*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
April 13, 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

- Schalmont Girls Varsity Basketball Team

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

127.22 To accept bids and award contracts for Highway Materials: Highway Pipes, Water tight and end sections, and plastic underground perforated pipes.

128.22 To accept bids and award contracts for Highway Materials: Manhole Grates and Frames.

129.22 To accept bids and award contracts for Highway Materials: Crushed limestone, Gravel, Fill sand and Road sand.

130.22 To accept bids and award contracts for Highway Materials: Tree cutting and removal services.

131.22 To approve budget transfers to the 2022 budget.

132.22 To authorize Change Order # 1 for Princetown Road water improvements.

133.22 To authorize amendment # 1 for construction engineering & inspection services for Whispering Pines.

134.22 To declare lead agency for SEQRA review for the construction of the Rotterdam Junction Stormwater improvements.

135.22 To authorize a one-month contract with The Martin Group for the month of April 2022.

136.22 To increase the hourly rate of seasonal summer laborers.

137.22 To authorize the implementation of a cloud-based backup solution.

138.22 To accept revenue for Town Clerk's Office for March 2022.

139.22 To accept Town Board meeting minutes of March 23, 2022.

140.22 To accept bid and award contract for Chlorine Gas

COMMITTEE REPORTS

MISCELLANEOUS

EXECUTIVE SESSION

ADJOURNMENT

Mollie A. Collins, Supervisor

RESOLUTION NO. 127.22

TO ACCEPT BIDS AND AWARD CONTRACTS FOR HIGHWAY MATERIALS: HIGHWAY PIPES(WATER TIGHT AND END SECTIONS, AND PLASTIC UNDERGROUND PERFORATED PIPE)

WHEREAS, Pursuant to notice duly published according to Section One Hundred Three of the General Municipal Law of the State of New York, the Town of Rotterdam on Friday, February 25, 2022 posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (http://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk for public inspection upon request, for the purchase by the Town of Rotterdam of the following:

WATER TIGHT AND END SECTIONS, AND PLASTIC UNDERGROUND PERFORATED PIPE

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 does hereby accept and award the bid for Highway Materials: Highway Pipes(Water tight and end sections and plastic underground perforated pipe) for the Town of Rotterdam to Town and Country Bridge and Rail, P.O. Box 16395 Albany New York 12212 pursuant to the attached schedule;

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

SECTION 3. This resolution shall become effective April 13, 2022.

DATED: April 13, 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: April 5, 2022

TO: Mollie Collins, Supervisor

FROM: Larry LaMora, Highway Superintendent

TITLE OF REQUEST: Award Bids for Highway Materials Watertight and End Section, Round Corrugated Plastic Pipe, Plastic Underdrain Perforated Pipe

TOWN BOARD MEETING: April 13, 2022

Background Information: The Town Board called for Bids for Highway Materials (water tight and end sections, round corrugated plastic pipe, plastic underdrain perforated pipe) on February 23, 2022

Evaluation/Analysis: Propper Bidding Process

Recommendation(s): Award bid to the following companies as each either provided the lowest responsible bid or the same as others:
Town and Country Bridge and Rail

Attachment/Document(s): Bid Results

Compliance with Purchasing Policy: Yes

Effect(s) on Existing Law(s): General Municipal Law 103 and Town Purchasing Policy

LEGISLATION WILL BE PREPARED BY: Town Attorney

HIGHWAY MATERIALS

	CHEMUNG SUPPLY CORP. UNITCOST/DEL COST	TOWN & COUNTRY BRIDGE AND RAIL, INC. UNITCOST/DEL COST
PIPE COLLAR BANDS & BOLTS 8" X 16 GA	NB	$20.19/$20.19 DEL
PIPE COLLAR BANDS & BOLTS 12" X 16 GA	NB	$24.48/$24.48 DEL
PIPE COLLAR BANDS & BOLTS 15" X 16 GA	NB	$29.00/$29.00 DEL
PIPE COLLAR BANDS & BOLTS 18" X 16 GA	NB	$37.50/$37.50 DEL
PIPE COLLAR BANDS & BOLTS 24" X 16 GA	NB	$48.40/$48.40 DEL
PIPE COLLAR BANDS & BOLTS 24" X 14 GA	NB	$48.40/$48.40 DEL
PIPE COLLAR BANDS & BOLTS 30" X 14 GA	NB	$77.44/$77.44 DEL
PIPE COLLAR BANDS & BOLTS 48" X 12 GA	NB	$168.50/$168.50 DEL
PIPE COLLAR BANDS & BOLTS 60" X 10 GA	NB	$315.50/$315.50 DEL
POLYETHYLENE SMOOTH INTERIOR PIPE, 12" X P33 OR P34	$10.00/DEL INCLUDED	$10.00/$10.00 DEL
POLYETHYLENE SMOOTH INTERIOR PIPE, 15" X GRADE P33 OR P34	$13.20/DEL INCLUDED	$13.20/$13.20 DEL
POLYETHYLENE SMOOTH INTERIOR PIPE, 18" X GRADE P33 OR P34	$17.70/DEL INCLUDED	$17.70/$17.70 DEL
POLYETHYLENE SMOOTH INTERIOR PIPE, 24" X GRADE P33 OR P34	$31.10/DEL INCLUDED	$31.10/$31.10 DEL
POLYETHYLENE SMOOTH INTERIOR PIPE, 30" X GRADE P33 OR P34	$41.20/DEL INCLUDED	$41.20/$41.20 DEL
POLYETHYLENE SMOOTH INTERIOR PIPE, 36" X GRADE P33 OR P34	$54.10/DEL INCLUDED	$54.10/$54.10 DEL
POLYETHYLENE PERFORATED PIPE, 12" X P33 OR P34	$10.00/DEL INCLUDED	$10.00/$10.00 DEL
POLYETHYLENE PERFORATED PIPE, 15" X P33 OR P34	$13.20/DEL INCLUDED	$13.20/$13.20 DEL
POLYETHYLENE PERFORATED PIPE, 18" X P33 OR P34	$17.70/DEL INCLUDED	$17.70/$17.70 DEL
POLYETHYLENE PERFORATED PIPE, 24" X P33 OR P34	$31.10/DEL INCLUDED	$31.10/$31.10 DEL
POLYETHYLENE PERFORATED PIPE, 30" X P33 OR P34	$41.20/DEL INCLUDED	$41.20/$41.20 DEL
POLYETHYLENE PERFORATED PIPE, 36" X P33 OR P34	$54.10/DEL INCLUDED	$54.10/$54.10 DEL
WATER TIGHT COUPLING & END SECTION, 12 X P33 OR P34	$10.00/$262.50	NB/$262.50
WATER TIGHT COUPLING & END SECTION, 15 X P33 OR P34	$13.20/$262.50	NB/$262.50
WATER TIGHT COUPLING & END SECTION, 18 X P33 OR P34	$17.70/$351.60	NB/$351.60
WATER TIGHT COUPLING & END SECTION, 24 X P33 OR P34	$31.10/$450.39	NB/$450.39
WATER TIGHT COUPLING & END SECTION, 30 X P33 OR P34	$41.20/$1,090.83	NB/$1,090.83
WATER TIGHT COUPLING & END SECTION, 36 X P33 OR P34	$54.10/$1,154.81	NB/$1,154.81
ROUND CORRUGATED PLASTIC PIPE, 8x16 GA, PER FOOT	NB	NB
ROUND CORRUGATED PLASTIC PIPE, 12x16 GA, PER FOOT	NB	NB
ROUND CORRUGATED PLASTIC PIPE, 15x16 GA, PER FOOT	NB	NB
ROUND CORRUGATED PLASTIC PIPE, 18x16 GA, PER FOOT	NB	NB
ROUND CORRUGATED PLASTIC PIPE, 24x16 GA, PER FOOT	NB	NB
ROUND CORRUGATED PLASTIC PIPE, 24x14 GA, PER FOOT	NB	NB
ROUND CORRUGATED PLASTIC PIPE, 30x14 GA, PER FOOT	NB	NB
ROUND CORRUGATED PLASTIC PIPE, 48x12 GA, PER FOOT	NB	NB
ROUND CORRUGATED PLASTIC PIPE, 60x10 GA, PER FOOT	NB	NB
PLASTICUNDERDRAIN PERFORATED 8" x 16 GA, PER FOOT	NB	$6.80/$6.80 DEL
PLASTICUNDERDRAIN PERFORATED 12" x 16 GA, PER FOOT	NB	$10.00/$10.00 DEL
PLASTICUNDERDRAIN PERFORATED 15" x 16 GA, PER FOOT	NB	$13.20/$13.20 DEL
PLASTICUNDERDRAIN PERFORATED 18" x 16 GA, PER FOOT	NB	$17.20/$17.20 DEL
PLASTICUNDERDRAIN PERFORATED 24" x 16 GA, PER FOOT	NB	$31.10/$31.10 DEL
PLASTICUNDERDRAIN PERFORATED 30" x 14 GA, PER FOOT	NB	$41.20/$41.20 DEL
PLASTICUNDERDRAIN PERFORATED 48" x 12 GA, PER FOOT	NB	$91.10/$91.10 DEL
PLASTICUNDERDRAIN PERFORATED 60" x 10 GA, PER FOOT	NB	$168.10/$168.10 DEL
PLASTICUNDERDRAIN PERFORATED 24" x 14 GA, PER FOOT	NB	$31.10/$31.10 DEL

Green=AWARDED
Red=NOT AWARDED
Yelllow=NO BID

BID FOR HIGHWAY PIPES (WATER TIGHT END SECTIONS, ROUND CORRUGATED PLASTIC PIPE, AND PLASTIC UNDERGROUND PERFORATED PIPE) - RFP 2022

BID FOR: Highway Pipes(Water Tight End Sections, Round Corrugated Plastic Pipe,and plastic underground Pipe)
DATE OF TB MTG. & RESOLUTION #: 02/23/2022 - Res#88.22
DATE BID PACKETS BECOME AVAILABLE: 02/25/2022

DATE PUBLISHED IN NEWSPAPER: 02/26/2022
DATE & TIME BIDS TO BE OPENED: 03/23/2022 at 10:45 AM

# Rec	Dropped off & Time Received @TC Office	Initials	Company/Firm/Email	Address	Contact	Phone #	Contract #s	BID Amount	Comments
Picked Up 03/21/22	3/23/22 @ 8:20 AM	JB	Town & County Bridge and Rail	P.O. Box 16395 Albany, NY 12212	Frank Gavin	518-522-5673		Per attached Bid Packet	
BIDNET	3/23/22 10:45am	DM PD MG	Chemung Supply Corp	P.O. Box 527 Elmira, NY 14902	Carl Perine	607-733-5506		Per attached Bid Packet	

PROPOSAL OF TOWN & COUNTY BRIDGE AND RAIL, INC. ORIGINAL

HIGHWAY MATERIALS	UNIT COST	DEL. COST	F.O.B. POINT
PIPE COLLAR BANDS & BOLTS 8" x 16 GA	20.19	20.19	AMSTERDAM
PIPE COLLAR BANDS & BOLTS 12" x 16 GA	24.48	24.48	
PIPE COLLAR BANDS & BOLTS 15" x 16 GA	29.00	29.00	
PIPE COLLAR BANDS & BOLTS 18" x 16 GA	37.50	37.50	
PIPE COLLAR BANDS & BOLTS 24" x 16 GA	48.40	48.40	
PIPE COLLAR BANDS & BOLTS 24" x 14 GA	48.40	48.40	
PIPE COLLAR BANDS & BOLTS 30" x 14 GA	77.44	77.44	
PIPE COLLAR BANDS & BOLTS 48" x 12 GA	168.50	168.50	
PIPE COLLAR BANDS & BOLTS 60" x 10 GA	315.50	315.50	
POLYETHYLENE SMOOTH INTERIOR PIPE, 12" x P33 OR P34	10 -	10 -	
POLYETHYLENE SMOOTH INTERIOR PIPE, 15" x GRADE P33 OR P34	13.20	13.20	
POLYETHYLENE SMOOTH INTERIOR PIPE, 18" x GRADE P33 OR P34	17.70	17.70	
POLYETHYLENE SMOOTH INTERIOR PIPE, 24" x GRADE P33 OR P34	31.10	31.10	
POLYETHYLENE SMOOTH INTERIOR PIPE, 30" x GRADE P33 OR P34	41.20	41.20	
POLYETHYLENE SMOOTH INTERIOR PIPE, 36" x GRADE P33 OR P34	54.10	54.10	
POLYETHYLENE PERFORATED PIPE, 12" x P33 OR P34	10 -	10 -	
POLYETHYLENE PERFORATED PIPE, 15" x P33 OR P34	13.20	13.20	
POLYETHYLENE PERFORATED PIPE, 18" x P33 OR P34	17.70	17.70	
POLYETHYLENE PERFORATED PIPE, 24" x P33 OR P34	31.10	31.10	
POLYETHYLENE PERFORATED PIPE, 30" x P33 OR P34	41.20	41.20	
POLYETHYLENE PERFORATED PIPE, 36" x P33 OR P34	54.10	54.10	

SIGNED BY: Vincent L. Paolozzi, PRESIDENT

VINCENT L. PAOLOZZI 3/23/22

ORIGINAL

~~WATER TIGHT COUPLING~~ & END SECTION, 12 x P33 OR P34	262.50	262.50	AMSTERDAM
~~WATER TIGHT COUPLING~~ & END SECTION, 15 x P33 OR P34	262.50	262.50	
~~WATER TIGHT COUPLING~~ & END SECTION, 18 x P33 OR P34	351.60	351.60	
~~WATER TIGHT COUPLING~~ & END SECTION, 24 x P33 OR P34	450.39	450.39	
~~WATER TIGHT COUPLING~~ & END SECTION, 30 x P33 OR P34	1090.83	1090.83	
~~WATER TIGHT COUPLING~~ & END SECTION, 36 x P33 OR P34	1154.81	1154.81	
ROUND CORRUGATED ~~PLASTIC~~ METAL PIPE, 8x16 GA, PER FOOT	20.19	20.19	
ROUND CORRUGATED ~~PLASTIC~~ METAL PIPE, 12x16 GA, PER FOOT	24.48	24.48	
ROUND CORRUGATED ~~PLASTIC~~ METAL PIPE, 15x16 GA, PER FOOT	29.00	29.00	
ROUND CORRUGATED ~~PLASTIC~~ METAL, 18x16 GA, PER FOOT	37.50	37.50	
ROUND CORRUGATED ~~PLASTIC~~ METAL PIPE, 24x16 GA, PER FOOT	48.40	48.40	
ROUND CORRUGATED ~~PLASTIC~~ METAL PIPE, 24x14 GA, PER FOOT	59.84	59.84	
ROUND CORRUGATED ~~PLASTIC~~ METAL PIPE, 30x14 GA, PER FOOT	77.44	77.44	
ROUND CORRUGATED ~~PLASTIC~~ METAL PIPE, 48x12 GA, PER FOOT	168.50	168.50	
ROUND CORRUGATED ~~PLASTIC~~ METAL PIPE, 60x10 GA, PER FOOT	315.50	315.50	
PLASTICUNDERDRAIN PERFORATED 8" x ~~16 GA~~, PER FOOT	6.80	6.80	
PLASTIC UNDERDRAIN PERFORATED 12" x ~~16 GA~~, PER FOOT	10.00	10.00	
PLASTIC UNDERDRAIN PERFORATED 15" x ~~16 GA~~, PER FOOT	13.20	13.20	
PLASTIC UNDERDRAIN PERFORATED 18" x ~~16 GA~~, PER FOOT	17.20	17.20	
PLASTIC UNDERDRAIN PERFORATED 24" x ~~16 GA~~, PER FOOT	31.10	31.10	
PLASTICUNDERDRAIN PERFORATED 30" x ~~14 GA~~, PER FOOT	41.20	41.20	
PLASTIC UNDERDRAIN PERFORATED 48" x ~~12 GA~~, PER FOOT	91.10	91.10	
PLASTIC UNDERDRAIN PERFORATED 60" x ~~10 GA~~, PER FOOT	168.10	168.10	
PLASTIC UNDERDRAIN PERFORATED 24" x ~~14 GA~~, PER FOOT	31.10	31.10	

PROPOSAL OF TOWN & COUNTY BRIDGE AND RAIL, INC.

SIGNED BY VINCENT L. PACIOZZI, PRESIDENT

VINCENT L. PACIOZZI 3/23/22

ORIGINAL

TOWN OF ROTTERDAM

NON-COLLUSIVE BIDDING CERTIFICATION

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

1. The prices in this 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

2. 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

3. 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A) (1), (2), and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (A) has published price lists, rates of tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or reviewed price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute without more, a disclosure within the meaning of subparagraph (A)(1).

Any bid hereafter made to any political subdivision of the state of any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certification as to non-collusion as the act and deed of the corporation.

Name of Firm: Town & County Bridge and Rail, Inc.

Signed By: Vincent L. Paolozzi Title: President

Date: March 23, 2022

ORIGINAL

TOWN OF ROTTERDAM

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that Vincent L. Paolozzi be authorized to sign and submit the bid proposal of this corporation for Pope, Town of Rotterdam, the certificate as to non-collusion and waiver of immunity clause required by §103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by: Town & County Bridge and Rd. Corporation at a meeting of its board of directors held on the 23rd day of March, 2022

(SEAL OF THE CORPORATION)

Signature of Corporate Secretary

ORIGINAL

INDIVIDUAL EXECUTION OF NON-COLLUSION
CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, VINCENT L. PACIOZZI, hereby sign and submit this bid or proposal for TOWN & COUNTY BODY AND RAIL, INC, Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

23RD day of MARCH, 2022

Signature of Individual Vincent L. Paciozzi

ORIGINAL

TOWN OF ROTTERDAM

WAIVER OF IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Town & County Bridge and Rail, Inc.

Signed by: Vincent L. Paolozzi Title: President

Date: March 23, 2022

ORIGINAL

TOWN OF ROTTERDAM

Acknowledgment and Agreement

Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace

The undersigned bidder acknowledges that they received the Town of Rotterdam Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace policy and agrees to abide by the policy as stated.

Name of Firm: Towne County Bridge and Rail, Inc.

Signed by: Vincent L. Paolozzi Title: President

Date: March 23, 2022

Charming Supply Corp

HIGHWAY MATERIALS	UNIT COST	DEL. COST	F.O.B. POINT
PIPE COLLAR BANDS & BOLTS 8" x 16 GA	No Bid	Included	
PIPE COLLAR BANDS & BOLTS 12" x 16 GA			
PIPE COLLAR BANDS & BOLTS 15" x 16 GA			
PIPE COLLAR BANDS & BOLTS 18" x 16 GA			
PIPE COLLAR BANDS & BOLTS 24" x 16 GA			
PIPE COLLAR BANDS & BOLTS 24" x 14 GA			
PIPE COLLAR BANDS & BOLTS 30" x 14 GA			
PIPE COLLAR BANDS & BOLTS 48" x 12 GA			
PIPE COLLAR BANDS & BOLTS 60" x 10 GA			
POLYETHYLENE SMOOTH INTERIOR PIPE, 12" x P33 OR P34	$10.00		
POLYETHYLENE SMOOTH INTERIOR PIPE, 15" x GRADE P33 OR P34	$13.20		
POLYETHYLENE SMOOTH INTERIOR PIPE, 18" x GRADE P33 OR P34	$17.70		
POLYETHYLENE SMOOTH INTERIOR PIPE, 24" x GRADE P33 OR P34	$31.10		
POLYETHYLENE SMOOTH INTERIOR PIPE, 30" x GRADE P33 OR P34	$41.20		
POLYETHYLENE SMOOTH INTERIOR PIPE, 36" x GRADE P33 OR P34	$54.10		
POLYETHYLENE PERFORATED PIPE, 12" x P33 OR P34	$10.00		
POLYETHYLENE PERFORATED PIPE, 15" x P33 OR P34	$13.20		
POLYETHYLENE PERFORATED PIPE, 18" x P33 OR P34	$17.70		
POLYETHYLENE PERFORATED PIPE, 24" x P33 OR P34	$31.10		
POLYETHYLENE PERFORATED PIPE, 30" x P33 OR P34	$41.20		
POLYETHYLENE PERFORATED PIPE, 36" x P33 OR P34	$54.10		

		End Sections	
WATER TIGHT COUPLING & END SECTION, 12 x P33 OR P34	$10.00	$262.50	
WATER TIGHT COUPLING & END SECTION, 15 x P33 OR P34	$13.20	$262.50	
WATER TIGHT COUPLING & END SECTION, 18 x P33 OR P34	$17.70	$351.60	
WATER TIGHT COUPLING & END SECTION, 24 x P33 OR P34	$31.10	$450.39	
WATER TIGHT COUPLING & END SECTION, 30 x P33 OR P34	$41.20	$1,090.83	
WATER TIGHT COUPLING & END SECTION, 36 x P33 OR P34	$54.10	$1,154.81	
ROUND CORRUGATED PLASTIC PIPE, 8x16 GA, PER FOOT	No Bid		
ROUND CORRUGATED PLASTIC PIPE, 12x16 GA, PER FOOT			
ROUND CORRUGATED PLASTIC PIPE, 15x16 GA, PER FOOT			
ROUND CORRUGATED PLASTIC, 18x16 GA, PER FOOT			
ROUND CORRUGATED PLASTIC PIPE, 24x16 GA, PER FOOT			
ROUND CORRUGATED PLASTIC PIPE, 24x14 GA, PER FOOT			
ROUND CORRUGATED PLASTIC PIPE, 30x14 GA, PER FOOT			
ROUND CORRUGATED PLASTIC PIPE, 48x12 GA, PER FOOT			
ROUND CORRUGATED PLASTIC PIPE, 60x10 GA, PER FOOT			
PLASTICUNDERDRAIN PERFORATED 8" x 16 GA, PER FOOT	No Bid		
PLASTIC UNDERDRAIN PERFORATED 12" x 16 GA, PER FOOT			
PLASTIC UNDERDRAIN PERFORATED 15" x 16 GA, PER FOOT			
PLASTIC UNDERDRAIN PERFORATED 18" x 16 GA, PER FOOT			
PLASTIC UNDERDRAIN PERFORATED 24" x 16 GA, PER FOOT			
PLASTICUNDERDRAIN PERFORATED 30" x 14 GA, PER FOOT			
PLASTIC UNDERDRAIN PERFORATED 48" x 12 GA, PER FOOT			
PLASTIC UNDERDRAIN PERFORATED 60" x 10 GA, PER FOOT			
PLASTIC UNDERDRAIN PERFORATED 24" x 14 GA, PER FOOT			

TOWN OF ROTTERDAM

WAIVER OF IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Chemung Supply Corp

Signed by: Carl H Perine Title: Vice President

Date: 03/11/22

TOWN OF ROTTERDAM

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that _ be authorized to sign and submit the bid proposal of this corporation for Chemung Supply Corp, Town of Rotterdam, the certificate as to non-collusion and waiver of immunity clause required by §103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by: Chemung Supply Corp

Corporation at a meeting of its board of directors held on the 11th day of March, **2022**

(SEAL OF THE CORPORATION)

Signature of Corporate Secretary
Marc P Stemerman

INDIVIDUAL EXECUTION OF NON-COLLUSION
CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, Carl H Perine, hereby sign and submit this bid or proposal for Chemung Supply Corp, Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

11th day of March, **2022**

Signature of Individual

Carl H Perine

TOWN OF ROTTERDAM

NON-COLLUSIVE BIDDING CERTIFICATION

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

1. The prices in this 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

2. 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

3. 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A) (1), (2), and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (A) has published price lists, rates of tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or reviewed price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute without more, a disclosure within the meaning of subparagraph (A)(1).

Any bid hereafter made to any political subdivision of the state of any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certification as to non-collusion as the act and deed of the corporation.

Name of Firm: Chemung Supply Corp

Signed By: Carl H Perine Title: Vice President

Date: 03/11/22

TOWN OF ROTTERDAM

Acknowledgment and Agreement

Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace

The undersigned bidder acknowledges that they received the Town of Rotterdam Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace policy and agrees to abide by the policy as stated.

Name of Firm: Chemung Supply Corp

Signed by: Carl H Perine Title: Vice President

Date: 03/11/22

NON-COLLUSION BIDDING CERTIFICATION

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

1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purposes of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

2) 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

3) 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A), (1), (2), and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certificating, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reason therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made or his designee, determines that such disclosure was not made for the purpose of restricting competition.

C. The fact that the bidder (A) has published price lists, rates or tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or revised price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph (A)(1).

D. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or state services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of this section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Name of Firm: Chemung Supply Corp

Signed by: Carl H Perine Title: Vice President

Signature: _____ Date: 03/11/22

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that Carl H Perine be authorized to sign and submit the bid or proposal of this corporation for Chemung Supply Corp Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by Chemung Supply Corp corporation at a meeting of its board of directors held on the 11th day of March, 2018. 22

(SEAL OF THE CORPORATION)

Signature of Secretary Marc P Stemerman

INDIVIDUAL EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, Carl H Perine hereby sign and submit this bid or proposal for Chemung Supply Corp Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

Signature of Individual Carl H Perine

03/11/22
Date

TOWN OF ROTTERDAM WAIVER ON IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

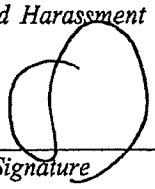
Name of Firm: Chemung Supply Corp

Signed by: Carl H Perine Title: Vice President

Signature: Date: 03/11/22

Town of Rotterdam Harassment Policy Clause

I understand if I am chosen as the lowest responsible bidder, that I must comply with all federal, state, and local laws, as well as rules, regulations, policies and guidance, including the State of New York's newly released guidance on sexual harassment . By submitting a bid, I acknowledge receipt of the Town of Rotterdam "Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace" Policy.



Signature

Chemung Supply Corp
Name of Company or Corporation

PO Box 527
Address

Elmira NY 14902
City, State Zip

RESOLUTION NO. 128.22

TO ACCEPT BIDS AND AWARD CONTRACTS FOR HIGHWAY MATERIALS: (MANHOLE GRATES AND FRAMES)

WHEREAS, Pursuant to notice duly published according to Section One Hundred Three of the General Municipal Law of the State of New York, the Town of Rotterdam on Friday, February 25, 2022 posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (http://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk for public inspection upon request, for the purchase by the Town of Rotterdam of the following:

MANHOLE GRATES AND FRAMES

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 does hereby accept and award the bid for Highway Materials: Manhole Grates and Frames for the Town of Rotterdam to Town and Country Bridge and Rail, P.O. Box 16395 Albany New York 12212 pursuant to the attached schedule;

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

SECTION 3. This resolution shall become effective April 13, 2022.

DATED: April 13, 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: April 5, 2022

TO: Mollie Collins, Supervisor

FROM: Larry LaMora, Highway Superintendent

TITLE OF REQUEST: Award Bid for Highway **(Concrete Blocks, Caps Manhole Blocks, Manhole Frames and Grates)**

TOWN BOARD MEETING: April 13, 2022

Background Information: The Town Board called for bids on February 23, 2022

Evaluation/Analysis: Proper bidding process

Recommendation(s): Award bid to Town and Country Bridge and Rail for Manhole Frame and Grates

Attachment/Document(s): Attached

Compliance with Purchasing Policy: Yes

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

LEGISLATION WILL BE PREPARED BY: Town Attorney

HIGHWAY MATERIALS	CHEMUNG SUPPLY CORP. UNITCOST/DEL COST	TOWN & COUNTRY BRIDGE AND RAIL, INC. UNITCOST/DEL COST
6" CATCHBASIN STRETCHER	NB	NB
6" CATCHBASIN CORNER	NB	NB
CONCRETE BLOCK 8" x 8" x 18" REGULAR EACH	NB	NB
CAPS 4" x 8" 18" EACH	NB	NB
MANHOLE BLOCK 6" x 4" EACH	NB	NB
MANHOLE BLOCK 6" x 5" EACH	NB	NB
MANHOLE BLOCK 6" x 6" EACH	NB	NB
MANHOLE FRAMES AND GRATES 26" x 26" EACH	$725.00	$374.00
MANHOLE FRAMES SQUARE RISERS:		
26 1/4" X 26 1/4" X 1	$324.00	NB
26 1/4" X 26 1/4" X 2	$294.00	NB

Green=AWARDED
Red=NOT AWARDED
Yellow=NO BID

BID FOR HIGHWAY MATERIALS CONCRETE BLOCKS, CAPS, MANHOLE BLOCKS, GRATES FRAMES- RFP 2022

BID FOR: Highway Materials Concrete Blocks, Caps, Manhole Blocks, Grates & Frames 2022
DATE OF TB MTG. & RESOLUTION #: 02/23/2022- Res#85.22
DATE BID PACKETS BECOME AVAILABLE: 02/25/2022

DATE PUBLISHED IN NEWSPAPER: 02/26/2022
DATE & TIME BIDS TO BE OPENED: 03/23/2022 at 10:00 AM

# Rec	Dropped off & Time Received @TC Office	Initials	Company/Firm/Email	Address	Contact	Phone #	Contract #s	BID Amount	Comments
Picked Up 3/21/22	03/23/22 @ 8:29 am	JB	Town & County Bridge and Rail	P.O. Box 16395 Albany, NY 12212	Frank Gavin Vincent Paolozzi	518-522-5673		$374.00	Manhole Frames & Grates 26"x26"
BIDNET	3/23/22 10:00am	DM PD MG	Chemung Supply Corp	P.O. Box 527 Elmira,, NY 14902	Carl H. Perine	607-733-5506		725.00 26x26 324.00 26 1/4x26 1/4 x1 294.00 26 1/4 x26 1/4	 Manhole Frames & Grates 26"x26" Manhole Frames & Grates 26"x26" Manhole Frames Square Risers Manhole Frames Square Risers Manhole Frames Square Risers Manhole Frames Square Risers

ORIGINAL

Proposal of Town & County Bridge and Rail, Inc.

HIGHWAY MATERIALS	UNIT COST	DEL. COST	F.O.B. POINT
6" CATCHBASIN STRETCHER			
6" CATCHBASIN CORNER			
CONCRETE BLOCK 8" X 8" X 18" REGULAR EACH			
CAPS 4'" X 8" 18" EACH			
MANHOLE BLOCK 6" X 4" EACH			
MANHOLE BLOCK 6" X 5" EACH			
MANHOLE BLOCK 6" X 6" EACH			
MANHOLE FRAMES AND GRATES 26" X 26" EACH	374.00	374.00	Am'Dam
MANHOLE FRAMES SQUARE RISERS:			
26 ¼" X 26 ¼" X 1			
26 ¼" X 26 ¼" X 1			

Signed By: Vincent L. Paolozzi, President

Vincent L. Paolozzi 3/23/22

ORIGINAL

TOWN OF ROTTERDAM

NON-COLLUSIVE BIDDING CERTIFICATION

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

1. The prices in this 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

2. 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

3. 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A) (1), (2), and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (A) has published price lists, rates of tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or reviewed price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute without more, a disclosure within the meaning of subparagraph (A)(1).

Any bid hereafter made to any political subdivision of the state of any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certification as to non-collusion as the act and deed of the corporation.

Name of Firm: Town & Country Bridge and Road, Inc.

Signed By: Vincent R. Pastozzi Title: President

Date: March 23, 2022

ORIGINAL

TOWN OF ROTTERDAM

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that Vincent L. Paolozzi be authorized to sign and submit the bid proposal of this corporation for MANHOLE FRAME AND GRATES, Town of Rotterdam, the certificate as to non-collusion and waiver of immunity clause required by §103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by: TOWN & COUNTY BRIDGE AND RAIL

Corporation at a meeting of its board of directors held on the 23rd day of MARCH, 2022

(SEAL OF THE CORPORATION)

Signature of Corporate Secretary

ORIGINAL

INDIVIDUAL EXECUTION OF NON-COLLUSION
CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, Vincent L. Paolozzi, hereby sign and submit this bid or proposal for Town & County Bridge and Road, Inc., Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

23 day of March, 2022

Signature of Individual Vincent L. Paolozzi

ORIGINAL

TOWN OF ROTTERDAM

WAIVER OF IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Town & County Bridge and Rail, Inc.

Signed by: Vincent L. Paolozzi Title: President

Date: 3/23/2022

ORIGINAL

TOWN OF ROTTERDAM

Acknowledgment and Agreement

Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace

The undersigned bidder acknowledges that they received the Town of Rotterdam Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace policy and agrees to abide by the policy as stated.

Name of Firm: Town & County Bridge and Rail, Inc

Signed by: Vincent L. Paolozzi Title: President

Date: March 23, 2022

Chemung Supply Corp

HIGHWAY MATERIALS	UNIT COST	DEL. COST	F.O.B. POINT
6" CATCHBASIN STRETCHER	No Bid		
6" CATCHBASIN CORNER			
CONCRETE BLOCK 8" X 8" X 18" REGULAR EACH			
CAPS 4'" X 8" 18" EACH			
MANHOLE BLOCK 6" X 4" EACH			
MANHOLE BLOCK 6" X 5" EACH			
MANHOLE BLOCK 6" X 6" EACH			
MANHOLE FRAMES AND GRATES 26" X 26" EACH	$725.00	*	
MANHOLE FRAMES SQUARE RISERS:			
26 ¼" X 26 ¼" X 1	$324.00	*	
26 ¼" X 26 ¼" X 1	$294.00	*	

* $150.00 freight on 10 units or less - freight free*

TOWN OF ROTTERDAM

Acknowledgment and Agreement

Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace

The undersigned bidder acknowledges that they received the Town of Rotterdam Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace policy and agrees to abide by the policy as stated.

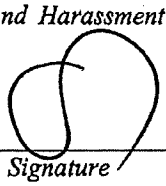
Name of Firm: Chemung Supply Corp

Signed by: Carl H Perine Title: Vice President

Date: 03/11/22

Town of Rotterdam Harassment Policy Clause

I understand if I am chosen as the lowest responsible bidder, that I must comply with all federal, state, and local laws, as well as rules, regulations, policies and guidance, including the State of New York's newly released guidance on sexual harassment . By submitting a bid, I acknowledge receipt of the Town of Rotterdam "Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace" Policy.



Signature

Chemung Supply Corp

Name of Company or Corporation

PO Box 527

Address

Elmira NY 14902

City, State Zip

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that Carl H Perine be authorized to sign and submit the bid or proposal of this corporation for Chemung Supply Corp Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by Chemung Supply Corp corporation at a meeting of its board of directors held on the 11th day of _____, ~~2018.~~ 22

(SEAL OF THE CORPORATION)

Signature of Secretary Marc P Stemerman

INDIVIDUAL EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, Carl H Perine hereby sign and submit this bid or proposal for Chemung Supply Corp Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

Signature of Individual Carl H Perine

03/11/22
Date

TOWN OF ROTTERDAM WAIVER ON IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Chemung Supply Corp

Signed by: Carl H Perine Title: Vice President

Signature: _____ Date: 03/11/22

NON-COLLUSION BIDDING CERTIFICATION

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

1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purposes of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

2) 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

3) 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A), (1), (2), and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certificating, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reason therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made or his designee, determines that such disclosure was not made for the purpose of restricting competition.

C. The fact that the bidder (A) has published price lists, rates or tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or revised price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph (A)(1).

D. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or state services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of this section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Name of Firm: Chemung Supply Corp

Signed by: Carl H Perine Title: Vice President

Signature: _____ Date: 03/11/22

TOWN OF ROTTERDAM

WAIVER OF IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Chemung Supply Corp

Signed by: Carl R Perine Title: Vice President

Date: 03/11/22

TOWN OF ROTTERDAM

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that _ be authorized to sign and submit the bid proposal of this corporation for Chemung Supply Corp Town of Rotterdam, the certificate as to non-collusion and waiver of immunity clause required by §103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by: Chemung Supply Corp Corporation at a meeting of its board of directors held on the 11th day of March, 2022

(SEAL OF THE CORPORATION)

Signature of Corporate Secretary
Marc P Stemerman

INDIVIDUAL EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, Carl H Perine, hereby sign and submit this bid or proposal for Chemung Supply Corp, Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

11th day of March, 2022

Signature of Individual _____
Carl H Perine

TOWN OF ROTTERDAM

NON-COLLUSIVE BIDDING CERTIFICATION

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

1. The prices in this 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

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The fact that the bidder (A) has published price lists, rates of tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or reviewed price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute without more, a disclosure within the meaning of subparagraph (A)(1).

Any bid hereafter made to any political subdivision of the state of any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certification as to non-collusion as the act and deed of the corporation.

Name of Firm: Chemung Supply Corp

Signed By: Carl H Perine Title: Vice President

Date: 03/11/22

RESOLUTION NO. 129.22

TO ACCEPT BIDS AND AWARD CONTRACTS FOR HIGHWAY MATERIALS: CRUSHED LIMESTONE, GRAVEL, FILL SAND AND ROAD SAND

WHEREAS, Pursuant to notice duly published according to Section One Hundred Three of the General Municipal Law of the State of New York, the Town of Rotterdam on Friday, February 25, 2022 posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (http://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk for public inspection upon request, for the purchase by the Town of Rotterdam of the following:

CRUSHED LIMESTONE, GRAVEL, FILL SAND AND ROAD SAND

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 does hereby accept and award the unit price per ton bids for Highway Material: **Crushed Limestone**(*Size 1,1A & 3*) to Callanan Industries Inc. of 8 Southwoods Blvd Albany New York 12211, pursuant to the attached schedule;

SECTION 2. The Town Board of the Town of Rotterdam does hereby accept and award the unit price per ton bids for Highway Material: **Crushed Limestone**(*Size 1B, 2 & rubble*) to Cushing Stone Co. Inc of 725 State Hwy 5S Amsterdam New York 12010, pursuant to the attached schedule;

SECTION 3. The Town Board of the Town of Rotterdam does hereby accept and award the unit price per ton bids for Highway Material: **Gravel and Fill Sand** to Wm. Larned & Sons of 544 Burdeck St Rotterdam New York 12306, pursuant to the attached schedule;

SECTION 4. The Town Board of the Town of Rotterdam does hereby accept and award the unit price per ton bids for Highway Material: **Road Sand** to Adirondack Natural Resources LLC, of 1900 Duanesburg Rd Duanesburg New York 12056, pursuant to the attached schedule;

SECTION 5. The Supervisor of the Town of Rotterdam is hereby authorized to execute a contract with said bidders in accordance with the terms of the bid proposals as submitted. Summary of bid prices are on file in the Town Clerk's office;

SECTION 6. This resolution shall become effective April 13, 2022.

DATED: April 13, 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: April 5, 2022

TO: Supervisor Mollie Collins

FROM: Larry LaMora, Highway Superintendent

TITLE OF REQUEST: Award bids for **Highway Material: (Crushed Limestone, Gravel and Sand)**

TOWN BOARD MEETING: April 13, 2022

Background Information: The Town Board called for Bids for Highway Materials (Crushed Limestone, Gravel and Sand on February 23,2022

Evaluation/Analysis: Bids were publicly opened trough Bid net on March 23, 2022

Recommendation(s): Award bids to the following companies as each either provided the lowest responsible bid or the same bid as others:
Callanan Industries Inc, Wm Laarned & Sons Inc. Cushing Stone Inc,and Adirondack Natural Limestone Gravel

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 Attorney

HIGHWAY MATERIALS	Cushing Stone	Callanan Industries Inc.	ADK Natural Resources, LLC	Larnard
CRUSHED LIMESTONE SIZE 1, PER TON	$16.10/$22.10 DEL	$10.60/$17.40 DEL	NB	$20.50/$27.00 DEL
CRUSHED LIMESTONE SIZE 1A, PER TON	$21.00/$27.00 DEL	$16.00/$22.80 DEL	NB	NB
CRUSHED LIMESTONE SIZE 1B, PER TON	$8.50/$14.50 DEL	$12.25/$19.05 DEL	NB	NB
CRUSHED LIMESTONE SIZE 2, PER TON	$8.25/$14.25 DEL	$9.60/$16.40 DEL	NB	$17.25/$21.25 DEL
CRUSHED LIMESTONE SIZE 3, PER TON	$11.00/$17.00 DEL	$9.60/$16.40 DEL	NB	$17.25/$21.25 DEL
CRUSHED LIMESTONE SIZE RUBBLE, PER TON	$6.85/$12.85 DEL	$7.45/$14.25 DEL	$13.00/$13.00 DEL	$14.50/$17.50 DEL
GRAVEL SIZE #1 STONE, PER TON	NB	NB	NB	NB
GRAVEL SIZE #2 STONE, PER TON	NB	NB	NB	$18.50/$20.50 DEL
GRAVEL SIZE #3 STONE, PER TON	NB	NB	NB	$18.50/$20.50 DEL
GRAVEL SIZE RUBBLE, PER TON	NB	NB	NB	$15.50/$17.50 DEL
GRAVEL SIZE ITEM #4 (CRUSHED BANK RUN) PER TON	NB	NB	NB	$16.90/$16.90 DEL
GRAVEL SIZE BANK RUN, PER TON	NB	NB	NB	$15.40/$15.40 DEL
SAND, TYPE FILL SAND, PER TON	NB	NB	NB	$16.00/$16.00 DEL
SAND, TYPE ROAD SAND, PER TON	NB	NB	$13.43/$13.43 DEL	$17.70/$17.70 DEL

Green=AWARDED
Red=NOT AWARDED
Yellow=NO BID

BID FOR HIGHWAY MATERIALS (CRUSHED LIMESTONE, GRAVEL AND SAND)-RFP 2022

BID FOR: Highway Materials (Crushed Limestone, Gravel and Sand)
DATE OF TB MTG. & RESOLUTION #: 02/23/2022 - Res#86.22
DATE BID PACKETS BECOME AVAILABLE: 02/25/2022

DATE PUBLISHED IN NEWSPAPER: 02/26/2022
DATE & TIME BIDS TO BE OPENED: 03/23/2022 at 10:15 AM

# Rec	Dropped off & Time Received @TC Office	Initials	Company/Firm/Email	Address	Contact	Phone #	Contract #s	BID Amount	Comments
Picked up Bid-3/22/2022 @ 10:45 AM	Dropped off 3/23/22 @ 9:31 AM	SS	Cushing Company cushingstone@cranesville.com	725 State Highway 5S Amsterdam, NY 12010	Jim Loucks	518-887-2521		Per attached Bid Packet	
Bidnet	3/23/2022 10:15	DM PD MG	Callanan Industries Inc	8 Southwoods Blvd Albany, NY 12211	Michael Mastropietro	518-857-7642		Per attached Bid Packet	
Bidnet	3/23/2022 10:15	DM PD MG	Adirondack Natural Empire Paving	1900 Duanesburg Rd Duanesburg, NY 12056	Christopher Longo	518-356-1119		Per attached Bid Packet	
Bidnet	3/23/2022 10:15	DM PD MG	Wm. Larned & Sons	544 Burdeck Street Rotterdam, NY 12306	Tony Larned	518-374-6961		Per attached Bid Packet	

Callanan Industries, Inc.

HIGHWAY MATERIALS	UNIT COST	DEL. COST	F.O.B. POINT
CRUSHED LIMESTONE SIZE 1, PER TON	10.60	17.40	Pattersonville
CRUSHED LIMESTONE SIZE 1A, PER TON	16.00	22.80	Pattersonville
CRUSHED LIMESTONE SIZE 1B, PER TON	12.25	19.05	Pattersonville
CRUSHED LIMESTONE SIZE 2, PER TON	9.60	16.40	Pattersonville
CRUSHED LIMESTONE SIZE 3, PER TON	9.60	16.40	Pattersonville
CRUSHED LIMESTONE SIZE RUBBLE, PER TON	7.45	14.25	Pattersonville
GRAVEL SIZE #1 STONE, PER TON	NB	NB	
GRAVEL SIZE #2 STONE, PER TON	NB	NB	
GRAVEL SIZE #3 STONE, PER TON	NB	NB	
GRAVEL SIZE RUBBLE, PER TON	NB	NB	
GRAVEL SIZE ITEM #4 (CRUSHED BANK RUN) PER TON	NB	NB	
GRAVEL SIZE BANK RUN, PER TON	NB	NB	
SAND, TYPE FILL SAND, PER TON	NB	NB	
SAND, TYPE ROAD SAND, PER TON	NB	NB	

TOWN OF ROTTERDAM

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that Michael Mastropietro be authorized to sign and submit the bid proposal of this corporation for Callanan Industries, Inc., Town of Rotterdam, the certificate as to non-collusion and waiver of immunity clause required by §103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by: Callanan Industries, Inc. Corporation at a meeting of its board of directors held on the 19th day of November, 2022 21.

(SEAL OF THE CORPORATION)

Signature of Corporate Secretary (Assistant)
Kaitlyn Cuddeback

TOWN OF ROTTERDAM

Acknowledgment and Agreement

Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace

The undersigned bidder acknowledges that they received the Town of Rotterdam Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace policy and agrees to abide by the policy as stated.

Name of Firm: Callanan Industries, Inc.

Signed by: _____ Title: VP

Michael Mastropietro

Date: 3/22/22

TOWN OF ROTTERDAM

WAIVER OF IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Callanan Industies, Inc.

Signed by: _____ Title: VP

Michael Mastropietro

Date: 3/22/22

INDIVIDUAL EXECUTION OF NON-COLLUSION
CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, _____, hereby sign and submit this bid or proposal for _____, Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

_____ day of _____,2022_____

Signature of Individual:_____

TOWN OF ROTTERDAM

NON-COLLUSIVE BIDDING CERTIFICATION

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

1. The prices in this 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

2. 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

3. 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A) (1), (2), and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (A) has published price lists, rates of tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or reviewed price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute without more, a disclosure within the meaning of subparagraph (A)(1).

Any bid hereafter made to any political subdivision of the state of any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certification as to non-collusion as the act and deed of the corporation.

Name of Firm Callanan Industries, Inc.

Signe By _____ Title VP

Michael Mastropietro

Date 3/22/22

Town of Rotterdam

Bid Sheets & Specifications
for
Highway Materials
(Crushed Limestone, Gravel, Sand)

Bid Opening: March 23, 2022 at 10:15 a.m.

INSTRUCTIONS TO BIDDERS

1. All bids must be submitted before **10:15 a.m. on March 23, 2022**, the day of opening.

2. Electronic proposals for the furnishing and delivery of goods/services as required for the Town of Rotterdam, as set forth in the specifications prepared by the Town Board and received by **10:15 a.m. on March 23, 2022**, will be opened electronically and in person at that time, via Empire State Purchasing Group on the BidNet website (http://www.bidnetdirect.com/townofrotterdam). The Town Board will subsequently post an official report to the Empire State Purchasing Group on BidNet by the close of business the same day, of all bid submissions received. 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.

3. Digital Copies of Drawings and 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 sources. 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(s) 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.

4. Purchases made by the Town of Rotterdam are not subject to State or local taxes or Federal excise taxes. Exemption certificates will be furnished upon request.

5. An "Affidavit of Non-Collusion" is attached and forms a part of this bid proposal. By submission of this bid, each bidder and each person signing on behalf of any bidder, certifies under penalty of perjury, that to the best of his/her knowledge and belief that the prices of the bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter related to such prices with any other bidder or competitor; that the prices quoted have not and will not be disclosed prior to opening, directly or indirectly, to any other bidder or competitor; that no attempt has been or will be made to induce any other person, partnership or corporation to submit or not submit a bid for the purpose of restricting competition. Each bidder must state that no officer of the Town of Rotterdam or member of the Town Board is directly or indirectly interested in the proposal. Failure to sign this statement will constitute grounds for rejection of bid.

6. Each bidder must acknowledge receipt of and comply with the Town's Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace policy.

7. Bid proposals shall remain firm, pending bid award, for a period not to exceed thirty (30) days from the bid opening date.

8. The Town Board reserves the right to reject any or all bids and re-advertise.

9. All bids are to be on the basis of delivery prepaid to destination, which shall be buildings of the Town of Rotterdam as specified.

10. Delivery: Time is of the essence. Material is required as soon as possible and guaranteed date of delivery may be taken into consideration in making award. Upon failure to make delivery as promised, the Town Board of the Town of Rotterdam, New York, may consider the contract breached and will then feel free to go into the open market and to maintain an action against the contractor to recover any differences which the Town Board might stand to lose between the contract price and the market price.

11. Where items or articles or equipment or supplies are designated as manufactured by a specific manufacturer, it is to be understood that the articles as specified represent an accepted standard. Where certain brands of materials, apparatus, or equipment are specified, such goods have been selected in order to establish a standard for the particular service required, but it is not the intention to limit competition thereby. If the bidder proposes to furnish the article which is specified, he is to fill in the amount on the line indicated. If he desires to bid on a substitute for the article specified, which is claimed to be equivalent to the standard specified, the amount should be recorded and also identified as "substitute" bid and furnish the required information relating to the manufacturer. In cases where the bid is based upon a substitute article, the bidder will be asked to submit a sample. Samples will be returned, if desired, as soon as the award is made.

12. The Town Board of the Town of Rotterdam reserves the right to waiver any informalities on bids received, and to accept reasonable substitutes for specified items as long as such substitutes in no way affect the performance of the item for which the bid has been requested.

13. The approximate quantities shown in the bidding documents are not meant to imply that said quantities will in fact be purchased. Payment will be based on an "as delivered" basis at the facilities listed using actual quantities received.

14. Failure to adequately and fully complete the bid packet and/or questions contained in the RFP shall be disqualified and the bid shall be rejected.

Cushing

ORIGINAL

HIGHWAY MATERIALS	UNIT COST	DEL. COST	F.O.B. POINT
CRUSHED LIMESTONE SIZE 1, PER TON	16.10	22.10	RT 55
CRUSHED LIMESTONE SIZE 1A, PER TON	21.00	27.00	↓
CRUSHED LIMESTONE SIZE 1B, PER TON	8.50	14.50	↓
CRUSHED LIMESTONE SIZE 2, PER TON	8.25	14.25	↓
CRUSHED LIMESTONE SIZE 3, PER TON	11.00	17.00	↓
CRUSHED LIMESTONE SIZE RUBBLE, PER TON	6.85	12.85	↓
GRAVEL SIZE #1 STONE, PER TON	NB		
GRAVEL SIZE #2 STONE, PER TON	↓		
GRAVEL SIZE #3 STONE, PER TON	↓		
GRAVEL SIZE RUBBLE, PER TON	↓		
GRAVEL SIZE ITEM #4 (CRUSHED BANK RUN) PER TON	↓		
GRAVEL SIZE BANK RUN, PER TON	↓		
	↓		
SAND, TYPE FILL SAND, PER TON	↓		
SAND, TYPE ROAD SAND, PER TON	↓		

ORIGINAL

TOWN OF ROTTERDAM

NON-COLLUSIVE BIDDING CERTIFICATION

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

1. The prices in this 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

2. 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

3. 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A) (1), (2), and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (A) has published price lists, rates of tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or reviewed price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute without more, a disclosure within the meaning of subparagraph (A)(1).

Any bid hereafter made to any political subdivision of the state of any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certification as to non-collusion as the act and deed of the corporation.

Name of Firm Cushing Stone Co Inc

Signe By [signature] Title SALES

Date 3/22/22

ORIGINAL

TOWN OF ROTTERDAM

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that James M Bouchles be authorized to sign and submit the bid proposal of this corporation Cushing Stone for Crushed Limestone Gravel Sand, Town of Rotterdam, the certificate as to non-collusion and waiver of immunity clause required by §103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by: Cushing Stone Co Inc Corporation at a meeting of its board of directors held on the 25th day of July, 2022 2002.

(SEAL OF THE CORPORATION)

J E

Signature of Corporate Secretary

ORIGINAL

INDIVIDUAL EXECUTION OF NON-COLLUSION
CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, James M Lewis, hereby sign and submit this bid or proposal for Crushed Limestone gravel & Sand, Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

22 day of March ,2022

Signature of Individual: James M Lewis

TOWN OF ROTTERDAM

WAIVER OF IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Cushing Stone Co Inc

Signed by: [signature] Title: Sales

Date: 3/22/22

ORIGINAL

TOWN OF ROTTERDAM

Acknowledgment and Agreement

Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace

The undersigned bidder acknowledges that they received the Town of Rotterdam Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace policy and agrees to abide by the policy as stated.

Name of Firm: Cushing Stone Co Inc

Signed by: [signature] Title: Sales

Date: 3/22/22

Cushing

ORIGINAL

Town of Rotterdam

Bid Sheets & Specifications
for
Highway Materials
(Crushed Limestone, Gravel, Sand)

Bid Opening: March 23, 2022 at 10:15 a.m.

INSTRUCTIONS TO BIDDERS

ORIGINAL

1. All bids must be submitted before **10:15 a.m. on March 23, 2022,** the day of opening.

2. Electronic proposals for the furnishing and delivery of goods/services as required for the Town of Rotterdam, as set forth in the specifications prepared by the Town Board and received by **10:15 a.m. on March 23, 2022**, will be electronically opened at that time, via Empire State Purchasing Group on the BidNet website (http://www.bidnetdirect.com/townofrotterdam). The Town Board will subsequently post an official report to the Empire State Purchasing Group on BidNet by the close of business the same day, of all bid submissions received. 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.

3. Digital Copies of Drawings and 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 sources. 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(s) 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.

4. Purchases made by the Town of Rotterdam are not subject to State or local taxes or Federal excise taxes. Exemption certificates will be furnished upon request.

5. An "Affidavit of Non-Collusion" is attached and forms a part of this bid proposal. By submission of this bid, each bidder and each person signing on behalf of any bidder, certifies under penalty of perjury, that to the best of his/her knowledge and belief that the prices of the bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter related to such prices with any other bidder or competitor; that the prices quoted have not and will not be disclosed prior to opening, directly or indirectly, to any other bidder or competitor; that no attempt has been or will be made to induce any other person, partnership or corporation to submit or not submit a bid for the purpose of restricting competition. Each bidder must state that no officer of the Town of Rotterdam or member of the Town Board is directly or indirectly interested in the proposal. Failure to sign this statement will constitute grounds for rejection of bid.

6. Each bidder must acknowledge receipt of and comply with the Town's Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace policy.

7. Bid proposals shall remain firm, pending bid award, for a period not to exceed thirty (30) days from the bid opening date.

ORIGINAL

8. The Town Board reserves the right to reject any or all bids and re-advertise.

9. All bids are to be on the basis of delivery prepaid to destination, which shall be buildings of the Town of Rotterdam as specified.

10. Delivery: Time is of the essence. Material is required as soon as possible and guaranteed date of delivery may be taken into consideration in making award. Upon failure to make delivery as promised, the Town Board of the Town of Rotterdam, New York, may consider the contract breached and will then feel free to go into the open market and to maintain an action against the contractor to recover any differences which the Town Board might stand to lose between the contract price and the market price.

11. Where items or articles or equipment or supplies are designated as manufactured by a specific manufacturer, it is to be understood that the articles as specified represent an accepted standard. Where certain brands of materials, apparatus, or equipment are specified, such goods have been selected in order to establish a standard for the particular service required, but it is not the intention to limit competition thereby. If the bidder proposes to furnish the article which is specified, he is to fill in the amount on the line indicated. If he desires to bid on a substitute for the article specified, which is claimed to be equivalent to the standard specified, the amount should be recorded and also identified as "substitute" bid and furnish the required information relating to the manufacturer. In cases where the bid is based upon a substitute article, the bidder will be asked to submit a sample. Samples will be returned, if desired, as soon as the award is made.

12. The Town Board of the Town of Rotterdam reserves the right to waiver any informalities on bids received, and to accept reasonable substitutes for specified items as long as such substitutes in no way affect the performance of the item for which the bid has been requested.

13. The approximate quantities shown in the bidding documents are not meant to imply that said quantities will in fact be purchased. Payment will be based on an "as delivered" basis at the facilities listed using actual quantities received.

14. Failure to adequately and fully complete the bid packet and/or questions contained in the RFP shall be disqualified and the bid shall be rejected.

Larned & Sons

HIGHWAY MATERIALS	UNIT COST	DEL. COST	F.O.B. POINT
CRUSHED LIMESTONE SIZE 1, PER TON	20.50	27.00	544 Broadway Street
CRUSHED LIMESTONE SIZE 1A, PER TON	—	—	
CRUSHED LIMESTONE SIZE 1B, PER TON	—	—	
CRUSHED LIMESTONE SIZE 2, PER TON	17.25	21.25	
CRUSHED LIMESTONE SIZE 3, PER TON	17.25	21.25	
CRUSHED LIMESTONE SIZE RUBBLE, PER TON	14.50	17.50	
GRAVEL SIZE #1 STONE, PER TON	—	—	
GRAVEL SIZE #2 STONE, PER TON	18.50	20.50	
GRAVEL SIZE #3 STONE, PER TON	18.50	20.50	
GRAVEL SIZE RUBBLE, PER TON	15.50	17.50	
GRAVEL SIZE ITEM #4 (CRUSHED BANK RUN) PER TON	16.90	16.90	
GRAVEL SIZE BANK RUN, PER TON	15.40	15.40	
SAND, TYPE FILL SAND, PER TON	16.00	16.00	
SAND, TYPE ROAD SAND, PER TON	17.70	17.70	

TOWN OF ROTTERDAM

WAIVER OF IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Wm. M. Larned & Sons, Inc.

Signed by: _____ Title: Pres

Date: 3/23/22

TOWN OF ROTTERDAM

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that Tony Larned be authorized to sign and submit the bid proposal of this corporation for Wm M Larned & Sons Inc., Town of Rotterdam, the certificate as to non-collusion and waiver of immunity clause required by §103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by: William M. Larned & Sons Inc Corporation at a meeting of its board of directors held on the 1st day of January, 2022.

(SEAL OF THE CORPORATION)

Signature of Corporate Secretary

INDIVIDUAL EXECUTION OF NON-COLLUSION
CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, _____, hereby sign and submit this bid or proposal for Wm M Larned & Sons, Inc, Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

_____ day of _____, **2022**_____

Signature of Individual: _____

TOWN OF ROTTERDAM

NON-COLLUSIVE BIDDING CERTIFICATION

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

1. The prices in this 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

2. 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

3. 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A) (1), (2), and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (A) has published price lists, rates of tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or reviewed price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute without more, a disclosure within the meaning of subparagraph (A)(1).

Any bid hereafter made to any political subdivision of the state of any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certification as to non-collusion as the act and deed of the corporation.

Name of Firm Wm M Larned & Sons, Inc

Signe By _____ Title Prts

Date 3/23/2022

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that Tony Larned be authorized to sign and submit the bid or proposal of this corporation for William Larned & Sons Inc Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by William Larned & Sons Inc corporation at a meeting of its board of directors held on the 1st day of January, ~~2018.~~ 2022

(SEAL OF THE CORPORATION)

Signature of Secretary

INDIVIDUAL EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, _____ hereby sign and submit this bid or proposal for _____ Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

Signature of Individual _____ Date _____

TOWN OF ROTTERDAM WAIVER ON IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Wm M Larned & Sons Inc.

Signed by: Timothy Larned Title: Pres

Signature: _____ Date: 3/23/2022

TOWN OF ROTTERDAM

Acknowledgment and Agreement

Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace

The undersigned bidder acknowledges that they received the Town of Rotterdam Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace policy and agrees to abide by the policy as stated.

Name of Firm: Wm M Larned & Sons Inc

Signed by: _____ Title: Pres

Date: 3/23/2022

Town of Rotterdam Harassment Policy Clause

I understand if I am chosen as the lowest responsible bidder, that I must comply with all federal, state, and local laws, as well as rules, regulations, policies and guidance, including the State of New York's newly released guidance on sexual harassment . By submitting a bid, I acknowledge receipt of the Town of Rotterdam "Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace" Policy.

Signature

Wm M Larned & Sons Inc
Name of Company or Corporation

544 Burdeck St
Address

Schenectady, NY 12306
City, State Zip

HIGHWAY MATERIALS	UNIT COST	DEL. COST	F.O.B. POINT
CRUSHED LIMESTONE SIZE 1, PER TON	No Bid	No Bid	
CRUSHED LIMESTONE SIZE 1A, PER TON	No Bid	No Bid	
CRUSHED LIMESTONE SIZE 1B, PER TON	No Bid	No Bid	
CRUSHED LIMESTONE SIZE 2, PER TON	No Bid	No Bid	
CRUSHED LIMESTONE SIZE 3, PER TON	No Bid	No Bid	
CRUSHED LIMESTONE SIZE RUBBLE, PER TON	$13.00/ton	$13.00/ton	Rotterdam
GRAVEL SIZE #1 STONE, PER TON	No Bid	No Bid	
GRAVEL SIZE #2 STONE, PER TON	No Bid	No Bid	
GRAVEL SIZE #3 STONE, PER TON	No Bid	No Bid	
GRAVEL SIZE RUBBLE, PER TON	No Bid	No Bid	
GRAVEL SIZE ITEM #4 (CRUSHED BANK RUN) PER TON	No Bid	No Bid	
GRAVEL SIZE BANK RUN, PER TON	No Bid	No Bid	
SAND, TYPE FILL SAND, PER TON	No Bid	No Bid	
SAND, TYPE ROAD SAND, PER TON	$13.43/ton	$13.43/ton	Rotterdam

Adirondack Natural Resources, LLC
1900 Duanesburg RD
Duanesburg, NY 12056

TOWN OF ROTTERDAM

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that Christopher Longo be authorized to sign and submit the bid proposal of this corporation for Adirondack Natural Resources, LLC, Town of Rotterdam, the certificate as to non-collusion and waiver of immunity clause required by §103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by: Adirondack Natural Resources,LLC Corporation at a meeting of its board of directors held on the 18 day of March, 2022.

(SEAL OF THE CORPORATION)

Signature of Corporate Secretary

TOWN OF ROTTERDAM

WAIVER OF IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Adirondack Natural Resources, LLC

Signed by: _____ Title: Vice-President

Date: 3/22/22

INDIVIDUAL EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, _____, hereby sign and submit this bid or proposal for _____, Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

_____ day of _____,2022_____

Signature of Individual: _____

TOWN OF ROTTERDAM

NON-COLLUSIVE BIDDING CERTIFICATION

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

1. The prices in this 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

2. 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

3. 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A) (1), (2), and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (A) has published price lists, rates of tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or reviewed price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute without more, a disclosure within the meaning of subparagraph (A)(1).

Any bid hereafter made to any political subdivision of the state of any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certification as to non-collusion as the act and deed of the corporation.

Name of Firm Adirondack Natural Resources, LLC

Signe By _____ Title Vice President

Date 3/22/22

TOWN OF ROTTERDAM

Acknowledgment and Agreement

Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace

The undersigned bidder acknowledges that they received the Town of Rotterdam Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace policy and agrees to abide by the policy as stated.

Name of Firm: Adirondack Natural Resources, LLC

Signed by: _____ Title: Vice President

Date: 3/22/22

Town of Rotterdam

Adirondack Natural Resources, LLC
1900 Duanesburg RD
Duanesburg, NY 12056

Bid Sheets & Specifications for Highway Materials (Crushed Limestone, Gravel, Sand)

Bid Opening: March 23, 2022 at 10:15 a.m.

INSTRUCTIONS TO BIDDERS

1. All bids must be submitted before **10:15 a.m. on March 23, 2022,** the day of opening.

2. Electronic proposals for the furnishing and delivery of goods/services as required for the Town of Rotterdam, as set forth in the specifications prepared by the Town Board and received by **10:15 a.m. on March 23, 2022**, will be opened electronically and in person at that time, via Empire State Purchasing Group on the BidNet website (http://www.bidnetdirect.com/townofrotterdam). The Town Board will subsequently post an official report to the Empire State Purchasing Group on BidNet by the close of business the same day, of all bid submissions received. 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.

3. Digital Copies of Drawings and 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 sources. 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(s) 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.

4. Purchases made by the Town of Rotterdam are not subject to State or local taxes or Federal excise taxes. Exemption certificates will be furnished upon request.

5. An "Affidavit of Non-Collusion" is attached and forms a part of this bid proposal. By submission of this bid, each bidder and each person signing on behalf of any bidder, certifies under penalty of perjury, that to the best of his/her knowledge and belief that the prices of the bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter related to such prices with any other bidder or competitor; that the prices quoted have not and will not be disclosed prior to opening, directly or indirectly, to any other bidder or competitor; that no attempt has been or will be made to induce any other person, partnership or corporation to submit or not submit a bid for the purpose of restricting competition. Each bidder must state that no officer of the Town of Rotterdam or member of the Town Board is directly or indirectly interested in the proposal. Failure to sign this statement will constitute grounds for rejection of bid.

6. Each bidder must acknowledge receipt of and comply with the Town's Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace policy.

7. Bid proposals shall remain firm, pending bid award, for a period not to exceed thirty (30) days from the bid opening date.

8. The Town Board reserves the right to reject any or all bids and re-advertise.

9. All bids are to be on the basis of delivery prepaid to destination, which shall be buildings of the Town of Rotterdam as specified.

10. Delivery: Time is of the essence. Material is required as soon as possible and guaranteed date of delivery may be taken into consideration in making award. Upon failure to make delivery as promised, the Town Board of the Town of Rotterdam, New York, may consider the contract breached and will then feel free to go into the open market and to maintain an action against the contractor to recover any differences which the Town Board might stand to lose between the contract price and the market price.

11. Where items or articles or equipment or supplies are designated as manufactured by a specific manufacturer, it is to be understood that the articles as specified represent an accepted standard. Where certain brands of materials, apparatus, or equipment are specified, such goods have been selected in order to establish a standard for the particular service required, but it is not the intention to limit competition thereby. If the bidder proposes to furnish the article which is specified, he is to fill in the amount on the line indicated. If he desires to bid on a substitute for the article specified, which is claimed to be equivalent to the standard specified, the amount should be recorded and also identified as "substitute" bid and furnish the required information relating to the manufacturer. In cases where the bid is based upon a substitute article, the bidder will be asked to submit a sample. Samples will be returned, if desired, as soon as the award is made.

12. The Town Board of the Town of Rotterdam reserves the right to waiver any informalities on bids received, and to accept reasonable substitutes for specified items as long as such substitutes in no way affect the performance of the item for which the bid has been requested.

13. The approximate quantities shown in the bidding documents are not meant to imply that said quantities will in fact be purchased. Payment will be based on an "as delivered" basis at the facilities listed using actual quantities received.

14. Failure to adequately and fully complete the bid packet and/or questions contained in the RFP shall be disqualified and the bid shall be rejected.

RESOLUTION NO. 130.22

TO ACCEPT BIDS AND AWARD CONTRACTS FOR TREE CUTTING AND REMOVAL SERVICES

WHEREAS, Pursuant to notice duly published according to Section One Hundred Three of the General Municipal Law of the State of New York, the Town of Rotterdam on Friday, February 25, 2022 posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (http://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk for public inspection upon request, for the purchase by the Town of Rotterdam of the following:

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 does hereby accept and award the bid for Tree Cutting and Removal Services, for the Town of Rotterdam to Harmony Tree Service of 350 Mariaville Road Rotterdam New York 12306, in the amount not to exceed the daily rate/total cost per day(8 hours) of three thousand seven hundred nineteen and 28/100 dollars ($3,719.28), and a crane rental fee of one thousand two hundred and 00/100 dollars ($1,200) per 8-hour day, on an as needed basis. The above daily rate includes: Bucket Chipper rental (8 hours), Chipper Equipment rental (8 hours), Tree Removal Truck (8 hours) and Logging Truck (8 hours).

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

SECTION 3. This resolution shall become effective April 13, 2022.

DATED: April 13, 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: April 5, 2022

TO: Mollie Collins , Supervisor

FROM: Larry LaMora, Highway Superintendent

TITLE OF REQUEST: **Award bid to Harmony Tree Service, 350 Mariaville Road Rotterdam, New York 12306 For: Tree Cutting and Removal Services**

TOWN BOARD MEETING: April 13, 2022

Background Information: Attached

Evaluation/Analysis: Proper bidding process

Recommendation(s):To place on Town Board Meeting April 13, 2022

Attachment/Document(s): Attached Bid Results

Compliance with Purchasing Policy: Yes

Effect(s) on Existing Law(s): General Municipal Law 103 and Town's purchasing policy.

LEGISLATION WILL BE PREPARED BY: Town Attorney

BID FOR TREE CUTTING AND REMOVAL SERVICES - RFP 2022

BID FOR: Tree Cutting and Removal Services
DATE OF TB MTG. & RESOLUTION #: 02/23/2022 - Res#87.22
DATE BID PACKETS BECOME AVAILABLE: 02/25/2022

DATE PUBLISHED IN NEWSPAPER: 02/26/2022
DATE & TIME BIDS TO BE OPENED: 03/23/2022 at 10:30 AM

# Rec	Dropped off & Time Received @TC Office	Initials	Company/Firm/Email	Address	Contact	Phone #	Contract #s	BID Amount	Comments
1	03/21/22 @ 10:09 AM	JB	Dom's Lawnmaker Inc.	101 Harbor Raod, Port Washinton, NY 11050	Dom D'Alonzo	516-944-6457		$158.00 x3 $474.00 8hrs 3,792.00 and attached items	
BIDNET	3/23/22 10:30am	DM PD MG	Harmony Tree Service	350 Mariaville Road Rotterdam, NY 12306	Trevor Stanton	518-355-4700		$154.97 x3 $464.91 8 hrs day $3,719.28 Crane $1200.00 8 hours	

Harmony Tree

BID FORM

1. Unit Price Bid Amount

For work of this Contract, which consists of the cutting and removal of trees in the Town of Rotterdam, as directed by the Highway Superintendent or the Acting Director of Public Works, in accordance with the terms and conditions noted herein, complete according to the following price schedule:

1 Item	2 Description	3 Hourly Rate/ Worker	x	4 No. of Workers	x	5 Crew Hourly Rate (=Col. 3 x Col. 4)	6 Hours/ Day	7 Daily Rate (=Col. 5 x Col. 6)	
A	Tree Cutting & Removal Labor Costs	154.97	x	3	=	464.91	x 8 hrs./day	$ 3,719.28	
B	Bucket Truck Rental						x 8 hrs./day	$ 0.00	
C	Chipper Equipment Rental						x 8 hrs./day	$ 0.00	
D	Tree Removal Truck (rack or comparable)						x 8 hrs./day	$ 0.00	
E	Logging Truck						x 8 hrs./day	$ 0.00	
F	Crane Rental						x 8 hrs./day	$ 1,200.00	
G	Total Cost Per Day (Sum of Daily Rates for A, B, C, D and E From Column 7)							$ 3,719.28	

Determination of the lowest responsible bid will be based on the total cost/day (Item F in the Bid Form, above), however, charges for services provided will be based on actual hours worked, multiplied by the hourly rate entered on the bid Form in Columns 3 and 5, and as verified by the Highway Superintendent or the Acting Director of Public Works.

The size of the labor crew may vary depending on the size and complexity of the tree to be removed. The successful lowest responsible bidder must obtain Highway Superintendent or Acting Director of Public Works approval for the intended crew size prior to commencing any work. For billing purposes, the hourly labor rate, as provided by the successful lowest responsible bidder in Column 3 of the Bid Form will be the basis for labor charges for services provided.

All work will be performed during normal working hours of the Town of Rotterdam Highway Department or Rotterdam Department of Public Works, unless exceptions are granted by the Highway Superintendent or the Acting Director of Public Works. In these cases, premium overtime rates will not be paid for work performed outside of normal working hours.

In the hourly rate (Column 3), Bidders should include all necessary supplies, materials and equipment used in the tree cutting operation, such as chain saws, ropes, tree climbing equipment, etc.

- The lowest responsible bidder will be allowed to use the disposal facilities of the Town of Rotterdam, at no charge, for **chips** produced from trees removed under the terms of this contract.
- Depending on the availability of Town equipment and staff, the Highway Superintendent or the Acting Director of Public Works may elect to supply some of the labor and equipment to assist with the tree cutting and removal operation. In these cases, the successful lowest responsible bidder will only charge for those items that are authorized and not provided by the Town of Rotterdam.
- For billing purposes, only those hours worked at the site will be considered, subject to verification by the Town of Rotterdam. Travel time, mobilization and demobilization, will not be included as hours worked on a specific tree removal job.
- The equipment rental rates (Items B-E) should not include labor costs, since they will be operated by the same staff included in Item A.

Signature: _____
(print/type name)

Dated: 03/09/2022

(If Corporation Affix Corporate Seal)

3. Acknowledgment of Receipt of Addenda

Addenda #	Date	Contractor's Signature

4. Address/Telephone Number for Communications Regarding Bid

Name: Trevor W Stanton

Address: 350 Mariaville Rd, Schenectady, NY 12306

Telephone: 518-355-4700

5. Non-collusion Affidavit Signed (Section 04800)

☐ Yes ☐ No

Harmony Tree

Town of Rotterdam

Specification and Bid Proposal For Providing

Tree Cutting & Removal Services

Bid Opening: March 23, 2022 at 10:30 a.m.

NOTICE TO BIDDERS

If the information does not have bona fide experience in this line of work, or in the Town's judgment, is not qualified to carry out the obligations of the contract. Conditional bids will not be accepted.

Each bidder must submit with their bid, copies of Workers' Compensation insurance certificates, protective liability insurance and automobile liability insurance in the amount of $1,000,000.00 The Town of Rotterdam should be named on both policies as additional insured.

The bidder whose bid has been accepted will be required to execute a contract within ten days from the date of service of a notice, delivered in person or mailed to the address given in the bid that the contract has been awarded to him. In the case of failure to execute the contract and meet all other stated requirements within the time slated, the bidder shall be deemed to have abandoned the contract.

At the time of opening of bids each bidder will be presumed to be fully aware of the bidding documents and to have read and to be thoroughly familiar with the specifications. The failure or omission of any bidder to receive or examine any form, instrument, or document shall in no way relieve any bidder from any obligation in respect to the bid.

Bidders will comply with Section 103 of the General Municipal Law which states, in effect, that this contract may be cancelled without liability by the Town and the bidder may be disqualified to contract with any other municipality for a period of five years if the bidder, its officers or directors, when called before a Grand Jury to testify concerning any public transaction or contract, refused to sign a waiver of immunity.

In addition to the other provisions herein contained to be done or performed by the contractor as a part of this agreement, the said contractor certifies, pursuant to the provisions of Sec. 103-d of the General Municipal Law that: a) the bid has been arrived at by the bidder independently and has been submitted without collusions with any other vendor of materials, supplies or equipment of the type described in the invitation for bids; and b) the contents of the bid have not been communicated by the person not an employee or agent of the bidder or its surety on any bond furnished herewith prior to the official opening of the bid.

Sealed proposals for the furnishing and delivery of the items as required for the Town of Rotterdam, as set forth in the specifications prepared by the Town Board, will be opened at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam New York 12306 at **10:30 a.m. on March 23, 2022.**

INSTRUCTIONS TO BIDDERS

1. All bids must be submitted before **10:30 a.m. on March 23, 2022**, the day of opening.

2. Electronic proposals for the furnishing and delivery of goods/services as required for the Town of Rotterdam, as set forth in the specifications prepared by the Town Board and received by **10:30 a.m. on March 23, 2022**, will be opened electronically and in person at that time, via Empire State Purchasing Group on the BidNet website (http://www.bidnetdirect.com/townofrotterdam). The Town Board will subsequently post an official report to the Empire State Purchasing Group on BidNet by the close of business the same day, of all bid submissions received. 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.

3. Digital Copies of Drawings and 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 sources. 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(s) 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.

4. Purchases made by the Town of Rotterdam are not subject to State or local taxes or Federal excise taxes. Exemption certificates will be furnished upon request.

5. An "Affidavit of Non-Collusion" is attached and forms a part of this bid proposal. By submission of this bid, each bidder and each person signing on behalf of any bidder, certifies under penalty of perjury, that to the best of his/her knowledge and belief that the prices of the bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter related to such prices with any other bidder or competitor; that the prices quoted have not and will not be disclosed prior to opening, directly or indirectly, to any other bidder or competitor; that no attempt has been or will be made to induce any other person, partnership or corporation to submit or not submit a bid for the purpose of restricting competition. Each bidder must state that no officer of the Town of Rotterdam or member of the Town Board is directly or indirectly interested in the proposal. Failure to sign this statement will constitute grounds for rejection of bid.

6. Each bidder must acknowledge receipt of and comply with the Town's Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace policy.

7. Bid proposals shall remain firm, pending bid award, for a period not to exceed thirty (30) days from the bid opening date.

8. The Town Board reserves the right to reject any or all bids and re-advertise.

9. All bids are to be on the basis of delivery prepaid to destination, which shall be buildings of the Town of Rotterdam as specified.

10. Delivery: Time is of the essence. Material is required as soon as possible and guaranteed date of delivery may be taken into consideration in making award. Upon failure to make delivery as promised, the Town Board of the Town of Rotterdam, New York, may consider the contract breached and will then feel free to go into the open market and to maintain an action against the contractor to recover any differences which the Town Board might stand to lose between the contract price and the market price.

11. Where items or articles or equipment or supplies are designated as manufactured by a specific manufacturer, it is to be understood that the articles as specified represent an accepted standard. Where certain brands of materials, apparatus, or equipment are specified, such goods have been selected in order to establish a standard for the particular service required, but it is not the intention to limit competition thereby. If the bidder proposes to furnish the article which is specified, he is to fill in the amount on the line indicated. If he desires to bid on a substitute for the article specified, which is claimed to be equivalent to the standard specified, the amount should be recorded and also identified as "substitute" bid and furnish the required information relating to the manufacturer. In cases where the bid is based upon a substitute article, the bidder will be asked to submit a sample. Samples will be returned, if desired, as soon as the award is made.

12. The Town Board of the Town of Rotterdam reserves the right to waiver any informalities on bids received, and to accept reasonable substitutes for specified items as long as such substitutes in no way affect the performance of the item for which the bid has been requested.

13. The approximate quantities shown in the bidding documents are not meant to imply that said quantities will in fact be purchased. Payment will be based on an "as delivered" basis at the facilities listed using actual quantities received.

14. Failure to adequately and fully complete the bid packet and/or questions contained in the RFP shall be disqualified and the bid shall be rejected.

GENERAL REQUIREMENTS:

1. It is the intent of this Request for Bids that all political subdivisions, and districts be entitled to make purchased of materials, equipment, or supplies from the resulting bid award upon mutual agreement with the vendor.

2. Where contractor supplies labor, all New York State labor requirements, including Prevailing Wage Requirements shall be applicable and enforced. Weekly payroll sheets must be submitted prior to payment.

3. The contractor shall, at a minimum carry the following insurance coverage; Liability Insurance $1 million/occurrence and $2 million/aggregate; Automotive Coverage $1 million.; Certificate of Workers Compensation Insurance. Town of Rotterdam shall be named as additional insured. Proof of insurance must be submitted to the Town with bid package.

4. In the event of a breach by CONTRACTOR, CONTRACTOR shall pay to the TOWN all direct and consequential damages caused by such breach, including, but not limited to, all sums expended by the TOWN to procure a substitute contractor to satisfactorily complete the contract work.

5. 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.

6. Non-Appropriations Clause: Notwithstanding anything contained herein to the contrary, no default shall be deemed to occur in the event no funds or insufficient funds are appropriated and budgeted by or are otherwise unavailable to the Town for payment under this Agreement. The Town will immediately notify the Contractor of such occurrence and this Agreement shall terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to the Town of any kind whatsoever, except as to those portions herein agreed upon for which funds shall have been appropriated and budgeted.

7. Qualifications of Bidder: The Town may make such investigations as it deems necessary to determine the ability of the Bidder to perform the work. The bidder shall furnish the Town, within five (5) days of a request, all such information requested to complete the investigation. Conditional bids will not be accepted.

8. Disqualifications
    a. Bids received from bidders who have previously failed to complete contracts within the time required, or who have previously performed similar work in an unsatisfactory manner, may be rejected. A bid may be rejected if the bidder cannot show that it has the necessary ability, plant, and equipment to commence the work at the time prescribed and thereafter to perform and complete the work

at the rate or within the time specified. A bid may be rejected of the bidder is already obligated for the performance of other work which would delay the commencement, performance or completion of the work.

b. The Town reserves the right to reject any bid if the information submitted by, or investigation of, such bidder fails to satisfy the Town that such bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein.

c. Bids may be considered irregular and may be subject to rejection for the following reasons:
    i. If bid is on a form other than that furnished by the Town, is altered, or if any part of the bidding documents is detached.
    ii. If there are unauthorized additions conditions or alternate pay items, or irregularities of any kind which make the bid incomplete, indefinite, or otherwise ambiguous.

9. Non-Collusive Bidding Certificate: All bidders bidding under the provisions of the specifications are subject to the provisions of Section 103 of the General Municipal Law of the State of New York. A signed Non-Collusive Bidding Certificate is required to be submitted with each bid on the form provided by the Town.

10. Bid Form
    a. Bid form is attached hereto.
    b. Bids must be made on the Bid Form provided by the Town. The Bid Form must be completed in ink or by typewriter. The Bid Form must also be signed by an authorized representative of the bidder.
    c. Bids by corporations must be executed in the corporate name by the president or a vice president (or other corporate officer accompanied by evidence of authority to sign on behalf of the corporation) and the corporate seal must be affixed by the secretary or an assistant secretary. The corporate address and state of incorporation must be shown below the signature.
    d. Bids by partnerships must be executed in the partnership name and signed by a partner, whose title must appear under the signature. The official address of the partnership must be shown below the signature.
    e. All names must be printed or typed below the signature.
    f. The bid must contain an acknowledgement of receipt of all Addenda (the number of which will be filled in on the Bid Form).
    g. The address to which communications regarding the bid are to be directed must be included on the Bid Form.

11. Bid Evaluation
    a. Bids shall remain valid until:
        i. The execution of a contract by the Town
        ii. The award of a purchase order by the Town
        iii. As otherwise rejected by the Town; or
        iv. 45 days after bid opening

b. Bids received will be evaluated by the Town of Rotterdam and will be based, as a minimum, upon the following criteria:
    i. Lowest total bid cost and projected timetable for completion of services and/or delivery of goods described herein;
    ii. Completeness of the bid

12. Modification and Withdrawal of Bids
    a. Bids may be modified or withdrawn at any time prior to the opening of bids by an appropriate document duly executed (in the matter that a bid must be executed) and delivered to the place where bids are to be submitted.
    b. If, prior to awarding of the contract or within three (3) days after opening, whichever period is shorter, any bidder files a duly signed written notice with the Town and promptly thereafter demonstrates to the reasonable satisfaction of the Town that there was a material and substantial mistake in the preparation of its bid, that bidder may withdraw its bid.

13. Award of Bid
    a. Award will be made as determined to be in the best interest of the Town.
    b. All offers received shall be net cost to the Town. The Town shall not be responsible for any additional costs; including, but not limited to, overtime required by the vendor to meet the appropriate deadlines.
    c. The apparent successful Bidder will be issued a Notice of Award in the form of a Town purchase order or contract. Purchase orders are issued with an expected term of thirty (30) days from receipt of all items.
    d. The Town reserves the right to purchase items pursuant to General Municipal Law 104 from New York State Contracts, County Contracts, or New York State Preferred Sources within its discretion.
    e. No successful bidder to whom a contract or purchase order is let, granted or awarded, shall assign, transfer, convey, sublet, or otherwise dispose of same, or of its right, title, and interest herein, including the performance of the contract or purchase order or the right to receive monies due or to become due, or of its power to execute the contract or purchase order without prior written consent of the Town. In the event the contractor shall without prior written consent assign, transfer, convey, sublet, or otherwise dispose of the contract or purchase order or of its right, title and interest therein, including the performance of the contract or purchase order or the right to receive monies due or to become due, or its power to execute such contract or purchase order to any other person or corporations, or upon receipt by the Town of an attachment against the Successful Bidder, the Town shall be relieved and discharges from any and all liability and obligation growing out of such contract or purchase order to such contractor, and the person or corporation to which such contract or purchase order shall have been assigned, its assignees, transferees or sub leases shall forfeit and lose all monies theretofore assigned under the contract or purchase order, except so much as may be required to pay its employees.

14. Delivery and Payment
    a. All bid prices shall include freight and shall be quoted F.O.B. destination.
    b. Town of Rotterdam operates a formal Purchase Order System. Under NO circumstances will the vendor or contractor be paid without a purchase order. Contractor shall deliver only the items specified on the purchase order. Any Contractor, who delivers items which are not ordered, or who duplicates or over ships items, does so entirely at his own expense. Such shipments will be at no cost or responsibility to the Town.
    c. All deliveries shall be made within ten (10) business days of vendor's receipt of purchase order, unless otherwise specified in the Bid Specifications or Summary Sheet, or as otherwise agreed upon between the vendor and the Town.
    d. Orders will be placed on an "As Needed" basis by the Town. There will be no minimum order amounts required. Bids stipulating minimum quantity of dollar value orders may be rejected by the Town at its sole discretion.
    e. Prior to payment, the items furnished and or work performed will be inspected by the Town to determine their conformity to specification. No payment will be made for items or work not meeting specifications.
    f. THE TOWN IS NOT SUBJECT TO FEDERAL, STATE, OR LOCAL TAXES.

15. Indemnification: The successful bidder shall indemnify, save, and hold harmless the Town of Rotterdam, its officers, agents, servants, and employees from any and all liability for anything and everything whatsoever arising from loss or damage due to any act or omission of the Contractor, its clients, agents, or employees.

16. Anti-Discrimination Clause
    a. Pursuant to Section 220-E of the NYS Labor Law, regarding provisions in contracts prohibiting discrimination on account of race, creed, color, or national origin in employment of citizens upon public works, the Contractor agrees;
    b. That in the hiring of employees for the performance of work under this contract or any subcontract hereunder, no contractor, subcontractor, nor any person acting on behalf of such contractor or subcontractor, shall by reason of race, creed, color, disability, gender, marital status, military status, sexual orientation, or national origin discriminate against any citizen of the state of New York who is qualified and available to perform the work which the employment relates;
    c. That no contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this contract on account of race, creed, color, disability, gender, marital status, military status, sexual orientation or national origin.

SPECIFICATIONS

The Contractor will be responsible for furnishing all equipment, supplies, materials and manpower to properly cut and remove any and all trees so designated by the Highway Superintendent or the Acting Director of Public Works. It is the responsibility of the Contractor to properly and safely carry out this tree removal operation, and the Town assumes no responsibility for the method, technique, equipment or the safety of the Contractor's staff in the performance of this work.

The Contractor, once notified by the Highway Superintendent or the Acting Director of Public Works, that a tree is to be removed, must complete the tree removal project within five (5) working days. Once work is commenced, the Contractor must work continuously and expeditiously to complete the work.

Each tree will be removed to within 6" or less of the existing ground in close proximity of the tree stump, unless directed otherwise by the Highway Superintendent or the Acting Director of Public Works.

The Contractor will conduct the work in a professional, safe and workmanlike manner, and take due precautions to protect adjacent properties, including, but not limited to, overhead and underground utilities. The Contractor will remove from the site all tree parts and rake the area clean once completed. Any damage to private property caused by the Contractor's employees or equipment will be repaired and restored to its former condition, unless approved otherwise by the Highway Superintendent or the Acting Director or Public Works.

The Contractor must own and operate all necessary equipment to cut, trim and remove trees from any designated area. Such equipment will include, as a minimum:

1) An automated bucket truck to trim trees in hard to reach locations,
2) Branch and tree limb chipper equipment,
3) Hauling trucks to transport tree parts away from the site,
4) Logging equipment, including grabbers and logging trucks.

BID FORM

The BIDDER proposes and agrees, if this Bid is accepted, to enter into an agreement with OWNER in the form included in the Contract Documents to perform and finish all work as specified or indicated in the Contract Documents for the Unit Prices and within the Contract Time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

BIDDER accepts all of the terms and conditions of the Notice to Bidders and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. The bid will remain subject to acceptance for sixty days after the day of Bid opening. BIDDER will sign and submit the Agreement with the Bonds and other documents required by the Bidding Requirements within fifteen days after the date of OWNER's Notice of Award.

In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

BIDDER has examined copies of all the Bidding Documents including Addenda.

Bidder has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance or furnishing of the work.

BIDDER has given the Town of Rotterdam written notice of all conflicts, errors or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by the Town of Rotterdam, if any, is acceptable to BIDDER.

This bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.

If the undersigned fails to execute the contract as stated in the foregoing Notice to Bidders, within fifteen days from the date of notification of the awarding of the contract, the OWNER may, at its option, determine that the undersigned has forfeited the contract.

NON-COLLUSIVE BIDDING CERTIFICATION

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

1. The prices in this 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

2. 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

3. 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A) (1), (2), and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (A) has published price lists, rates of tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or reviewed price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute without more, a disclosure within the meaning of subparagraph (A)(1).

Any bid hereafter made to any political subdivision of the state of any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certification as to non-collusion as the act and deed of the corporation.

Name of Firm Harmony Tree Care Specialists LLC

Signed By

Title Owner

Date 03/09/2022

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that _____ be authorized to sign and submit the bid proposal of this corporation for _____ Town of Rotterdam, the certificate as to non-collusion and waiver of immunity clause required by §103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by:

_____

_____ Corporation at a meeting of its board of directors held on the _____ day of_____, **2022**_____

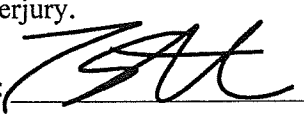
(SEAL OF THE CORPORATION)

_____

Signature of Corporate Secretary

INDIVIDUAL EXECUTION OF NON-COLLUSION
CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, Trevor W Stanton, hereby sign and submit this bid proposal for Harmony Tree Care Specialists LLC, Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

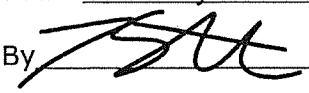
Signature of Individual: 

Date 03/09/2022

WAIVER OF IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity Against Criminal Prosecution or to answer any relevant question concerning the transaction, bid or contract:

Name of Firm Harmony Tree Care Specialists LLC

Signed By 

Title Owner

Date 03/09/2022

TOWN OF ROTTERDAM

Acknowledgment and Agreement

Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace

The undersigned bidder acknowledges that they received the Town of Rotterdam Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace policy and agrees to abide by the policy as stated.

Name of Firm: Harmony Tree Care Specialists LLC

Signed by: _____ Title: Owner

Date: 03/09/2022

NON-COLLUSION BIDDING CERTIFICATION

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

1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purposes of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

2) 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

3) 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 bid for the purpose of restricting competition.

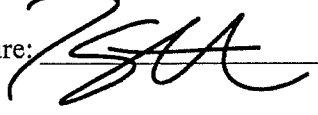
B. A bid shall not be considered for award nor shall any award be made where (A), (1), (2), and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certificating, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reason therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made or his designee, determines that such disclosure was not made for the purpose of restricting competition.

C. The fact that the bidder (A) has published price lists, rates or tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or revised price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph (A)(1).

D. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or state services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of this section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Name of Firm: Harmony Tree Care Specialists LLC

Signed by: Trevor W Stanton Title: Owner

Signature:  Date: 03/09/2022

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that _____ be authorized to sign and submit the bid or proposal of this corporation for _____ Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by _____ corporation at a meeting of its board of directors held on the _____ day of _____, **2018.**

(SEAL OF THE CORPORATION)

_____
Signature of Secretary

INDIVIDUAL EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, Trevor W Stanton hereby sign and submit this bid or proposal for Harmony Tree Care Specialists LLC Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

_____ 03/09/2022
Signature of Individual Date

TOWN OF ROTTERDAM WAIVER ON IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Harmony Tree Care Specialists LLC

Signed by: Trevor W Stanton Title: Owner

Signature: _____ Date: 03/09/2022

Town of Rotterdam Harassment Policy Clause

I understand if I am chosen as the lowest responsible bidder, that I must comply with all federal, state, and local laws, as well as rules, regulations, policies and guidance, including the State of New York's newly released guidance on sexual harassment . By submitting a bid, I acknowledge receipt of the Town of Rotterdam "Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace" Policy.

Signature

Harmony Tree Care Specialists LLC

Name of Company or Corporation

350 Mariaville Rd

Address

Schenectady, NY 12306

City, State Zip

Doms Lawn

ORIGINAL

BID FORM

1. Unit Price Bid Amount

For work of this Contract, which consists of the cutting and removal of trees in the Town of Rotterdam, as directed by the Highway Superintendent or the Acting Director of Public Works, in accordance with the terms and conditions noted herein, complete according to the following price schedule:

1 Item	2 Description	3 Hourly Rate/ Worker	x	4 No. of Workers	x	5 Crew Hourly Rate (=Col. 3 x Col. 4)	6 Hours/ Day	7 Daily Rate (=Col. 5 x Col. 6)	
A	Tree Cutting & Removal Labor Costs	158.00	x	3	=	474.00	x 8 hrs./day	$ 3,792.00	
B	Bucket Truck Rental					75.00	x 8 hrs./day	$ 600.00	
C	Chipper Equipment Rental					50.00	x 8 hrs./day	$ 400.00	
D	Tree Removal Truck (rack or comparable)					75.00	x 8 hrs./day	$ 600.00	
E	Logging Truck					125.00	x 8 hrs./day	$ 1,000.00	
F	Crane Rental					525.00	x 8 hrs./day	$ 4,200.00	

G	Total Cost Per Day (Sum of Daily Rates for A, B, C, D and E From Column 7)	$ 6,392.00

Determination of the lowest responsible bid will be based on the total cost/day (Item F in the Bid Form, above), however, charges for services provided will be based on actual hours worked, multiplied by the hourly rate entered on the bid Form in Columns 3 and 5, and as verified by the Highway Superintendent or the Acting Director of Public Works.

The size of the labor crew may vary depending on the size and complexity of the tree to be removed. The successful lowest responsible bidder must obtain Highway Superintendent or Acting Director of Public Works approval for the intended crew size prior to commencing any work. For billing purposes, the hourly labor rate, as provided by the successful lowest responsible bidder in Column 3 of the Bid Form will be the basis for labor charges for services provided.

All work will be performed during normal working hours of the Town of Rotterdam Highway Department or Rotterdam Department of Public Works, unless exceptions are granted by the Highway Superintendent or the Acting Director of Public Works. In these cases, premium overtime rates will not be paid for work performed outside of normal working hours.

ORIGINAL

In the hourly rate (Column 3), Bidders should include all necessary supplies, materials and equipment used in the tree cutting operation, such as chain saws, ropes, tree climbing equipment, etc.

- The lowest responsible bidder will be allowed to use the disposal facilities of the Town of Rotterdam, at no charge, for **chips** produced from trees removed under the terms of this contract.
- Depending on the availability of Town equipment and staff, the Highway Superintendent or the Acting Director of Public Works may elect to supply some of the labor and equipment to assist with the tree cutting and removal operation. In these cases, the successful lowest responsible bidder will only charge for those items that are authorized and not provided by the Town of Rotterdam.
- For billing purposes, only those hours worked at the site will be considered, subject to verification by the Town of Rotterdam. Travel time, mobilization and demobilization, will not be included as hours worked on a specific tree removal job.
- The equipment rental rates (Items B-E) should not include labor costs, since they will be operated by the same staff included in Item A.

Signature: DOMINICK D'ALONZO
(print/type name)

Dated: MARCH 18/ 2022

(If Corporation Affix Corporate Seal)

3. Acknowledgment of Receipt of Addenda

Addenda #	Date	Contractor's Signature
None to date		

4. Address/Telephone Number for Communications Regarding Bid

Name: Dom's LAWNMAKER INC

Address: 101 HARBOR ROAD, PORT WASHINGTON N.Y. 11050

Telephone: 516 - 944 - 6497

5. Non-collusion Affidavit Signed (Section 04800)

☑ Yes ☐ No

Dom's Lawn Maker

ORIGINAL

Town of Rotterdam

Specification and Bid Proposal For Providing

Tree Cutting & Removal Services

Bid Opening: March 23, 2022 at 10:30 a.m.

NOTICE TO BIDDERS

ORIGINAL

If the information does not have bona fide experience in this line of work, or in the Town's judgment, is not qualified to carry out the obligations of the contract. Conditional bids will not be accepted.

Each bidder must submit with their bid, copies of Workers' Compensation insurance certificates, protective liability insurance and automobile liability insurance in the amount of $1,000,000.00 The Town of Rotterdam should be named on both policies as additional insured.

The bidder whose bid has been accepted will be required to execute a contract within ten days from the date of service of a notice, delivered in person or mailed to the address given in the bid that the contract has been awarded to him. In the case of failure to execute the contract and meet all other stated requirements within the time slated, the bidder shall be deemed to have abandoned the contract.

At the time of opening of bids each bidder will be presumed to be fully aware of the bidding documents and to have read and to be thoroughly familiar with the specifications. The failure or omission of any bidder to receive or examine any form, instrument, or document shall in no way relieve any bidder from any obligation in respect to the bid.

Bidders will comply with Section 103 of the General Municipal Law which states, in effect, that this contract may be cancelled without liability by the Town and the bidder may be disqualified to contract with any other municipality for a period of five years if the bidder, its officers or directors, when called before a Grand Jury to testify concerning any public transaction or contract, refused to sign a waiver of immunity.

In addition to the other provisions herein contained to be done or performed by the contractor as a part of this agreement, the said contractor certifies, pursuant to the provisions of Sec. 103-d of the General Municipal Law that: a) the bid has been arrived at by the bidder independently and has been submitted without collusions with any other vendor of materials, supplies or equipment of the type described in the invitation for bids; and b) the contents of the bid have not been communicated by the person not an employee or agent of the bidder or its surety on any bond furnished herewith prior to the official opening of the bid.

Sealed proposals for the furnishing and delivery of the items as required for the Town of Rotterdam, as set forth in the specifications prepared by the Town Board, will be opened at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam New York 12306 at **10:30 a.m. on March 23, 2022.**

INSTRUCTIONS TO BIDDERS

ORIGINAL

1. All bids must be submitted before **10:30 a.m. on March 23, 2022,** the day of opening.

2. Electronic proposals for the furnishing and delivery of goods/services as required for the Town of Rotterdam, as set forth in the specifications prepared by the Town Board and received by **10:30 a.m. on March 23, 2022**, will be opened electronically and in person at that time, via Empire State Purchasing Group on the BidNet website (http://www.bidnetdirect.com/townofrotterdam). The Town Board will subsequently post an official report to the Empire State Purchasing Group on BidNet by the close of business the same day, of all bid submissions received. 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.

3. Digital Copies of Drawings and 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 sources. 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(s) 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.

4. Purchases made by the Town of Rotterdam are not subject to State or local taxes or Federal excise taxes. Exemption certificates will be furnished upon request.

5. An "Affidavit of Non-Collusion" is attached and forms a part of this bid proposal. By submission of this bid, each bidder and each person signing on behalf of any bidder, certifies under penalty of perjury, that to the best of his/her knowledge and belief that the prices of the bid have been arrived at independently without collusion, consultation, communication or agreement, for the purpose of restricting competition, as to any matter related to such prices with any other bidder or competitor; that the prices quoted have not and will not be disclosed prior to opening, directly or indirectly, to any other bidder or competitor; that no attempt has been or will be made to induce any other person, partnership or corporation to submit or not submit a bid for the purpose of restricting competition. Each bidder must state that no officer of the Town of Rotterdam or member of the Town Board is directly or indirectly interested in the proposal. Failure to sign this statement will constitute grounds for rejection of bid.

6. Each bidder must acknowledge receipt of and comply with the Town's Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace policy.

7. Bid proposals shall remain firm, pending bid award, for a period not to exceed thirty (30) days from the bid opening date.

ORIGINAL

8. The Town Board reserves the right to reject any or all bids and re-advertise.

9. All bids are to be on the basis of delivery prepaid to destination, which shall be buildings of the Town of Rotterdam as specified.

10. Delivery: Time is of the essence. Material is required as soon as possible and guaranteed date of delivery may be taken into consideration in making award. Upon failure to make delivery as promised, the Town Board of the Town of Rotterdam, New York, may consider the contract breached and will then feel free to go into the open market and to maintain an action against the contractor to recover any differences which the Town Board might stand to lose between the contract price and the market price.

11. Where items or articles or equipment or supplies are designated as manufactured by a specific manufacturer, it is to be understood that the articles as specified represent an accepted standard. Where certain brands of materials, apparatus, or equipment are specified, such goods have been selected in order to establish a standard for the particular service required, but it is not the intention to limit competition thereby. If the bidder proposes to furnish the article which is specified, he is to fill in the amount on the line indicated. If he desires to bid on a substitute for the article specified, which is claimed to be equivalent to the standard specified, the amount should be recorded and also identified as "substitute" bid and furnish the required information relating to the manufacturer. In cases where the bid is based upon a substitute article, the bidder will be asked to submit a sample. Samples will be returned, if desired, as soon as the award is made.

12. The Town Board of the Town of Rotterdam reserves the right to waiver any informalities on bids received, and to accept reasonable substitutes for specified items as long as such substitutes in no way affect the performance of the item for which the bid has been requested.

13. The approximate quantities shown in the bidding documents are not meant to imply that said quantities will in fact be purchased. Payment will be based on an "as delivered" basis at the facilities listed using actual quantities received.

14. Failure to adequately and fully complete the bid packet and/or questions contained in the RFP shall be disqualified and the bid shall be rejected.

ORIGINAL

GENERAL REQUIREMENTS:

1. It is the intent of this Request for Bids that all political subdivisions, and districts be entitled to make purchased of materials, equipment, or supplies from the resulting bid award upon mutual agreement with the vendor.

2. Where contractor supplies labor, all New York State labor requirements, including Prevailing Wage Requirements shall be applicable and enforced. Weekly payroll sheets must be submitted prior to payment.

3. The contractor shall, at a minimum carry the following insurance coverage; Liability Insurance $1 million/occurrence and $2 million/aggregate; Automotive Coverage $1 million.; Certificate of Workers Compensation Insurance. Town of Rotterdam shall be named as additional insured. Proof of insurance must be submitted to the Town with bid package.

4. In the event of a breach by CONTRACTOR, CONTRACTOR shall pay to the TOWN all direct and consequential damages caused by such breach, including, but not limited to, all sums expended by the TOWN to procure a substitute contractor to satisfactorily complete the contract work.

5. 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.

6. Non-Appropriations Clause: Notwithstanding anything contained herein to the contrary, no default shall be deemed to occur in the event no funds or insufficient funds are appropriated and budgeted by or are otherwise unavailable to the Town for payment under this Agreement. The Town will immediately notify the Contractor of such occurrence and this Agreement shall terminate on the last day of the fiscal period for which appropriations were received without penalty or expense to the Town of any kind whatsoever, except as to those portions herein agreed upon for which funds shall have been appropriated and budgeted.

7. Qualifications of Bidder: The Town may make such investigations as it deems necessary to determine the ability of the Bidder to perform the work. The bidder shall furnish the Town, within five (5) days of a request, all such information requested to complete the investigation. Conditional bids will not be accepted.

8. Disqualifications
    a. Bids received from bidders who have previously failed to complete contracts within the time required, or who have previously performed similar work in an unsatisfactory manner, may be rejected. A bid may be rejected if the bidder cannot show that it has the necessary ability, plant, and equipment to commence the work at the time prescribed and thereafter to perform and complete the work

ORIGINAL

at the rate or within the time specified. A bid may be rejected of the bidder is already obligated for the performance of other work which would delay the commencement, performance or completion of the work.

b. The Town reserves the right to reject any bid if the information submitted by, or investigation of, such bidder fails to satisfy the Town that such bidder is properly qualified to carry out the obligations of the contract and to complete the work contemplated therein.
c. Bids may be considered irregular and may be subject to rejection for the following reasons:
    i. If bid is on a form other than that furnished by the Town, is altered, or if any part of the bidding documents is detached.
    ii. If there are unauthorized additions conditions or alternate pay items, or irregularities of any kind which make the bid incomplete, indefinite, or otherwise ambiguous.

9. Non-Collusive Bidding Certificate: All bidders bidding under the provisions of the specifications are subject to the provisions of Section 103 of the General Municipal Law of the State of New York. A signed Non-Collusive Bidding Certificate is required to be submitted with each bid on the form provided by the Town.

10. Bid Form
    a. Bid form is attached hereto.
    b. Bids must be made on the Bid Form provided by the Town. The Bid Form must be completed in ink or by typewriter. The Bid Form must also be signed by an authorized representative of the bidder.
    c. Bids by corporations must be executed in the corporate name by the president or a vice president (or other corporate officer accompanied by evidence of authority to sign on behalf of the corporation) and the corporate seal must be affixed by the secretary or an assistant secretary. The corporate address and state of incorporation must be shown below the signature.
    d. Bids by partnerships must be executed in the partnership name and signed by a partner, whose title must appear under the signature. The official address of the partnership must be shown below the signature.
    e. All names must be printed or typed below the signature.
    f. The bid must contain an acknowledgement of receipt of all Addenda (the number of which will be filled in on the Bid Form).
    g. The address to which communications regarding the bid are to be directed must be included on the Bid Form.

11. Bid Evaluation
    a. Bids shall remain valid until:
        i. The execution of a contract by the Town
        ii. The award of a purchase order by the Town
        iii. As otherwise rejected by the Town; or
        iv. 45 days after bid opening

ORIGINAL

b. Bids received will be evaluated by the Town of Rotterdam and will be based, as a minimum, upon the following criteria:
    i. Lowest total bid cost and projected timetable for completion of services and/or delivery of goods described herein;
    ii. Completeness of the bid

12. Modification and Withdrawal of Bids
    a. Bids may be modified or withdrawn at any time prior to the opening of bids by an appropriate document duly executed (in the matter that a bid must be executed) and delivered to the place where bids are to be submitted.
    b. If, prior to awarding of the contract or within three (3) days after opening, whichever period is shorter, any bidder files a duly signed written notice with the Town and promptly thereafter demonstrates to the reasonable satisfaction of the Town that there was a material and substantial mistake in the preparation of its bid, that bidder may withdraw its bid.

13. Award of Bid
    a. Award will be made as determined to be in the best interest of the Town.
    b. All offers received shall be net cost to the Town. The Town shall not be responsible for any additional costs; including, but not limited to, overtime required by the vendor to meet the appropriate deadlines.
    c. The apparent successful Bidder will be issued a Notice of Award in the form of a Town purchase order or contract. Purchase orders are issued with an expected term of thirty (30) days from receipt of all items.
    d. The Town reserves the right to purchase items pursuant to General Municipal Law 104 from New York State Contracts, County Contracts, or New York State Preferred Sources within its discretion.
    e. No successful bidder to whom a contract or purchase order is let, granted or awarded, shall assign, transfer, convey, sublet, or otherwise dispose of same, or of its right, title, and interest herein, including the performance of the contract or purchase order or the right to receive monies due or to become due, or of its power to execute the contract or purchase order without prior written consent of the Town. In the event the contractor shall without prior written consent assign, transfer, convey, sublet, or otherwise dispose of the contract or purchase order or of its right, title and interest therein, including the performance of the contract or purchase order or the right to receive monies due or to become due, or its power to execute such contract or purchase order to any other person or corporations, or upon receipt by the Town of an attachment against the Successful Bidder, the Town shall be relieved and discharges from any and all liability and obligation growing out of such contract or purchase order to such contractor, and the person or corporation to which such contract or purchase order shall have been assigned, its assignees, transferees or sub leases shall forfeit and lose all monies theretofore assigned under the contract or purchase order, except so much as may be required to pay its employees.

ORIGINAL

14. Delivery and Payment
    a. All bid prices shall include freight and shall be quoted F.O.B. destination.
    b. Town of Rotterdam operates a formal Purchase Order System. Under NO circumstances will the vendor or contractor be paid without a purchase order. Contractor shall deliver only the items specified on the purchase order. Any Contractor, who delivers items which are not ordered, or who duplicates or over ships items, does so entirely at his own expense. Such shipments will be at no cost or responsibility to the Town.
    c. All deliveries shall be made within ten (10) business days of vendor's receipt of purchase order, unless otherwise specified in the Bid Specifications or Summary Sheet, or as otherwise agreed upon between the vendor and the Town.
    d. Orders will be placed on an "As Needed" basis by the Town. There will be no minimum order amounts required. Bids stipulating minimum quantity of dollar value orders may be rejected by the Town at its sole discretion.
    e. Prior to payment, the items furnished and or work performed will be inspected by the Town to determine their conformity to specification. No payment will be made for items or work not meeting specifications.
    f. THE TOWN IS NOT SUBJECT TO FEDERAL, STATE, OR LOCAL TAXES.

15. Indemnification: The successful bidder shall indemnify, save, and hold harmless the Town of Rotterdam, its officers, agents, servants, and employees from any and all liability for anything and everything whatsoever arising from loss or damage due to any act or omission of the Contractor, its clients, agents, or employees.

16. Anti-Discrimination Clause
    a. Pursuant to Section 220-E of the NYS Labor Law, regarding provisions in contracts prohibiting discrimination on account of race, creed, color, or national origin in employment of citizens upon public works, the Contractor agrees;
    b. That in the hiring of employees for the performance of work under this contract or any subcontract hereunder, no contractor, subcontractor, nor any person acting on behalf of such contractor or subcontractor, shall by reason of race, creed, color, disability, gender, marital status, military status, sexual orientation, or national origin discriminate against any citizen of the state of New York who is qualified and available to perform the work which the employment relates;
    c. That no contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this contract on account of race, creed, color, disability, gender, marital status, military status, sexual orientation or national origin.

SPECIFICATIONS

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The Contractor will be responsible for furnishing all equipment, supplies, materials and manpower to properly cut and remove any and all trees so designated by the Highway Superintendent or the Acting Director of Public Works. It is the responsibility of the Contractor to properly and safely carry out this tree removal operation, and the Town assumes no responsibility for the method, technique, equipment or the safety of the Contractor's staff in the performance of this work.

The Contractor, once notified by the Highway Superintendent or the Acting Director of Public Works, that a tree is to be removed, must complete the tree removal project within five (5) working days. Once work is commenced, the Contractor must work continuously and expeditiously to complete the work.

Each tree will be removed to within 6" or less of the existing ground in close proximity of the tree stump, unless directed otherwise by the Highway Superintendent or the Acting Director of Public Works.

The Contractor will conduct the work in a professional, safe and workmanlike manner, and take due precautions to protect adjacent properties, including, but not limited to, overhead and underground utilities. The Contractor will remove from the site all tree parts and rake the area clean once completed. Any damage to private property caused by the Contractor's employees or equipment will be repaired and restored to its former condition, unless approved otherwise by the Highway Superintendent or the Acting Director or Public Works.

The Contractor must own and operate all necessary equipment to cut, trim and remove trees from any designated area. Such equipment will include, as a minimum:

1) An automated bucket truck to trim trees in hard to reach locations,
2) Branch and tree limb chipper equipment,
3) Hauling trucks to transport tree parts away from the site,
4) Logging equipment, including grabbers and logging trucks.

ORIGINAL

BID FORM

The BIDDER proposes and agrees, if this Bid is accepted, to enter into an agreement with OWNER in the form included in the Contract Documents to perform and finish all work as specified or indicated in the Contract Documents for the Unit Prices and within the Contract Time indicated in this Bid and in accordance with the other terms and conditions of the Contract Documents.

BIDDER accepts all of the terms and conditions of the Notice to Bidders and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. The bid will remain subject to acceptance for sixty days after the day of Bid opening. BIDDER will sign and submit the Agreement with the Bonds and other documents required by the Bidding Requirements within fifteen days after the date of OWNER's Notice of Award.

In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:

BIDDER has examined copies of all the Bidding Documents including Addenda.

Bidder has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance or furnishing of the work.

BIDDER has given the Town of Rotterdam written notice of all conflicts, errors or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by the Town of Rotterdam, if any, is acceptable to BIDDER.

This bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.

If the undersigned fails to execute the contract as stated in the foregoing Notice to Bidders, within fifteen days from the date of notification of the awarding of the contract, the OWNER may, at its option, determine that the undersigned has forfeited the contract.

ORIGINAL

NON-COLLUSIVE BIDDING CERTIFICATION

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

1. The prices in this 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

2. 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

3. 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A) (1), (2), and (3) above have not been complied with; provided, however, that if in any case the bidder cannot make the foregoing certification, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reasons therefor. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that the bidder (A) has published price lists, rates of tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or reviewed price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute without more, a disclosure within the meaning of subparagraph (A)(1).

Any bid hereafter made to any political subdivision of the state of any public department, agency or official thereof by a corporate bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of the section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certification as to non-collusion as the act and deed of the corporation.

Name of Firm Dom's LAWNMAKER INC

Signed By Dominick D'Alby

Title PRESIDENT

Date MARCH 18 22

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

ORIGINAL

Resolved that Dominick D'Alonzo be authorized to sign and submit the bid proposal of this corporation for Dom's Lawnmaker Inc Town of Rotterdam, the certificate as to non-collusion and waiver of immunity clause required by §103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by: Dom's Lawnmaker Inc Corporation at a meeting of its board of directors held on the 18 day of May, 2022

(SEAL OF THE CORPORATION)

Signature of Corporate Secretary

ORIGINAL

INDIVIDUAL EXECUTION OF NON-COLLUSION
CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, Dominick D'Alora, hereby sign and submit this bid proposal for Dom's Lawn Maker Inc, Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

Signature of Individual: Dominick D'Alora

Date March 18/22

ORIGINAL

WAIVER OF IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity Against Criminal Prosecution or to answer any relevant question concerning the transaction, bid or contract:

Name of Firm Dom's Lawnmaker Inc

Signed By Donald O'Glop

Title President

Date March 18/22

TOWN OF ROTTERDAM

ORIGINAL

Acknowledgment and Agreement

Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace

The undersigned bidder acknowledges that they received the Town of Rotterdam Non-Discrimination and Harassment (including Sexual Harassment) in the Workplace policy and agrees to abide by the policy as stated.

Name of Firm: Dom's Lawnmaker Inc

Signed by: Dom D'Ottavio Title: President

Date: March 18 2022

ORIGINAL

Town of Rotterdam Harassment Policy Clause

I understand if I am chosen as the lowest responsible bidder, that I must comply with all federal, state, and local laws, as well as rules, regulations, policies and guidance, including the State of New York's newly released guidance on sexual harassment . By submitting a bid, I acknowledge receipt of the Town of Rotterdam "Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace" Policy.

Donald D'Ally
Signature

DOM'S LAWN MAKER LLC
Name of Company or Corporation

101 HARBOR ROAD
Address

PORT WASHINGTON N.Y 11050
City, State Zip

NON-COLLUSION BIDDING CERTIFICATION

ORIGINAL

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

1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purposes of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

2) 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

3) 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A), (1), (2), and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certificating, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reason therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made or his designee, determines that such disclosure was not made for the purpose of restricting competition.

C. The fact that the bidder (A) has published price lists, rates or tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or revised price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph (A)(1).

D. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or state services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of this section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

Name of Firm: Dom's Lawnmaker Inc

Signed by: Dominic D'Alo Title: President

Signature: Dom D'Alo Date: March 10/2022

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that Dominick D'Alonzo be authorized to sign and submit the bid or proposal of this corporation for Dom's Lawnmaker Inc. Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by Dom's Lawnmaker Inc corporation at a meeting of its board of directors held on the 18 day of March, 2018.

(SEAL OF THE CORPORATION)

Signature of Secretary

INDIVIDUAL EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, Dominick D'Alonzo hereby sign and submit this bid or proposal for Dom's Lawnmaker Inc Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

Signature of Individual

March 18/ 2022
Date

TOWN OF ROTTERDAM WAIVER ON IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: Dom's Lawnmaker Inc

Signed by: Title: President

Signature: Date: March 18/ 2022

RESOLUTION NO. 131.22

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:

Comptroller's Office

From:	*A 1315 4100 Office Supplies*	*Amount $280.00*
To:	*A 1315 2000 Office Equipment*	*Amount $280.00*

Department of Public Work:

From:	*W58320 4880 W5 Equipment Maint. And Repair*	*Amount $300.00*
To:	*W58320 2000 W5 Equipment*	*Amount $300.00*

Traffic Control:

From:	*A 3310 4305 Auto Repair*	*Amount $1,144.65*
To:	*A 3310 4111 Signs Posts Paint Etc.*	*Amount $1,144.65*

SECTION 2. This resolution shall become effective April 13, 2022

DATED: April 13, 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: **March 25, 2022**

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

FROM: **Paula Diamante, Purchasing Coordinator**

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

TOWN BOARD MEETING: To be placed on the Town Board Agenda, and Town Board Meeting of April 13, 2022

Background Information: Please transfer the following amount:

From:	***A 1315 4100 Office Supplies***	***Amount $280.00***
To:	***A 1315 2000 Office Equipment***	***Amount $280.00***

Evaluation/Analysis: N/A

Recommendation(s): To be placed on the Town Board agenda and Town Board meeting of April 13, 2022.

Attachment/Document(s): Memorandum from Purchasing Coordinator ad Purchase Order Request Form

Compliance with Purchasing Policy: Yes

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

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

Memorandum

To: Mollie Collins, Supervisor

From: Paula Diamante

Re: Budget Transfer

Date: 3/25/22

From:

A1315 4100	Office Supplies	$280.00

To:

A1315 2000	Office Equipment	$280.00

Town of Rotterdam Purchase Order Request

Purchase Order Number: 2022-10

Date: 3/25/22

Vendor: Dell Vendor #: 3032

Appropriation Account Number(s):	Amount to pay from line:
A 1315 2000	$279.99

Description of items or services to be purchased:

Dell 32 Curved Gaming Monitor - S3222HG

Reason for purchase: Replace obsolete monitor

Requested by: Henry C. Gerhard III

Department Head Approval: _____

Comptroller's Office Approval of funds available: $666.98 Date: 3/25/22

Budget Transfer Request Attached: Yes X No _____

==========

Approved by:

Supervisor Collins MC (Yes) No Date: 3/31/2022

Deputy Supervisor Dodson Yes No Date: _____

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: **March 24, 2022**

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

FROM: **Michael Maher, DPW Advisor**

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

TOWN BOARD MEETING: To be placed on the Town Board Agenda, and Town Board Meeting of April 13, 2022

Background Information: Please transfer the following amount:

From:	***W 58320 4880 W5 Equipment Maint. And Repair***	***Amount $300.00***
To:	***W58320 2000 W5 Equipment***	***Amount $300.00***

Evaluation/Analysis: N/A

Recommendation(s): To be placed on the Town Board agenda and Town Board meeting of April 13, 2022.

Attachment/Document(s): Memorandum from DPW Advisor

Compliance with Purchasing Policy: Yes

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

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

Memorandum

To: Mollie Collins

From: Michael T. Maher, DPW Advisor MTM

Subject: Budget Transfer

Date: March 24, 2022

Please transfer the following funds to cover expenses:

From	**W58320 4880 W5 Equipment Maint. and Repair**	**Amount** $300.00
To	**W58320 2000 W5 Equipment**	**Amount** $300.00

Thank you.

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: **April 8, 2022**

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

FROM: **Morgan Coryer, Coordinator of Parks and Senior Programs**

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

TOWN BOARD MEETING: To be placed on the Town Board Agenda, and Town Board Meeting of April 13, 2022.

Background Information: Please transfer the following amount:

Traffic Control
From: A 3310 4305 Auto Repair ***Amount $1,144.65***
To: A 3310 4111 Signs Posts Paint Etc ***Amount $1,144.65***

Evaluation/Analysis: Mr. Isabella has requested bases for *No Parking* signs on Lawn Ave. & Thew St.

Recommendation(s): To be placed on the Town Board agenda and Town Board meeting of April 13, 2022.

Attachment/Document(s): Memorandum from the Coordinator of Parks & Senior Programs is attached.

Compliance with Purchasing Policy: Yes

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

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

Memorandum

To: Mollie Collins

From: Morgan Coryer, Coordinator of Parks & Senior Programs

Subject: Budget Transfer

Date: April 8, 2022

Please transfer the following funds to cover expenses:

From	**A3310 4305 Auto Repair**	**Amount**	$1144.65
To	**A3310 4111 Signs Posts Paint Etc**	**Amount**	$1144.65

Thank you.

RESOLUTION NO. 132.22

A RESOLUTION TO AUTHORIZE CHANGE ORDER #1 FOR PRINCETOWN ROAD WATER IMPROVEMENTS

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 Change Order No. 1 with New Castle Paving, 1 Madison Street, Suite 100, Troy, NY 12180 for a decrease in the contract amount of Ninety-Nine thousand forty-four and 56/100 dollars ($99,044.56), for the Princetown Road Water Improvements.

SECTION 2. This resolution shall become effective April 13, 2022.

DATED: April 13, 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:	April 6, 2022
TO:	Mollie Collins, Town Supervisor
FROM:	Charles Dodson, Deputy Supervisor
TITLE OF REQUEST:	Authorize Change Order #1 for Princetown Road Water Improvements
TOWN BOARD MEETING:	April 13, 2022
Background Information:	New Castle Paving is the contractor for the Princetown Road Water Improvements.
Evaluation/Analysis:	Project is substantially complete. Change Order #1 needs to be authorized by the Town Board for a decrease in the contract amount for an over/under adjustment and a quantity correction.
Recommendation(s):	Authorize the Supervisor to sign Change Order #1.
Attachment/Document(s):	Change Order #1 dated February 25, 2022.
Compliance with Purchasing Policy:	N/A
Effect(s) on Existing Law(s):	None
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

RDER 1

A DOCUMENT G701

ARCHITECT ☐
CONTRACTOR ☐
FIELD ☐
OTHER ☐

ROJECT: Town of Rotterdam Water System
Phase 3- Princetown Road Water Improvements
Contract No.1 - General Construction

O CONTRACTOR: New Castle Paving, LLC.
1 Madison Street, Suite 100
Troy, NY 12180

CHANGE ORDER NUMBER: 1
DATE: 2/25/22
ARCHITECT'S PROJECT NO.: 01-1705
CONTRACT DATE: April 27, 2020
CONTRACT FOR: Contract No. 1 - General Construction

ıe Contract is changed as follows:

An amount of $99,044.56 ($53,044.56 from remaining amount in bid items and $46,000 due to counting services twice in the pay apps) shall be deducted from the original contract value for the remaining amount in the contract after project completion

ɔt valid until signed by the Owner, Architect and Contractor.

ıe original (Contract Sum) (~~Guaranteed maximum Price~~) was	$1,457,376.00
ɛt change by previously authorized Change orders	$351,546.95
ıe (Contract Sum) (~~Guaranteed maximum Price~~) prior to this Change order was	$1,808,922.95
ıe (Contract Sum) (~~Guaranteed maximum price~~) will be ~~(increased)~~ (decreased) ~~(unchanged)~~ by this Change Order in the amount of	$99,044.56
ıe new (Contract Sum) (~~Guaranteed maximum Price~~) including this Change order will be	$1,709,878.39
ıe Contract Time will be ~~(increased) (decreased)~~ (unchanged) by	0 days
ıe date of Substantial Completion as of the date of this Change Order therefore is	December 4, 2020

ɔTE: This summary does not reflect changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive.

ɪIME AE Group of NY	New Castle Paving, LLC.	Town of Rotterdam
ɪCHITECT	CONTRACTOR	OWNER
)0 Great Oaks Blvd Suite 114	1 Madison Street, Suite 100	1100 Sunrise Blvd.
ıdress	Address	Address
bany, NY 12203	Troy, NY 12180	Rotterdam, NY 12306
Douglas P Cole	BY	BY
(Signature)	*(Signature)*	*(Signature)*
Douglas P. Cole, P.E.	BY Sarah Killeen	BY Mollie Collins
(Typed Name)	*(Typed Name)*	*(Typed Name)*
ıTE 2/25/2022	DATE 3/19/2022	DATE

. DOCUMENT G701 - CHANGE ORDER - 1987 EDITION - AIA REGISTERED - COPYRIGHT 1987 - THE ERICAN INSTITUTE OF ARCHITECTS, 1735 NEW YORK AVE., N. W., WASHINGTON, D. C. 20006

G701-1987

RESOLUTION NO. 133.22

A RESOLUTION TO AUTHORIZE AMENDMENT #1 FOR CONSTRUCTION ENGINEERING & INSPECTION SERVICES FOR WHISPERING PINES

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 Amendment #1, KB Group of NY, Inc. in an amount not to exceed Seventy-Nine thousand five hundred and 00/100 dollars ($79,500.00), for the Construction Engineering and Inspection Services for the Whispering Pines Development.

SECTION 2. This resolution shall become effective April 13, 2022.

DATED: April 13, 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:	April 6, 2022
TO:	Mollie Collins, Town Supervisor
FROM:	Charles Dodson, Deputy Supervisor
TITLE OF REQUEST:	Authorize Amendment No. 1 for Construction Engineering & Inspection Services – Whispering Pines Development
TOWN BOARD MEETING:	April 13, 2022
Background Information:	KB Group of NY, Inc. is the Engineer performing the inspections for the Whispering Pines Development.
Evaluation/Analysis:	KB Group of NY, Inc. will be providing additional Construction Phase Engineering and Inspection Services to complete installation of the water and sewer mains.
Recommendation(s):	Authorize the Supervisor to sign amendment #1 not to exceed $79,500.
Attachment/Document(s):	Amendment #1 dated March 29, 2022.
Compliance with Purchasing Policy:	
Effect(s) on Existing Law(s):	None
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

AGREEMENT MODIFICATION #1

KB GROUP OF NY, INC. and
THE TOWN OF ROTTERDAM

This Agreement Modification #1 (hereinafter referred to as the "Amendment 1") is made and entered into this_____day of April, 2022, by and between **KB GROUP OF NY, Inc. dba PRIME AE Group of NY** having an address at 100 Great Oaks, Boulevard., Suite 114, Albany, NY 12208 ("KB Group") and **TOWN OF ROTTERDAM**, having an address at 1100 Sunrise Blvd., Rotterdam, NY 12306 collectively referred to as "Parties".

RECITALS

A. WHEREAS, the Parties have entered into an Agreement dated 11/18/2020 (hereinafter referred to as the "Agreement") for KB Group to provide engineering services;
B. WHEREAS, the Parties hereby further agree to amend the said Agreement in accordance with the terms and conditions contained in this Amendment 1.

AMENDMENT

NOW THEREFORE, in consideration of the mutual agreement of the Parties to amend the Agreement and for other good and valuable consideration which is acknowledged by the Parties, the Parties agree that the Agreement be amended as follows:

1. CLIENT has requested additional service for the Project and agrees to increase the not to exceed fee for KB Group from $14,000.00 to include additional services in the amount of $79,500.00 for a total not to exceed fee of $93,500.00;
2. KB Group agrees to provide additional services for the Project as follows:
    a. Construction Phase Engineering and Inspection services for $79,500.00 as per the scope of work contained in our March 29, 2022 Amendment #1 letter.

TERMS & CONDITIONS

The Parties agree that all of the terms and conditions of the Agreement shall remain in full force and effect.

ENTIRE AGREEMENT

The Agreement, as amended by this Amendment 1, contains the entire agreement of the Parties hereto with respect to the subject matter hereof. Any representations, inducements, or agreements, oral or otherwise, between the Parties not contained in this Amendment 1 shall be of any force and effect. This Amendment 1 may not be modified, changed or terminated, in whole or in part, in any manner other than by an agreement in writing signed by duly authorized representatives of the Parties.

IN WITNESS WHEREOF, the Parties hereto have caused this instrument to be duly executed as of the day and year hereinbefore first written.

KB GROUP OF NY, Inc., dba PRME AE Group of NY

By: Kerry Hogan, P.E.

Title: Sr. Vice President

TOWN OF ROTTERDAM

_____

By: Mrs. Mollie Collins

Title: Supervisor

KB Group of NY, Inc. dba PRIME AE Group of NY

Albany Office
100 Great Oaks Boulevard | Suite 114 | Albany, New York 12203
P: 518.382.1774

March 29, 2022

Mollie Collins, Supervisor
Town of Rotterdam
1100 Sunrise Blvd.
Rotterdam, NY 12306

Re: Town of Rotterdam
Whispering Pines Development
Amendment No. 1 for Construction Engineering & Inspection Services
Our Project Number: GNY02WD-20531

Dear Supervisor Collins:

KB Group of NY, Inc. dba PRIME AE Group of NY (PRIME) is pleased to present you this amendment for professional engineering services related to additional Construction Phase Engineering and Inspection Services for the above referenced project. Currently, about 1,350 linear feet of 12" watermain has been installed, leaving approximately 4,900 lf more to placed under the Phase 1B plans. Additionally, there is approximately 5,500 lf of sanitary sewer main to be installed. The production rate for pipe installed to date has been about 200 feet per day and was used to estimate another 25 days of watermain installation. As the sanitary sewer is deeper and there are manholes involved, we have estimated the construction at 55 days. Therefore, our time commitment in this amendment, based upon full-time inspection of both utilities, is estimated at 640 hours. In addition to inspection services, we have proposed an additional $7,000 for engineering support and coordination from our office for the anticipated twenty (20) week period.

A summary of proposed services to provide construction engineering and inspection of the project is as follows:

PRIME AE will perform the following activities:

1. Conduct a project kick-off meeting with the Town, contractor and other involved parties for the coming construction season.
2. Review shop drawings and submittals to confirm compliance with Town codes.
3. Review test procedures, witness tests, review and certify results.
4. Maintain and submit written records of construction activities.
5. Submit written reports of inspection observations and prepare punch lists.
6. Review record drawings (hard copy) provided by the contractor and make revisions as necessary.
7. Provide the services of a full-time construction inspector to observe the construction work for general conformance with design plans and specifications, up to 640 hours. If such hours are exceeded due to actual construction schedule, PRIME AE will provide another amendment.
8. Provide Completed Works certification to the NYSDOH and NYSDEC, as necessary, so that the Town may take ownership of the utilities in the future.

Fee Schedule

For the services described in this proposal, PRIME AE proposes to complete the work based on a time and materials cost basis as detailed below, based upon a five-month construction schedule and our 2022 labor rates with a 3.0 multiplier:

Construction Engineering:		$ 7,000
Construction Inspection:		$ 72,500
	TOTAL	**$ 79,500**

If this proposal is acceptable, please sign and return the attached Engineering Contract Amendment #1. We look forward to continuing our longstanding relationship with the Town. If you have any questions, please feel free to contact me.

Sincerely,

KB Group of NY, Inc. dba PRIME AE Group of NY

Douglas P. Cole

Douglas P. Cole, P.E.
Senior Director of Engineering

Cc: Peter Comenzo, Senior Planner

RESOLUTION NO. 134.22

A RESOLUTION TO DECLARE LEAD AGENCY FOR SEQRA REVIEW FOR THE CONSTRUCTION OF THE ROTTERDAM JUNCTION STORMWATER IMPROVEMENTS

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 declares the Town Board as Lead Agency under 6 NYCRR Part 617 (SEQRA) in connection to the proposed construction of the Rotterdam Junction Stormwater Improvements.

SECTION 2. 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 6 NYCRR Part 617 (State Environmental Quality Review).

SECTION 3. This resolution shall become effective April 13, 2022.

DATED: April 13, 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:	April 6, 2022
TO:	Mollie Collins – Town Supervisor
FROM:	Peter Comenzo – Senior Planner
TITLE OF REQUEST:	Declare Lead Agency for proposed Rotterdam Junction Stormwater Improvements.
TOWN BOARD MEETING:	April 13, 2022
Background Information:	NYSDOT installed a large diameter stormwater pipe bored under the 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.
Recommendation(s):	Town Board should Declare Lead Agency, conduct a coordinated SEQR review, and authorize the Senior Planner to distribute all documents in accordance with SEQR.
Attachment/Document(s):	Part #1 SEQR Long Form Project Summary Interested/Involved Agency List Draft Resolution
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

PRIME AE®
KB Group of NY, Inc. dba PRIME AE Group of NY
Albany Office
100 Great Oaks Boulevard | Suite 114 | Albany, New York 12203
P: 518.382.1774

Town of Rotterdam, Rotterdam Junction Stormwater Improvements

On August 28, 2011, Hurricane Irene struck the East Coast, after being downgraded to a tropical storm on the Northern section of the coast, it wreaked havoc on Upstate NY and much of western New England. The Schoharie Creek, which drains into the Mohawk River 13 miles upstream of Rotterdam Junction, experienced 500-year storm flooding conditions. Subsequently, communities were devastated by flood elevations never seen before along these water bodies. Despite rainfall totals in Schenectady County not exceeding the 100-year storm amounts, the excessive flow through contributing tributaries of the Mohawk River created disastrous conditions for communities along it.

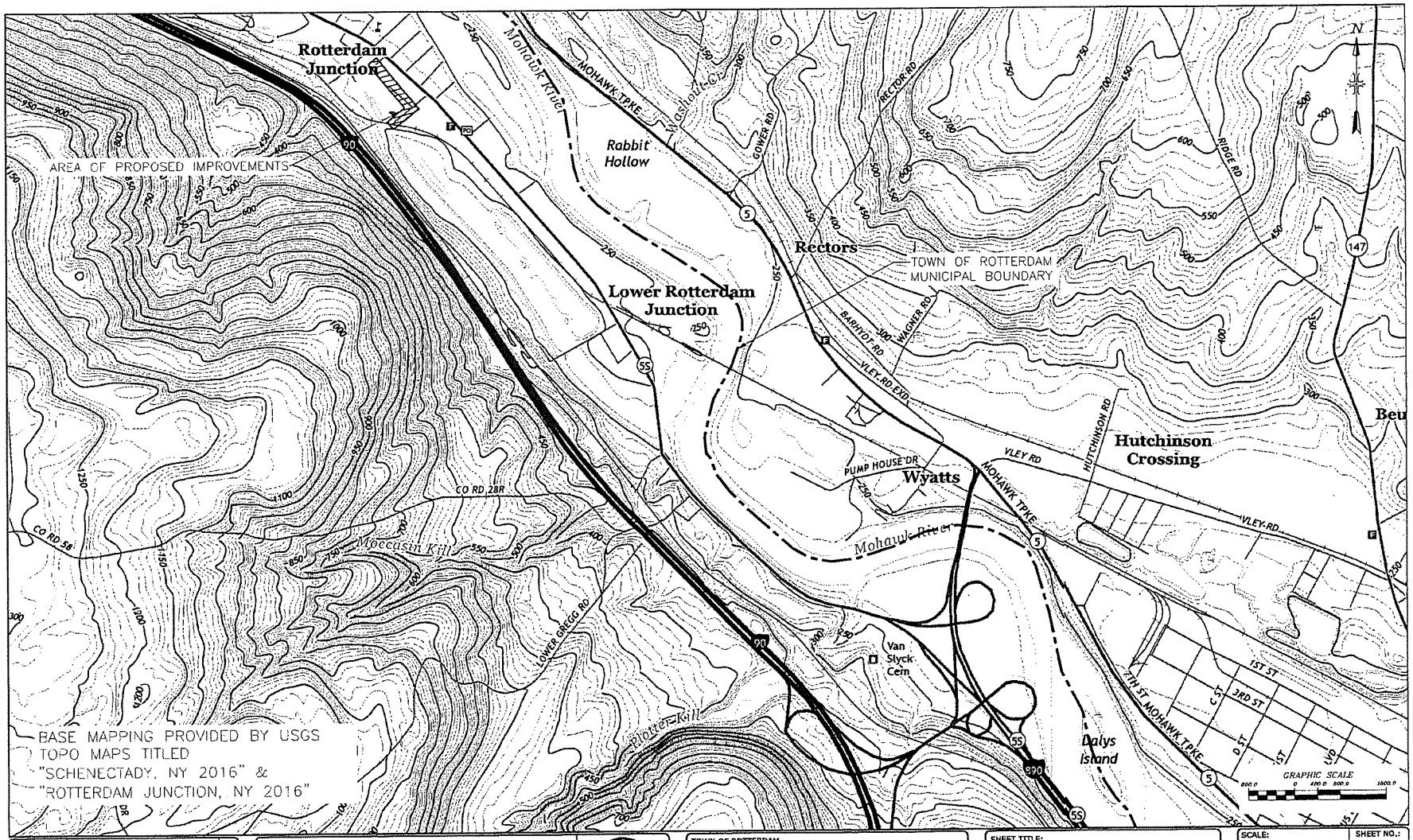
Rotterdam Junction has poor drainage as a result of relatively flat grades, aging storm sewer infrastructure, and an accumulation of sediment and debris in the original Erie Canal channel. As many weather experts and scientists believe that catastrophic events such as this may become more frequent, it is important to seek out additional paths to drain the highly susceptible-to-flooding area.

In 2018, NYSDOT proposed the extension of the bike path under the tracks at the end of Scrafford Lane, as well as the associated drainage improvements. NYSDOT proposed that their design include a separate large diameter stormwater pipe boring 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. Given the proximity of the tunneled bike path and for contracting reasons, this proposal made sense to the Town.

The proposed NYSDOT stormwater pipe has been installed and terminates on the north side of the railroad tracks on Scrafford Lane. The pipe was sized for the anticipated maximum flow of the Rotterdam Junction drainage area to be serviced, in addition to the NYSDOT flows.

Once the anticipated maximum flow rates from the proposed stormwater management system were provided to NYSDOT for their use in designing the outlet piping size beneath the tracks, PRIME AE developed a stormwater management system design for Rotterdam Junction that would reduce impacts in areas historically affected by flooding. This system is designed to connect to the NYSDOT pipe on Scrafford Lane, travel along Isabella Lane and through easements to Lock Street.

A portion of the funding for this proposed project including construction, administration, engineering, and contingencies was sourced from The NYS Empire State Development Office. The grant secured is titled Schenectady County X911 Y486 Hurricane Irene/TS Lee Flood Mitigation.



NO.	DATE	REVISION	BY
00	03/2022	ORIGINAL ISSUE	JGS

PRIME AE®
Albany Office
100 Great Oaks Blvd | Suite 114 | Albany, New York 12203
Ph: 518 382 1774 www.primeeng.com

PROJ. ENGR.: BSN | DRAWN BY: JGS | CHECKED BY: DPC

UNAUTHORIZED ALTERATIONS TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 SUBDIVISION 2 OF NEW YORK STATE EDUCATION LAW

TOWN OF ROTTERDAM
SCHENECTADY COUNTY, NY

ROTTERDAM JUNCTION
STORMWATER IMPROVEMENTS
CONTRACT NO. 1 - GENERAL CONSTRUCTION

SHEET TITLE:

ROTTERDAM USGS OVERALL LOCATION MAP

SCALE:	SHEET NO.:
AS SHOWN	1
FILE NO.: 01-1809	
DATE: MARCH 2022	

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Rotterdam Junction Stormwater Improvements		
Project Location (describe, and attach a general location map): Rotterdam Junction- Lock Street, Isabella Street, and Scrafford Lane Rotterdam, NY 12150		
Brief Description of Proposed Action (include purpose or need): 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 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.		
Name of Applicant/Sponsor: Town of Rotterdam	Telephone: 518-355-7575 ext. 391 E-Mail: mcollins@rotterdamny.org	
Address: 1100 Sunrise Boulevard		
City/PO: Rotterdam	State: NY	Zip Code: 12306
Project Contact (if not same as sponsor; give name and title/role): Douglas Cole, PE	Telephone: 518-348-7880 E-Mail: dcole@primeeng.com	
Address: 100 Great Oaks Boulevard, Suite #114		
City/PO: Albany	State: NY	Zip Code: 12203
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees ☑Yes☐No	Town of Rotterdam, Town Board	
b. City, Town or Village Planning Board or Commission ☐Yes☐No		
c. City, Town or Village Zoning Board of Appeals ☐Yes☐No		
d. Other local agencies ☐Yes☐No		
e. County agencies ☑Yes☐No	Schenectady County	
f. Regional agencies ☐Yes☐No		
g. State agencies ☑Yes☐No	Empire State Development -Funding NYSDOT, NYSDEC	March 2020
h. Federal agencies ☑Yes☐No	Army Corps of Engineers NWP 43	

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

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

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

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

NYS Heritage Areas: Mohawk Valley Heritage Cooridor

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

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
B-1: Retail Business & R-1: One Family Residential

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

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Schalmont, Jefferson

b. What police or other public protection forces serve the project site?
Rotterdam Town Police Department, NYS Police

c. Which fire protection and emergency medical services serve the project site?
Rotterdam Fire District, Rotterdam EMS

d. What parks serve the project site?
Sanders Town Preserve, Maalwyck Park, Plotterkill Preserve, Woestina Park, Lock 9 State Canal Park

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? 0.59 acres
b. Total acreage to be physically disturbed? 0.12 acres. acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 0.59 acres

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

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No
iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☑ No
i. If No, anticipated period of construction: 6 months
ii. If Yes:
- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes ☑No

If Yes, show numbers of units proposed.

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

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes ☑No

If Yes,

i. Total number of structures _____

ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length

iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes ☑No

If Yes,

i. Purpose of the impoundment: _____

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify:

_____

iii. If other than water, identify the type of impounded/contained liquids and their source.

_____

iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres

v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

_____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes ☑No

If Yes:

i. What is the purpose of the excavation or dredging? _____

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

_____

_____

iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes ☐No

If yes, describe. _____

_____

v. What is the total area to be dredged or excavated? _____ acres

vi. What is the maximum area to be worked at any one time? _____ acres

vii. What would be the maximum depth of excavation or dredging? _____ feet

viii. Will the excavation require blasting? ☐Yes ☐No

ix. Summarize site reclamation goals and plan: _____

_____

_____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☑Yes ☐No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): Federal Riverine R4SBC, State Checkzone of RJ-1

_____

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

Federal wetlands are in the vicinity of the proposed project. Approximately 200 lf of proposed piping is within the federal wetlands.Excavation and pipe laying is proposed in these areas. Areas will be restored to prior condition.

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

If Yes, describe: _____

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

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

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

Areas will be restored to prior condition.

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

If Yes:

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

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

If Yes:

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

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

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

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

If, Yes:

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

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

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

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

If Yes:

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

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

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

_____

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

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

If Yes:

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

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

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

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes ☐No

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

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

If Yes, identify:

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

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

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

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

If Yes:

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

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

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

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

If Yes:

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

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

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

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

_____

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

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

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

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

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

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

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

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

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

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

If Yes:

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

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

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

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

i. During Construction:

- Monday - Friday: 7 am - 5pm
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

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

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

If yes:

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

excavator, pavement cutting, tree cutting, loaders, pavers, Monday-Friday, intermittently and only during construction

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

Describe: minor tree and brush cutting and removal along edge of pavement in R.O.W. along pipe route

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

If yes:

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

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

Describe:

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

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

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

If Yes:

i. Product(s) to be stored

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

iii. Generally, describe the proposed storage facilities:

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

If Yes:

i. Describe proposed treatment(s):

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

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

If Yes:

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

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

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

- Construction:
- Operation:

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

- Construction:
- Operation:

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

ii. If mix of uses, generally describe:

Primarily residential, zoned for agricultural

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.2	0.2	0
• Forested	.068	.068	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	.272	.272	0
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)	.05	.05	0
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

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

i. If Yes: explain: _____

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

If Yes,

i. Identify Facilities:

_____

_____

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

If Yes:

i. Dimensions of the dam and impoundment:

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

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

_____

_____

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

If Yes:

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

- If yes, cite sources/documentation: _____

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

_____

_____

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

_____

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

If Yes:

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

_____

_____

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

If Yes:

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

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

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

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

_____

_____

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

If yes, provide DEC ID number(s): _____

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

_____

_____

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 7+ feet

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

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

Wayland Soils Complex	42 %
Howard Gravely Silt	40.2 %
Miscellaneous	17.8 %

d. What is the average depth to the water table on the project site? Average: 4 feet

e. Drainage status of project site soils:
☑ Well Drained: 40 % of site
☑ Moderately Well Drained: 20 % of site
☑ Poorly Drained 40 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 100 % of site
☐ 10-15%: _____ % of site
☐ 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? ☐Yes ☑No
If Yes, describe: _____

h. Surface water features.
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑Yes ☐No
ii. Do any wetlands or other waterbodies adjoin the project site? ☑Yes ☐No
If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑Yes ☐No
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name NYS Wetland, Federal Waters R4SBC Approximate Size 34.7 acres, 3.32 acres
- Wetland No. (if regulated by DEC) RJ-1

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes ☑No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☑Yes ☐No
If Yes:
i. Name of aquifer: Schenectady-Niskayuna SSA / Great Flats Aquifer

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

squirrels	skunks	
chipmunks	opossum	
deer	variety of birds	

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

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

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

iii. Extent of community/habitat:

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

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

If Yes:

i. Species and listing (endangered or threatened): _____

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

If Yes:

i. Species and listing: _____

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

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

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

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

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

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

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

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

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

If Yes:

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

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

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

If Yes:

i. CEA name: Aquifer Area Overlay Zone

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

iii. Designating agency and date: Town of Rotterdam 4/5/85

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

If Yes:

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

ii. Name: Enlarged Erie Canal Lock 25

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

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

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

If Yes:

i. Describe possible resource(s):

ii. Basis for identification:

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

If Yes:

i. Identify resource: Sanders Town Preserve, Plotter Kill Preserve, Lock 9 State Canal Park

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

iii. Distance between project and resource: 1.4, 0.5, 2.3 miles.

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

If Yes:

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

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

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Town of Rotterdam Date April 13, 2022

Signature Peter Comenzo Title Peter Comenzo - Senior Planner

PRINT FORM

RESOLUTION NO. 135.22

TO AUTHORIZE CONTRACT WITH THE MARTIN GROUP LLC FOR THE MONTH OF APRIL 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 hereby authorizes the contract with The Martin Group, LLC, 645 Albany Shaker Road, Albany, New York 12211, to provide Strategic Communications Counsel and PR/PA Support services for the Town of Rotterdam from April 1, 2022 through April 30, 2022 in the amount not to exceed three thousand and 00/100 dollars ($3,000.00).

SECTION 2. This resolution shall become effective April 13, 2022.

DATED: April 13, 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:	April 7, 2022
TO:	Mollie Collins, Town Supervisor
FROM:	Megan Griffin, Confidential Secretary
TITLE OF REQUEST:	Authorize one month contract with The Martin Group LLC for the month of April 2022.
TOWN BOARD MEETING:	April 13, 2022
Background Information:	The contract with The Martin Group was set to expire March 31, 2022.
Evaluation/Analysis:	The town board is looking into the necessity of having a public relations company contracted moving forward, and allowing a one-month retainer fee to cover April 2022 will give them a grace period to decide.
Recommendation(s):	Authorize a one time payment for the month of April 2022.
Attachment/Document(s):	One month contract from The Martin Group LLC.
Compliance with Purchasing Policy:	Yes
Effect(s) on Existing Law(s):	None
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

To: Mollie Collins, Supervisor | Town of Rotterdam
From: Andrew Mangini, Sr. Director, Public Affairs Practice Leader | The Martin Group
Date: April 5, 2022
Re: Strategic Communications Services – Statement of Work (SOW)

This Statement of Work ("SOW") is between the **Town of Rotterdam ("Rotterdam")** with an address at 1100 Sunrise Boulevard, Rotterdam, NY 12306 and **The Martin Group, LLC**, ("TMG") with an address at 645 Albany Shaker Road, Albany, NY 12211 (individually each shall be referred to as a "Party" or collectively referred to as the "Parties").

In consideration of the mutual agreements and covenants set forth in this Statement of Work, the Parties agree as follows:

The Martin Group will provide the following Agency Services for April 1, 2022 through April 30, 2022.

Strategic Communications Counsel and PR/PA Support

- Day-to-day account management and advisement
- Participation in check-in calls and correspondence as needed
- On-going project management as assigned

Assigned Staff:

The Martin Group will designate a Sr. Director of Public Affairs, a Public Affairs Manager and a Public Affairs Specialist to coordinate the efforts, at a rate of **$3,000/**per month.

- Andrew Mangini, Sr. Director of Public Affairs | Public Affairs Practice Leader
- Brittany Kenny, Public Affairs Manager
- Sarah Diomande, Public Affairs Specialist

Additional staff resources may also be utilized as necessary.

Summary Agency Services

Task	Estimated Budget
Strategic Communications Services (PR/PA)	$3,000/monthly retainer
Total (April 2022)	**$3,000**

Fees Payable to The Martin Group/Terms:

Agency services are billed at a blended hourly rate of $150/hour. Rotterdam agrees to pay TMG for these services provided under this Statement of Work. TMG will bill Rotterdam the full monthly retainer amount of $3,000 at the beginning of the contract period, April 1, 2022 and ending April 30, 2022, which will entitle Rotterdam to up to 20 agency hours of services per calendar month during the Term. All monthly agency services invoices will be billed at the beginning of the month for which they are incurred ("Invoice Date"), and paid 90 days from the Invoice Date in accordance with the Agreement. The initial invoice for April will be issued upon approval of this Statement of Work.

For any and all instances where TMG expects to exceed 20 agency hours of service in a given calendar month, TMG shall notify Rotterdam in writing (email shall suffice), at least five (5) business days prior to the Invoice Date, and TMG shall provide Rotterdam with a reasonable estimate of such excess agency hours of service. TMG shall provide additional services in such month only after such services are expressly pre-approved by an authorized officer of Rotterdam in writing (email approval shall suffice). Any additional hours in a month beyond the 20 agency hours will be billed at the hourly rate of $150/hour.

The following elements are NOT included in the aforementioned retainer and will be estimated upon request by Rotterdam. These include but not limited to:

- Printing
- Mailing lists & postage
- Broadcast production (e.g. TV and radio)
- Video production
- Photography and high-end retouching
- Outside research expenses
- Media placement costs
- Shipping/delivery
- Travel

Travel time and expense

- TMG will bill net on reasonable travel expenses
- Employee time for client meetings will be billed to the approved project estimate and/or retainer, whichever is applicable

TMG shall not perform any such services or invoice Rotterdam for any such services, unless pre-approved in writing by Rotterdam with a detailed statement of work and accompanying purchase order signed by an officer of Rotterdam. TMG will bill such expenses on a per-project basis.

Production expense

TMG will provide an itemized invoice for each pre-approved, out-of-pocket expense activity in accordance with the Agreement. All such expenses will be invoiced at 50% and due upon receipt with the balance invoiced upon completion to Rotterdam reasonable satisfaction. All

monies due after completion will be due 90 days from date of invoice, in accordance with the Agreement.

Paid Social and Influencers expense

TMG will provide an itemized invoice for each pre-approved, out-of-pocket expense activity in accordance with the Agreement. 100% of costs related to influencer campaigns and paid social media jobs are due before campaign begin.

Term

This Statement of Work shall become effective as of the Effective Date, April 1, 2022 and will run through April 30 2022.

IN WITNESS WHEREOF, the Parties represent and warrant that they are duly authorized and empowered to sign and execute this Statement of Work and hereto have caused this Statement of Work to be duly executed by authorized officers and to be effective as of the date set forth above.

Approved by:

_____	_____
Signature	Date
_____	_____
Printed Name	Title

RESOLUTION NO. 136.22

SEASONAL LABORERS HOURLY RATE

WHEREAS, The Town Board of The Town of Rotterdam has determined it necessary to increase the hourly rate of various seasonal summer laborer positions at the Town of Rotterdam Highway and Parks Departments in order to offer competitive hourly pay to attract candidates; and

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby establishes the hourly rate of compensation for seasonal summer positions at the Town of Rotterdam Highway Department and Parks Department at seventeen and 00/100 dollars ($17.00) per hour, with no employee benefits, through September 4, 2022.

SECTION 2. This resolution shall become effective April 13, 2022

DATED: April 13, 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:	April 7, 2022
TO:	Mollie Collins, Town Supervisor
FROM:	Megan Griffin, Confidential Secretary
TITLE OF REQUEST:	Authorize hourly rate increase for the seasonal summer laborers.
TOWN BOARD MEETING:	April 13, 2022
Background Information:	The previous seasonal summer hourly rate was $12.50 per hour.
Evaluation/Analysis:	In order to attract more applicants and find enough sufficient help during the seasonal summer months, it is imperative we change the hourly rate to meet the competitive rates of other local businesses.
Recommendation(s):	Authorize the pay increase to $17.00 hourly for seasonal summer laborers for the Highway and Parks Departments.
Attachment/Document(s):	N/A
Compliance with Purchasing Policy:	Yes
Effect(s) on Existing Law(s):	None
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

RESOLUTION NO. 137.22

TO AUTHORIZE THE IMPLEMENTATION OF A CLOUD BASED BACKUP SOLUTION

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 Town Supervisor to execute the proposal of cb20 dated March 25, 2022 for Datto Saas Protection (cloud-based backup solution) in an amount not to exceed three thousand six hundred eighty one and 60/100 dollars ($3,681.60) for a twelve-month period.

SECTION 2. This resolution shall become effective April 13, 2022.

DATED: April 13, 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:	April 7, 2022
TO:	Mollie Collins, Town Supervisor
FROM:	Megan Griffin, Confidential Secretary
TITLE OF REQUEST:	Authorize the implementation of a cloud-based backup solution for the Town of Rotterdam.
TOWN BOARD MEETING:	April 13, 2022
Background Information:	To comply with New York State Local Government Records(LGS-1) and provide historical backup of Microsoft 365 infrastructure.
Evaluation/Analysis:	The implementation installation should take an hour or two of engineering time which would be treated as a T&M support ticket.
Recommendation(s):	To immediately implement Datto SaaS which is a cloud-based backup solution that will protect the entire Microsoft 365 environment (including e-mail). It provides infinite storage and infinite retention.
Attachment/Document(s):	Proposal for the solution from cb20.
Compliance with Purchasing Policy:	Yes
Effect(s) on Existing Law(s):	None
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

QUOTE

cb20

QUOTE #	CB2Q1351
DATE	Mar 25, 2022

11 Federal Street
Saratoga Springs, NY 12866

To Mollie Collins
Town of Rotterdam
1100 Sunrise Blvd
Rotterdam, NY 12306
United States
mcollins@rotterdamny.org
Phone (518) 355-7575

Tim Nepus
tnepus@cb20.com
518-836-2793

Hunter Felt
hfelt@cb20.com
518-322-7706

Project	Quote Valid Until
Datto SaaS	Apr 27, 2022

MFG Part No.	DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
	Datto SaaS Protection - per user, per month	130	$2.36	$306.80
	Annual Total: $306.80 x 12 Months = $3,681.60			

SUBTOTAL	$306.80
TOTAL	**$306.80**

Notes

Please contact me if I can be of further assistance.

To accept this quotation, sign here and return: _____

Thank You For Your Business!

Created on 04/07/22 10:50:45 by Tim Nepus

RESOLUTION NO. 138.22

TO ACCEPT REVENUE FOR TOWN CLERK'S OFFICE FOR MARCH 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 March 2022, has been placed on file and the town clerk's check in the amount of four thousand eight hundred nine dollars and 80/100 ($4,809.80) has been submitted to the supervisor for deposit.

SECTION 2. This resolution shall become effective April 13, 2022.

DATED: April 13, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

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LEGISLATIVE REQUEST FORM

DATE: **April 5, 2022**

TO: Mollie A. Collins, Supervisor

FROM: Diane M. Marco, Town Clerk

TITLE OF LEGISLATIVE REQUEST: Revenue received for **March 2022, $4,809.80** in the Town Clerks office.

TO BE PLACED ON TOWN BOARD AGENDA OF: **April 13, 2022**

TO BE PLACED ON TOWN BOARD MEETING OF: **April 13, 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 **April 13, 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

Monthly Worksheet of Daily Work
March 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
3/1/2022	$146.00	$0.00	$0.00	$0.00	$56.00	$6.00	$50.00	$40.00	$22.50	$17.50	$0.00	$0.00	$0.00	$0.00
3/2/2022	$195.00	$0.00	$0.00	$0.00	$105.00	$11.00	$94.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/3/2022	$105.00	$0.00	$0.00	$0.00	$85.00	$8.00	$77.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/4/2022	$55.00	$0.00	$0.00	$0.00	$45.00	$3.00	$42.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/7/2022	$425.00	$0.00	$0.00	$0.00	$330.00	$31.00	$299.00	$40.00	$22.50	$17.50	$25.00	$15.00	$10.00	$0.00
3/8/2022	$165.00	$0.00	$0.00	$0.00	$95.00	$8.00	$87.00	$40.00	$22.50	$17.50	$0.00	$0.00	$0.00	$0.00
3/9/2022	$551.00	$0.00	$0.00	$0.00	$371.00	$40.00	$331.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/10/2022	$511.00	$0.00	$0.00	$0.00	$101.00	$11.00	$90.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/11/2022	$380.00	$0.00	$0.00	$0.00	$255.00	$21.00	$234.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$25.00
3/14/2022	$235.00	$0.00	$0.00	$0.00	$175.00	$15.00	$160.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/15/2022	$100.00	$0.00	$0.00	$0.00	$45.00	$3.00	$42.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/16/2022	$335.00	$0.00	$0.00	$0.00	$185.00	$20.00	$165.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/17/2022	$90.00	$0.00	$0.00	$0.00	$75.00	$8.00	$67.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/18/2022	$370.00	$25.00	$23.62	$1.38	$160.00	$17.00	$143.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/21/2022	$200.00	$30.00	$28.34	$1.66	$70.00	$7.00	$63.00	$40.00	$22.50	$17.50	$0.00	$0.00	$0.00	$0.00
3/22/2022	$140.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/23/2022	$50.00	$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
3/24/2022	$135.00	$25.00	$23.62	$1.38	$80.00	$7.00	$73.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/25/2022	$50.00	$0.00	$0.00	$0.00	$40.00	$5.00	$35.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/28/2022	$425.00	$25.00	$23.62	$1.38	$105.00	$7.00	$98.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/29/2022	$390.00	$0.00	$0.00	$0.00	$110.00	$14.00	$96.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/30/2022	$90.00	$0.00	$0.00	$0.00	$80.00	$6.00	$74.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
3/31/2022	$130.00	$0.00	$0.00	$0.00	$80.00	$9.00	$71.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
Audited by dmm 3/31/22	**$5,273.00**	$105.00	**$99.20**	**$5.80**	$2,678.00	**$259.00**	**$2,419.00**	$160.00	**$90.00**	**$70.00**	$25.00	**$15.00**	**$10.00**	**$25.00**

04/13/2022

Town Clerk Monthly Report
March 01, 2022 - March 31, 2022

Account Description	Fee Description	Account#	Qty	Local Share
Conservation	Conservation	A1255	4	5.80
			Sub-Total:	**$5.80**
Dog Licensing	Exempt Dog	A2544	2	0.00
Dog Licensing	Female, Spayed	A2544	76	1,064.00
Dog Licensing	Female, Unspayed	A2544	13	221.00
Dog Licensing	Male, Neutered	A2544	81	1,134.00
Dog Licensing	Male, Unneutered	A2544	21	357.00
			Sub-Total:	**$2,776.00**
Ez pass	Ez Pass	A1255	1	25.00
			Sub-Total:	**$25.00**
Late Fees	Late Fee -Dog Renewal	A1550	36	420.00
			Sub-Total:	**$420.00**
Marriage Lic.	MARRIAGE LICENSE FEE	A1255	4	70.00
			Sub-Total:	**$70.00**
MISC. FEES	Certified Copies	A1255	100	1,000.00
			Sub-Total:	**$1,000.00**
PERMIT FEES	Garage Sale	A2590	12	60.00
			Sub-Total:	**$60.00**
Second Hand Dealers	Second Hand Dealers	A2545	2	500.00
			Sub-Total:	**$500.00**
Senior Discount	Senior Discount	A2544	37	-357.00
			Sub-Total:	**-$357.00**
Soliciting	Soliciting Hawking Peddler		2	300.00
			Sub-Total:	**$300.00**
Town Portion	Games Chance Permits		1	10.00
			Sub-Total:	**$10.00**
			Total Local Shares Remitted:	**$4,809.80**

Amount paid to:	NYS Ag. & Markets for spay/neuter program	259.00
Amount paid to:	NYS Environmental Conservation	99.20
Amount paid to:	State Comptroller for Games of Chance	15.00
Amount paid to:	State Health Dept. For Marriage Licenses	90.00

Total State, County & Local Revenues: $5,273.00

Total Non-Local Revenues: $463.20

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.

Mollie A. Collins — Supervisor — 4/1/2022 — Date

Diane M. Marco — Town Clerk — 4/1/2022 — Date

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

DATE April 4, 2022 2859
29-7/213

PAY TO THE ORDER OF Mollie Collins Supervisor $ 4,809.86

four thousand eight hundred nine and 86/100 DOLLARS

KeyBank
KeyBank National Association

MEMO Revenue March 2022

Dina M. Mara
Town Clerk

Mobile Deposit Safe Details on back

⑈002859⑈ ⑆021300077⑆ 884000898 4⑈

RESOLUTION NO. 139.22

A RESOLUTION ACCEPTING TOWN BOARD MEETING MINUTES

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby adopts the minutes of the March 23, 2022 town board meeting as attached.

SECTION 2. This resolution shall become effective April 13, 2022.

DATED: April 13, 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: **April 5, 2022**
TO**: Mollie A. Collins, Supervisor**

FROM: Diane M. Marco, Town Clerk

TITLE OF LEGISLATIVE REQUEST: To adopt meeting minutes from the M**arch 23, 2022, Town Board Meeting.**

TO BE PLACED ON TOWN BOARD AGENDA OF: **April 13, 2022**

TO BE PLACED ON TOWN BOARD MEETING OF: **April 13, 2022**

Background Information: Attached. To adopt the meeting minutes from the **March 23, 2022, Town Board Meeting.**

Evaluation/Analysis: N/A

Recommendation(s): To place on Town Board agenda and Town Board meeting of **April 13, 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

March 25, 2022

Certified Resolutions: #116.22-#126.22 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, March 23, 2022. The Town Board Agenda review started at approximately 6:30 p.m. and at approximately 6:39 p.m. the agenda review was adjourned. All agreed to adjourn the agenda review meeting
The Town Board regular scheduled meeting started at approximately 7:00 p.m. **Motion #17** was made by Councilmember Christou and seconded by Councilmember Dodson at approximately 7:04 p.m. to enter into executive session. Executive session adjourned at approximately 8:18 p.m. with a motion by Councilmember Christou and seconded by Councilmember Mastroianni. All agreed to adjourn the executive session.
The Town Board meeting continued until it was adjourned at approximately 9:06 p.m. by Councilmember Dodson and seconded by Councilmember Christou. 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
March 23, 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 (Without objection added to Executive Session)

- Personnel matter relating to the employment history of Employee No. 011222-1 with invited attendee Elayne Gold, Esq.

Litigation Matters:

- Case recently commenced in the NYS Division of Human Rights
- Putorti v. Rotterdam, with invited attendee Ryan Bailey, Esq., by telephone
- Parkinson v. Rotterdam, with invited attendee Ryan Bailey, Esq., by telephone
- RRA Apartments, LLC v. Assessor
- NYSIR a/s/o Schalmont CSD v. Rotterdam

PROCLAMATIONS/PRESENTATIONS Supervisor Mollie Collins was presented a proclamation for making the first Woman Supervisor for the Town of Rotterdam in its over 200-year history by the Town Board

PUBLIC HEARING

- Public hearing on Introductory Local Law No. 5 of 2022 to prohibit parking on a portion of Thew Street **PUBLIC HEARING CLOSED CHRISTOU/DODSON**

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

17.22 Motion made to go into executive session.

RESOLUTIONS

116.22 To enact introductory Local Law No. 5 of 2022

117.22 To adopt call-in and payment procedure for part time water treatment plant operators

118.22 To amend Resolution No. 21-22 of the year 2022

119.22 Appoint a Senior Building Inspector

120.22 Appoint Account Clerk for the Highway Department

121.22 Authorize stipulation of settlement with RRA Apartments, LLC

122.22 Authorize a modification of professional services for Well No. 6

123.22 Authorize a modification of professional services for purposed Burdeck Street sewer district ext.

124.22 To approve budget transfers to the 2022 budget

125.22 To amend Resolution No. 65.22 extending the contract with Paul C. Sebesta for financial consulting services

126.22 To accept Town Board Meeting minutes of March 9, 2022

COMMITTEE REPORTS

MISCELLANEOUS

EXECUTIVE SESSION

ADJOURNMENT

Mollie A. Collins, Supervisor

MOTION 17.22

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, March 23, 2022, at 7:00 p.m., the following motion was passed:

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. I make a motion to go into executive session. Invited attendee Jonathan Tingley attorney for the Town.

SECTION 2. This motion shall become effective March 23, 2022

DATED: March 23, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing motion passed by the Town Board of the Town of Rotterdam on March 23, 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 March 25, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

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

RESOLUTION NO. 116.22

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, March 23, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO ENACT INTRODUCTORY LOCAL LAW NO. 5 OF 2022

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby enacts Introductory Local Law No. 5 of 2022

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

SECTION 3. This resolution shall become effective March 23, 2022.

DATED: March 23, 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 March 23, 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 March 25, 2022.

Diane M. Marco
Diane M. Marco, Town Clerk

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

RESOLUTION NO. 117.22

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, March 23, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO ADOPT CALL-IN AND PAYMENT PROCEDURE FOR PART-TIME WATER TREATMENT PLANT OPERATORS.

THEREFORE, UPON MOTION OF Councilmember **MASTROIANNI,** seconded by Councilmember **MILLER-HERRERA,**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby adopts the attached "Water Treatment Plant Operator Call In and Payment Procedure", to be effective beginning upon the adoption by the Town Board of any resolution appointing Clark Collins as Water Treatment Plant Operator, and ending upon the earlier of the effective date of Clark Collins' separation from employment as Water Treatment Plant Operator or the separation from office of Mollie Collins as Town Supervisor.

SECTION 2. The attached "Water Treatment Plant Operator Call In and Payment Procedure" shall be distributed and posted in the Water Treatment Plant, the Department of Public Works, the Finance/Comptroller's Office, the Supervisor's Office, and the Deputy Supervisor's Office, and all such offices and personnel therein shall comply therewith.

SECTION 3. This resolution shall become effective March 23, 2022.

DATED: March 23, 2022

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

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 March 23, 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 March 25, 2022.

Diane M. Marco
Diane M. Marco, Town Clerk

RESOLUTION NO. 118.22

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, March 23, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AMEND RESOLUTION NO 21.22 OF THE YEAR 2022

APPOINT WATER TREATMENT PLANT OPERATORS FOR AN AS NEEDED BASIS

THEREFORE, UPON MOTION OF Councilmember **CHRISTOU,**

seconded by Councilmember **MASTROIANNI,**

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

Public Works Advisor – Part Time

Michael T. Maher Hourly Rate $38.50

(Maximum of 17.5 hours per week)

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

SECTION 2. This resolution shall become effective March 23, 2022

DATED: March 23, 2022

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

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 March 23, 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 March 25, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

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

RESOLUTION NO. 119.22

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, March 23, 2022, at 7:00 p.m., the following resolution was duly adopted:

APPOINT A SENIOR BUILDING INSPECTOR

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. James Keith, of Rotterdam New York 12306, is hereby appointed and promoted to the position of Senior Building Inspector for the Department of Public Works, full time, with full employee benefits, with an annual salary of eighty-eight thousand dollars ($88,000.00) effective March 23, 2022

SECTION 2. This resolution shall become effective March 23, 2022

DATED: March 23, 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 March 23, 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 March 25, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

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

RESOLUTION NO. 120.22

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, March 23, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO APPOINT AMANDA LAWSON TO THE POSITION OF ACCOUNT CLERK FOR THE HIGHWAY DEPARTMENT

THEREFORE, UPON MOTION OF Council Member **CHRISTOU**, seconded by Council member **DODSON**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Amanda Lawson of Rotterdam New York, is hereby appointed to the position of Account Clerk, for the Town of Rotterdam's Highway Department, full time, probationary, with full time employee benefits, at an annual salary of forty-one thousand nine hundred eleven and 85/100 dollars ($41,911.85) commencing March 23, 2022.

SECTION 2. This resolution shall become effective March 23, 2022

DATED: March 23, 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 March 23, 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 March 25, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

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

RESOLUTION NO. 121.22

At the regular 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, March 23, 2022 at 7:00 p.m., the following resolution was duly adopted:

AUTHORIZE STIPULATION OF SETTLEMENT WITH RRA Apartments, LLC

WHEREAS, the Town of Rotterdam has litigated this Article 7, Real Property Tax Certiorari proceeding with RRA Apartments, LLC, regarding real property taxes upon premises located at 610 Mariaville Rd, respectively known as Tax Map No. 48.-3-3.121 for the 2021 tax roll; and

WHEREAS, the Town's tax certiorari defense counsel, the attorney for the Petitioner, and the Assessor have conferenced this matter and agreed, subject to Town Board approval, to a reduction of assessed value for the above-referenced year, from three million two hundred thousand and 00/1100 dollars ($3,200,00) to two million four hundred thousand and 00/100 dollars ($2,400,000) for Tax Map No. 48.-3-4.121 for the 2021 tax roll, with RPTL 727 to apply in accordance with its terms to the 2021 tax roll assessed value established hereunder; and

WHEREAS, it is deemed in the Town's best interest to settle the case for the above stated amount;

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 Beebe Law Firm, LLC to enter into a stipulation of settlement on behalf of the Town of Rotterdam, in the matter of RRA Apartments, LLC v. Town of Rotterdam, et al., Index Number 2021-1515, Article 7 Real Property Tax Certiorari proceedings for the tax year 2021 consistent with the terms set forth above.

SECTION 2. This resolution shall become effective March 23, 2022

DATED: March 23, 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 March 23, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and 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 March 25, 2022

Diane M. Marco

Diane M. Marco, Town Clerk

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

RESOLUTION NO. 122.22

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, March 23, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE AN AMENDMENT OF PROFESSIONAL SERVICES FOR WELL NO. 6

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 authorizes the Supervisor to sign an agreement with KB Group of NY, Inc. not to exceed $13,900 for the modifications of their professional services for well No. 6.

SECTION 2. This resolution shall become effective March 23, 2022.

DATED: March 23, 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 March 23, 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 March 25, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

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

RESOLUTION NO. 123.22

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, March 23, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE A MODIFICATION OF PROFESSIONAL SERVICES FOR BURDECK STREET SEWER DISTRICT EXTENSION

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 authorizes the Supervisor to sign an agreement with KB Group of NY, Inc. not to exceed $13,900 for the modifications of their professional services for Burdeck Street Sewer Extension.

SECTION 2. This resolution shall become effective March 23, 2022.

DATED: March 23, 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 March 23, 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 March 25, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

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

RESOLUTION NO. 124.22

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, March 23, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO APPROVE BUDGET TRANSFERS OF THE 2022 BUDGET

THEREFORE, UPON MOTION OF Councilmember **MASTROIANNI,**

seconded by Councilmember **DODSON,**

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:

Comptroller's Office

From: A 1315 4100 Office Supplies *Amount $275.00*

To: A 1315 2000 Office Equipment *Amount $275.00*

Traffic Control

From: A 3310 4115 Traffic Safety Lights & Cones *Amount $840.00*

To: A 3310 2000 Equipment *Amount $840.00*

Traffic Control

From: A 3310 4305 Auto Repair *Amount $1,000.00*

To: A 3310 2000 Equipment *Amount $1,000.00*

Comptroller's Office

Modifications relating to the use of contractual services in lieu of personal services in the office of the Town Comptroller and Town Attorney.

FUND	ORG	OBJECT	DESCRIPTION	FROM	TO
A	A1315	100027	DIRECTOR OF FINANCE	69,166.00	
A	A1315	4850	CONSULTANT		56,000.00
A	A1420	100009	TOWN ATTORNEY	96,681.00	
A	A1420	110009	PARALEGAL PT	50,224.00	
A	A1420	4402	REFERENCE & LEGAL MANUALS	4,000.00	

A	A1420	4352	LABOR ATTORNEY FEES		36,600.00
A	A1420	4366	TOWN ATTORNEY FEES		144,000.00
A	A9030	800003	SOCIAL SECURITY	16,529.00	
				236,600.00	236,600.00

SECTION 2. This resolution shall become effective March 23, 2022

DATED: March 23, 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 March 23, 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 March 25, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

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

RESOLUTION NO. 125.22

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, March 23, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AMEND RESOLUTION NO. 65.22 EXTENDING THE CONTRACT WITH PAUL C. SEBESTA FOR FINANCIAL CONSULTING SERVICES

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor of the Town of Rotterdam to negotiate and execute an amendment between the Town of Rotterdam and Paul C. Sebesta of Niskayuna, New York for financial consulting services at a rate of $100.00 per hour, not to exceed $55,500.00 commencing March 23, 2022.

SECTION 2. This resolution shall become effective March 23, 2022.

DATED: March 23, 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 March 23, 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 March 25, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

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

RESOLUTION NO. 126.22

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, March 23, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO ACCEPT TOWN BOARD MEETING MINUTES FROM MARCH 9, 2022

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 adopts the minutes of the March 9, 2022 town board meeting as attached.

SECTION 2. This resolution shall become effective March 23, 2022.

DATED: March 23, 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 March 23, 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 March 25, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk

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

RESOLUTION NO. 140.22

TO AWARD THE BID FOR CHLORINE GAS

WHEREAS, Pursuant to notice duly published according to Section One Hundred Three of the General Municipal Law of the State of New York, the Town of Rotterdam on Friday, February 25, 2022 posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (http://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk for public inspection upon request, for the purchase by the Town of Rotterdam of the following:

CHLORINE GAS

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 does hereby accept and award the bid Chlorine Gas for the Town of Rotterdam to JCI Jones Chemical 176 S Ringling Blvd. Sarasota, Fl 34236, in an amount not to exceed three hundred and 00/100 dollars ($300.00) per 150 pound cylinder.

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

SECTION 3. This resolution shall become effective April 13, 2022

DATED: April 13, 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: April 5th, 2022

TO: Supervisor, Mollie A. Collins

FROM: Justin Peterson, Sr. Water Treatment Plant Operator

TITLE OF LEGISLATIVE REQUEST: Award Bidder- Chlorine Gas

TO BE PLACED ON TOWN BOARD AGENDA OF: April 13, 2022

TO BE PLACED ON TOWN BOARD MEETING OF: April 13, 2022

Background Information: Water Treatment Plant bids attached

Evaluation/Analysis: According to Town Policy

Recommendation(s): Town Board Award bid to JCI Jones Chemical -Opened March 14th 2022

Attachment/Documents(s): Bid Results

Compliance with Purchasing Policy: Yes

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

LEGISLATION WAS PREPARED BY: Justin Peterson, Sr. Water Treatment Plant Operator

BID FOR CHLORINE GAS- RFP 2022

BID FOR: Chlorine Gas-2022
DATE OF TB MTG. & RESOLUTION #: 02/23/2022-Res#84.22
DATE BID PACKETS BECOME AVAILABLE: 02/25/2022

DATE PUBLISHED IN NEWSPAPER: 02/26/2022
DATE & TIME BIDS TO BE OPENED: 3/14/2022 at 11:00 AM

# Rec	Dropped off & Time Received @TC Office	Initials	Company/Firm/Email	Address	Contact	Phone #	Contract #s	BID Amount	Comments
BIDNET		PD/DM MG	JCI Jones Chemicals	1765 Ringley Blvd Sarasota, Fl 34236	Summer Mello	941-330-1537		$300.00 Per 150# Cylinder	

Town of Rotterdam

Request for Bids

Chlorine Gas

Bid Opening:
Monday March 14, 2022 @ 11:00 a.m.

TOWN OF ROTTERDAM

Bid Form

The undersigned has read, understands, and agrees to all conditions of this proposal and will furnish material as follows:

Chlorine Gas

Unit price per 150 lb cyliner delivered to the Town of Rotterdam Water Treatment Plant, 49 Rice Road, Town of Rotterdam.

$ 300.00* per 150 lb cylinder

The entire bid is strictly in accordance with specifications.

I understand if I am chosen as the lowest responsible bidder, that I must comply with all federal, state, and local laws, as well as rules, regulations, policies and guidance, including the State of New York's newly released guidance on sexual harassment . By submitting a bid, I acknowledge receipt of the Town of Rotterdam "Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace" Policy.

Signature

JCI Jones Chemicals, Inc.
Name of Company or Corporation

1765 Ringling Blvd
Street Address

Sarasota, FL 34236
City *State* *Zip*

* Price is subject to change upon 30 day written notice.

Town of Rotterdam

Chlorine Gas

Detailed Specifications

LIQUID CHLORINE

The approximate quantity required will be 10,000 pounds per year, supplied in 150 pound cylinders.

The successful bidder will not charge deposit fees on cylinders unless those cylinders are held at the plant sites in excess of six (6) months.

All material supplied under this bid shall be in conformance with ANSI/AWWA Standard 301-87 or subsequent revision.

DELIVERY

Delivery shall be to the Town of Rotterdam Water Treatment Plant, 49 Rice Road, within two (2) weeks of placement of the order as ordered by the Senior Water Plant Operator or his designee.

PERIOD OF CONTRACT

The prices shall remain in effect up to and including December 31, 2022.

BID REQUIREMENTS

The Town of Rotterdam has the right to accept or reject any or all bids.

Each bid must contain a Non-Collusion Bidding Certificate as per Section 103-d of the General Municipal Law.

NOTE: **Any questions should be submitted in writing to Justin Peterson, Town of Rotterdam Water Treatment Plant – jpeterson@rotterdamny.org or by calling 518-393-1131.**

NON-COLLUSION BIDDING CERTIFICATION

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

1) The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purposes of restricting competition, as to any matter relating to such prices with any other bidder or with any competitor;

2) 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

3) 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 bid for the purpose of restricting competition.

B. A bid shall not be considered for award nor shall any award be made where (A), (1), (2), and (3) above have not been complied with; provided however, that if in any case the bidder cannot make the foregoing certificating, the bidder shall so state and shall furnish with the bid a signed statement which sets forth in detail the reason therefore. Where (A), (1), (2), and (3) above have not been complied with, the bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the bid is made or his designee, determines that such disclosure was not made for the purpose of restricting competition.

C. The fact that the bidder (A) has published price lists, rates or tariffs governing items being procured, (B) has informed prospective customers of proposed or pending publication of new or revised price lists for such items or (C) has sold the same item to other customers at the same prices being bid, does not constitute, without more, a disclosure within the meaning subparagraph (A)(1).

D. Any bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by a corporate bidder for work or state services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such bid contains the certification referred to in subdivision one (1) of this section, shall be deemed to have been authorized by the board of directors of the bidder, and such authorization shall be deemed to include the signing and submission of the bid and the inclusion therein of the certificate as to non-collusion as the act and deed of the corporation.

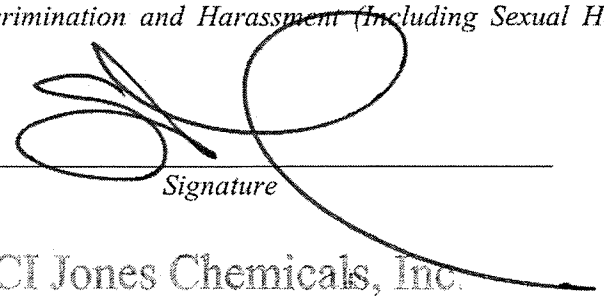
Name of Firm: JCI Jones Chemicals, Inc.

Signed by: Summer Metho Title: Nat'l Sales Admin

Signature: _____ Date: 3/16/22

Town of Rotterdam Harassment Policy Clause

I understand if I am chosen as the lowest responsible bidder, that I must comply with all federal, state, and local laws, as well as rules, regulations, policies and guidance, including the State of New York's newly released guidance on sexual harassment . By submitting a bid, I acknowledge receipt of the Town of Rotterdam "Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace" Policy.



Signature

JCI Jones Chemicals, Inc.

Name of Company or Corporation

1765 Ringling Blvd

Address

Sarasota, FL 34236

City, State Zip

RESOLUTION AUTHORIZING SUBMISSION OF BIDS BY CORPORATION AND EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

Resolved that Summer Mello be authorized to sign and submit the bid or proposal of this corporation for Chlorine Gas Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by JCI Jones Chemicals, Inc corporation at a meeting of its board of directors held on the 14 day of January, ~~2018.~~ 202

(SEAL OF THE CORPORATION)

Allison J Grund

Signature of Secretary

INDIVIDUAL EXECUTION OF NON-COLLUSION CERTIFICATE AND WAIVER OF IMMUNITY CLAUSE

I, _____ hereby sign and submit this bid or proposal for _____ Town of Rotterdam, New York, Schenectady County, and to include in such bid or proposal the certificate as to non-collusion and waiver of immunity clause required by Section 103 of the General Municipal Law as the act and deed of this individual, and for any inaccuracies or misstatements in such certificate this individual bidder shall be liable under the penalties of perjury.

_____ _____

Signature of Individual Date

TOWN OF ROTTERDAM WAIVER ON IMMUNITY CLAUSE

The undersigned bidder agrees to sign a Waiver of Immunity Clause agreeing if called before a Grand Jury to testify concerning the bid or contract, to sign a Waiver of Immunity against Criminal transaction, bid or contract:

Name of Firm: JCI Jones Chemicals, Inc.

Signed by: Summer Mello Title: Nat'l Sales Admin

Signature: _____ Date: 3/16/22

JCI
Jones Chemicals Inc.

JCI Jones Chemicals, Inc.
Consent to Shareholder Action

January 14, 2022

I, the undersigned shareholder, being the holder of all shares of stock of the above company now outstanding, hereby resolve as follows:

1. **Summer Mello**, National Sales Coordinator
2. **Susan Jones**, Chief Administrative Officer

are hereby authorized to submit and sign bids, contracts and other documents pertaining thereto of this Corporation, to municipalities and other for the sale of company products.

Jeffrey W. Jones, C.E.O. & President

Attest:

Ryan Jones, Vice President of Operations

Corporate Offices • 1765 Ringling Blvd • Sarasota, Florida 34236 • *telephone:* 941.330.1537 • *facsimile:* 941.330.9657 • 800.477.1078
Branch Locations • Warwick, NY • Caledonia, NY • Barberton, OH • Riverview, MI • Merrimack, NH • Charlotte, NC
Jacksonville, FL • Beech Grove, IN • Milford, VA • Tacoma, WA • Torrance, CA
www.jcichemicals.com

STATE OF NEW YORK

DEPARTMENT OF STATE

Certificate of Status

I, ROBERT J. RODRIGUEZ, Acting Secretary of State of the State of New York and custodian of the records required by law to be filed in my office, do hereby certify that upon a diligent examination of the records of the Department of State, as of the date and time of this certificate, the following entity information is reflected:

Entity Name:	JCI JONES CHEMICALS, INC.
DOS ID Number:	97977
Entity Type:	DOMESTIC BUSINESS CORPORATION
Entity Status:	EXISTING
Date of Initial Filing with DOS:	01/23/1956
Statement Status:	CURRENT
Statement Due Date:	01/31/2022

No information is available from this office regarding the financial condition, business activity or practices of this entity.

WITNESS my hand and official seal of the Department of State, at the City of Albany, on January 31, 2022 at 10:05 A.M.

ROBERT J. RODRIGUEZ, Acting Secretary of State

By Brendan C. Hughes
Executive Deputy Secretary of State

Authentication Number: 100000998774 To Verify the authenticity of this document you may access the Division of Corporation's Document Authentication Website at http://ecorp.dos.ny.gov

Payment Instructions: ACH and Wire

BANK: PNC Bank
Two Tower Center Blvd
East Brunswick, NJ 08816
[redacted] (732) 220-3592

BENEFICIARY: JCI Jones Chemicals, Inc.

ACCOUNT #: [redacted]

ACCOUNT TYPE: Checking

ACH ROUTING #: [redacted]

WIRE ROUTING #: [redacted]

Please email payment remittance advice to [redacted]

Should you have any questions please contact our Accounts Receivable department using the email address above should you have any questions.

Thank you!

JCI Jones Chemicals, Inc

AFFIDAVIT OF COMPLIANCE

CHLORINE

JCI Jones Chemicals, Inc. hereby guarantees that the chlorine comprising each shipment or other delivery made to the buyer complies with all applicable requirements of the AWWA Standard for Liquefied Chlorine, AWWA B301-18.

We believe the above certification holds true until such a time as the AWWA Standard for Liquefied Chlorine is amended or the above certification is revoked in writing.

In addition, this product is certified under the ANSI/NSF Standard 60.

Very truly yours,

Summer Mello

Summer Mello
National Sales Administrator
JCI Jones Chemicals, Inc
1765 Ringling Blvd
Sarasota, FL 34236
(941) 330-1537

CERTIFICATE OF COMPLIANCE

Certificate Number	20140416-MH18026
Report Reference	MH18026-20020826
Issue Date	2014-APRIL-16
Issued to:	JCI JONES CHEMICALS INC 1765 RINGLING BLVD SARASOTA FL 34236
This is to certify that representative samples of	DRINKING WATER TREATMENT CHEMICALS Sunny Sol® Chlorine
	Have been investigated by UL in accordance with the Standard(s) indicated on this Certificate.
Standard(s) for Safety:	NSF/ANSI 60 - Drinking Water Treatment Chemicals - Health Effects
Additional Information:	See the UL Online Certifications Directory at www.ul.com/database for additional information

Only those products bearing the UL Classification Mark for the U.S. and Canada should be considered as being covered by UL's Classification and Follow-Up Service and meeting the appropriate U.S. and Canadian requirements.

The UL Classification Mark includes: the UL in a circle symbol: with the word "CLASSIFIED" (as shown); a control number (may be alphanumeric) assigned by UL; a statement to indicate the extent of UL's evaluation of the product; and the product category name (product identity) as indicated in the appropriate UL Directory. The UL Classification Mark for Canada includes: the UL Classification Mark for Canada: with the word "CLASSIFIED" (as shown); a control number (may be alphanumeric) assigned by UL; a statement to indicate the extent of UL's evaluation of the product; and the product category name (product identity) in English, French, or English/French as indicated in the appropriate UL Directory.

Look for the UL Classification Mark on the product.

This is to certify that representative samples of the product as specified on this certificate were tested according to the current UL requirements.

William R. Carney

William R. Carney, Director, North American Certification Programs

UL LLC

Any information and documentation involving UL Mark services are provided on behalf of UL LLC (UL) or any authorized licensee of UL. For questions, please contact a local UL Customer Service Representative at www.ul.com/contactus

JCI JONES CHEMICALS, INC.
Raw Material Specification
Chlorine, gaseous

Chlorine (gaseous)	Cl_2	99.8% minimum
Color (as gas)		Green-yellow
Color (as liquid)		Amber
Odor		Pungent, irritating
Organic Impurities		
Chloroform		100 ppm maximum
Carbon Tetrachloride		100 ppm maximum
Inorganic Impurities		
Nitrogen Trichloride		10 ppm maximum
Bromine		500 ppm maximum
Non-volatile Residue		50 ppm maximum
Moisture Content		50 ppm maximum

NOTE: Always read and follow the product label and Safety Data Sheet (SDS).

Description

This raw material is manufactured resulting in a green-yellow gas or when compressed, an amber liquid. It has a pungent, irritating odor and is considered toxic by inhalation. It is noncombustible by itself, yet supports combustion through oxidation.

This specification is cited in part to conform to Environmental Protection Agency criteria for use in the manufacture of sodium hypochlorite.

JCI Jones Chemicals, Inc. will set specifications for raw materials at its discretion according to a set specification criteria and intent of use.

Rev. 7/22/2015