

*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.

### **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; and

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

**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](http://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.

TOWN & COUNTRY BRIDGE AND RAIL, INC.

UNITCOST/DEL COST

UNITCOST/DEL COST

PIPE COLLAR BANDS & BOLTS 8" X 16 GA  
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

NB  
NB  
NB  
NB  
NB  
NB  
NB  
NB  
NB  
NB

\$20.19/\$20.19 DEL  
\$24.48/\$24.48 DEL  
\$29.00/\$29.00 DEL  
\$37.50/\$37.50 DEL  
\$48.40/\$48.40 DEL  
\$48.40/\$48.40 DEL  
\$77.44/\$77.44 DEL  
\$168.50/\$168.50 DEL  
\$315.50/\$315.50 DEL

POLYETHYLENE SMOOTH INTERIOR PIPE, 12" X P33 OR P34  
POLYETHYLENE SMOOTH INTERIOR PIPE, 15" X GRADE P33 OR P34  
POLYETHYLENE SMOOTH INTERIOR PIPE, 18" X GRADE P33 OR P34  
POLYETHYLENE SMOOTH INTERIOR PIPE, 24" X GRADE P33 OR P34  
POLYETHYLENE SMOOTH INTERIOR PIPE, 30" X GRADE P33 OR P34  
POLYETHYLENE SMOOTH INTERIOR PIPE, 36" X GRADE P33 OR P34

\$10.00/DEL INCLUDED  
\$13.20/DEL INCLUDED  
\$17.70/DEL INCLUDED  
\$31.10/DEL INCLUDED  
\$41.20/DEL INCLUDED  
\$54.10/DEL INCLUDED

\$10.00/\$10.00 DEL  
\$13.20/\$13.20 DEL  
\$17.70/\$17.70 DEL  
\$31.10/\$31.10 DEL  
\$41.20/\$41.20 DEL  
\$54.10/\$54.10 DEL

POLYETHYLENE PERFORATED PIPE, 12" X P33 OR P34  
POLYETHYLENE PERFORATED PIPE, 15" X P33 OR P34  
POLYETHYLENE PERFORATED PIPE, 18" X P33 OR P34  
POLYETHYLENE PERFORATED PIPE, 24" X P33 OR P34  
POLYETHYLENE PERFORATED PIPE, 30" X P33 OR P34  
POLYETHYLENE PERFORATED PIPE, 36" X P33 OR P34

\$10.00/DEL INCLUDED  
\$13.20/DEL INCLUDED  
\$17.70/DEL INCLUDED  
\$31.10/DEL INCLUDED  
\$41.20/DEL INCLUDED  
\$54.10/DEL INCLUDED

\$10.00/\$10.00 DEL  
\$13.20/\$13.20 DEL  
\$17.70/\$17.70 DEL  
\$31.10/\$31.10 DEL  
\$41.20/\$41.20 DEL  
\$54.10/\$54.10 DEL

WATER TIGHT COUPLING & END SECTION, 12" X P33 OR P34  
WATER TIGHT COUPLING & END SECTION, 15" X P33 OR P34  
WATER TIGHT COUPLING & END SECTION, 18" X P33 OR P34  
WATER TIGHT COUPLING & END SECTION, 24" X P33 OR P34  
WATER TIGHT COUPLING & END SECTION, 30" X P33 OR P34  
WATER TIGHT COUPLING & END SECTION, 36" X P33 OR P34

\$10.00/\$262.50  
\$13.20/\$262.50  
\$17.70/\$351.60  
\$31.10/\$450.39  
\$41.20/\$1,090.83  
\$54.10/\$1,154.81

NB/\$262.50  
NB/\$262.50  
NB/\$351.60  
NB/\$450.39  
NB/\$1,090.83  
NB/\$1,154.81

ROUND CORRUGATED PLASTIC PIPE, 8x16 GA, PER FOOT  
ROUND CORRUGATED PLASTIC PIPE, 12x16 GA, PER FOOT  
ROUND CORRUGATED PLASTIC PIPE, 15x16 GA, PER FOOT  
ROUND CORRUGATED PLASTIC PIPE, 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

NB  
NB  
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NB  
NB  
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NB  
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NB

PLASTICUNDERDRAIN PERFORATED 8" x 16 GA, PER FOOT  
PLASTICUNDERDRAIN PERFORATED 12" x 16 GA, PER FOOT  
PLASTICUNDERDRAIN PERFORATED 15" x 16 GA, PER FOOT  
PLASTICUNDERDRAIN PERFORATED 18" x 16 GA, PER FOOT  
PLASTICUNDERDRAIN PERFORATED 24" x 16 GA, PER FOOT  
PLASTICUNDERDRAIN PERFORATED 30" x 14 GA, PER FOOT  
PLASTICUNDERDRAIN PERFORATED 48" x 12 GA, PER FOOT  
PLASTICUNDERDRAIN PERFORATED 60" x 10 GA, PER FOOT

NB  
NB  
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NB  
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NB  
NB

\$6.80/\$6.80 DEL  
\$10.00/\$10.00 DEL  
\$13.20/\$13.20 DEL  
\$17.20/\$17.20 DEL  
\$31.10/\$31.10 DEL  
\$41.20/\$41.20 DEL  
\$91.10/\$91.10 DEL  
\$168.10/\$168.10 DEL  
\$31.10/\$31.10 DEL

Green=AWARDED

Red=NOT AWARDED

Yellow=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

[illegible]

PROPOSAL OF TOWN & COUNTY BRIDGE AND RAIL, INC.

ORIGINAL

| HIGHWAY MATERIALS                                         | UNIT<br>COST | DEL.<br>COST | F.O.B.<br>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 3/23/12

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 |           |
|                                                                    |         |         |           |
| <sup>METAL</sup> ROUND CORRUGATED PLASTIC PIPE, 8x16 GA, PER FOOT  | 20.19   | 20.19   |           |
| <sup>METAL</sup> ROUND CORRUGATED PLASTIC PIPE, 12x16 GA, PER FOOT | 24.48   | 24.48   |           |
| <sup>METAL</sup> ROUND CORRUGATED PLASTIC PIPE, 15x16 GA, PER FOOT | 29.00   | 29.00   |           |
| <sup>METAL</sup> ROUND CORRUGATED PLASTIC PIPE, 18x16 GA, PER FOOT | 37.50   | 37.50   |           |
| <sup>METAL</sup> ROUND CORRUGATED PLASTIC PIPE, 24x16 GA, PER FOOT | 48.40   | 48.40   |           |
| <sup>METAL</sup> ROUND CORRUGATED PLASTIC PIPE, 24x14 GA, PER FOOT | 59.84   | 59.84   |           |
| <sup>METAL</sup> ROUND CORRUGATED PLASTIC PIPE, 30x14 GA, PER FOOT | 77.44   | 77.44   |           |
| <sup>METAL</sup> ROUND CORRUGATED PLASTIC PIPE, 48x12 GA, PER FOOT | 168.50  | 168.50  |           |
| <sup>METAL</sup> ROUND CORRUGATED PLASTIC PIPE, 60x10 GA, PER FOOT | 315.50  | 315.50  |           |
|                                                                    |         |         |           |
| PLASTIC UNDERDRAIN 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   |           |
| PLASTIC UNDERDRAIN 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. Proclozzi, PRESIDENT

VINCENT L. PROCLOZZI 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. Padolzi 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**

*VINCENT L. PROICCI*

Resolved that he be authorized to sign and submit the bid proposal of this corporation for PIPE, 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 23<sup>RD</sup> 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. PACELOZZI, hereby sign and submit this bid or proposal for TOWN & COUNTY BRIDGE 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.

23<sup>rd</sup> day of MARCH, 2022

Signature of Individual Vincent L. Pacelozzi

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. Padozari 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: TOWN & COUNTY BRIDGE AND RAIL, INC.

Signed by: Vincent L. Paolozzi Title: PRESIDENT

Date: MARCH 23, 2022

Channing Supply  
CORP

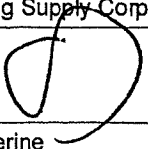
| HIGHWAY MATERIALS                                         | UNIT<br>COST | DEL.<br>COST | F.O.B.<br>POINT |
|-----------------------------------------------------------|--------------|--------------|-----------------|
| PIPE COLLAR BANDS & BOLTS 8" x 16 GA                      | No Bid       | Included     |                 |
| 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<br>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   |         |                 |  |
|                                                     |         |                 |  |
| PLASTIC UNDERDRAIN 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 |         |                 |  |
| PLASTIC UNDERDRAIN 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:  Title: Vice President  
Carl H Perine

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)**

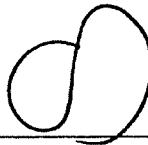
  
\_\_\_\_\_  
Signature of Corporate  
Secretary  
Marc P. Stemerman

**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

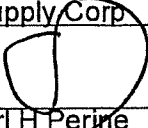
**TOWN OF ROTTERDAM**

**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:  Title: Vice President

Carl H Perine

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, 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 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 certifying, 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

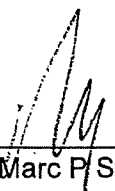
Signature: \_\_\_\_\_ Date: 03/11/22

**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.

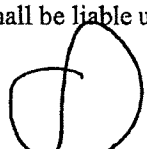
The foregoing is a true and correct copy of the resolution adopted by Chemung Supply Corp corporation at a meeting of its board of directors held on the 11th day of March, ~~2018~~ 22

(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:

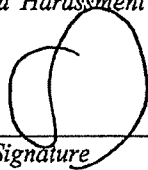
Name of Firm: Chemung Supply Corp

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](http://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

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

MANHOLE FRAMES SQUARE RISERS:

26 1/4" X 26 1/4" X 1  
26 1/4" X 26 1/4" X 2

Green=AWARDED  
Red=NOT AWARDED  
Yellow=NO BID

# CHEMUNG SUPPLY CORP.

## UNITCOST/DEL COST

# TOWN & COUNTRY BRIDGE AND RAIL, INC.

## UNITCOST/DEL COST

|    |    |
|----|----|
| NB | NB |
| NB | NB |

|    |    |
|----|----|
| NB | NB |
| NB | NB |
| NB | NB |
| NB | NB |
| NB | NB |

|          |          |
|----------|----------|
| \$725.00 | \$374.00 |
|----------|----------|

|          |    |
|----------|----|
| \$324.00 | NB |
| \$294.00 | NB |

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

DATE PUBLISHED IN NEWSPAPER: 02/26/2022

DATE & TIME BIDS TO BE OPENED: 03/23/2022 at 10:00 AM

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[illegible]

ORIGINAL

## PROPOSAL OF TOWN &amp; COUNTY BRIDGE AND RAIL, INC.

| HIGHWAY MATERIALS                         | UNIT<br>COST | DEL.<br>COST | F.O.B.<br>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 1/4" X 26 1/4" X 1                     |              |              |                 |
| 26 1/4" X 26 1/4" X 1                     |              |              |                 |
|                                           |              |              |                 |
|                                           |              |              |                 |
|                                           |              |              |                 |
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|                                           |              |              |                 |
|                                           |              |              |                 |
|                                           |              |              |                 |
|                                           |              |              |                 |

Signed By: Vincent L. Paolozzi, President

VINCENT L. PAOLOZZI 3/23/12

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 Rail, Inc.

Signed By: Vincent S. 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

VINCENT L. PROLOZZI

Resolved that I be authorized to sign and submit the bid proposal of this corporation for MANHOLE FRAME AND RATES, 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 23<sup>rd</sup> 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. PAOLIZZI, hereby sign and submit this bid or proposal for TOWN & COUNTY BRIDGE 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.

23 day of MARCH, 2022

Signature of Individual Vincent L. Paolizzi

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. Polizzi 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. Paolizzi Title: PRESIDENT

Date: MARCH 23, 2022

Chemung  
Supply Corp

| HIGHWAY MATERIALS                         | UNIT<br>COST | DEL.<br>COST | F.O.B.<br>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 1/4" X 26 1/4" X 1                     | \$324.00     | *            |                 |
| 26 1/4" X 26 1/4" X 1                     | \$294.00     | *            |                 |
|                                           |              |              |                 |
|                                           |              |              |                 |
|                                           |              |              |                 |
|                                           |              |              |                 |
|                                           |              |              |                 |
|                                           |              |              |                 |
|                                           |              |              |                 |
|                                           |              |              |                 |

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

**TOWN OF ROTTERDAM**

**Acknowledgment and Agreement**

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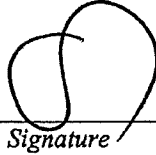
Name of Firm: Chemung Supply Corp

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.

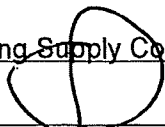
  
\_\_\_\_\_  
Signature of Individual Carl H Perine

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:  \_\_\_\_\_ 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, 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 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 certifying, 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)**

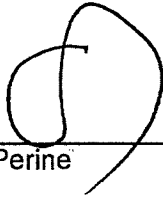
  
\_\_\_\_\_  
Signature of Corporate Secretary  
Marc P Stemerman

**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
  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

**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; and

**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](http://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 through 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

|                                                | <u>Cushing Stone</u> | <u>Callanan Industries Inc.</u> | <u>ADK Natural Resources, LLC</u> | <u>Larnard</u>      |
|------------------------------------------------|----------------------|---------------------------------|-----------------------------------|---------------------|
| 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

[illegible]

Callanan Industries, Inc.

| HIGHWAY MATERIALS                                 | UNIT<br>COST | DEL.<br>COST | F.O.B.<br>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<br>(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           |                 |
|                                                   |              |              |                 |
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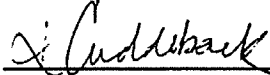
**TOWN OF ROTTERDAM**

**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

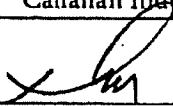
**TOWN OF ROTTERDAM**

**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

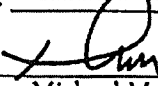
Date: 3/22/22

## 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 Industries, Inc.

Signed by:   
Michael Mastropietro

Title: VP

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

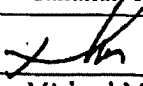
### NON-COLLUSIVE BIDDING CERTIFICATION

- 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 Callanar Industries, Inc.

Signe By  Title VP

Date Michael Mastropietro  
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 waive 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<br>COST | DEL.<br>COST | F.O.B.<br>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<br>(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 James M. Lewis 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. Houckes 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 25<sup>th</sup> 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. Houcas, 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. Houcas

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: CUSHING STONE CO INC

Signed by: James M. Jones

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: James L... 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 waive 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<br>COST | DEL.<br>COST | F.O.B.<br>POINT |
|---------------------------------------------------|--------------|--------------|-----------------|
| CRUSHED LIMESTONE SIZE 1, PER TON                 | 20.50        | 27.00        | 544<br>Burotek  |
| CRUSHED LIMESTONE SIZE 1A, PER TON                | —            | —            | Street          |
| 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<br>(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: [Signature] 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 1<sup>st</sup> 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 Pres

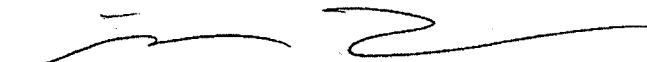
Date 3/23/2022

**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 15<sup>th</sup> 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

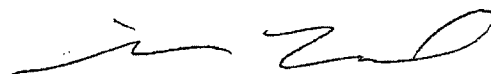
**TOWN OF ROTTERDAM**

**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.

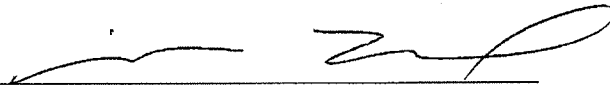
Name of Firm: Wm M Larned & Sons Inc

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*

| <b>HIGHWAY MATERIALS</b>                          | <b>UNIT<br/>COST</b> | <b>DEL.<br/>COST</b> | <b>F.O.B.<br/>POINT</b> |
|---------------------------------------------------|----------------------|----------------------|-------------------------|
| 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<br>(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

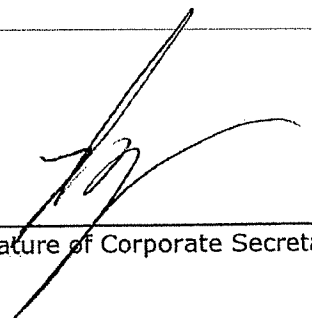
**TOWN OF ROTTERDAM**

**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**

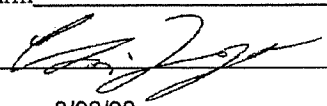
**NON-COLLUSIVE BIDDING CERTIFICATION**

- 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

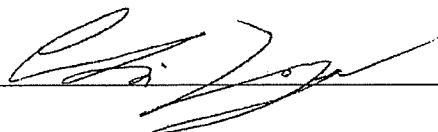
**TOWN OF ROTTERDAM**

**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 Duaneburg RD  
Duaneburg, NY 12056

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

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

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## 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 waive 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; and

**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

## 85

DATE PUBLISHED IN NEWSPAPER: 02/26/2022

DATE & TIME BIDS TO BE OPENED: 03/23/2022 at 10:30 AM

## BidPacket

# 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<br>Item | 2<br>Description | 3<br>Hourly<br>Rate/<br>Worker | x | 4<br>No. of<br>Workers | x | 5<br>Crew<br>Hourly<br>Rate<br>(=Col. 3 x<br>Col. 4) | 6<br>Hours/<br>Day | 7<br>Daily<br>Rate<br>(=Col. 5 x<br>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 |
|-----------|-------|------------------------|
| <hr/>     | <hr/> | <hr/>                  |
| <hr/>     | <hr/> | <hr/>                  |
| <hr/>     | <hr/> | <hr/>                  |
| <hr/>     | <hr/> | <hr/>                  |

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.
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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.
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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 waive 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 if 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 of 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 \_\_\_\_\_

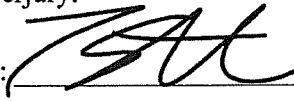
**(SEAL OF THE CORPORATION)**

\_\_\_\_\_  
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

A handwritten signature in black ink, appearing to be 'JSA', is written over a horizontal line.

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

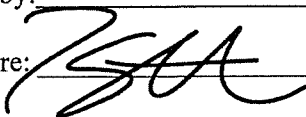
## NON-COLLUSION BIDDING CERTIFICATION

- A. By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, 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 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 certifying, 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.

  
\_\_\_\_\_  
Signature of Individual

03/09/2022  
\_\_\_\_\_  
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:

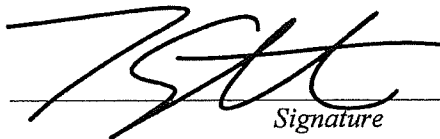
Name of Firm: Harmony Tree Care Specialists LLC

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.*

A handwritten signature in black ink, appearing to be 'JSH', written over a horizontal line.

*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<br>Item | 2<br>Description | 3<br>Hourly<br>Rate/<br>Worker | x | 4<br>No. of<br>Workers | x | 5<br>Crew<br>Hourly<br>Rate<br>(=Col. 3 x<br>Col. 4) | 6<br>Hours/<br>Day | 7<br>Daily<br>Rate<br>(=Col. 5 x<br>Col. 6) |  |
|-----------|------------------|--------------------------------|---|------------------------|---|------------------------------------------------------|--------------------|---------------------------------------------|--|
|-----------|------------------|--------------------------------|---|------------------------|---|------------------------------------------------------|--------------------|---------------------------------------------|--|

|   |                                         |        |   |   |   |        |              |             |  |
|---|-----------------------------------------|--------|---|---|---|--------|--------------|-------------|--|
| A | Tree Cutting & Removal Labor Costs      | 150.00 | 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 Dom 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 |
|---------------------|------|------------------------|
| <u>None to date</u> |      | <u>Dom D'Alonzo</u>    |
|                     |      |                        |
|                     |      |                        |
|                     |      |                        |

4. Address/Telephone Number for Communications Regarding Bid

Name: DOM'S LAWNMAKER INC

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

Telephone: 516 - 944-6497

5. Non-collusion Affidavit Signed (Section 04800)

☒ Yes

☐ No

Donis Lawn Maker

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# ***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

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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.

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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 waive 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:

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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.

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**

ORIGINAL

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 of 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 Dominic O'Leary

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 LAWN MAKER 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 LAWN MAKER

IN Corporation at a meeting of its board of directors held on the  
18 day of MARCH, 2022

**(SEAL OF THE CORPORATION)**

Donald DeLong  
Signature of Corporate  
Secretary

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

ORIGINAL

I, Dominick D'ALORO, hereby sign  
and submit this bid proposal for  
DON'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'Aloro

Date MARCH 18/22

**WAIVER OF IMMUNITY CLAUSE**

ORIGINAL

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 LAWYERMAKER INC  
Signed By Donald O'Glen  
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 LAUNDRYMAKER INC

Signed by: Dom O'Leary Title: President

Date: MARCH 10/2022

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 HARBAR ROAD

Address

PORT WASHINGTON NY 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, 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 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 certifying, 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: Rominel D'Alay Title: President

Signature: Dom D'Alay Date: MARCH 10/2020

**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)

Daniel O'Reilly  
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.

Daniel O'Reilly  
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: Daniel O'Reilly Title: President

Signature: Daniel O'Reilly 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:

|                     |                                            |                               |
|---------------------|--------------------------------------------|-------------------------------|
| <b><i>From:</i></b> | <b><i>A 1315 4100 Office Supplies</i></b>  | <b><i>Amount \$280.00</i></b> |
| <b><i>To:</i></b>   | <b><i>A 1315 2000 Office Equipment</i></b> | <b><i>Amount \$280.00</i></b> |

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

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## 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:

|              |                                                           |                               |
|--------------|-----------------------------------------------------------|-------------------------------|
| <b>From:</b> | <b><i>W 58320 4880 W5 Equipment Maint. And Repair</i></b> | <b><i>Amount \$300.00</i></b> |
| <b>To:</b>   | <b><i>W58320 2000 W5 Equipment</i></b>                    | <b><i>Amount \$300.00</i></b> |

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

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## 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:

|             |                                         |                         |
|-------------|-----------------------------------------|-------------------------|
| <b>From</b> | <b>A3310 4305 Auto Repair</b>           | <b>Amount \$1144.65</b> |
| <b>To</b>   | <b>A3310 4111 Signs Posts Paint Etc</b> | <b>Amount \$1144.65</b> |

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

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## 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

## ORDER 1

A DOCUMENT G701

ARCHITECT ☐  
 CONTRACTOR ☐  
 FIELD ☐  
 OTHER ☐

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

The Contract is changed as follows:

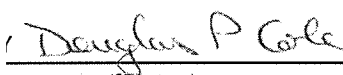
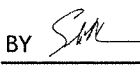
An amount of \$99,044.56 (\$53,044.56 from remaining amount in bid items and \$46,000 due to counting services twice in the pay apps) shall be deducted from the original contract value for the remaining amount in the contract after project completion

Not valid until signed by the Owner, Architect and Contractor.

|                                                                                                                                                                        |                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| The original (Contract Sum) ( <del>Guaranteed maximum Price</del> ) was                                                                                                | \$1,457,376.00 |
| that change by previously authorized Change orders                                                                                                                     | \$351,546.95   |
| The (Contract Sum) ( <del>Guaranteed maximum Price</del> ) prior to this Change order was                                                                              | \$1,808,922.95 |
| The (Contract Sum) ( <del>Guaranteed maximum Price</del> ) will be ( <del>increased</del> ) (decreased) ( <del>unchanged</del> ) by this Change Order in the amount of | \$99,044.56    |
| The new (Contract Sum) ( <del>Guaranteed maximum Price</del> ) including this Change order will be                                                                     | \$1,709,878.39 |

The Contract Time will be (~~increased~~) (~~decreased~~) (unchanged) by 0 days  
 The date of Substantial Completion as of the date of this Change Order therefore is December 4, 2020

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

|                                                                                    |                                                                                        |                     |
|------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|---------------------|
| TIME AE Group of NY                                                                | New Castle Paving, LLC.                                                                | Town of Rotterdam   |
| ARCHITECT                                                                          | CONTRACTOR                                                                             | OWNER               |
| 10 Great Oaks Blvd Suite 114                                                       | 1 Madison Street, Suite 100                                                            | 1100 Sunrise Blvd.  |
| Address                                                                            | Address                                                                                | Address             |
| Troy, NY 12203                                                                     | Troy, NY 12180                                                                         | Rotterdam, NY 12306 |
|  | BY  | BY                  |
| (Signature)                                                                        | (Signature)                                                                            | (Signature)         |
| Douglas P. Cole, P.E.                                                              | BY Sarah Killeen                                                                       | BY Mollie Collins   |
| (Typed Name)                                                                       | (Typed Name)                                                                           | (Typed Name)        |
| DATE 2/25/2022                                                                     | DATE 3/19/2022                                                                         | DATE                |

**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](http://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



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 be 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.



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**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:  | <u>\$ 72,500</u> |
| <b>TOTAL</b>              | <b>\$ 79,500</b> |

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

## **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.



**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 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |           |                                                                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------------------------------------------------------------------|
| Name of Action or Project:<br>Rotterdam Junction Stormwater Improvements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |           |                                                                      |
| Project Location (describe, and attach a general location map):<br>Rotterdam Junction- Lock Street, Isabella Street, and Scrafford Lane Rotterdam, NY 12150                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |           |                                                                      |
| Brief Description of Proposed Action (include purpose or need):<br>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:<br>Town of Rotterdam                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |           | Telephone: 518-355-7575 ext. 391<br>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):<br>Douglas Cole, PE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |           | Telephone: 518-348-7880<br>E-Mail: dcole@primeeng.com                |
| Address:<br>100 Great Oaks Boulevard, Suite #114                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |           |                                                                      |
| City/PO: Albany                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | State: NY | Zip Code: 12203                                                      |
| Property Owner (if not same as sponsor):                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |           | Telephone:<br>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, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees                                                                                                                                                                                                                                                                                                                                                                                            | Town of Rotterdam, Town Board                    |                                        |
| b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission                                                                                                                                                                                                                                                                                                                                                                                                           |                                                  |                                        |
| c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals                                                                                                                                                                                                                                                                                                                                                                                                                |                                                  |                                        |
| d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                  |                                        |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                                                                                                                                                                   | Schenectady County                               |                                        |
| f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                  |                                        |
| g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                                                                                                                                                                    | Empire State Development -Funding NYSDOT, NYSDEC | March 2020                             |
| h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                                                                                                                                                                  | Army Corps of Engineers NWP 43                   |                                        |
| i. Coastal Resources.<br>i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |                                                  |                                        |

## C. Planning and Zoning

|                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>C.1. Planning and zoning actions.</b>                                                                                                                                                                                                                                                                                                                                                                                            |  |
| 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>• If Yes, complete sections C, F and G.<br>• If No, proceed to question C.2 and complete all remaining sections and questions in Part 1                |  |
| <b>C.2. Adopted land use plans.</b>                                                                                                                                                                                                                                                                                                                                                                                                 |  |
| 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>If Yes, identify the plan(s):<br>NYS Heritage Areas: Mohawk Valley Heritage Corridor<br>_____<br>_____<br>_____     |  |
| 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>If Yes, identify the plan(s):<br>_____<br>_____<br>_____                                                                                                                              |  |

|                                                                                                                                                                                                     |                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <b>C.3. Zoning</b>                                                                                                                                                                                  |                                                                     |
| a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.<br>If Yes, what is the zoning classification(s) including any applicable overlay district? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| B-1: Retail Business & R-1: One Family Residential                                                                                                                                                  |                                                                     |
| b. Is the use permitted or allowed by a special or conditional use permit?                                                                                                                          | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| c. Is a zoning change requested as part of the proposed action?                                                                                                                                     | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| If Yes,<br>i. What is the proposed new zoning for the site? _____                                                                                                                                   |                                                                     |
| <b>C.4. Existing community services.</b>                                                                                                                                                            |                                                                     |
| a. In what school district is the project site located? <u>Schalmont, Jefferson</u>                                                                                                                 |                                                                     |
| b. What police or other public protection forces serve the project site?<br><u>Rotterdam Town Police Department, NYS Police</u>                                                                     |                                                                     |
| c. Which fire protection and emergency medical services serve the project site?<br><u>Rotterdam Fire District, Rotterdam EMS</u>                                                                    |                                                                     |
| d. What parks serve the project site?<br><u>Sanders Town Preserve, Maalwyck Park, Plotterkill Preserve, Woestina Park, Lock 9 State Canal Park</u>                                                  |                                                                     |

#### D. Project Details

|                                                                                                                                                                                                             |                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|
| <b>D.1. Proposed and Potential Development</b>                                                                                                                                                              |                   |
| a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? <u>installation of storm sewer pipe and appurtenances</u> |                   |
| b. a. Total acreage of the site of the proposed action?                                                                                                                                                     | <u>0.59</u> acres |
| b. Total acreage to be physically disturbed?                                                                                                                                                                | <u>0.12</u> acres |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?                                                                                      | <u>0.59</u> acres |
| c. Is the proposed action an expansion of an existing project or use? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                                |                   |
| 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                           |                   |
| If Yes,<br>i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____                                                                                    |                   |
| ii. Is a cluster/conservation layout proposed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>                                                                  |                   |
| iii. Number of lots proposed? _____                                                                                                                                                                         |                   |
| iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____                                                                                                                                     |                   |
| e. Will the proposed action be constructed in multiple phases? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                                       |                   |
| i. If No, anticipated period of construction: <u>6</u> 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> |                   |                   |                     |                                       |
| If Yes, show numbers of units proposed.                                                                                                                  |                   |                   |                     |                                       |
|                                                                                                                                                          | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
| Initial Phase                                                                                                                                            | _____             | _____             | _____               | _____                                 |
| At completion of all phases                                                                                                                              | _____             | _____             | _____               | _____                                 |

|                                                                                                                                                                                                     |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> |  |
| 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> |  |
| If Yes,                                                                                                                                                                                                                                                                                                                   |  |
| i. Purpose of the impoundment: _____                                                                                                                                                                                                                                                                                      |  |
| ii. If a water impoundment, the principal source of the water: <span style="float: right;"><input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____</span>                                                                                      |  |
| 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) <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> |  |
| 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?                                                                                                                                                                                                                                                                  |  |
| <ul style="list-style-type: none"> <li>• Volume (specify tons or cubic yards): _____</li> <li>• Over what duration of time? _____</li> </ul>                                                                                                                                                                                                                             |  |
| 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>                                                                                                                                                                                                    |  |
| 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>                                                                                                                                                                                                                                  |  |
| 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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> |  |
| If Yes:                                                                                                                                                                                                                                                                                         |  |
| i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): <u>Federal Riverine R4SBC, State Checkzone of RJ-1</u>                                                                                                |  |

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

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site?</li> <li>• Will a line extension within an existing district be necessary to serve the project?</li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> Yes <input type="checkbox"/> No                                                                        |
| <p>iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?</p> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul> <p>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):</p> <p>_____</p> <p>_____</p> <p>vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____</p> <p>_____</p> <p>_____</p>                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                    |
| <p>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?</p> <p>If Yes:</p> <p>i. How much impervious surface will the project create in relation to total size of project parcel?</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (impervious surface)</p> <p style="padding-left: 40px;">_____ Square feet or _____ acres (parcel size)</p> <p>ii. Describe types of new point sources. _____</p> <p>_____</p> <p>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)?</p> <p>_____</p> <p>_____</p> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> </ul> <p>_____</p> <ul style="list-style-type: none"> <li>• Will stormwater runoff flow to adjacent properties?</li> </ul> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> Yes <input type="checkbox"/> No |
| <p>iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?</p> <p>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?</p> <p>If Yes, identify:</p> <p>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)</p> <p>_____</p> <p>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)</p> <p>_____</p> <p>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)</p> <p>_____</p>                                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/> Yes <input type="checkbox"/> No<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                             |
| <p>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?</p> <p>If Yes:</p> <p>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)</p> <p>ii. In addition to emissions as calculated in the application, the project will generate:</p> <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul>                                                                                                                                     | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><input type="checkbox"/> Yes <input type="checkbox"/> No                                                             |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                         |                                                                                                                                                                                                     |                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                         |                                                                                                                                                                                                     |                                                                                                                                                                                         |
| <p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                         |                                                                                                                                                                                                     |                                                                                                                                                                                         |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend<br/> <input type="checkbox"/> Randomly between hours of _____ to _____</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> |                                                                                                                                                                                         |                                                                                                                                                                                                     |                                                                                                                                                                                         |
| <p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                         |                                                                                                                                                                                                     |                                                                                                                                                                                         |
| <p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 am - 5pm</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                         | <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 am - 5pm</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> | <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> |
| <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 7 am - 5pm</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> |                                                                                                                                                                                                     |                                                                                                                                                                                         |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>excavator, pavement cutting, tree cutting, loaders, pavers, Monday-Friday, intermittently and only during construction</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |
| <p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: minor tree and brush cutting and removal along edge of pavement in R.O.W. along pipe route</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |  |
| <p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| <p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored</p> <p>ii. Volume(s) per unit time (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities:</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |
| <p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |  |
| <p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |  |
| <p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: tons per (unit of time)</li> <li>• Operation : tons per (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction:</li> <li>• Operation:</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction:</li> <li>• Operation:</li> </ul> |  |

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 Covertypes                                                                   | 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                                                                                                                                   |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| <ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>• Explain: _____</li> </ul>                                                                                          |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| <b>E.2. Natural Resources On or Near Project Site</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| a. What is the average depth to bedrock on the project site? _____ 7+ feet                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span><br>If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %                                                                                                                                                                                                                                                                                                                                               |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| c. Predominant soil type(s) present on project site: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black;">Wayland Soils Complex</td> <td style="text-align: right; border-bottom: 1px solid black;">42 %</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Howard Gravely Silt</td> <td style="text-align: right; border-bottom: 1px solid black;">40.2 %</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Miscellaneous</td> <td style="text-align: right; border-bottom: 1px solid black;">17.8 %</td> </tr> </table> |                                        | Wayland Soils Complex                             | 42 %          | Howard Gravely Silt                                          | 40.2 %            | Miscellaneous                                      | 17.8 %               |             |                                        |                                         |                                     |      |  |
| 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: <table style="width: 100%; border-collapse: collapse;"> <tr> <td><input checked="" type="checkbox"/> Well Drained:</td> <td style="text-align: right;">40 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">20 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">40 % of site</td> </tr> </table>                                                                                                      |                                        | <input checked="" type="checkbox"/> Well Drained: | 40 % of site  | <input checked="" type="checkbox"/> Moderately Well Drained: | 20 % of site      | <input checked="" type="checkbox"/> Poorly Drained | 40 % of site         |             |                                        |                                         |                                     |      |  |
| <input checked="" type="checkbox"/> Well Drained:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 40 % of site                           |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| <input checked="" type="checkbox"/> Moderately Well Drained:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 20 % of site                           |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| <input checked="" type="checkbox"/> Poorly Drained                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 40 % of site                           |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border-collapse: collapse;"> <tr> <td><input checked="" type="checkbox"/> 0-10%:</td> <td style="text-align: right;">100 % of site</td> </tr> <tr> <td><input type="checkbox"/> 10-15%:</td> <td style="text-align: right;">_____ % of site</td> </tr> <tr> <td><input type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">_____ % of site</td> </tr> </table>                                                                                                                       |                                        | <input checked="" type="checkbox"/> 0-10%:        | 100 % of site | <input type="checkbox"/> 10-15%:                             | _____ % of site   | <input type="checkbox"/> 15% or greater:           | _____ % of site      |             |                                        |                                         |                                     |      |  |
| <input checked="" type="checkbox"/> 0-10%:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 100 % of site                          |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| <input type="checkbox"/> 10-15%:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | _____ % of site                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| <input type="checkbox"/> 15% or greater:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | _____ % of site                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span><br>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)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                                                                                |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                                                                                                                                         |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| 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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                                                                         |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border-collapse: collapse;"> <tr> <td>• Streams:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name NYS Wetland, Federal Waters R4SBC</td> <td>Approximate Size 34.7 acres, 3.32 acres</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">RJ-1</td> </tr> </table>                     |                                        | • 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 |  |
| • 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span><br>If yes, name of impaired water body/bodies and basis for listing as impaired: _____                                                                                                                                                                                                                                                                              |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span><br>If Yes:                                                                                                                                                                                                                                                                                                                                                                    |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |
| i. Name of aquifer: <u>Schenectady-Niskayuna SSA / Great Flats Aquifer</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                        |                                                   |               |                                                              |                   |                                                    |                      |             |                                        |                                         |                                     |      |  |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                        |                 |              |                 |               |            |                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-----------------|--------------|-----------------|---------------|------------|------------------------|
| <p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">squirrels _____</td> <td style="width: 50%;">skunks _____</td> </tr> <tr> <td>chipmunks _____</td> <td>opossum _____</td> </tr> <tr> <td>deer _____</td> <td>variety of birds _____</td> </tr> </table>                                                                                                                                                                                                                                       |                        | squirrels _____ | skunks _____ | chipmunks _____ | opossum _____ | deer _____ | variety of birds _____ |
| squirrels _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | skunks _____           |                 |              |                 |               |            |                        |
| chipmunks _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | opossum _____          |                 |              |                 |               |            |                        |
| deer _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | variety of birds _____ |                 |              |                 |               |            |                        |
| <p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul> |                        |                 |              |                 |               |            |                        |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>                                                                                                                                                          |                        |                 |              |                 |               |            |                        |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p> <p>_____</p>                                                                                                                                                                                                                                                                                       |                        |                 |              |                 |               |            |                        |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p>                                                                                                                                                                                                                                                                       |                        |                 |              |                 |               |            |                        |
| <p><b>E.3. Designated Public Resources On or Near Project Site</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                        |                 |              |                 |               |            |                        |
| <p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>                                                                                                                                                                                                                                                      |                        |                 |              |                 |               |            |                        |
| <p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p>                                                                                                                                                                                                                                                                                                                             |                        |                 |              |                 |               |            |                        |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>                                                                   |                        |                 |              |                 |               |            |                        |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. CEA name: <u>Aquifer Area Overlay Zone</u></p> <p>ii. Basis for designation: <u>Conserve, improve, protect natural resources</u></p> <p>iii. Designating agency and date: <u>Town of Rotterdam 4/5/85</u></p>                                                                                                                                                                     |                        |                 |              |                 |               |            |                        |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|
| 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?<br>If Yes:<br>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input checked="" type="checkbox"/> Historic Building or District<br>ii. Name: <u>Enlarged Erie Canal Lock 25</u><br>iii. Brief description of attributes on which listing is based: _____ | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                 |
| 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?                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                 |
| g. Have additional archaeological or historic site(s) or resources been identified on the project site?<br>If Yes:<br>i. Describe possible resource(s): _____<br>ii. Basis for identification: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                 |
| h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?<br>If Yes:<br>i. Identify resource: <u>Sanders Town Preserve, Plotter Kill Preserve, Lock 9 State Canal Park</u><br>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Preserved natural scenery, historic prevalence</u><br>iii. Distance between project and resource: <u>1.4, 0.5, 2.3 miles.</u>                                                                                                                             | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                                                 |
| i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?<br>If Yes:<br>i. Identify the name of the river and its designation: _____<br>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><br><input type="checkbox"/> Yes <input type="checkbox"/> 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](http://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 I Town of Rotterdam  
From: Andrew Mangini, Sr. Director, Public Affairs Practice Leader I 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 I 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 |
| <b>Total (April 2022)</b>                 | <b>\$3,000</b>           |

#### 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](http://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        |      |      |         |

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## 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



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

|         |              |
|---------|--------------|
| QUOTE # | CB2Q1351     |
| DATE    | Mar 25, 2022 |

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!**

**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        |      |      |         |

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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<br>DEPOSITED | DEC<br>LICENSE<br>SALES | DEC<br>PORTION | TOWN<br>PORTION | DOG<br>AMOUNT<br>PAID | STATE AG<br>MKTS<br>PORTION | TOWN<br>PORTION | MARRIAGE<br>FEE PAID | STATE<br>DOH<br>PORTION | TOWN<br>PORTION | BINGO/<br>GAMES<br>CHANCE | GAMES<br>CHANCE | TOWN<br>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<br>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 |

| 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 9, 2022 2859  
29-7/213

PAY  
TO THE  
ORDER OF

*Mollie Collins Supervisor*

\$ 4,809.86

*Four thousand eight hundred nine and 80/100* DOLLARS

KeyBank 

KeyBank National Association

MEMO

*Revenue March 2022*

*Diana M. Marzulli*  
*Town Clerk*

Mobile  
Deposit  
Safe  
Details on back

⑈002859⑈ ⑆021300077⑆ 8840008984⑈

**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        |      |      |         |

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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: To adopt meeting minutes from the March 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](http://www.rotterdamny.org)  
Email \* [dmarco@rotterdamny.org](mailto: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



**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



**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 (1<sup>st</sup> on call)**

Ian Bonthron                      Hourly Rate \$35.00

**Water Treatment Plant Operator (2<sup>nd</sup> 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



## 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



## 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



## **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 00/100 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



**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



## 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



## 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



## 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



## 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



March 23, 2022