

The Town of Rotterdam Town Board Meeting will be held in person; however, the public may access the meeting electronically via conference call. Members of the public may listen to the board meeting by dialing 1 (929) 205-6099, then enter the conference ID NO. 867 0373 0307, followed by the pound symbol. 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
June 8, 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

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

RESOLUTIONS

189.22 To appoint Nathan Craig to the position of Building Inspector for the Town of Rotterdam.

190.22 To amend Resolution No. 179.22 of the year 2022 - Appoint seasonal laborers to the Highway Department.

191.22 To execute a memorandum of agreement between the Town of Rotterdam and CSEA recognizing new job titles and salaries.

192.22 To amend Resolution No. 38.22 of the year 2022

193.22 Call for bids for Grinding and Removal or Brush, Yard Waste and Wood.

194.22 To enter into an agreement for Town Highway phase two paving for 2022.

195.22 SEQRA Project Determination of Non-Significance for the Rotterdam Junction Stormwater Improvements.

196.22 Approve budget transfers to the 2022 budget.

197.22 To enter into an agreement with Jerry Adach; Web Development.

198.22 To accept revenue for Town Clerks Office for May 2022.

199.22 To accept Town Board meeting minutes from May 25, 2022.

LIAISON REPORTS

MISCELLANEOUS

- **PUBLIC INFORMATION SESSION** held to inform residents about the process of **water withdrawal modification** including but not limited to **water leak detection, water conservation and water metering.**

EXECUTIVE SESSION

ADJOURNMENT

Mollie A. Collins, Supervisor

RESOLUTION NO. 189.22

TO APPOINT NATHAN CRAIG TO THE POSITION OF BUILDING INSPECTOR

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Nathan Craig of Schenectady New York is hereby appointed to the position of Building Inspector, for the Town of Rotterdam, full time, probationary, with full time employee benefits, at an annual salary of sixty-two thousand four hundred ninety and 96/100 (\$62,490.96) dollars, commencing June 13, 2022.

SECTION 2. This resolution shall become effective June 8, 2022

DATED: June 8, 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: June 1 2022

TO: Mollie A. Collins, Supervisor

FROM: Charles Jack Dodson, Deputy Supervisor

TITLE OF REQUEST: Appoint Nathan Craig to the position of Building Inspector for the Town of Rotterdam.

TOWN BOARD MEETING: June 8, 2022

Background Information: The Town of Rotterdam did an extensive interview process with several applicants for the building inspector open position.

Evaluation/Analysis: The Town of Rotterdam has an open position for a building inspector with a salary to reflect \$62,490.96, as the original job posting did not reflect the revised salary with the 3.25% increase granted last year.

Recommendation(s): Hire Mr. Nathan Craig

Attachment/Document(s): Resume and Civil Service Application

Compliance with Purchasing Policy: Yes

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

LEGISLATION WILL BE PREPARED BY: Supervisors Office

Nathan Craig

A position where my extensive skills in construction and code enforcement will be utilized and enhanced

Work Experience

Code Enforcement Officer
City of Schenectady

To interpret and enforce the New York State building codes throughout the City of Schenectady , as well as to inspect active permits of residential and Commercial construction. Performed inspections relating to complaints, vacant buildings , and rental inspections

Lead Carpenter
Peachtree Builders

Remodeling Senior Apartments in The Glen Eddy and Marjorie Doyle, both health Care facilities, as well as framing, siding, trim, kitchens and bathrooms

Lead Carpenter
A.J Arpey

Replaced windows in three Troy Housing Authority Sites and some demo of burned out apartments as well as additions, decks, and grant jobs and various trim, siding, kitchen cabinets

Foreman/Lead Carpenter building
M. Nann Construction

custom additions and garage kits. Duties include building and siding additions and producing a variety of interior finishes.

Crew supervisor
D.B. Building Inc

for multi-million dollar houses, additions, and kitchen remodels. Projects included roofing, basic hardwood flooring, and custom trim/ siding.

Skills/ Attributes

- ability to prioritize projects/plans
- computer literate

- Energy efficient construction experience
- exceptional organizational skills
- exceptional plan interpretation
- Dedicated
- Works well alone or with others
- Communicates with people well

Education / Certifications

New York State Code Certified
Associate of Occupational Studies SUNY Delhi

Vocational

Construction Trades Schoharie Center of Vocational Education - Schoharie, NY

Skills

Carpentry (15+ years)
Construction Experience

SCHENECTADY COUNTY CIVIL SERVICE COMMISSION
620 STATE STREET, SCHENECTADY, NEW YORK 12305
Phone: 388-4233

08/26/2019

NATHAN CRAIG


Re: 64-607 CODE ENFORCEMENT OFFICER (CITY NEIGH REV) OC

Dear NATHAN CRAIG

You have attained a passing grade on the examination indicated above which was held on June 22, 2019

Date of Eligible List: 08/26/19
Position on List: 2
Performance test(s):
(if required)

Written Grade: 75.0
Veteran's Credit: 0.0
TOTAL SCORE: 75.0

Eligible List expires on 08/25/23 unless superseded by another examination.

As employment opportunities occur, referrals from the eligible list will be made.

As you are reachable on the eligible list, no review is allowed.

You must notify this office in writing of any change of address/phone number that may have occurred since this examination. Failure to do so may result in your name being passed by on the eligible list.

If you decline an interview or offer of employment, you must notify our office in writing to request to have your name remain active on the eligible list. Declinations must be for a valid reason, insufficiency of compensation, geographic location, temporary unavailability, etc.. Failure to notify our office or respond to a canvas will result in your name becoming inactive on the eligible list.

Sincerely,

Civil Service Commission

Schenectady County is an Equal Opportunity Employer. Schenectady County does not unlawfully discriminate in employment because of age, race, creed, color, national origin, sex, sexual orientation, disability, marital status, arrest and/or criminal conviction record unless based on a bona fide occupational qualification or other exception, genetic predisposition, or domestic violence victim status.



Schenectady County

Human Resources & Civil Service
620 State Street
Schenectady, NY 12305-2114

APPLICATION FOR EXAMINATION OR EMPLOYMENT

FOR COUNTY OFFICES, TOWNS, VILLAGES, SCHOOL DISTRICTS
LIBRARIES AND SPECIAL DISTRICTS

1. BUILDING INSPECTOR
POSITION TITLE

EXAM NUMBER

Date Received _____ Approved _____

Conditional _____ Disapproved _____

CIVIL SERVICE DEPT.
USE ONLY

This application is part of your examination. Answer all questions fully. A resume, if submitted, cannot substitute for the application. You are encouraged to read the General Conditions and Instructions for more information.

2. Name and Legal Residence

CRALY NATHAN S
Last Name First Name Middle Initial

Street Address or Road _____ R.D. # or P.O. Box # _____

County _____ City, Town, Village _____ State _____ Zip _____

Home Phone Number _____ Cell Phone _____

Email Address: _____

If mailing address is different:

Street Address or Road _____ R.D. # or P.O. Box # _____

County _____ City, Town, Village _____ State _____ Zip _____

Social Security Number _____ - _____ - _____

3. Police Officer & Firefighter Candidates Only:

Date of Birth (MM/DD/YYYY) ____/____/____

4. **Residency Requirements:** Candidates must meet the Residency Requirements as stated on the examination announcement. You must complete the following to determine if you meet these residency requirements. Indicate how long this has been your legal residence, up to the date of this application, showing that you meet the residency requirements as announced.

	Name	Years	Months
State of:	<u>NEW YORK</u>		
County of:	<u>SCHENECTADY</u>		
Village of:			
Town of:			
City of:			
School District	<u>SCHENECTADY</u>		

5. Citizenship

A. Are you currently a U.S. Citizen? YES ☒ NO ☐

B. If not, do you have the legal right to accept Employment in the United States? YES ☐ NO ☐
Please give alien registration number: _____

C. Are you a retiree from New York State or any civil division thereof? YES ☐ NO ☒

6. **Special Testing Arrangements** (Refer to General Conditions and Instructions). If you need Special Accommodations to take the examination, contact the Civil Service Office at (518) 388-4233.

Religious ☐ Military ☐ Disability ☐

7. **Crossfiler** - If you have filed or are filing SEPARATE applications for Civil Service Examinations being held on the same date, attach the CROSSFILER APPLICATION. Call to make arrangements no later than two weeks before the test date.

8. **Driver's License:** Complete the following if a license to operate a motor vehicle is required for the position that you are applying.

License #:	
Restrictions:	
Expiration Date:	
Endorsements:	
Class of License:	<u>D</u>
Is this License Currently Valid	YES ☒ NO ☐

9. Veterans Credits: If you wish to apply for Veterans Credits, complete the following questions and complete the Application for Veterans Credits (Refer to General Conditions and Instructions).

	YES	NO
Have you ever served in the Armed Forces of the United States? (The Armed Forces means the Army, Navy, Marine Corps, Air Force, and Coast Guard, including all components thereof and the National Guard when in the service of the US pursuant to call as provided by Law on a full-time active duty basis other than active duty for training purposes).		
Did you serve in the Armed Forces during any of the following periods:		
February 28, 1961 – May 7, 1975		
August 2, 1990 – end of hostilities		
*Lebanon: June 1, 1983 – December 1, 1987		
*Granada: October 23, 1983 – November 21, 1983		
*Panama: December 20, 1989 – January 31, 1990		
*Credit for Lebanon, Grenada and Panama is limited to those who received the Armed Forces Expeditionary Medal, the Navy Expeditionary Medal, or the Marine Corps Expeditionary Medal.		
Have you ever used additional credits as a disabled or non-disabled veteran for appointment to any position in the public employment of New York State or any of its civil divisions?		
Do you have a service connected disability rated at 10% or more by the U.S. Department of Veterans Affairs? This disability must have been incurred during a Time of War period listed above.		
After you were permanently appointed using non-disabled veteran credits, were you subsequently certified as having a service connected disability rated at 10% or more by the U.S. Department of Veterans Affairs?		
Are you currently a resident of New York State?		

10. Additional Questions: Check the appropriate box to the right of each question.

	YES	NO
Were you dismissed or discharged from any employment for reasons other than lack of work or funds?	☒	☒
Did you ever resign from any employment rather than face dismissal?		☒
Did you ever receive a discharge from the Armed Forces of the United States which was other than "Honorable" or which was issued under the other than honorable circumstances?		☒
Have you ever been convicted of any crime (felony or misdemeanor)?		☒
Are you now under charges for any crime?		☒
Have you ever forfeited bail bond posted to guarantee your appearance in court to answer any criminal charge?		☒

If you answered yes to any of the above questions, you may give specifics below. If you elect not to provide specifics, or if such explanation is insufficient, you may be required to submit further information. None of the above circumstances represents an automatic bar to employment. Each case is considered and evaluated on individual merits in relation to the position (s) for which you are applying.

REMARKS:

11. Licenses: If a license, certificate or other authorization to practice a trade or profession is listed as a requirement on the announcement of the examination (s) for which you are applying.

Name of Trade or Profession:	NYS CODE CERTIFIED		Specialty:	
License Number:				
Granted by (Licensing Agency):	NYS		City/State:	
Date License First Issued:		Registered From:		Registered To:

12. Education: If credit is claimed for a partially completed college curriculum or correspondence course, attach a list of courses and credit or semester hours completed. Indicate how many credit hours or courses are required for graduation. If required to indicate specific course work, do so on an attached sheet.

High School	
Have you ever graduated from High School or do you have possession of a High School Equivalency Diploma?	YES ☒ NO ☐
If Yes, Name and Location of High School or Issuing Government Authority:	COBLESKILL REHMANVILLE HIGH School
Equivalency Diploma Number:	

College, University, Professional or Technical School						
Name of School	Number of College Credits	Degree Earned	Major Subject/ Courses	Did You Graduate?		Date Degree Expected or Received
				Yes	No	
SUNY DELHI	2 YRS		CARPENTRY/CONSTRUCTION			

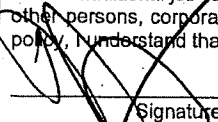
13. Experience: All sections must be filled out completely even if you attach a resume. Begin with the most recent employment. List all employment or military service that shows that you meet the minimum qualifications for the examination. Omissions or vagueness will not be interpreted in your favor. Under *Description of Duties*, clearly describe the nature of work which you personally performed. Part-time experience will be prorated unless otherwise stated on the examination announcement. Verified and documented volunteer experience will only be credited when specifically stated on the examination announcement. If you move to a different position within the same organization, indicate so in a separate employment box. You may attach additional sheets if you need more space.

Length of Employment	Firm Name:	CITY OF SCHENECTADY
From:	Firm Address:	105 JAY ST
To:	Description of Duties: BUILDING INSPECTIONS REMODEL INSPECTIONS CERT OF USE INSPECTIONS HOUSING VIOLATIONS APPEARANCE TRUITS PLAN REVIEWS PAULING PERMITS	
Month/Year (mm/yyyy)		
Employment Details		
Your Exact Title		
Name of Your Supervisor		
Supervisor's Title	CHRIS LUNN	
Hours worked / wk. (exclusive of overtime)	35 HRS	
Reason for Leaving		
Length of Employment	Firm Name:	PIPER TREE BOLLERS
From:	Firm Address:	HUDSON RIVER ROAD WATERFORD NY
To:	Description of Duties: BUILD ADDITIONS, KITCHENS WINDOWS, FRAMING, SIDING, TRIM	
Month/Year (mm/yyyy)		
Employment Details		
Your Exact Title		
Name of Your Supervisor		
Supervisor's Title	BLUM UPRATE	
Hours worked / wk. (exclusive of overtime)	40	
Reason for Leaving	BETTER JOB / RETIREMENT / SAVING	

Length of Employment		Firm Name:	A.J. ARRY
From:	[REDACTED] (mm/yyyy)	Firm Address:	BAUSTON SPA NY
To:	[REDACTED] (mm/yyyy)	Description of Duties: WINDOWS / ADDITIONS / GARAGES, KITCHENS / REMODELING FRAMING / SIDING / TRIM / KITCHENS	
Employment Details			
Your Exact Title		Carpenter	
Name of Your Supervisor		PAUL HAY	
Supervisor's Title			
Hours worked / wk. (exclusive of overtime)		40	
Reason for Leaving		BETTER JOBS / NO WORKERS / COMPANY / RIDE	
Length of Employment		Firm Name:	M. NANN CONSTRUCTION
From:	[REDACTED] (mm/yyyy)	Firm Address:	M. VILLE NY
To:	[REDACTED] (mm/yyyy)	Description of Duties: WINDOWS / ADDITIONS / GARAGES KITCHENS / REMODELING FRAMING / SIDING / TRIM / KITCHENS	
Employment Details			
Your Exact Title		Carpenter	
Name of Your Supervisor		M. NANN	
Supervisor's Title		GC	
Hours worked / wk. (exclusive of overtime)		40	
Reason for Leaving		BETTER JOBS / MONEY	

THIS AFFIRMATION MUST BE COMPLETED

I affirm, subject to the penalties of perjury, that the statements made in this application, including statements made in any accompanying papers, are true. I understand that all statements made by me in connection with this application are subject to investigation and verification and that a material misstatement or fraud may disqualify me from appointment and/or lead to revocation of my appointment. I give the employer the right to investigate all references and to secure additional job related information about me. I hereby release from liability the employer and its representatives for seeking such information and all other persons, corporations or organizations for furnishing such information. If the position I am applying for is covered by the employer's drug testing policy, I understand that as a condition of appointment to this position, I will be required to take and successfully pass a pre-employment drug test.



Signature of Applicant

NATHAN STACH

Print Name

4/18/22

Date

(State below any other name by which you have been known)

RESOLUTION NO. 190.22

**TO AMEND RESOLUTION 179.22 OF THE YEAR 2022
APPOINT SEASONAL LABORERS: HIGHWAY DEPARTMENT**

WHEREAS, on May 25, 2022 Devin Fortune was hired on Resolution No. 179.22 as a seasonal summer laborer for the Town of Rotterdam Highway Department, and has recently resigned from this position, leaving a vacancy in the Highway Department;

THEREFORE, UPON MOTION OF Councilmember _____,
seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Section 1 of Resolution 179.22, is hereby amended and restated to read as follows: The following individuals are hereby appointed and reappointed to various seasonal summer positions at the Town of Rotterdam Highway Department at indicated hourly rates of pay, on an as needed basis, with no employee benefits through September 2, 2022.

Highway Department

Matthew Horwedel	6/2022 – 8/5/2022	Laborer	\$17.00
Kyle Vanblarcom	6/1/2022 – 8/26/2022	Laborer	\$17.00
Nathan Gandrow	6/1/2022 – 8/19/22	Laborer	\$17.00
Mattia Viscusi	6/1/2022 – Available as needed	Laborer	\$17.00

SECTION 2. This resolution shall become effective retroactive to June 3, 2022.

DATED: June 8, 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: June 2, 2022

TO: Mollie Collins, Town Supervisor

FROM: Larry Lamora, Highway Superintendent

TITLE OF REQUEST: To recognize the hire of Matthew Horwedel for Summer Highway laborer starting June, 2022 until September 2, 2022 in place of Devin Fortune.

TOWN BOARD MEETING: June 8, 2022

Background Information: Highway dept. to employ Matthew Horwedel in place of Devin Fortune for 2022 Summer Employment to assist highway crews.

Evaluation/Analysis: See attached employment application

Recommendation(s): To appoint a part-time summer employee; Matthew Horwedel, in place of Devin Fortune providing the completion of a DCJS Background check in the amount of \$88.50 & that upon completion of summer help, employee will be refunded \$88.50 upon approval of Highway Superintendent.

Attachment/Document(s): Employment Application

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisors Office

TOWN OF ROTTERDAM
Highway Department
54 Duanesburg Rd
ROTTERDAM, NEW YORK 12306

2022 Summer Employment Application
(For H.S. Grads & College Students)

Application must be filled out completely to be considered. Please return this application to:

Rotterdam Highway Department
54 Duanesburg Rd
Rotterdam, New York 12306

Applications may also be faxed to (518) 357-2645 or emailed to llamora@rotterdamny.org and alawson@rotterdamny.org. Applications will be accepted from March 1, 2022 to May 16, 2022.

1. Name: Matthew Horwedel
2. D.O.B: [REDACTED] Age: [REDACTED]
3. Address: [REDACTED]
4. Phone #: [REDACTED] Email: [REDACTED]
5. Do you have any vacations planned for the summer? Yes
If so, what dates? July 3rd - 6th
6. What is your earliest available start date? June 3rd End date? August 5th

Laborer- \$17.00 per hour

- Job requires working with power equipment. Therefore, all applicants must be at least 18 years old.
- Work with the Highway Department Crew performing all laborer tasks.
- Work out of the Highway Garage, 54 Duanesburg Rd
- Monday-Friday: 7:00 AM – 3:30 PM

References (please provide two)

Name	Address	Phone
<u>Daniella Richards</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>Michael Piranian</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>

Job offers are contingent on the results of a DCJS background check at the applicant's expense

Schenectady County is an Equal Opportunity Employer. Schenectady County does not unlawfully discriminate in employment because of age, race, creed, color, national origin, sex, sexual orientation, disability, marital status, arrest and/or criminal conviction record unless based on a bona fide occupational qualification or other exception, genetic predisposition, or domestic violence victim status.



Schenectady County

Human Resources & Civil Service
620 State Street
Schenectady, NY 12305-2114

APPLICATION FOR EXAMINATION OR EMPLOYMENT

FOR COUNTY OFFICES, TOWNS, VILLAGES, SCHOOL DISTRICTS
LIBRARIES AND SPECIAL DISTRICTS

Date Received _____ Approved _____

Conditional _____ Disapproved _____

CIVIL SERVICE DEPT.
USE ONLY

1. _____
POSITION TITLE EXAM NUMBER

This application is part of your examination. Answer all questions fully. A resume, if submitted, cannot substitute for the application. You are encouraged to read the General Conditions and Instructions for more information.

2. Name and Legal Residence

Last Name Harwedel First Name Matthew Middle Initial C

Street Address or Road _____ R.D. # or P.O. Box # _____

County _____ City, Town, Village _____ State _____ Zip _____

Home Phone Number _____ Cell Phone _____

Email Address: _____

If mailing address is different:

Street Address or Road _____ R.D. # or P.O. Box # _____

County _____ City, Town, Village _____ State _____ Zip _____

Social Security Number _____

3. Police Officer & Firefighter Candidates Only:

Date of Birth (MM/DD/YYYY) ____/____/____

4. Residency Requirements: Candidates must meet the Residency Requirements as stated on the examination announcement. You must complete the following to determine if you meet these residency requirements. Indicate how long this has been your legal residence, up to the date of this application, showing that you meet the residency requirements as announced.

	Name	Years	Months
State of:	New York		
County of:	Schenectady		
Village of:			
Town of:	Delanson		
City of:	Duanesburg		
School District	Schulmont		

5. Citizenship

A. Are you currently a U.S. Citizen? YES ☒ NO ☐

B. If not, do you have the legal right to accept Employment in the United States? YES ☐ NO ☐
Please give alien registration number: _____

C. Are you a retiree from New York State or any civil division thereof? YES ☐ NO ☒

6. Special Testing Arrangements (Refer to General Conditions and Instructions). If you need Special Accommodations to take the examination, contact the Civil Service Office at (518) 388-4233.

Religious ☐ Military ☐ Disability ☐

7. Crossfiler - If you have filed or are filing SEPARATE applications for Civil Service Examinations being held on the same date, attach the CROSSFILER APPLICATION. Call to make arrangements no later than two weeks before the test date.

8. Driver's License: Complete the following if a license to operate a motor vehicle is required for the position that you are applying.

License #:	
Restrictions:	
Expiration Date:	
Endorsements:	
Class of License:	
Is this License Currently Valid	YES ☐ NO ☐

9. Veterans Credits: If you wish to apply for Veterans Credits, complete the following questions and complete the Application for Veterans Credits (Refer to General Conditions and Instructions).

	YES	NO
Have you ever served in the Armed Forces of the United States? (The Armed Forces means the Army, Navy, Marine Corps, Air Force, and Coast Guard, including all components thereof and the National Guard when in the service of the US pursuant to call as provided by Law on a full-time active duty basis other than active duty for training purposes).		
Did you serve in the Armed Forces during any of the following periods:		
February 28, 1961 – May 7, 1975		
August 2, 1990 – end of hostilities		
*Lebanon: June 1, 1983 – December 1, 1987		
*Granada: October 23, 1983 – November 21, 1983		
*Panama: December 20, 1989 – January 31, 1990		
*Credit for Lebanon, Grenada and Panama is limited to those who received the Armed Forces Expeditionary Medal, the Navy Expeditionary Medal, or the Marine Corps Expeditionary Medal.		
Have you ever used additional credits as a disabled or non-disabled veteran for appointment to any position in the public employment of New York State or any of its civil divisions?		
Do you have a service connected disability rated at 10% or more by the U.S. Department of Veterans Affairs? This disability must have been incurred during a Time of War period listed above.		
After you were permanently appointed using non-disabled veteran credits, were you subsequently certified as having a service connected disability rated at 10% or more by the U.S. Department of Veterans Affairs?		
Are you currently a resident of New York State?		

10. Additional Questions: Check the appropriate box to the right of each question.

	YES	NO
Were you dismissed or discharged from any employment for reasons other than lack of work or funds?		X
Did you ever resign from any employment rather than face dismissal?		X
Did you ever receive a discharge from the Armed Forces of the United States which was other than "Honorable" or which was issued under the other than honorable circumstances?		X
Have you ever been convicted of any crime (felony or misdemeanor)?		X
Are you now under charges for any crime?		X
Have you ever forfeited bail bond posted to guarantee your appearance in court to answer any criminal charge?		X

If you answered yes to any of the above questions, you may give specifics below. If you elect not to provide specifics, or if such explanation is insufficient, you may be required to submit further information. None of the above circumstances represents an automatic bar to employment. Each case is considered and evaluated on individual merits in relation to the position (s) for which you are applying.

REMARKS:

11. Licenses: If a license, certificate or other authorization to practice a trade or profession is listed as a requirement on the announcement of the examination (s) for which you are applying.

Name of Trade or Profession:		Specialty:	
License Number:			
Granted by (Licensing Agency):		City/State:	
Date License First Issued:		Registered From:	Registered To:

12. Education: If credit is claimed for a partially completed college curriculum or correspondence course, attach a list of courses and credit or semester hours completed. Indicate how many credit hours or courses are required for graduation. If required to indicate specific course work, do so on an attached sheet.

High School						
Have you ever graduated from High School or do you have possession of a High School Equivalency Diploma?						YES ☒ NO ☐
If Yes, Name and Location of High School or Issuing Government Authority:				Schalmont HS, Rotterdam, NY		
Equivalency Diploma Number:						
College, University, Professional or Technical School						
Name of School	Number of College Credits	Degree Earned	Major Subject/ Courses	Did You Graduate?		Date Degree Expected or Received
				Yes	No	
Wilkes University	94	B.S.	Financial Investments		X	

13. Experience: All sections must be filled out completely even if you attach a resume. Begin with the most recent employment. List all employment or military service that shows that you meet the minimum qualifications for the examination. Omissions or vagueness will not be interpreted in your favor. Under *Description of Duties*, clearly describe the nature of work which you personally performed. Part-time experience will be prorated unless otherwise stated on the examination announcement. Verified and documented volunteer experience will only be credited when specifically stated on the examination announcement. If you move to a different position within the same organization, indicate so in a separate employment box. You may attach additional sheets if you need more space.

Length of Employment	Firm Name:	Volmart
From:	Firm Address:	139 Merchant Pl, Cobleskill, NY 12043
To:	Description of Duties:	
Month/Year (mm/yyyy)		
Employment Details		
Your Exact Title: Cap team 1		
Name of Your Supervisor:		
Supervisor's Title:		
Hours worked / wk. (exclusive of overtime):		
Reason for Leaving:		
Length of Employment	Firm Name:	
From:	Firm Address:	
To:	Description of Duties:	
Month/Year (mm/yyyy)		
Employment Details		
Your Exact Title:		
Name of Your Supervisor:		
Supervisor's Title:		
Hours worked / wk. (exclusive of overtime):		
Reason for Leaving:		

Length of Employment	Firm Name:	
From:	Firm Address:	
To: Month/Year (mm/yyyy)	Description of Duties:	
Month/Year (mm/yyyy)		
Employment Details		
Your Exact Title		
Name of Your Supervisor		
Supervisor's Title		
Hours worked / wk. (exclusive of overtime)		
Reason for Leaving		
Length of Employment	Firm Name:	
From:	Firm Address:	
To: Month/Year (mm/yyyy)	Description of Duties:	
Month/Year (mm/yyyy)		
Employment Details		
Your Exact Title		
Name of Your Supervisor		
Supervisor's Title		
Hours worked / wk. (exclusive of overtime)		
Reason for Leaving		

THIS AFFIRMATION MUST BE COMPLETED

I affirm, subject to the penalties of perjury, that the statements made in this application, including statements made in any accompanying papers, are true. I understand that all statements made by me in connection with this application are subject to investigation and verification and that a material misstatement or fraud may disqualify me from appointment and/or lead to revocation of my appointment. I give the employer the right to investigate all references and to secure additional job related information about me. I hereby release from liability the employer and its representatives for seeking such information and all other persons, corporations or organizations for furnishing such information. If the position I am applying for is covered by the employer's drug testing policy, I understand that as a condition of appointment to this position, I will be required to take and successfully pass a pre-employment drug test.

Matthew Horwadel
Signature of Applicant

Matthew Horwadel
Print Name

6/2/2021
Date

(State below any other name by which you have been known)

RESOLUTION NO. 191.22

TO AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE THE MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF ROTTERDAM AND THE CIVIL SERVICE EMPLOYEES' ASSOCIATION RECOGNIZING THE NEW JOB TITLES AND SALARIES: SENIOR ACCOUNT SPECIALIST & SENIOR DPW SPECIALIST

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 execute the memorandum of agreement between the Town of Rotterdam and the Civil Service Employees' Association recognizing the job titles of Senior Account Specialist with a salary of \$59,913.30 and Senior DPW Specialist with a salary of \$56,724.09, as CSEA bargaining unit positions covered under the Collective Bargaining Agreement between the Town of Rotterdam and the CSEA Town of Rotterdam Unit #8504.

SECTION 2. This resolution shall become effective June 8, 2022

DATED: June 8, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

MEMORANDUM OF AGREEMENT
BETWEEN
THE TOWN OF ROTTERDAM
AND

THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC, LOCAL 1000 AFSCME,
AFL-CIO, TOWN OF ROTTERDAM UNIT #8504 OF THE SCHENECTADY COUNTY LOCAL # 886

WHEREAS, the Town of Rotterdam (hereinafter "Town") and CSEA, Local 1000 AFSCME, AFL-CIO, Town of Rotterdam Unit #8504 of the Schenectady County Local 886 (hereinafter "CSEA") are parties to a collective bargaining agreement effective from January 1, 2021 through December 31, 2021;

WHEREAS, the Town notified CSEA that Town will recognize the new job titles of Senior Account Specialist with a salary of \$56,913.30, and Senior DPW Specialist with a salary of \$56,724.09 as a CSEA bargaining unit position; and,

WHEREAS, CSEA agrees with the Town to recognize the job titles of Senior Account Specialist with a salary of \$59, 913.30 and Senior DPW Specialist with a salary of \$56, 724.09 as a bargaining unit positions.

IT IS HEREBY AGREED:

1. The Town, effective June __, 2022, will voluntarily recognize the titles of Senior Account Specialist and Senior DPW Specialist as CSEA bargaining unit positions covered under the Collective Bargaining Agreement between the Town of Rotterdam and the CSEA Town of Rotterdam Unit #8504.
2. This Memorandum of Agreement is subject to board approval by the Town of Rotterdam Town Board.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed by their proper officers on this __ day of June 2022.

TOWN OF ROTTERDAM

CSEA, INC.

Mollie Collins, Town Supervisor

Angelique Bywater, CSEA, Inc.

Garry Costanzo, Town of Rotterdam Town Hall Unit
President

RESOLUTION NO. 192.22
TO AMEND RESOLUTION 38.22 OF THE YEAR 2022

WHEREAS, on January 1, 2022, Resolution No. 38.22, FCM Engineering PLLC was authorized to be utilized to act as a Town Designated Engineer for the calendar year 2022 on an as needed basis; and

WHEREAS, Whereas, on May 25, 2022, Resolution No. 178.22 authorized execution of an agreement with FCM Engineering, PLLC for professional consultant services in connection with providing on-call engineering services through December 31, 2022 and prohibited FCM Engineering, PLLC from providing Town Designated Engineering services during the term of the agreement;

THEREFORE, UPON MOTION OF Councilmember _____,
seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Section 1 of Resolution No. 38.22, is hereby amended and restated to read as follows: The Town Board of the Town of Rotterdam hereby authorizes the utilization of the following engineering firms to act as Town Designated Engineers for the calendar year 2022 on an as needed basis:

Barton and Loguidice
Brett Steenburgh
CT Male & Associates
Clough Harbor and Associates (CHA)
Colliers Engineering & Design
Creighton Manning Engineering
Empire Engineering
Frank Engineering, PLLC
GPI/Greenman-Pedersen Inc.
Ingalls and Associates
KB Group of NY, Inc. dba PRIME AE Group of NY
Laberge Group
LaBella Associates/The Chazen Companies

SECTION 2. This resolution shall become effective June 8, 2022.

DATED: June 8, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

DRAFT

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: June 2, 2022
TO: Mollie A. Collins, Supervisor
FROM: Charles Jack Dodson, Deputy Supervisor

TITLE OF REQUEST: Amend Resolution No. 38.22

TOWN BOARD MEETING: June 8, 2022

Background Information: FCM Engineering PLLC was authorized to be a Town Designated Engineer(TDE) for the 2022 calendar year on an as needed basis passed on January 1, 2022 by Resolution 38.22. May 25, 2022 FCM Engineering PLLC executed an agreement with the Town of Rotterdam for professional services in connection with providing on-call engineering services through December 31, 2022 and part of the agreement was they were prohibited to be involved in any TDE with the Town of Rotterdam during the agreement, which requires FCM Engineering to come off of the TDE list from Resolution 38.22.

Evaluation/Analysis: FCM Engineering cannot be a TDE in accordance with the new agreement on Resolution 178.22.

Recommendation(s): Amend Resolution 38.22 taking off FCM Engineering PLLC as a TDE for the Town of Rotterdam for the 2022 calendar year.

Attachment/Document(s): Resolution No. 38.22 & 178.22

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisors Office

RESOLUTION NO. 38.22

At the Organizational 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 Saturday, January 1, 2022, at 1:00 p.m., the following resolution was duly adopted:

AUTHORIZE THE UTILIZATION OF SPECIFIC ENGINEERING FIRMS TO ACT AS TOWN DESIGNATED ENGINEERS FOR 2022

THEREFORE, UPON MOTION OF Councilmember **MASTROLANNI**, seconded by Councilmember **CHRISTOU**, **NOW**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the utilization of the following engineering firms to act as Town Designated Engineers for the calendar year 2022 on a as needed basis:

Barton and Loguidice
Brett Steenburgh
CT Male & Associates
Clough Harbor and Associates (CHA)
Colliers Engineering & Design
Creighton Manning Engineering
Empire Engineering
FCM Engineering, PLLC
Frank Engineering, PLLC
GPI/Greenman-Pedersen Inc.
Ingalls and Associates
KB Group of NY, Inc. dba PRIME AE Group of NY
Laberge Group
LaBella Associates/The Chazen Companies

SECTION 2. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute contracts with the above referenced engineering firms in 2022.

SECTION 3. This resolution shall become effective January 1, 2022.

DATED: January 1, 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 at the Organizational Meeting on January 1, 2022, and that the foregoing is a true and correct transcript of the original resolution and of the whole thereof and that said original 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 January 7, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 178.22

**AUTHORIZE THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH
FCM ENGINEERING, PLLC**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Supervisor is hereby authorized to negotiate and execute an agreement with FCM Engineering, PLLC of 156 Spring Road, Scotia New York 12302, in accordance with the agreement and fee schedule attached to obtain professional consultant services in connection with providing on-call engineering services through December 31, 2022.

SECTION 2. FCM Engineering PLLC, providing on call engineering services for the Town of Rotterdam, is prohibited from Town Designated Engineering (TDE) assignments during the term of this agreement.

SECTION 3. This resolution shall become effective May 25, 2022.

DATED: May 25, 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 May 25, 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 May 26, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

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: May 18, 2022

TO: Mollie A. Collins, Town Supervisor

FROM: C. Jack Dodson, Deputy Supervisor

TITLE OF REQUEST: Enter into contract with FCM Engineering, PLLC

TOWN BOARD MEETING: May 25, 2022

Background Information: Mr. Fred C. Mastroianni has been a town designated engineer for many years. He has extensive knowledge in the engineering field and history with the Town of Rotterdam and the town's capital projects.

Evaluation/Analysis: Mr. Mastroianni would be an excellent resource to move the town forward and to oversee the town's capital projects.

Recommendation(s): Recommend to execute a contract with FCM Engineering, PLLC

Attachment/Document(s): See attached documents concerning experience and scope of duties.

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisors Office

Town/Consultant Agreement

Agreement made this _____ day of _____ by and between

Town of Rotterdam, NY

Having its office located at 1100 Sunrise Boulevard, Rotterdam, NY 12306 (the "Town")
and

FCM Engineering, PLLC

With its office located at 156 Spring Road, Scotia, NY 12302 (the "Consultant,")

WHEREAS, the Town desires to obtain professional consultant services in connection with providing on-call engineering services; and

WHEREAS, the Consultant desires to provide such services for the compensation and on the terms herein provided;

NOW, THEREFORE, in consideration of the terms and conditions herein contained, the parties agree as follows:

1. The term "Consultant," as used in this Agreement, shall mean the person or corporation with whom the Town is contracting, and may include such titles as consultant, contractor, or service provider, as the individual case may be. The term "Town" as used in this Agreement, shall mean the Town of Rotterdam, its officers, employees and agents, and specific departments of the Town of Rotterdam, if applicable, engaging in the services of Consultant under this Agreement.
2. The Consultant shall furnish services as described in the Scope of Services provided in Attachment "A" or other Scope of Services to be provided on future projects which are made a part hereof.
3. For the services rendered pursuant to Paragraph 2, the Consultant shall be reimbursed as agreed upon between the Town and Consultant. Prior to an assignment, the Consultant will provide if requested by the Town, scope of services and cost estimate to complete each assignment. All requests for payment to be made, including any request for partial payment will be based upon the work completed, shall be submitted by the Consultant on properly executed claim forms (if any) of the Town and paid after approval by the Town. The Town shall provide payment pursuant to this paragraph as soon as possible after presentation of invoice for services, but in no case beyond thirty (30) days of presentment to the Town unless disputed by the Town.
4. The term of this Agreement shall commence on the above date and shall terminate one year from the above date, except as extended in writing and approved by both parties. The Consultant shall have the option of changing the agreed upon hourly rate specified herein at the end of each year and obtain approval from the Town.
5. The Consultant shall issue progress reports with each payment request to the Town of all assigned tasks and shall immediately inform the Town in writing of any cause for delay in the performance of its obligations under this Agreement and agreed upon schedule.

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6. Either party upon thirty (30) days written notice to the other, may terminate this Agreement in whole or in part. In such event, the Consultant shall be compensated and the Town shall be liable for payment for services already rendered under this Agreement prior to the effective date of termination.
7. All original records compiled by the Consultant in completing the work described in this Agreement, including but not limited to written reports, studies, photographs, computer printouts, graphs, charts, plans, specifications, and all similar recorded data, shall become and remain the property of the Town. The Consultant shall retain copies of such records.
8. Any purported delegation of duties or assignment of rights under this Agreement without the express written consent of the Town is void. The Consultant may subcontract any part of the work with prior written consent of the Town, provided that (a) any such subcontract shall not relieve Consultant of its responsibilities to perform under this Agreement, (b) Consultant shall remain responsible to the Town for all work undertaken by such subcontractor of Consultant, and (c) such prior written consent of the Town shall not constitute nor be construed as an agreement directly between the Town and such subcontractor/subconsultant. All agreements between Consultant and any subcontractor/subconsultant shall be subject to the terms and conditions of this Agreement.
9. The Consultant agrees that it has no interest and will not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of the services and duties hereunder. The Consultant further agrees that in the performance of this Agreement, no person having any such interest shall be employed by it. The Consultant represents and warrants that it has not employed or retained any person to solicit or secure this Agreement, and that it has not paid or agreed to pay any person (other than payments of a salary to a bona fide employee working for the Consultant) any fee, commission, percentage, gift or other consideration, contingent upon or resulting from the award or making of this Agreement.
10. The Consultant expressly understands and agrees that the he is and shall in all respects be considered an independent contractor. The Consultant, its employees, partners, associates, subcontractors, subconsultants and any others employed by the Consultant to render services hereunder, are not and shall not hold themselves out as, nor claim to be, an officer or employee of the Town, nor make claim to any rights accruing thereto, including but not limited to workers' compensation, disability benefits, unemployment benefits, social security coverage, application of the Fair Labor Standards Act minimum wage and overtime payments.
11. The Consultant shall retain sole and absolute discretion in the judgment of the manner and means of carrying out Consultant activities and responsibilities hereunder. The Consultant agrees that it is a separate and independent enterprise from the Town, that it has a full opportunity to find other business, that it has made its own investment in its business, and that it will utilize a high level of skill necessary to perform the work. This Agreement shall not be construed as creating any joint employment relationship between Consultant and the Town, and the Town will not be liable for any obligation incurred by the

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- Consultant including but not limited to unpaid minimum wages and/or overtime premiums.
12. The Consultant shall comply at its own expense, with the provisions of all federal, state, and local laws, rules, and regulations applicable to the Consultant as an employer of labor or otherwise. The Consultant specifically represents and agrees that it and its members, officers, employees, agents, servants, subconsultants, and subcontractors have and shall possess the appropriate licensure, experience, knowledge, and character necessary to qualify them individually for the particular duties they perform hereunder.
 13. The Consultant agrees that it will not discriminate against, retaliate against, or harass any person or entity on the basis of any protected characteristic or activity protected by state or federal law, including without limitation, age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence. This Agreement may be cancelled or terminated by the Town for any violation of this section of the Agreement.
 14. The Consultant agrees to hold harmless and indemnify the Town, and the officers, agents, and employees of said Town, to the extent of the limits of liability for applicable insurance requirements set forth below, from and against all loss, damage, claims, demands, causes of action, judgments, losses, damages, liabilities, penalties and other obligations and expenses (including, without limitation, reasonable attorneys' fees), arising out of bodily injury or property damage of whatever kind or nature, caused by Consultant and/or its employees, and arising out of Consultant's negligent performance of this Agreement. Additionally, Consultant agrees to procure and maintain, at its own expense, from insurance companies authorized to do business in the State of New York insurance covering all operations under this Agreement performed by the Consultant, its employees, subconsultants, or subcontractors (if any), on which the Town shall be named an additional insured, as follows:
 - a. Commercial General Liability insurance with minimum limits of \$1,000,000 per occurrence, subject to a \$2,000,000 annual aggregate. Coverage shall include bodily injury, property damage, personal injury, and blanket contractual liability.
 - b. Automobile Liability insurance with minimum limits of \$1,000,000 each accident. Coverage shall provide for any vicarious liability of the Town and be applicable to all owned, non-owned, hired, borrowed, or temporarily used vehicles by the Consultant.
 - c. Statutory Workers' Compensation, Employer's liability, and New York State Disability in accordance with the Workers' Compensation and disability benefits laws of the State of New York.
 - d. Professional liability insurance with minimum limits of \$1,000,000 per occurrence and a \$2,000,000 annual aggregate.
 15. In addition to the foregoing, such insurance policies shall comply with the following:
 - a. Coverage shall not be cancelled or reduced until thirty (30) days written notice has been given to the Town.
 - b. Underwriters will have no rights of recovery or subrogation against the Town, it being

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- the intention of the parties that the insurance policies so affected shall protect both parties.
- c. The insurance company (ies) issuing the policy (ies) shall have no recourse against the Town for payment of any premiums or assessments under any form of the policy.
 - d. All deductible and self-insured retentions in the above-described insurance policies shall be assumed by and at the risk of the Consultant in the amounts indicated in such policies, with Consultant indemnifying the Town for any such deductibles or self-insured retentions.
 - e. The policy(ies) naming the Town as an additional insured shall be purchased from an A.M. Best rated New York State licensed insurer having a rating of A- (Excellent) or better.
 - f. The coverage shall be primary coverage for the Town, its Boards, officials, officers, employees, and volunteers.
16. Before commencing work on behalf of the Town, Consultant shall furnish Certificates of Insurance and such other proof as may be required by the Town that demonstrates compliance with the foregoing insurance requirements.
17. All notices of any nature referred to in this Agreement shall be in writing to the respective addresses set forth below or to such other addresses as the respective parties hereto may designate in writing:
- To the Town: Mollie Collins, Town Supervisor
Town of Rotterdam
1100 Sunrise Boulevard
Rotterdam, NY 12306
- To the Consultant: Fred C. Mastroianni, PE, Principal Engineer
FCM Engineering, PLLC
156 Spring Road
Scotia, NY 12302
16. This Agreement and its attachments constitute the entire Agreement between the parties with respect to the subject matter hereof and shall supersede all previous negotiations, commitments, and writings. It shall not be released, discharged, changed, or modified except in writing signed by a duly authorized representative of each entity.
17. This Agreement shall be deemed executory only to the extent of monies appropriated and available to the Town for the purpose of the Agreement and no liability on account thereof shall be incurred by the Town beyond the amount of such monies. It is understood and agreed that neither this Agreement nor any representation by any public employee or officer creates any legal or moral obligation to request, appropriate, or make available monies for the purpose of this Agreement.
18. This Agreement shall be construed and enforced in accordance with the laws of the State of New York.
19. This agreement is entered into for the purpose of performing a governmental function, and it shall inure only to the benefit of the entities that are the parties hereto. This agreement is not intended to benefit any person or entity that is not a signatory to this agreement, and it

ON-CALL ENGINEERING SERVICES
Town of Rotterdam, NY

ORIGINAL

does not create any rights in favor of, nor does it expand or enlarge any rights of, persons or entities who are not signatories to this agreement. There are no third-party beneficiaries to this agreement.

20. Compensation:

a. For projects that are to be completed and invoiced on an hourly basis, the Consultant proposed staff and hourly rates for year 2022 are as follows:

- Principal Engineer - \$120.00/hour
- Project Engineer - \$100.00/hour
- Senior Engineering Technician - \$85.00/hour

If additional staff is needed that are not included above, the Consultant shall advise the Town and agree on an hourly rate.

b. For projects that are to be completed via a not-to-exceed cost or lump sum amount and/or require the need for a subconsultant or subcontractor, the Consultant will provide a cost breakdown or determine value of cost for each task and forward to the Town for review and approval.

Via signature below, the Town and the Consultant have executed this Agreement.

Town of Rotterdam	FCM Engineering, PLLC
By: <u>Mollie A. Collins</u>	By: <u>Paul C. Martin</u>
Date: <u>5/27/2022</u>	Date: <u>5/27/22</u>

ATTACHMENT A

SCOPE OF SERVICES

A. Purpose:

Town of Rotterdam is seeking to retain the Consultant to provide professional services as described herein for various Town or other funded projects assigned by the Town. In addition, the Town may need the services of the Consultant to review projects submitted on behalf of other private or public entities as they relate to Town or industry standards, including SEQRA and/or NEPA process. No work is guaranteed under this agreement until a work task is assigned in writing by the Town.

B. General Characteristics:

This agreement involves providing professional services on an as needed basis that may include but is not limited to:

- Prepare plans, specifications and construction bid documents for various public works projects.
- Supervise and manage other consultants on Town projects. This work includes review and comment of design plans, specifications and construction bid documents; managing consultant activities and project budgets; review and recommend of approval/disapproval of invoices; and monitoring projects schedules and budgets. For federal aid projects, my cost could be reimbursed if the Town goes through a separate consultant solicitation process.
- Provide engineering support to the various Town departments related to public works projects.
- Reviews private project development plans for compliance with codes, regulations, and standards, adequacy of applications for permits and compliance with approved plans.
- Research state and federal funding opportunities and assist in preparing funding applications on transportation/public works projects.
- Develop/revise Town standard details utilized on private development projects where the infrastructure would ultimately be dedicated to the Town.
- Prepare reports for the Town as needed for compliance with state and federal requirements.
- Attend Town meetings as needed to provide engineering input and advice.
- Meet with residents as needed to address any public works type issues or complaints.
- Prepare bid specifications for major purchases of supplies and equipment.
- Any other tasks/assignments as directed by the Town.

The Town will outline the objectives for each work task or project to be assigned. The Consultant if requested by the Town will prepare specific scope of services, schedule and estimate of engineering cost for each assigned work for Town review. The Town will issue written approval to the Consultant to commence work.

RESOLUTION NO. 193.22

**CALL FOR BIDS FOR GRINDING AND REMOVAL OF BRUSH,
YARD WASTE AND WOOD**

THEREFORE, UPON MOTION OF Councilmember _____,
seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

The Town Clerk of the Town of Rotterdam shall cause the following public notice to be published in the official newspaper of the Town of Rotterdam, and the Supervisor of the Town of Rotterdam shall cause the following public notice be published to the Empire State Purchasing Group on BidNet (<http://www.bidnetdirect.com/townofrotterdam>) at least five (5) days before the date of reception of bid proposals:

TOWN OF ROTTERDAM

NOTICE TO BIDDERS

PLEASE TAKE NOTICE: That all bids received by the Town Board of the Town of Rotterdam, by June 20, 2022 at 10:00 A.M., will be opened electronically and in person at that time. The town board will subsequently post an official report to the Empire State Purchasing Group on BidNet (<http://www.bidnetdirect.com/townofrotterdam>) by the close of business the next day, of all bid submissions received pursuant to this notice. Additionally, the official bid report and all bids shall be available in the office of the town clerk for public inspection during regular business hours, for the purchase by the Town of Rotterdam of the following:

GRINDING AND REMOVAL OF BRUSH, YARD WASTE AND WOOD

Digital Copies of Specifications may be obtained from the Empire State Purchasing Group on BidNet at <http://www.bidnetdirect.com/townofrotterdam>. Copies of RFP documents obtained from any other source are not considered official copies. The Town of Rotterdam cannot guarantee the accuracy of any information not obtained from the BidNet Direct website and is not responsible for any errors contained by any information received from an alternate source. Only those vendors who obtain ITB, RFP or RFQ documents from the BidNet system are guaranteed to receive addendum information, if such information is issued. If you obtain the document from a source other than the source indicated, it is recommended that you register on the Empire State Purchasing Group website, <http://www.bidnetdirect.com/new-york> and obtain an official copy.

ALL BID PROPOSALS MUST BE SUBMITTED PRIOR TO

10:00A.M., JUNE 20, 2022

The town board reserves the right to accept or reject any and all bids or proposals or any specific part of any item of any bid.

BY ORDER OF THE ROTTERDAM TOWN BOARD

DIANE M. MARCO, TOWN CLERK

DATED: June 8, 2022

BidNet: Please publish on June 10, 2022

Daily Gazette: Please publish once on June 11, 2022

Town Clerk Post

DATED: June 8, 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: May 27, 2022

TO: Mollie Collins, Town Supervisor

FROM: Larry Lamora, Highway Superintendent

TITLE OF REQUEST: Call for bids for Yard Waste Grinding & Removal

TOWN BOARD MEETING: June 8, 2022

Background Information: Attached

Evaluation/Analysis: Proper bidding process

Recommendation(s): To place on Town Board Meeting, June 8, 2022

Attachment/Document(s): Attached

Compliance with Purchasing Policy: Yes

Effect(s) on Existing Law(s): General Municipal Law Section 103

LEGISLATION WILL BE PREPARED BY:

**TOWN OF ROTTERDAM
REQUEST FOR PROPOSAL**

**Grinding and Removal of Brush, Yard Waste and Wood at the Town of Rotterdam
Compost Transfer Facility
23 West Campbell Road
Rotterdam, NY 12306**

SCOPE OF THE WORK

The Town of Rotterdam is seeking bids from qualified bidder to grind, remove and dispose of leaves, brush, tree limbs and parts, wood, clippings and other yard waste which will be stockpiled at the Town of Rotterdam Compost Transfer Facility, located at 23 West Campbell Road, Rotterdam, NY 12306. Transfer facility operations start April 15 weather dependent and continue until November 30 weather dependent. Estimated yearly amount collected is approximately 30,000 yards of loose yard waste consisting of grass clippings, leaves, tree limbs, and brush. Some of the said material stored on the site may be contained in biodegradable paper bags. All material on the site is to be ground on site, removed from the site and properly disposed of by the bidder. The successful bidder will be notified each time the material arrives on site, in intervals of approximately 2,000 yards. Once notified the contractor has ten (10) calendar days to respond and start the grinding and removal process. The successful bidder is responsible to provide all equipment and tools necessary to accomplish the work including, but not limited to, suitable grinding apparatus and trucks. The bidder is solely responsible for transporting all equipment required to perform the work to and from the place at which the work is to be performed. No additional transportation charges, set up or breakdown fees will be allowed. All equipment used by the bidder must be in good operating condition and in full compliance with all federal, state and local laws, rules and regulations in effect at the time of the contract. All equipment used by the bidder in performance of the work under this contract must be equipped with all devices, safety or otherwise, as may be required by law. The bidder has complete responsibility to furnish all fuel, maintenance and repairs for all of the equipment furnished and used by the bidder to perform the work. In no event shall the town be responsible for any mechanical breakdown of or damage to the bidder's equipment. The bidder is solely responsible for on-site safety during all operations under this contract and will furnish bidder's personnel with required safety equipment.

The bidder shall furnish all labor necessary to perform all aspects of the work not performed by town employees. The bidder is responsible to fully comply with all New York State Prevailing Wage Laws as more fully provided herein.

The ground waste shall be removed by the bidder and disposed of in a manner allowed by all federal, state, and local laws, rules and regulations. The town shall not be responsible for the payment of any disposal or dumping fees.

PROPOSALS RECEIVED

All bid proposals must be submitted electronically or in person prior to 10:00 A.M. EST., June 20, 2022 at <http://www.bidnetdirect.com/townofrotterdam>. The town board reserves the right to accept or reject any and all bids or proposals or any specific part of any item in any bid.

PREPARATION OF PROPOSALS

Digital Copies of Specifications may be obtained from the Empire State Purchasing Group on BidNet at <http://www.bidnetdirect.com/townofrotterdam>. Copies of RFP documents obtained from any other source are not considered official copies. The Town of Rotterdam cannot guarantee the accuracy of any information not obtained from the BidNet Direct website and is not responsible for any errors contained by any information received from an alternate source. Only those vendors who obtain ITB, RFP or RFQ documents from the BidNet system are guaranteed to receive addendum information, if such is issued. If you obtain the document from a source other than the source indicated, it is recommended that you register on the Empire State Purchasing Group website, <http://www.bidnetdirect.com/new-york> and obtain an official copy.

Corrections and/or modifications to a submitted bid received after the closing time specified above will not be accepted.

FAMILIARITY WITH THE WORK

All bidders are required to physically inspect the site at which the work is to be performed prior to submitting a bid. The actual bid form which shall be used to submit a bid will require the bidder to certify that he has done so. Such inspection shall be arranged through the Office of the Town Superintendent of Highways, by contacting the office at (518) 355-7722, during the hours of 8:00 A.M. through 3:00 P.M., Monday through Friday.

Each bidder is considered and shall be deemed to have examined the worksite to fully acquaint itself with the exact existing conditions relating to the work and has fully informed itself as to the work involved and the difficulties and restrictions attendant upon the performance of the work encompassed in this bid solicitation. Failure to do so will not relieve a bidder of its obligation to furnish all materials, labor and equipment necessary to fully perform all of the work for the price set forth in its bid. The submission of a bid will be considered as conclusive evidence that the bidder has made such examination.

The town assumes no responsibility whatsoever with respect to ascertaining for the bidder such facts concerning physical characteristics relating to the work contemplated in this bid solicitation. The bidder agrees that he shall make no claim for and has no right to additional payment or extension of time for completion of the work, or any other concession, because of any misinterpretation or misunderstanding on his part of this work contemplated in this bid solicitation, or because of any failure on its part to fully acquaint itself with all conditions relating to the work.

QUALIFICATION OF BIDDER

All bidders shall submit a statement of bidder qualifications, articles of incorporation, an affidavit of non-collusion and acknowledgement of the town's harassment policy, in addition to the official bid form document.

In determining the qualifications of a bidder, the town may consider its record in the performance of any contracts for similar work into which it may have previously entered, and the town expressly reserves the right to reject the proposal of such bidder if such record discloses that such bidder, in the opinion of the town, has not properly performed such contracts or has habitually, and without just cause, neglected the payment of bills or has otherwise disregarded its obligations to subcontractors, or employees of subcontractors.

The town may make such investigation as it deems necessary to determine the ability of the bidder to perform the work and the bidder shall furnish to the town all such information and data for this purpose as the town may request. The town reserves the right to reject any proposal if the evidence submitted by or the investigation of such bidder fails to satisfy the town that such bidder is properly qualified, or that such bidder misrepresented material facts in the documents.

CARE AND PROTECTION OF PROPERTY

The successful bidder shall take particular care to avoid damage to all private and public property and to private or public improvements located on town property, within the town's right of way, or on property which the town is authorized to use. The successful bidder shall make good any damages to the satisfaction of the town. There shall be no additional compensation to the bidder for the repair or restoration of private or public property improvements which are damaged by the bidder.

COMPLIANCE WITH FEDERAL, STATE AND LOCAL CODES

The successful bidder shall be responsible for full compliance with any federal, state and local laws, rules, regulations, standards and policies, as applicable.

AWARD

The successful bid will be accepted and the contract awarded at a Regular or Special Meeting of the Rotterdam Town Board.

The Town of Rotterdam reserves the right to accept or reject any and all bids, in whole or in part, to best serve its interests, and to hold and consider all bids open for thirty (30) days after the same are opened.

The town reserves the right to reject any and all bids (or any part thereof), to waive defects in bids, and to accept any bid it deems to be in its best interests.

NOTICE TO PROCEED

Following the acceptance of the successful bid and award of the contract by the town board, the execution of the agreement contained in the bid documents, and compliance by the successful bidder with all insurance requirements herein set forth, the town highway superintendent shall issue a notice to proceed to the successful bidder. Said bidder shall commence work under the contract within ten (10) calendar days of the date indicated in the notice to proceed. All work under the contract shall be completed and ready for final acceptance and approval by the town highway superintendent within ten (10) days of the date indicated in the notice to proceed, unless required to do so sooner to comply with all federal and state laws, rules, and regulations.

PAYMENT

Payment shall be made to the successful bidder by the total cubic yards of material processed, ground and removed from site as per daily signed haul out tickets showing the time, date, and amount removed from site.

Payment shall be made to the successful bidder within forty-five (45) days after submission of daily signed haul out tickets with request for payment and a voucher has been received by the town and approval by the town highway superintendent.

INSURANCE

The successful bidder shall be required to provide for itself and maintain at its own cost and expense until the completion of the work the following forms of insurance:

A. Commercial General Liability: The successful bidder shall have coverage with limits of liability not less than one million dollars (\$1,000,000.00) per occurrence and not less than three million dollars (\$3,000,000.00) annual aggregate.

B. Comprehensive Automobile Liability: the successful bidder shall have coverage on owned, hired, leased, or non-owned autos with limits not less than \$1,000,000 combined for each accident because of bodily injury sickness or disease, sustained by any person, caused by accident, and arising out of the ownership, maintenance or use of any automobile for damage because of injury to or destruction of property, including the loss of use thereof, caused by accident and arising out of the ownership, maintenance or use of any automobile.

C. Workers' Compensation Insurance: The successful bidder shall provide adequate Workers' Compensation Insurance for all employees engaged in work on this project who may come within the protection of the protection of the Worker's Compensation Law, and where practicable, employer's general liability insurance for employees not so protected.

D. Errors and Omissions Insurance: The successful bidder shall have a policy or policies of errors and omissions insurance. Said insurance must be issued by an insurer licensed to do business in the State of New York and must have an A.M. Best rating of not less than "A".

The Town of Rotterdam shall be named as an additional insured on the policies required by subparagraphs (A) and (B) above. The successful bidder shall furnish certificates of insurance to the Town of Rotterdam and corresponding policy endorsement setting forth the required coverage hereunder prior to commencing any work, and such policies shall contain an endorsement requiring the carrier to give at least ten days' prior notice of cancellation to the Town of Rotterdam. All insurance required shall be primary and non-contributing to any insurance maintained by the Town of Rotterdam. The successful bidder shall ensure that any subcontractors hired carry insurance with the same limits and provisions provided herein. The successful bidder agrees to cause each subcontractor to furnish the Town of Rotterdam with copies of certificates of insurance and the corresponding policy endorsements setting forth the required coverage hereunder prior to any such subcontractor commencing any work.

No work under this contract shall commence until the successful bidder has fully complied with the provisions of this section.

HOURS OF WORK:

Unless otherwise approved in writing by the town highway superintendent, all work under this bid and contract shall be accomplished between the hours of 7:00 a.m. and 3:30 p.m. on weekdays, and no work shall be performed on weekends and legal holidays.

FIRE PROTECTION:

The bidder shall perform all work in a fire-safe manner.

INDEMNIFICATION

The bidder shall defend, indemnify and save harmless the Town of Rotterdam, its employees and agents, from and against all claims, damages, losses and expenses (including, without limitation, reasonable attorneys' fees) arising out of, or in consequence of, any negligent or intentional act or omission of the bidder, its employees or agents, to the extent of its or their responsibility for such claims, damages, losses and expenses.

NON-COLLUSION CERTIFICATION

All bids or proposals submitted to the town must include a fully executed non-collusion affidavit contained in the bid documents.

By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of his knowledge and belief:

- The prices in its bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor; and
- Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and
- No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

NON-DISCRIMINATION AND HARASSMENT POLICY

In accordance with Article 15 of N.Y. Executive Law (also known as the Human Rights Law), the New York State Labor Law, all other federal and state statutory and constitutional non-discrimination provisions, and the town's non-discrimination and harassment policy, all bidders agree that neither it nor any of its subcontractors shall, by reason of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics or marital status refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment, and agree they shall not harass, whether sexual or otherwise, any person(s) in violation of the applicable laws, rules, regulations, and policy.

NEW YORK STATE LABOR LAW; PREVAILING WAGE AND SUPPLEMENTS:

1. The attention of each and all bidders is directed to Articles 8 of the New York State Labor Law in general, but also specifically with regard to Prevailing Wage and Supplements. The Town of Rotterdam does, in good faith, identify those projects/services it believes to be Prevailing Wage and Supplements projects/services. The failure of the Town of Rotterdam to accurately assess the wage status of a particular project/service shall not relieve the bidder of its responsibility to perform in accordance with the above referenced articles. Interested parties are directed to contact the NYS Department of Labor. See attached information.
2. All interested parties (including, but not limited to, bidder and subcontractors) shall note, understand and comply with the following: In the event the New York State Department of Labor amends the Prevailing Wage Rate Schedule applicable to contracts entered into as a result of an award of this bid solicitation document, said interested party(ies) that are

required to pay Prevailing Wages and Supplements shall be required to pay said Prevailing Wages and Supplements in accordance with the most current, applicable Prevailing Wage Rate Schedule in effect at the time the work is performed.

3. The General Provisions of Laws Covering Workers; NYS-DOL requires as follows: "Every contractor and subcontractor shall submit to the Department of Jurisdiction (i.e., The Town of Rotterdam), within thirty (30) days after issuance of its first payroll and every thirty (30) days thereafter, a transcript of the original payrolls, subscribed and affirmed as true under penalty of perjury. The Department of Jurisdiction (i.e. The Town of Rotterdam) shall receive and maintain such payrolls." As provided for, by the above referenced provisions, The Town of Rotterdam is authorized to withhold payments to contractors who are not in compliance with all NYS Department of Labor Law(s); with specific attention to Articles 8 and 9. Therefore, the Town of Rotterdam shall withhold payments to contractors who have not submitted the initial Certified Payroll and the periodic Certified Payroll(s) as required herein.
4. The bidder shall be required to pay prevailing wage and supplements in accordance with NYS Labor Law Articles 8.

General Provisions of Laws Covering Workers on Article 8 Public Work Contracts

Introduction

The Labor Law requires public work contractors and subcontractors to pay laborers, workers, or mechanics employed in the performance of a public work contract not less than the prevailing rate of wage and supplements (fringe benefits) in the locality where the work is performed.

Responsibilities of the Department of Jurisdiction

A Department of Jurisdiction (Contracting Agency) includes a state department, agency, board or commission; a county, city, town or village; a school district, board of education or board of cooperative educational services; a sewer, water, fire, improvement and other district corporation; a public benefit corporation; and a public authority awarding a public work contract.

The Department of Jurisdiction (Contracting Agency) awarding a public work contract MUST obtain a Prevailing Rate Schedule listing the hourly rates of wages and supplements due the workers to be employed on a public work project. This schedule may be obtained by completing and forwarding a "Request for wage and Supplement Information" form (PW 39) to the Bureau of Public Work. The Prevailing Rate Schedule MUST be included in the specifications for the contract to be awarded and is deemed part of the public work contract.

Upon the awarding of the contract, the law requires that the Department of Jurisdiction (Contracting Agency) furnish the following information to the Bureau: the name and address of the contractor, the date the contract was let and the approximate dollar value of the contract. To facilitate compliance with this provision of the Labor Law, a copy of the Department's "Notice of Contract Award" form (PW 16) is provided with the original Prevailing Rate Schedule.

The Department of Jurisdiction (Contracting Agency) is required to notify the Bureau of the completion or cancellation of any public work project. The Department's PW 200 form is provided for that purpose.

Both the PW 16 and PW 200 forms are available for completion online.

Hours

No laborer, worker, or mechanic in the employ of a contractor or subcontractor engaged in the performance of any public work project shall be permitted to work more than eight hours in any day or more than five days in any week, except in cases of extraordinary emergency. The contractor and the Department of Jurisdiction (Contracting Agency) may apply to the Bureau of Public Work for a dispensation permitting workers to work additional hours or days per week on a particular public work project.

There are very few exceptions to this rule. Complete information regarding these exceptions is available on the "4 Day / 10 Hour Work Schedule" form (PW 30R).

Wages and Supplements

The wages and supplements to be paid and/or provided to laborers, workers, and mechanics employed on a public work project shall be not less than those listed in the current Prevailing Rate Schedule for the locality where the work is performed. If a prime contractor on a public work project has not been provided with a Prevailing Rate Schedule, the contractor must notify the Department of Jurisdiction (Contracting Agency) who in turn must request an original Prevailing Rate Schedule from the Bureau of Public Work. Requests may be submitted by: mail to NYSDOL, Bureau of Public Work, State Office Bldg. Campus, Bldg. 12, Rm. 130, Albany, NY 12240; Fax to Bureau of Public Work (518) 485-1870; or electronically at the NYSDOL website www.labor.state.ny.us.

Upon receiving the original schedule, the Department of Jurisdiction (Contracting Agency) is REQUIRED to provide complete copies to all prime contractors who in turn MUST, by law, provide copies of all applicable county schedules to each subcontractor and obtain from each subcontractor, an affidavit certifying such schedules were received. If the original schedule expired, the contractor may obtain a copy of the new annual determination from the NYSDOL website www.labor.state.ny.us.

The Commissioner of Labor makes an annual determination of the prevailing rates. This determination is in effect from July 1st through June 30th of the following year. The annual determination is available on the NYSDOL website www.labor.state.ny.us.

Payrolls and Payroll Records

Every contractor and subcontractor MUST keep original payrolls or transcripts subscribed and affirmed as true under penalty of perjury. Payrolls must be maintained for at least three (3) years from the project's date of completion. At a minimum, payrolls must show the following information for each person employed on a public work project: Name, Address, Last 4 Digits of Social Security Number, Classification(s) in which the worker was employed, Hourly wage rate(s) paid, Supplements paid or provided, and Daily and weekly number of hours worked in each classification.

Every contractor and subcontractor shall submit to the Department of Jurisdiction (Contracting Agency), within thirty (30) days after issuance of its first payroll and every thirty (30) days thereafter, a transcript of the original payrolls, subscribed and affirmed as true under penalty of perjury. The Department of Jurisdiction (Contracting Agency) shall collect, review for facial validity, and maintain such payrolls.

In addition, the Commissioner of Labor may require contractors to furnish, with ten (10) days of a request, payroll records sworn to as their validity and accuracy for public work and private work. Payroll records include, by are not limited to time cards, work description sheets, proof that supplements were provided, cancelled payroll checks and payrolls. Failure to provide the requested information within the allotted ten (10) days will result in the withholding of up to 25% of the contract, not to exceed \$100,000.00. If the contractor or subcontractor does not maintain a place of business in New York State and the amount of the contract exceeds \$25,000.00, payroll records and certifications must be kept on the project worksite.

The prime contractor is responsible for any underpayments of prevailing wages or supplements by any subcontractor.

All contractors or their subcontractors shall provide to their subcontractors a copy of the Prevailing Rate Schedule specified in the public work contract as well as any subsequently issued schedules. A failure to provide these schedules by a contractor or subcontractor is a violation of Article 8, Section 220-a of the Labor Law.

All subcontractors engaged by a public work project contractor or its subcontractor, upon receipt of the original schedule and any subsequently issued schedules, shall provide to such contractor a verified statement attesting that the subcontractor has received the Prevailing Rate Schedule and will pay or provide the applicable rates of wages and supplements specified therein. (See NYS Labor Laws, Article 8, Section 220-a).

Determination of Prevailing Wage and Supplement Rate Updates Applicable to All Counties

The wages and supplements contained in the annual determination become effective July 1st whether or not the new determination has been received by a given contractor. Care should be taken to review the rates for obvious errors. Any corrections should be brought to the Department's attention immediately. It is the responsibility of the public work contractor to use the proper rates. If there is a question on the proper classification to be used, please call the district office located nearest the project. Any errors in the annual determination will be corrected and posted to the NYSDOL website on the first business day of each month. Contractors are responsible for paying these updated rates as well, retroactive to July 1st.

When you review the schedule for a particular occupation, your attention should be directed to the dates above the column of rates. These are the dates for which a given set of rates is effective. To the extent possible, the Department posts rates in its possession that cover periods of time beyond the July 1st to June 30th time frame covered by a particular annual determination. Rates that extend beyond that instant time period are informational ONLY and may be updated in future annual determinations that actually cover the then appropriate July 1st to June 30th time period.

Withholding of Payments

When a complaint is filed with the Commissioner of Labor alleging the failure of a contractor or subcontractor to pay or provide the prevailing wages or supplements, or when the Commissioner of Labor believes that unpaid wages or supplements may be due, payments on the public work contract shall be withheld from the prime contractor in a sufficient amount to satisfy the alleged unpaid wages and supplements, including interest and civil penalty, pending a final determination.

When the Bureau of Public Work finds that a contractor or subcontractor on a public work project failed to pay or provide the requisite prevailing wages or supplements, the Bureau is authorized by Sections 220-b and 235.2 of the Labor Law to so notify the financial officer of the Department of Jurisdiction (Contracting Agency) that awarded the public work contract. Such officer MUST then withhold or cause to be withheld from any payment due the prime contractor on account of such contract the amount indicated by the Bureau as sufficient to satisfy the unpaid wages and supplements, including interest and any civil penalty that may be assessed by the Commissioner of Labor. The withholding continues until there is a final determination of the underpayment by the Commissioner of Labor or by the court in the event a legal proceeding is instituted for review of the determination of the Commissioner of Labor.

The Department of Jurisdiction (Contracting Agency) shall comply with this order of the Commissioner of Labor or of the court with respect to the release of the funds so withheld.

Summary of Notice Posting Requirements

The current Prevailing Rate Schedule must be posted in a prominent and accessible place on the site of the public work project. The prevailing wage schedule must be encased in, or constructed of, materials capable of withstanding adverse weather conditions and be titled "PREVAILING RATE OF WAGES" in letters no smaller than two (2) inches by two (2) inches.

The "Public Work Project" notice must be posted at the beginning of the performance of every public work contract, on each job site.

Every employer providing workers' compensation insurance and disability benefits must post notices of such coverage in the format prescribed by the Workers' Compensation Board in a conspicuous place on the jobsite.

Every employer subject to the NYS Human Rights Law must conspicuously post at its offices, places of employment, or employment training centers, notices furnished by the State Division of Human Rights.

Employers liable for contributions under the Unemployment Insurance Law must conspicuously post on the jobsite notices furnished by the NYS Department of Labor.

Apprentices

Employees cannot be paid apprentice rates unless they are individually registered in a program registered with the NYS Commissioner of Labor. The allowable ratio of apprentices to journeymen in any craft classification can be no greater than the statewide building trade ratios promulgated by the Department of Labor and included with the Prevailing Rate Schedule. An employee listed on a payroll as an apprentice who is not registered as above or is performing work outside the classification of work for which the apprentice is indentured, must be paid the prevailing journeyworker's wage rate for the classification of work the employee is actually performing.

NYSDOL Labor Law, Article 8, Section 220-3, require that only apprentices individually registered with the NYS Department of Labor may be paid apprenticeship rates on a public work project. No other Federal or State Agency of office registers apprentices in New York State.

Persons wishing to verify the apprentice registration of any person must do so in writing by mail, to the NYSDOL Office of Employability Development / Apprenticeship Training, State Office Bldg. Campus, Bldg. 12, Albany, NY 12240 or by Fax to NYSDOL Apprenticeship Training (518) 457-7154. All requests for verification must include the name and social security number of the person for whom the information is requested.

The only conclusive proof of individual apprentice registration is written verification from the NYSDOL Apprenticeship Training Albany Central office. Neither Federal nor State Apprenticeship Training offices outside of Albany can provide conclusive registration information.

It should be noted that the existence of a registered apprenticeship program is not conclusive proof that any person is registered in that program. Furthermore, the existence or possession of wallet cards, identification cards, or copies of state forms is not conclusive proof of the registration of any person as an apprentice.

Interest and Penalties

In the event that an underpayment of wages and/or supplements is found:

- Interest shall be assessed at the rate then in effect as prescribed by the Superintendent of Banks pursuant to section 14-a of the Banking Law, per annum from the date of underpayment to the date restitution is made.
- A Civil Penalty may also be assessed, not to exceed 25% of the total of wages, supplements, and interest due.

Debarment

Any contractor or subcontractor and/or its successor shall be ineligible to submit a bid on or be awarded any public work contract or subcontract with any state, municipal corporation or public body for a period of five (5) years when:

- Two (2) willful determinations have been rendered against that contractor or subcontractor and/or its successor within any consecutive six (6) year period.
- There is any willful determination that involves the falsification of payroll records or the kickback of wages or supplements.

Criminal Sanctions

Willful violations of the Prevailing Wage Law (Article 8 of the Labor Law) may be a felony punishable by fine or imprisonment of up to 15 years, or both.

Discrimination

No employee or applicant for employment may be discriminated against on account of age, race, creed, color, national origin, sex, disability or marital status.

No contractor, subcontractor nor any person acting on its behalf, shall by reason of race, creed, color, disability, sex or national origin discriminate against any citizen of the State of New York who is qualified and available to perform the work to which the employment relates (NYS Labor Law, Article 8, Section 220-e(a)).

No contractor, subcontractor, nor any person acting on its behalf, shall in any manner, discriminate against or intimidate any employee on account of race, creed, color, disability, sex, or national origin (NYS Labor Law, Article 8, Section 220-e(b)).

The Human Rights Law also prohibits discrimination in employment because of age, marital status, or religion.

There may be deducted from the amount payable to the contractor under the contract a penalty of \$50.00 for each calendar day during which such person was discriminated against or intimidated in violation of the provision of the contract (NYS Labor Law, Article 8, Section 220-e(c)).

The contract may be cancelled or terminated by the State or municipality. All monies due or to become due thereunder may be forfeited for a second or any subsequent violation of the terms or conditions of the anti-discrimination sections of the contract (NYS Labor Law, Article 8, Section 220-e(d)).

Every employer subject to the New York State Human Rights Law must conspicuously post at its offices, places of employment, or employment training centers notices furnished by the State Division of Human Rights.

Workers' Compensation

In accordance with Section 142 of the State Finance Law, the contractor shall maintain coverage during the life of the contract for the benefit of such employees as required by the provisions of the New York State Workers' Compensation Law.

A contractor who is awarded a public work contract must provide proof of workers' compensation coverage prior to being allowed to begin work.

The insurance policy must be issued by a company authorized to provide workers' compensation coverage in New York State. Proof of coverage must be on form C-105.2 (Certificate of Workers' Compensation Insurance) and must name this agency as a certificate holder.

If New York State coverage is added to an existing out-of-state policy, it can only be added to a policy from a company authorized to write workers' compensation coverage in this state. The coverage must be listed under item 3A of the information page.

The contractor must maintain proof that subcontractors doing work covered under this contract secured and maintained a workers' compensation policy for all employees working in New York State.

Every employer providing worker's compensation insurance and disability benefits must post notices of such coverage in the format prescribed by the Workers' Compensation Board in a conspicuous place on the jobsite.

Unemployment Insurance

Employers liable for contributions under the Unemployment Insurance Law must conspicuously post on the jobsite notices furnished by the New York State Department of Labor.

**GRINDING AND REMOVAL OF BRUSH, YARD WASTE AND WOOD
TOWN OF ROTTERDAM COMPOST TRANSFER FACILITY**

This bid proposal is submitted to the Empire State Purchasing Group on BidNet Direct for the Town of Rotterdam at: <http://www.bidnetdirect.com/townofrotterdam>.

By: _____
(Name of Bidder)

The undersigned, as bidder, agrees to furnish labor, equipment and materials as specified in the bid/contract documents, and declares that no person or persons, other than those named herein, are interested in this bid; that this bid is made without collusion with any person, firm, or corporation; that he has carefully examined the location of the proposed work; that no person or persons acting in any official capacity for the town is directly or indirectly interested therein or in any portion of the profit thereof; and that he proposes and agrees, if this Bid is accepted, to provide all necessary equipment, tools, labor and deliver and to do all work and furnish all materials specified in the manner and time therein prescribed, and according to the requirements of the town as therein set forth, and that he will take in full payment therefor, the lump sum price as hereinafter set forth, and further states as follows, to wit:

1. The undersigned bidder proposes and agrees, if this bid is accepted, to enter upon demand into an agreement with the town in the form included in the bid and contract documents for the contract price and within the contract time indicated in accordance with the other terms and conditions of the bid and contract documents.
2. The bidder accepts all of the terms and conditions stated in the town's standard bid forms and documents. This bid shall remain subject and open to acceptance by the town for the specified number of calendar days after the day of bid opening.
3. In submitting this bid, the bidder represents, as more fully set forth in the agreement, that bidder has examined copies of all the bid and contract documents and receipt of the town's standard bid forms and documents are hereby acknowledged.
4. The bidder acknowledges that it has familiarized itself with the nature and extent of the bid forms and documents, work, sites, locality, all local conditions, and laws, rules, and regulations that in any manner may affect cost, progress, performance or furnishing of the work.
5. The bidder agrees that the work shall be completed in accordance with the bid and contract documents.

6. Communications concerning this bid shall be addressed to the bidder at the following address:

7. The bidder agrees to commence work within ten (10) calendar days from the date indicated in the Notice to Proceed.
8. The bidder agrees that work completed for approval will be material processed, ground and hauled off site by the total amount of cubic yards. Payment shall be made within forty-five (45) days after the submission of billing.
9. The bidder certifies that it has physically inspected the site at located at 23 W. Campbell Road, Rotterdam, NY 12306.
10. The lump sum bid price for processed ground yard waste hauled off site per cubic yard shall include all of the bidder's costs including but not limited to the cost of material, labor, delivery, installation, loading, unloading, overhead, profit, insurance, permit fees, dumping fees, disposal fees, and all else incidental and necessary to complete the work.
11. The bidder shall honor bid price for one (1) year from the date of the bid opening at the mutual consent of both the Town and the Contractor. At the mutual consent of both the Town and the Contractor, the term of the contract and/or bid price may be extended to a second and third year.
12. The bidder certifies that it will dispose of all of the material ground at 23 West Campbell Road, shall be disposed of in a manner that complies with the federal and state laws, rules and regulations. The bidder certifies it shall dispose of the material in the following manner and shall specify name and street address of any applicable disposal facility and attach a copy of permit(s) to utilize said facility):

The bidder hereby agrees, if its bid is accepted and it is awarded the contract, to complete the on-site grinding, and removal and disposal of all of the of leaves, brush, tree limbs and parts, wood, clippings and other yard waste which is stockpiled at the Town of Rotterdam Compost Transfer

Facility, located at 23 West Campbell Road, Rotterdam, NY 12306, in full accordance with the bid and contract documents, for processed yard waste hauled off site per cubic yard.

(In Words)

Date: _____

By: _____ (Corporate Seal)
(Individual's or Bidder's Name)

Doing Business As:

Business Address:

Telephone Number:

Email Address:

PARTNERSHIP:

By: _____ (Seal)
(Firm Name)

By: _____
(General Partner)

Doing Business As:

Business Address:

Telephone Number:

Email Address:

(State of Corporation)

By: _____
(Name of Person Authorized to Sign)

Attestation: _____
(Secretary)
Business Address:

Telephone Number:

Email Address:

JOINT VENTURE:

By: _____
(Name)

(Address)

By: _____
(Name)

(Address)

(Each joint venture participant must sign. The manner of signing for each individual, partnership and corporation that is party to the joint venture should be in the manner indicated above)

LIMITED LIABILITY COMPANY:

By: _____
(Name)

(Address)

Business Address:

Telephone Number:

Email Address:

AGREEMENT

THIS AGREEMENT, made this ____ day of _____, 2022 by and between Town of Rotterdam, having its principal office and place of business located at Town of Rotterdam, 1100 Sunrise Blvd., Rotterdam, NY 12306, hereinafter referred to as the TOWN, and

having its principal place of business at _____,

hereinafter referred to as the CONTRACTOR:

WITNESS, that for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the TOWN, the CONTRACTOR hereby agrees with the TOWN to complete the grinding, removal and disposal of all of the leaves, brush, tree limbs and parts, wood, clippings and other yard waste which will be stockpiled at The Town of Rotterdam Compost Transfer Facility, located at 23 West Campbell Road, Rotterdam, NY 12306, hereinafter referred to as the "Project", for the sum of _____ (\$00.00) dollars per cubic yard processed and removed from site and all extra work in connection therewith, under the terms as stated in the general conditions of the bid and contract documents; and at its own proper cost and expense to furnish all the materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services necessary to complete the work in accordance with the conditions and prices stated in the bid form and all other bid and contract documents, and printed or written explanatory matter thereof, the matters required of the CONTRACTOR, the scope of work, insurance requirements, and all terms and conditions of the invitation to bid and other bid and contract, all of which are made a part hereof and collectively evidence and constitute the contract.

CONTRACTOR hereby agrees to complete the work under this contract within thirty (30) calendar days after the date shown in the notices to proceed issued by the TOWN.

TOWN agrees to pay the CONTRACTOR in current funds for the performance of the Contract, subject to additions and deductions, as provided in the Contract, and to make payments on account thereof within forty-five (45) days after submitting payment request following the acceptance and approval of the work by the town highway superintendent or the town supervisor.

This AGREEMENT shall be construed and enforced in accordance with the laws of the State of New York.

LAWS AND REGULATIONS

The CONTRACTOR shall keep himself fully informed of all federal, state, and local laws, rules, regulations, policies, and municipal ordinances and regulations in any manner affecting the conduct of the work, and of all orders and decrees of bodies or tribunals having any jurisdiction or authority over same. It shall at all times observe and comply with, and shall cause all his agents and employees to observe and comply with, all such existing and future laws, ordinance, regulations, orders and decrees; and shall protect and indemnify the TOWN, its officers and agents against any claim or liability arising from or based on the violation of any such law, ordinance, regulation, order or decree, whether by himself or by his employees.

LIABILITY OF CONTRACTOR, INDEMNITY, ETC.

The CONTRACTOR shall take all responsibility of the work, and take all precautions for preventing injuries to persons and property in or about the work; it shall bear all losses resulting to it on account of the amount or character of the work, or because the nature of the land in or on which the work is done is different from what was estimated or expected, on account of the weather, elements, riots, civil disorders or other causes; and it shall assume the defense of, and indemnify and save harmless the TOWN and its officers and agents, from all claims relating to labor or materials furnished for the work, and to inventions, payments and patent rights used in doing the work, and to injuries or damages to persons, corporations or property received or sustained by or from the CONTRACTOR and his employees in doing the work, or in consequence of any improper materials, implements or labor used therein, and to any act, omission or neglect of the CONTRACTOR and its employees.

LAST PAYMENT TO TERMINATE OWNER LIABILITY

Neither the TOWN, nor any officer or agent thereof, shall be liable for, or be held to pay, any money to the CONTRACTOR, except as herein provided; and the acceptance by the CONTRACTOR of the final payment aforesaid shall operate as and shall be a release to the TOWN and every member and agent thereof, from all claims of and liability to the CONTRACTOR for anything done or furnished for or relating to or affecting the work.

CONTRACTOR agrees as follows:

1. Hereby voluntarily and irrevocably submits itself to the jurisdiction and venue of any court of competent jurisdiction over the subject matter of this contract located within the State of New York in which any litigation is brought based on or arising out of the contract.
2. Any litigation brought by the CONTRACTOR based on or arising out of this contract shall be brought only in accordance with the applicable laws governing municipal litigation in the Supreme Court of the State of New York in Schenectady County. Any trial shall be a bench trial, without a jury.

3. Any legal process or notice connected with any litigation may be served on the CONTRACTOR by U.S. registered mail, postage prepaid, addressed to the CONTRACTOR at his address stated in this contract or at the address stated in this Contract for the furnishing of notices to the CONTRACTOR or at the CONTRACTOR'S last known address, and that service in such manner shall constitute good and valid service of process upon the CONTRACTOR.
4. The CONTRACTOR hereby waives any defense which might be available to it in any such litigation based on or alleging lack of jurisdiction or venue, or, if process is served in the manner provided in subparagraph 3 immediately above, invalid service of process, and that they will duly enter their appearance in any such action.
5. This agreement shall/may be presented in court as conclusive evidence of the foregoing agreement.
6. The bidder shall honor bid price for one (1) year from the date of the bid opening at the mutual consent of both the Town and the Contractor. At the mutual consent of both the Town and the Contractor, the term of the contract and/or bid price may be extended to a second and third year.

IN WITNESS WHEREOF, the parties to these presents have executed this agreement in two (2) counterparts, each of which shall be deemed an original, in the year and day first above mentioned.

BY: _____

(Contractor)

(Seal)

BY: _____
Mollie Collins, Town Supervisor

(Seal)

RESOLUTION NO. 194.22

**TO ENTER INTO AGREEMENT PURSUANT TO HIGHWAY LAW SECTION 284
FOR TOWN HIGHWAY PHASE TWO PAVING FOR 2022**

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 authorizes entry into an agreement between the Town Board and the Highway Superintendent to establish a paving plan for 2022 and to allow payment for the Town of Rotterdam paving 2022 fiscal year, in accordance with the competitive bidding requirement of the New York State General Municipal Law, in an amount not to exceed \$598,202.86 for Phase Two of the roadway paving for the year 2022, coming out of the remaining balance of \$661,971.66 leftover from Phase One Paving for the year 2022.

SECTION 2. This resolution shall become effective June 8, 2022.

DATED: June 8, 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: June 1, 2022

TO: Mollie Collins, Town Supervisor

FROM: Larry Lamora, Highway Superintendent

TITLE OF REQUEST: Highway Paving 2022

TOWN BOARD MEETING: June 8, 2022

Background Information:

Street resurfacing is done yearly for Town of Rotterdam roads. Rotterdam has a total CHIPS available balance of \$496,959.13. This consists of \$297,451.57 from SFY 22-23 CHIPS apportionment balance, \$79,490.25 from Pave NY, \$52,718.07 from (POP) Pave Our Potholes program, and \$67,299.24 from Extreme Winter Recovery. Also included is \$100,000.00 from Highway resurfacing (DA5110-4147), \$500,000 Bonded Amount from Town Resolution 150.22. This creates a total budget of \$1,097,109.35. Phase one of the 2022 paving plan cost \$434,987.47, leaving a balance of \$661,971.66.

Evaluation/Analysis:

Phase two paving program of the year 2022 consists of 1.25" (135lb/sy) of 6.3mm polymer-modified hot mix asphalt from the Schenectady County bid RFB 2022-28 and cold milling bid RFB2022-32 for the streets listed on the attachment for the sum of \$598,202.86.

Recommendation(s):

To contract with Empire Paving of Schenectady Inc. 1900 Duanesburg Rd. Schenectady, NY 12056, as they have been awarded the Schenectady County Bid for 6.3mm polymer-modified hot mix asphalt RFB2022-28, & Cold Milling RFB2022-32.

Attachment/Document(s):

DOT Award Letter, Phase Two 284 Agreement, Empire Paving Quotes for streets to be paved & milled, Schenectady County requests for bids & results.

Compliance with Purchasing Policy:

Yes

Effect(s) on Existing Law(s):

Highway Law 284

LEGISLATION WILL BE PREPARED BY:

Supervisor's Office

AGREEMENT FOR EXPENDITURE OF HIGHWAY MONIES

AGREEMENT between the Town Highway Superintendent of The Town of Rotterdam, Schenectady County/New York, And the undersigned Members of the Town Board.

Pursuant to the provisions of Section 284 of Highway Law, we agree the monies levied and collected in the Town for repair and improvement of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$598,202.86 shall be set aside for Phase Two of the 284 Agreement to be expended for primary work and general of 18 roads in Town of Rotterdam, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.
2. PERMANENT IMPROVEMENTS. The following Sums shall be set aside to be expended for the permanent improvement of Town Highways:

- (a) On E. Palmer Ave commencing at Palmer Ave to Highbridge Road, a distance of 875 feet, there shall be expended the sum of \$27,222.24

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width Of Traveled surface: 35'

Thickness: 135lb/sy

Subbase: None

- (b) On Peter Road commencing at Kings Road to Highbridge Road, a distance of 3,000 feet, there shall be expended the sum of \$74,666.64

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width Of traveled surface: 28'

Thickness: 135lb/sy

Subbase: None

- (c) On St. Jude Drive commencing at Day Road to St. Jude Drive, a distance of 2,950 feet, there shall be expended the sum of \$89,155.52

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width Of traveled surface: 34'

Thickness: 135lb/sy

Subbase: None

- (d) On Lucy Road commencing at Peter Road to St. Jude Drive, a distance of 1,395 feet, there shall be expended the sum of \$43,400.00

AGREEMENT FOR EXPENDITURE OF HIGHWAY MONIES

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width Of traveled surface: 35'

Thickness: 135lb/sy

Subbase: None

- (e) On Theodore Road commencing at Peter Road to Dead End, a distance of 1,050 feet as well as an additional 504sy to include the area of the Cul-De-Sac, there shall be expended the sum of \$32,032.00

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width Of traveled surface: 30'

Thickness 135lb/sy

Subbase: None

- (f) On Day Road commencing at St. Jude Drive to Dianne Court, a distance of 425 feet, there shall be expended the sum of \$13,222.24

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 35'

Thickness: 135lb/sy

Subbase: None

- (g) On Angelina Road commencing at St. Jude Drive to Peter Road, a distance of 986 feet, there shall be expended the sum of \$30,675.52

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 35'

Thickness: 135 lb/sy

Subbase: None

- (h) On Revere Street commencing at Swampscott Street to Beverly Street, a distance of 390 feet, there shall be expended the sum of \$6,933.36

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 20'

Thickness: 135lb/sy

Subbase: None

AGREEMENT FOR EXPENDITURE OF HIGHWAY MONIES

- (i) On Nahant Street commencing at Swampscott Street to Beverly Street, a distance of 450 feet, there shall be expended the sum of \$8,000.00

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 20'

Thickness: 135lb/sy

Subbase: None

- (j) On Walnut Ave commencing at Dead End to Dead End, a distance of 1,600 feet, there shall be expended the sum of \$39,822.24

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 28'

Thickness: 135lb/sy

Subbase: None

- (k) On Bernard Street commencing at Sunrise Boulevard to Vinewood Ave, a distance of 185 feet, there shall be expended the sum of \$4,933.36

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 30'

Thickness: 135lb/sy

Subbase: None

- (l) On Paul Ave commencing at NY 7 Curry Road to Remsen Street, a distance of 2,450 feet, there shall be expended a sum of \$69,688.88

Type: Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 32'

Thickness: 135lb/sy

Subbase: None

- (m) On Paul Ave commencing at NY 7 Curry Road to Remsen Street, a distance of 2,450 feet, there shall be expended a sum of \$16,289.78

Type: 1"-2" Depth Cold Milling

Width of traveled surface: 32'

Thickness: 135lb/sy

AGREEMENT FOR EXPENDITURE OF HIGHWAY MONIES

Subbase: None

- (n) On Pansy Street commencing at Dead End to Arbor Ave, a distance of 1,060 feet, there shall be expended the sum of \$18,844.48

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 20'

Thickness: 135lb/sy

Subbase: None

- (o) On Aster Street commencing at Fern Ave to Arbor Ave, a distance of 875 feet, there shall be expended the sum of \$15,555.52

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 20'

Thickness: 135lb/sy

Subbase: None

- (p) On Wallace Ave commencing at NY 7 to Bernard Street Ext., a distance of 800 feet, there shall be expended the sum of \$22,044.48

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 31'

Thickness: 135lb/sy

Subbase: None

- (q) On Floyd Street commencing at Wescott Road to Vinewood Ave, a distance of 1,340 feet, there shall be expended the sum of \$23,822.24

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 20'

Thickness: 135lb/sy

Subbase: None

- (r) On Old Mariaville Road commencing at Dead End to Mariaville Road, a distance of 1,150 feet, there shall be expended a sum of \$25,555.52

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 25'

AGREEMENT FOR EXPENDITURE OF HIGHWAY MONIES

Thickness: 135lb/sy

Subbase: None

- (s) On Old Mariaville Road commencing at Dead End to Mariaville Road, a distance of 1,150 feet, there shall be expended a sum of \$9,583.32

Type: 1"-2" Depth Cold Milling

Width of traveled surface: 25'

Thickness: 135lb/sy

Subbase: None

- (t) On Stanek Road commencing at Dunnsville Road to Dead End, a distance of 1,075 feet, there shall be expended a sum of \$26,755.52

Type: 6.3MM Polymer-Modified Hot Mix Asphalt

Width of traveled surface: 28'

Thickness: 135lb/sy

Subbase: None

Executed In Duplicate This ____ Day of _____ 2021

Mollie Collins, Supervisor

Charles Jack Dodson, Deputy Supervisor

Joseph Mastroianni, Councilmember

Evan Christou, Councilmember

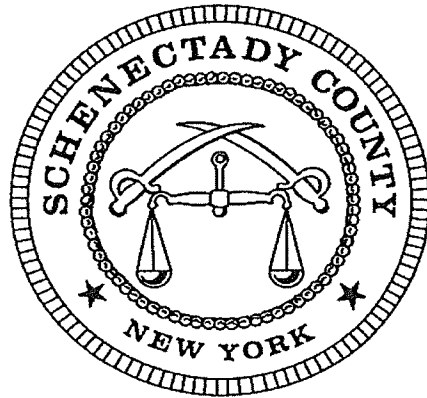
Samantha Miller-Herrera, Councilmember

Larry Lamora, Highway Superintendent

COUNTY OF SCHENECTADY

REQUEST FOR BIDS

Department of Engineering and Public Works



HIGHWAY CONSTRUCTION BIDS

RFB-2022-27	Hot In Place Asphalt Recycling
RFB-2022-28	6.3 Polymer Modified Hot Mix Asphalt
RFB-2022-29	Fiber Reinforced Surface Treatment (Fiber Mat)
RFB-2022-30	Paver Placed Surface Treatment (Nova Chip)
RFB-2022-31	Chip Seal
RFB-2022-32	Cold Milling
RFB-2022-33	Cold in Place Recycling 2 in. Train
RFB-2022-34	Cold in Place Recycling 3-4 in. Train
RFB-2022-35	Latex Modified Asphalt Paving (MicroPaving)
RFB-2022-36	Shotcrete
RFB-2022-37	Emergency Bridge Repair & Maintenance
RFB-2022-38	Concrete Sealant
RFB-2022-39	Furnish & Install Guide Rail

SCHENECTADY COUNTY PURCHASING DEPARTMENT

County Office Building
620 State Street – 6th Floor
Schenectady, New York 12305
518.388.4240
purchasing@schenectadycounty.com
Website: www.schenectadycounty.com



Schenectady County Request for Bid
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
Notice to Bidders

2022 Highway Construction Bids

Schenectady County, City of Schenectady, and all other authorized entities
Schenectady County, New York

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00 02 07	Prevailing Wages
00 02 09	MWBE Instructions
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01 13 00	RFB-2022-39 Furnish & Install Guide Rail

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Schenectady County Request for Bid
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
DIVISION 1 – Bid Specifications & Forms

DIVISION 1

BID SPECIFICATIONS AND FORMS

Please return only the bid pages of the bids you are participating in.

Please include a complete packet of Division 2 forms with each bid submitted.



Schenectady County Request for Bid BIDDER NAME or STAMP:
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-28 6.3 POLYMER-MODIFIED HOT MIX ASPHALT

RFB-2022-28 6.3mm POLYMER-MODIFIED HOT MIX ASPHALT

It is the intent of this specification to describe the requirements for furnishing and applying 6.3mm Polymer-Modified Hot Mix Asphalt Treatment to Schenectady County Public Works and to various municipal sites within Schenectady County.

DESCRIPTION:

This work shall consist of developing Polymer-Modified H.M.A. mixture using the Superpave Mix Design procedure detailed in Materials Method 5.16, "Superpave Hot Mix Asphalt Design and Mixture Verification Procedures," except as modified in these specifications. Polymer-Modified H.M.A. is a mixture of Performance-Graded Binder (PG Binder), mineral aggregate and mineral filler, if required. Polymer-Modified H.M.A. pavement course shall be constructed in accordance with these specifications and in reasonably close conformity with the required lines, grades, thicknesses, and typical sections shown on the plans or established by the Engineer. This is a performance-based specification in which the Contractor is responsible for compacting the pavement to a specified density requirement. Written instructions for determining pavement density are available from the Regional Materials Engineer or the Director, Materials Bureau. All necessary pavement repairs will be paid under appropriate items.

MATERIAL:

Polymer-Modified Mixture

The materials and composition for Polymer-Modified mixtures shall meet the requirements specified in NYSDOT's EI 04-040 specifications, except as noted herein.

Produce Polymer-Modified H.M.A. in accordance with the procedures outlined in this specification and NYSDOT's Material Method 5.16, Superpave Hot Mix Asphalt Design and Mixture Verification Procedures except as modified below:

Formulate and submit to the Regional Materials Engineer a Polymer-Modified H.M.A. design, which satisfies design criteria outlined in this specification.

The minimum PG Binder content shall not be less than 6.0%.

Table 1 - 6.3mm Polymer-Modified HMA Design Control Points		
Standard Sieves (mm)	Percent Passing Criteria	
	Maximum	Minimum
9.5		100
6.30	100	90
4.75	90	
2.36	70	37
0.075	10	2



Schenectady County Request for Bid BIDDER NAME or STAMP:
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-28 6.3 POLYMER-MODIFIED HOT MIX ASPHALT

Table 2 - 6.3mm Polymer-Modified HMA Mixture Additional Aggregate Criteria

Coarse Aggregate Angularity (percent) Minimum	Uncompacted Void Content of Fine Aggregate (percent)	Flat-and-elongated Particles (percent) maximum	Sand Equivalent (percent) minimum
95/90	43	10	45

Table 3 - 6.3mm Polymer-Modified HMA Volumetric Design Criteria

% gmm @ Ninitial	% Voids Filled with Binder		% Voids in the Mineral Aggregate Minimum
	Minimum	Maximum	
<90.5	70	78	16

Table 4 - 6.3mm Polymer Modified HMA Design Number of Gyration

Compactive Effort	Ninitial	N design	n maximum
Number of Gyration	7	75	115

Table 5 - 6.3mm Polymer-Modified HMA Production Gradation Tolerances

Sieve Size (mm)	9.5	6.3	4.75	2.36	1.18	0.600	0.300	0.150	0.075
Tolerance	+/-4	+/-4	+/-3	+/-3	+/-3	+/-2	+/-2	+/-2	+/-2

COARSE AGGREGATE TYPE F3

The materials and composition for above items shall meet the requirements specified in the N.Y.S. Department of Transportation Standard Specifications Construction and Materials, (EI 04-040) effective 01/11/07. Item 402.06730118 6.3 mm F3 POLYMER-MODIFIED HMA, 70 SERIES COMPACTION. Item 402.06731118 PLANT PRODUCTION QUALITY ADJUSTMENT TO 402.06730118.

- (a) Limestone or a blend of limestone and dolomite having an acid insoluble residue content of not less than 20%.
- (b) Dolomite.
- (c) Sandstone, granite, chert, traprock, ore tailings, slag, or other similar noncarbonated materials.
- (d) Use gravel or blend two or more of: gravel, limestone, dolomite, sandstone, granite, chert, traprock, ore tailings, or other similar materials to produce a final blend of which the noncarbonated plus 2.36 mm material comprises at least 10% of the total aggregate. In addition, at least 20% of the plus 4.75 material must be noncarbonated.



Schenectady County Request for Bid BIDDER NAME or STAMP:
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-28 6.3 POLYMER-MODIFIED HOT MIX ASPHALT

PG BINDER:

Use the appropriate Performance-Graded Binder (PG Binder), as listed in Table 6 below, in the production of these mixtures that meets the AASHTO M 320-Standard Specification for Performance-Grade Asphalt Binder.

Table 6 – PG Binder	
Location	PG Binder(1)
Upstate(3)	PG 64-28 with an minimum of 60% Elastic Recovery(4)

NOTES:

- 2 Use of all other PG Binder grades allowed only by approval of the Director of the Material Bureau. If allowed, use Table 401-7, delivery ticket mix coding, of the Standard Specifications to properly identify the PG Binder grade on the delivery ticket.
- 3 "Upstate" is defined as all other counties except as noted in Note 1.
- 4 100mm elongation and cut immediately at 25 degree C.

TACK COAT:

The materials and composition for above items shall meet the requirements specified in the N.Y.S. Department of Transportation Standard Specifications Construction and Materials, (EI 04-040). Item 407.2 18 TACK COAT FOR 6.3MM POLYMER-MODIFIED HMA.

Use an asphalt emulsion as tack coat meeting the requirements of 702-Bituminous Materials, RS-1, Item 702-3001 or CRS-1, Item 702-4001, or other asphalt emulsion as approved by the engineer with the following modifications:

Table 7 – Test on Asphalt Base Emulsion		
Test on Base Asphalt	Min.	Max.
Penetration 25 Degrees C, 100 g, 5 s	60	100
Ductility, 25 Degrees C, 5 cm/min, cm	50	—

Table 8 – Test on Residue from Distillation Test		
Test on Residue	Min.	Max.
Penetration, 25 Degrees C, 100 g	40	90

WEATHER LIMITATIONS:

The mixture shall be placed when the atmospheric temperature is 40 F and rising or above, it is not raining, and there is no forecast of temperature below 32 F within 24 hours from the time the mixture is applied. Application after October 31 and before March 31 shall not be made when the atmospheric temperature is less than 50 F.



Schenectady County Request for Bid BIDDER NAME or STAMP:
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-28 6.3 POLYMER-MODIFIED HOT MIX ASPHALT

NOTIFICATION AND TRAFFIC CONTROL:

Contractor will include Maintenance and Protection of Traffic for the specific project anticipated. Traffic shall be maintained in accordance with Section 619-1 through 619-3 of the Standard Specifications and the Manual of Uniform Traffic Control Devices (MUTCD).

All homeowners and business affected by the construction shall be notified one day in advance of the surfacing. Suitable tow-away signs may be posted prior to the surfacing.

Should work not occur on the specified day, a new notification will be distributed. The notification shall be in a form of a written posting, stating the time and date that the surfacing will take place.

KEY-CUTS:

Key cuts shall be maximum 12" cut from edge of main line. At locations marked by Schenectady County any variance will be charged by linear foot.

METHOD OF MEASUREMENT:

The quantity under this item will be the number of square yards completed and accepted in place. The width of the pavement course will be the width shown on the plans or as otherwise directed by the Engineer. The length will be measured along the center line of each roadway or ramp. The thickness of the pavement course shall be between 19mm to 25mm (3/4" to 1"). The plan quantities as adjusted for changes and errors will be the method of measurement.

BASIS OF PAYMENT:

The accepted quantities of 6.3mm Polymer-Modified Hot Mix asphalt pavement course will be paid for per square yard per project. A project is defined as any work requiring a single mobilization. Price includes: furnishing materials, equipment, labor and tack coat, as required, and all incidentals necessary to complete this work. If the municipality determines the quantity of material needed exceeds the 1" (110lbs.) per square yard of the plan quantity, the compensation due to the contractor will be adjusted accordingly. Pay items will be broken down as follows: 5,000 to 14,999 square yards, 15,000 to 29,999 square yards, and 30,000 or more square yards.

NOTE:

The Asphalt Bid Price is fixed, and is not subject to the formula as called for by the New York State Department of Transportation for the material purchased, at the date of bid

ADDITIONAL CONSTRUCTION:

The contract will contain a provision whereby the County may order additional highway construction to be performed by the contractor during the 2022 paving season pursuant to and consistent with terms, conditions and specification of the contract, provided the cost of the same is within the amount appropriated and provided for highway construction in the 2022 Capital Budget for the County.

DAILY WEIGHT RECORD:

The Contractor shall keep and supply a daily record of the weight of product applied by road name together with scale tickets by truck for aggregates utilized. This information shall be provided for the Engineer daily.



Schenectady County Request for Bid BIDDER NAME or STAMP:
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-28 6.3 POLYMER-MODIFIED HOT MIX ASPHALT

BID FORM
RFB-2022-28 - 6.3MM Polymer-Modified Hot Mix Asphalt

Bidder will provide and install material for a price of:

Project Size:	Project Type:	Price per Square Yard
5,000 to 14,999 SY	County Roads	\$ /SY
	Town Roads	\$ /SY
	City Streets	\$ /SY
15,000 to 29,999 SY	County Roads	\$ /SY
	Town Roads	\$ /SY
	City Streets	\$ /SY
Over 30,000 SY	County Roads	\$ /SY
	Town Roads	\$ /SY
	City Streets	\$ /SY
Key Cuts exceeding 12" from edge of main line		\$ /LINEAR FOOT



Schenectady County Request for Bid BIDDER NAME or STAMP:
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-28 6.3 POLYMER-MODIFIED HOT MIX ASPHALT

Bidder shall honor bid price for one year from date of bid opening by Schenectady County. At the mutual consent of both the County and the Contractor, the term of the contract and or bid price may be extended to a second and third year.

Bidder acknowledges receipt of the Schenectady County Sexual Harassment Policy.

Legal Name of Person, Partnership or Corporation Date: _____, 202__

By: _____
Authorized Signature

By: _____
Type or Print Name of Signator and Title

ADDRESS:

Street: _____

City: _____ State: _____ Zip Code _____

Phone Number: _____

Facsimile Number: _____

Email Address: _____

Federal Employer Identification Number: _____

Purchase Orders should be directed to the Attention Of:

Name: _____

Email Address: _____

Phone Number: _____

The following documents are attached to and made part of this bid:

- (a) Non-Collusive Bid Certification
- (b) Iranian Energy Sector Divestment
- (c) Standard Provisions
- (d) Board of Directors Resolution (for Corporations Only)
- (e) Disclosure of Prior Non-Responsibility Determinations
- (f) Certification for the Prevention of Sexual Harassment
- (g) Sub-Contractor Listing
- (h) Apprenticeship Certification
- (i) Bidder's Qualification Questionnaire
- (j) MWBE form A-1
- (k) MWBE form A-2



Schenectady County Request for Bid BIDDER NAME or STAMP:
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-28 6.3 POLYMER-MODIFIED HOT MIX ASPHALT

(I) W-9

END OF BID FORM-BID RFB-2022-28 6.3 POLYMER-MODIFIED HOT MIX ASPHALT



Schenectady County Request for Bid
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-32 COLD MILLING

BIDDER NAME or STAMP:

RFB-2022-32 COLD MILLING

SECTION 490 - COLD MILLING

490-1 DESCRIPTION. This work shall consist of the milling, shaping and removal of portions of existing surfaces by a cold milling process, and subsequent cleaning, utilizing equipment and procedures meeting the requirements in this specification.

The work shall consist of Miscellaneous Cold Milling or Production Cold Milling of bituminous or portland cement concrete as indicated in the contract documents and as shown on the plans.

490-2 MATERIALS

490-2.01 Equipment. Milling machines shall be power operated, self-propelled machines capable of removing the desired thickness of existing surfaces. The machines shall have sufficient power, traction and stability to accurately maintain depth of cut and slope. They shall be capable of producing a finished profile and cross slope to within 1/4 inch of that required and shall produce a uniform surface texture free from gouges and ridges greater than 3/8 inch in depth.

The machines shall be equipped with a means to control dust and other particulate matter created by the cutting action.

The machines shall have an integral loading system or sufficient equipment shall be provided to accomplish complete removal of milled material at a rate equivalent to the milling rate.

Vacuum trucks, street sweepers or power brooms shall be used to clean the milled surfaces. The Engineer may disallow the use of power brooms in urban, residential or other sensitive areas if the dust raised by the broom is deemed by the Engineer to be objectionable.

490-2.02 Disposal of Material. Material removed during the milling process, including foreign debris within or on the pavement, shall become the property of the Contractor and shall be disposed of at a site obtained by the Contractor.

490-3 CONSTRUCTION DETAILS

490-3.01 General. Milling shall be performed at the locations and in accordance with the details indicated on the plans.



Schenectady County Request for Bid BIDDER NAME or STAMP:
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-32 COLD MILLING

When indicated on the plans, profile and cross slope shall be controlled by a taut reference string line. The reference elevation and string line shall be established by the Contractor and subject to the approval of the Engineer.

Areas not accessible to the milling machine, such as around and/or adjacent to inlets, manholes, curbs and transverse joints on structures, may be removed by a small milling machine, handwork or other methods approved by the Engineer.

All milled material, including that removed by other means, shall be immediately removed from the milled surfaces and adjacent surfaces. Surfaces shall be cleaned of all fines and dust prior to opening to traffic. The Contractor shall conduct operations in such a manner that dust is controlled and is not objectionable. Milled and adjacent surfaces shall be cleaned again, as directed by the Engineer, prior to the placement of tack coats, or pavement courses if traffic has been allowed on the milled surface and/or if more than 48 hours have elapsed since the initial cleaning.

The Contractor shall maintain drainage at catch basins, according to the details shown on the plans, or in a manner approved by the Engineer.

When working adjacent to traffic, the Contractor shall immediately remove material that is spilled on the traveled way.

Milled surfaces to be overlaid with asphalt concrete shall be covered with at least a single course of asphalt concrete before the end of the paving season. Portland cement concrete overlays shall be completed over milled surfaces before the end of the paving season. Damage to milled surfaces resulting from traffic or other causes such as, but not limited to, raveling, fuel spillage or any contaminants which would inhibit bond, shall be repaired or remilled by the Contractor in a manner approved by the Engineer.

490-3.02 Production Cold Milling. Production cold milling of bituminous or portland cement surfaces shall be performed in accordance with the details and at the locations indicated on the plans.

490-3.03 Miscellaneous Cold Milling. Miscellaneous cold milling of bituminous or portland cement surfaces shall be performed in accordance with the details and at the locations indicated on the plans.

490-3.04 Production Cold-Mill Surface Planing. Production cold-mill surface planing of bituminous concrete surfaces shall be performed in accordance with the details and at the locations indicated on the plans. When specified, the milling machine shall control the profile and cross slope with a moving reference at least 30 feet in length. The moving reference may be a floating beam, ski, or other suitable type such that the resulting milled surface is sufficiently even.



Schenectady County Request for Bid BIDDER NAME or STAMP:
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-32 COLD MILLING

In areas accessible to the milling machine, construct a milled surface to a maximum 1/2 inch tolerance. If the pavement surface is not being constructed or has not been constructed to this tolerance based upon visual observation or upon riding quality, the Engineer may test the surface with a 15 foot straight edge or string line placed parallel to the centerline of the pavement and with a 10 foot straight edge or string line placed transversely to the centerline of the pavement on any portion of the pavement. Variations exceeding 1/2 inch will be satisfactorily corrected at no additional cost to the State.

490-4 METHOD OF MEASUREMENT. The quantity shall be measured as the number of square yards of pavement surface milled in accordance with the plans and this specification. In no case will a deduction in area be made for minor unmilled areas due to catch basins, manholes, transverse joints, or minor low areas in pavements from the measured surface area that has been milled.

Minor unmilled or low areas are those areas of 10 square yards or less.

490-5 BASIS OF PAYMENT. The unit price bid per square yard shall include the cost of furnishing all labor and equipment necessary to complete the milling, including the removal of pavement by other means, the removal and disposal of milled material, the removal and hauling of milled material to a designated storage area when indicated in the contract documents and cleaning the resultant surface after milling. No payment will be made for additional cleaning that may be necessary just prior to placement of any overlaying pavement courses or tack coats. The cost of maintaining drainage shall be included in the price bid for work zone traffic control. The cost of providing tack coats, overlay courses, and temporary pavement wedges around drainage structures, manholes, valve boxes, bridge abutments and beginning and ends of milled pavement shall be paid for separately.

Payment will be made under:

Item No.	Item	Pay Unit
490.10	Production Cold Milling of Bituminous Concrete	Square Yard
490.15	Production Cold-Mill Surface Planing of Bituminous Concrete	Square Yard
490.20	Production Cold Milling of Portland Cement Concrete	Square Yard
490.30	Miscellaneous Cold Milling of Bituminous Concrete	Square Yard
490.40	Miscellaneous Cold Milling of Portland Cement Concrete	Square Yard

NOTIFICATION AND TRAFFIC CONTROL:

Contractor will include Maintenance and Protection of Traffic for the specific project anticipated. Traffic shall be maintained in accordance with Section 619-1 through 619-3 of the Standard Specifications and the Manual of Uniform Traffic Control Devices (MUTCD).



Schenectady County Request for Bid BIDDER NAME or STAMP:
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-32 COLD MILLING

DAILY WEIGHT RECORD:

The Contractor shall keep and supply a daily record of the weight of product applied by road name together with scale tickets by truck for aggregates utilized. This information shall be provided for the Engineer daily.

Bidder shall honor bid price for one year from date of bid opening by Schenectady County. At the mutual consent of both the County and the Contractor, the term of the contract and or bid price may be extended to a second and third year.



Schenectady County Request for Bid BIDDER NAME or STAMP:
 DEPW Highway Construction 2022
 RFB-2022-27 thru RFB-2022-39
 RFB-2022-32 COLD MILLING

RFB-2022-32
COLD MILLING BID FORM

Project Size		Bid Price Schenectady County Keeps Millings	Bid Price Contractor Keeps Millings
0 - 500 sq. yd.			
	1" - 2" depth	\$ /sq. yd.	\$ /sq. yd.
	1" additional depth	\$ /sq. yd.	\$ /sq. yd.
	Each additional inch over 3"	\$ /sq. yd.	\$ /sq. yd.
501- 1,000 sq. yd.			
	1" - 2" depth	\$ /sq. yd.	\$ /sq. yd.
	1" additional depth	\$ /sq. yd.	\$ /sq. yd.
	Each additional inch over 3"	\$ /sq. yd.	\$ /sq. yd.
1,001- 2,000 sq. yd.			
	1" - 2" depth	\$ /sq. yd.	\$ /sq. yd.
	1" additional depth	\$ /sq. yd.	\$ /sq. yd.
	Each additional inch over 3"	\$ /sq. yd.	\$ /sq. yd.
2,001- 3,000 sq. yd.			
	1" - 2" depth	\$ /sq. yd.	\$ /sq. yd.
	1" additional depth	\$ /sq. yd.	\$ /sq. yd.
	Each additional inch over 3"	\$ /sq. yd.	\$ /sq. yd.
3,001- 4,000 sq. yd.			
	1" - 2" depth	\$ /sq. yd.	\$ /sq. yd.
	1" additional depth	\$ /sq. yd.	\$ /sq. yd.
	Each additional inch over 3"	\$ /sq. yd.	\$ /sq. yd.



Schenectady County Request for Bid
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-32 COLD MILLING

BIDDER NAME or STAMP:

4,001- 5,000 sq. yd.			
	1" – 2" depth	\$ yd. /sq.	\$ yd. /sq.
	1" additional depth	\$ yd. /sq.	\$ yd. /sq.
	Each additional inch over 3"	\$ yd. /sq.	\$ yd. /sq.
Over 5,000 sq. yd.			
	1" – 2" depth	\$ yd. /sq.	\$ yd. /sq.
	1" additional depth	\$ yd. /sq.	\$ yd. /sq.
	Each additional inch over 3"	\$ yd. /sq.	\$ yd. /sq.



Schenectady County Request for Bid BIDDER NAME or STAMP:
DEPW Highway Construction 2022
RFB-2022-27 thru RFB-2022-39
RFB-2022-32 COLD MILLING

Bidder shall honor bid price for one year from date of bid opening by Schenectady County. At the mutual consent of both the County and the Contractor, the term of the contract and or bid price may be extended to a second and third year.

Bidder acknowledges receipt of the Schenectady County Sexual Harassment Policy.

Date: _____, 201__

Legal Name of Person, Partnership or Corporation _____

By: _____
Authorized Signature

By: _____
Type or Print Name of Signator and Title

ADDRESS:

Street: _____

City: _____ State: _____ Zip Code _____

Phone Number: _____

Facsimile Number: _____

Email Address: _____

Federal Employer Identification Number: _____

Purchase Orders should be directed to the Attention Of:

Name: _____

Email Address: _____

Phone Number: _____

The following documents are attached to and made part of this bid:

- (a) Non-Collusive Bid Certification
- (b) Iranian Energy Sector Divestment
- (c) Standard Provisions
- (d) Board of Directors Resolution (for Corporations Only)
- (e) Disclosure of Prior Non-Responsibility Determinations
- (f) Certification for the Prevention of Sexual Harassment
- (g) Sub-Contractor Listing
- (h) Apprenticeship Certification
- (i) Bidder's Qualification Questionnaire
- (j) MWBE form A-1
- (k) MWBE form A-2
- (l) W-9

END OF BID FORM-BID RFB-2022-32 Cold Milling

Schenectady County DEPW Highway Construction 2022

Bid Review

RFB-2022-28

6.3 MM Polymer-Modified Hot Mix Asphalt

Date

April 5, 2022

11:00 AM

Bidder	Callanan	Empire Paving	
Price Per Square Yard 5,000 to 14,999 SY			
County Roads	\$ 5.60	\$ 6.13	
Town Roads	\$ 5.85	\$ 7.13	
City Streets	\$ 5.85	\$ 8.13	
Price Per Square Yard 15,000 to 29,999 SY			
County Roads	\$ 5.40	\$ 5.37	
Town Roads	\$ 5.65	\$ 6.37	
City Streets	\$ 5.65	\$ 7.37	
Price Per Square Yard over 30,000 SY			
County Roads	\$ 5.35	\$ 4.56	
Town Roads	\$ 5.60	\$ 5.56	
City Streets	\$ 5.60	\$ 6.56	
Key Cuts exceeding 12" from Edge of Mainline			
\$/Linear Foot	\$ 40.00	\$ 35.00	

Bid Form Complete	Yes	Yes	
Acknowledge Addendum 1	N/A	N/A	
Acknowledge Addendum 2	Yes	Yes	
Board Director Resolution (if app)	Yes	Yes	
Non Collusive	Yes	Yes	
Iranian Energy	Yes	Yes	
Bidders Qualifications	Yes	Yes	
Subcontractor List	Yes-None	Yes-None	
Apprenticeship (if app)	Yes-Incomplete	Yes	
MWBE (if app)	Yes-TBD	Yes-TBD	
Bid Bond	5%	N/A	

Bidder	Project Size	Empire Paving of Schenectady, Inc.			Peter Lutzzi & Bros. Contracting, Inc.			Callanan Industries, Inc.			Bid Price Schenectady County Keeps			Bid Price Schenectady County Keeps			Bid Price Schenectady County Keeps		
		Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	Bid Price Schenectady County Keeps	
0 - 500 sq. yd.																			
	1" - 2" depth	\$	9.00	\$	9.00	\$	14.00	\$	14.50	\$	31.32	\$	31.32	\$	31.32	\$			
	1" additional depth	\$	0.25	\$	0.25	\$	1.50	\$	1.50	\$	3.48	\$	3.48	\$	3.48	\$			
	Each additional inch over 3"	\$	0.25	\$	0.25	\$	1.50	\$	1.50	\$	7.83	\$	7.83	\$	7.83	\$			
501 - 1,000 sq. yd.																			
	1" - 2" depth	\$	6.50	\$	6.00	\$	7.50	\$	8.00	\$	10.44	\$	10.44	\$	10.44	\$			
	1" additional depth	\$	0.25	\$	0.25	\$	1.25	\$	1.25	\$	1.16	\$	1.16	\$	1.16	\$			
	Each additional inch over 3"	\$	0.25	\$	0.25	\$	1.25	\$	1.25	\$	2.61	\$	2.61	\$	2.61	\$			
1,001 - 2,000 sq. yd.																			
	1" - 2" depth	\$	4.10	\$	4.00	\$	3.50	\$	4.00	\$	9.11	\$	9.11	\$	9.11	\$			
	1" additional depth	\$	0.25	\$	0.25	\$	1.00	\$	1.00	\$	1.01	\$	1.01	\$	1.01	\$			
	Each additional inch over 3"	\$	0.25	\$	0.25	\$	1.00	\$	1.00	\$	2.28	\$	2.28	\$	2.28	\$			
2,001 - 3,000 sq. yd.																			
	1" - 2" depth	\$	4.10	\$	4.00	\$	3.00	\$	3.00	\$	5.46	\$	5.46	\$	5.46	\$			
	1" additional depth	\$	0.25	\$	0.25	\$	0.75	\$	0.75	\$	0.61	\$	0.61	\$	0.61	\$			
	Each additional inch over 3"	\$	0.25	\$	0.25	\$	0.75	\$	0.75	\$	1.37	\$	1.37	\$	1.37	\$			
3,001 - 4,000 sq. yd.																			
	1" - 2" depth	\$	3.10	\$	3.00	\$	2.75	\$	2.75	\$	3.90	\$	3.90	\$	3.90	\$			
	1" additional depth	\$	0.50	\$	0.50	\$	0.75	\$	0.75	\$	0.43	\$	0.43	\$	0.43	\$			
	Each additional inch over 3"	\$	0.50	\$	0.50	\$	0.75	\$	0.75	\$	0.98	\$	0.98	\$	0.98	\$			
4,001 - 5,000 sq. yd.																			
	1" - 2" depth	\$	2.10	\$	2.00	\$	2.25	\$	2.25	\$	4.97	\$	4.97	\$	4.97	\$			
	1" additional depth	\$	0.75	\$	0.75	\$	0.50	\$	0.50	\$	0.55	\$	0.55	\$	0.55	\$			
	Each additional inch over 3"	\$	0.75	\$	0.75	\$	0.50	\$	0.50	\$	1.24	\$	1.24	\$	1.24	\$			
Over 5,000 sq. yd.																			
	1" - 2" depth	\$	2.00	\$	1.87	\$	2.00	\$	2.00	\$	3.44	\$	3.44	\$	3.44	\$			
	1" additional depth	\$	1.00	\$	0.70	\$	0.50	\$	0.50	\$	0.38	\$	0.38	\$	0.38	\$			
	Each additional inch over 3"	\$	1.00	\$	0.70	\$	0.50	\$	0.50	\$	0.86	\$	0.86	\$	0.86	\$			
Bid Form Complete		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes	
Acknowledge Addendum 1		N/A		N/A		Yes		Yes		N/A		N/A		N/A		N/A		N/A	
Acknowledge Addendum 1		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes	
Board Director Resolution (if app)		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes	
Non Collusive		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes	
Iranian Energy		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes	
Subcontractor List		Yes-None		Yes-None		Yes-None		Yes-None		Yes-None		Yes-None		Yes-None		Yes-None		Yes-None	
Bidders Qualifications		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes	
Apprenticeship (if app)		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes		Yes	
MWBE (if app)		Yes-No Subs		Yes-No Subs		Yes		Yes		Yes		Yes-No Subs		Yes		Yes-No Subs		Yes	
Bid Bond		N/A		N/A		N/A		N/A		N/A		N/A		N/A		N/A		N/A	



Department of Transportation

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

May 11, 2022

LARRY LAMORA
HIGHWAY SUPERINTENDENT
TOWN OF ROTTERDAM
54 DUANESBURG RD
ROTTERDAM NY 12306

Dear Mr. Lamora:

The enacted State fiscal year (SFY) 2022-23 Budget provides \$100 million to counties, cities, towns, and villages for a new Pave Our Potholes (POP) Program to resurface and renew the worst roadway pavements in the State. The New York State Department of Transportation (NYSDOT) will make the first SFY 2022-23 reimbursement on **July 28, 2022**. Eligible expenses for the July payment will be reimbursed for expenditures on or after April 1, 2022. Additional POP Program information on apportionments, program guidelines, project eligibility, and the CP75 reimbursement request form are available at: <https://www.dot.ny.gov/programs/chips>.

The Town of Rotterdam has a SFY 2022-23 POP apportionment of \$52,718.07. POP reimbursement requests require the same supporting documentation as the CHIPS, EWR, and PAVE-NY Programs. To ensure timely reimbursement, submit requests for each project to the NYSDOT Regional Office listed below no later than **June 23, 2022**. Municipalities may e-mail their POP reimbursement request forms and supporting documentation for each project to the regional mailbox address listed below.

Joe Thompson
NYSDOT Regional CHIPS Representative
New York State Department of Transportation
50 Wolf Road, Suite 1S50
Albany, NY 12232
dot.sm.r01.CHIPS@dot.ny.gov

If you have any questions, please contact Joe Thompson at 518-457-6916.

Respectfully yours,

A handwritten signature in cursive script that reads "Dawn Arnold".

Dawn Arnold
Acting Director, Local Programs Bureau



Department of
Transportation

KATHY HOCHUL
Governor

MARIE THERESE DOMINGUEZ
Commissioner

April 26, 2022

LARRY LAMORA
HIGHWAY SUPERINTENDENT
TOWN OF ROTTERDAM
54 DUANESBURG RD
ROTTERDAM NY 12306

Dear Mr. Lamora:

The 2022-23 State Budget provides funding to support the repair, rehabilitation, and modernization of local roads and bridges. The Budget includes \$538.1 million in Consolidated Local Street and Highway Improvement Program (CHIPS) funding, \$150 million in PAVE-NY funding, and \$100 million in Extreme Winter Recovery (EWR) funding. Also included are reappropriations of rollover funds remaining from previous State fiscal year CHIPS, PAVE-NY, and EWR appropriations. Please provide a copy of this letter to the chief financial officer for your municipality.

The first of four quarterly SFY 2022-23 CHIPS, PAVE-NY, and EWR reimbursements are scheduled to be made on June 30, 2022. Requests for the June payments must be for expenditures made on or after December 31, 2020 through May 20, 2022. Refer to the Program Guidelines on the CHIPS website (www.dot.ny.gov/programs/chips) regarding eligible project activities and program requirements. The Town of Rotterdam has the following funding amounts available for the June payments.

Program	Total Balance	22-23 Apportionment Balance	Cumulative Rollover Balance
CHIPS	\$297,451.57	\$296,822.78	\$628.79
PAVE NY	\$79,490.25	\$79,077.11	\$413.14
EWR	\$67,299.24	\$65,866.49	\$1,432.75

Each program payment submission should include a Documentation Checklist (found on the CHIPS website), summary reports of Checklist information, ADA compliant curb ramp photos (if applicable), and proof of payment. Failure to submit the required supporting documentation for each program payment submission may delay the processing of your reimbursement requests.

The instructions for applying under the June 30, 2022 CHIPS, PAVE-NY and EWR reimbursements are included on the back of this letter and on the CHIPS website, under Forms and Instructions. The New York State Department of Transportation (NYSDOT) Regional Office must receive all program payment submission items no later than **May 26, 2022**. Please sign the certification on each page of the reimbursement request forms and keep a copy of the completed forms for your files. Your NYSDOT municipal code for entry on the forms is 160726.

Municipalities may mail or e-mail their CHIPS, PAVE-NY and EWR reimbursement request forms and supporting required documentation to their NYSDOT Region. Guidance for e-mail submissions may be obtained on the CHIPS website. Contact information:

Joe Thompson
NYSDOT Regional CHIPS Representative
50 Wolf Road, Suite 1S50
Albany, NY 12232
dot.sm.r01.CHIPS@dot.ny.gov

If you have any questions, please contact Joe Thompson at 518-457-6916.

Respectfully yours,

Dawn Arnold
Acting Director, Local Programs Bureau



May 17, 2022

Town of Rotterdam
1100 Sunrise Boulevard
Rotterdam, NY 12306

Greetings,

It is understood that the Town of Rotterdam is authorized to make purchases from the Schenectady County RFB-2022-28 6.3mm Polymer Modified Hot Mix Asphalt and RFB-2022-32 Cold Milling. At the request of the Town of Rotterdam Highway Department, below is a unit price adjustment to the unit pricing based on the desired application rate for Town Roads.

The method of measurement and bid price is based on an application rate of 85 lb/sy (3/4" thickness). The Highway Department has requested an in-place thickness of 1.25" compacted (135 lb/sy). In accordance with the basis of payment on page 38 of the contract specifications, the adjusted unit price for Town Roads is \$8.00 per square yard.

It is our understanding that this treatment will be used at the desired thickness for all roads listed on the 2022 Town Road List. The unit price is applicable for all roads on the enclosed list.

It is also understood that Paul Ave and Old Mariaville Road will receive Cold Milling. The Cold Milling of these roads would be performed per the unit price schedule provided in the Schenectady County bid.

If there are any questions please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Longo', is written over the printed name.

Christopher Longo
Vice President
Empire Paving of Schenectady, Inc.

Encl: Schenectady County Bid Specifications
Schenectady County Bid Results 2022
Town of Rotterdam Road List 2022

Cc:

Town of Rotterdam
2022 Paving Program

Street	From	To	Width	Length	Area (Sy)	Cul-De-Sac (sy)	Milling Cost	Total
E. Palmer Ave	Palmer Ave	Highbridge Road	35	875	3402.78			\$ 27,222.24
Peter Road	Kings Road	Highbridge Road	28	3,000	9333.33			\$ 74,666.64
St. Jude Drive	Day Road	St. Jude Drive	34	2,950	11144.44			\$ 89,155.52
Lucy Road	Peter Road	St. Jude Drive	35	1,395	5425.00			\$ 43,400.00
Theodore Road	Peter Road	Dead End	30	1,050	3500.00	504.00		\$ 32,032.00
Day Road	St. Jude Drive	Dianne Court	35	425	1652.78			\$ 13,222.24
Angelina Road	St. Jude Drive	Peter Road	35	986	3834.44			\$ 30,675.52
Revere Street	Swampscott Street	Beverly Street	20	390	866.67			\$ 6,933.36
Nahant Street	Swampscott Street	Beverly Street	20	450	1000.00			\$ 8,000.00
Walnut Avenue	Dead End	Dead End	28	1,600	4977.78			\$ 39,822.24
Bernard Street	Sunrise Boulevard	Vinewood Avenue	30	185	616.67			\$ 4,933.36
Paul Avenue	NY 7 Curry Road	Remsen Street	32	2,450	8711.11		\$ 16,289.78	\$ 85,978.66
Pansy Street	Dead End	Arbor Avenue	20	1,060	2355.56			\$ 18,844.48
Aster Street	Fern Avenue	Arbor Avenue	20	875	1944.44			\$ 15,555.52
Wallace Avenue	NY 7	Bernard Street Ext	31	800	2755.56			\$ 22,044.48
Floyd Street	Wescott Road	Vinewood Avenue	20	1,340	2977.78			\$ 23,822.24
Old Mariaville Road	Dead End	Mariaville Road	25	1,150	3194.44		\$ 9,583.32	\$ 35,138.84
Stanek Road	Dunnsville Road	Dead End	28	1,075	3344.44			\$ 26,755.52

Total SY 71,541.22 Total \$ 598,202.86

6.3mm Unit Price \$8.00 /sy

Milling Unit Price (<5,000 sy)

\$1.87 /sy

Milling Unit Price (3,001-4,000 sy)

\$3.00 /sy

RESOLUTION NO. 195.22

**A RESOLUTION IN CONNECTION WITH THE TOWN OF ROTTERDAM - ROTTERDAM
JUNCTION STORMWATER IMPROVEMENTS PROJECT DETERMINATION OF NON-
SIGNIFICANCE PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) REGULATIONS 6NYCRR PART 617**

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____, **NOW**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town of Rotterdam has determined that a need exists for the Rotterdam Junction Stormwater Improvements Project.

SECTION 2. The Town of Rotterdam is in the design stages for the Rotterdam Junction Stormwater Improvements Project.

SECTION 3. The Town of Rotterdam has secured funding for this project.

SECTION 4. As part of the approval process, the Town of Rotterdam Town Board must comply with regulations required under the State Environmental Quality Review Act (SEQRA).

SECTION 5. The public comment period has expired and no substantive comments remain to be addressed.

SECTION 6. The Supervisor of the Town of Rotterdam, acting as responsible officer of the Town of Rotterdam Town Board is hereby authorized to make a negative declaration and to complete and sign the Determination of Significance of the Full Environmental Assessment Form indicating that the project will not have a significant effect on the environment.

SECTION 7. The Town Board of the Town of Rotterdam hereby authorizes the Town Planner to prepare, file, publish, and distribute all documents as necessary to comply with NYCRR Part 617 (State Environmental Quality Review).

SECTION 8. This resolution shall become effective June 8, 2022.

DATED: June 8, 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: May 25, 2022

TO: Mollie Collins – Town Supervisor

FROM: Peter Comenzo – Senior Planner

TITLE OF REQUEST: SEQR Notice of Determination of Non-Significance for proposed Rotterdam Junction Stormwater Improvements.

TOWN BOARD MEETING: June 8, 2022

Background Information: NYSDOT installed a large diameter stormwater pipe bored under the tracks, parallel and to the east of the bike tunnel, which would serve as an outlet to allow the Town to tie future stormwater system improvements into.

Evaluation/Analysis: The stormwater improvements are proposed from the newly constructed stormwater infrastructure on the north side of the railroad tracks on Scrafford Lane, westerly along Isabella Street to Lock Street. Town Board Declared Lead Agency on April 6, 2022 and conducted a coordinated SEQR review.

Recommendation(s): Town Board should consider adoption of the Draft Negative Declaration as prepared the Town Designate Engineer.

Attachment/Document(s): NYSDEC Correspondence
NYSHPO Correspondence
USFWS Correspondence
Part #2 and #3 SEQR Long Form
SEQR Draft Negative Declaration

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): NYCRR Part 617
State Environmental Quality Review

LEGISLATION WILL BE PREPARED BY: Town Attorney

SEQR
Negative Declaration
Notice of Determination of Non-Significance

Lead Agency: Town of Rotterdam
Address: Town Hall
1100 Sunrise Blvd.
Schenectady, NY 12306

Project # (if any) 01-1809

Date: June 8, 2022

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation law.

The lead agency has determined that the proposed action described below will not have a significant effect on the environment.

Title of Action: Rotterdam Junction Stormwater Improvements Project

SEQR Status: Type I ☒
 Unlisted ☐

Description of Action:

The Town of Rotterdam has expressed their commitment to mitigate flooding issues in Rotterdam Junction and a cooperative project with NYSDOT was proposed. NYSDOT has completed the extension of the existing bike path under the railroad tracks at the end of Scrafford Lane, along with associated drainage improvements. The NYSDOT design included a separate large diameter storm water pipe boring under the railroad tracks, parallel to and east of the bike path tunnel, which would serve as an outlet for tying in the Town's future storm water system improvements for that area. Subsequently, a storm water management system was designed for Rotterdam Junction that will reduce impacts in areas historically affected by flooding. This system will connect to the pipe completed by NYSDOT as part of the bicycle path tunnel project. The overall disturbance of the Town's portion of the project is +/- 0.12 acres.

Location:

Town of Rotterdam, Schenectady County, New York

(Attach additional pages as needed)

Reasons Supporting This Determination:

The project is expected to have a minimal impact on the environment as detailed below:

Impacts on Surface Water: The disturbance of land may temporarily increase the turbidity and runoff to the nearby Mohawk River during construction only. Stormwater control measures are planned for the site to mitigate the potential impact.

Impact on Groundwater: Work will be near and or above the existing aquifer. The project construction work is shallow and the impacts will be minimal if any.

Impact on Flooding: The project will be near or in the 500-year floodplain.

Impact on Plants and Animals: Migratory birds & the bald eagle may be in this area, but the project will have a minimal impact on their nesting & breeding.

Impact on Aesthetic Resources: The project will have a minimal impact on the Sanders Town Preserve, Plotter Kill Preserve, & the Lock 9 Canal Park as they are 0.5 mile away or more.

Impact on Critical Environmental Areas (CEA): The project will be constructed near and or above the existing aquifer area overlay zone as it is listed as a CEA. The project construction work is shallow and the impacts will be minimal if any.

Impact on Noise, Odor, and Light: There will be minimal short term noise impacts during construction only.

For Further Information:

Contact Person: Peter Comenzo – Senior Planner
Address: 1100 Sunrise Blvd.
Schenectady, NY 12306
pcomenzo@rotterdamny.org

Phone No.: 315-355-7575 x338

Copies of this Notice Sent to:

Commissioner - Department of Environmental Conservation, 625 Broadway, Albany, NY 12233-3506
Appropriate Regional Office of the Department of Environmental Conservation
Office of the Chief Executive Officer of the political subdivision in which the action is located
Main office and appropriate regional office of lead agency.
Applicant and all other involved agencies

NOTE: Negative Declarations for Unlisted Actions need not be filed with DEC or any other agency (see 617.7(a)).

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]
 Project : Rotterdam Junction Stormwater Improvements
 Date : 6/8/22

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) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		☒ 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	☒	☐

I. Other impacts: _____ _____		☐	☐
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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) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☐ NO	☒ YES
	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) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☐ 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 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: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. ☒ NO ☐ YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	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 ₂ O)	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 <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	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 <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	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, E1b	☐	☐
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.	E1 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.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☐ NO	☒ YES
	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 1/2 -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.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☒ NO	☐ YES
	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: _____		☐	☐
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) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	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) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	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.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	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.) <i>If "Yes", answer questions a - m. If "No", go to Section 17.</i> ☒ NO ☐ YES			
	Relevant Part I Question(s)	No, or small impact may occur	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.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		☒ NO	☐ YES
	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) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		☒ NO	☐ YES
	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: _____ _____		☐	☐

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.

Impacts on Surface Water: The disturbance of land may temporarily increase the turbidity and runoff to the nearby Mohawk River during construction only. Stormwater control measures are planned for the site to mitigate the potential impact.

Impact on Groundwater: Work will be near and or above the existing aquifer. The project construction work is shallow and the impacts will be minimal if any.

Impact on Flooding: The project will be near or in the 500 year floodplain.

Impact on Plants and Animals: Migratory birds & the bald eagle may be in this area, but the project will have a minimal impact on their nesting & breeding.

Impact on Aesthetic Resources: The project will have a minimal impact on the Sanders Town Preserve, Plotter Kill Preserve, & the Lock 9 Canal Park as they are 0.5 mile away or more.

Impact on Critical Environmental Areas (CEA): The project will be constructed near and or above the existing aquifer area overlay zone as it is listed as a CEA. The project construction work is shallow and the impacts will be minimal if any.

Impact on Noise, Odor, and Light: There will be minimal short term noise impacts during construction only.

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
Comment response letters dated 4/29/22, 5/9/22, & 5/12/22. Plans & specifications dated January 2022 by PRIME AE Group of NY.

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Town of Rotterdam Town Board 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: Town of Rotterdam Rotterdam Junction Stormwater Improvements Project

Name of Lead Agency: Town of Rotterdam Town Board

Name of Responsible Officer in Lead Agency: Mollie Collins

Title of Responsible Officer: Town Supervisor

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Peter Comenzo

Date:

6/8/22

For Further Information:

Contact Person: Mollie Collins, Town Supervisor

Address: 1100 Sunrise Blvd., Rotterdam, NY 12306

Telephone Number: 518-355-7575

E-mail: mcollins@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



United States Department of the Interior

FISH AND WILDLIFE SERVICE

3817 Luker Road
Cortland, New York 13045



Project Number: _____ Date: 4/29/22

To: Douglas Cole

Project Name: Rotterdam Junction Stormwater Improvements

Town/County: Town of Rotterdam, Schenectady County

We have received your request for information regarding occurrences of federally listed threatened and endangered species within the vicinity of the above-referenced project/property. Please see the check box below that pertains to this project regarding next steps to take in order for your project to be reviewed by the U.S. Fish and Wildlife Service's (Service) New York Field Office (NYFO).

☒ **An official species list was not requested through IPaC.**

Next steps to take: Please log into the IPaC website at [IPaC: Home \(fws.gov\)](http://IPaC: Home (fws.gov)) to obtain an official species list for the above-mentioned project. The NYFO cannot accept species lists that indicate they are "Not for Consultation." ***Project submittals will not be reviewed until official species list requests are obtained and the project is resubmitted.***

☐ **Insufficient project information was provided to complete our review.**

Next steps to take: Please go to the NYFO Project Review website at <https://www.fws.gov/office/new-york-ecological-services-field/new-york-project-reviews> and follow the instructions to complete our 7-Step process before submitting a project for our review. To ensure that all pertinent project information has been submitted for Endangered Species Act (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*) review, please use the Project Review Submittal Checklist found here: <https://www.fws.gov/media/project-submittal-checklist>. ***Project submittals will not be reviewed until all pertinent project information has been submitted.***

*If you do not have access to online resources, please coordinate with the NYFO for assistance at 607-753-9334.

****It is preferred that all project reviews be submitted via email at fw5es_nyfo@fws.gov.**

If you cannot submit documents electronically, please mail them to the NYFO at the address at the top of this page.

As a reminder, sections 9 and 4(d) of the ESA establish protections for endangered and threatened species, respectively. For any federally listed threatened species in New York, contact this office. Additionally, section 7(a)(2) of the ESA, requires **Federal agencies**, in consultation with the Service, to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of designated critical habitat.

For **non-federal projects**, those not authorized, funded, or carried out by a Federal agency, we provide technical assistance to individuals and other non-federal entities to assist with project planning to avoid the potential for “take”¹ or when appropriate, to provide assistance with their application for an incidental take permit pursuant to section 10(a)(1)(B) of the ESA.

To avoid potentially impacting listed species or causing unauthorized impacts, we encourage project sponsors to ensure all requirements of the ESA have been fulfilled prior to finalizing project plans. If you have any questions or require further assistance regarding threatened and endangered species, please contact the NYFO Endangered Species Program at 607-753-9334. Please refer to the above Project Number (if provided) or the Project Name in any future correspondence.

¹ Take is defined in section 3 of the ESA as harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or to attempt to engage in any such conduct.

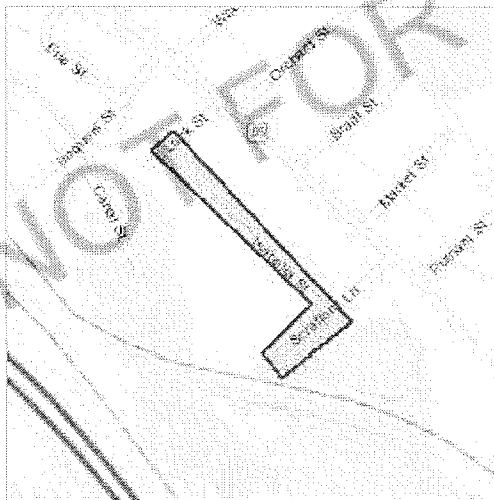
IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Schenectady County, New York



Local office

New York Ecological Services Field Office

☎ (607) 753-9334

📠 (607) 753-9699

3817 Luker Road
Cortland, NY 13045-9385

<http://www.fws.gov/northeast/nyfo/es/section7.htm>

NOT FOR CONSULTATION

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information. IPaC only shows species that are regulated by USFWS (see FAQ).

2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A BREEDING SEASON IS INDICATED FOR A BIRD ON YOUR LIST, THE BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Bald Eagle *Haliaeetus leucocephalus*

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

Breeds Dec 1 to Aug 31

Black-billed Cuckoo *Coccyzus erythrophthalmus*

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.
<https://ecos.fws.gov/ecp/species/9399>

Breeds May 15 to Oct 10

Blue-winged Warbler *Vermivora pinus*

Breeds May 1 to Jun 30

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Bobolink *Dolichonyx oryzivorus*

Breeds May 20 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Canada Warbler *Cardellina canadensis*

Breeds May 20 to Aug 10

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Prairie Warbler *Dendroica discolor*

Breeds May 1 to Jul 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Wood Thrush *Hylocichla mustelina*

Breeds May 10 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

■ probability of presence ■ breeding season | survey effort — no data

SPECIES JAN FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC

Bald Eagle
Non-BCC
Vulnerable (This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.)



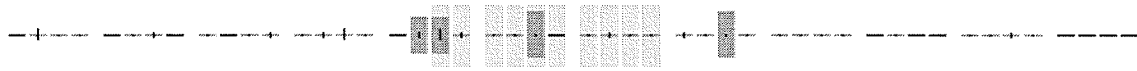
Black-billed Cuckoo
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Blue-winged Warbler
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)



Bobolink
BCC Rangewide (CON) (This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)



Canada Warbler
BCC Rangewide
(CON) (This is a
Bird of
Conservation
Concern (BCC)
throughout its
range in the
continental USA
and Alaska.)



Prairie Warbler
BCC Rangewide
(CON) (This is a
Bird of
Conservation
Concern (BCC)
throughout its
range in the
continental USA
and Alaska.)



Wood Thrush
BCC Rangewide
(CON) (This is a
Bird of
Conservation
Concern (BCC)
throughout its
range in the
continental USA
and Alaska.)



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid

cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Coastal Barrier Resources System

Projects within the [John H. Chafee Coastal Barrier Resources System](#) (CBRS) may be subject to the restrictions on federal expenditures and financial assistance and the consultation requirements of the Coastal Barrier Resources Act (CBRA) (16 U.S.C. 3501 et seq.). For more information, please contact the local [Ecological Services Field Office](#) or visit the [CBRA Consultations website](#). The CBRA website provides tools such as a flow chart to help determine whether consultation is required and a template to facilitate the consultation process.

THERE ARE NO KNOWN COASTAL BARRIERS AT THIS LOCATION.

Data limitations

The CBRS boundaries used in IPaC are representations of the controlling boundaries, which are depicted on the official CBRS maps. The boundaries depicted in this layer are not to be considered authoritative for in/out determinations close to a CBRS boundary (i.e., within the "CBRS Buffer Zone" that appears as a hatched area on either side of the boundary). For projects that are very close to a CBRS boundary but do not clearly intersect a unit, you may contact the Service for an official determination by following the instructions here: <https://www.fws.gov/service/coastal-barrier-resources-system-property-documentation>

Data exclusions

CBRS units extend seaward out to either the 20- or 30-foot bathymetric contour (depending on the location of the unit). The true seaward extent of the units is not shown in the CBRS data, therefore projects in the offshore areas of units (e.g., dredging, breakwaters, offshore wind energy or oil and gas projects) may be subject to CBRA even if they do not intersect the CBRS data. For additional information, please contact CBRA@fws.gov.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

WETLAND INFORMATION IS NOT AVAILABLE AT THIS TIME

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the NWI map to view wetlands at this location.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.



**Parks, Recreation,
and Historic Preservation**

KATHY HOCHUL
Governor

ERIK KULLESEID
Commissioner

May 09, 2022

Jeffrey Trzeciak
PRIME AE Group of NY
100 Great Oaks Blvd. Suite 114
Albany, NY 12203

Re: USACE
Rotterdam Junction Stormwater Improvements Project
1 Lock St, Rotterdam, NY 12150
22PR02924

Dear Jeffrey Trzeciak:

Thank you for requesting the comments of the State Historic Preservation Office (SHPO). We have reviewed the project in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based upon this review, it is the opinion of the New York SHPO that no historic properties, including archaeological and/or historic resources, will be affected by this undertaking.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

A handwritten signature in black ink, reading "R. Daniel Mackay".

R. Daniel Mackay

Deputy State Historic Preservation Officer
Division for Historic Preservation

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 4
1130 North Westcott Road, Schenectady, NY 12306-2014
P: (518) 357-2069 | F: (518) 357-2460
www.dec.ny.gov

Transmitted electronically to: pcomenzo@rotterdamny.org

May 12, 2022

Peter Comenzo, Senior Planner
Town of Rotterdam – Town Board
1100 Sunrise Boulevard
Rotterdam, NY 12306

**Re: Lead Agency Coordination Response
Rotterdam Junction Stormwater
Improvements Project**

Lock Street, Isabella Street, and Scrafford Lane
Town of Rotterdam, Schenectady County

Dear Peter Comenzo,

This letter responds to your correspondence of April 14, 2022, regarding lead agency coordination for the project referenced herein, under Article 8 (State Environmental Quality Review – SEQR) of the Environmental Conservation Law and 6 NYCRR Part 617. The New York State Department of Environmental Conservation (DEC) has the following interest in this project:

Name of Action: Rotterdam Junction Stormwater Improvements

DEC Contact Person: Kate Kornak, Regional Permit Administrator

SEQR Classification: ☒ Type I ☐ Unlisted ☐ Type II

DEC Position: Based on the information provided:

- ☒ DEC has no objection to your agency assuming lead agency status for this action.
- ☐ DEC wishes to assume lead agency status for this action.
- ☐ DEC needs additional information in order to respond (see comments).
- ☐ DEC cannot be lead agency because it has no jurisdiction in this action.

****The DEC must be notified immediately if the project/proposed action scope changes, or the EAF is revised.***



Department of
Environmental
Conservation

Possible DEC Permits:

- **Article 24 Freshwater Wetlands Permit** – Freshwater Wetland (ID# RJ-1) is located immediately adjacent to the project area. An Article 24 Freshwater Wetlands Permit is required for any physical disturbance within the boundaries of the wetland or within the regulated 100-foot adjacent area. (Please note that the jurisdictional maps are meant to provide approximate sizes and locations of resources. Actual field conditions may vary from those depicted on the maps.) General information on wetlands and the permitting process can be located on our website at <http://www.dec.ny.gov/permits/6058.html>.
- **Section 401 Water Quality Certification** – If this project will impact federally-regulated wetlands or waterbodies, which require a Section 404 Permit (Individual or Nationwide Permit) from the U.S. Army Corps of Engineers, a Section 401 Water Quality Certification may be required from the DEC. The DEC recommends contacting the USACE directly regarding federal wetlands and waters of the U.S. regulatory jurisdictions and permitting requirements. The USACE NY District regulatory program for this area is handled out of the USACE Upstate Regulatory Field Office in Watervliet, NY. The Regulatory Field Office general phone number is (518) 266-6351 and the general email address is cenan.rfo@usace.army.mil. Please refer to this DEC website link <http://www.dec.ny.gov/permits/6546.html> for more information on Water Quality Certifications, including state procedures instituted in response to new USEPA rules.

Additional Comments and Department Approvals:

- The project appears to be located within an area of potential historical or archeological significance. If approvals/permits are ultimately needed from the DEC, we may need to consult with the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) in order to better evaluate this project's impact on these resources. You may wish to inform the applicant/project sponsor of this potential requirement. To initiate consultation with OPRHP, please visit their project submission website known as CRIS at <https://cris.parks.ny.gov/>.
- The project site is also within an Aquifer Overlay (AO) District for the Schenectady Aquifer, which is the principal water supply source for the Town of Rotterdam and surrounding communities. According to the Town Zoning Code (Chapter 270), "The AO District provides a means of reviewing, on a case-by-case basis, those actions proposed within the aquifer and a means of prohibiting uses and activities which may be incompatible with the goal of long-term groundwater protection". The AO District was designated by the



Town as a Critical Environmental Area (CEA) in 1985 in an effort to preserve and maintain the quality and quantity of water found in the Schenectady Aquifer. As a designation CEA, the potential impact of any Type I or Unlisted Action on the environmental characteristics of the CEA must be evaluated in the determination of significance prepared pursuant to Section 617.7 of SEQR.

- Additionally, this project is located in a municipal stormwater sewer system (MS4) area. Discharges from MS4s in Urbanized or additionally designated areas must be authorized in accordance with a permit for stormwater discharges from MS4s. The DEC page <https://www.dec.ny.gov/chemical/43150.html> contains the General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems and the forms necessary to obtain coverage under that permit. For more information, contact DEC's Division of Water at MS4GP@dec.ny.gov or at (518) 402-8111.
- The information available in the New York Natural Heritage Program database regarding known occurrences of rare or state-listed animals and plants, significant communities and other significant habitats has been reviewed. No records of known occurrences were found in the (immediate) vicinity of the project/site. However, the absence of data does not necessarily mean that rare or state-listed species, natural communities or other significant habitats do not exist on or adjacent to the proposed site. Rather, our files currently do not contain information which indicates their presence. For most sites, comprehensive field surveys have not been conducted. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.
- While no specific habitat was identified on the subject parcel, the northern long-eared bat may be found in virtually any county in New York State. Although this project site falls outside of the currently recognized occupied habitat for this federally threatened species, the DEC recommends that removal of any trees greater than 3 inches in diameter at breast height (dbh) take place between November 1st and March 31st each year, if possible, in order to avoid a potential threat to bats. Further, if this project involves any federal funding and/or federal permitting, consultation with the United States Fish & Wildlife Service (USFWS) New York Field Office in Cortland, New York, is required in order to determine if there are any further federal requirements with regard to the Northern long-eared bat.

Enclosed are copies of the DEC's jurisdictional maps for your reference. Please note that the maps are intended to provide an idea as to the approximate size and location of resources;

actual field conditions may vary from those depicted on the maps. The estimated project area is outlined in red.

Please feel free to contact me by telephone at (518) 357-2459 or by e-mail at Kate.Kornak@dec.ny.gov if you have any questions.

Sincerely,

Kate Kornak

Kate Kornak
Regional Permit Administrator

Encl: Jurisdictional Maps

ecc: Supervisor Collins
Prime Engineering
NYSDEC DOW



Department of
Environmental
Conservation

RESOLUTION NO. 196.22

TO APPROVE BUDGET TRANSFERS TO THE 2022 BUDGET

THEREFORE, UPON MOTION OF Councilmember _____,
seconded by Councilmember _____,

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:

Trans & Distribution

From: W58340 4889 W5 Backfill/Pavement repair *Amount \$500.00*

WTR Administration

To: W58310 4300 W5 Conferences *Amount \$500.00*

SECTION 2. This resolution shall become effective June 8, 2022

DATED: June 8, 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: **June 2, 2022**

TO: **Mollie A. Collins, Supervisor**

FROM: **James Keith, Senior Building Inspector**

TITLE OF REQUEST: To approve a budget transfer from the 2022 budget.

TOWN BOARD MEETING: To be placed on the Town Board Meeting of June 8, 2022

Background Information: Please transfer the following amount:

Trans & Distribution

From: W58340 4889 W5 Backfill/Pavement repair *Amount \$500.00*

WTR Administration

To: W58310 4300 W5 Conferences *Amount \$500.00*

Evaluation/Analysis: N/A

Recommendation(s): To be placed on the Town Board meeting of June 8, 2022.

Attachment/Document(s): Memorandum from Senior Building Inspector

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): Section 36 General Municipal Law

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

Memorandum

To: Mollie Collins
From: James Keith, Sr. Building Inspector *JK*
Subject: Budget Transfer
Date: June 1, 2022

Please transfer the following funds to cover expenses:

From W58340 4889 W5 Backfill/Pavement Repair Amount \$500.00

To W58310 4300 W5 Conferences Amount \$500.00

Thank you.
CC Comptroller

RESOLUTION NO. 197.22

TO ENTER INTO AN AGREEMENT WITH JERRY ADACH WEB DEVELOPMENT

THEREFORE, UPON MOTION OF Councilmember _____,
seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Supervisor is hereby authorized to negotiate and execute an agreement with Jerry Adach Web Development for web application development services and maintenance for Town of Rotterdam's Website, for the period ending December 31, 2023.

SECTION 2. This resolution shall become effective June 8, 2022.

DATED: June 8, 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: June 2, 2022

TO: Mollie A. Collins, Town Supervisor

FROM: C. Jack Dodson, Deputy Supervisor

TITLE OF REQUEST: Enter into contract with Jerry Adach Web Development

TOWN BOARD MEETING: June 8, 2022

Background Information: Jerry Adach Web Development has been our web page developer for many years.

Evaluation/Analysis: Mr. Adach has been responsive to the changes we need to make to keep the Town web page informational for our residents. Clear communication between Jerry Adach Web Development and town personnel allow residents to be alerted to any changes – whether it is a snow emergency or tax information. There is a price increase starting in September of 2022, that would carry out through December 31, 2023, however Mr. Adach's price increase is fair and acceptable.

Recommendation(s): Recommend to execute a contract with Jerry Adach Web Development

Attachment/Document(s): See attached documents concerning experience and scope of duties.

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisors Office

June 2, 2022

Town of Rotterdam

1100 Sunrise Blvd.

Rotterdam, NY 12306

Subject: Web Application Development

Attn: Mollie Collins

Regarding the 2022 Website contract, I will provide the following services through 8/31/2022:

Hosting domain rotterdamny.org	\$350.00
Hosting domain rotterdamny.email	\$350.00
Manage domain registration for rotterdamny.email	\$25.00
SSL Certificates for both rotterdamny.org and rotterdamny.email	\$175.00
Twilio SendGrid for bulk emailing	\$300.00
Dedicated IP address for email sending	\$400.00
3 Twilio phone numbers	\$72.00
SMS Messages at \$0.01/message	varies monthly
Contract work on sites and projects	\$75.00 hourly
Annualized total	\$1672.00
Monthly	\$139.00

The following prices will be in effect beginning 9/1/2022:

Hosting domain rotterdamny.org	\$450.00
Hosting domain rotterdamny.email	\$450.00
Manage domain registration for rotterdamny.email	\$30.00
SSL Certificates for both rotterdamny.org and rotterdamny.email	\$200.00

Twilio SendGrid for bulk emailing	\$300.00
Dedicated IP address for email sending	\$400.00
3 Twilio phone numbers	\$100.00
SMS Messages at \$0.01/message	varies monthly
Contract work on sites and projects	\$75.00 hourly
Annualized total	\$1930.00
Monthly	\$160.00

Sincerely,



Jerry Adach

Jerry Adach Web Development

Affordable Web Presence

jerryadach@gmail.com

INVOICE

DATE: May 7, 2022

To:
TOWN OF ROTTERDAM NY
CHUCK GERHARD

RE: June 2022
Payment Due: 6/1/2022

WEB APPLICATION DEVELOPMENT	RATE	HOURS	ANNUAL AMOUNT
Hosting domain rotterdamny.org			\$29.00
Hosting domain rotterdamny.email			\$29.00
Manage domain registration for rotterdamny.email			\$2.00
SSL Certificates for both rotterdamny.org and rotterdamny.email			\$15.00
Twilio SendGrid for bulk emailing			\$25.00
Dedicated IP address for email sending			\$33.00
3 Twilio phone numbers			\$6.00
SMS Messages at \$0.01/message			\$0.00
Contract work on sites and projects	\$75	0	\$0.00
Amount Due			\$139.00

Make all checks payable to: Jerry Adach
THANK YOU FOR YOUR BUSINESS!

Jerry Adach Web Development

Affordable Web Presence

jerryadach@gmail.com

PROPOSAL

DATE: May 22, 2022

To:
TOWN OF ROTTERDAM NY
CHUCK GERHARD

RE: Monthly Invoicing for 1/1/2020 – 8/31/2022

WEB APPLICATION DEVELOPMENT	RATE	HOURS	ANNUAL AMOUNT
Hosting domain rotterdamny.org			\$350.00
Hosting domain rotterdamny.email			\$350.00
Manage domain registration for rotterdamny.email			\$25.00
SSL Certificates for both rotterdamny.org and rotterdamny.email			\$175.00
Twilio SendGrid for bulk emailing			\$300.00
Dedicated IP address for email sending			\$400.00
3 Twilio phone numbers			\$72.00
SMS Messages at \$0.01/message			Varies Monthly
Contract work on sites and projects	\$75		
Annual Total			\$1,672.00
Monthly			\$139.00

Make all checks payable to: Jerry Adach
THANK YOU FOR YOUR BUSINESS!

Jerry Adach Web Development

Affordable Web Presence

jerryadach@gmail.com

PROPOSAL

DATE: May 22, 2022

To:
TOWN OF ROTTERDAM NY
CHUCK GERHARD

RE: Monthly Invoicing for 9/1/2022 – 12/31/2023

WEB APPLICATION DEVELOPMENT	RATE	HOURS	ANNUAL AMOUNT
Hosting domain rotterdamny.org			\$450.00
Hosting domain rotterdamny.email			\$450.00
Manage domain registration for rotterdamny.email			\$30.00
SSL Certificates for both rotterdamny.org and rotterdamny.email			\$200.00
Twilio SendGrid for bulk emailing			\$300.00
Dedicated IP address for email sending			\$400.00
3 Twilio phone numbers			\$100.00
SMS Messages at \$0.01/message			Varies Monthly
Contract work on sites and projects	\$75		
Annual Total			\$1,930.00
Monthly			\$160.00

Make all checks payable to: Jerry Adach
THANK YOU FOR YOUR BUSINESS!

RESOLUTION NO. 198.22

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

THEREFORE, UPON MOTION OF Councilmember _____, seconded by

Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Clerk's report for the month of May 2022, has been placed on file and the town clerk's check in the amount of five thousand nine hundred fifty dollars and 23/100 (\$5,950.23) has been submitted to the supervisor for deposit.

SECTION 2. This resolution shall become effective June 8, 2022.

DATED: June 8, 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: **June 1, 2022**

TO: Mollie A. Collins, Supervisor

FROM: Diane M. Marco, Town Clerk

TITLE OF LEGISLATIVE REQUEST: Revenue received for **May 2022, \$5,950.23** in the Town Clerks office.

TO BE PLACED ON TOWN BOARD AGENDA OF: **June 8, 2022**

TO BE PLACED ON TOWN BOARD MEETING OF: **June 8, 2022**

Background Information: Attached

Evaluation/Analysis: Increase revenue for the Town.

Recommendation(s): To place on the Town Board Agenda and Town Board meeting of **June 8, 2022**

Attachment/Documents(s): Attached

Compliance with Purchasing Policy: N/A

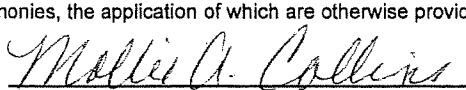
Effect(s) on Existing Law(s): N/A

LEGISLATION WAS PREPARED BY: DIANE M. MARCO, TOWN CLERK

Account Description	Fee Description	Account#	Qty	Local Share	
Conservation	Conservation	A1255	14	30.73	
			Sub-Total:	\$30.73	
Dog Licensing	Exempt Dog	A2544	2	0.00	
Dog Licensing	Female, Spayed	A2544	97	1,358.00	
Dog Licensing	Female, Unspayed	A2544	9	153.00	
Dog Licensing	Male, Neutered	A2544	99	1,386.00	
Dog Licensing	Male, Unneutered	A2544	14	238.00	
			Sub-Total:	\$3,135.00	
Late Fees	Late Fee -Dog Renewal	A1550	25	250.00	
			Sub-Total:	\$250.00	
Marriage Lic.	MARRIAGE LICENSE FEE	A1255	7	122.50	
			Sub-Total:	\$122.50	
MISC. FEES	Certified Copies	A1255	79	790.00	
MISC. FEES	Insufficient Funds	A1255	1	20.00	
			Sub-Total:	\$810.00	
parade permit	Parade Permit	002328	2	50.00	
			Sub-Total:	\$50.00	
PERMIT FEES	Garage Sale	A2590	110	550.00	
			Sub-Total:	\$550.00	
Second Hand Dealers	Second Hand Dealers	A2545	3	750.00	
			Sub-Total:	\$750.00	
Senior Discount	Senior Discount	A2544	50	-498.00	
			Sub-Total:	-\$498.00	
Soliciting	Soliciting Hawking Peddler		5	750.00	
			Sub-Total:	\$750.00	
Total Local Shares Remitted:				\$5,950.23	
Amount paid to:	NYS Ag. & Markets for spay/neuter program			265.00	
Amount paid to:	NYS Environmental Conservation			629.27	
Amount paid to:	State Health Dept. For Marriage Licenses			157.50	
Total State, County & Local Revenues:		\$7,002.00	Total Non-Local Revenues:		\$1,051.77

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Diane M. Marco, Town Clerk, Town of Rotterdam during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.





Supervisor Date Town Clerk Date

**Monthly Worksheet of Daily Work
May 2022**

DATE	AMOUNT DEPOSITED	DEC LICENSE SALES	DEC PORTION	TOWN PORTION	DOG AMOUNT PAID	STATE AG MKTS PORTION	TOWN PORTION	MARRIAGE FEE PAID	STATE DOH PORTION	TOWN PORTION	BINGO/ GAMES CHANCE	GAMES CHANCE	TOWN PORTION	EZ PASS
5/2/2022	\$345.00	\$0.00	\$0.00	\$0.00	\$115.00	\$12.00	\$103.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/3/2022	\$225.00	\$0.00	\$0.00	\$0.00	\$145.00	\$12.00	\$133.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/4/2022	\$305.00	\$5.00	\$4.72	\$0.28	\$210.00	\$16.00	\$194.00	\$40.00	\$22.50	\$17.50	\$0.00	\$0.00	\$0.00	\$0.00
5/5/2022	\$520.00	\$55.00	\$64.28	\$0.72	\$230.00	\$21.00	\$209.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/6/2022	\$830.00	\$0.00	\$0.00	\$0.00	\$210.00	\$17.00	\$193.00	\$40.00	\$22.50	\$17.50	\$0.00	\$0.00	\$0.00	\$0.00
5/9/2022	\$255.00	\$0.00	\$0.00	\$0.00	\$190.00	\$18.00	\$172.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/10/2022	\$285.00	\$50.00	\$47.24	\$2.76	\$125.00	\$14.00	\$111.00	\$40.00	\$22.50	\$17.50	\$0.00	\$0.00	\$0.00	\$0.00
5/11/2022	\$240.00	\$0.00	\$0.00	\$0.00	\$40.00	\$4.00	\$36.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/12/2022	\$245.00	\$25.00	\$23.62	\$1.38	\$115.00	\$11.00	\$104.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/13/2022	\$90.00	\$0.00	\$0.00	\$0.00	\$30.00	\$2.00	\$28.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/16/2022	\$270.00	\$0.00	\$0.00	\$0.00	\$180.00	\$15.00	\$165.00	\$40.00	\$22.50	\$17.50	\$0.00	\$0.00	\$0.00	\$0.00
5/17/2022	\$1,055.00	\$95.00	\$92.62	\$2.38	\$160.00	\$13.00	\$147.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/18/2022	\$216.00	\$30.00	\$28.34	\$1.66	\$86.00	\$13.00	\$73.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/19/2022	\$345.00	\$25.00	\$23.62	\$1.38	\$55.00	\$7.00	\$48.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/20/2022	\$115.00	\$85.00	\$80.31	\$4.69	\$20.00	\$2.00	\$18.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/23/2022	\$230.00	\$55.00	\$51.96	\$3.04	\$145.00	\$13.00	\$132.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/24/2022	\$460.00	\$25.00	\$23.62	\$1.38	\$370.00	\$36.00	\$334.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/25/2022	\$216.00	\$50.00	\$47.24	\$2.76	\$126.00	\$12.00	\$114.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/26/2022	\$235.00	\$55.00	\$51.96	\$3.04	\$45.00	\$3.00	\$42.00	\$80.00	\$45.00	\$35.00	\$0.00	\$0.00	\$0.00	\$0.00
5/27/2022	\$230.00	\$40.00	\$37.78	\$2.22	\$130.00	\$11.00	\$119.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
5/31/2022 Audited by JB	\$290.00	\$55.00	\$51.96	\$3.04	\$175.00	\$13.00	\$162.00	\$40.00	\$22.50	\$17.50	\$0.00	\$0.00	\$0.00	\$0.00
5/31/22	\$7,002.00	\$560.00	\$629.27	\$30.73	\$2,902.00	\$265.00	\$2,637.00	\$280.00	\$157.50	\$122.50	\$0.00	\$0.00	\$0.00	\$0.00

THE RED THERMO SECURED "SP" LOGO IN THE LOWER CORNER OF THIS CHECK MUST FADE TEMPORARILY WHEN WARNED BY TOUCH OR FRICTION. SEE BACK FOR ADDITIONAL FEATURES

TOWN OF ROTTERDAM
TOWN CLERK ACCOUNT
1100 SUNRISE BLVD
ROTTERDAM, NY 12306

DATE June 1, 2022 2861 29-7/213

PAY
TO THE
ORDER OF

Police Collins Supervision \$ 59,502.23
Fifty thousand nine hundred fifty and 23/100 DOLLARS

KeyBank 
KeyBank National Association

MEMO May Revenue Joseph M. M. M.
Town Clerk



⑈002866⑈ ⑆021300077⑆ 8840008984⑈

RESOLUTION NO. 199.22

A RESOLUTION ACCEPTING TOWN BOARD MEETING MINUTES

THEREFORE, UPON MOTION OF Councilmember _____, seconded
by Councilmember _____, **NOW**

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 May 25, 2022, Town Board meeting as attached.

SECTION 2. This resolution shall become effective June 8, 2022.

DATED: June 8, 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: **May 31, 2022**

TO: **Mollie A. Collins, Supervisor**

FROM: Diane M. Marco, Town Clerk

TITLE OF LEGISLATIVE REQUEST: To adopt meeting minutes from the **May 25, 2022, Town Board Meeting.**

TO BE PLACED ON TOWN BOARD AGENDA OF: **June 8, 2022**

TO BE PLACED ON TOWN BOARD MEETING OF: **June 8, 2022**

Background Information: Attached. To adopt the meeting minutes from the **May 25, 2022, Town Board Meeting.**

Evaluation/Analysis: N/A

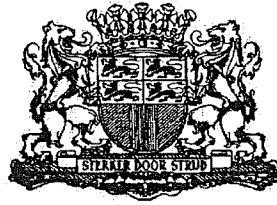
Recommendation(s): To place on Town Board agenda and Town Board meeting of **June 8, 2022.**

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

May 26, 2022

Certified Resolutions: #176.22-#184.22 & #186.22-#188.22 for the year 2022 were duly adopted at the Town Board Meeting held at J.F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, NY 12306 that was held Wednesday, May 25, 2022. The Town Board Agenda review started at approximately 6:30 p.m. **Resolution 185.22 was tabled.** The agenda review was adjourned at approximately 6:45 p.m. All agreed to adjourn the agenda review meeting. The Town Board meeting began at approximately 7:00pm and adjourned by Councilmember Christou and seconded by Councilmember Dodson at approximately 7:21 p.m. 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 conference call. Members of the public may listen to the board meeting by dialing 1 (929) 205-6099, then enter the conference ID NO. 867 0373 0307, followed by the pound symbol. 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
May 25, 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

- Barbara Olson ~ 50 Years with the Schonowe Fire Department
- National Police Week

PUBLIC HEARING

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

35.22 Motion made to table Resolution No. 185.22 at agenda review. **Passed**

RESOLUTIONS

176.22 To amend resolution No. 21.22.

177.22 To appoint and reappoint various members to the Town of Rotterdam Emergency Medical Board.

178.22 To authorize the supervisor to negotiate and execute an agreement with FCM Engineering PLLC.

179.22 Appoint seasonal laborers for the Highway Department.

180.22 Appoint seasonal laborers for the Parks Department.

181.22 DCJS Reimbursement for the 2021 summer employees at the Highway Department.

182.22 To accept a stormwater utility easement agreement.

183.22 To appoint Joel Miller as Director of the Town of Rotterdam Jazz Band.

184.22 To appoint Jacob Labate and Gianna Monagno to the position of Director for the Rotterdam Town Band.

185.22 To authorize a release of retainage. **TABLED**

186.22 To authorize the supervisor to negotiate and execute a settlement agreement and release in Harwood v. Town of Rotterdam.

187.22 To accept Town Board Meeting Minutes from the May 11, 2022 meeting.

188.22 To authorize professional engineering services for a trunk sewer survey.

COMMITTEE REPORTS

MISCELLANEOUS

EXECUTIVE SESSION

ADJOURNMENT

Mollie A. Collins, Supervisor

MOTION NO. 35.22

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, May 25, 2022, at 7:00 p.m., the following **Motion** passed:

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. I make a motion to table Resolution 185.22

SECTION 2. This motion shall become effective May 25, 2022.

DATED: May 25, 2022 Was tabled at Agenda Review

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera (Absent)			
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 May 25, 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 May 26, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 176.22

TO AMEND RESOLUTION NO 21.22 OF THE YEAR 2022

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

SECTION 1. Section 1 of Resolution 21.22, as amended, is hereby amended and restated to read as follows: The following individuals are hereby appointed/reappointed to various additional duties and/or part time positions at the indicated rates of pay, on an as needed basis as directed by the Supervisor or his/her designee, with no employee benefits for the year 2022 as follows:

ADA Compliance Officer/Safety Officer

James Keith Annual Stipend \$ 3,000

Grant Coordinator

Peter Comenzo Annual Stipend \$ 3,500

Clerk- Part Time

Donna Larsen Hourly Rate \$ 19.50

Traffic Liaison

VACANT

School Traffic Officer

Floyd Rorick Hourly Rate \$ 15.00
(Maximum of 4 hours daily)

COVID Compliance

Megan Griffin Annual Stipend \$2,500

Administrative Records Specialist – Part Time

Lynn Fiorillo Hourly Rate \$19.50

Deputy Comptroller – Part Time

Paul Sebesta Hourly Rate \$100.00

Assistant Director to Public Works

Matt Lupi Annual Stipend \$3,500

Social Media/Live Stream Administrator

Megan Griffin Annual Stipend \$2,000

Clerk- Part Time

Phyllis Horvath Hourly Rate \$19.00

Storm Water Officer

Ryan Coulter Annual Stipend \$3,500

Storm Water Manager – Part-Time

Mary Barrie Hourly Rate \$25.00

Senior Payroll Audit Clerk

Carol Connelly Hourly Rate \$35.00
(Not to exceed 12 hours per week)

Water Treatment Plant Operator(1st on call)

Ian Bonthron Hourly Rate \$35.00

Water Treatment Plant Operator(2nd on call)

Clark Collins Hourly Rate \$35.00

Building Inspector – Part Time

Lloyd Denny Hourly Rate \$40.00
(Not to exceed 17.5 Hours Weekly)

SECTION 2. This resolution shall become effective May 25, 2022

DATED: May 25, 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 May 25, 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 May 26, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 177.22

**TO APPOINT AND REAPPOINT VARIOUS MEMBERS TO THE TOWN OF
ROTTERDAM EMERGENCY MEDICAL BOARD**

WHEREAS, Town Code Chapter 27 established the Town of Rotterdam Emergency Medical Board and provides membership qualifications for appointees thereto; and

WHEREAS, the Town Board of the Town of Rotterdam passed Resolution No. 146.22 appointing Councilmember Samantha Miller-Herrera (as member and chair) and Councilmember Charles Jack Dodson (as member) to the Town of Rotterdam Emergency Medical Board; and

WHEREAS, Town Code Chapter 27 does not expressly provide terms of office for appointees to the Town of Rotterdam Emergency Medical Board, and the Town Board finds and determines that such appointees serve at the pleasure of the Town Board so long as they qualify, but that establishing a date on which such appointees' terms shall otherwise expire is appropriate;

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 reappoints the following individuals to the Town of Rotterdam Emergency Medical Board, effective retroactively to January 1, 2022, who shall serve at the pleasure of the Town Board and so long as they qualify, with a term to otherwise expire December 31, 2022:

Robert Philip
Dean Romano
John F. Nuzback
Mark D'Alessandro

SECTION 2. The Town Board of the Town of Rotterdam hereby appoints the following individuals to the Town of Rotterdam Emergency Medical Board effective May 25, 2022, who shall serve at the pleasure of the Town Board and so long as they qualify, with a term to otherwise expire December 31, 2022:

Deputy Chief William Male
Detective Paul Chevalier
Ronald P. Schlag

SECTION 3. Resolution 142.22 is hereby amended to reflect that Councilmember Samantha Miller-Herrera as member and chair, and Councilmember Charles Jack Dodson as member, of the Town of Rotterdam Emergency Medical Board shall serve at the pleasure of the Town Board and so long as they qualify, with a term to otherwise expire December 31, 2022.

SECTION 4. By virtue of the foregoing, the Town of Rotterdam Emergency Medical Board consists of the following ten (10) members, each serving at the pleasure of the Town Board and so long as such member remains qualified, during the terms set forth opposite each such member's name:

<u>MEMBER</u>	<u>QUALIFICATION</u>	<u>START OF TERM</u>	<u>END OF TERM</u>
Samantha Miller-Herrera, Chair	Town Board Member	Jan 1, 2022	Dec 31, 2022
Charles Jack Dodson	Town Board Member	Jan 1, 2022	Dec 31, 2022
William Male	Rotterdam Police Department	May 25, 2022	Dec 31, 2022
Paul Chevalier	Rotterdam Police Department	May 25, 2022	Dec 31, 2022
Robert Philip	Town-Based Ambulance Service	Jan 1, 2022	Dec 31, 2022
Dean Romano	Town Based Ambulance Service	Jan 1, 2022	Dec 31, 2022
<u>VACANT</u>	Fire Department Rescue Squad	May 25, 2022	Dec 31, 2022
John G. Nuzback	Fire Department Rescue Squad	Jan 1, 2022	Dec 31, 2022
Mark D'Alessandro	Town Resident	Jan 1, 2022	Dec 31, 2022
Ronald P. Schlag	Town Resident	May 25, 2022	Dec 31, 2022

SECTION 5. This resolution shall become effective May 25, 2022.

DATED: May 25, 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 May 25, 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 May 26, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 178.22

**AUTHORIZE THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH
FCM ENGINEERING, PLLC**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Supervisor is hereby authorized to negotiate and execute an agreement with FCM Engineering, PLLC of 156 Spring Road, Scotia New York 12302, in accordance with the agreement and fee schedule attached to obtain professional consultant services in connection with providing on-call engineering services through December 31, 2022.

SECTION 2. FCM Engineering PLLC, providing on call engineering services for the Town of Rotterdam, is prohibited from Town Designated Engineering (TDE) assignments during the term of this agreement.

SECTION 3. This resolution shall become effective May 25, 2022.

DATED: May 25, 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 May 25, 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 May 26, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 179.22

APPOINT SEASONAL LABORERS: HIGHWAY DEPARTMENT

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

SECTION 1. The following individuals are hereby appointed and reappointed to various seasonal summer positions at the Town of Rotterdam Highway Department at indicated hourly rates of pay, on an as needed basis, with no employee benefits through September 2, 2022.

Highway Department

Kyle Vanblarcom	6/1/2022 – 8/26/2022	Laborer	\$17.00
Nathan Gandrow	6/1/2022 – 8/19/22	Laborer	\$17.00
Mattia Viscusi	6/1/2022 – Available as needed	Laborer	\$17.00
Devin Fortune	6/1/2022 – Available as needed	Laborer	\$17.00

SECTION 2. These appointments are contingent upon completion of a DCJS background check and compliance with New York State Correction Law Article 23-A.

SECTION 3. The Town Board of the Town of Rotterdam hereby agrees to reimburse the costs incurred from the DCJS background check for the individuals referenced above upon approval of the Highway Superintendent at the completion of employment.

SECTION 4. This resolution shall become effective June 1, 2022.

DATED: May 25, 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 May 25, 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 May 26, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 180.22

APPOINT SEASONAL LABORERS: PARKS DEPARTMENT

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

SECTION 1. The following individuals are hereby appointed and reappointed to various seasonal summer positions at the Town of Rotterdam Parks Department at indicated hourly rates of pay, on an as needed basis, with no employee benefits through September 2, 2022.

Parks Department

Ethan Coom: 5/31/22-8/15/22	Laborer	\$17.00
Michael Romano: 5/31/22-8/26/22	Laborer	\$17.00
Gabriel Romano: 5/31/22-8/17/22	Laborer	\$17.00
Ty Hunter Rifenburg: 5/31/22-8/18/22	Laborer	\$17.00

SECTION 2. These appointments are contingent upon completion of a DCJS background check and compliance with New York State Correction Law Article 23-A.

SECTION 3. The Town Board of the Town of Rotterdam hereby agrees to reimburse the costs incurred from the DCJS background check for the individuals referenced above upon approval of the Coordinator of Parks and Senior Programs at the completion of employment.

SECTION 4. This resolution shall become effective May 31, 2022.

DATED: May 25, 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 May 25, 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 May 26, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 181.22

DCJS REIMBURSEMENT FOR 2021 SUMMER EMPLOYEES

WHEREAS, pursuant to Resolution 182.21, Kyle Vanblarcom, Felipmarvin Smith, and Nathan Gandrow were appointed and reappointed to various seasonal summer positions at the Town of Rotterdam Highway Department; and

WHEREAS, such appointments were contingent on completion of a DCJS background check and compliance with the New York State Correction Law Article 23-A; and

WHEREAS, Resolution 182.21 authorized the Town to reimburse the costs incurred by any such appointees for such DCJS background check once the full term of employment was completed;

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 payment of the reimbursement of the costs incurred from the DCJS background check for the individuals referenced above for the year of 2021, with such payment of reimbursement to each such individual not to exceed \$88.50.

SECTION 2. This resolution shall become effective May 25, 2022.

DATED: May 25, 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 May 25, 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 May 26, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 182.22

ACCEPTING A STORMWATER UTILITY EASEMENT AGREEMENT

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 sign an agreement accepting a stormwater utility easement agreement with Rotterdam Ventures Inc., and FG Rotterdam Ventures LLC, for stormwater improvements located within the Rotterdam Corporate Park providing current and future access;

SECTION 2. This resolution shall become effective May 25, 2022

DATED: May 25, 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 May 25, 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 May 26, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 183.22

TO APPOINT JOEL MILLER AS THE DIRECTOR OF THE TOWN OF ROTTERDAM'S JAZZ BAND FOR THE 2022 SUMMER CONCERT SERIES

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Joel Miller of Niskayuna, NY is hereby appointed to the position of Director of the Town of Rotterdam Jazz Band for the 2022 Summer Concert Series, with compensation upon completion of services, in the amount not to exceed one thousand and 00/100 (\$1,000.00) dollars, commencing May 25, 2022.

SECTION 2. This resolution shall become effective May 25, 2022.

DATED: May 25, 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 May 25, 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 May 26, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 184.22

**TO APPOINT JACOB LABATE AND GIANNA MONTAGNO TO THE POSITION OF
DIRECTOR OF THE ROTTERDAM TOWN BAND**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Jacob LaBate of Amsterdam, NY and Gianna Montagno of Albany, NY are hereby appointed to the position of Director of the Rotterdam Town Band for the 2022 Summer Concert Series, with compensation upon completion of services, in the amount not to exceed seven hundred and fifty and 00/100 (\$750.00) dollars, commencing May 25, 2022.

SECTION 2. This resolution shall become effective May 25, 2022.

DATED: May 25, 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 May 25, 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 May 26, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

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, May 25, 2022, at 7:00 p.m., the following motion passed:

RESOLUTION NO. 185.22 TABLED at Agenda Review

A RESOLUTION TO AUTHORIZE RELEASE OF RETAINAGE

THEREFORE, UPON MOTION OF Councilmember **CHRISTOU**,
seconded by Councilmember **MAASTROIANNI**,
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 to New Castle Paving, LLC, 1 Madison Street, Suite 100, Troy, NY 12180, in the amount of Forty-one thousand seven hundred ninety-three and 92/100 dollars (\$41,793.92), for the Princetown Road Water Improvements.

SECTION 2. This resolution shall become effective May 25, 2022.

DATED: May 25, 2022

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

TO TABLE

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 May 25, 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 May 26, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 186.22

**TO AUTHORIZE THE SUPERVISOR TO NEGOTIATE AND EXECUTE A
SETTLEMENT AGREEMENT AND RELEASE IN
HARWOOD v. TOWN OF ROTTERDAM**

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 authorizes the Supervisor to negotiate and execute a Settlement Agreement and Release in Harwood v. Town of Rotterdam et ano, Civil Case No. 1:21-cv364 (DNH/CFH) (N.D.N.Y) in an amount not to exceed \$35,000.00.

SECTION 2. This resolution shall become effective May 25, 2022

DATED: May 25, 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 May 25, 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 May 26, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 187.22

A RESOLUTION ACCEPTING TOWN BOARD MEETING MINUTES

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

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 May 11, 2022, Town Board meeting as attached.

SECTION 2. This resolution shall become effective May 25, 2022.

DATED: May 25, 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 May 25, 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 May 26, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

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, May 25, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 188.22

**TO AUTHORIZE PROFESSIONAL ENGINEERING SERVICES FOR A TRUNK
SEWER SURVEY**

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 negotiate and execute an agreement with KB Group of NY Inc., dba PRIME AE Group of NY (PRIME AE), 100 Great Oaks Blvd, suite 114 Albany New York 12203 for professional engineering services regarding a survey of the sanitary trunk sewer main between Granville and Summer Streets, for a lump sum amount not to exceed \$9,500.00 to be billed monthly on a percentage complete basis;

SECTION 2. This resolution shall become effective May 25, 2022

DATED: May 25, 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 May 25, 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 May 26, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk