38
General	A1620 120011	INTO:	Asst Director of Pub W	+40.38
General	A3510 110015	FROM:	Dog Warden P/T	-6,000.00
General	A3510 120015	INTO:	Animal Control P/T	+6,000.00
General	A3620 105016	FROM:	Director PW	-42,000.00
General	A3620 100016	INTO:	Building Inspector	+42,000.00
General	A3620 105016	FROM:	Director PW	-5,000.00
General	A3620 130016	INTO:	Zoning Officer	+5,000.00
SD2	S2 0909	FROM:	Unappropriated Fund Balance	-115,940.00
SD2	S21930 4716	INTO:	Tax Cancellations	+115,940.00
SD2	S28120 4859	FROM:	Sewer Line Repair	-2,400.00
SD2	S28120 4857	INTO:	Auto Equipment & Supply	+2,400.00
SD2	S28120 4859	FROM:	Sewer Line Repair	-10,102.11
SD2	S28110 4300	INTO:	S2 Conferences/Training	+3,000.00
SD2	S28120 4302	INTO:	Sewer 2 Gas Oil Lube	+4,161.46
SD2	S28120 4351	INTO:	Bonding Attorney Fee	+932.46
SD2	S28210 4857	INTO:	Auto Equipment & Supply	+98.91
SD2	S28130 4200	INTO:	Telephone & FCL	+553.05
SD2	S28130 4319	INTO:	Uniforms & Cleaning	+1,356.23
SD2	S28110 122582	FROM:	.30 Account Clerk	-70.00
SD2	S28110 100082	INTO:	Ast Director Pub	+70.00

SD2	S28110 122582	FROM:	.30 Account Clerk	-3,281.00
SD2	S28130 120084	INTO:	SS2 Overtime	+3,281.00
SD2	S28130 155084	FROM:	Sewer Laborer FT	-787.00
SD2	S28130 120084	INTO:	SS2 Overtime	+787.00
SD2	S28130 150084	FROM:	WWTP Operator	-600.00
SD4	S48120 140055	INTO:	Overtime	+600.00
W3	W33810 4850	FROM:	Engineering Consultant	-312.89
W3	W38310 4855	INTO:	Paying Agent Fees	+40.00
W3	W38320 4904	INTO:	W3 Building Ground Maint.	+272.89
W3	W38320 4850	FROM:	Consultant	-700.00
W3	W38330 4874	INTO:	W3 Hypo Chlorite So.	+700.00
W3	W38310 123092	FROM:	Town Engineer	-25.00
W3	W38310 106592	INTO:	Asst Director Pub	+25.00
W3	W38310 123092	FROM:	Town Engineer	-2,085.00
W3	W38320 120092	INTO:	W3 Overtime	+2,085.00
W3	W38310 101192	FROM:	Account Clerk	-1,200.00
W3	W38320 130092	INTO:	W3 Overtime	+1,200.00
W3	W38310 101192	FROM:	Account Clerk	-135.00
W5	W58310 100094	INTO:	Asst Dir of Pub Work	+135.00
W5	W58310 4810	FROM:	Digitization of Map	-2,411.48
W5	W58310 4200	INTO:	W5 Telephone	+1,271.85
W5	W58310 4351	INTO:	W5 Bonding Attorney Fee	+1,139.63
W5	W58310 4850	FROM:	W5 Engineering/Consultant	-43,001.08
W5	W58320 2000	INTO:	W5 Equipment	+1,866.45
W5	W58320 4881	INTO:	W5 Test Drinking Water	+7,528.63
W5	W58330 4098	INTO:	W5 Chemicals	+33,606.00
W5	W58320 4850	FROM:	Consultant	-5,000.00
W5	W58320 4500	INTO:	Electricity	+5,000.00
W5	W58340 4889	FROM:	W5 Backfill/Pavement Rep.	-6,367.44
W5	W58340 4010	INTO:	Easements	+367.44
W5	W58340 4305	INTO:	W5 Auto Equipment Supply	+6,000.00
W5	W58320 4850	FROM:	Consultant	-5,000.00
W5	W58320 4904	INTO:	W5 Buildings Grounds Maint.	+5,000.00
Hwy	DA5110 4147	FROM:	Hwy Resurfacing	-90,000.00
Hwy	DA5112 2003	INTO:	Chips/Improvements	+90,000.00
Hwy	DA5110 120054	FROM:	MEO Medium Gr	-3,191.00
Hwy	DA5110 160054	INTO:	Seasonal Labor	+3,191.00
Hwy	DA5140 135056	FROM:	Laborer Brshwd	-4,636.00
Hwy	DA5140 105056	INTO:	Sr MEO Heavy Brshwd	+4,636.00
Hwy	DA5140 135056	FROM:	Laborer Brshwd	-5,987.00
Hwy	DA5140 120056	INTO:	MEO Medium Brshwd	+5,987.00

Hwy	DA5140 135056	FROM:	Laborer Brshwd	-2,344.00
Hwy	DA5140 130056	INTO:	Sr laborer Brshwd	+2,344.00
Hwy	DA5140 101056	FROM:	Wrkng Cr Leader B	-17,734.00
Hwy	DA5140 130056	INTO:	Sr laborer Brshwd	+17,734.00
Hwy	DA5110 115054	FROM:	MEO Heave Gr	-1,345.00
Hwy	DA5110 130056	INTO:	Sr laborer Brshwd	+1,345.00
Hwy	DA5142 101057	FROM:	Wkg Cr Leader Snow	-23,527.00
Hwy	DA5142 105057	INTO:	Sr MEO Heavy Snow	+23,527.00
Hwy	DA5142 101057	FROM:	Wkg Cr Leader Snow	-1,000.00
Hwy	DA5142 180057	INTO:	Snow Overtime	+1,000.00

	Revenue	Expenditure
INCREASE DA3501 3501 (CHIPS)	199,473.45	
INCREASE DA5112 2003 (CHIPS/IMPROVEMENTS)		199,473.45

SECTION 2. Pursuant to Section 36 of the General Municipal Law of the State of New York and Sections 102, 112 and 113 of Town Law of the State of New York, regarding the Uniform System of Accounts, the following transfers to the various accounts for **2023** are hereby audited and approved:

SD2	S21001 100100	FROM:	Property Taxes	-1,091,419.33
SD2	S22120 212000	INTO:	Sewer Rents	+1,091,419.33

SECTION 3. This resolution shall become effective December 14, 2022

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 343.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE A FIRST AMENDMENT TO MJ ENGINEERING CONSULTANT

WHEREAS, the Town Board of the Town of Rotterdam is a party to an existing agreement (Resolution Number 301.19) with MJ Engineering, for professional engineering consulting relating to the Town of Rotterdam Comprehensive Plan; and

WHEREAS, in March 2020, the global pandemic slowed the overall effort and meetings were shifted to a virtual platform. The slowing of the effort lead to the CPAC holding additional meetings and provided additional opportunities for public input prior to forwarding the draft Comprehensive Plan to the Town Board. As a result of additional meetings and effort required for the completion of during a global pandemic, and to allow ample opportunity for public comment at the CPAC and Town Board levels, additional resources were required to progress the effort; and

WHEREAS, MJ Engineering consultant proposed a first amendment to the contract fee for additional service; NOW

THEREFORE, UPON MOTION OF Councilmember **MASTROIANNI,** seconded by Councilmember, **CHRISTOU,**
BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute a first amendment to the engineering consultant, MJ Engineering agreement, for a total lump sum not to exceed nine thousand and 00/100 dollars ($9,000.00) for additional scope of services for the Town of Rotterdam Comprehensive Plan.

SECTION 2. This resolution shall become effective December 14, 2022

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM
Office of the Town Clerk
Schenectady County, NY

RESOLUTION NO. 344.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE AN AGREEMENT WITH ROTTERDAM HEATING AND AIR CONDITIONING

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **MASTROIANNI**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with Rotterdam Heating and Air Conditioning located at 3101 N. Thompson Street, Rotterdam New York 12306, for the purchase & installation of a gas fired hot water boiler in an amount not to exceed twelve thousand nine hundred fifty and 00/100 ($12,950.00) dollars.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of the Town Clerk Schenectady County, N.Y.

RESOLUTION NO. 345.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

ADOPTING A DETERMINATION OF SIGNIFICANCE FOR ADOPTION OF THE COMPREHENSIVE PLAN

WHEREAS, the Town Board of the Town of Rotterdam has considered the proposed adoption of the draft updated Town of Rotterdam Comprehensive Plan; and

WHEREAS, the adoption of the draft updated Town of Rotterdam Comprehensive Plan is a Type 1 action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, on August 10, 2022, the Town Board initiated the required coordinated review with involved agencies to declare and serve as lead agency under SEQRA; and

WHEREAS, no objections were received from involved agencies after 30 days for the Town Board serving as lead agency; and

WHEREAS, a public hearing was noticed and duly remained open between September 28, 2022 to November 9, 2022 to consider the adoption of the Comprehensive Plan and the environmental significance of the proposed action; all persons interested in the subject thereof were duly heard; and the Town Board has carefully considered and weighed the input from the public; and

WHEREAS, pursuant to SEQRA, Town Board has caused to be prepared and completed Parts 1, 2 and 3 of the Full Environmental Assessment Form (FEAF); and the Board has duly reviewed the FEAF and has considered the criteria contained in 6 NYCRR §617.7(c) to determine whether the proposed action will have a significant impact on the environment; NOW

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **MASTROIANNI,**

NOW, THEREFORE BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam does hereby adopt Part 2 and Part 3 of the FEAF, including the attachment thereto, as prepared on behalf of the Town Board, determines that the proposed adoption of the draft updated Town of Rotterdam Comprehensive Plan will not result in any significant adverse environmental impacts, and authorizes the Town Supervisor, or her designee, to execute the FEAF and such other documents or instruments as may be required or appropriate pursuant to applicable provisions of the State Environmental Quality Review Act and its implementing regulations to effectuate the purposes of this Resolution.

SECTION 2. The Town Board hereby authorizes the Senior Planner, or his designee, to circulate, publish, and file such documents, notices, and instruments as may be required in accordance with the applicable provisions of the State Environmental Quality Review Act and its implementing regulations to effectuate the purposes of this Resolution.

SECTION 3. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 346.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

ADOPTION OF THE TOWN OF ROTTERDAM COMPREHENSIVE PLAN

WHEREAS, Section 272-a of the New York State Town Law recognizes the importance of preparing a comprehensive plan to facilitate the protection, enhancement, growth and development of the town and to promote the health, safety and general welfare of its citizens;

WHEREAS, the Town's existing 2001 Comprehensive Plan has not been updated in over two decades; and

WHEREAS, the Town Board recognizes that the Comprehensive Plan provides an essential foundation for guiding future development and has demonstrated a commitment to maintaining the Comprehensive Plan document to effectively guide development in the Town of Rotterdam; and

WHEREAS, the Town Board authorized creation of the Comprehensive Plan Advisory Committee (CPAC) to prepare a proposed comprehensive plan or thereto and appointed members to join the CPAC; and

WHEREAS, the CPAC prepared a Comprehensive Plan that involved the consideration of substantial public engagement including, a pop-up information station on October 25, 2019 at the Senior Center Health and Wellness Event, an in-person public workshop held November 14, 2019, Student Conducted Community Survey completed November 2019, pop-up information station, conducted on December 11, 2019 at the Schalmont High School Holiday Concert, and on December 12, 2019 at the Mohonasen High School Holiday Concert, key stakeholder interviews which included eight groups held over a two-day period on February 10 and 11, 2020, Online Community Survey available February 27, 2020 until April 1, 2020, one virtual public meeting held October 19, 2020, Vision Map Survey available October 19, 2020 to November 20, 2020, web/social media outreach for the entirety of the project, and 14 CPAC meetings held throughout the update process; and

WHEREAS, the CPAC conducted a public hearing and public comment period commencing on February 17, 2022 and continuing to May 05, 2022; and

WHEREAS, the draft Comprehensive Plan was made available for public review at Town Hall, the library and on the project website https://rotterdamnyplan.com/; and

WHEREAS, on May 5, 2022, the CPAC voted to recommend the Comprehensive Plan to the Town Board for its consideration and potential adoption in accordance with Town Law Section 272-a; and

WHEREAS, at its meeting on August 10, 2022, by Resolution 249-22, the Town Board duly accepted the Comprehensive Plan recommended by the CPAC for purposes of commencing the Town Board's adoption process; and

WHEREAS, the Town Board declared itself lead agency and, by Resolution 345.22, issued a SEQR Negative Declaration per 6 NYCRR Part 617; and

WHEREAS, the Town Board held a Public Hearing to solicit public comment on the Comprehensive Plan as required by New York State Town Law § 272-a which remained open from August 10, 2022 and closed on November 9, 2022; and

WHEREAS, the Town Board has duly considered the comments received from the public through the public hearing and review process; and

WHEREAS, the Town referred the Comprehensive Plan to the Schenectady County Department of Economic Development and Planning for review, as required by §239-m of the General Municipal Law, and has received the recommendation of the Schenectady County Department of Economic Development and Planning, which deferred to local consideration; and

WHEREAS, pursuant to Town Law § 272-a (9), the Town has taken into consideration any applicable county agricultural and farmland protection plans as created under article twenty-five-AAA of the NYS Agriculture and Markets Law; NOW

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **MASTROIANNI,**
BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. That the Town Board of the Town of Rotterdam hereby adopts the draft Comprehensive Plan with Appendices, last revised October 14, 2022, as the final Town of Rotterdam Comprehensive Plan.

SECTION 2. The Town Board hereby authorizes and directs the Senior Planner, or his designee, to compile the Town of Rotterdam Comprehensive Plan in final form as adopted by this Resolution, and to make all necessary filings and to take such other and further actions as may be required pursuant to law to effectuate the purposes of this Resolution, including filing the final Town of Rotterdam Comprehensive Plan in the office of the Town Clerk and with the Schenectady County Department of Economic Development and Planning pursuant to Town Law § 272-a(12).

SECTION 3. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 347.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO ENACT INTRODUCTORY LOCAL LAW NO. 10 OF 2022; ESTABLISH A 12-MONTH MORATORIUM ON SOLAR FARMS AND SOLAR POWER PLANTS

WHEREAS, on November 18, 2022, the Town Board of the Town of Rotterdam adopted Resolution No. 323.22 to recognize the introduction of Introductory Local Law No. 10 of 2022 (A Local Law to Establish a 12-Month Moratorium on Solar Farms and Solar Power Plants); to determine that the proposed enactment thereof is a Type II action under the State Environmental Quality Review Act requiring no further review pursuant thereto; and to commence the referral, public hearing, and enactment process in connection with such proposed local law; and

WHEREAS, on December 6, 2022, the Planning Commission of the Town of Rotterdam issued a positive report and recommendation on the proposed local law, and on December 7, 2022, the Schenectady County Department of Economic Development and Planning issued a recommendation on the proposed local law in which it deferred to local consideration; and

WHEREAS, on December 14, 2022, the Town Board of the Town of Rotterdam held a duly noticed public hearing on the proposed local law; NOW

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **MASTROIANNI**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby enacts Introductory Local Law No. 10 of 2022, a Local Law to Establish a 12-Month Moratorium on Solar Farms and Solar Power Plants.

SECTION 2. The Town Clerk is directed, following consultation with the Attorney for the Town, to file said Local Law in final form with the New York State Department of State.

SECTION 3. The Senior Planner is hereby directed, following consultation with the Attorney for the Town, to file a report of final action with the Schenectady County Department of Economic Development and Planning in connection with the enactment of said Local Law.

SECTION 4. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of the Town Clerk Schenectady, County NY

RESOLUTION NO. 348.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE THE PURCHASE OF ONE KUBOTA TRACTOR FOR THE PARKS DEPARTMENT

THEREFORE, UPON MOTION OF Councilmember **DODSON, seconded** by Councilmember **MASTROIANNI,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the purchase of one Kubota Tractor for the Parks Department from Emerich Sales & Service located at 187 Valentine Road, Charlton New York, 12019, with compliance under NYS contract PC69404 quote # 2491277, in the amount not to exceed thirty-five thousand fifty-three and 00/100 ($35,053.02) dollars.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of The Town Clerk Schenectady, County NY

RESOLUTION NO. 349.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE HEALTHCARE INSURANCE CONTRACTS FOR 2023

THEREFORE, UPON MOTION OF Supervisor **COLLINS,** seconded by Councilmember **MASTROIANNI,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute healthcare insurance contracts with Capital District Physician Health Plan, Inc. (CDPHP), MVP Health Services Corp. (MVP), and Delta Dental for employee healthcare coverage in the year 2023.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of The Town Clerk Schenectady County, NY

RESOLUTION NO. 350.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO CALL FOR A PUBLIC HEARING CONCERNING THE APPLICATIONS OF BEUKENDAAL TEMPLE ASSOCIATION, CYPRUS SHRINERS, SCHENECTADY SHRINE CLUB, AND NOTRE DAME BISHOP GIBBONS SCHOOL FOR A HARDSHIP DETERMINATION AND LICENSING IN CONNECTION WITH CONDUCTING BINGO/GAMES OF CHANCE OPERATIONS WITHIN THE TOWN OF ROTTERDAM

WHEREAS, persons conducting bingo and games of chance are regulated through a licensing and registration regulatory scheme promulgated by the New York State Gaming Commission; and

WHEREAS, the Buekendaal Temple Association, Cyprus Shriners, Schenectady Shrine Club, and Notre Dame Bishop Gibbons School have sought licensure from the Town of Rotterdam for activities and operations subject to the regulations promulgated by the New York State Gaming Commission in connection with the conduct of bingo and/or games of chance; and

WHEREAS, the regulations promulgated by the New York State Gaming Commission require the Town of Rotterdam to fully investigate the eligibility of the organizations seeking licensure; and

WHEREAS, a license may not be issued to organizations domiciled outside the jurisdiction of the Town of Rotterdam to conduct bingo and/or games of chance within the jurisdiction of the Town of Rotterdam unless the Town Board finds that, due to some condition of hardship or necessity, the conduct of bingo and/or games of chance in the Town by such non-domiciliary organizations is warranted, all as more specified in the regulations promulgated by the New York State Gaming Commission; and

WHEREAS, the New York State Gaming Commission has indicated that a hearing must be held in connection with making a finding of such hardship or necessity; NOW

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Councilmember **MASTROIANNI**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby calls for a public hearing to be held at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, January 11, 2023, at 7:00 p.m. to consider and receive evidence on the requests of the Buekendaal Temple Association, Cyprus Shriners, Schenectady Shrine Club, and Notre Dame Bishop Gibbons School for a finding that such organizations are domiciled within the Town of Rotterdam, or that hardship or necessity exists sufficient to warrant the conducting of bingo and/or games of chance within the territorial limits of the Town of Rotterdam by organizations not domiciled within the Town of Rotterdam, and such other matters as may be necessary or appropriate in connection with the licensing requests or applications, received or anticipated to be received, from such organizations, under applicable regulations of the New York State Gaming Commission.

SECTION 2. The Town Clerk of the Town of Rotterdam is hereby directed to post a copy of the notice on the signboard of the town, maintained pursuant to subdivision 6 of section 30 of the Town Law of the State of New York, and to publish in the official newspaper of the Town of Rotterdam not less than twenty (20) days prior to the date designated for the public hearing provided for by the following public notice:

TOWN OF ROTTERDAM
NOTICE OF HEARING

PLEASE TAKE NOTICE: The Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, January 11, 2023, at 7:00 p.m. for the following purpose:

> To consider and receive evidence on the requests of the Buekendaal Temple Association, Cyprus Shriners, Schenectady Shrine Club, and Notre Dame Bishop Gibbons School for a finding that that such organizations are either domiciled within the Town of Rotterdam, or that hardship or necessity exists sufficient to warrant the conducting of bingo and/or games of chance within the territorial limits of the Town of Rotterdam by organizations not domiciled within the Town of Rotterdam, and such other matters as may be necessary or appropriate in connection with the licensing requests or applications, received or anticipated to be received, from such organizations, under applicable regulations of the New York State Gaming Commission.

BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK

DATED: December 14, 2022
Daily Gazette: Please publish once on December 21, 2022
Town Clerk
Post

SECTION 3. The Town Clerk of the Town of Rotterdam is hereby directed to send a copy of the foregoing Notice of Hearing to the New York State Gaming Commission and each of the Buekendaal Temple Association, Cyprus Shriners, Schenectady Shrine Club, and Notre Dame Bishop Gibbons School on or before December 21, 2022, and inviting same to attend and participate in the hearing.

SECTION 4. The Town Board hereby authorizes the Attorney for the Town, and his respective designee(s), to seek and obtain from any person, entity, or official such information and documents as may be reasonably necessary or appropriate to the Town Board's consideration of the requests of the Buekendaal Temple Association, Cyprus Shriners, Schenectady Shrine Club, and Notre Dame Bishop Gibbons School for licensing in connection with conducting bingo and/or games of chance within the territorial limits of the Town of Rotterdam.

SECTION 5. This resolution shall take effect December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM NY
Office of the Town Clerk
Schenectady, County

RESOLUTION NO. 351.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO RENEW AN AGREEMENT WITH AMERIFLEX FOR HEALTHCARE REIMBURSEMENT ACCOUNTS

THEREFORE, UPON MOTION OF Councilmember **CHRISTOU,** seconded by Councilmember **MASTROIANNI,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute the continued agreement with Ameriflex, 7 Carnegie Plaza, Suite 200, Cherry Hill, New Jersey 08003, to administer the healthcare reimbursement accounts (HRA) made available to employees utilizing a CDPHP HMO 30/50 healthcare plan offered by the Town of Rotterdam, and agreed to as a part of their collective bargaining agreements, for successive periods of 12 months, as is allowable by Section 1.1 of the Administrative Service Agreement, until there are changes necessary or rates increased.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 352.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE THE SUPERVISOR TO EXECUTE A MEMORANDUM OF AGREEMENT WITH THE ROTTERDAM PATROLMEN'S BENEVOLENT ASSOCIATION INC.

THEREFORE, UPON MOTION OF Councilmember **CHRISTOU**, seconded by Councilmember **DODSON**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute the memorandum of agreement between the Town of Rotterdam and the Rotterdam Patrolmen's Benevolent Association Inc.

SECTION 2. This resolution shall become effective December 14, 2022

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM Office of the Town Clerk Schenectady County, N.Y.

RESOLUTION NO. 353.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO SCHEDULE A SPECIAL MEETING OF THE TOWN BOARD

THEREFORE, UPON MOTION OF Councilmember **DODSON,** seconded by Councilmember **MASTROIANNI,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby schedules a special meeting of the Town Board of the Town of Rotterdam, to be held Wednesday December 28, 2022, at 7:00 p.m., at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 for the purposes and consideration of taking action on insurance renewal contracts for the year 2023, and for any other purpose as may come before the Town Board.

SECTION 2. The Town Clerk of the Town of Rotterdam is hereby directed to transmit to the news media, to publish in the official newspaper of the Town of Rotterdam, to post on the Town website, to post on the Town Clerk signboard, and to provide written notice to each member of the Town Board not less than five (5) days prior to the date designated for the special meeting, the following notice of special meeting:

TOWN OF ROTTERDAM
NOTICE OF SPECIAL MEETING

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a special meeting at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00 p.m. on the 28th day of December, 2022 for the purposes and consideration of taking action on insurance renewal contracts for the year 2023, and for any other purpose as may come before the Town Board.

BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK

DATED: December 14, 2022
Daily Gazette: Please publish once on or before December 17, 2022
Town Clerk
Post, Transmit to News Media, Provide Written Notice to Councilmembers

SECTION 3. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM
Office of the Town Clerk
Schenectady, County, N.Y.

RESOLUTION NO. 355.22

TO AUTHORIZE AN AGREEMENT WITH AUSFELD AND WALDRUFF LAND SURVEYORS LLP FOR THE DESIGN OF A CROSSWALK AT THE CURRY ROAD AND FAYETTE DRIVE INTERSECTION

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with Ausfeld and Waldruff Land Surveyors LLP located at 323 Clinton Street, Schenectady, New York 12305, for the purposes of providing a field survey and base mapping for the design of a crosswalk at the Curry Road and Fayette Drive intersection. in the amount not to exceed one thousand nine hundred and 00/100 ($1,900.00)

SECTION 2. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LEGISLATIVE REQUEST FORM

DATE: November 16, 2022

TO: Mollie A. Collins, Town Supervisor

FROM: Fred Mastroianni, P.E., Town Consultant Engineer

TITLE OF REQUEST: To authorize the Supervisor to enter an Agreement with Ausfeld and Waldruff Land Surveyors LLP to provide field survey and base mapping for the design of a crosswalk at the Curry Road and Fayette Drive intersection.

TOWN BOARD MEETING: December 14, 2022

Background Information: A resident requested a crosswalk be installed at the Curry Road and Fayette Drive intersection due to the amount of pedestrian traffic that cross the road at that location. Due to the high level of pedestrian generators in the area which includes Eunice Esposito Park, a crosswalk is warranted. I met with NYSDOT Resident Engineer of Schenectady County and was advised that a highway work permit is needed since work is in the state right of way. The Town will be installing the concrete sidewalk and pad to include detectable warning fields. NYSDOT will then install the pavement markings and signage.

Evaluation/Analysis: To reduce construction cost, it is anticipated that Town forces will install the concrete sidewalk, pad, and detectable warning fields. Therefore, the construction cost should only involve purchase of the materials, which is estimated to be $4,000.00. I anticipate performing the design with assistance from Engineering Technician of FCM Engineering, PLLC. NYSDOT will install the signs and pavement markings at no cost to the Town.

Recommendation(s): I recommend that the Town Board approve the cost for the survey and mapping in the amount of $1,900.00.

Attachment/Document(s): See proposal and mapping limits from Ausfeld and WaldruffL Land Surveyors LLP.

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): N/A

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

Ausfeld & Waldruff Land Surveyors LLP

323 Clinton Street, Schenectady, New York 12305
Phone: (518) 346-1595 Fax: (518) 770-1655
www.awlsllp.com

November 7, 2022

Fred C. Mastroianni PE
Town Consultant Engineer
100 Sunrise Blvd.
Rotterdam N.Y. 12306

Re: Topographic and Right of Way Survey, Intersection of Curry Road and Fayette Drive, Town of Rotterdam.

Dear Fred;

Ausfeld & Waldruff Land Surveyors, LLP (AWLS) thank you for the opportunity to present this proposal for Professional Land Surveying services associated with the parcel of land as referenced above. Below, please find our scope of services, schedule and fee to perform this work.

SCOPE OF SERVICES

Topographic and Right of Way Survey and Mapping:

AWLS will perform a topographic survey for the area outlined on the attached figure which is made part of this proposal. AWLS will perform a topographic survey, based upon NAVD 88 or existing site datum, and will depict all physical features but not limited to structures (buildings, sheds), curbs, sidewalks, utility structures, poles, fence lines, parking stripes.

Underground utilities will be shown based upon physical location and existing mapping of record. Contours will be shown at 1-foot interval. Base mapping will be at 10 scale and be plotted on 22" x 34" paper.

AWLS will provide 5 paper prints of the survey. An AutoCAD .dwg electronic file of the survey is available upon request.

SCHEDULE:

The final map will be delivered within three to four weeks maximum from formal authorization to proceed. Weather permitting.

FEE:

Topographic and Right of Way Survey and Mapping:

The scope of services can be performed for a fee of $1900. This fee will be payable upon receipt of the invoice.

This quote expires 60 days from the date of the proposal.

If this proposal is acceptable, a simple email authorizing us to go ahead will work. If you have any questions, please do not hesitate to call me at 518-346-1595.

Sincerely,

Vincent P. Ausfeld P.L.S.

Signed :_____ Date :_____

Z:\PROPOSALS\2022\P-22-188 Curry Rd.& Fayette Dr. Survey proposal.doc

Curry Rd
2493
2457
2441
2445
2449
2451
2436
2440
Fayette Dr
1175
Fayette Dr
Curry Rd
2432

RESOLUTION NO. 356.22

TO AUTHORIZE AN AGREEMENT WITH AUSFELD AND WALDRUFF LAND SURVEYORS LLP FOR THE DESIGN OF A NEW PARKING LOT AT THE ROTTERDAM SENIOR CENTER

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with Ausfeld and Waldruff Land Surveyors LLP located at 323 Clinton Street, Schenectady, New York 12305, for the purposes of providing a field survey and base mapping for the design of new parking lot at the Rotterdam Senior Center in the amount not to exceed three thousand four hundred and 00/100 ($3,400.00).

SECTION 2. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LEGISLATIVE REQUEST FORM

DATE: November 16, 2022

TO: Mollie A. Collins, Town Supervisor

FROM: Fred Mastroianni, P.E., Town Consultant Engineer

TITLE OF REQUEST: To authorize the Supervisor to enter an Agreement with Ausfeld and Waldruff Land Surveyors LLP to provide field survey and base mapping for the design of new parking lot at the Rotterdam Senior Center.

TOWN BOARD MEETING: December 14, 2022

Background Information: The condition of the existing parking lot is at a point where resurfacing is not the most practicable option. The parking lot should be reconstructed to a minimum service life of 20 years. In addition, the parking lot should include ADA accessible parking spaces, improved stormwater conveyance and collection system, and possibly parking lot lighting.

Evaluation/Analysis: The parking lot pavement structure is severely cracked in many locations and drainage collection is less than desirable. The ADA accessible parking spaces or non-compliant. Resurfacing the existing parking lot will not correct the pavement distress and less than adequate drainage system.

Recommendation(s): I recommend that the Town Board approve the cost for the survey and mapping in the amount of $3,400.00.

Attachment/Document(s): See proposal from Ausfeld and WaldruffL Land Surveyors LLP along with the aerial mapping of the project site showing survey and mapping limits.

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): N/A

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

Ausfeld & Waldruff Land Surveyors LLP
323 Clinton Street, Schenectady, New York 12305
Phone: (518) 346-1595 Fax: (518) 770-1655
www.awlsllp.com

November 2, 2022

Fred C. Mastroianni PE
Town Consultant Engineer
100 Sunrise Blvd.
Rotterdam N.Y. 12306

Re: Property Boundary, & Topographic, Utility Survey, Rotterdam Senior Citizens Property, Hamburg Street, E. Campbell Road and First Avenue

Dear Fred;

Ausfeld & Waldruff Land Surveyors, LLP (AWLS) thank you for the opportunity to present this proposal for Professional Land Surveying services associated with the parcel of land as referenced above. Below, please find our scope of services, schedule and fee to perform this work.

SCOPE OF SERVICES

Property Boundary Survey:

AWLS will perform a property boundary and a topographic survey for the above referenced properties. All boundary surveying will be completed in accordance with the "Code of Practice" as adopted by the New York State Association of Professional Land Surveyors. AWLS will perform research which is normal to the completion of surveys under the above referenced code.

Topographic Survey and Mapping:

AWLS will perform a topographic survey for the area outlined on the attached figure which is made part of this proposal. AWLS will perform a topographic survey, based upon NAVD 88 or existing site datum, and will depict all physical features but not limited to structures (buildings, sheds), curbs, sidewalks, utility structures, poles, fence lines, parking stripes.

Underground utilities will be shown based upon physical location and existing mapping of record. Contours will be shown at 1-foot interval. Base mapping will be at 20 scale and be plotted on 22" x 34" paper.

AWLS will provide 5 paper prints of the survey. An AutoCAD .dwg electronic file of the survey is available upon request.

SCHEDULE:

The final map will be delivered within three to four weeks maximum from formal authorization to proceed.

FEES:

Property Boundary Survey:

The scope of services can be performed for a lump sum fee of $1800. This fee will be payable upon receipt of the invoice.

Topographic Survey and Mapping:

The scope of services can be performed for a fee of $3400. This fee will be payable upon receipt of the invoice.

This quote expires 60 days from the date of the proposal.

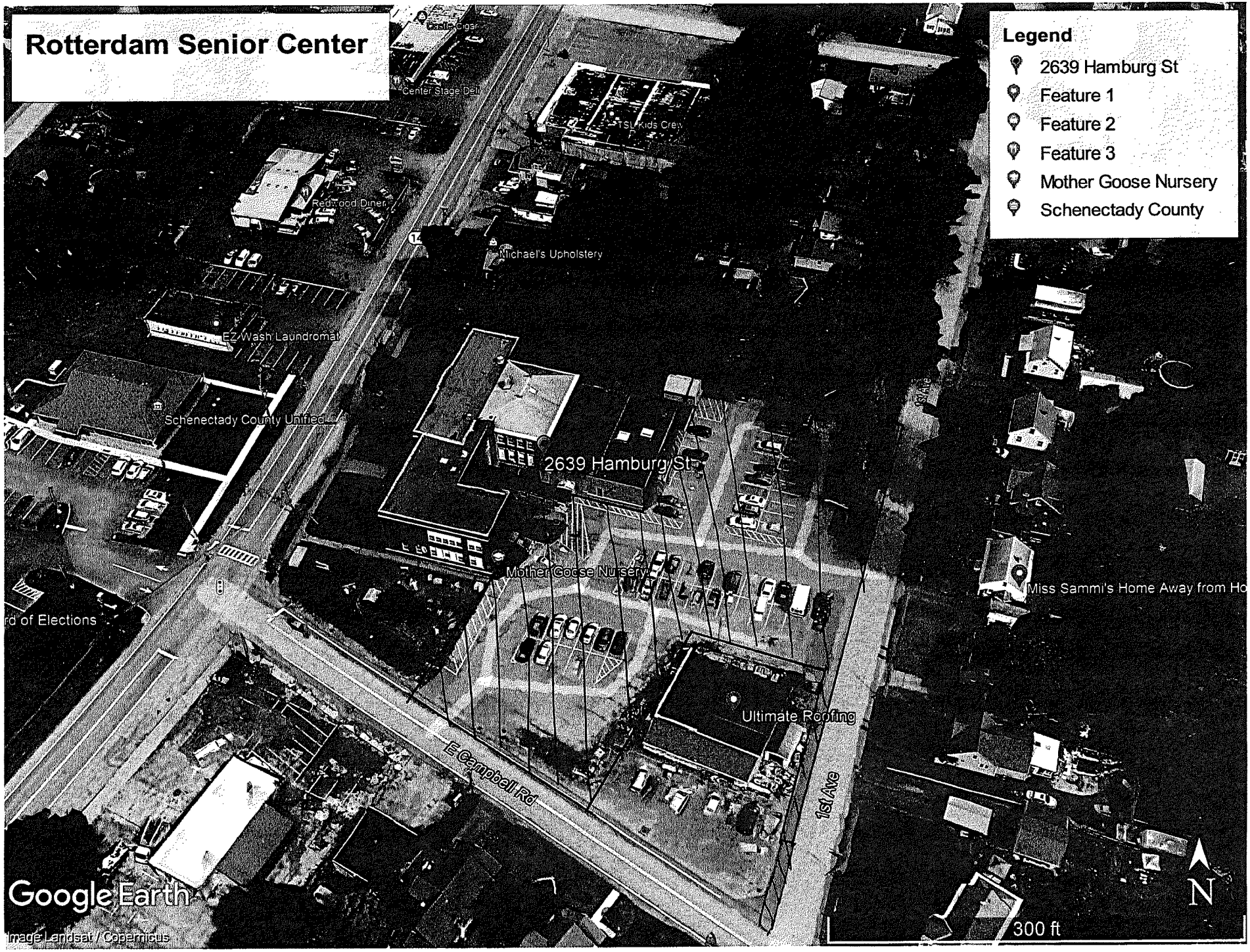
If this proposal is acceptable, a simple email authorizing us to go ahead will work. If you have any questions, please do not hesitate to call me at 518-346-1595.

Sincerely,

Vincent P. Ausfeld P.L.S.

Signed :_____ Date :_____

Z:\PROPOSALS\2022\P-22-185 Rotterdam Senior Citizens\Rotterdam Senior Citizens Survey proposal.doc


Rotterdam Senior Center
Legend
2639 Hamburg St
Feature 1
Feature 2
Feature 3
Mother Goose Nursery
Schenectady County
Castle Cigar
Center Stage Deli
TST Kids Crew
Redwood Diner
Michael's Upholstery
EZ Wash Laundromat
Schenectady County Unified
2639 Hamburg St
Mother Goose Nursery
Miss Sammi's Home Away from Ho
rd of Elections
Ultimate Roofing
E Campbell Rd
1st Ave
5th Ave
Google Earth
Image Landsat / Copernicus
N
300 ft

RESOLUTION NO. 357.22

TO AMEND RESOLUTION 349.22 OF THE YEAR 2022

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Section 1 of Resolution 349.22 is hereby amended to read in its entirety as follows: The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute healthcare insurance contracts for the year 2023 with Capital District Physician Health Plan, Inc. (CDPHP), MVP Health Services Corp. (MVP); and for the years 2023 and 2024 with Delta Dental for employee healthcare coverage.

SECTION 2. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LEGISLATIVE REQUEST FORM

DATE: 19 December 2022

TO: Supervisor's Office

FROM: Comptroller's Office

TITLE OF REQUEST: Amend Resolution No. 349.22

TOWN BOARD MEETING: 28 December 2022

Background Information: The Town board approved renewals for healthcare insurance contracts for CDPHP, MVP, Delta Dental, and Flexible Spending Account contract for Lifetime Benefit Solutions for 2023 at the December 14, 2022 town board meeting via Resolution No. 349.22. The Delta Dental contract was for a 2-year term. The Resolution needs to be amended to reflect the correct term for the Delta Dental contract. The Town is contractually required to provide healthcare insurance to its employees, and therefore the attached documents need the signature of the Town Supervisor.

Evaluation/Analysis: The attached documentation outlines the 2023 coverage details and premium rates for the Delta Dental plan. As previously stated, the Town is obligated to provide healthcare coverage to employees.

Recommendation(s): To amend Resolution No. 349.22 to reflect the 2-year term for the Delta Dental contract, commencing January 1, 2023 through December 31, 2024.

Attachment/Document(s): Resolution No. 349.22 and Delta Dental Contract

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): None.

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

RESOLUTION NO. 349.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, December 14, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE HEALTHCARE INSURANCE CONTRACTS FOR 2023

THEREFORE, UPON MOTION OF Supervisor **COLLINS,** seconded by Councilmember **MASTROIANNI,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute healthcare insurance contracts with Capital District Physician Health Plan, Inc. (CDPHP), MVP Health Services Corp. (MVP), and Delta Dental for employee healthcare coverage in the year 2023.

SECTION 2. This resolution shall become effective December 14, 2022.

DATED: December 14, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 14, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 16, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM NY Office of the Town Clerk Schenectady, County

DELTA DENTAL

August 03, 2022

Town of Rotterdam
1100 Sunrise Blvd.
Rotterdam, NY 12306

RE: Contract Renewal for Town of Rotterdam
Delta Dental PPO℠ Group# 04368

We appreciate your business and thank you for choosing Delta Dental of New York. Your employees are among the millions nationwide who trust their smiles to Delta Dental.

We are pleased to present you with your dental plan contract renewal information. We are committed to providing you with quality plan designs combined with excellent customer service.

When reviewing your dental plan, we considered cost factors related to your group's dental service utilization and claims experience. We have made every attempt to provide the most competitive renewal possible.

We have calculated your rates based on the employer/employee contribution levels in your contract remaining the same. If the contribution levels and/or enrollment guidelines have changed or will change, please notify us immediately, as such a change may affect your renewal rate.

The following is the renewal information for your Delta Dental PPO℠ dental plan:

Effective Date	***January 01, 2023***	
Contract Term	***January 01, 2023 - December 31, 2024***	
	Current Fee	***Renewal Fee***
Administration Fee	***$5.07***	***$5.32***

Approve 2-year renewal: _____
Date: _____

Delta Dental Insurance Company
Telephone: 800-521-2651

Delta Dental of California
Telephone: 888-335-8227

Delta Dental Mid-Atlantic Region
Delta Dental of Delaware, Inc.
Delta Dental of the District of Columbia
Delta Dental of New York, Inc.
Delta Dental of Pennsylvania (Maryland)
Delta Dental of West Virginia
Telephone: 800-932-0783

To renew your dental plan contract, please follow these steps:

1) Review this letter for changes to your dental plan for January 01, 2023
2) Begin paying the rates outlined in this letter with your new contract term.

Upon your renewal you will receive a formal amendment to your contract. If you would like to review an amendment prior to renewing your plan, please contact your Account Manager and an amendment will be provided.

If you have any questions about your renewal, your Account Manager will be happy to help. We appreciate your continued confidence in Delta Dental. We are proud of our association with you and look forward to a long and mutually successful relationship.

Sincerely,

Delta Dental of New York

MohammadReza Navid
Group Vice President, Sales & Marketing

The American Dental Association (ADA) annually updates its standard dental procedure coding system, which is a component of its Code on Dental Procedures and Nomenclature (CDT Code) reference manual. When the ADA changes the codes, carriers must adopt the changes. We process claims according to the current CDT reference manual. Changes made to comply with the CDT Code do not constitute a material change to your dental plan design.

Summary of Contract Amendments to

Town of Rotterdam

Delta Dental PPO℠

OTHER INFORMATION

Delta Dental's retro-termination policy for enrollees. As a reminder, Delta Dental's policy is that enrollment may be adjusted retroactively to the immediately preceding three months plus the current month billed if no claims have been processed after the requested termination date for the enrollee.

Provider reimbursement. As a reminder, Delta Dental's policy is to reimburse contracted dentists based on the network payment provisions for the geographic area in which the services are provided.

Teresa Dunkin

Reimbursement Account Plan Renewal

Employer Details

Employer Name	Town of Rotterdam
EIN	14-6002410
Address	1100 SUNRISE BLVD SCHENECTADY, NY, 12306
Debit Card	○ No ◉ Yes
Claims Exchange/ACT	◉ No ○ Yes

LBS Reimbursement Contact

JAMIE SHULER
email: JAMIE.SHULER@LIFETIMEBENEFITSOLUTIONS.COM

Broker Contact

Augie Cassella
email: Augie.Cassella@usi.com

If you would like to change or add any of the above information, contact your LBS Reimbursement Account Manager

PY 01-01-2023 - 12-31-2023

Details

Total Number of Benefit Eligible Employees:	122
Projected Number of Participants in New Plan Year:	5

PLAN NAME	PLAN YEAR START DATE	PLAN YEAR END DATE	RENEWAL STATUS	RENEWAL DESCRIPTION
DEPENDENT CARE ACCOUNT	01/01/2023	12/31/2023	Available For Renewal	Plan is available to be reviewed and updated.

ANNUAL AMOUNT *	RUN OUT DAYS *	GRACE PERIOD NUMBER OF DAYS *	EMPLOYER CONTRIBUTION *	EMPLOYER CONTRIBUTION AMOUNT *
MINIMUM $0.00	ACTIVE 120	75	No	$ 0.00
MAXIMUM* $5,000.00	TERM 90			

PLAN NAME	PLAN YEAR START DATE	PLAN YEAR END DATE	RENEWAL STATUS	RENEWAL DESCRIPTION
HEALTH CARE ACCOUNT	01/01/2023	12/31/2023	Available For Renewal	Plan is available to be reviewed and updated.

ANNUAL AMOUNT *	RUN OUT DAYS *	GRACE PERIOD NUMBER OF DAYS *	EMPLOYER CONTRIBUTION *	EMPLOYER CONTRIBUTION AMOUNT *	CARRY OVER *
MINIMUM $0.00	ACTIVE 120	75	No	$ 0.00	NA
MAXIMUM* $2,850.00	TERM 90				

RESOLUTION NO. 358.22

TO AUTHORIZE CONTRACTS FOR 2023 INSURANCE COVERAGE

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute agreements for insurance coverage for the year 2023 consistent with the proposal dated 12/22/2022 from USI Ins. Services LLC, and The Travelers Companies, Inc. and its affiliates.

SECTION 2. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LEGISLATIVE REQUEST FORM

DATE: December 14, 2022

TO: Supervisor's Office

FROM: Comptroller's Office

TITLE OF REQUEST: Town Package Insurance Policy Renewal

TOWN BOARD MEETING: December 28, 2022

Background Information: In 2020 the Town offered a Request for Proposal regarding various forms of property and casualty insurance which was ultimately awarded to Travelers Insurance Co. through USI Insurance Services as a 2-year contract (2021 – 2022). The insurance package is again up for renewal and a proposal will soon be received from Travelers Insurance Co., the incumbent provider, through the Town's insurance broker USI Insurance Services.

Evaluation/Analysis: Travelers Insurance Co., rated A++ Superior by A.M. Best, has a significant presence in the Municipal market and initially came in with a substantial premium savings when awarded the package in 2021. The process of bidding insurance is quite involved and expensive on the part of the insurance company if carried out more frequently than every 3 years can resulted in a lack of competitive proposals.

Recommendation(s): Renew the Town's package policy with Travelers for one year effective 1/1/2023 and consider offering a Request for Proposal in August of 2023 for the 2024 policy term based upon the tentative rate increase of approximately 5%.

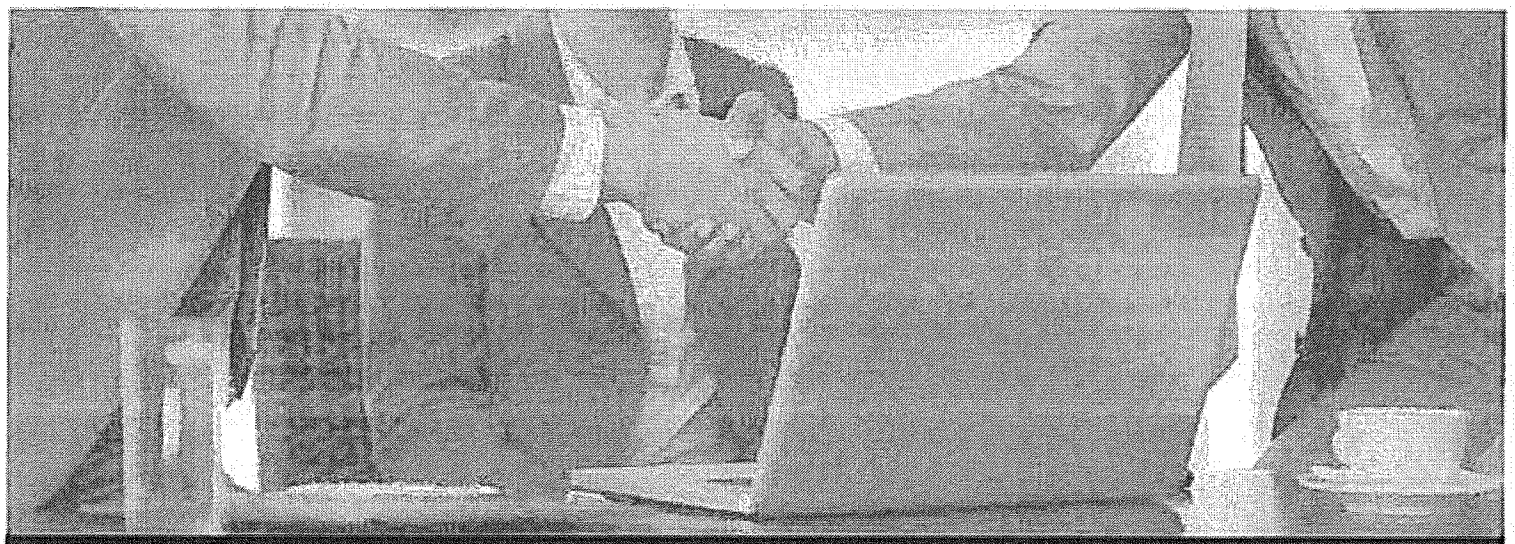
Attachment/Document(s): USI package proposal

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): N/A

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

TRAVELERS



PRESENTED BY

USI INS SERVICES LLC
855 RT 146 STE 235
CLIFTON PARK, NY 12065

PROPOSED ON 12/22/2022 FOR

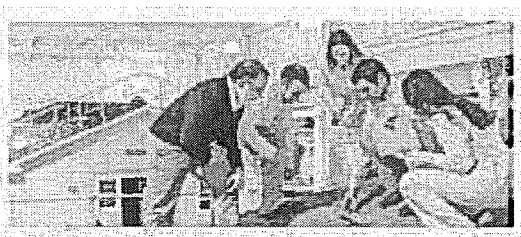
TOWN OF ROTTERDAM
1100 SUNRISE BLVD
ROTTERDAM, NY 12306

On behalf of **USI INS SERVICES LLC** and **The Travelers Companies, Inc. and its affiliates**, we appreciate the opportunity to provide **TOWN OF ROTTERDAM** with the following policy proposal.

Travelers Risk Control. Our Expertise is Your Advantage

Travelers Risk Control is an innovative provider of cost-effective risk management services and products. As one of the largest Risk Control departments in the industry, our scale allows the right resource at the right time to meet customer needs. For over 110 years, our loss prevention professionals have assisted agents, brokers and customers across the country and around the world.

https://www.travelers.com/risk-control



Claim Services.

Travelers has over 11,000 highly trained Claim professionals located across the U.S. Our local field representatives are supported by teams of dedicated customer service, catastrophe response, legal, medical, investigative, engineering, and large loss experts. Claims can be complex and expensive. We'll help you manage claims to control your total risk-related costs.

https://www.travelers.com/claims

Meet your Travelers team

General

Overall Account
Ronald Pierce
Account Executive
RPIERCE3@travelers.com
860-277-1477

Policy Services
Elizabeth Bernal
Operations Account Specialist
EBERNAL@travelers.com
210-525-3827

To report, ask a question or discuss a claim please call 1-800-238-6225. A Claim Customer Service Representative is available 24 hours a day, 7 days a week to take the first notice of loss or provide assistance on any existing claim.

Your policies

Commercial Package Program - Simp. Occ.

Policy Number H-630-0T02195A-TIL-23

Effective 01/01/2023 – 01/01/2024

Insuring Company TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA

General Liability

Policy Number ZLP-21P59874-23-PB

Effective 01/01/2023 – 01/01/2024

Insuring Company THE TRAVELERS INDEMNITY COMPANY

Employee Benefit Liability

Policy Number ZLP-21P59874-23-PB

Effective 01/01/2023 – 01/01/2024

Insuring Company THE TRAVELERS INDEMNITY COMPANY

Law Enforcement Liability

Policy Number ZLP-21P59874-23-PB

Effective 01/01/2023 – 01/01/2024

Insuring Company THE TRAVELERS INDEMNITY COMPANY

Public Entity Management Liability

Policy Number ZLP-21P59874-23-PB

Effective 01/01/2023 – 01/01/2024

Insuring Company THE TRAVELERS INDEMNITY COMPANY

Public Entity Employment-Related Practices Liability

Policy Number ZLP-21P59874-23-PB

Effective 01/01/2023 – 01/01/2024

Insuring Company THE TRAVELERS INDEMNITY COMPANY

Auto Liability

Policy Number 810-0T02195A-23-PB

Effective 01/01/2023 – 01/01/2024

Insuring Company THE TRAVELERS INDEMNITY COMPANY

Auto Physical Damage

Policy Number 810-0T02195A-23-PB

Effective 01/01/2023 – 01/01/2024

Insuring Company THE TRAVELERS INDEMNITY COMPANY

Umbrella Liability

Policy Number ZUP-31N48419-23-PB

Effective 01/01/2023 – 01/01/2024

Insuring Company THE TRAVELERS INDEMNITY COMPANY

Locations schedule

630 - 0T02195A – Commercial Package Program - Simp. Occ.

LOC/BLDG	DESCRIPTION	ADDRESS
1/1	TOWN HALL	1100 SUNRISE BLVD, ROTTERDAM, NY 12306
2/2	POLICE STATION	101 PRINCETOWN RD, ROTTERDAM, NY 12306
2/3	POLICE STATION STORAGE	101 PRINCETOWN RD, ROTTERDAM, NY 12306
3/4	HIGHWAY GARAGE	54 DUANESBURG RD, ROTTERDAM, NY 12306
4/5	SR CITIZEN CENTER	2639 HAMBURG ST, ROTTERDAM, NY 12306
5/6	FIRE TRAINING BUILDING	40 W CAMPBELL RD, ROTTERDAM, NY 12306
5/7	FIRE TRAINING CLASSROOM	40 W CAMPBELL RD, ROTTERDAM, NY 12306
5/8	FIRE TRAINING STORAGE	40 W CAMPBELL RD, ROTTERDAM, NY 12306
5/9	TRAINING TOWER	40 W CAMPBELL RD, ROTTERDAM, NY 12306
6/10	PARKS-TRAFSAFBD	40 W CAMPELL RD, ROTTERDAM, NY 12306
6/11	PARKS DEPT GARAGE	40 W CAMPELL RD, ROTTERDAM, NY 12306
7/12	PARK PAVILLION	BOXWOOD DR, ROTTERDAM, NY 12306
8/13	PARK PAVILLION	2129 FIERO AVE, ROTTERDAM, NY 12306
9/14	PARK CONCESS-PRESS BOX	1160 FAYETTE DR, ROTTERDAM, NY 12306
9/15	PARK RESTROOM	1160 FAYETTE DR, ROTTERDAM, NY 12306
9/16	PARK PAVILLION	1160 FAYETTE DR, ROTTERDAM, NY 12306
9/17	FENCES-DUGOUT-SCOREBOARD	1160 FAYETTE DR, ROTTERDAM, NY 12306
9/18	TOOL SHED ADJ BATTING CAGE	1160 FAYETTE DR, ROTTERDAM, NY 12306
9/19	MISC IMPROVE-PLAYGROUND	1160 FAYETTE DR, ROTTERDAM, NY 12306
10/20	PARK PAVILLION	JURACKA PKWY, ROTTERDAM, NY 12306
10/21	FENCING-PLAYGROUND-EQUIPMENT	JURACKA PKWY, ROTTERDAM, NY 12306
11/22	PARK CONCESS-PRESS BOX	1160 FOURTH ST, ROTTERDAM, NY 12306
11/23	PARK STORAGE 1	1160 FOURTH ST, ROTTERDAM, NY 12306
11/24	PARK STORAGE 2	1160 FOURTH ST, ROTTERDAM, NY 12306
11/25	DUGOUT 1	1160 FOURTH ST, ROTTERDAM, NY 12306
11/26	DUGOUT 2	1160 FOURTH ST, ROTTERDAM, NY 12306
11/27	PARK PAVILLION	1160 FOURTH ST, ROTTERDAM, NY 12306
11/28	FENCES-SCOREBOARD-MISC EQUIPMENT	1160 FOURTH ST, ROTTERDAM, NY 12306
12/29	BABE RUTH CONCESS-PRESSBOX	CURRY RD AND DENVER AVE, ROTTERDAM, NY 12306
12/30	FIELD STORAGE-BATTING CAGE	CURRY RD AND DENVER AVE, ROTTERDAM, NY 12306
12/31	FIELD CONCESS-PRESS BOX	CURRY RD AND DENVER AVE, ROTTERDAM, NY 12306
12/32	DUGOUT 1 BABE RUTH	CURRY RD AND DENVER AVE, ROTTERDAM, NY 12306
12/33	DUGOUT 2 BABE RUTH	CURRY RD AND DENVER AVE, ROTTERDAM, NY 12306
12/34	LITTLE LEAGUE CONCESS-PRESS BOX	CURRY RD AND DENVER AVE, ROTTERDAM, NY 12306

12/35	DUGOUT 1 LITTLE LEAGUE	CURRY RD AND DENVER AVE, ROTTERDAM, NY 12306
12/36	DUGOUT 2 LITTLE LEAGUE	CURRY RD AND DENVER AVE, ROTTERDAM, NY 12306
12/37	LITTLE LEAUGE FIELD STORAGE	CURRY RD AND DENVER AVE, ROTTERDAM, NY 12306
12/38	FENCES-LIGHTING-SCOREBOARDS	CURRY RD AND DENVER AVE, ROTTERDAM, NY 12306
12/39	PLAYGROUND EQUIPMENT	CURRY RD AND DENVER AVE, ROTTERDAM, NY 12306
13/40	BABE RUTH STORAGE	CURRY RD AND POUTRE AVE, ROTTERDAM, NY 12306
13/41	PLAY GROUND EQUIPMENT	CURRY RD AND POUTRE AVE, ROTTERDAM, NY 12306
14/42	PARK CONCESS	RIVER ROAD-RJ, ROTTERDAM, NY 12306
14/43	DUGOUT 1	RIVER ROAD-RJ, ROTTERDAM, NY 12306
14/44	DUGOUT 2	RIVER ROAD-RJ, ROTTERDAM, NY 12306
14/45	FENCE	RIVER ROAD-RJ, ROTTERDAM, NY 12306
14/46	PLAYGROUND EQUIPMENT	RIVER ROAD-RJ, ROTTERDAM, NY 12306
14/47	PARK PAVILLION-WOESTINA	RIVER ROAD-RJ, ROTTERDAM, NY 12306
15/48	PAVILLION KIWANIS PARK	E S RIVER RD, RTE-5S-K, ROTTERDAM, NY 12306
15/49	BUILDING KWANIS PARK	E S RIVER RD, RTE-5S-K, ROTTERDAM, NY 12306
16/50	SEWAGE TREATMENT-ORIG PUMP HOUSE	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/51	TANK EQUTPMENT CLARIFIER	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/52	WATER HOLDING TANK	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/53	SPLITTER BOX CONTROL GATE	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/54	CONCRETE FILTER TANKS	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/55	SEWER PUMP STATION	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/56	4 ROTATING BIO DISCS W-FG ENCLOSURE	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/57	SEWER PUMP STATION-SAND FILTER BUIL	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/58	SETTLE TANK SLUDGE PUMP STATION	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/59	SLUDGE PROCESS TANK	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/60	GRAVITY THICKENER	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/61	OLD DIGESTER BUILDING	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/62	OLD SLUDGE TANK	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/63	SECONDARY SETTLE TANK	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/64	CONCRETE FINAL DISINFECTANT TANK	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/65	OLD SLUDGE DRYBED	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/66	STEEL FENCE	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/67	SEWAGE TREATMENT OFFICE	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/68	GARAGE	26 W CAMPBELL RD, ROTTERDAM, NY 12306

16/69	SEWAGE TREATMENT PRELIM BUILDING	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/70	SEWAGE TREATMENT BELT PRESS BUILDIN	26 W CAMPBELL RD, ROTTERDAM, NY 12306
16/71	SHED	26 W CAMPBELL RD, ROTTERDAM, NY 12306
17/72	WATER DIST3-WELL 1	1214 MAIN ST, ROTTERDAM JUNCTION, NY 12150
17/73	WATER DIST3-WELL 2	1214 MAIN ST, ROTTERDAM JUNCTION, NY 12150
17/74	FENCING	1214 MAIN ST, ROTTERDAM JUNCTION, NY 12150
18/75	SEWER PUMP STATION 01	1510 CURRY RD, ROTTERDAM, NY 12306
18/76	FENCING	1510 CURRY RD, ROTTERDAM, NY 12306
19/77	SEWER PUMP STATION 06	121 GULLOT DR, ROTTERDAM, NY 12306
19/78	MISC IMPROVEMENTS	121 GULLOT DR, ROTTERDAM, NY 12306
20/79	WATER PUMPING STATION 1	49 RICE RD, ROTTERDAM, NY 12306
20/80	PUMP STATION 2-CONTROL ROOM	49 RICE RD, ROTTERDAM, NY 12306
20/81	PUMP STATION 3	49 RICE RD, ROTTERDAM, NY 12306
20/82	PUMP STATION 4	49 RICE RD, ROTTERDAM, NY 12306
20/83	GENERATOR BUILDING	49 RICE RD, ROTTERDAM, NY 12306
20/84	FENCING	49 RICE RD, ROTTERDAM, NY 12306
20/85	GARAGE	49 RICE RD, ROTTERDAM, NY 12306
20/86	WELL HOUSE-GARAGE WATER WELL 5	49 RICE RD, ROTTERDAM, NY 12306
20/87	CHLORINE BUILDING	49 RICE RD, ROTTERDAM, NY 12306
21/88	VALVE HOUSE	HAMBURG ST, ROTTERDAM, NY 12306
21/89	WATER TOWER 5	HAMBURG ST, ROTTERDAM, NY 12306
21/90	FENCING	HAMBURG ST, ROTTERDAM, NY 12306
22/91	VALVE HOUSE	1000 BERNARD ST, ROTTERDAM, NY 12306
22/92	WATER TOWER 1	1000 BERNARD ST, ROTTERDAM, NY 12306
22/93	FENCING	1000 BERNARD ST, ROTTERDAM, NY 12306
23/94	VALVE HOUSE	HULLET RD, ROTTERDAM, NY 12306
23/95	WATER TOWER 2	HULLET RD, ROTTERDAM, NY 12306
23/96	FENCING	HULLET RD, ROTTERDAM, NY 12306
24/97	WATER TOWER 5	MAY AVE, ROTTERDAM, NY 12306
24/98	FENCING	MAY AVE, ROTTERDAM, NY 12306
25/99	WATER TOWER 6	WATER TANK- RYNEX CORNERS F, ROTTERDAM, NY 12306
25/100	FENCING	WATER TANK- RYNEX CORNERS F, ROTTERDAM, NY 12306
26/101	VALVE HOUSE	HELDERBERG AVE, ROTTERDAM, NY 12306
26/102	WATER TOWER 3	HELDERBERG AVE, ROTTERDAM, NY 12306
26/103	FENCING	HELDERBERG AVE, ROTTERDAM, NY 12306
27/104	SEWER PUMP STATION 03	ALTAMONT AVE AND CRANE ST, ROTTERDAM, NY 12306
27/105	FENCING	ALTAMONT AVE AND CRANE ST, ROTTERDAM, NY 12306
28/106	SEWER PUMP STATION 02	509 DUANESBURG RD, ROTTERDAM, NY 12306
28/107	FENCING	509 DUANESBURG RD, ROTTERDAM, NY 12306
29/108	SEWER PUMP STATION 2	1939 ALTAMONT AVE, ROTTERDAM, NY 12306
29/109	FENCING	1939 ALTAMONT AVE, ROTTERDAM, NY 12306
30/110	SEWER PUMP STATION 4	91 W CAMPBELL RD, ROTTERDAM, NY 12306
30/111	FENCING	91 W CAMPBELL RD, ROTTERDAM, NY 12306
31/112	SEWER PUMP STATION 7	WHITE BIRCH GARDENS, ROTTERDAM, NY 12306
31/113	FENCING	WHITE BIRCH GARDENS, ROTTERDAM, NY 12306

32/114	SEWER PUMP STATION 10	490 STEEPLE WAY, ROTTERDAM, NY 12306
33/115	BOYS-GIRLS CLUB	721 CURRY RD, ROTTERDAM, NY 12306
34/116	SEWER PUMP STATION 08	1017 HIGHBRIDGE RD, ROTTERDAM, NY 12306
35/117	SEWER PUMP STATION 09	1272 HIGHBRIDGE RD, ROTTERDAM, NY 12306
36/118	PUMP STATION 12	200A STEEPLE WAY, ROTTERDAM, NY 12306
37/119	PLAYGROUND EQUIPMENT	SHEREEN CT, ROTTERDAM, NY 12306
38/120	DRAINAGE SYSTEM	KIRVIN LN-I-S OF ST LUCILL, ROTTERDAM, NY 12306
39/121	DRAINAGE SYSTEM	LOCK ST, ROTTERDAM JUNCTION, NY 12150
40/122	DRAINAGE SYSTEM	DIANNA CT, ROTTERDAM, NY 12306
41/123	DWELLING	210 PHILLIPS RD, ROTTERDAM, NY 12306
41/124	BARN	210 PHILLIPS RD, ROTTERDAM, NY 12306
42/125	DWELLING	212 PHILLIPS RD, ROTTERDAM, NY 12306
42/126	BARN	212 PHILLIPS RD, ROTTERDAM, NY 12306

Property coverage premium summary

Policy Number 630-0T02195A

Coverages and limits of insurance – described premises

Insurance applies on a BLANKET basis only to a coverage or type of property for which a Limit of Insurance is shown below, and then only at the premises locations for which a value for such coverage or property is shown on the Statement of Values dated 11/5/2021 , or subsequently reported to and insured by us. For Insurance that applies to a specific premises location see Deluxe Property Coverage Part Schedule - Specific Limits

BLANKET DESCRIPTION OF COVERAGE OR PROPERTY	LIMITS OF INSURANCE
Building and Your Business Personal Property	$46,514,834

Co-insurance provision

Coinsurance does not apply to Blanket Coverages shown above.

Valuation provision

Replacement cost (subject to limitations) applies to most types of covered property (See Valuation Loss Condition).

Deluxe property coverage part schedule - specific limits - described premises

Insurance applies only to a premises location and building number and to a coverage or type of property for which a Specific Limit of Insurance is shown on schedule.

Co-insurance provision

Coinsurance does not apply to any Building,Personal Property or "Stock" coverage for which a Specific Limit of Insurance applies as shown on schedule.

Valuation provision

Replacement cost (subject to limitations) applies to most types of covered property (See Valuation Loss Condition).

Additional covered property

	LIMITS OF INSURANCE
Personal Property at Undescribed Premises	
At any "exhibition" premises	$50,000

At any installation premises or temporary storage premises	Not Covered
At any other not owned, leased or regularly operated premises	$50,000

Personal Property In Transit	$50,000

Deluxe property coverage form - additional coverages & coverage extensions

The Limits of Insurance shown in the left column are included in the coverage form and apply unless a Revised Limit of Insurance or Not Covered is shown in the Revised Limits of Insurance column on the right. The Limits of Insurance apply in any one occurrence unless otherwise stated.

	LIMITS OF INSURANCE	REVISED LIMITS OF INSURANCE
Accounts Receivable		
At all described premises	$50,000	$250,000
In transit or at all undescribed premises	$25,000	$250,000
Appurtenant Buildings and Structures	$100,000	
Claim Data Expense	$25,000	
Covered Leasehold Interest – Undamaged Improvements & Betterments		
Lesser of Your Business Personal Property limit or:	$100,000	
Debris Removal (additional amount)	$250,000	
Deferred Payments	$25,000	
Duplicate Electronic Data Processing Data and Media	$50,000	
Electronic Data Processing Data and Media		
At all described premises	$50,000	
Employee Tools		
In any one occurrence	$25,000	$950,000
Any one item	$2,500	
Expediting Expenses	$25,000	
Extra Expense	$25,000	
Fine Arts		
At all described premises	$50,000	
In transit	$25,000	
Fire Department Service Charge	Included*	
Fire Protective Equipment Discharge	Included*	
Green Building Alternatives – Increased Cost Percentage 1%		
Maximum amount – each building	$100,000	
Green Building Reengineering and Recertification Expense	$25,000	
Limited Coverage for Fungus, Wet Rot or Dry Rot – Annual Aggregate	$25,000	
Loss of Master Key	$25,000	
Newly Constructed or Acquired Property		
Buildings - each	$2,000,000	
Personal Property at each premises	$1,000,000	

*Included means included in applicable Covered Property Limit of Insurance

Deluxe property coverage form - additional coverages & coverage extensions

	LIMITS OF INSURANCE	REVISED LIMITS OF INSURANCE
Non-Owned Detached Trailers	$25,000	
Ordinance or Law Coverage	$250,000	$500,000
Outdoor Property	$25,000	$50,000
Any one tree, shrub or plant	$2,500	
Outside Signs		
At all described premises	$100,000	
At all undescribed premises	$5,000	
Personal Effects	$25,000	$50,000
Personal Property At Premises Outside of the Coverage Territory	$50,000	
Personal Property In Transit Outside of the Coverage Territory	$25,000	$50,000
Pollutant Cleanup and Removal – Annual Aggregate	$100,000	
Preservation of Property		
Expenses to move and temporarily store property	$250,000	
Direct loss or damage to moved property	Included*	
Reward Coverage		
25% of covered loss up to a maximum of:	$25,000	
Stored Water	$25,000	
Theft Damage to Rented Property	Included*	
Undamaged Parts of Stock in Process	$50,000	
Valuable Papers and Records – Cost of Research		
At all described premises	$50,000	$500,000
In transit or at all undescribed premises	$25,000	$100,000
Water or Other Substance Loss – Tear Out and Replacement Expense	Included*	

*Included means included in applicable Covered Property Limit of Insurance

Deluxe business income (and extra expense) coverage form - described premises

PREMISES LOCATION NO.	BUILDING NO.	LIMITS OF INSURANCE
001-042	001-126	$1,000,000

Rental Value: Included

Ordinary Payroll: Included

Deluxe business income - additional coverages and coverage extensions

The Limits of Insurance, Coverage Period and Coverage Radius shown in the left column are included in the coverage form and apply unless a revised Limit of Insurance, Coverage Period, Coverage Radius or Not Covered is shown under the column on the right. The Limits of Insurance apply in any one occurrence unless otherwise stated.

	LIMITS OF INSURANCE, COVERAGE PERIOD OR COVERAGE RADIUS	REVISED LIMITS OF INSURANCE, COVERAGE PERIOD OR COVERAGE RADIUS
Business Income from Dependent Property		
At Premises Within the Coverage Territory	$100,000	$250,000
At Premises Outside of the Coverage Territory	$100,000	
Civil Authority		
Coverage Period	30 days	
Coverage Radius	100 miles	
Claim Data Expense	$25,000	
Contract Penalties	$25,000	
Extended Business Income		
Coverage Period	180 days	
Fungus, Wet Rot or Dry Rot – Amended Period of Restoration		
Coverage Period	30 days	
Green Building Alternatives – Increased Period of Restoration		
Coverage Period	30 days	
Ingress or Egress	$25,000	
Coverage Radius	1 mile	
Newly Acquired Locations	$500,000	
Ordinance or Law - Increased Period of Restoration	$250,000	
Pollutant Cleanup and Removal – Annual Aggregate	$25,000	
Transit Business Income	$25,000	
Undescribed Premises	$25,000	

Causes of loss – Earthquake – aggregate in any one policy year, for all losses covered under the Causes of loss – Earthquake endorsement, commencing with the inception date of this policy:

		AGGREGATE LIMITS OF INSURANCE
01. Applies at the following Building(s) numbered:	01-126	$1,000,000

If more than one Annual Aggregate Limit applies in any one occurrence, the most we will pay is the highest involved Annual Aggregate Limit. The most we will pay during each annual period is the highest of the Annual Aggregate Limits shown.

Causes of loss – Broad Form Flood – aggregate in any one policy year, for all losses covered under the Causes of loss – Broad Form Flood endorsement, commencing with the inception date of this policy:

		AGGREGATE LIMITS OF INSURANCE
01. Applies at the following Building(s) numbered:	01-04,07-13,15-70,72-122	$1,000,000

If more than one Annual Aggregate Limit applies in any one occurrence, the most we will pay is the highest involved Annual Aggregate Limit. The most we will pay during each annual period is the highest of the Annual Aggregate Limits shown.

EXCESS OF LOSS LIMITATION APPLIES – See Causes of Loss – Broad Form Flood endorsement.

Causes of loss – equipment breakdown

The insurance provided for loss or damage caused by or resulting from Equipment Breakdown is included in, and does not increase the Covered Property, Business Income, Extra Expense, and/or other coverage Limits of Insurance that otherwise apply under this Coverage Part.

COVERAGE EXTENSION:	LIMITS OF INSURANCE	REVISED LIMITS OF INSURANCE
Spoilage	$25,000	$250,000

LIMITATIONS:	LIMITS OF INSURANCE	REVISED LIMITS OF INSURANCE
Ammonia Contamination	$25,000	$250,000
Hazardous Substance	$25,000	$250,000

Utility services

	LIMITS OF INSURANCE
Direct Damage - in any one occurrence (See Utility Services – Direct Damage endorsement)	$100,000

Coverage is provided for the following:
Water Supply
Communication Supply

Power Supply

Coverage for Overhead Transmission Lines is: excluded.

Electronic Vandalism Limitation Endorsement DX T3 98

ELECTRONIC VANDALISM	LIMIT OF INSURANCE
Aggregate in any 12 month period of this policy:	$10,000

Causes Of Loss-Equipment Breakdown DX T3 19

	LIMIT OF INSURANCE
Spoilage Limit:	$250,000
Ammonia Contamination Limit:	$250,000
Hazardous Substance Limit:	$250,000

Public Sector Services Additional Coverage Endorsements

	LIMIT OF INSURANCE
Spoilage Coverage Extension DX T3 15	$10,000

Public Entity Property Extensions DX T4 47	LIMIT OF INSURANCE
Confiscated Property	$100,000
Street Lights – each item	$50,000
Street Lights – maximum per occurrence	$100,000
Street Signs – each item	$50,000
Street Signs – maximum per occurrence	$100,000
Traffic Signs and Lights – each item	$50,000
Traffic Signs and Lights – maximum per occurrence	$100,000
Stadium Lights – per occurrence	$50,000
Stadium Lights – maximum per occurrence	$100,000

Deductibles

By Earthquake

	PERCENTAGE	OCCURENCE
01. in any one occurrence, at the following Building(s) numbered: 001-126		$50,000

As respects Business Income Coverage a 72 hour deductible applies at all premises locations.

By Flood

	OCCURENCE
01. At each of the following Building(s) numbered: 001-004,007-013,015-070,072-122 in any one occurrence	$50,000

As respects Business Income Coverage a 72 hour deductible applies at all premises locations.

Business Income

As respects Business Income Coverage, for which no other deductible is stated above or in the coverage description, a 72 hour deductible applies.

Any Other Covered Loss

in any one occurrence:	$10,000

Rating Basis

Total Rating Basis	$47,514,834
Building Rate	0.059
Business Personal Property Rate	0.11
Time Element Rate	0.13
Premium for Policy Period	$33,089
Taxes & Surcharges	$189
Deluxe Total	$33,278

Note: The Premium shown above includes the premium charged for Equipment Breakdown coverage. The premium for Equipment Breakdown coverage is $3,069.
If you elect not to purchase Equipment Breakdown coverage, please contact your Account Executive and a revised quote without Equipment Breakdown coverage will be sent to you.

Policy Number 630-0T02195A

Contractors Equipment Coverage Form CM T2 42

COVERAGE AND LIMITS OF INSURANCE

Covered Property
Coverage consists of the following when indicated by an 'X':

[X] **Scheduled Equipment**

[X] As shown on the most current schedule on file with us. The amount shown on such schedulefor each item of equipment is the limit of insurance applying to that item.

Total limit of insurance for all Scheduled Equipment:	$2,582,061

[X] **Unscheduled Owned Equipment**

Total limit of insurance for all unscheduled owned equipment:	$50,000
Limit of insurance for any one unscheduled owned item of equipment:	$5,000
Total limit of insurance for all items of Equipment in any one Occurrence:	$2,632,061

Deductible

Deductible applying to all covered loss or damage indicated by an 'X' below unless a more specific Deductible for the covered loss or damage is shown elsewhere in this proposal:

[X] Dollar Deductible: $1,000

Valuation and Coinsurance

Valuation
The following Valuation applies to the applicable Covered Property:

Scheduled Equipment:
Actual Cash Value Valuation applies unless replaced by the Optional Valuation indicated by an X'.

Unscheduled Owned Equipment:

Actual Cash Value Valuation applies unless replaced by the Optional Valuation indicated by an X'.

Equipment Owned By Others:
The amount for which you are legally liable, not to exceed Replacement Cost.

Coinsurance
The following coinsurance applies to Scheduled Items when indicated by an 'X':

[ ]	100%	[ ]	90%	[X]	80%	[ ]	No Coinsurance Applies

Premium

The following Premium options apply when indicated by an 'X':

[X] **Scheduled and Unscheduled Owned Equipment**

[X] Non Reporting
Premium $4,869

[ ] Premium Adjustment
Premium Base Values
Estimated Premium Base Amount
Annual Rate Per $100
Inception Premium
Adjustment Rate Per $100

Other Terms and Conditions

CM B0 97 - Contractors Equipment Supplemental Declarations

COVERAGE EXTENSIONS	LIMIT OF INSURANCE
Business Personal Property In Job Trailers:	$10,000
Document And Data Restoration Costs:	$50,000
Fire Protective Systems:	$75,000
Hauling Property Of Others:	$100,000
Newly Acquired Equipment - Per Item:	$250,000
Rental Costs:	
Any One Item:	$5,000
Any One Occurrence:	$25,000
Upgrades To Covered Property:	$25,000

ADDITIONAL COVERAGES	LIMIT OF INSURANCE
Claim Data Expenses:	$5,000
Continuing Rental Payments:	
Any One Item:	$5,000
Any One Occurrence:	$25,000
Contract Penalty:	$25,000
Debris Removal Increased Limit:	$75,000
Employee Tools, Equipment And Clothing:	
Any One Item:	$1,000
Any One Employee:	$2,500
Any One Occurrence:	$5,000

Errors Or Unintentional Omissions:	$100,000
Expediting Expenses:	$25,000
Expendable Supplies:	$10,000
Fire Or Police Department Service Charge:	$25,000
Lost Warranty Or Service Contract:	$10,000
Pollutant Clean Up And Removal:	$25,000
Preservation Of Property Expense:	$50,000
Reward Coverage:	$2,500
Tracking System Deductible Waiver Amount:	$10,000

CM U3 50 – Flood Exclusion
CM U3 66 – Earth Movement Exclusion

Gross Premium: $4,869

General Liability coverage premium summary

Policy Number ZLP-21P59874

Occurrence

Option 1

Gross Premium	$184,209

COVERAGE	LIMIT
General Aggregate Limit	$3,000,000
Products/Completed Operations Aggregate Limit	$3,000,000
Personal and Advertising Injury Liability Any One Person or Organization Limit	$1,000,000
Each Occurrence Limit	$1,000,000
The following limits apply:	
Damage to Premises Rented to You Limit (Any One Premises)	Excluded
Medical Expense Limit (Any One Person)	Excluded
Sewage Back-Up Limit	$1,000,000
Failure To Supply Limit	$1,000,000
Abuse or Molestation Aggregate Limit	$2,000,000
Each Abuse or Molestation Offense Limit	$1,000,000

Miscellaneous Items

DESCRIPTION
Limited Abuse Or Molestation Liability Coverage
Cemetery Professional Services Liability
New York Lead Exclusion

Amendments

DESCRIPTION
XTEND Endorsement For Public Entities
Mobile Equipment Redefined - Public Entities
Amendment - Pollution Exclusion
Cap On Losses From Certified Acts Of Terrorism
Exclusion - Injury To Volunteer Firefighters
Exclusion - Law Enforcement Activities Or Operations
Coverage C - Medical Payments Exclusion
Exclusion - Employees And Volunteer Workers As Insureds For Certain Bodily Injury, Personal Injury And Property Damage
Exclusion - Public Use Of Private Property
Exclusion - Discrimination
Exclusion - Professional Health Care Services - Public Entities
Exclusion - Violation Of Consumer Financial Protection Laws
Amendment Of Intellectual Property Exclusion

Exclusion - Nuclear Energy Liability
Amendment Of Common Policy Conditions - Prohibited Coverage - Unlicensed Insurance And Trade Or Economic Sanctions
Amendment Of Contractual Liability Exclusion - Exception For Damages Assumed In An Insured Contract Applies Only To Named Insured

Policy Number ZLP-21P59874

Claims Made

Option 1

Gross Premium	$381

COVERAGE	LIMIT
Aggregate Limit	$3,000,000
Each Employee Limit	$1,000,000

Deductibles

The following deductibles (Loss Only) apply:

Each Employee Deductible (Loss Only)	$1,000

Retroactive Date: 01/01/2015

Policy Number ZLP-21P59874

Occurrence

Option 1

Gross Premium	$51,920

COVERAGE	LIMIT
Aggregate Limit	$1,000,000
Each Wrongful Act Limit	$1,000,000

Deductibles

Deductibles apply to damages & defense expenses unless required otherwise by state regulation

The following deductible (Damages Only) applies:

Each Wrongful Act Deductible - Damages Only	$50,000

Miscellaneous Items

DESCRIPTION
Unmanned Aircraft Exclusion-With Exception For Designated Aircraft

Amendments

DESCRIPTION
Cap On Losses From Certified Acts Of Terrorism
Amendment Of Common Policy Conditions - Prohibited Coverage -Unlicensed Insurance And Trade Or Economic Sanctions
Amendment Of Law Enforcement Activities Or Operations
Mobile Equipment Redefined - Exclusion Of Vehicles Subject To Motor Vehicle Laws

Policy Number ZLP-21P59874

Claims Made

Option 1

Gross Premium	$18,579

COVERAGE	LIMIT
Aggregate Limit	$1,000,000
Each Wrongful Act Limit	$1,000,000

Retroactive Date: 01/01/1996

Deductibles

Deductibles apply to damages & defense expenses unless required otherwise by state regulation

The following deductible (Damages Only) applies:

Each Wrongful Act Deductible - Damages Only	$50,000

Miscellaneous Items

DESCRIPTION
Additional Insured - Designated Persons Or Organizations

Amendments

DESCRIPTION
Amendment Of Joint Powers Authority Definition
Cap On Losses From Certified Acts Of Terrorism
Amendment Of Network And Information Security Wrongful Act Definition
Amendment Of Common Policy Conditions - Prohibited Coverage - Unlicensed Insurance And Trade Or Economic Sanctions
Amendment Of Law Enforcement Activities Or Operations Definition

The following are excluded when "yes" is indicated below. If "no" is indicated, an amendment and/or manuscript endorsement may be required

Yes	Airport	Yes	Transit Authorities
Yes	Health Care Facilities: Clinics	Yes	Gas Utilities
Yes	Health Care Facilities: Hospital	Yes	Electric Utilities

Yes	Health Care Facilities: Blood Banks	Yes	Housing Authorities
Yes	Health Care Facilities: Nursing Homes	Yes	Schools or School Districts
Yes	Health Care Facilities: Rehabilitation Facilities	Yes	Joint Powers Authority
Yes	Port Authorities		

Public Entity Employment related practices liability

Policy Number ZLP-21P59874

Claims Made

Option 1

Gross Premium	$25,884

Important notice

Defense expenses are payable within the limits of Insurance

COVERAGE	LIMIT
Aggregate Limit	$1,000,000
Each Wrongful Employment Practice Offense Limit	$1,000,000

Deductibles

Deductibles apply to damages & defense expenses unless required otherwise by state regulation.

The following deductible (Damages Only) applies:

Each Wrongful Employment Practice Offense Deductible (Damages Only)	$10,000

Retroactive Date	01/01/2022

Miscellaneous Items

DESCRIPTION
Defense Expenses Outside Of Limits

Amendments

DESCRIPTION
Amendment Of Joint Powers Authority Definition
Cap On Losses From Certified Acts Of Terrorism
Exclusion - Other Employment Laws
Amendment Of Common Policy Conditions - Prohibited Coverage - Unlicensed Insurance And Trade Or Economic Sanctions

The following are excluded when "yes" is indicated below. If "no" is indicated, an amendment and/or manuscript endorsement may be required

Yes	Airport	Yes	Transit Authorities
Yes	Health Care Facilities: Clinics	Yes	Gas Utilities
Yes	Health Care Facilities: Hospital	Yes	Electric Utilities
Yes	Health Care Facilities: Blood Banks	Yes	Housing Authorities
Yes	Health Care Facilities: Nursing Homes	Yes	Schools or School Districts
Yes	Health Care Facilities: Rehabilitation Facilities	Yes	Joint Powers Authority
Yes	Port Authorities		

Commercial Auto coverage premium summary

Option 1

Gross Premium $49,462

COVERAGE	AUTO SYMBOLS	LIMITS
Liability	1 only	$1,000,000
Personal Injury Protection	5 only	Included
Additional PIP		$50,000
Optional Basic Economic Loss		Included
Uninsured/Underinsured Motorist	2 only	$1,000,000
Number of autos, excluding trailers	94	
Number of trailers	20	

Miscellaneous Items

DESCRIPTION
New York Mutual Aid Endorsement

Amendments

DESCRIPTION
Amendment Of Bodily Injury Definition
Public Entity Auto Extension
Professional Services Not Covered
Emergency Services - Volunteer Firefighters' & Workers' Injuries Excluded
Amendment Of Employee Definition
Amendment Of Common Policy Conditions - Prohibited Coverage - Unlicensed Insurance And Trade Or Economic Sanctions

Option 1

Gross Premium **$54,049**

COVERAGE	VALUATION	UNITS	DEDUCTIBLE
Symbol 2			
Comprehensive	Actual Cash Value	108	$1,000
Comprehensive	Agreed Value	6	$1,000
Collision	Actual Cash Value	108	$1,000
Collision	Agreed Value	6	$1,000

GARAGEKEEPERS LEGAL LIABILITY LOCATIONS	COMP LIMIT	COLL LIMIT	COMP DED	COLL DED
101 Princetown Road Rotterdam, NY	1,000,000	1,000,000	$500/$2500	$500
Total	1,000,000	1,000,000		

Miscellaneous Items

DESCRIPTION
Full Coverage Window Glass - New York

Amendments

DESCRIPTION
Public Entity Auto Extension

Automobile Composite Rating

In order to provide our insureds better service and administrative efficiency, Travelers Public Sector Services is pleased to provide the following process for handling mid-term automobile change requests. All requests will be managed in accordance with the Composite Rate Application outlined below. The insured should continue to submit all change requests to their agent for accurate record keeping and claims verification purposes. Particular attention should be paid to Item 5, which specifies the types of automobiles that will continue to require reporting to the Company.

Composite Rate Application

1. If your policy includes the coverage for which a composite rate is designated in the table below then the premium for that coverage is composite rated. Automobile Liability is rated on a "per unit" basis and Automobile Physical Damage is rated on the basis of the original cost new of the autos. **The composite rates reflect premium charges for any applicable miscellaneous auto coverages, with the exception of Garagekeepers Legal Liability.**
2. The composite rates for Automobile Liability and Physical Damage are the rates applicable at the inception of the policy. Based on the information provided for this proposal and as of the date of this proposal, these rates are as follows:

	LIABILITY	COMPREHENSIVE	COLLISION
Option 1	$526	0.345	0.427

3. The premium charged at inception is the estimated annual premium based on the number of units and total original cost new for all covered autos on file with the company at inception. The insured is to submit a current schedule of owned automobiles as of the expiration of the policy and the total earned premium will be computed on the basis of the average net change in units and their corresponding original cost new for the policy term.
4. All autos added will carry the same Liability limits and Physical Damage deductibles issued at policy inception for autos of the same type.
5. Any new auto requiring valuation other than actual cash value must be reported within 30 days of acquisition. These autos will be added to the policy automobile schedule mid-term and a final premium will be determined at policy expiration.

Umbrella coverage premium summary

Policy Number ZUP-31N48419

Option 1

Total estimated policy premium	$75,542

Coverage information and limits

COVERAGE	LIMIT
General Aggregate Limit	$10,000,000
Products – Completed Operations Aggregate Limit	$10,000,000
Occurrence Limit	$10,000,000
Crisis Management Service Expenses Limit	$50,000
Self Insured Retention Any One Occurrence or Event	$10,000

Underlying schedule

Coverage is provided over the following underlying coverages:	Limit
General Liability Limit	$1,000,000
Employee Benefits Liability	$1,000,000
Auto Liability	$1,000,000
Law Enforcement Liability	$1,000,000
Public Entity Management Liability	$1,000,000
Public Entity Employment-Related Practices Liability	$1,000,000

Miscellaneous Items

DESCRIPTION
Abuse Or Molestation Exclusion - Coverage B

Excess Follow-Form And Umbrella Liability Insurance

Amendments

COVERAGE
Policy Declarations - Excess Follow-Form And Umbrella Liability
Schedule Of Underlying Insurance
Cap On Losses From Certified Acts Of Terrorism And Exclusion Of Other Acts Of Terrorism Committed Outside The United States
Intellectual Property Exclusion - Coverage B
Coverage For Financial Interest In Foreign Insured Organizations
Failure To Supply Exclusion - Coverages A And B
Mobile Equipment Racing Exclusion - Coverage B
Nuclear Energy Liability Exclusion (Broad Form) - Coverages A And B
Amendment Of Coverage - Definitions

Public Use Of Private Property Exclusion - Coverages A And B
Follow-Form Limitation -Coverage B
Watercraft Liability Exclusion - Coverage B
Amendment Of Underlying Insurance Definition
Amendment Of Who Is An Insured - Employees And Volunteer Workers - Coverage B
Discrimination Exclusion - Coverage B
Injury To Volunteer Firefighters Exclusion - Coverage B
Law Enforcement Activities Or Operations Exclusion - Coverage B
Lead Exclusion - Coverage B
Pollution Not Related To Autos Exclusion - Public Entities Or Indian Tribes - Coverage A
Professional Health Care Services Exclusion With Limited Exception For Designated Professionals - Coverages A And B
Abuse Or Molestation Exclusion - Coverage A And B- With Limited Follow-Form Exception

Federal terrorism risk insurance act disclosure

The federal Terrorism Risk Insurance Act of 2002 as amended ("TRIA") establishes a program under which the Federal Government may partially reimburse "Insured Losses" (as defined in TRIA) caused by "Acts Of Terrorism" (as defined in TRIA). "Act Of Terrorism" is defined in Section 102(1) of TRIA to mean any act that is certified by the Secretary of the Treasury – in consultation with the Secretary of Homeland Security and the Attorney General of the United States – to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States Mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

The Federal Government's share of compensation for such Insured Losses is 80% of the amount of such Insured Losses in excess of each Insurer's "Insurer Deductible" (as defined in TRIA), subject to the "Program Trigger" (as defined in TRIA).

In no event, however, will the Federal Government be required to pay any portion of the amount of such Insured Losses occurring in a calendar year that in the aggregate exceeds $100 billion, nor will any Insurer be required to pay any portion of such amount provided that such Insurer has met its Insurer Deductible. Therefore, if such Insured Losses occurring in a calendar year exceed $100 billion in the aggregate, the amount of any payments by the Federal Government and any coverage provided by this policy for losses caused by Acts Of Terrorism may be reduced.

For each coverage provided by this policy that applies to such Insured Losses, the charge for such Insured Losses is included in the premium for such coverage. The charge for such Insured Losses that has been included for each such coverage is the percentage of the premium for such coverage indicated below, and does not include any charge for the portion of such Insured Losses covered by the Federal Government under TRIA.

Account summary

Premium summary

COVERAGE	POLICY NUMBER	PREMIUM
DELUXE	630-0T02195A	$33,278
GENERAL LIABILITY	ZLP-21P59874	$184,209
EMPLOYEE BENEFITS LIABILITY	ZLP-21P59874	$381
INLAND MARINE	630-0T02195A	$4,869
LAW ENFORCEMENT LIABILITY	ZLP-21P59874	$51,920
PUBLIC ENTITY MANAGEMENT LIABILITY	ZLP-21P59874	$18,579
PUBLIC ENTITY EMPLOYMENT RELATED PRACTICES LIABILITY	ZLP-21P59874	$25,884
AUTO LIABILITY	810-0T02195A	$49,462
AUTO PHYSICAL DAMAGE	810-0T02195A	$54,049
UMBRELLA EXCESS LIABILITY	ZUP-31N48419	$75,542
	Total	**$498,173**
	Taxes & Surcharges	**$740**

Note: *The estimated premium shown in the Premium Schedule and Quote Options, if any, may differ from actual premiums shown on the policies and installment bills due to installment charges, estimated taxes and surcharges, as well as rounding. Estimated taxes and surcharges may differ depending on selection of Quote Options, if any.*

IMPORTANT NOTE REGARDING ACCOUNT MINIMUM PREMIUM

The lines of business shown in the *Premium Schedule and Quote Options, if any*, are subject to a $5,000 account minimum premium. If the line(s) of business selected for binding do not total at least $5,000, then the premiums shown for those lines of business will be adjusted to total $5,000.

Payment plan

Direct Bill - 2 Installments
Bill Payment Options can be found at: Travelers.com/AutoPay

Note: The amount of each installment will be reflected on your policy invoicing.

Disclosure

Unless accepted, the offer(s) of insurance contained in this proposal expire(s) automatically thirty (30) days after the proposal date referenced on the cover page, or the proposed effective date if earlier. This proposal is not a binding contract of insurance. If you have questions regarding this proposal, please contact your Travelers Representative.

The following outlines the coverage forms, limits of insurance, policy endorsements and other terms and conditions provided in this proposal/quote. Any policy coverages, limits of insurance, policy endorsements, coverage specifications, or other terms and conditions that you have requested that are not included in this proposal/quote have not been agreed to by Travelers. Please review this proposal/quote carefully and if you have any questions, please contact your Travelers representative.

This proposal/quote does not amend, or otherwise affect, the provisions of coverage of any resulting insurance policy issued by Travelers. It is not a representation that coverage does or does not exist for any particular claim or loss under any such policy. Coverage depends on the applicable provisions of the actual policy issued, the facts and circumstances involved in the claim or loss and any applicable law.

Please note that changes in the exposures, limits, or coverages may result in changes in rates and/or account pricing. Additionally, due to the expense of processing and servicing this account, in the event this quote is not accepted in its entirety, we reserve the right to reprice and reunderwrite this quote

The policies will also be subject to all state-mandated endorsements.

At our discretion, we may decide to perform an interim test audit during the upcoming policy period to verify the adequacy of the exposure estimates that have been provided to us. If we decide to perform an interim test audit, a Travelers Auditor will contact the insured at the appropriate time to set up an appointment. The results of any interim test audit that we perform will be shared with you as soon as possible after the audit report has been completed.

As Broker/Agent you will be responsible for being aware of and complying with the various legal requirements associated with countersignature in various jurisdictions covered in the policies.

Property coverage form index

Policy Number 630-0T02195A

Coverage and amendments

DESCRIPTION	FORM NUMBER
TABLE OF CONTENTS - DELUXE PROP COV PART	DX 00 04 11 12
NEW YORK CHANGES	DX 01 65 05 18
NY CHANGES - FUNGUS, WET ROT, DRY ROT	DX 03 16 11 12
DELUXE PROP COV PART DECLARATIONS	DX T0 00 11 12
DELUXE PROPERTY COV PART SUPPL DEC (NY)	DX T0 02 12 95
DELUXE PROPERTY COVERAGE FORM	DX T1 00 11 12
DELUXE BI (AND EE) COVERAGE FORM	DX T1 01 11 12
CAUSES OF LOSS-EARTHQUAKE	DX T3 01 11 12
CAUSES OF LOSS - BROAD FORM FLOOD	DX T3 02 11 12
SPOILAGE COVERAGE EXTENSION	DX T3 15 11 12
CAUSES OF LOSS-EQUIPMENT BREAKDOWN	DX T3 19 11 12
UTILITY SERVICES-DIRECT DAMAGE	DX T3 85 11 12
ELECTRONIC VANDALISM LIMITATION ENDT	DX T3 98 04 02
FEDERAL TERRORISM RISK INSURANCE ACT DIS	DX T4 02 01 21
PUBLIC ENTITY PROPERTY EXTENSIONS	DX T4 47 11 12

Package common coverage form index

Policy Number 630-0T02195A

630 Common coverage and amendments

DESCRIPTION	FORM NUMBER
NEW YORK CHANGES-FRAUD	IL F0 02 03 99
NEW YORK CHANGES - CALCULATION OF PREM	IL F0 11 04 98
NY-EXCL OF LOSS DUE TO VIRUS OR BACTERIA	IL F0 63 05 13
NY CHGS-REF TO SUPERINTENDT AND INS DEPT	IL F1 01 05 20
ACTUAL CASH VALUE - NEW YORK	IL F1 53 12 22
COMMON DEC	IL T0 02 11 89
LOCATION SCHEDULE	IL T0 03 04 96
COMMON POLICY CONDITIONS-DELUXE	IL T3 18 07 07
EXCLUSION OF CERTAIN COMPUTER LOSSES	IL T3 55 05 13
AMNDT COMMON POLICY COND-PROHIBITED COVG	IL T4 12 03 15
CAP ON LOSSES FROM CERT ACTS OF TERRORIS	IL T4 14 01 21
PROTECTION OF PROPERTY	IL T4 40 10 20
NY CHANGES - CANCELLATION & NONRENEWAL	IL T9 21 01 14
FLOOD POLICYHOLDER NOTICE	PN T0 53 12 13
JURISDICTIONAL INSPECTIONS NOTICE	PN T1 89 06 99
~~NOTICE INDEPENDENT AGENT AND BROKER COMP~~	~~PN T4 54 01 08~~
NOTICE NY HAZARDOUS MATERIAL REPORT	PN T5 74 09 22

Inland Marine coverage form index

Policy Number 630-0T02195A

Coverage and amendments

Inland Marine

DESCRIPTION	FORM NUMBER
COMMERCIAL INLAND MARINE CONDITIONS	CM 00 01 09 04
NEW YORK CHANGES	CM 01 04 09 15
CONTRACTORS EQUIPMENT COVERAGE FORM DEC	CM B0 96 01 21
CONTRACTORS EQUIPMENT SUPPLEMENTAL DEC	CM B0 97 01 21
TABLE OF CONTENTS	CM T0 11 08 05
CONTRACTORS EQUIPMENT COVERAGE FORM	CM T2 42 01 21
FEDERAL TERRORISM RISK INSURANCE ACT DIS	CM T3 98 01 21
FLOOD EXCLUSION	CM U3 50 01 21
EARTH MOVEMENT EXCLUSION	CM U3 66 01 21

TRAVELERS

Wrap+®

Richard Wilson
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Phone: (518) 454-4900
Email: RWILSON2@travelers.com

December 7, 2022

Lorrie Shortsleeve
USI INS SERVICES LLC
855 RT 146 STE 235
CLIFTON PARK, NY 12065

RE:	**Insured Name:**	TOWN OF ROTTERDAM 1100 Sunrise Blvd. SCHENECTADY, NY 123062998
	Expiring Policy Number:	106854596, 107561767
	Policy Period:	January 1, 2023 to January 1, 2024

Dear Lorrie Shortsleeve:

On behalf of **Travelers Casualty and Surety Company of America** we are pleased to provide the attached proposal of insurance for your review.

The quotes contained in this document are valid until the expiration of your current policy, and are subject to the provision of, and Travelers' review and acceptance of, the required underwriting information noted in the Contingencies section. Travelers reserves the right to change the quotes in this document, or to refuse to bind coverage entirely, based on review of the required underwriting information or based on adverse change in the risk(s) to be insured prior to the quote expiration date noted in this document.

Please note that we require a response to this document prior to expiration of the Insured's current policy in order to facilitate policy renewal. The insured's current policy will expire and not be renewed in the absence of a request, and Travelers' agreement, to bind coverage.

Travelers is pleased to offer Risk Management PLUS+ Online®, the industry's most comprehensive program for mitigating your management liability exposures, which is available to you at no additional cost. Please visit **www.rmplusonline.com** to view the services that are available. If you have additional questions about the site please contact your Underwriter.

Travelers Casualty and Surety Company of America, a subsidiary of The Travelers Companies, Inc., has consistently earned high ratings for financial strength and claims-paying ability from independent rating services, including a current A.M. Best rating of A++*. Founded in 1853, The Travelers Companies, Inc. is a Fortune 500 company, a component of the Dow Jones Industrial Average, and a leading provider of property casualty insurance for businesses.

Thank you for considering Travelers for your client's insurance coverages. We look forward to discussing this opportunity with you.

Sincerely,

Richard Wilson
Travelers Bond & Specialty Insurance

*A.M. Best's rating of A++ applies to Travelers Casualty and Surety Company of America as well as to certain insurance subsidiaries of Travelers that are members of the Travelers Insurance Companies pool; other subsidiaries are included in another rating pool or are separately rated. For a listing of companies rated by A.M. Best and other rating services visit www.travelers.com. Ratings listed herein are as of July 2022, are used with permission, and are subject to changes by the rating services. For the latest rating, access www.ambest.com.

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Travelers Casualty and Surety Company of America
QUOTE OPTION #1

CRIME COVERAGES:

Crime Insuring Agreements	Single Loss Limit of Insurance	Single Loss Retention	Crime Insuring Agreements	Single Loss Limit of Insurance	Single Loss Retention
A - Fidelity			**F - Computer Crime**		
1. Employee Theft	See Endorsement		1. Computer Fraud	$250,000	$2,500
2. ERISA Fidelity	Not Covered		2. Computer Program and Electronic Data Restoration Expense	Not Covered	
3. Employee Theft of Client Property	Not Covered				
B - Forgery or Alteration	$200,000	$2,500	**G - Funds Transfer Fraud**	$250,000	$2,500
C - On Premises	$80,000	$500	**H - Personal Accounts Protection**		
			1. Personal Accounts Forgery or Alteration	Not Covered	
			2. Identity Fraud Expense Reimbursement	$25,000	$0
D - In Transit	$80,000	$500	**I - Claim Expense**	$5,000	$0
E - Money Orders and Counterfeit Money	Not Covered				

Insured's Premises Covered: Worldwide, except

CYBER COVERAGE:

Liability	Limit	Retention
Privacy and Security	$1,000,000	$2,500
Media	$1,000,000	$2,500
Regulatory Proceedings	$1,000,000	$5,000
Breach Response	**Limit**	**Retention**
Privacy Breach Notification	250,000 impacted parties	impacted parties threshold 100
Computer and Legal Experts	$500,000 which is separate from the CyberRisk Aggregate Limit	$100
Betterment	$100,000	
Cyber Extortion	$1,000,000	$2,500
Data Restoration	$1,000,000	$2,500
Public Relations	$1,000,000	$2,500
Cyber Crime	**Limit**	**Retention**
Computer Fraud	Not Covered	
Funds Transfer Fraud	Not Covered	
Social Engineering Fraud	$100,000	$5,000
Telecom Fraud	$100,000	$5,000
Business Loss	**Limit**	**Retention**
Business Interruption	$1,000,000	
Dependent Business Interruption	$1,000,000	

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Dependent Business Interruption - System Failure	$1,000,000	
Dependent Business Interruption - Outsource Provider	$1,000,000	
Dependent Business Interruption - Outsource Provider - System Failure	$1,000,000	
Reputation Harm	$1,000,000	$5,000
System Failure	$1,000,000	

Additional First Party Provisions

Accounting Costs Limit: $25,000

Betterment Coparticipation: 50%

Period Of Restoration: 180 days

Period Of Indemnity: 30 days

Wait Period: 8 hours

Knowledge Date: January 01, 2018

P&P Date: January 01, 2018

Retro Date: January 01, 2018

TOTAL ANNUAL PREMIUM - $27,042.00

(Other term options listed below, if available)

LIMIT DETAIL:

Shared Additional Defense Limit of Liability: N/A

Crime Policy Aggregate Limit of Insurance: N/A

CyberRisk Policy Aggregate Limit: $1,000,000

EXTENDED REPORTING PERIOD AND RUN-OFF:

Extended Reporting Period for Cyber Coverage:

Additional Premium Percentage: 75%
Additional Months: 12

Run-Off Extended Reporting Period for Cyber Coverage:

Additional Premium Percentage: N/A
Additional Months: N/A

CLAIM DEFENSE FOR ASSOCIATION MANAGEMENT LIABILITY COVERAGE, LIABILITY COVERAGES AND/OR CYBER COVERAGE:

Duty to Defend

PREMIUM DETAIL:

Term	Payment Type	Premium	Taxes	Surcharges	Total Premium	Total Term Premium
1 Year	Prepaid	$27,042.00	$0.00	$0.00	$27,042.00	$27,042.00

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POLICY FORMS APPLICABLE TO QUOTE OPTION # 1:

ACF-2001-0222	Modular Declarations Page
AFE-16001-0119	General Conditions
CRI-3001-0109	Crime Policy Form
CYB-16001-0620	CyberRisk Coverage
CYB-16001-TOC-0620	CyberRisk Table of Contents

ENDORSEMENTS APPLICABLE TO QUOTE OPTION # 1:

ACF-7003-0110	New York Timely Notice and Direct Action Endorsement
ACF-7006-0511	Removal of Short-Rate Cancellation Endorsement
ACF-7007-0811	Cross-Coverage Notice Endorsement
AFE-17017-0519	New York Changes Endorsement
AFE-19002-0119	New York Free Trade Zone Filing Exemption and Class Code Disclosure
AFE-19029-0719	Cap On Losses From Certified Acts Of Terrorism Endorsement
AFE-19030-0920	Federal Terrorism Risk Insurance Act Disclosure Endorsement
CRI-17001-0317	New York Insurance Regulation 209 Endorsement
CRI-19072-0315	Global Coverage Compliance Endorsement – Adding Financial Interest Coverage and Sanctions Condition and Amending Territory Condition
CRI-19085-0919	Social Engineering Fraud Insuring Agreement Endorsement
CRI-19101-1117	Amendatory Endorsement for Certain ERISA Considerations
CRI-19115-0519	Telecommunication Fraud Insuring Agreement Endorsement
CRI-19122-1120	Delete Exclusion For Prior Losses Involving Subsidiaries Endorsement
CRI-5033-0613	New York Cancellation or Termination Endorsement
CRI-7010-0109	Increase Single Loss Limit of Insurance for Specified Periods Endorsement
CRI-7129-0109	Government Entity Crime Endorsement Including Coverage for Treasurers and Tax Collectors
CRI-7130-0109	Government Entity Crime - Specified Limit for Faithful Performance of Duty Endorsement
CYB-19101-0119	Per Impacted Parties And Computer And Legal Expert Costs Endorsement
CYB-19102-0620	Dependent Business Interruption - System Failure Endorsement
CYB-19104-0620	Dependent Business Interruption - Outsource Provider Endorsement
CYB-19105-0119	Conviction Reward Endorsement
CYB-19122-0519	Vendor Or Client Payment Fraud Endorsement
CYB-19123-0519	Bricked Equipment Endorsement
LIA-5031-0511	New York Cancellation and Nonrenewal Endorsement

CONTINGENCIES APPLICABLE TO QUOTE OPTION # 1:

This quote is contingent on the acceptable underwriting review of the following information prior to the quote expiration date.

1 Need an appropriate signature on the crim

QUOTE NOTES:

NOTICES:

It is the agent's or broker's responsibility to comply with any applicable laws regarding disclosure to the policyholder of commission or other compensation we pay, if any, in connection with this policy or program.

Important Notice Regarding Compensation Disclosure
For information about how Travelers compensates independent agents, brokers, or other insurance producers, please visit this

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website: http://www.travelers.com/w3c/legal/Producer_Compensation_Disclosure.html

If you prefer, you can call the following toll-free number: 1-866-904-8348. Or you can write to us at Travelers, Agency Compensation, P.O. Box 2950, Hartford, CT 06104-2950.

FEDERAL TERRORISM RISK INSURANCE ACT DISCLOSURE

The federal Terrorism Risk Insurance Act of 2002 as amended ("TRIA"), establishes a program under which the Federal Government may partially reimburse "Insured Losses" (as defined in TRIA) caused by "Acts Of Terrorism" (as defined in TRIA). Act Of Terrorism is defined in Section 102(1) of TRIA to mean any act that is certified by the Secretary of the Treasury - in consultation with the Secretary of Homeland Security and the Attorney General of the United States - to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States Mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

The Federal Government's share of compensation for such Insured Losses is 80% of the amount of such Insured Losses in excess of each Insurer's "Insurer Deductible" (as defined in TRIA), subject to the "Program Trigger" (as defined in TRIA).

In no event, however, will the Federal Government be required to pay any portion of the amount of such Insured Losses occurring in a calendar year that in the aggregate exceeds $100 billion, nor will any Insurer be required to pay any portion of such amount provided that such Insurer has met its Insurer Deductible. Therefore, if such Insured Losses occurring in a calendar year exceed $100 billion in the aggregate, the amount of any payments by the Federal Government and any coverage provided by this policy for losses caused by Acts Of Terrorism may be reduced.

For each coverage provided by this policy that applies to such Insured Losses, the charge for such Insured Losses is no more than one percent of your premium, and does not include any charge for the portion of such Insured Losses covered by the Federal Government under TRIA. Please note that no separate additional premium charge has been made for coverage for Insured Losses covered by TRIA. The premium charge that is allocable to such coverage is inseparable from and imbedded in your overall premium.

Coverage Disclaimer:

THIS QUOTE DOES NOT AMEND, OR OTHERWISE AFFECT, THE PROVISIONS OR COVERAGE OF ANY RESULTING INSURANCE POLICY ISSUED BY TRAVELERS. IT IS NOT A REPRESENTATION THAT COVERAGE DOES OR DOES NOT EXIST FOR ANY PARTICULAR CLAIM OR LOSS UNDER ANY SUCH POLICY. COVERAGE DEPENDS ON THE APPLICABLE PROVISIONS OF THE ACTUAL POLICY ISSUED, THE FACTS AND CIRCUMSTANCES INVOLVED IN THE CLAIM OR LOSS AND ANY APPLICABLE LAW.

THE PRECEDING OUTLINES THE COVERAGE FORMS, LIMITS OF INSURANCE, POLICY ENDORSEMENTS AND OTHER TERMS AND CONDITIONS PROVIDED IN THIS QUOTE. ANY POLICY COVERAGES, LIMITS OF INSURANCE, POLICY ENDORSEMENTS, COVERAGE SPECIFICATIONS, OR OTHER TERMS AND CONDITIONS THAT YOU HAVE REQUESTED THAT ARE NOT INCLUDED IN THIS QUOTE HAVE NOT BEEN AGREED TO BY TRAVELERS. PLEASE REVIEW THIS QUOTE CAREFULLY AND IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT YOUR TRAVELERS REPRESENTATIVE.

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Town of Rotterdam

TravelersProperty&CasualtyPremiumSummaries

Coverage Type	Travelers Insurance Premiums 1/1/22-1/1/23	Travelers Insurance Premiums 1/1/23-1/1/24
Building & Contents	$31,167	$33,089
Inland Marine Equip.	$4,869	$4,869
NY Fire Fee	$179	$189
Total Property & IM	**$36,215**	$38,147
General Liability	$171,763	$184,209
Employee Benefits Liab.	$381	$381
Law Enforcement Liab.	$43,723	$51,920
Public Entity Management Liab.	$7,260	$18,579
Public Entity Employment-Related Practices Liab.	$17,360	$25,884
Total GL/Professional	**$240,847**	$280,973
Commercial Auto & Phys. Dam.	$92,665	$103,511
NY DMV Fee	$710	$740
Total Auto	**$93,375**	$104,251
Commercial Umbrella	$66,976	$75,542
Government Entity Crime	$4,378	$4,162
CyberRisk – 1/31/22 to 1/1/23*	$13,065	$22,880
TOTAL ANNUAL TRAVELERS PREMIUMS	**$454,856**	$525,955

- Expiring 1/1/22 was extended to 1/31/22 to allow time to meet underwriting requirements. Renewal premium is 1/1/23 – 1/1/24

Ancillary Coverages Premium Summary

Coverage Type	Arch Insurance Premiums 1/1/22-1/1/23	Arch Insurance Premiums 1/1/23-1/1/24
Police Accident	$1,885	$1,885
	Nautilis Insurance Premiums 1/1/22-1/1/23	Nautilis Insurance Premiums 1/1/23-1/1/24
Pollution	$1,863	$2,003
Total Premium All Lines	**$458,604**	$529,843

Arch Accident and Health

3 Parkway, Suite 1500
Philadelphia, PA 19102

Proposal

for

Rotterdam Police Department – Town of Rotterdam

Proposal Date:	12/05/2022
Requested Effective Date:	01/01/2023 – 12/31/2023
Underwriting Company:	Arch Insurance Company
Policyholder Address	101 Princetown Road, Rotterdam, NY 12306

REQUESTED POLICY TERM

Effective Date	01/01/2023
Requested Policy Period	01/01/2023 – 12/31/2023
Policy Anniversary Date	01/01

PRODUCER: McNeil

INFORMATION PROVIDED: Questionnaire and supporting documentation

SUBJECT TO INFORMATION: None

TYPE OF PROPOSED POLICY: Mandatory coverage for eligible employees

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SUMMARY OF SCHEDULE OF BENEFITS FOR U.S. – ALL amounts shown in $U.S. dollars.

PREMIUM

$1,885 per year

Premium is subject to change after receipt of any additional information.

ELIGIBILITY REQUIREMENTS

Classes of Eligible Persons

Class 1	All full-time and part-time clerical administrative employees and Police Officers while actually on duty, performing the duties of a Police Officer at the direction of the Policyholder.

ACCIDENTAL DEATH AND DISMEMBERMENT BENEFITS

Class 1 Principal Sum: $50,000

Time Period for Loss: 365 days

ADDITIONAL ACCIDENTAL DEATH AND DISMEMBERMENT COVERAGES Accidental Death and Dismemberment benefits are provided under the following coverages. Any benefits payable under them are as shown in the Schedule of Covered Losses. Generally, benefits for these coverages would otherwise be excluded on a case or class basis.

Exposure and Disappearance Coverage	Principal Sum multiplied by the percentage applicable to the Covered Loss, as shown in the Schedule of Covered Losses
AGGREGATE LIMIT OF LIABILITY	
Benefit Maximum	$1,000,000
Applies During	per occurrence
Applies To	All Benefits

PERIODS OF COVERAGE

Effective Date of Coverage: A Covered Person's coverage under the Policy begins on the later of:

1. the effective date of the Policy;
2. the date such person becomes eligible.

Expiration Date of Coverage: Coverage will terminate for a Covered Person on the earliest of the following dates:

1. The date the Policy terminates;
2. The date the Covered Person requests, in writing, that his or her coverage be terminated;
3. The date the Covered Person enters full-time active duty in the armed forces of any country or international authority;
4. The date the Covered Person ceases to be eligible as described in the Policy provided all required premiums are paid; or
5. The last day of the period for which premiums have been paid; or
6. The date the Covered Person is no longer Actively at Work, provided all required premiums are paid.

DESCRIPTION OF BENEFITS

The following provisions explain the benefits available under the Policy. All benefits payable are shown in the Schedule of Benefits.

AGGREGATE LIMIT OF LIABILITY

The maximum amount the Company will pay for all Covered Losses resulting from the same Covered Accident will not exceed the Aggregate Limit of Liability as described in the Schedule of Benefits.

If the total amount payable for all Covered Losses in any one Accident exceeds the Aggregate Limit of Liability, each Covered Person's Covered Loss will be paid at the same ratio that the Aggregate Limit of Liability has to the total amount of all Covered Losses. The Company shall not be liable for amounts in excess of the Aggregate Limit of Liability.

ACCIDENTAL DEATH AND DISMEMBERMENT BENEFIT

If Injury to the Covered Person results in any of the Covered Losses shown below, within the Time Period for Loss as shown in Schedule of Benefits, 365 days from the date of the Covered Accident that caused the Injury, the Company will pay the percentage of the Principal Sum shown below for that loss. The Principal Sum is shown in the Schedule of Benefits. If multiple losses occur, only one benefit, the largest, will be paid for all losses due to the same Covered Accident.

Loss of:	Benefit:
	Percentage of Principal Sum
Life	100%
Brain Death	100%
Two or More Members	100%
Quadriplegia	100%
Hemiplegia	50%
Paraplegia	50%
One Member	50%
Uniplegia	25%
Thumb and Index Finger of the Same Hand	25%
Four fingers of the Same Hand	25%

"Member" means Loss of Hand or Foot, Loss of Sight, Loss of Speech and Loss of Hearing. "Loss of a hand or foot" means complete severance through or above the wrist or ankle joint. "Loss of sight" means total and permanent loss of sight of one or both eyes that is irrecoverable, including by surgical and artificial means. "Loss of speech" means total and permanent loss of audible communication that is irrecoverable by natural, surgical or artificial means. "Loss of hearing" means permanent total deafness in both ears such that it cannot be corrected by any aid or device. "Loss of thumb and index finger of the same hand" means complete severance of each through or above the metacarpophalangeal joint of both digits of the same hand. Severance means the complete separation and dismemberment of the part from the body.

"Paralysis" means total loss of use.

"Hemiplegia" means total Paralysis of the upper and lower limbs on one side of the body.

"Paraplegia" means total Paralysis of both lower limbs.

"Quadriplegia" means total Paralysis of both upper and lower limbs.

"Uniplegia" means total Paralysis of one lower limb or one upper limb.

ADDITIONAL ACCIDENTAL DEATH AND DISMEMBERMENT COVERAGES

Exposure and Disappearance Coverage

Benefits for Accidental Death and Dismemberment, as shown in the Schedule of Covered Losses, will be payable if the Covered Person suffers a Covered Loss that results directly and independently of all other causes from a Covered Accident that occurs due to unavoidable exposure to the elements following a Covered Accident or disappearance of the Covered Person after the forced landing; stranding; sinking; or wrecking of a Conveyance in which the Covered Person was traveling in during the course of a trip which would otherwise be covered under the Policy.

A Covered Person is presumed dead as a result of a Covered Accident if:

1. he or she is in a Conveyance that disappears; sinks; or is stranded or wrecked on a trip covered by this Policy; and
2. the body is not found within one year of the Covered Accident.

Unless otherwise stated in the Schedule of Benefits, We will pay benefits for a Covered Loss, only once, even if coverage was provided under more than one coverage.

DEFINITIONS

For the purposes of the Policy, certain words with specific meanings are capitalized throughout the document. The definition of any word, if not defined in the text where it is used, may be found in the Schedule of Benefits or in this Definitions Section.

ACCIDENT means a sudden, unexpected event that results in Injury to the Covered Person.

ACTIVELY AT WORK means the Covered Person is present at his or her usual place of employment with the Policyholder, or is at another location as assigned or directed by the Policyholder, and is mentally and physically capable of performing the regular duties of the job for which he or she is employed. On any day that is not a Covered Person's regularly scheduled work day (vacation, personal days, and weekends or holidays) the Covered Person will be considered Actively at Work on such day provided he or she is not absent due to any type of leave and was Actively at Work on his or her last regularly scheduled work day. A Covered Person who usually performs the regular duties of his or her job at their home is considered Actively at Work if they meet all the above requirements and could work at the Policyholder's usual place of employment if required to do so.

ACTIVE SERVICE means a Covered Person is either 1) actively at work performing all regular duties on a full-time basis either at his or her employer's place of business or someplace the employer requires him or her to be; or 2) if not employed, able to engage in substantially all of the usual activities of a person in good health of like age and sex and not confined in a Hospital or rehabilitation or rest facility.

ANNUAL COMPENSATION means the Covered Person's rate of pay as reported by the Policyholder for work performed for the Policyholder. It does not include commissions, overtime, bonus and additional compensation or pay for more than a Covered Person's regularly scheduled work week.

BENEFIT PERIOD means the period of time, as stated on the Schedule of Benefits, between the date of the Accident causing the Injury for which benefits are payable and the date after which no further benefits will be paid.

CONVEYANCE means any motorized craft, vehicle or mode of transportation licensed or registered by a governmental authority with competent jurisdiction.

COUNTRY OF PERMANENT ASSIGNMENT means a country, other than a Covered Person's Home Country, in which the Policyholder requires a Covered Person to work for a period of time that exceeds 180 continuous days.

COVERED ACCIDENT means an Accident that occurs while coverage is in force for a Covered Person and results in a Covered Loss or Injury for which benefits are payable.

COVERED EXPENSES means expenses actually incurred by or on behalf of a Covered Person for treatment, services and supplies covered by the Policy. Coverage under the Policyholder's Policy must remain continuously in force from the date of the Covered Accident until the date treatment, services or supplies are received for them to be a Covered Expense. A Covered Expense is deemed to be incurred on the date such treatment, service or supply, that gave rise to the expense or the charge, was rendered or obtained.

COVERED LOSS or COVERED LOSSES means an accidental death, dismemberment or other Injury covered under the Policy.

COVERED PERSON means an eligible person who is within the covered class(es) listed in the Policy, and for whom the required premium is paid when due.

DEDUCTIBLE means the dollar amount of Covered Expenses that must be incurred by the Covered Person as an out-of-pocket expense for each Medical Emergency as applicable, before Out of Country Medical Emergency Expense Benefits are payable under the Policy.

HOME COUNTRY means a country from which the Covered Person holds a passport. If the Covered Person holds passports from more than one country, the Home Country will be that country declared to Us in writing as his or her Home Country

HOSPITAL means an institution that:

1) operates as a Hospital pursuant to law for the care, treatment and providing in-patient services for sick or injured persons; is a duly licensed institution, operated lawfully in its area;
2) provides 24-hour nursing service by registered nurses on duty or call;
3) has a staff of one or more licensed Physicians available at all times;
4) provides organized facilities for diagnosis, treatment and surgery, either
   a) on its premises; or
   b) in facilities available to it, on a pre-arranged basis;
5) is not primarily a nursing care facility, rest home, convalescent home or similar establishment, or any separate ward, wing or section of a Hospital used as such; and
6) is not a facility for the treatment of drug addiction, alcoholism, treatment of the aged.

We will not deny a claim for services rendered in a hospital having one or more of the following accreditations solely because the Hospital lacks major surgical facilities and is primarily of a rehabilitative nature, if such rehabilitation is specifically for the treatment of a physical disability:

1) the Joint commission of Accreditation of Hospitals; or
2) the American Osteopathic Association; or
3) the Commission on the Accreditation of Rehabilitative Facilities.

IMMEDIATE FAMILY means the Insured's parent, grandparent, spouse, child(ren) (includes legally adopted or step child(ren), brother, sister, step-child(ren), grandchild(ren), or in-laws.

INJURY means bodily injury caused by the direct result of an accident occurring while the Policy is in force as to the person whose injury is the basis of the claim which results directly and independently of all other causes in a Covered Loss.

INSURED means an eligible person who is within the covered class(es) listed in the Policy, and for whom the required premium is paid when due. An Insured is not a Dependent covered under the Policy.

MEDICAL EMERGENCY means a condition caused by an Injury or Sickness that manifests itself by symptoms of sufficient severity that a prudent layperson possessing an average knowledge of health and medicine would reasonably expect that failure to receive immediate medical attention would place the health of the person in serious jeopardy.

MEDICALLY NECESSARY means a treatment, service or supply that is:

1) required to treat an Injury;
2) prescribed or ordered by a Physician or furnished by a Hospital;
3) performed in the least costly setting required by your condition;
4) consistent with the medical and surgical practices prevailing in the area for treatment of the condition at the time rendered.

The purchasing or renting air conditioners; air purifiers, motorized transportation equipment, escalators or elevators in private homes, swimming pools or supplies for them; and general exercise equipment are not considered Medically Necessary.

A service or supply may not be Medically Necessary if a less intensive or more appropriate diagnostic or treatment alternative could have been used. We may, at Our discretion, consider the cost of the alternative to be the Covered Expense.

OCCURENCE means all losses or damages that are attributable directly or indirectly to one cause or one series of similar causes. All such losses will be added together and the total amount of such losses will be treated as one occurrence without regard to the period of time or the area over which such losses occur.

PHYSICIAN means a person who is a qualified doctor of medicine or dental practitioner As such, he or she must be acting within the scope of his or her license under the laws in the state in which he or she practices and providing only those medical services which are within the scope of his or her license or certificate. It does not include a Covered Person, an Insured's spouse, son, daughter, father, mother, brother or sister or other relative.

SICKNESS means an illness or disease that begins while coverage under this Rider is in force as to the Covered Person. All related conditions and recurring symptoms will be considered one Sickness. Sickness also includes pregnancy and complications of pregnancy.

TRIP means travel by air, land, or sea from the Covered Person's Home Country.

USUAL AND CUSTOMARY CHARGES means the average amount charged by most providers for treatment, service or supplies in the geographic area where the treatment, service or supply is provided.

WE, OUR, US means the Insurance Company underwriting this insurance or its authorized agent.

YOU, YOUR, YOURS means the Covered Person who meets the eligibility requirements of the Policy and whose insurance under the Policy is in force.

EXCLUSIONS

The Policy does not cover any loss or Injury resulting or caused, in whole or part, from:

1. preexisting conditions or diseases, as defined in section 52.2(u) of Part 52 of N.Y. Comp. Codes R. & Regs.Title 11 or section 3232 or 4318 of the Insurance Law, except for congenital anomalies of a covered dependent child; subject to limitations set forth in subdivision (f) of this section, sections 52.17(a)(27)-(28), 52.18(a)(5) and 52.20 of Part 52;
2. mental or emotional disorders, alcoholism and drug addiction, except that coverage must be made available or provided pursuant to section 52.7 of Part 52 of N.Y. Comp. Codes R. & Regs. tit. 11 and sections 3221 and 4303 of the Insurance Law. Medicare supplement insurance issued pursuant to section 52.11 of Part 52 and Part 58 of Title 11 shall not include limitations or exclusions which are more restrictive than those of Medicare for this type of benefit;
3. pregnancy, except to the extent coverage is required pursuant to sections 3216, 3221, 3232, 4303, and 4318 of the Insurance Law, and except for complications of pregnancy as defined in section 52.2(e) of Part 52 of N.Y. Comp. Codes R. & Regs. Title 11, other than for policies defined in section 52.8 of Part 52;
4. illness, accident, treatment or medical condition arising out of:
    i. war or act of war (whether declared or undeclared); participation in a felony, riot or insurrection; service in the Armed Forces or units auxiliary thereto;
    ii. suicide, attempted suicide or intentionally self-inflicted injury;
    iii. aviation, other than as a fare-paying passenger on a scheduled or charter flight operated by a scheduled airline;
5. cosmetic surgery, except that cosmetic surgery shall not include reconstructive surgery when such service is incidental to or follows surgery resulting from trauma, infection or other diseases of the involved part, and reconstructive surgery because of congenital disease or anomaly of a covered dependent child which has resulted in a functional defect. However, if the policy provides hospital, surgical or medical expense coverage, including a policy issued by a health maintenance organization, then coverage and determinations with respect to cosmetic surgery must be provided pursuant to Part 56 of Title 11 (Regulation 183);
6. foot care, in connection with corns, calluses, flat feet, fallen arches, weak feet, chronic foot strain or symptomatic complaints of the feet; unless the policy is issued as Medicare supplement insurance pursuant to section 52.11 of Part 52 of N.Y. Comp. Codes R. & Regs. Title 11 and Part 58 of Title 11, in which case the policy shall not include limitations or exclusions more restrictive than those of Medicare for this type of benefit;
7. care in connection with the detection and correction by manual or mechanical means of structural imbalance, distortion or subluxation in the human body for purposes of removing nerve interference and the effects thereof, where such interference is the result of or related to distortion, misalignment or subluxation of or in the vertebral column; unless the policy is issued as Medicare supplement insurance pursuant to section 52.11 of Part 52 of N.Y. Comp. Codes R. & Regs. Title 11and Part 58 of Title 11, in which case the policy shall not include limitations or exclusions more restrictive than those of Medicare for this type of benefit;
8. treatment provided in a government hospital; benefits provided under Medicare or other governmental program (except Medicaid), any State or Federal workers' compensation, employers' liability or occupational disease law; benefits to the extent provided for any loss or portion thereof for which mandatory automobile nofault benefits are recovered or recoverable; services rendered and separately billed by employees of hospitals, laboratories or other institutions; services performed by a member of the covered person's immediate family;
    a. and services for which no charge is normally made;
9. dental care or treatment, except for such care or treatment due to accidental injury to sound natural teeth within 12 months of the accident and except for dental care or treatment necessary due to congenital disease or anomaly;
10. eyeglasses, hearing aids, and examination for the prescription or fitting thereof;
11. rest cures, custodial care and transportation, unless the policy is issued as Medicare supplement insurance pursuant section 52.11 of Part 52 of N.Y. Comp. Codes R. & Regs. Title 11 and Part 58 of Title 11, in which case the policy shall not include limitations or exclusions more restrictive than those of Medicare for this type of benefit; and
12. coverage while the insured is outside the United States, its possessions or the countries of Canada and Mexico.

This proposal is not a contract of insurance. Upon acceptance of the proposal, the terms and conditions of your coverage will be detailed in the policy that is issued. If there are any differences between the terms and conditions of this proposal and the policy issued, the policy will govern. The policy is governed by state laws. Certain terms or provisions may be different if required by the laws of that state.

Berkley Environmental
a Berkley Company

AMWINS
PROGRAM UNDERWRITERS
E-mail: apu.tanksandpollution@amwins.com
Fax: (717) 214-2801

QUOTATION

Date: 12/07/2022

Quote Number: 503068-1

Producer Information:
USI Insurance Services
855 Route 146
Clifton Park, NY 12065

Attn: Michael Karl

Submitted Risk Information:
Town of Rotterdam
1100 Sunrise Blvd
Rotterdam, NY 12306

Expiring Policy No.: CST2013725-17

We are pleased to offer this quotation based on the information submitted. The policy forms and endorsements quoted may not be standard industry forms. These forms are available for your review. The terms and conditions offered may differ from your prior policy and from what you requested in your submission.

Nautilus Insurance Company (A.M. Best Rating A+ XV)

Coverage Form: TankAdvantage Pollution Liability Insuring Agreement - ENV CST 101 A CW 03 18

LIMITS OF INSURANCE:

Coverage Description	Per Claim	Total All Claims
Coverage A & B: Covered Storage Tank Systems Cleanup Costs and Third Party Bodily Injury and Property Damage Liability	$ 1,000,000	$ 2,000,000
Coverage E: Defense	$ 250,000	$ 250,000

RETENTIONS:

Coverage A & B: Covered Storage Tank Systems Cleanup Costs and Third Party Bodily Injury and Property Damage Liability	$ 10,000 Deductible Per Claim

Policy Term: January 01, 2023 to January 01, 2024
Minimum Annual Premium: 100.00 %
Deposit Premium: 100.00 %
Minimum Earned Premium: 25.00 %

Policy Premium: $ 1,983
Terrorism Additional Premium: $ 20 (1.00% of Annual Premium)
Total Policy Premium: $ 2,003 (The Total Policy Premium provided within this quote proposal does not include any applicable surplus lines taxes and/or fees.)

AUTHORITY TO ISSUE CERTIFICATES OF INSURANCE IF WE WRITE THIS POLICY

You are not authorized to issue Certificates of Insurance. Certificates of Insurance may only be issued as a matter of information or proof of financial responsibility for storage tank owners and/or operators. Certificates of Insurance do not amend, extend or alter coverage afforded under this policy. We do not recognize Certificates of Insurance as endorsement or policy change requests. You must submit a separate written request if an endorsement or policy change (including the addition of additional insured coverage or other coverage) is required.

MODIFICATIONS:

1. The offer of renewal is based on the expiring policy information.

THIS QUOTATION IS SUBJECT TO RECEIPT AND REVIEW OF THE FOLLOWING INFORMATION WITHIN THE SPECIFIED TIMEFRAME. UPON RECEIPT AND REVIEW OF THE ITEMS LISTED BELOW, WE RESERVE THE RIGHT TO MODIFY THESE TERMS AND CONDITIONS IN ACCORDANCE WITH OUR UNDERWRITING GUIDELINES.

- Required for Underground Storage Tank Systems Greater Than 20 Years Old -- Copies of passing TANK AND LINE test results using one of the EPA approved tank and line testing methods from within the last 3 consecutive months. Passing annual tank and line testing reports performed by a third party from within the last 12 months is also acceptable. 'Safe suction' piping does not require line testing. Required Prior to Binding.
- Signed and dated TRIA Letter. All electronic signatures must be verified e-signatures. Required Prior to Binding.
- Completed, signed and dated TankAdvantage Renewal application. All electronic signatures must be verified e-signatures. Required Prior to Binding.
- Complete the NY Part C, Affidavit by Producing Broker, and the Notice of Excess Line Placement/Total Cost Form. Required Prior to Binding.

STANDARD TERMS AND CONDITIONS:

1. Premium is due 20 days from the effective date of coverage.
2. Unless specifically outlined, please be aware that there are no Additional Insured(s) and/or Additional Named Insured(s) included within this proposal for coverage.
3. This quote is valid through 01/01/2023.
4. All policies are 25.00% minimum earned upon binding.
5. In compliance with the Terrorism Risk Insurance Program Reauthorization Act of 2015 effective January 12, 2015, terrorism coverage under the Act can be included for an additional premium. The completed and signed Policyholder Disclosure Notice of Terrorism Insurance Coverage must be returned at the time of binding.
6. The premium(s) provided in this proposal is based on the submitted information received to date and is subject to change based upon receipt of the underwriting information requested in the Subjectivities section of this quote proposal.
7. Nautilus Insurance Company is an approved, Non-admitted carrier in the State of New York; therefore, the broker is responsible for all surplus lines filings and tax requirements.
8. The billing plan offered is Full Pay.
9. Premium is 100.00% Minimum and 100.00% Deposit.

This quotation was prepared for USI Insurance Services and outlines the coverages, terms and conditions offered by the company. Please review this document, as it may differ from the coverages, terms and conditions requested within the submission.

Please feel free to contact me at 7172147577 or mason.klaus@amwins.com with any questions.

Best Regards,

Mason Klaus
Program Underwriter
Amwins Program Underwriters, Inc.
214 Senate Avenue
Suite 201
Camp Hill, PA 17011
Phone: 7172147577
Fax:
E-mail: mason.klaus@amwins.com

DRAFT

POLICYHOLDER DISCLOSURE
NOTICE OF TERRORISM
INSURANCE COVERAGE

You are hereby notified that under the Terrorism Risk Insurance Act, as amended, (the "Act"), you have a right to purchase insurance coverage for losses resulting from acts of terrorism. *As defined in Section 102(1) of the Act*: The term "act of terrorism" means any act or acts that are certified by the Secretary of the Treasury—in consultation with the Secretary of Homeland Security, and the Attorney General of the United States—to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

Coverage under your policy may be affected as follows:

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED BY THIS POLICY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. HOWEVER, YOUR POLICY MAY CONTAIN OTHER EXCLUSIONS WHICH MIGHT AFFECT YOUR COVERAGE, SUCH AS AN EXCLUSION FOR NUCLEAR EVENTS. UNDER THE FORMULA, THE UNITED STATES GOVERNMENT GENERALLY REIMBURSES 80% BEGINNING ON JANUARY 1, 2020 OF COVERED TERRORISM LOSSES EXCEEDING THE STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURANCE COMPANY PROVIDING THE COVERAGE. THE PREMIUM CHARGED FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS THAT MAY BE COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

YOU SHOULD ALSO KNOW THAT THE ACT, AS AMENDED, CONTAINS A $100 BILLION CAP THAT LIMITS U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS' LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE CALENDAR YEAR EXCEEDS $100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED $100 BILLION, YOUR COVERAGE MAY BE REDUCED.

Acceptance or Rejection of Terrorism Insurance Coverage

	I hereby elect to purchase terrorism coverage, subject to the limitations of the Act, for acts of terrorism as defined in the Act, for a prospective premium of $ 20 (Quote No. 503068-1 Option 1).
	I hereby decline to purchase terrorism coverage for certified acts of terrorism. I understand that I will have no coverage for losses resulting from certified acts of terrorism.

_____
Policyholder/Applicant's Signature

Nautilus Insurance Company
Insurance Company

_____
Print Name

_____
Policy Number

_____
Date

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Berkley Environmental
| a Berkley Company

E-mail: Tanks@berkleyenvironmental.com
Fax: (888) 201-8109

AMWINS™
PROGRAM UNDERWRITERS
E-mail: apu.tanksandpollution@amwins.com
Fax: (717) 214-2801

Storage Tank Pollution Liability Renewal Application

This **Renewal Application** is for a policy providing coverage on a claims made and reported basis. Payment of defense costs may erode the limits of liability depending upon the coverage listed and provided in the Declarations.

Instructions	
▪ Please print clearly or type. ▪ Answer all questions completely. ▪ If any question(s) does not apply, enter "N/A" in the space provided.	▪ If additional space is needed to answer any question, attach details on a separate sheet using the first Named Insured's letterhead and reference the applicable section number. ▪ This application must be signed and dated by an authorized Owner, Principal, Partner, Director or Risk Manager of the first Named Insured.
Please submit the following information in addition to this application.	
Any environmental surveys; assessments; audits; storage tank inspections performed at any of the locations to be considered.	Recent storage tank testing records for the tanks and lines.
Any maintenance records for the locations and or storage tank systems.	If requesting a retention amount greater than $25,000, submit the past two years of complete financial statements.

Named Insured:	Town of Rotterdam		
Telephone Number:		**Fax Number:**	
FEIN:		**Email:**	
Expiring Policy Number:	CST2013725-17	**Policy Expiration Date:**	1/1/2024

Yes	No		Location and Storage Tank System(s)
		1.	Are there any new location(s) and/or storage tank system(s) that need to be added to your policy? If Yes, complete and submit a new Berkley Storage Tank Pollution Liability Application for the new location(s) and/or storage tank system(s).
		2.	Are there any location(s) and/or storage tank system(s) that you would like to be removed from your policy? If Yes, indicate which location(s) and/or storage tank system(s) should be removed and why.
		3.	Have you sold or abandoned any location(s) and/or storage tank system(s)? If Yes, indicate which location(s) and/or storage tank system(s) have been sold or abandoned.
		4.	Have you leased or subleased any of your location(s) and/or storage tank system(s)? If Yes, indicate (1) which location(s) and/or storage tank system(s) have been leased or subleased, (2) the details of the lease or sublease agreement including a list of tenants, and (3) who is responsible for location and/or storage tank system maintenance and testing activities.

Yes	No	Location and Storage Tank System(s)	
		5.	At the time of signing this application, do all storage tank systems comply, at a minimum, with the United States Environmental Protection Agency's (US EPA) or local regulatory agency requirements regarding construction, overfill/spill protection and leak detection for tanks, piping and dispensing systems? If No, provide details.
		6.	Are there any tanks at this location that are not registered with the applicable state regulatory agency or that are not included within this application? If Yes, provide details.
		7.	Are there any temporarily out of service, empty, out of use or inactive location(s) and/or storage tank system(s)? If Yes, indicate which location(s) and/or storage tank system(s) to which this question applies.
		8.	Do you have plans to upgrade, repair, remove or replace any of the storage tank system(s) submitted for coverage in the next twelve (12) months? If Yes, attach a detailed description of the planned activities with a timeline for activities to be completed.
		9.	Have there been any other changes made to the location(s) and/or the storage tank system(s) that we should be made aware of? If Yes, describe and attach applicable documentation.
		10.	Have you updated your Risk Management plan, SPCC plan, maintenance, testing, and/or inspection records for your location(s) and/or storage tank system(s)? If Yes, attach current documents with this application.
		11.	Have there been any reportable releases and/or pollution claims for bodily injury, property damage or cleanup costs including, but not limited to, claims by private persons, public entities, governmental agencies or other third parties at the location(s)? If Yes, provide an explanation and attach copies of applicable reports.
		12.	Have you been cited or prosecuted for any violation of any applicable environmental law and/or federal, state or local regulation arising from the release or spill of hazardous substances, hazardous waste or any other pollutants? If Yes, provide details.
		13.	Are there any statutes, standards, or other city, state and/or federal regulations relating to the protection of the environment with which you cannot at the present comply with? If Yes, provide details.
		14.	Are there any other changes underwriting should be made aware of such as but not limited to amendments to the named insured, additional insureds, additional named insureds, etc.? If Yes, provide details.
Yes	**No**	**Future Plans**	
		15.	Are there any future plans to lease or sublease any of your locations and/or storage tank systems? If Yes, provide details.
		16.	Are there any future plans to sell or refinance any of your locations and/or storage tank systems? If Yes, provide details.
		17.	Are there any plans for future development, improvement, excavation, betterment, land condemnation, demolition or plans for changes at any of your locations? If Yes, provide details.

Fraud Warning
NOTICE TO ARKANSAS APPLICANTS: Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.
NOTICE TO CALIFORNIA APPLICANTS: For your protection California law requires the following to appear on this form. Any person who knowingly presents false or fraudulent claim for the payment of a loss is guilty of a crime and may be subject to fines and confinement in state prison.
NOTICE TO COLORADO APPLICANTS: It is unlawful to knowingly provide false, incomplete or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete or misleading facts or information to a policy holder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claiming with regard to a settlement or award payable for insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.
NOTICE TO DISTRICT OF COLUMBIA APPLICANTS: WARNING - It is a crime to provide false or misleading information to an insurer for the purpose of defrauding the insurer or any other person. Penalties include imprisonment and/or fines. In addition, an insurer may deny insurance benefits if false information materially related to a claim was provided by the applicant.
NOTICE TO FLORIDA APPLICANTS: Any person who knowingly and with intent to injure, defraud or deceive any insurance company files a statement of claim containing any false, incomplete or misleading information is guilty of a felony of the third degree.
NOTICE TO KENTUCKY APPLICANTS: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance containing any materially false information or conceals, for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime.
NOTICE TO LOUISIANA APPLICANTS: Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.
NOTICE TO MAINE APPLICANTS: It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties may include imprisonment, fines or a denial of insurance benefits.
NOTICE TO MARYLAND APPLICANTS: Any person who knowingly and willfully presents a false or fraudulent claim for payment of a loss or benefit or who knowingly and willfully presents false information in an application for insurance is guilty of a crime and may be subject to fines and confinement in prison.
NOTICE TO NEW JERSEY APPLICANTS: Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.
NOTICE TO NEW MEXICO: Any person who knowingly presents a false or fraudulent claim for payment of a loss or benefit or knowingly presents false information in an application for insurance is guilty of a crime and may be subject to civil fines and criminal penalties.
NOTICE TO NEW YORK APPLICANTS: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime, and shall also be subject to a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.
NOTICE TO OHIO APPLICANTS: Any person who, with intent to defraud or knowing that he is facilitating a fraud against an insurer, submits an application or files a claim containing a false or deceptive statement is guilty of insurance fraud.
NOTICE TO OKLAHOMA APPLICANTS: WARNING Any person who knowingly, and with intent to injure, defraud or deceive any insurer, makes any claim for the proceeds of an insurance policy containing any false, incomplete or misleading information is guilty of a felony.
NOTICE TO PENNSYLVANIA APPLICANTS: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.
NOTICE TO TENNESSEE APPLICANTS: It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.
NOTICE TO VIRGINIA APPLICANTS: It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits.
NOTICE TO WASHINGTON APPLICANTS: It is a crime to knowingly provide false, incomplete, or misleading information to an insurance company for the purposes of defrauding the company. Penalties include imprisonment, fines, and denial of insurance benefits.
NOTICE TO ALL OTHER STATE APPLICANTS: Any person who knowingly, and with intent to defraud any insurance company or other person, files an application for insurance or statement of claim containing any materially false information, or, for the purpose of misleading, conceals information concerning any fact material thereto, may commit a fraudulent insurance act which is a crime in many states.

Notice to Applicant
The applicant represents that the above statements and facts are true and that no material facts have been suppressed or misstated. Completion of this form does not bind coverage. Applicant's acceptance of the company's quotation is required prior to binding coverage and policy issuance. The coverage applied for is solely as stated in the policy and any endorsement thereto, which provides coverage for cleanup costs, bodily injury and property damage liability coverage for claims first made against the insured and reported to the insurer, in writing, during the policy period. All written statements and materials furnished to the company in conjunction with this application are hereby incorporated by reference into this application and made a part hereof. The applicant further acknowledges that the answers provided herein are based on a reasonable inquiry and/or investigation.

Applicant Signature	
Printed Name	
Title	
Date	

Additional Information

Berkley Environmental
A Berkley Company

AMWINS
PROGRAM UNDERWRITERS
E-mail: spu.tanksandpollution@amwins.com
Fax: (717) 214-2801

Customer Summary Per Location

Named Insured: Town of Rotterdam
Quote Number: 503068-1
Effective Date: 01/01/2023
Expiration Date: 01/01/2024

Option 1 - Quote option 1:

Total No. of Locations	Total No. of Tanks	Total Policy Premium	Total Premium W/ TRIA	Total TRIA Premium
3	4	$ 1,983.00	$ 2,003.00	$ 20.00

Location No.	Location Name	Location Address	No. of Tanks	Policy Premium	Premium W/ TRIA	TRIA Premium
1	Town of Rotterdam Highway Department	54 Duansburg Road Rotterdam, NY 12306	2	$ 1,534.00	$ 1,549.51	$ 15.51

Tank No.	Tank Type	Installation	Capacity	Contents	Retroactive Date Coverage A	Retroactive Date Coverage B
2	UST	06/01/2001	6,000	Gas	12/31/2008	12/31/2008
3	UST	06/01/2001	6,000	Diesel	12/31/2008	12/31/2008

Location No.	Location Name	Location Address	No. of Tanks	Policy Premium	Premium W/ TRIA	TRIA Premium
2	Town of Rotterdam Water Dep't	49 Rice Road Rotterdam, NY 12306	1	$ 295.00	$ 297.95	$ 2.95

Tank No.	Tank Type	Installation	Capacity	Contents	Retroactive Date Coverage A	Retroactive Date Coverage B
1	AST	09/01/1990	2,000	Diesel	12/31/2008	12/31/2008

Location No.	Location Name	Location Address	No. of Tanks	Policy Premium	Premium W/ TRIA	TRIA Premium
3	Waste Water Treatment Plant, Sewer Dept.	26 W Campbell Road Rotterdam, NY 12306	1	$ 154.00	$ 155.54	$ 1.54

Tank No.	Tank Type	Installation	Capacity	Contents	Retroactive Date Coverage A	Retroactive Date Coverage B
1	AST	11/30/2015	500	Diesel	03/31/2016	03/31/2016

RESOLUTION NO. 359.22

TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW NO. 11 OF 2022 AND SCHEDULING A PUBLIC HEARING THEREON

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board recognizes the introduction of Introductory Local Law No. 11 of 2022 to amend Chapter 60, Residency Requirements, of the Town Code of the Town of Rotterdam.

SECTION 2. The Town Clerk of the Town of Rotterdam is hereby directed to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided for hereby the following notice:

TOWN OF ROTTERDAM
NOTICE OF HEARING

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00 p.m. on the 11th day of January, 2023 for the following purpose:

> For the enactment of Introductory Local Law No. 11 of 2022 relating to amending Chapter 60, Residency Requirements, of the Town Code of the Town of Rotterdam.

BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK

DATED: December 28, 2022
Daily Gazette: Please publish once on December 30, 2022
Town Clerk
Post

SECTION 3. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LEGISLATIVE REQUEST FORM

DATE:	December 22, 2022
TO:	Mollie Collins, Town Supervisor
FROM:	Jonathon Tingley, Attorney for the Town
TITLE OF REQUEST:	Introduction of Introductory Local Law No. 11 of 2022 and Scheduling Public Hearing Thereon
TOWN BOARD MEETING:	December 28, 2022
Background Information:	Currently, local law requires that court clerks and deputy court clerks reside in Schenectady County or an adjoining county. Introductory Local Law No. 11 of 2022 would amend the Town Code to permit residency of court clerks and deputy court clerks in any county in New York State.
Evaluation/Analysis:	The current residency restriction limits the number of available qualified and experienced court clerks or deputy court clerks that may be hired. Given the case load of the Town of Rotterdam Justice Court, it is advisable to expand permissible residency of court clerks and deputy court clerks to additional counties within New York State to ensure that all qualified and experienced candidates may be considered for such positions.
Recommendation(s):	Recognize introduction of Introductory Local Law No. 11 of 2022 and schedule public hearing for January 11, 2022
Attachment/Document(s):	Introductory Local Law No. 11 of 2022
Compliance with Purchasing Policy:	N/A.
Effect(s) on Existing Law(s):	This action would commence the process to amend the residency requirement for court clerks and deputy court clerks.
LEGISLATION WILL BE PREPARED BY:	Attorney for the Town

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

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.

□County □City √Town □Village
(select one:)

of Rotterdam

Introductory Local Law No. 11 of the year 2022

A LOCAL LAW TO AMEND CHAPTER 60, RESIDENCY REQUIREMENTS, OF THE TOWN CODE OF THE TOWN OF ROTTERDAM

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

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF ROTTERDAM

INTRODUCTORY LOCAL LAW NO. 11 OF THE YEAR 2022

A LOCAL LAW TO AMEND CHAPTER 60, RESIDENCY REQUIREMENTS, OF THE TOWN CODE OF THE TOWN OF ROTTERDAM

SECTION 1 – TITLE

This local law shall be referred to as "A Local Law to Amend Chapter 60, Residency Requirements, of the Town Code of the Town of Rotterdam".

SECTION 2 – PURPOSE

The purpose of this local law is to provide that court clerks and deputy court clerks that are employed in the Town of Rotterdam Justice Court may reside in any county within the State of New York.

SECTION 3 – AUTHORITY

This local law is enacted by the Town Board of the Town of Rotterdam pursuant to the N.Y. Municipal Home Rule Law.

SECTION 4 – AMENDMENT

Chapter 60, Residency Requirements, is hereby amended to add a new Article VI, entitled Court Clerks and Deputy Court Clerks, to read in its entirety as follows:

Article VI. Court Clerks and Deputy Court Clerks

§ 60-8. Requirements for Court Clerks and Deputy Court Clerks.

Any person holding the office or performing the functions of Court Clerk or Deputy Court Clerk need not be a resident nor an elector of the Town of Rotterdam; provided, however, that

such person shall reside in the State of New York. This section shall supersede N.Y. Town Law § 23 and N.Y. Public Officers Law § 3.

SECTION 5 – SUPERSESSION

To the extent this local law is inconsistent with any state or local statute or regulation, it is the intent of this local law to supersede such statute or regulation, including without limitation the following: (i) N.Y. Town Law § 23; and (ii) N.Y. Public Officers Law § 3.

SECTION 6 – SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 7 – EFFECTIVE DATE

This Local Law shall become effective upon filing with the New York Secretary of State.

(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. __ of 2022 of the ~~(County)(City)~~(Town)~~(Village)~~ of Rotterdam was duly passed by the Town Board of the Town of Rotterdam on _____, 2022 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20_____ in accordance with the applicable provisions of law.~~
~~*(Name of Legislative body)*~~
~~*(Elective Chief Executive Officer*)*~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20_____. 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 _____ 20_____, in accordance with the applicable provisions of law.~~
~~*(Name of Legislative body)*~~
~~*(Elective Chief Executive Officer*)*~~

~~**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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20_____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20_____, in accordance with the applicable provisions of law.~~
~~*(Name of Legislative body)*~~
~~*(Elective Chief Executive Officer*)*~~

* 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 20____ 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 _____ 20_____, became operative.~~

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

~~I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 20_____, 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 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.

_____
Diane Marco, Town of Rotterdam Town Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____

RESOLUTION NO. 360.22

TO ADOPT A NEGATIVE DECLARATION UNDER SEQRA FOR THE PROPOSED ENACTMENT OF INTRODUCTORY LOCAL LAW NO. 9 OF 2022

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby accepts and adopts Part 2 of the Full Environmental Assessment Form in connection with the proposed enactment of Introductory Local Law No. 9 of 2022 as prepared by the Attorney for the Town.

SECTION 2. The Town Board has given due consideration to the potential environmental impacts associated with the proposed enactment of Introductory Local Law No. 9 of 2022, and hereby concludes that the proposed enactment of Introductory Local Law No. 9 of 2022 will not have any significant adverse impacts on the environment.

SECTION 3. The Town Board hereby accepts, adopts, and authorizes the Supervisor to execute Part 3 of the Full Environmental Assessment Form as prepared by the Attorney for the Town and adopts a Negative Declaration under the State Environmental Quality Review Act in connection with the proposed enactment of Introductory Local Law No. 9 of 2022.

SECTION 4. The Town Board hereby authorizes and directs the Senior Planner to circulate, file and publish any notices, documents, forms, and other materials, and to take such other and further action as may be reasonably necessary, to comply with the State Environmental Quality Review Act and regulations promulgated thereunder.

SECTION 5. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
Telephone: 518-355-7575 • Fax: 518-355-7976 • Website: www.rotterdamny.org

LEGISLATIVE REQUEST FORM

DATE:	December 22, 2022
TO:	Mollie Collins, Town Supervisor
FROM:	Jonathon Tingley, Attorney for the Town
TITLE OF REQUEST:	Complete SEQRA process on Introductory Local Law No. 9 of 2022 (Cannabis Zoning)
TOWN BOARD MEETING:	December 22, 2022
Background Information:	The Town Board introduced Local Law No. 9 of 2022 relating to zoning and regulating adult-use cannabis retail dispensaries and on-site consumption facilities, established itself as SEQRA lead agency, and adopted Part 1 of the Full EAF. Part 2 and Part 3 of the Full EAF have been prepared for consideration by the Town Board.
Evaluation/Analysis:	It is anticipated that the proposed action will not result in any significant adverse environmental impacts.
Recommendation(s):	Adopt Part 2 and Part 3 of the EAF, adopt a negative declaration under SEQRA, direct Senior Planner to undertake circulation/filing/publication requirements.
Attachment/Document(s):	Introductory Local Law No. 9 of 2022 Part 1 of Full EAF Proposed Parts 2 and 3 of EAF
Compliance with Purchasing Policy:	N/A.
Effect(s) on Existing Law(s):	This action would complete SEQRA for purposes of allowing the Town Board to move forward with enacting Introductory Local Law No. 9 of 2022, in its discretion.
LEGISLATION WILL BE PREPARED BY:	Attorney for the Town

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

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.

□County □City √Town □Village
(select one:)

of Rotterdam

Introductory Local Law No. 9 of the year 2022

A LOCAL LAW TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE OF THE TOWN OF ROTTERDAM

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

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF ROTTERDAM

INTRODUCTORY LOCAL LAW NO. 9 OF THE YEAR 2022

A LOCAL LAW TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE OF THE TOWN OF ROTTERDAM

SECTION 1 – TITLE

This local law shall be referred to as "A Local Law to Amend Chapter 270, Zoning, of the Town Code of the Town of Rotterdam".

SECTION 2 – AUTHORITY

This local law is enacted by the Town Board of the Town of Rotterdam pursuant to the N.Y. Municipal Home Rule Law, N.Y. Town Law Article 16, and N.Y. Cannabis Law § 131.

SECTION 3 – AMENDMENTS

Chapter 270, Zoning, of the Town Code of the Town of Rotterdam shall be amended as follows:

A. Section 270-5, relating to definitions of terms, is hereby amended to add the following definitions of terms, to be inserted in proper alphabetical order:

LICENSED ADULT-USE CANNABIS ON-SITE CONSUMPTION FACILITY
A facility or business at which the consumption of cannabis is allowed pursuant to a lawfully issued license for an adult-use cannabis on-site consumption location under the N.Y. Cannabis Law and regulations promulgated thereunder.

LICENSED ADULT-USE CANNABIS RETAIL DISPENSARY
A facility or business engaged in the acquisition, possession, sale and delivery of cannabis to cannabis consumers pursuant to a lawfully issued license for an adult-use cannabis retail dispensary under the N.Y. Cannabis Law and regulations promulgated thereunder, and not including any licensed adult-use cannabis on-site consumption facility.

B. Section 270-65, relating to special uses permissible within the B-2 General Business zoning district, is hereby amended to add a new Paragraph O to read in its entirety as follows:

O. Licensed adult-use cannabis retail dispensaries.

C. Section 270-73, relating to special uses permissible within the I-1 Light Industrial zoning district, is hereby amended to add new Paragraphs P and Q to read in their entirety as follows:

P. Licensed adult-use cannabis retail dispensaries.

Q. Licensed adult-use cannabis on-site consumption facilities.

D. Paragraph C of Section 270-75, relating to prohibited uses in the I-1 Light Industrial zoning district, is hereby amended to read in its entirety as follows:

C. All uses listed in the I-2 District, except those uses listed in this article as permitted.

E. Paragraph A of Section 270-83, relating to uses permitted as of right in the I-2 Heavy Industrial zoning district, is hereby amended to read in its entirety as follows:

A. All principal permitted and special uses listed in the I-1 District use regulations, except towers, licensed adult-use cannabis retail dispensaries, and licensed adult-use cannabis on-site consumption facilities.

F. Section 270-84, relating to special uses permissible within the I-2 Heavy Industrial zoning district, is hereby amended to add new Paragraphs H and I to read in their entirety as follows:

H. Licensed adult-use cannabis retail dispensaries.

I. Licensed adult-use cannabis on-site consumption facilities.

G. Paragraph G of Section 270-157, relating to prohibited home occupations, is hereby amended to add new subparagraphs (9) and (10) to read in their entirety as follows:

(9) Licensed adult-use cannabis retail dispensaries.

(10) Licensed adult-use cannabis on-site consumption facilities.

H. Article XVIII, relating to specific use regulations, is hereby amended to add a new Section 270-162.1, entitled "Licensed Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Facilities", to immediately follow Section 270-162 and to read in its entirety as follows:

§ 270-162.1. Licensed Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Facilities.

A. Permissible locations of licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities.

(1) Licensed adult-use cannabis retail dispensaries are permissible in the B-2 General Business, I-1 Light Industrial, and I-2 Heavy Industrial Zoning Districts in the Town of Rotterdam upon issuance of a special use permit and site plan approval by the Planning Commission.

(2) Licensed adult-use cannabis on-site consumption facilities are permissible in the I-1 Light Industrial, and I-2 Heavy Industrial Zoning Districts in the Town of Rotterdam upon issuance of a special use permit and site plan approval by the Planning Commission.

B. All applications for licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall be reviewed and determined in accordance with the procedures and standards set forth in Article XVII (Site Plan Approval) and Article XIX (Special Use Permits) of this chapter. In addition, the following provisions shall apply:

(1) Licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall not open before 9 AM nor remain open after 9 PM Mondays through Saturdays and shall not open before 12 PM nor remain open after 6 PM on Sundays.

(2) Licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall comply with all location, distance and separation requirements imposed by state regulations and licensing.

(3) An applicant for a special use permit and site plan approval under this section shall demonstrate, through competent technical proof, that its proposal includes sufficient off-street parking to fully support the

anticipated parking load for the proposed use. Such competent technical proof shall include an assessment of parking loads at other established similar adult-use cannabis uses within the region (including, where appropriate, outside of New York State).

(4) An applicant for a special use permit and site plan approval under this section shall demonstrate that its proposal and the surrounding neighborhood includes sufficient pedestrian facilities and amenities (including as appropriate and without limitation, sidewalks, crosswalks, traffic signals, paths, bike lanes, benches, bus stops, and adequate lighting) to provide invitees a safe and efficient means to access the site through means other than by motor vehicle.

(5) An applicant for a special use permit and site plan approval under this section shall demonstrate that its proposal includes sufficient ingress and egress points designed to permit safe and efficient access from adjoining public streets and to avoid traffic congestion.

(6) An applicant for a special use permit and site plan approval under this section shall demonstrate that its proposed use will not cause discernable odors beyond the property line, or where the proposed use is permissible as one of multiple uses on the same lot, beyond the boundary of the area designated specifically for the proposed adult-use cannabis use (e.g., the tenant space).

(7) Any special use permit approval or site plan approval shall be deemed to be conditioned upon the applicant securing and continuously maintaining the appropriate state license for its proposed use. No applicant shall begin adult-use cannabis retail dispensary or adult-use cannabis on-site consumption facility operations until such state license has been issued, and proof thereof has been provided to the enforcement official of the Town. Any special use permit approval or site plan approval shall be deemed to expire upon the suspension, revocation, termination, non-renewal, or expiration of any such state license that results in any period of time during which the use lacks a current, effective and valid state license for such use.

I. Paragraph A of Section 270-169, relating to expiration of special use permits, is hereby amended to read in its entirety as follows:

A. Expiration. In addition to any other provisions set forth in this chapter relating to expiration of a special use permit, the following provisions shall apply:

(1) In any case where a special use is not in operation within one year after the date of granting thereof, the special use or authorization thereof shall be null and void.

(2) A special use permit shall expire if such use shall cease for more than six consecutive months for any reason.

J. Article XXI, relating to miscellaneous provisions, is hereby amended to add a new Section 270-183.1, entitled "Severability", to immediately follow Section 270-183 and to read in its entirety as follows:

§ 270-183.1. Severability.

The provisions of this chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

SECTION 4 – SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this local law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this local law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 5 – EFFECTIVE DATE

This Local Law shall become effective upon filing with the New York Secretary of State.

(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. ___ of 2022 of the ~~(County)(City)~~(Town)~~(Village)~~ of Rotterdam was duly passed by the Town Board of the Town of Rotterdam on _____, 2022 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20_____ in accordance with the applicable provisions of law.~~
(Name of Legislative body)
(Elective Chief Executive Officer)*

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20_____.~~
(Name of Legislative body)
(Elective Chief Executive Officer)*
~~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 _____ 20_____, 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20_____.~~
(Name of Legislative body)
(Elective Chief Executive Officer)*
~~Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20_____, 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 20____ 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 _____ 20____, became operative.~~

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

~~I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 20_____, 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 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.

_____
Diane Marco, Town of Rotterdam Town Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____

Instructions for Completing Part 1

art 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Introductory Local Law No. 9 of 2022 - A Local Law To Amend Chapter 270, Zoning, of the Town of Rotterdam Town Code (Cannabis)		
Project Location (describe, and attach a general location map): Town of Rotterdam		
Brief Description of Proposed Action (include purpose or need): Adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities are anticipated to be sited within the Town of Rotterdam. Introductory Local Law No. 9 of 2022 would designate the B-2 (General Business), I-1 (Light Industrial), and I-2 (Heavy Industrial) zoning districts as the zoning districts in which adult-use cannabis retail dispensaries would be permissible (by special use permit and site plan approval). It would also designate I-1 (Light Industrial) and I-2 (Heavy Industrial) as the zoning districts in which adult-use cannabis on-site consumption facilities would be ermissible (by special use permit and site plan approval). Both such uses would be prohibited as home occupations. Both such uses would be subject to gulation, including restricted hours of operation, location/distancing requirements, and the life of the special use permit of any such use would be coterminous with the life of the appropriate state license for such use.		
Name of Applicant/Sponsor: Town Board of the Town of Rotterdam	Telephone: 518-355-7575 E-Mail: mcollins@rotterdamny.org	
Address: 1100 Sunrise Boulevard		
City/PO: Rotterdam	State: NY	Zip Code: 12306
Project Contact (if not same as sponsor; give name and title/role): Peter Comenzo, Senior Planner	Telephone: 518-355-7575 E-Mail: pcomenzo@rotterdamny.org	
Address: 1100 Sunrise Boulevard		
City/PO: Rotterdam	State: NY	Zip Code: 12306
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes☐No	Town Board - Enactment of Local Law	10/26/2022
b. City, Town or Village Planning Board or Commission ☐Yes☐No		
c. City, Town or Village Zoning Board of Appeals ☐Yes☐No		
d. Other local agencies ☐Yes☐No		
e. County agencies ☐Yes☐No		
f. Regional agencies ☐Yes☐No		
g. State agencies ☐Yes☐No		
h. Federal agencies ☐Yes☐No		

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No
iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No
If Yes, identify the plan(s):
Remediaton Sites:447001, Remediaton Sites:447024, Remediaton Sites:V00063, Remediaton Sites:V00649, Remediaton Sites:447027, Remediaton Sites:447031, Remediaton Sites:V00011, Remediaton Sites:447005, Remediaton Sites:447006, Remediaton Sites:447004, NYS Heritage Areas:Mohawk Valley Heritage Corridor, NYS Heritage Areas:Schenectady

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☑Yes☐No
If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
B-2 (General Business), I-1 (Light Industrial), I-2 (Heavy Industrial)

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? The local law would designate zoning districts for and regulate adult-use cannabis uses.

C.4. Existing community services.

a. In what school district is the project site located? Schalmont, Rotterdam-Mohonasen, Schenectady

b. What police or other public protection forces serve the project site?
Rotterdam Police Department, Schenectady County Sheriff's Office, New York State Police

c. Which fire protection and emergency medical services serve the project site?
FD# 1 Rotterdam Jct, FD# 2 Curry Rd, FD # 3 Carman, FD # 4 Pattersonville, FD # 5 Pine Grove, FD #6 S. Schenectady, FD#7 Schonowe, FD #8 Plotterki

d. What parks serve the project site?
Boxwood Park, Erie Canal Lock Parks, Eunice O. Esposito Park, Fiero Park, Juracka Park, Kiwanis Park, Leonard C. White Park, Memorial Park, Pansy Park, Plotter Kill Nature Preserve, Rotterdam Junction, Woestina Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses? ☐Yes ☐No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☐No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☐No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:

_____

iii. If other than water, identify the type of impounded/contained liquids and their source.

_____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☐No

If Yes:

i .What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

_____

_____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No

If yes, describe. _____

_____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan: _____

_____

_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes ☐No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? ☐Yes ☐No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes ☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☐No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

_____

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project? ☐Yes☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

_____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes☐No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

_____

_____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

_____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

_____

- If to surface waters, identify receiving water bodies or wetlands: _____

_____

_____

- Will stormwater runoff flow to adjacent properties? ☐Yes☐No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☐No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☐No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes ☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend
☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

_____

x. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐Yes ☐No

If yes:

i. Provide details including sources, time of day and duration:

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐Yes ☐No

Describe:

n. Will the proposed action have outdoor lighting? ☐Yes ☐No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐Yes ☐No

Describe:

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐Yes ☐No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐Yes ☐No

If Yes:

i. Product(s) to be stored

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities:

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction:
- Operation:

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction:
- Operation:

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes☐No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐Yes☐No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐Yes☐No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes☐No

If Yes:

i. Has the facility been formally closed? ☐Yes☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes☐No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑Yes☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑Yes☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☑ Yes – Environmental Site Remediation database — Provide DEC ID number(s): 447001, 447024, V00063, V00...

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑Yes☐No

If yes, provide DEC ID number(s): 447001, 447021, 447024, V00063, V00649, 447027,...

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____%
_____ _____%
_____ _____%

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: ☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☑ Yes ☐ No
If Yes, describe: Plotterkill Preserve - Rotterdam, Scotia Sand & Stone Company

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 863-640, 863-686, 863-687, 863-691, 876-99, 876... Classification A, C, C(T), B, B(T)
- Lakes or Ponds: Name 863-686, 876-98, 876-101 Classification C
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) RJ-1, P-12, P-13, S-117, S-...

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☑ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____
Name - Pollutants - Uses:Minor Tribs to Mohawk River – Unknown Toxicity – Recreation;Habitat/Hydrolgy;Aquatic Life

i. Is the project site in a designated Floodway? ☑ Yes ☐ No

j. Is the project site in the 100-year Floodplain? ☑ Yes ☐ No

k. Is the project site in the 500-year Floodplain? ☑ Yes ☐ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑ Yes ☐ No
If Yes:

i. Name of aquifer: Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names:Schenectady-Niskayuna SSA

m. Identify the predominant wildlife species that occupy or use the project site:

n. Does the project site contain a designated significant natural community? ☑ Yes ☐ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): Pitch Pine-Oak Forest, Pine Barrens Vernal Pond

ii. Source(s) of description or evaluation:

iii. Extent of community/habitat:

- Currently: 2819.0, 0.53 acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No

If Yes:

i. Species and listing (endangered or threatened): Side Oats Grama, Brown Bog Sedge, Bald Eagle, Karner Blue, Carey's Smartweed

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:

i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No

If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☑ Yes ☐ No

If Yes, provide county plus district name/number: SCHE001

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No

i. If Yes: acreage(s) on project site?

ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☑ Yes ☐ No

If Yes:

i. CEA name: Aquifer Area Overlay Zone

ii. Basis for designation: Conserve, improve, protect natural resources

iii. Designating agency and date: Agency:Rotterdam, Town of, Date:4-5-85

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: Eligible property:Rotterdam Fire District No. 7, Eligible property:Rotterdam Area Maintenance Support Activity #8, El...

iii. Brief description of attributes on which listing is based:

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s):

ii. Basis for identification:

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource:

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.):

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation:

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

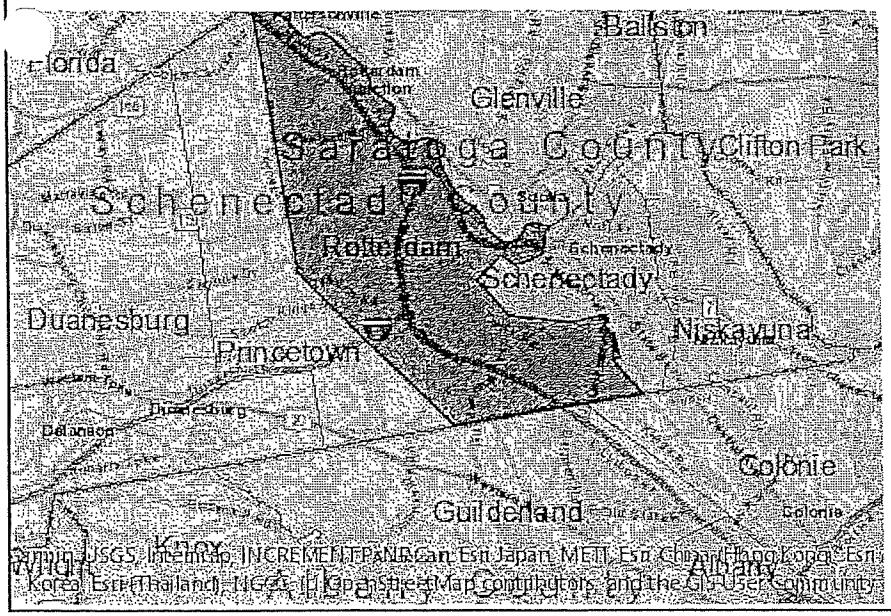
Applicant/Sponsor Name Town Board of the Town of Rotterdam Date October 20, 2022

Signature Mollie A. Collins Title Town Supervisor

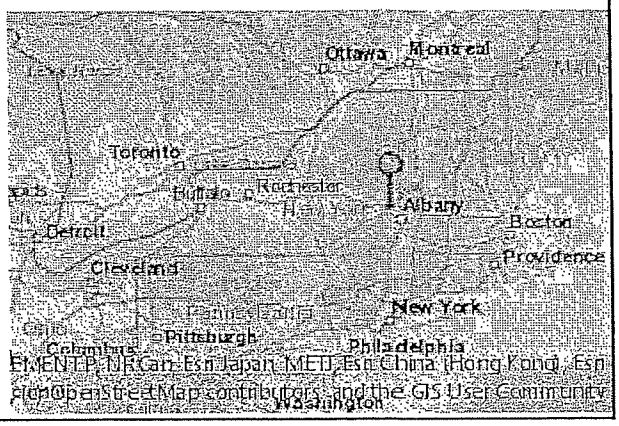
PRINT FORM

EAF Mapper Summary Report

Thursday, October 20, 2022 8:13 AM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
2.b. [Special Planning District - Name]	Remediaton Sites:447001, Remediaton Sites:447024, Remediaton Sites:V00063, Remediaton Sites:V00649, Remediaton Sites:447027, Remediaton Sites:447031, Remediaton Sites:V00011, Remediaton Sites:447005, Remediaton Sites:447006, Remediaton Sites:447004, NYS Heritage Areas:Mohawk Valley Heritage Corridor, NYS Heritage Areas:Schenectady
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	447001, 447024, V00063, V00649, 447027, 447031, V00011, 447005, 447006, 447004
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	447001, 447021, 447024, V00063, V00649, 447027, 447031, V00011, 447005, 447006, 447004, 447007, 447026, E447035, 447047, B00167
E.2.g [Unique Geologic Features]	Yes
E.2.g [Unique Geologic Features]	Plotterkill Preserve - Rotterdam, Scotia Sand & Stone Company
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.

E.2.h.iv [Surface Water Features - Stream Name]	-113, 876-106, 876-105, 876-8, 876-103, 876-109, 876-108, 876-39, 863-688, 863-690, 863-689, 876-98, 876-101, 876-100, 876-7
E.2.h.iv [Surface Water Features - Stream Classification]	A, C, C(T), B, B(T)
E.2.h.iv [Surface Water Features - Lake/Pond Name]	863-686, 876-98, 876-101
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):34.7, NYS Wetland (in acres):12.1, NYS Wetland (in acres):43.1, NYS Wetland (in acres):93.7, NYS Wetland (in acres):1.9, NYS Wetland (in acres):158.4, NYS Wetland (in acres):27.6, NYS Wetland (in acres):157.1
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	RJ-1, P-12, P-13, S-117, S-13, S-4, S-118, S-115
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Minor Tribs to Mohawk River – Unknown Toxicity – Recreation;Habitat/Hydrolgy;Aquatic Life
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names:Schenectady-Niskayuna SSA
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Pitch Pine-Oak Forest, Pine Barrens Vernal Pond
E.2.n.i [Natural Communities - Acres]	2819.0, 0.53
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Side Oats Grama, Brown Bog Sedge, Bald Eagle, Karner Blue, Carey's Smartweed
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	SCHE001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	Aquifer Area Overlay Zone
E.3.d.ii [Critical Environmental Area - Reason]	Conserve, improve, protect natural resources
E.3.d.iii [Critical Environmental Area – Date and Agency]	Agency:Rotterdam, Town of, Date:4-5-85
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.

[National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:Rotterdam Fire District No. 7, Eligible property:Rotterdam Area Maintenance Support Activity #8, Eligible property:SCHERMERHORN HOUSE, Eligible property:THE ARENT SAMUELSE BRADT HOUSE, Eligible property:NEWBERRY HOUSE, Eligible property:THE PUTNAM HOUSE, Eligible property:Van Wormer farm, Eligible property:Enlarged Erie Canal Lock 25, Eligible property:VEDDER HOUSE 300P, Eligible property:Five-bay Frame Farmhouse, Barn Complex, Eligible property:Frame Farmhouse and Barn, Eligible property:Former Schoolhouse No. 11, ca. 1866/1960s, Eligible property:SUPPLY DEPOT HOUSING (?), Eligible property:Former Schenectady General Reserve Depot, Eligible property:VAN SLYKE HOUSE, Eligible property:Aaron Bradt House/Keepers of the Circle, Eligible property:GIFFORD HOUSE, Eligible property:R. Bradshaw house, New York State Barge Canal Historic District, Mabee House, Dellemont-Wemple Farm, Enlarged Double Lock No. 23, Old Erie Canal, Hotel Van Curler, Stockade Historic District, General Electric Research Laboratory
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "**Yes**" to a numbered question, please complete all the questions that follow in that section.
- If you answer "**No**" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)
If "Yes", answer questions a - j. If "No", move on to Section 2.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____ _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) ☑ NO ☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) ☑ NO ☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____ _____		☐	☐

4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐

6. Impacts on Air

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) ☑NO ☐YES

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO_2)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N_2O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF_6)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____ _____		☐	☐

7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☑NO ☐YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources

The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☑NO ☐YES

If "Yes", answer questions a - h. If "No", move on to Section 9.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, Elb	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	El a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile ½ -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____		☐	☐

10. Impact on Historic and Archeological Resources

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☐ NO ☑ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☑	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☑	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☑	☐

d. Other impacts: _____		☑	☐
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☑	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☑	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☑	☐

11. Impact on Open Space and Recreation

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.
(See Part 1. C.2.c, E.1.c., E.2.q.)
If "Yes", answer questions a - e. If "No", go to Section 12.

☑ NO ☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)
If "Yes", answer questions a - c. If "No", go to Section 13.

☐ NO ☑ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☑	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☑	☐
c. Other impacts: _____		☑	☐

13. Impact on Transportation
The proposed action may result in a change to existing transportation systems. ☑ NO ☐ YES
(See Part 1. D.2.j)
If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____		☐	☐

14. Impact on Energy
The proposed action may cause an increase in the use of any form of energy. ☑ NO ☐ YES
(See Part 1. D.2.k)
If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____			

15. Impact on Noise, Odor, and Light
The proposed action may result in an increase in noise, odors, or outdoor lighting. ☑ NO ☐ YES
(See Part 1. D.2.m., n., and o.)
If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.) ☑ NO ☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No,or small impact may cccur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) ☑ NO ☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) ☑ NO ☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

PRINT FULL FORM

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:
To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

The proposed action is a local law to designate zoning districts within which adult use cannabis retail dispensaries and adult use cannabis on-site consumption facilities may be located within the Town.

The proposed action does not create legislation that "allows" these uses. Rather, the text of State legislation provides that municipal governments are prohibited from adopting laws pertaining to the operation or licensure of adult-use cannabis licenses, except that (1) prior to December 31, 2021, municipalities were permitted to adopt a local law to "opt-out" of allowing adult use cannabis uses within their boundaries, and (2) municipalities may adopt local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries and/or on-site consumption facilities, provided such local laws doe "not make the operation of such licensed retail dispensaries or on-site consumption sites unreasonably impracticable." The Town of Rotterdam did not adopt a local law to opt-out of allowing adult use cannabis uses by December 31, 2021. Accordingly, under the the text of the State legislation, those uses are considered allowed within the Town, and the Town's authority (according to the text of the legislation) is to regulate the time, place and manner of operation of retail dispensaries and on-site consumption facilities.

This legislation would isolate particular zoning districts in which such retail dispensaries and on-site consumption facilities may occur, and would require special use permit and site plan approval. In addition to otherwise applicable special use permit and site plan review standards, both of the subject uses would be subject to additional standards, including limitations on hours of operation, compliance with state-mandated distance/separation requirements, demonstration of adequate off street parking, provision of sufficient pedestrian amenities, demonstration of safe ingress and egress points, and demonstration that odors will not be discernable beyond the property line or beyond the particular tenant space.

Accordingly, this legislation represents a zoning action to regulate uses that the text of State law would determine are allowed within the Town already. This legislation balances the need to regulate these uses and the likelihood of their establishment and operation within Town with environmental considerations, including traffic, odors, air quality, noise, lighting, use of land, etc. No significant adverse environmental impacts are anticipated from this action.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☑ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☑ Part 1 ☑ Part 2 ☑ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the Town Board of the Town of Rotterdam as lead agency that:

☑ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Introductory Local Law No. 9 of 2022 (Cannabis Zoning)

Name of Lead Agency: Town Board of Town of Rotterdam

Name of Responsible Officer in Lead Agency: Mollie A. Collins

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency: Date:

Signature of Preparer (if different from Responsible Officer) Date: December 22, 2022

For Further Information:

Contact Person: Peter Comenzo, Senior Planner

Address: 1100 Sunrise Boulevard, Rotterdam, New York, 12306

Telephone Number: 518-355-7575

E-mail: pcomenzo@rotterdamny.org

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)
Other involved agencies (if any)
Applicant (if any)
Environmental Notice Bulletin: http://www.dec.ny.gov/enb/enb.html

PRINT FULL FORM

RESOLUTION NO. 361.22

TO ENACT INTRODUCTORY LOCAL LAW NO. 9 OF 2022; TO AMEND CHAPTER 270 OF THE TOWN CODE OF THE TOWN OF ROTTERDAM, ZONING, RELATING TO DESIGNATING ZONING DISTRICTS IN WHICH ADULT-USE CANNABIS RETAIL DISPENSARIES AND ADULT-USE CANNABIS ON-SITE CONSUMPTION FACILITIES SHALL BE PERMISSIBLE

WHEREAS, on October 26, 2022, the Town Board of the Town of Rotterdam adopted Resolution No. 301.22 to recognize the introduction of Introductory Local Law No. 9 of 2022 (To amend Chapter 270 of the Town Code of the Town of Rotterdam, Zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible); to determine that the proposed enactment thereof is a Type I action under the State Environmental Quality Review Act pursuant to 6 NYCRR § 617.4 (b) (2), that there are no other involved agencies (as that term is defined under the SEQRA regulations) other than the Town Board, and therefore establishes itself as lead agency for purposes of conducting the SEQRA review; and to commence the referral, public hearing, and enactment process in connection with such proposed local law; and

WHEREAS, on November 1, 2022, the Planning Commission of the Town of Rotterdam issued a positive report and recommendation on the proposed local law, and on November 9, 2022, the Schenectady County Department of Economic Development and Planning issued a recommendation on the proposed local law in which it deferred to local consideration; and

WHEREAS, on December 14, 2022 and December 28, 2022, the Town Board of the Town of Rotterdam held a duly noticed public hearing on the proposed local law; NOW

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby enacts Introductory Local Law No. 9 of 2022, To amend chapter 270 of the town code of the Town of Rotterdam, zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible.

SECTION 2. The Town Clerk is directed, following consultation with the Attorney for the Town, to file said Local Law in final form with the New York State Department of State.

SECTION 3. The Senior Planner is hereby directed, following consultation with the Attorney for the Town, to file a report of final action with the Schenectady County Department of Economic Development and Planning in connection with the enactment of said Local Law.

SECTION 4. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

RESOLUTION NO. 301.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, October 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW NO. 9 OF 2022 AND AUTHORIZING COMMENCEMENT OF THE REVIEW AND ADOPTION PROCESS

THEREFORE, UPON MOTION OF Councilmember **DODSON**, seconded by Supervisor **COLLINS,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board recognizes the introduction of Introductory Local Law No. 9 of 2022, which would designate zoning districts in which adult-use cannabis retail dispensaries and adult-use on-site consumption facilities would be permissible and would regulate same.

SECTION 2. The Town Board hereby determines that the proposed enactment of Local Law No. 9 of 2022 is a Type I action under the State Environmental Quality Review Act pursuant to 6 NYCRR § 617.4 (b) (2), that there are no other involved agencies (as that term is defined under the SEQRA regulations) other than the Town Board, and therefore establishes itself as lead agency for purposes of conducting the SEQRA review.

SECTION 3. The Town Board hereby authorizes the Town Senior Planner to prepare, file, publish, and distribute all documents necessary to comply with 6 NYCRR Part 617 (SEQRA).

SECTION 4. The Town Board hereby authorizes and directs the Town Senior Planner to refer Introductory Local Law No. 9 of 2022 to the Planning Commission of the Town of Rotterdam for report and recommendation thereon.

SECTION 5. The Town Board hereby authorizes and directs the Town Senior Planner to refer Introductory Local Law No. 9 of 2022 to the Schenectady County Department of Economic Development & Planning pursuant to N.Y. General Municipal Law § 239-m and to circulate such other notices as may be required by law.

SECTION 6. The Town Clerk is hereby directed to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided for hereby the following notice:

TOWN OF ROTTERDAM
NOTICE OF HEARING

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00 p.m. on the 14th day of December, 2022 for the following purpose:

For receipt of comment on the potential enactment of Introductory Local Law No. 9 of 2022 to amend Chapter 270 of the Town Code of the Town of Rotterdam, Zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible and adopting regulations for such uses.

BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK

DATED: October 26, 2022
Daily Gazette: Please publish once on December 1, 2022
Town Clerk
Post

SECTION 7. This resolution shall become effective October 26, 2022.

DATED: October 26, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera	X		
Dodson	X		
Mastroianni	X		
Collins	X		

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on October 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

I DO FURTHER CERTIFY that each of the members of the Town Board had due notice of the said Town Board meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this October 28, 2022.

TOWN OF ROTTERDAM
Clerk of the Town Board
Schenectady County, NY

Diane M. Marco

Diane M. Marco, Town Clerk

Type text here

New York State Department of State
Division of Corporations, State Records and Uniform Commercial Code
One Commerce Plaza, 99 Washington Avenue
Albany, NY 12231-0001
www.dos.ny.gov

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.

□County □City √Town □Village
(select one:)

of Rotterdam

Introductory Local Law No. 9 of the year 2022

A LOCAL LAW TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE OF THE TOWN OF ROTTERDAM

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

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF ROTTERDAM

INTRODUCTORY LOCAL LAW NO. 9 OF THE YEAR 2022

A LOCAL LAW TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE OF THE TOWN OF ROTTERDAM

SECTION 1 – TITLE

This local law shall be referred to as "A Local Law to Amend Chapter 270, Zoning, of the Town Code of the Town of Rotterdam".

SECTION 2 – AUTHORITY

This local law is enacted by the Town Board of the Town of Rotterdam pursuant to the N.Y. Municipal Home Rule Law, N.Y. Town Law Article 16, and N.Y. Cannabis Law § 131.

SECTION 3 – AMENDMENTS

Chapter 270, Zoning, of the Town Code of the Town of Rotterdam shall be amended as follows:

A. Section 270-5, relating to definitions of terms, is hereby amended to add the following definitions of terms, to be inserted in proper alphabetical order:

LICENSED ADULT-USE CANNABIS ON-SITE CONSUMPTION FACILITY
A facility or business at which the consumption of cannabis is allowed pursuant to a lawfully issued license for an adult-use cannabis on-site consumption location under the N.Y. Cannabis Law and regulations promulgated thereunder.

LICENSED ADULT-USE CANNABIS RETAIL DISPENSARY
A facility or business engaged in the acquisition, possession, sale and delivery of cannabis to cannabis consumers pursuant to a lawfully issued license for an adult-use cannabis retail dispensary under the N.Y. Cannabis Law and regulations promulgated thereunder, and not including any licensed adult-use cannabis on-site consumption facility.

B. Section 270-65, relating to special uses permissible within the B-2 General Business zoning district, is hereby amended to add a new Paragraph O to read in its entirety as follows:

O. Licensed adult-use cannabis retail dispensaries.

C. Section 270-73, relating to special uses permissible within the I-1 Light Industrial zoning district, is hereby amended to add new Paragraphs P and Q to read in their entirety as follows:

P. Licensed adult-use cannabis retail dispensaries.

Q. Licensed adult-use cannabis on-site consumption facilities.

D. Paragraph C of Section 270-75, relating to prohibited uses in the I-1 Light Industrial zoning district, is hereby amended to read in its entirety as follows:

C. All uses listed in the I-2 District, except those uses listed in this article as permitted.

E. Paragraph A of Section 270-83, relating to uses permitted as of right in the I-2 Heavy Industrial zoning district, is hereby amended to read in its entirety as follows:

A. All principal permitted and special uses listed in the I-1 District use regulations, except towers, licensed adult-use cannabis retail dispensaries, and licensed adult-use cannabis on-site consumption facilities.

F. Section 270-84, relating to special uses permissible within the I-2 Heavy Industrial zoning district, is hereby amended to add new Paragraphs H and I to read in their entirety as follows:

H. Licensed adult-use cannabis retail dispensaries.

I. Licensed adult-use cannabis on-site consumption facilities.

G. Paragraph G of Section 270-157, relating to prohibited home occupations, is hereby amended to add new subparagraphs (9) and (10) to read in their entirety as follows:

(9) Licensed adult-use cannabis retail dispensaries.

(10) Licensed adult-use cannabis on-site consumption facilities.

H. Article XVIII, relating to specific use regulations, is hereby amended to add a new Section 270-162.1, entitled "Licensed Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Facilities", to immediately follow Section 270-162 and to read in its entirety as follows:

§ 270-162.1. Licensed Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Facilities.

A. Permissible locations of licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities.

(1) Licensed adult-use cannabis retail dispensaries are permissible in the B-2 General Business, I-1 Light Industrial, and I-2 Heavy Industrial Zoning Districts in the Town of Rotterdam upon issuance of a special use permit and site plan approval by the Planning Commission.

(2) Licensed adult-use cannabis on-site consumption facilities are permissible in the I-1 Light Industrial, and I-2 Heavy Industrial Zoning Districts in the Town of Rotterdam upon issuance of a special use permit and site plan approval by the Planning Commission.

B. All applications for licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall be reviewed and determined in accordance with the procedures and standards set forth in Article XVII (Site Plan Approval) and Article XIX (Special Use Permits) of this chapter. In addition, the following provisions shall apply:

(1) Licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall not open before 9 AM nor remain open after 9 PM Mondays through Saturdays and shall not open before 12 PM nor remain open after 6 PM on Sundays.

(2) Licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities shall comply with all location, distance and separation requirements imposed by state regulations and licensing.

(3) An applicant for a special use permit and site plan approval under this section shall demonstrate, through competent technical proof, that its proposal includes sufficient off-street parking to fully support the

anticipated parking load for the proposed use. Such competent technical proof shall include an assessment of parking loads at other established similar adult-use cannabis uses within the region (including, where appropriate, outside of New York State).

(4) An applicant for a special use permit and site plan approval under this section shall demonstrate that its proposal and the surrounding neighborhood includes sufficient pedestrian facilities and amenities (including as appropriate and without limitation, sidewalks, crosswalks, traffic signals, paths, bike lanes, benches, bus stops, and adequate lighting) to provide invitees a safe and efficient means to access the site through means other than by motor vehicle.

(5) An applicant for a special use permit and site plan approval under this section shall demonstrate that its proposal includes sufficient ingress and egress points designed to permit safe and efficient access from adjoining public streets and to avoid traffic congestion.

(6) An applicant for a special use permit and site plan approval under this section shall demonstrate that its proposed use will not cause discernable odors beyond the property line, or where the proposed use is permissible as one of multiple uses on the same lot, beyond the boundary of the area designated specifically for the proposed adult-use cannabis use (e.g., the tenant space).

(7) Any special use permit approval or site plan approval shall be deemed to be conditioned upon the applicant securing and continuously maintaining the appropriate state license for its proposed use. No applicant shall begin adult-use cannabis retail dispensary or adult-use cannabis on-site consumption facility operations until such state license has been issued, and proof thereof has been provided to the enforcement official of the Town. Any special use permit approval or site plan approval shall be deemed to expire upon the suspension, revocation, termination, non-renewal, or expiration of any such state license that results in any period of time during which the use lacks a current, effective and valid state license for such use.

I. Paragraph A of Section 270-169, relating to expiration of special use permits, is hereby amended to read in its entirety as follows:

A. Expiration. In addition to any other provisions set forth in this chapter relating to expiration of a special use permit, the following provisions shall apply:

(1) In any case where a special use is not in operation within one year after the date of granting thereof, the special use or authorization thereof shall be null and void.

(2) A special use permit shall expire if such use shall cease for more than six consecutive months for any reason.

J. Article XXI, relating to miscellaneous provisions, is hereby amended to add a new Section 270-183.1, entitled "Severability", to immediately follow Section 270-183 and to read in its entirety as follows:

§ 270-183.1. Severability.

The provisions of this chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

SECTION 4 – SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this local law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this local law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 5 – EFFECTIVE DATE

This Local Law shall become effective upon filing with the New York Secretary of State.

(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. ___ of 2022 of the ~~(County)(City)~~(Town)~~(Village)~~ of Rotterdam was duly passed by the Town Board of the Town of Rotterdam on _____, 2022 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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20_____ in accordance with the applicable provisions of law.~~
~~*(Name of Legislative body)*~~
~~*(Elective Chief Executive Officer*)*~~

~~**3. (Final adoption by referendum.)**~~

~~I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20_____. 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 _____ 20_____, in accordance with the applicable provisions of law.~~
~~*(Name of Legislative body)*~~
~~*(Elective Chief Executive Officer*)*~~

~~**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 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20_____, and was (approved)(not approved) (repassed after disapproval) by the _____ on _____ 20_____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20_____, in accordance with the applicable provisions of law.~~
~~*(Name of Legislative body)*~~
~~*(Elective Chief Executive Officer*)*~~

* 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 20____ 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 _____ 20____, became operative.~~

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

~~I hereby certify that the local law annexed hereto, designated as local law No. ___ of 20___ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 20_____, 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 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.

_____

Diane Marco, Town of Rotterdam Town Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Introductory Local Law No. 9 of 2022 - A Local Law To Amend Chapter 270, Zoning, of the Town of Rotterdam Town Code (Cannabis)		
Project Location (describe, and attach a general location map): Town of Rotterdam		
Brief Description of Proposed Action (include purpose or need): Adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities are anticipated to be sited within the Town of Rotterdam. Introductory Local Law No. 9 of 2022 would designate the B-2 (General Business), I-1 (Light Industrial), and I-2 (Heavy Industrial) zoning districts as the zoning districts in which adult-use cannabis retail dispensaries would be permissible (by special use permit and site plan approval). It would also designate I-1 (Light Industrial) and I-2 (Heavy Industrial) as the zoning districts in which adult-use cannabis on-site consumption facilities would be permissible (by special use permit and site plan approval). Both such uses would be prohibited as home occupations. Both such uses would be subject to regulation, including restricted hours of operation, location/distancing requirements, and the life of the special use permit of any such use would be coterminous with the life of the appropriate state license for such use.		
Name of Applicant/Sponsor: Town Board of the Town of Rotterdam	Telephone: 518-355-7575 E-Mail: mcollins@rotterdamny.org	
Address: 1100 Sunrise Boulevard		
City/PO: Rotterdam	State: NY	Zip Code: 12306
Project Contact (if not same as sponsor; give name and title/role): Peter Comenzo, Senior Planner	Telephone: 518-355-7575 E-Mail: pcomenzo@rotterdamny.org	
Address: 1100 Sunrise Boulevard		
City/PO: Rotterdam	State: NY	Zip Code: 12306
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, ☑Yes☐No or Village Board of Trustees	Town Board - Enactment of Local Law	10/26/2022
b. City, Town or Village ☐Yes☐No Planning Board or Commission		
c. City, Town or ☐Yes☐No Village Zoning Board of Appeals		
d. Other local agencies ☐Yes☐No		
e. County agencies ☐Yes☐No		
f. Regional agencies ☐Yes☐No		
g. State agencies ☐Yes☐No		
h. Federal agencies ☐Yes☐No		

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes☐No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No

If Yes, identify the plan(s):

Remediaton Sites:447001, Remediaton Sites:447024, Remediaton Sites:V00063, Remediaton Sites:V00649, Remediaton Sites:447027, Remediaton Sites:447031, Remediaton Sites:V00011, Remediaton Sites:447005, Remediaton Sites:447006, Remediaton Sites:447004, NYS Heritage Areas:Mohawk Valley ~~Heritage Corridor, NYS Heritage Areas:Schenectady~~

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☑Yes☐No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
B-2 (General Business), I-1 (Light Industrial), I-2 (Heavy Industrial)

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? The local law would designate zoning districts for and regulate adult-use cannabis uses.

C.4. Existing community services.

a. In what school district is the project site located? Schalmont, Rotterdam-Mohonasen, Schenectady

b. What police or other public protection forces serve the project site?
Rotterdam Police Department, Schenectady County Sheriff's Office, New York State Police

c. Which fire protection and emergency medical services serve the project site?
FD# 1 Rotterdam Jct, FD# 2 Curry Rd, FD # 3 Carman, FD # 4 Pattersonville, FD # 5 Pine Grove, FD #6 S. Schenectady, FD#7 Schonowe, FD #8 Plotterki

d. What parks serve the project site?
Boxwood Park, Erie Canal Lock Parks, Eunice O. Esposito Park, Fiero Park, Juracka Park, Kiwanis Park, Leonard C. White Park, Memorial Park, Pansy Park, Plotter Kill Nature Preserve, Rotterdam Junction, Woestina Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No
i. If No, anticipated period of construction: _____ months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes☐No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes☐No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes☐No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:

_____

iii. If other than water, identify the type of impounded/contained liquids and their source.

_____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes☐No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

_____

_____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes☐No

If yes, describe. _____

_____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes☐No

ix. Summarize site reclamation goals and plan: _____

_____

_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes☐No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

_____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

_____

_____

_____

_____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes ☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes ☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____

_____

- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

_____

c. Will the proposed action use, or create a new demand for water? ☐Yes ☐No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes ☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No
- Do existing lines serve the project site? ☐Yes ☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes ☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

_____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes ☐No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

_____

_____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes ☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes ☐No
- Is the project site in the existing district? ☐Yes ☐No
- Is expansion of the district needed? ☐Yes ☐No

- Do existing sewer lines serve the project? ☐Yes☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

_____

_____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes☐No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

_____

_____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

_____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

_____

_____

- If to surface waters, identify receiving water bodies or wetlands: _____

_____

_____

- Will stormwater runoff flow to adjacent properties? ☐Yes☐No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

_____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

_____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

_____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☐No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes☐No

ii. In addition to emissions as calculated in the application, the project will generate:

- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes☐No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

_____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐Morning ☐Evening ☐Weekend ☐Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐Yes ☐No

If yes:

i. Provide details including sources, time of day and duration:

_____

_____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐Yes ☐No

Describe: _____

_____

n. Will the proposed action have outdoor lighting? ☐Yes ☐No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

_____

_____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐Yes ☐No

Describe: _____

_____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐Yes ☐No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

_____

_____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐Yes ☐No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

_____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐No

If Yes:

i. Describe proposed treatment(s):

_____

_____

_____

_____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____

_____

- Operation: _____

_____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____

_____

- Operation: _____

_____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes☐No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐Yes☐No

If Yes,

i. Identify Facilities:

_____

_____

e. Does the project site contain an existing dam? ☐Yes☐No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes☐No

If Yes:

i. Has the facility been formally closed? ☐Yes☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

_____

_____

iii. Describe any development constraints due to the prior solid waste activities: _____

_____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes☐No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

_____

_____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑Yes☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑Yes☐No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☑ Yes – Environmental Site Remediation database — Provide DEC ID number(s): 447001, 447024, V00063, V00...

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

_____

_____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑Yes☐No

If yes, provide DEC ID number(s): 447001, 447021, 447024, V00063, V00649, 447027,...

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

_____

_____

v. Is the project site subject to an institutional control limiting property uses? ☐Yes☐No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐Yes☐No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____%
_____ _____%
_____ _____%

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: ☐ Well Drained: _____% of site
☐ Moderately Well Drained: _____% of site
☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% of site
☐ 10-15%: _____% of site
☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☑Yes☐No
If Yes, describe: Plotterkill Preserve - Rotterdam, Scotia Sand & Stone Company

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑Yes☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑Yes☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 863-640, 863-686, 863-687, 863-691, 876-99, 876... Classification A, C, C(T), B, B(T)
- Lakes or Ponds: Name 863-686, 876-98, 876-101 Classification C
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) RJ-1, P-12, P-13, S-117, S-...

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☑Yes☐No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____
Name - Pollutants - Uses:Minor Tribs to Mohawk River – Unknown Toxicity – Recreation;Habitat/Hydrolgy;Aquatic Life

i. Is the project site in a designated Floodway? ☑Yes☐No

j. Is the project site in the 100-year Floodplain? ☑Yes☐No

k. Is the project site in the 500-year Floodplain? ☑Yes☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑Yes☐No
If Yes:

i. Name of aquifer: Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names:Schenectady-Niskayuna SSA

m. Identify the predominant wildlife species that occupy or use the project site:

n. Does the project site contain a designated significant natural community? ☑ Yes ☐ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): Pitch Pine-Oak Forest, Pine Barrens Vernal Pond

ii. Source(s) of description or evaluation:

iii. Extent of community/habitat:

- Currently: 2819.0, 0.53 acres
- Following completion of project as proposed: acres
- Gain or loss (indicate + or -): acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☑ Yes ☐ No

If Yes:

i. Species and listing (endangered or threatened): Side Oats Grama, Brown Bog Sedge, Bald Eagle, Karner Blue, Carey's Smartweed

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:

i. Species and listing:

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No

If yes, give a brief description of how the proposed action may affect that use:

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☑ Yes ☐ No

If Yes, provide county plus district name/number: SCHE001

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No

i. If Yes: acreage(s) on project site?

ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☑ Yes ☐ No

If Yes:

i. CEA name: Aquifer Area Overlay Zone

ii. Basis for designation: Conserve, improve, protect natural resources

iii. Designating agency and date: Agency:Rotterdam, Town of, Date:4-5-85

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☑ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: Eligible property:Rotterdam Fire District No. 7, Eligible property:Rotterdam Area Maintenance Support Activity #8, El...

iii. Brief description of attributes on which listing is based:

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

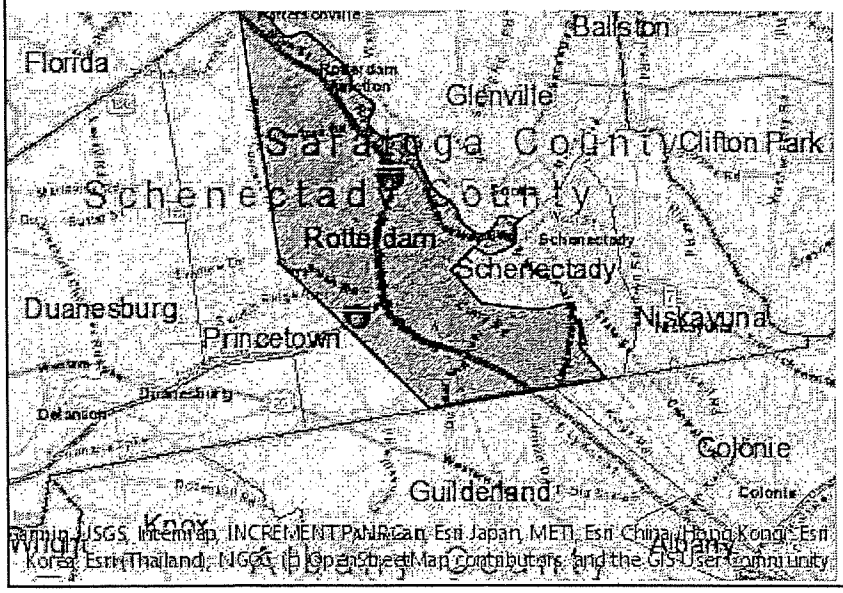
Applicant/Sponsor Name Town Board of the Town of Rotterdam Date October 20, 2022

Signature _____ Title Town Supervisor

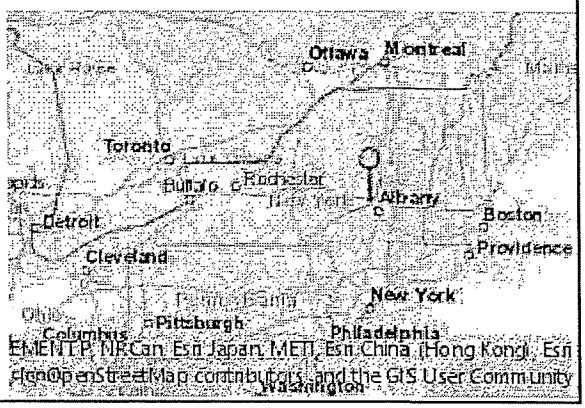
PRINT FORM

EAF Mapper Summary Report

Thursday, October 20, 2022 8:13 AM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	Remediaton Sites:447001, Remediaton Sites:447024, Remediaton Sites:V00063, Remediaton Sites:V00649, Remediaton Sites:447027, Remediaton Sites:447031, Remediaton Sites:V00011, Remediaton Sites:447005, Remediaton Sites:447006, Remediaton Sites:447004, NYS Heritage Areas:Mohawk Valley Heritage Corridor, NYS Heritage Areas:Schenectady
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Yes - Digital mapping data for Spills Incidents are not available for this location. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Yes
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Yes
E.1.h.i [DEC Spills or Remediation Site - DEC ID Number]	447001, 447024, V00063, V00649, 447027, 447031, V00011, 447005, 447006, 447004
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	447001, 447021, 447024, V00063, V00649, 447027, 447031, V00011, 447005, 447006, 447004, 447007, 447026, E447035, 447047, B00167
E.2.g [Unique Geologic Features]	Yes
E.2.g [Unique Geologic Features]	Plotterkill Preserve - Rotterdam, Scotia Sand & Stone Company
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.

E.2.h.iv [Surface Water Features - Stream Name]	863-640, 863-686, 863-687, 863-691, 876-99, 876-102, 876-110, 876-111, 876-113, 876-106, 876-105, 876-8, 876-103, 876-109, 876-108, 876-39, 863-688, 863-690, 863-689, 876-98, 876-101, 876-100, 876-7
E.2.h.iv [Surface Water Features - Stream Classification]	A, C, C(T), B, B(T)
E.2.h.iv [Surface Water Features - Lake/Pond Name]	863-686, 876-98, 876-101
E.2.h.iv [Surface Water Features - Lake/Pond Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters, NYS Wetland
E.2.h.iv [Surface Water Features - Wetlands Size]	NYS Wetland (in acres):34.7, NYS Wetland (in acres):12.1, NYS Wetland (in acres):43.1, NYS Wetland (in acres):93.7, NYS Wetland (in acres):1.9, NYS Wetland (in acres):158.4, NYS Wetland (in acres):27.6, NYS Wetland (in acres):157.1
E.2.h.iv [Surface Water Features - DEC Wetlands Number]	RJ-1, P-12, P-13, S-117, S-13, S-4, S-118, S-115
E.2.h.v [Impaired Water Bodies]	Yes
E.2.h.v [Impaired Water Bodies - Name and Basis for Listing]	Name - Pollutants - Uses:Minor Tribs to Mohawk River – Unknown Toxicity – Recreation;Habitat/Hydrolgy;Aquatic Life
E.2.i. [Floodway]	Yes
E.2.j. [100 Year Floodplain]	Yes
E.2.k. [500 Year Floodplain]	Yes
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Primary Aquifer, Sole Source Aquifer Names:Schenectady-Niskayuna SSA
E.2.n. [Natural Communities]	Yes
E.2.n.i [Natural Communities - Name]	Pitch Pine-Oak Forest, Pine Barrens Vernal Pond
E.2.n.i [Natural Communities - Acres]	2819.0, 0.53
E.2.o. [Endangered or Threatened Species]	Yes
E.2.o. [Endangered or Threatened Species - Name]	Side Oats Grama, Brown Bog Sedge, Bald Eagle, Karner Blue, Carey's Smartweed
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	Yes
E.3.a. [Agricultural District]	SCHE001
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	Aquifer Area Overlay Zone
E.3.d.ii [Critical Environmental Area - Reason]	Conserve, improve, protect natural resources
E.3.d.iii [Critical Environmental Area – Date and Agency]	Agency:Rotterdam, Town of, Date:4-5-85
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.

E.3.e.ii [National or State Register of Historic Places or State Eligible Sites - Name]	Eligible property:Rotterdam Fire District No. 7, Eligible property:Rotterdam Area Maintenance Support Activity #8, Eligible property:SCHERMERHORN HOUSE, Eligible property:THE ARENT SAMUELSE BRADT HOUSE, Eligible property:NEWBERRY HOUSE, Eligible property:THE PUTNAM HOUSE, Eligible property:Van Wormer farm, Eligible property:Enlarged Erie Canal Lock 25, Eligible property:VEDDER HOUSE 300P, Eligible property:Five-bay Frame Farmhouse, Barn Complex, Eligible property:Frame Farmhouse and Barn, Eligible property:Former Schoolhouse No. 11, ca. 1866/1960s, Eligible property:SUPPLY DEPOT HOUSING (?), Eligible property:Former Schenectady General Reserve Depot, Eligible property:VAN SLYKE HOUSE, Eligible property:Aaron Bradt House/Keepers of the Circle, Eligible property:GIFFORD HOUSE, Eligible property:R. Bradshaw house, New York State Barge Canal Historic District, Mabee House, Dellemont-Wemple Farm, Enlarged Double Lock No. 23, Old Erie Canal, Hotel Van Curler, Stockade Historic District, General Electric Research Laboratory
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

Town of Rotterdam
Office of the Planning Commission

Thomas P. Yuille, Chairman
Peter J. Comenzo, Senior Planner

Telephone (518) 355-7575
Facsimile (518) 355-2725

Resolution Number Planning Commission 56-2022
Moved by Mrs. Flansburg seconded by Mr. Collins

Resolution Adopting a Report and Recommendation on Introductory Local Law No. 9 of 2022 – A Local Law to Amend Chapter 270 ("Zoning") to Address Adult-Use Cannabis Retail Dispensaries and On-Site Consumption Facilities

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") is currently considering an amendment to Chapter 270 of the Town Code of the Town of Rotterdam, which would address adult-use cannabis retail dispensaries and on-site consumption facilities; and

WHEREAS, the Town Board referred the proposed amendment to the Planning Commission on October 26, 2022 for a report and recommendation thereon; and

WHEREAS, the Planning Commission reviewed the proposed amendment at its regularly scheduled meeting held on November 1, 2022; and

WHEREAS, the Planning Commission has deliberated on the proposed amendment;

NOW, THEREFORE, upon motion of Member Flansburg, seconded by Member Collins,

BE IT RESOLVED, by the Planning Commission of the Town of Rotterdam as follows:

1. The Planning Commission hereby adopts the following as its report on the proposed amendment:

In 2021, New York State passed legislation legalizing the growing, processing, distribution, and retail sale of adult-use cannabis (commonly referred to as recreational marijuana). Under the State legislation, the State has authority to issue licenses for (among other uses) adult-use retail dispensaries (selling cannabis products at retail, for off-site consumption) and adult-use on-site consumption facilities (selling cannabis products for on-site consumption).

The State legislation provides that all municipal governments are prohibited from adopting laws pertaining to the operation or licensure of adult-use cannabis licenses, with two exceptions:

(1) Prior to December 31, 2021, municipalities were permitted to adopt a local law to opt-out of allowing adult-use cannabis uses within their boundaries; and
(2) Municipalities may pass local laws and regulations governing the time, place and manner of the operation of licensed adult-use cannabis retail dispensaries and/or on-site consumption facilities, provided such local laws and regulations do "not make

the operation of such licensed retail dispensaries or on-site consumption sites unreasonably impracticable".

The Town of Rotterdam did not adopt a local law prior to December 31, 2021 to opt-out of allowing either retail dispensaries or on-site consumption facilities. Accordingly, it is reasonable to anticipate that these types of uses may begin to operate within the Town's boundaries. The proposed amendment, Introductory Local Law No. 9 of 2022, would address licensed adult-use cannabis retail dispensaries and on-site consumption facilities by making zoning amendments to regulate the time, place and manner of operation of these uses.

First, the proposed amendment would provide definitions for each of licensed adult-use cannabis retail dispensaries and licensed adult-use cannabis on-site consumption facilities. Each of those uses would be defined in a way that tracks the State's definition and licensing of those uses.

Next, the proposed amendment would designate zoning districts in which these two types of uses would be permissible. Under the proposed amendment, licensed adult-use cannabis retail dispensaries would be permissible within the B-2 (General Business), I-1 (Light Industrial), and I-2 (Heavy Industrial) zoning districts, and licensed adult-use on-site consumption facilities would be permissible within the I-1 (Light Industrial) and I-2 (Heavy Industrial) zoning districts. To further minimize the potential for siting these types of uses in residentially zoned neighborhoods, the proposed amendment would also make clear that these two uses would not be permissible as "home occupations".

Within the designated zoning districts, these newly defined uses would be subject to special use permit review and site plan approval. Accordingly, the Planning Commission would be empowered to require applicants for these uses to demonstrate that they meet the standards applicable to all special use permits (which are essentially designed to minimize the impact of such uses on the neighborhood), and to demonstrate that they meet the standards for site plan approval (which are essentially designed to make sure that the site design is safe and functional for the use proposed).

In addition to the otherwise applicable special use permit and site plan review standards, both of these uses would also be subject to additional standards. These uses would be restricted to particular hours of operation (9AM to 9PM, Monday through Saturday, 12PM to 6PM Sunday), and further would be required to comply with state-imposed distance/separation requirements (including not locating within 500 feet of school grounds or within 200 feet of houses of worship).

Additionally, an applicant for special use permit and site plan approval for these two types of newly defined uses would be required to demonstrate:

- That its proposal includes sufficient off-street parking to support the anticipated parking load for the use;
- That its proposal and the surrounding neighborhood includes sufficient pedestrian facilities and amenities (such as sidewalks, crosswalks, traffic signals, paths, bike lanes, benches, bus stops, and lighting) to provide invitees a safe and efficient means of accessing the site through means other than by motor vehicle;
- That its proposal includes sufficient ingress and egress points designed to permit safe and efficient access from adjoining public streets to avoid traffic congestion; and

- That its proposal will not cause discernable odors beyond the property line, or where the proposed use is permissible as one of multiple uses on the same lot, beyond the boundary of the area designated specifically for the proposed adult-use cannabis use (e.g., the tenant space).

Finally, the proposed zoning amendments would deem any special use permit or site plan approval for these two newly defined uses to be conditioned upon the operator securing and continuously maintaining the appropriate state license for its use. Upon a lapse of the state license, the local zoning approvals would likewise be deemed to expire.

2. The Planning Commission hereby adopts a **positive recommendation** on the proposed amendment. The Planning Commission believes that it is important for the Town to have in place a land use regulatory structure in anticipation of property owners/applicants seeking to establish adult-use cannabis retail dispensaries and adult use cannabis on-site consumption facilities.

Member	Aye	Nay
John Denny III	**X**	
Wayne Calder	**X**	
Mark D'Alessandro	**X**	
Clark Collins	**X**	
Joseph Signore		**X**
Lynn Flansburg	**X**	
Thomas Yuille	**X**	

Peter J. Comenzo
Senior Planner

Thomas P. Yuille
Planning Commission Chairman

ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING

Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received 11-1-22
Case No. R-21-22
Returned 11-10-22

FROM: ☑ Legislative Body
☐ Zoning Board of Appeals
☐ Planning Board

Municipality: Town of Rotterdam

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225
(fax) 382-5539

Received
Schenectady County
NOV 01 2022
Economic Development and Planning Dept

ACTION:
☑ Zoning Code/Law Amendment
☐ Zoning Map Amendment
☐ Subdivision Review
☐ Site Plan Review
☐ Special Permit
☐ Use Variance
☐ Area Variance
☑ Other (specify) Local Law - Cannabis

PUBLIC HEARING OR MEETING DATE: December 14, 2022

SUBJECT: Town of Rotterdam – Code Amendment. Report and Recommendation to the Town Board for a Local Law to amend Chapter 270 of the Town Code of the Town of Rotterdam in regards to Adult -Use Cannabis Retail Dispensaries and Adult Use Cannabis On-Site Consumption Facilities.

RECEIVED
NOV 16 2022
TOWN OF ROTTERDAM
PUBLIC WORKS

REQUIRED ENCLOSURES:
1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.

2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:

☐ the boundary of any city, village or town;
☐ the boundary of any existing or proposed County or State park or other recreation area;
☐ the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
☐ the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
☐ the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
☐ the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

Name: Peter Comenzo Title: Sr. Planner

Address: 1100 Sunrise Boulevard Schenectady, NY 12306

E-mail: pcomenzo@rotterdamny.org Phone: 518-355-7575 Ext 338

Signature Date: 10 27 22

PLANNING & ZONING COORDINATION REFERRAL

Case No. R-21-22 Applicant Town Board

Referring Officer Peter Comenzo Municipality Rotterdam

Considerations: Proposed zoning code amendment to allow adult use Cannabis Retail Dispensaries in the B-2 General Business District, I-1 Light Industrial District and I-2 Heavy Industrial District by special use permit and allow adult use cannabis on-site consumption facilities in the I-2 District only.

RECOMMENDATION

Receipt of zoning referral is acknowledged on November 1, 2022. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

☐ ***Approve of the proposal.**

☑ **Defer to local consideration (No significant county-wide or inter-community impact)**

☐ **Modify/Conditionally Approve.** Conditions:

☐ **Advisory Note:**

☐ **Disapprove.** Reason:

*A recommendation of approval should not be interpreted that the County has reviewed all local concerns and/or endorses the project; rather the proposed action has met certain County considerations.

Section 239-m of the general Municipal Law requires that within 30 days after final action, the referring body shall file a report of the final action it has taken with the Schenectady County Department of Economic Development and Planning. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such report.

11/1/22
Date

Ray Gillen, Commissioner
Economic Development and Planning