MEETING OF THE
ROTTERDAM TOWN BOARD

December 11, 2024
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
PUBLIC HEARING
PRESENTATIONS

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.

DRAFT

INTRODUCTION OF MOTIONS, ORDERS AND RESOLUTIONS
RESOLUTIONS

449.24 Accepting Town Board meeting minutes. Pg. 5

450.24 To appoint a police officer. Pg. 34

451.24 To appoint a police sergeant. Pg. 40

452.24 To establish an advisory committee to study and make recommendations regarding the Town Supervisor position. Pg. 46

453.24 To accept revenue for Town Clerk's office for November 2024. Pg. 49

454.24 To negotiate and execute an agreement with EMTS NY LLC for the purchase of automated external defibrillators. Pg. 55

455.24 To approve budget transfers to the 2024 budget. Pg. 60

456.24 To authorize the purchase of one pickup truck for the Highway Department. Pg. 64

457.24 Authorize stipulation of settlement with BJ's Warehouse Club Inc. Pg. 80

458.24 Authorize stipulation of settlement with Columbia Altamont LLC. Pg. 86

459.24 To award bid for Rotterdam Police Department Car Wash Services. Pg. 92

460.24 To award bid for Rotterdam Police Department Uniform and Civilian Clothing Dry Cleaning. Pg. 102

461.24 To accept bid and award contract for Installation of New Fencing Off Kings Road. Pg. 112

462.24 To accept and award bid for Water District No. 5 Leak Detection Survey Phase 3, 4, & 5. Pg. 132

463.24 To reject all bids for Rotterdam Police Department Vehicle Maintenance and Repairs. Pg. 201

464.24 Request for bids for Rotterdam Police Department Vehicle Maintenance and Repairs. Pg. 203

465.24 Request for bids for Chlorine Gas. Pg. 221

466.24 Request for bids for Sodium Hexametaphosphate. Pg. 238

DRAFT

467.24 To declare police bicycles obsolete. Pg. 255

468.24 To establish the new job title of Stormwater Program Coordinator between the Town of Rotterdam and Schenectady County Civil Service. Pg. 258

469.24 Appointing Mary Barrie to the position of Stormwater Program Coordinator – Part Time. Pg. 268

470.24 To Declare Lead Agency for SEQR review on a Change of Zone for ±18.2 acres from Agricultural (A-1) to Two Family Residential (R-2) located along Fort Hunter Road and the terminus of Valentine Drive. Pg. 274

471.24 To call for a public hearing on the proposed Introductory Local Law __ of 2024; To amend Chapter 270, Zoning, of the Town Code, relating to a Change of Zone request on ±1.82 acres from Agricultural (A-1) to Two Family Residential (R-2) located along Fort Hunter Road and the terminus of Valentine Drive. Pg. 280

472.24 To Declare Lead Agency for SEQR review on a Change of Zone for ±3.07 acres from Agricultural (A-1) to General Business (B-2) located along Old Mariaville Road. Pg. 300

473.24 To call for a public hearing on the proposed Introductory Local Law __ of 2024; To amend Chapter 270, Zoning, of the Town Code, relating to a Change of Zone request on ±3.07 acres from Agricultural (A-1) to General Business (B-2) located along Old Mariaville Road. Pg. 317

474.24 To Declare Lead Agency for SEQR review on a Change of Zone for ±2.41 acres from Single Family Residential (R-1) to Multiple Family (R-3) located at 759 Peter Road. Pg. 330

475.24 To call for a public hearing on the proposed Introductory Local Law __ of 2024; To amend Chapter 270, Zoning, of the Town Code, relating to a Change of Zone Request on ±2.41 acres from Single Family Residential (R-1) to Multiple Family (R-3) located at 759 Peter Road. Pg. 336

476.24 To authorize property and casualty insurance renewal agreements for 2025. Pg. 361

477.24 To accept and award the proposal and agreement for the Natural Resources Inventory Project to Hudsonia Ltd. Pg. 404

478.24 To adopt a SEQR Negative Declaration on a Change of Zone application on ±17.3 acres from Agricultural (A-1) to General Business (B-2) located at 900 & 880 Duanesburg Road. Pg. 414

479.24 To Enact Local Law No. 24 of 2024; To amend Chapter 270, Zoning, of the Town Code, relating to a Change of Zone request on ±17.3 acres from Agricultural (A-1) to General Business (B-2) located at 900 & 880 Duanesburg Road. Pg. 589

DRAFT

480.24 To authorize the Supervisor to negotiate and execute an agreement with Buspatrol America LLC for implementation of the School Bus Stop Arm Enforcement Program. Pg. 627

481.24 To negotiate and execute an agreement with TLT Sealcoating, Inc. for paving. Pg. 669

LIAISON REPORTS
MISCELLANEOUS
EXECUTIVE SESSION
ADJOURNMENT
Mollie A. Collins, Supervisor

DRAFT

RESOLUTION NO. 449.24

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 Special Town Board Meeting of November 26, 2024, as attached.

SECTION 2. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE: December 4, 2024
TO**:** Mollie A. Collins, Supervisor

FROM: Diane M. Marco, Town Clerk

TITLE OF LEGISLATIVE REQUEST: To adopt meeting minutes for the Town Board Special Meeting of November 26, 2024.

TO BE PLACED ON TOWN BOARD AGENDA OF: December 11, 2024.

TO BE PLACED ON TOWN BOARD MEETING OF**:** December 11, 2024.

Background Information: Attached to adopt the Town Board Special Meeting of November 26, 2024.

Evaluation/Analysis: N/A

Recommendation(s): To place on Town Board agenda and Town Board meeting of December 11, 2024.

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

DRAFT

TOWN OF ROTTERDAM

DIANE M. MARCO
Town Clerk

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

December 2, 2024

Certified Resolutions: #436.24-#445.24 and #448.24 for the year 2024 were duly adopted. Resolutions #446.24 and #447.24 were tabled at the Town Board Special Meeting held at J.F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York, 12306 that was held Wednesday, November 26, 2024 at 7:00 p.m. The Town Board Agenda Meeting started at approximately 6:45 p.m. Motion #70.24 was made by Councilmember Dodson and seconded by Councilmember Gallucci. Motion #71.24 was made by Councilmember Dodson and seconded by Councilmember Gallucci. The Town Board Agenda Meeting was adjourned at approximately 6:51 p.m. All agreed to adjourn the Town Board Agenda. The Town Board Special Meeting started at approximately 7:00 p.m. The Town Board Special Meeting was adjourned at approximately7:10 p.m. by Councilmember Dodson and seconded by Councilmember Gallucci. All agreed to adjourn the Town Board Special Meeting.

Councilmembers Mastroianni and Schlag were absent

Diane M. Marco

Diane M. Marco, Town Clerk

DRAFT

SPECIAL MEETING OF THE ROTTERDAM TOWN BOARD

November 26, 2024
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
PUBLIC HEARING
PRESENTATIONS

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.

DRAFT

INTRODUCTION OF MOTIONS, ORDERS AND RESOLUTIONS
RESOLUTIONS

MOTIONS

70.24 I make a motion to table Resolution 446.24.

71.24 I make a motion to table Resolution 447.24.

RESOLUTIONS

436.24 Accepting Town Board meeting minutes. Pg. 3

437.24 To authorize healthcare insurance contracts for 2025. Pg. 42

438.24 To enact Local Law No. 22 of 2024; To establish a six (6) month extension to Local Law 8 of 2023 and Local Law 5 of 2024 which established a six (6) month moratorium prohibiting battery energy storage system installations within the Town of Rotterdam. Pg. 55

439.24 To enact Local Law No. 23 of 2024; To establish a six (6) month extension to Local Law 9 of 2023 and Local Law 6 of 2024 which established a six (6) month moratorium prohibiting wind generation system installations within the Town of Rotterdam. Pg. 71

440.24 To declare equipment obsolete. Pg. 87

441.24 To authorize an agreement with Trane U.S. Inc. for the year 2025. Pg. 90

442.24 To authorize Change Order No. 1 with Phoenix Fence LLC for the fencing at Woestina Park Challengers Field. Pg. 110

443.24 To amend Resolution 296.21 relating to the use of ARPA funds. Pg. 113

444.24 To accept the Rotterdam Preserve Master Plan**.** Pg. 121

445.24 To authorize the Town Supervisor to execute the Memorandum of Agreement between the Town of Rotterdam and the Civil Service Employees' Association recognizing the new job title of Water and Sewer Maintenance Manager. Pg 142

446.24 To adopt a SEQR Negative Declaration on a Change of Zone application on ±17.3 acres from Agricultural (A-1) to General Business (B-2) located at 900 & 880 Duanesburg Road. Pg. 146 **TABLED**

447.24 To enact Local Law No. 24 of 2024; To amend Chapter 270, Zoning, of the Town Code, relating to a Change of Zone request on ±17.3 acres from Agricultural (A-1) to General Business (B-2) located at 900 & 880 Duanesburg Road. Pg. 313 **TABLED**

DRAFT

448.24 To authorize an agreement with Albany Tank Services Inc. Pg. 351

LIAISON REPORTS
MISCELLANEOUS
EXECUTIVE SESSION
ADJOURNMENT
Mollie A. Collins, Supervisor

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following motion passed:

MOTION 70.24

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. I make a motion to table Resolution #446.24.

SECTION 2. This motion shall become effective November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
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 November 26, 2024 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following motion passed:

MOTION 71.24

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. I make a motion to table Resolution #447.24.

SECTION 2. This motion shall become effective November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
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 November 26, 2024 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 436.24

ACCEPTING TOWN BOARD MEETING MINUTES

THEREFORE, UPON MOTION OF Councilmember **DODSON** seconded by Councilmember **GALLUCCI**,
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 Town Board Meeting of November 13, 2024, as attached.

SECTION 2. This resolution shall become effective November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
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 Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM
Office Of The Town Clerk
Schenectady, County, N.Y.

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 437.24

TO AUTHORIZE HEALTHCARE INSURANCE CONTRACTS FOR 2025

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute healthcare insurance contracts with Capital District Physician Health Plan, Inc. (CDPHP), MVP Health Services Corp. (MVP), and Anthem for employee healthcare coverage in the year 2025.

SECTION 2. This resolution shall become effective November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
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 Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 438.24

TO ENACT LOCAL LAW NO. 22 OF 2024; TO ESTABLISH A SIX (6) MONTH EXTENSION TO LOCAL LAW 8 OF 2023 AND LOCAL LAW 5 OF 2024 WHICH ESTABLISHED A SIX (6) MONTH MORATORIUM PROHIBITING BATTERY ENERGY STORAGE SYSTEM INSTALLATIONS WITHIN THE TOWN OF ROTTERDAM

WHEREAS, the Town of Rotterdam has tasked the Energy Advisory Committee to review, amend, and make recommendations to the Town Battery Energy Storage System code and local laws regulating the same; and

WHEREAS, the Energy Advisory Committee has focused primarily on reviewing, amending, and making recommendations regarding Solar Energy Installations, and

WHEREAS, upon the recommendation of the Energy Advisory Committee, and as the Town of Rotterdam is committed to protecting the health, safety, and well-being of its residents and First Responders through responsible siting, pre-incident planning and education, continuing education and training, adequate protection and equipment, and the implementation of best practices to reduce potential hazards; and

WHEREAS, a public hearing was held on October 9, 2024 at the John F. Kirvin Government Center, Town Hall, 100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00 PM for the following purpose: For the enactment of Introductory Local Law No. 22 of 2024 relating to an establishing an amendment and six (6) month extension of Local Law No. 8 2023 and local law 5 of 2024 which established a moratorium on Battery Energy Storage Systems; **NOW**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby enacts Introductory Local Law No. 22 of 2024.

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 November 26, 2024.

DRAFT

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
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 Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 439.24

TO ENACT LOCAL LAW NO. 23 OF 2024; TO ESTABLISH A SIX (6) MONTH EXTENSION TO LOCAL LAW 9 OF 2023 AND LOCAL LAW 6 OF 2024 WHICH ESTABLISHED A SIX (6) MONTH MORATORIUM PROHIBITING WIND GENERATION SYSTEM INSTALLATIONS WITHIN THE TOWN OF ROTTERDAM

WHEREAS, the Town of Rotterdam has tasked the Energy Advisory Committee to review, amend, and make recommendations to the Town Wind Generation System code and local laws regulating the same; and

WHEREAS, the Energy Advisory Committee has focused primarily on reviewing, amending, and making recommendations regarding Solar Energy Installations, and

WHEREAS, upon the recommendation of the Energy Advisory Committee, and as the Town of Rotterdam is committed to protecting the health, safety, and well-being of its residents and First Responders through responsible siting, pre-incident planning and education, continuing education and training, adequate protection and equipment, and the implementation of best practices to reduce potential hazards; and

WHEREAS, a public hearing was held on October 9, 2024 at the John F. Kirvin Government Center, Town Hall, 100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00 PM for the following purpose: For the enactment of Introductory Local Law No. 23 of 2024 relating to an establishing an amendment and six (6) month extension of Local Law No. 9 2023 and local law 6 of 2024 which established a moratorium on Wind Generation Systems; **NOW**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby enacts Local Law No. 23 of 2024.

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 November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
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 Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 440.24

TO DECLARE EQUIPMENT OBSOLETE

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board, of the Town of Rotterdam, on the advice and recommendation of the I.T. Department, hereby declares the following equipment obsolete and no longer needed by the Town and authorizes their proper disposal:

Laptop Computers-

- Dell P15F
- Dell P28G
- Dell PP36X (Qty: 2)
- Dell E5470
- Dell E5440 (Qty: 3)
- Dell Latitude 5400
- HP Probook 450

Desktop Computers-
Dell:

- Optiplex 3020 (Qty: 3)
- Optiplex 3050 (Qty: 2)
- Dell Precision 3620
- Optiplex 5070 (Qty: 2)
- Optiplex 3010
- Optiplex GX620

SECTION 2. This resolution shall become effective November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
Collins	**X**		

DRAFT

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 Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 441.24

TO AUTHORIZE AN AGREEMENT WITH TRANE U.S. INC. FOR THE YEAR 2025

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with TRANE U.S. Inc., located at 301 Old Niskayuna Road, Suite 1, Latham, New York 12110, for a yearly service contract at 1100 Sunrise Blvd, Schenectady, New York, 12306, in the amount not to exceed ten thousand three hundred forty-five and 00/100 ($10,435.00) dollars for the 2025 calendar year, for heating and cooling system inspections and maintenances.

SECTION 2. This resolution shall become effective November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
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 Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

TOWN OF ROTTERDAM
Office Of The Town Clerk
Schenectady, County, N.Y.

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 442.24

TO AUTHORIZE CHANGE ORDER NO. 1 WITH PHOENIX FENCE LLC FOR THE FENCING AT WOESTINA PARK CHALLENGERS FIELD

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute Change Order No. 1 with Phoenix Fence LLC, located at 11071 Mariaville Road, Pattersonville, NY 12137, for the supply and installation of four additional 5' wide gates at the Woestina Park Challengers Field as described in the email dated 11/20/2024, in the amount not to exceed five hundred and 00/100 ($500.00) dollars.

SECTION 2. This resolution shall become effective November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
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 Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 443.24

TO AMEND RESOLUTION 296.21 RELATING TO THE USE OF ARPA FUNDS

WHEREAS, by Resolution No. 369.23 adopted on December 13, 2023, the Town Board voted in favor of amending Section 1 of Resolution 296.21 to read in its entirety as follows:

> "SECTION 1**.** The Town Board of the Town of Rotterdam, upon recommendation from the Director of Finance, does hereby accept the American Rescue Plan Act (ARPA) funds (into line A 4989 4989 00 (Fed Aid)) for use in support of 2021 expenses outside the initial budget with expenditures designated toward the purchase of 210 Phillips Road ($260,000.00) and 212 Phillips Road ($215,000.00) for the future use as Town parkland (total of $475,000.00) paid from line A7110 4153 (Parks Improvements); and to fund the improvements to Sewer District 7 Extension 2 ($415,000.00) paid from Capital Project - H131 (Carmen Rd Sewer SD7 Ext 2); and to fund the leak detection work, valve/hydrant(s) assessment, lead service/pipe inventory, redundant source evaluation, and consolidation review for Water Districts 3 and 4 ($136,700.00) paid from the fund line W38310 4850 (Water District 3, Engineering Consultant); and to fund the replacement of the asbestos concrete water main on Rt. 5S, paid from the fund line H132 Route 5S Safety Improvements ($1,200,000.00); and to fund the purchase of one Ford F-250 Pickup Truck for the Wastewater Treatment Plant paid from the fund lines S28130 2000 ($44,965.61) and S28120 2000 ($14,988.54) ($59,954.15); and to fund the Special Improvements Area Curry Road Sewer Improvement Project paid from the fund line H125 Capital Projects ($100,000.00); and to fund the Sartoli Avenue and Rome Avenue Drainage Improvements Project paid from the fund line H126 Capital Projects ($150,000.00); and to fund the repairs to the Route 5S Fire Hydrants paid from the fund line H132 - Route 5S Safety Improvements Capital Projects ($75,000.00); and to fund the purchase of Police Vehicles paid from the fund line A3120 2010 Patrol Vehicles ($175,000.00); and to fund the Salt Storage and Yard Waste Processing Facility project paid

from the fund line H107 Highway Salt Shed ($250,000.00), and to fund the Kiwanis International Park Waterfront Access Improvement Project paid from fund line H133 Kiwanis Boat Launch ($31,240.46); and

WHEREAS, the Town Board of the Town of Rotterdam desires to authorize designation of $12,516.73 of funds received pursuant to the American Rescue Plan Act (ARPA) to the Rotterdam Preserve Master Plan; **NOW**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Section 1 of Resolution 296.21 is hereby amended to read in its entirety as follows:

"SECTION 1**.** The Town Board of the Town of Rotterdam, upon recommendation from the Director of Finance, does hereby accept the American Rescue Plan Act (ARPA) funds (into line A 4989 4989 00 (Fed Aid)) for use in support of 2021 expenses outside the initial budget with expenditures designated toward the purchase of 210 Phillips Road ($260,000.00) and 212 Phillips Road ($215,000.00) for the future use as Town parkland (total of $475,000.00) paid from line A7110 4153 (Parks Improvements); and to fund the improvements to Sewer District 7 Extension 2 ($415,000.00) paid from Capital Project - H131 (Carmen Rd Sewer SD7 Ext 2); and to fund the leak detection work, valve/hydrant(s) assessment, lead service/pipe inventory, redundant source evaluation, and consolidation review for Water Districts 3 and 4 ($136,700.00) paid from the fund line W38310 4850 (Water District 3, Engineering Consultant); and to fund the replacement of the asbestos concrete water main on Rt. 5S, paid from the fund line H132 Route 5S Safety Improvements ($1,200,000.00); and to fund the purchase of one Ford F-250 Pickup Truck for the Wastewater Treatment Plant paid from the fund lines S28130 2000 ($44,965.61) and S28120 2000 ($14,988.54) ($59,954.15); and to fund the Special Improvements Area Curry Road Sewer Improvement Project paid from the fund line H125 Capital Projects ($100,000.00); and to fund the Sartoli Avenue and Rome Avenue Drainage Improvements Project paid from the fund line H126 Capital Projects ($150,000.00); and to fund the repairs to the Route 5S Fire

Hydrants paid from the fund line H132 - Route 5S Safety Improvements Capital Projects ($75,000.00); and to fund the purchase of Police Vehicles paid from the fund line A3120 2010 Patrol Vehicles ($175,000.00); and to fund the Salt Storage and Yard Waste Processing Facility project paid from the fund line H107 Highway Salt Shed ($250,000.00), and to fund the Kiwanis International Park Waterfront Access Improvement Project paid from fund line H133 Kiwanis Boat Launch ($31,240.46), and to fund the Senior Center Parking Lot Improvements Project paid from fund line A6772 2005 Equipment/Paving ($40,000.00); and to fund the Rotterdam Preserve Master Plan paid from the fund line A7110 4153 Parks Improvements ($12,516.73).

SECTION 2. Pursuant to Section 36 of the General Municipal Law of the State of New York and Sections 102, 112 and 113 of Town Law of the State of New York, regarding the Uniform System of Accounts, the following transfers to the various accounts for 2024 are hereby audited and approved:

Fund	**Account No.**	**Title**		**Amount**
General	A 909	FROM:	Fund Balance	-$12,516.73
General	A7110 4153	INTO:	Parks Impvmts.	+$12,516.73

SECTION 3. This resolution shall become effective November 26, 2024.

DATED: November 26, 2024

NAME	**AYES**	**NOES**	**ABSTAIN**
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
Collins	**X**		

DRAFT

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 Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 444.24

TO ACCEPT THE ROTTERDAM PRESERVE MASTER PLAN

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby accepts the Rotterdam Preserve Master Plan, for the consideration of implementing a proposed passive recreational use trail system, to be executed in phases over time.

SECTION 2. This resolution shall become effective on November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
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 Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 445.24

TO AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE THE MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF ROTTERDAM AND THE CIVIL SERVICE EMPLOYEES' ASSOCIATION RECOGNIZING THE NEW JOB TITLE OF WATER AND SEWER MAINTENANCE MANAGER

WHEREAS, on November 19, 2024, the Schenectady County Civil Service Commission voted to establish the title of Water and Sewer Maintenance Manager in the Town of Rotterdam in the competitive class of the civil service; NOW

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes The Supervisor to execute the memorandum of agreement between the Town of Rotterdam and the Civil Service Employees' Association recognizing the position of Water and Sewer Maintenance Manager, a position in the competitive class of the civil service, as a CSEA bargaining unit position covered under the Collective Bargaining Agreement between the Town of Rotterdam and the CSEA Town of Rotterdam Unit #8504.

SECTION 2. This resolution shall become effective November 26, 2024

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
Collins	**X**		

DRAFT

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 Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly **TABLED**:

RESOLUTION NO. 446.24 TABLED

TO ADOPT A SEQR NEGATIVE DECLARATION ON A CHANGE OF ZONE APPLICATION ON ±17.3 ACRES FROM AGRICULTURAL (A-1) TO GENERAL BUSINESS (B-2) LOCATED AT 900 & 880 DUANESBURG ROAD

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam herby adopts the Negative Declaration dated November 26, 2024, as prepared by the Senior Planner, for a Change of Zone request on ±17.3 acres from Agricultural (A-1) to General Business (B-2) to facilitate the construction of a 102,500 square foot BJ's Wholesale Club with associated 8 island fueling stations at 900 Duanesburg Road, Tax Map No. 57-3-7.112, and a 2,000 square foot retail building with associated drive thru at 880 Duanesburg Road, Tax Map No. 57.7-1-1.2.

SECTION 2. The Town Board hereby authorizes the Senior Planner to distribute all documents necessary to comply with 6 NYCRR Part 612.12 (State Environmental Quality Review).

SECTION 3. This resolution shall become effective November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
Collins	**X**		

TABLED

DRAFT

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was **TABLED** by the Town Board Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly **TABLED**:

RESOLUTION NO. 447.24 TABLED

TO ENACT LOCAL LAW NO. 24 OF 2024; TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE, RELATING TO A CHANGE OF ZONE REQUEST ON ±17.3 ACRES FROM AGRICULTURAL (A-1) TO GENERAL BUSINESS (B-2) LOCATED AT 900 & 880 DUANESBURG ROAD

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

SECTION 1. The Town Board hereby enacts Introductory Local Law No. 24 of 2024.

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 November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	**X**		
Mastroianni **(Absent)**			
Gallucci	**X**		
Schlag **(Absent)**			
Collins	**X**		

TABLED

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was **TABLED** by the Town Board Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco
Diane M. Marco, Town Clerk

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

DRAFT

At the regularly scheduled public Special meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, November 26, 2024, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 448.24

TO AUTHORIZE AN AGREEMENT WITH ALBANY TANK SERVICES INC.

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with Albany Tank Services. Inc., located at P.O. Box 331, Ravena, New York 12143, for the cleaning of a diesel tank located at Rotterdam Police Department, 101 Princetown Road, Schenectady, New York, 12306, in the amount not to exceed seven hundred and 00/100 ($700.00) dollars.

SECTION 2. This resolution shall become effective November 26, 2024.

DATED: November 26, 2024

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni **(Absent)**			
Gallucci	X		
Schlag **(Absent)**			
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 Special Meeting of the Town of Rotterdam on November 26, 2024, 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 Special meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this December 2, 2024.

Diane M. Marco

Diane M. Marco, Town Clerk

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

DRAFT

RESOLUTION NO. 450.24

TO APPOINT A POLICE OFFICER

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Matthew E. Radom of Glenville, New York is hereby appointed to the position of Police Officer, probationary, full-time, with full employee benefits and subject to pre-employment background checks, at an annual salary of sixty-nine thousand twenty-three and 88/100 ($69,023.88) commencing January 2, 2025.

SECTION 2. This resolution shall be effective January 2, 2025.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

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

LEGISLATIVE REQUEST FORM

DATE: December 3, 2024

TO: Legislative Review Board

FROM: Deputy Chief William Male

TITLE OF REQUEST: Appoint Matthew E. Radom to the position of Police Officer.

TOWN BOARD MEETING: December 11, 2024

Background Information: This Police Officer position has been budgeted and replaces an existing vacancy at the Police Department.

Evaluation/Analysis: Radom was chosen from a list of several lateral transfer candidates who were interviewed by a panel of Police Department Command Staff. He subsequently passed a background investigation. Radom is transferring from the Glenville Police Department.

Recommendation(s): Appoint Matthew E. Radom to the position of Patrolman 5th, full time, probationary with full employee benefits, at an annual salary of $69,023.88 effective January 2, 2025.

Attachment/Document(s): Civil service application.

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: RPD

DRAFT

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

Schenectady County

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

APPLICATION FOR EXAMINATION OR EMPLOYMENT

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

Date Received _____ Approved _____

Conditional _____ Disapproved _____

CIVIL SERVICE DEPT. USE ONLY

1. Police Officer (POSITION TITLE) _____ (EXAM NUMBER)

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

2. Name and Legal Residence

Radom (Last Name) Matthew (First Name) E (Middle Initial)

[redacted] (Street Address or Road) R.D. # or P.O. Box #

Schenectady (County) Glenville (City, Town, Village) NY (State) 12302 (Zip)

Home Phone Number _____ Cell Phone [redacted]

Email Address [redacted]

If mailing address is different:

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

County City, Town, Village State Zip

Social Security Number [redacted]

3. Police Officer & Firefighter Candidates Only:

Date of Birth (MM/DD/YYYY [redacted]

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

	Name	Years	Months
State of:	New York	[redacted]	
County of:	Schenectady		
Village of:			
Town of:	Glenville		
City of:			
School District			

5.Citizenship

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

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

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

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

Religious ☐ **Military** ☐ **Disability** ☐

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

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

License #:	[redacted]
Restrictions:	
Expiration Date:	
Endorsements:	None
Class of License:	DM
Is this License Currently Valid	YES ☒ NO ☐

ALL STATEMENTS ARE SUBJECT TO VERIFICATION

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

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

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

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

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

REMARKS:_____

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

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

ALL STATEMENTS ARE SUBJECT TO VERIFICATION

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

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

College, University, Professional or Technical School

Name of School	Number of College Credits	Degree Earned	Major Subject/ Courses	Did You Graduate? Yes	Did You Graduate? No	Date Degree Expected or Received
SUNY Plattsburgh		BA	Criminal Justice	X		[redacted]

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

Length of Employment	Firm Name:	Glenville Police Department
Fr[redacted]	Firm Address:	18 Glenridge Rd Glenville, NY 12302
To[redacted] Month/Year (mm/yyyy)	**Description of Duties:**	Patrol assigned zone, respond to calls for service, enforce penal law and vehicle & traffic law.
Employment Details		
Your Exact Title: Police Officer		
Name of Your Supervisor: Andrew Gover		
Supervisor's Title: Sergeant		
Hours worked / wk. (exclusive of overtime): 40		
Reason for Leaving: currently employed		

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

DRAFT

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

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

THIS AFFIRMATION MUST BE COMPLETED

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

Signature of Applicant	Matthew Radom Print Name	11/20/2024 Date

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

DRAFT

RESOLUTION NO. 451.24

TO APPOINT A POLICE SERGEANT

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Patrolman Eric Armstrong is hereby promoted and appointed to the position of Sergeant 2nd, probationary, with full employee benefits, at annual salary of one hundred four thousand three-hundred ninety-seven and 19/100 ($104,397.19) dollars commencing December 30, 2024.

SECTION 2. This resolution shall be effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

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

LEGISLATIVE REQUEST FORM

DATE: December 3, 2024

TO: Legislative Review Board

FROM: Deputy Chief William Male

TITLE OF REQUEST: Promote Patrolman Eric Armstrong to the position of Sergeant 2nd.

TOWN BOARD MEETING: December 11, 2024

Background information: This promotion replaces a vacant Sergeant position due to a retirement.

Evaluation/Analysis: Patrolman Armstrong was one of four candidates interviewed by a panel of Police Command Staff.

Recommendation(s): Promote Patrolman Eric Armstrong to the position of Sergeant 2nd, probationary, with full employee benefits, at an annual salary of $104,397.19 effective December 30, 2024.

Attachment/Document(s): List of Certification of Eligible Candidates from Civil Service

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: RPD

DRAFT

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

Schenectady County

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

APPLICATION FOR EXAMINATION OR EMPLOYMENT

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

Date Received _____ Approved _____

Conditional _____ Disapproved _____

CIVIL SERVICE DEPT. USE ONLY

1. _____ _____
POSITION TITLE EXAM NUMBER

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

2. Name and Legal Residence

_____
Last Name First Name Middle Initial

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

_____
County City, Town, Village State Zip

Home Phone Number _____ Cell Phone: _____

Email Address: _____

If mailing address is different:

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

_____
County City, Town, Village State Zip

Social Security Number _____ - _____ - _____

3. Police Officer & Firefighter Candidates Only:

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

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

	Name	Years	Months
State of:			
County of:			
Village of:			
Town of:			
City of:			
School District			

5.Citizenship

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

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

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

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

Religious ☐ **Military** ☐ **Disability** ☐

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

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

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

ALL STATEMENTS ARE SUBJECT TO VERIFICATION

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

	YES	NO
Have you ever served in the Armed Forces of the United States? *(The Armed Forces means the Army, Navy, Marine Corps, Air Force, and Coast Guard, including all components thereof and the National Guard when in the service of the US pursuant to call as provided by Law on a full-time active duty basis other than active duty for training purposes).*		
Have you ever used additional credits as a disabled or non-disabled veteran for appointment to any position in the public employment of New York State or any of its civil divisions?		
Do you have a service connected disability rated at 10% or more by the U.S. Department of Veterans Affairs? This disability must have been incurred during a Time of War period listed above.		
After you were permanently appointed using non-disabled veteran credits, were you subsequently certified as having a service connected disability rated at 10% or more by the U.S. Department of Veterans Affairs?		
Are you currently a resident of New York State?		

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

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

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

REMARKS:_____

_____

_____

_____

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

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

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

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

College, University, Professional or Technical School

Name of School	Number of College Credits	Degree Earned	Major Subject/ Courses	Did You Graduate?		Date Degree Expected or Received
				Yes	**No**	

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

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

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

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

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

THIS AFFIRMATION MUST BE COMPLETED

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

_____ _____ _____

Signature of Applicant Print Name Date

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

DRAFT

RESOLUTION NO. 452.24

TO ESTABLISH AN ADVISORY COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE TOWN SUPERVISOR POSITION

WHEREAS, the Town Board of the Town of Rotterdam recognizes the importance of evaluating the structure and effectiveness of its local government; and

WHEREAS, the Town Board wishes to consider the potential transition of the Town Supervisor position from a part-time two-year term to a full-time four-year term; and

WHEREAS, the Town Board desires to establish an advisory committee to study this matter and provide recommendations; NOW

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Establishment of Advisory Committee: There is hereby established a five-member Advisory Committee on the Town Supervisor Position (hereinafter "the Committee").

SECTION 2. Purpose: The Committee shall study and make recommendations to the Town Board concerning the potential transition of the Town Supervisor position from a part-time two-year term to a full-time four-year term.

SECTION 3. Composition: Each member of the Town Board shall be granted one appointment to the Committee. The Committee shall include at least one individual from each of the major political parties represented in the Town.

SECTION 4. Term: Once all members of the committee have been appointed the Committee shall have 180 days to complete its work and submit its recommendations to the Town Board.

SECTION 5. Duties and Responsibilities: The Committee shall conduct a comprehensive study of the Town Supervisor position, including its current duties, responsibilities, and compensation, work with the Association of Towns of the State of New York for guidance and information, conduct a survey of surrounding municipalities to determine:

- The term and salary of their respective supervisors,
- The population and budget of each municipality,
- For full-time positions, when the position became full-time and the current salary,

and analyze the potential impact of transitioning to a full-time, four-year term on the Town's governance and budget, and prepare a written report of its findings and recommendations for the Town Board.

DRAFT

SECTION 6. Applicable Laws: The Committee shall conduct its work in accordance with all applicable New York State laws, including but not limited to New York State Town Law, particularly Article 3 regarding town officers and Article 4 regarding town board; New York State Municipal Home Rule Law, particularly Article 2 regarding the powers of local governments to adopt and amend local laws; New York State Open Meetings Law (Public Officers Law, Article 7); and New York State Freedom of Information Law (Public Officers Law, Article 6).

SECTION 7. Public Meetings and Records: All meetings of the Committee shall be open to the public, and records of the Committee shall be subject to the Freedom of Information Law.

SECTION 8. Advisory Nature: The recommendations of the Committee shall be advisory in nature and not binding on the Town Board.

SECTION 9. Resources: The Town Board authorizes the Committee to utilize reasonable Town resources necessary to carry out its duties, subject to approval by the Town Supervisor.

SECTION 10. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE:	December 4 , 2024
TO:	Town Board
FROM:	Ronald Schlag
TITLE OF REQUEST:	RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ROTTERDAM, NEW YORK, ESTABLISHING AN ADVISORY COMMITTEE TO STUDY AND MAKE RECOMMENDATIONS REGARDING THE TOWN SUPERVISOR POSITION
TOWN BOARD MEETING:	December 11 , 2024
Background Information:	I have seen firsthand the benefit of having the current Supervisor here full time available to the town. In the past, many of the supervisors have been unavailable allowing subordinates to conduct the town's business.
Evaluation/Analysis:	It is my understanding that many of the surrounding municipalities have FT supervisors. This committee will determine and recommend if their research warrants a FT or PT supervisor and of term of the supervisor.
Recommendation(s):	Approval of this resolution to set up an advisory committee for recommendations for a full-time supervisor.
Attachment/Document(s):	NA
Compliance with Purchasing Policy:	NA
Effect(s) on Existing Law(s):	N/A
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

DRAFT

RESOLUTION NO. 453.24

TO ACCEPT REVENUE FOR TOWN CLERK'S OFFICE FOR NOVEMBER 2024

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 November 2024, has been placed on file and the town clerk's check in the amount of four thousand two hundred eighty six dollars and 76/100 ($4,286.76 has been submitted to the supervisor for deposit.

SECTION 2. This resolution shall become effective December 11, 2024

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

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

LEGISLATIVE REQUEST FORM

DATE: December 4, 2024

TO: Mollie A. Collins, Supervisor

FROM: Diane M. Marco, Town Clerk

TITLE OF LEGISLATIVE REQUEST: Revenue received for November $4,286.76 in the Town Clerks office.

TO BE PLACED ON TOWN BOARD AGENDA OF: December 11, 2024

TO BE PLACED ON TOWN BOARD MEETING OF: December 11, 2024

Background Information: Attached

Evaluation/Analysis: Increase revenue for the Town.

Recommendation(s): To place on the Town Board Agenda and Town Board meeting of December 11, 2024

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

DRAFT

Town Clerk Monthly Report
November 01, 2024 - November 30, 2024

Account Description	Fee Description	Account#	Qty	Local Share
		Total Local Shares Remitted:		**$4,286.76**
Amount paid to:	NYS Ag. & Markets for spay/neuter program			243.00
Amount paid to:	NYS Environmental Conservation			919.69
Amount paid to:	State Health Dept. For Marriage Licenses			135.00
Total State, County & Local Revenues:	**$5,584.45**	**Total Non-Local Revenues:**		**$1,297.69**

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.

Molly A. Collins 12/6/24 Diane M. Marco 12/6/24

Supervisor Date Town Clerk Date

DRAFT

Town Clerk Monthly Report
November 01, 2024 - November 30, 2024

Account Description	Fee Description	Account#	Qty	Local Share
Carnival Fee	Carnival	A2545	1	500.00
			Sub-Total:	**$500.00**
Conservation	Conservation	A1255	13	58.31
			Sub-Total:	**$58.31**
Dog Licensing	Exempt Dog	A2544	4	0.00
Dog Licensing	Female, Spayed	A2544	89	1,246.00
Dog Licensing	Female, Unspayed	A2544	9	153.00
Dog Licensing	Male, Neutered	A2544	76	1,064.00
Dog Licensing	Male, Unneutered	A2544	17	289.00
Dog Licensing	Replacement Tags	A2544	1	3.00
			Sub-Total:	**$2,755.00**
Ez pass	Ez Pass	A1255	1	25.00
			Sub-Total:	**$25.00**
Late Fees	Late Fee -Dog Renewal	A1550	30	300.00
			Sub-Total:	**$300.00**
Marriage Lic.	MARRIAGE LICENSE FEE	A1255	6	105.00
			Sub-Total:	**$105.00**
Misc	Impoundment Fees - Dogs	A1550	2	20.00
	Misc		4	69.45
			Sub-Total:	**$89.45**
MISC. FEES	Boarding - Dog		2	35.00
MISC. FEES	Certified Copies	A1255	87	870.00
MISC. FEES	Insufficient Funds	A1255	1	20.00
			Sub-Total:	**$925.00**
One Day Officiant License	One Day Officiant License	A1255	3	75.00
			Sub-Total:	**$75.00**
PERMIT FEES	Garage Sale	A2590	4	20.00
			Sub-Total:	**$20.00**
Senior Discount	Senior Discount	A2544	58	-566.00
			Sub-Total:	**-$566.00**

DRAFT

Monthly Worksheet of Daily Work
November 2024

DATE	AMOUNT DEPOSITED	DEC LICENSE SALES	DEC PORTION	TOWN PORTION	DOG AMOUNT PAID	STATE AG MKTS PORTION	TOWN PORTION	MARRIAGE FEE PAID	STATE DOH PORTION	TOWN PORTION	Games of chance 3%	STATE BINGO/ GAMES CHANCE	TOWN PORTION	EZ PASS	ONE Day Officiant
11/1/2024	$334.17	$35.00	$32.34	$2.66	$95.00	$9.00	$86.00	$40.00	$22.50	$17.50	$34.17	$0.00	$0.00	$0.00	$0.00
11/4/2024	$673.00	$77.00	$72.75	$4.25	$461.00	$45.00	$416.00	$40.00	$22.50	$17.50	$0.00	$0.00	$0.00	$0.00	$0.00
11/6/2024	$316.00	$0.00	$0.00	$0.00	$276.00	$27.00	$249.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
11/7/2024	$298.00	$62.00	$58.57	$3.43	$171.00	$15.00	$156.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
11/8/2024	$339.00	$129.00	$121.16	$7.84	$40.00	$6.00	$34.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
11/12/2024	$422.00	$32.00	$30.24	$1.76	$220.00	$21.00	$199.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
11/13/2024	$451.00	$151.00	$141.21	$9.79	$90.00	$10.00	$80.00	$40.00	$22.50	$17.50	$0.00	$0.00	$0.00	$0.00	$25.00
11/14/2024	$374.00	$148.00	$139.12	$8.88	$166.00	$14.00	$152.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
11/15/2024	$291.12	$168.00	$158.01	$9.99	$95.00	$11.00	$84.00	$0.00	$0.00	$0.00	$18.12	$0.00	$0.00	$0.00	$0.00
11/18/2024	$188.00	$15.00	$14.17	$0.83	$103.00	$11.00	$92.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
11/19/2024	$180.00	$0.00	$0.00	$0.00	$110.00	$13.00	$97.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
11/20/2024	$167.00	$22.00	$20.79	$1.21	$115.00	$15.00	$100.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
11/21/2024	$173.07	$62.00	$58.58	$3.42	$70.00	$7.00	$63.00	$0.00	$0.00	$0.00	$11.07	$0.00	$0.00	$0.00	$0.00
11/22/2024	$276.09	$40.00	$37.79	$2.21	$125.00	$12.00	$113.00	$0.00	$0.00	$0.00	$6.09	$0.00	$0.00	$0.00	$0.00
11/25/2024	$755.00	$0.00	$0.00	$0.00	$130.00	$13.00	$117.00	$80.00	$45.00	$35.00	$0.00	$0.00	$0.00	$0.00	$25.00
11/26/2024	$77.00	$37.00	$34.96	$2.04	$40.00	$5.00	$35.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
11/27/2024	$270.00	$0.00	$0.00	$0.00	$125.00	$9.00	$116.00	$40.00	$22.50	$17.50	$0.00	$0.00	$0.00	$0.00	$25.00
Audited by dmm 11/30/2024	**$5,584.45**	$978.00	**$919.69**	**$58.31**	$2,432.00	**$243.00**	**$2,189.00**	$240.00	**$135.00**	**$105.00**	**$69.45**	**$0.00**	**$0.00**	**$0.00**	**$75.00**

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

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

DATE December 2, 2024 2966
29-7/213

Mollie Collins Supervisor $ 4,286.76

Four Thousand Two Hundred Eighty Six and 76/100 DOLLARS

KeyBank
KeyBank National Association

Revenue Dec 2024

Diane M. Mahl
town clerk

Mobile Deposit Safe Details on back

[redacted]

DRAFT

RESOLUTION NO. 454.24

TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH EMTS NY LLC FOR THE PURCHASE OF AUTOMATED EXTERNAL DEFIBRILLATORS

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with EMTS NY, LLC, located at P.O. Box 103 Delanson, New York 12053, for the supply and certification of Automated External Defibrillators, as described in the attached quote dated 10/04/2024, to be installed in each Town of Rotterdam designated building, in the amount not to exceed nineteen thousand, ninety nine and 90/100 ($19,099.90) dollars, to be paid out of each designated building equipment line.

SECTION 2. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE:	December 2, 2024
TO:	Mollie Collins, Town Supervisor
FROM:	James Keith, Sr. Building Inspector
TITLE OF REQUEST:	For Replacement and Purchase of AED Units.
TOWN BOARD MEETING:	December 11, 2024
Background Information:	The Town is in need of replacing the AED Units in Town Building and one police vehicle.
Evaluation/Analysis:	Three quotes were obtained and EMTS NY, LLC has provided the lowest cost quote to replace outdated and expired AED Units in Town Buildings.
Recommendation(s):	Authorize the Supervisor to sign the agreement for replacement of 10 AED Units in the amount of $19,099.99.
Attachment/Document(s):	Quote from EMTS NY, LLC, PO Box 103, Delanson, NY 12053
Compliance with Purchasing Policy:	N/A
Effect(s) on Existing Law(s):	N/A

LEGISLATION WILL BE PREPARED BY:

DRAFT

ESTIMATE

EMTS NY, LLC
PO Box 103
Delanson, NY 12053

info@emtsny.com
(518) 605-2002
www.emtsny.com

Bill to
Town of Rotterdam

Ship to
Town of Rotterdam

Estimate details
Estimate no.: 1041
Estimate date: 10/04/2024

Product or service	Description	Qty	Rate	Amount
Sales	ZOLL AED Plus (AED, AED Case, Adult Pads (2 year), Batteries)	10	$1,750.00	$17,500.00
Sales	ZOLL Pediatric Pads	10	$159.99	$1,599.90
Subtotal	Subtotal			**$19,099.90**
		Total		**$19,099.90**

Note to customer

Thank you for your business.

Accepted date **Accepted by**

DRAFT

Call Us Now 1-833-871-2083 FREE SHIPPING ON ALL ORDERS!

SHOPPER

AED MARKET

Search...

Close

Chat Now Contact Us

Login / Signup

My account

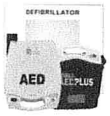
50

Cart

You are eligible for free shipping!

Checkout

Product



ZOLL AED Plus - New AED Value Package - Fully Automatic / No

- Tax Exempt Organization?: Yes, Tax Exempt Organization
- Add Ons: Pediatric Pads (For Children Under 8 yrs), Extra Adult Zoll CPR D Padz , CPR & AE

$2,096.00 ~~$2,650.00~~

− 10 + Remove

Total **$25,490.00**

You saved $5,840.00!

Order instructions

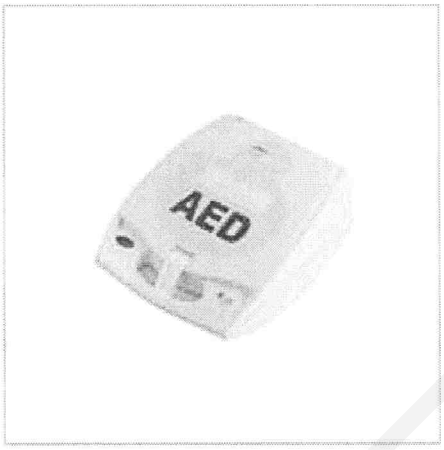
Taxes and shipping calculated at checkout

DRAFT

Click here to cancel and return without items to Buy Sourcewell online procurement feature (https://sourcewell.website/explore-contracts/)

POSSIBLE MISSIONS (/home)

A Sourcing Solutions Company



ZOLL AED PLUS PACKAGE

ZOLL Medical AED Plus Defibrillator Packages, Includes: AED Plus with CPR-D-padz (one piece adult electrode), Lithium Type 123 batteries and one year AED compliance management program, AED Plus package, Weight: 6.7 lb., 3.1kg, Display Type:

Part Number	17478002
Manufacturer	Zoll Medical Corporation
Manufacturer Part Number	21800010101011010
Lead Time	188
UNSPSC	42172101

$3,497.70 EA

1 Add To Cart

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RESOLUTION NO. 455.24

TO APPROVE BUDGET TRANSFERS TO THE 2024 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 **2024** are hereby audited and approved:

Fund	*Account No.*		*Title*	*Amount*
S2	S28110 4270	FROM:	Miscellaneous	-369.70
S2	S28110 4100	INTO:	Office Supplies	+272.00
S2	S28110 4163	INTO:	Safety Clothing Supply	+82.00
S2	S28120 4270	INTO:	Miscellaneous	+15.70
HWY	DA5110 4703	FROM:	Hwy Rental	-12,000.00
HWY	DA5110 4705	FROM:	Blacktop	-23,000.00
HWY	DA5110 4710	FROM:	Drainage	-13,000.00
HWY	DA5142 4720	FROM:	HWY Sand	-6,239.82
HWY	DA5110 2000	INTO:	Equipment	+54,239.82

SECTION 2. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE: **December 4, 2024**

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

FROM: **Comptroller's Office**

TITLE OF REQUEST**:** To approve budget transfers to the 2024 budget.

TOWN BOARD MEETING**:** To be placed on the Town Board Meeting of December 11, 2024

Background Information: Budget transfers are needed to correct lines in DPW and for the purchase of one vehicle for the Highway Department.

Evaluation/Analysis: Lines with expenditures currently being appropriated to them need to be funded properly and budget transfers need to be made in order to do so.

Recommendation(s): To be placed on the Town Board meeting of December 11, 2024, and approve the transfers.

Attachment/Document(s): Memo: Jim Keith and Larry LaMora

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): Town Law 102, 113 & 113

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

DRAFT

Memorandum

To: Mollie Collins, Supervisor

From: James Keith, Senior Building Inspector

Subject: Budget Transfer

Date: November 4, 2024

Please transfer the following funds to cover expenses:

From	**S28110 4270 Miscellaneous**	**Amount** $ 369.70
To	**S28110 4100 Office Supplies**	**Amount** $ 272.00
To	**S28110 4163 Safety Clothing Supplies**	**Amount** $ 82.00
To	**S28120 4270 Miscellaneous**	**Amount** $ 15.70

Thank you.

cc: Alison Grace
Paul Sebesta

DRAFT

Memorandum

To: Alison Grace, Comptroller

From: Larry Lamora, Highway Superintendent

Subject: Budget Transfer

Date: November 27, 2024

Please transfer the following funds to cover 2024 expenses:

To: DA5110-2000 Equipment	**+$54,239.82**
From: DA5110-4703 HWY Rental	**-$12,000**
DA5110-4705 Blacktop	**-$23,000**
DA5110-4710 Drainage	**-$13,000**
DA5142-4720 HWY Sand	**-$6,239.82**

Thank you,

Larry Lamora
Highway Superintendent

DRAFT

RESOLUTION NO. 456.24

TO AUTHORIZE THE PURCHASE OF ONE PICKUP TRUCK FOR THE HIGHWAY DEPARTMENT

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 purchase of one 2024 Ford F-350 XL pickup truck for the Highway Department, from Metro Ford Inc, located at 3601 State Street, Schenectady, New York 12304, with compliance under NYS contract, in the amount not to exceed fifty-four thousand, two hundred thirty-nine and 82/100 ($54,239.82) dollars.

SECTION 2. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE: November 27th, 2024

TO: Mollie Collins, Supervisor

FROM: Larry Lamora, Highway Superintendent LL

TITLE OF REQUEST: To Purchase New F350 four-wheel drive with plow form Metro Ford Sales Inc.

TOWN BOARD MEETING: December 11th, 2024

Background Information: Purchase from Metro Ford Sales Inc. a new F350 four-wheel drive with plow as per mini bid on OGS Contract PC68988

Evaluation/Analysis: For the replacement of truck #43

Recommendation(s): To serve as a replacement truck for employees and their daily duties

Attachment/Document(s): Attached

Compliance with Purchasing Policy: Yes

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

LEGISLATION WILL BE PREPARED BY: Rachael Fisher

DRAFT

ACCOUNTS PAYABLE
TOWN OF ROTTERDAM
1100 SUNRISE BLVD.
SCHENECTADY, NY
12306

Mail Invoices In Duplicate To
Above Address

Purchase Order 00202437-00 FY 2024

The Above Purchase Order Number Must Appear On All Correspondence - Packing Sheets And Bills Of Lading

ORIGINAL

Page 1

Vendor
METRO FORD, INC.
3601 STATE ST.

SCHENECTADY, NY
12304

Ship To
HIGHWAY DEPARTMENT
TOWN OF ROTTERDAM
54 DUANESBURG ROAD
SCHENECTADY, NY
12306

Date Ordered	Vendor Number	Date Required	Ship Via	Terms	Department
12/02/24	005781				HIGHWAY

LN	Description / Account	Unit	Qty	Unit Price	Net Price
001	DA5110-2000 2024 F350xl 4x4w/plow	EACH	1.00	54239.82000	54239.82
				PO Total	54239.82

Chief Procurement Officer

DRAFT

Group 40440, Award 23166, Vehicles, Class 1-8

(Single OEM Any Make/Model): Mini-Bid Request

MINI-BID SUMMARY	
Mini-Bid Name	OGS 23166 - 2024811-1 - (1) Full Size Pickup Truck - Town Of Rotterdam
Mini-Bid Reference Number	2024811-1
Mini-Bid Release Date	11/8/2024
Mini-Bid Response Due Date	11/22/2024
Mini-Bid Response Due Time (Eastern Time)	11/22/24 12pm
Purchased or leased?	Purchased
BUYER CONTACT INFORMATION	
State or Non-State Entity?	Non-State
Authorized User Entity Name	Town Of Rotterdam
Town/Village/City & County	Rotterdam
Primary Contact Name & Title	Steven Skoda
Primary Contact Email & Phone	sskoda@rotterdamny.org, 518-355-7722 Ext 404
Secondary Contact Name & Title	Larry Lamora
Secondary Contact Email & Phone	llamora@rotterdamny.org, 518-355-7722
MINI-BID PROCESS	
Anticipated method and timeframe for purchase	One-time purchase for the total number of Vehicles requested
Type of Vehicle(s) requested	Any Vehicle that Meets the Specifications
Type of Vehicle Order	Pre-Existing Inventory Vehicle(s)
If Built to Specifications, Pre-Existing Inventory Vehicle(s) also considered?	Enter Data on Form A
If Pre-Existing Inventory, Vehicle(s) Built to Specifications also considered?	Yes
Method of Award for "Vehicle(s) Built to Specifications"	N/A
Method of Award for "Pre-Existing Inventory Vehicle(s)"	Enter Data on Form A
VEHICLE INFORMATION	
Number of Vehicles	1
Vehicle Type	Full Size Pickup Truck
Model Year	2024
Other Model Years considered?	No
Cab Type	Regular Cab
Drive Type	4x4
Fuel Type	Gasoline Only
Aftermarket Components Provider	See "Additional Vehicle Specifications" document
REQUIRED OPTIONS	
#NAME?	#NAME?

ADDITIONAL SPECIFICATIONS	
Additional Vehicle Specifications File Name	OGS 23166 - 2024811-1 - (1) Full Size Pickup Truck - 4x4 - Town Of Rotterdam - Specs
DELIVERY INFORMATION *(If "Multiple" is listed, see the Additional Specifications document for all delivery locations)*	
Delivery Date	asap
Delivery Location	Town Of Rotterdam Highway Dept
Number of Vehicles to be delivered to this location	1
Delivery Address	54 Duanesburg Rd
Delivery City, State, Zip Code	Schenectady, New York 12306
Delivery County	Schenectady

DRAFT

TOWN OF ROTTERDAM BID REQUEST OGS 23166- 2024811-1

ADDDITIONAL VEHICLE SPECIFICATIONS

YEAR 2024

MAKE F-350 SUPER DUTY XL OR F-250 SUPER DUTY XL

CAB REG

ENGINE 6.8L DEVCT NA PFI V8

TRANSMISSION A/T

DRIVE TERRAIN 4X4

COLOR RED

REAR END 3.73 ELECTRONIC-LOCKING AXLE

SNOWPLOW PREP PACKAGE, UPFITTER SWITCHES, 410 ALTERNATOR

FISHER XV2 9'6" MILD STEEL PLOW.

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Group 40440-23166, VEHICLES, Class 1-8 (Vehicle Marketplace)

Form B (Single OEM Vehicle): *Mini-Bid Response*

Form Revision: 9/12/23

DRAFT

GROUP 40440 – Vehicles, Class 1-8

Part A: Mini-Bid and Contractor Information		
1.0	**Mini-Bid Questions**	**Contractor Response**
1.1	**Mini-Bid Reference Number** (e.g. 12345; see the *Mini-Bid Request*)	**OGS 23166-2024811-1**
1.2	**Is the Mini-Bid for Vehicle(s) to be purchased or leased by the Authorized User?** *[click on yellow box and use drop-down menu]*	**Purchased**
1.3	**Are Vehicle(s) Built to Specifications being offered in response to the Mini-Bid?** *[click on yellow box and use drop-down menu]*	**No, Part B of this form has been left blank.**
1.4	**Are Pre-Existing Inventory Vehicle(s) being offered in response to the Mini-Bid?** *[click on yellow box and use drop-down menu]*	**Yes, Part C of this form has been completed.**
2.0	**Contractor Information**	
2.1	Full Legal Business Name, including DBA if applicable	METRO FORD SALES,INC
2.2	OGS Contract Number (e.g., PC12345)	PC68988
2.3	Federal Employer Identification Number / FEIN (e.g. 14-1234567)	14-1619871
2.4	NYS Vendor ID Number (e.g., 1000012345)	1000006901
3.0	**Primary Contact Information**	
3.1	Contact Name	WILLIAM HEARLEY
3.2	Contact Email	BILL@METROFORDNY.COM
3.3	Contact Phone (1)	518.631.6114
3.4	Contact Phone (2)	
4.0	**Secondary Contact Information**	
4.1	Contact Name	
4.2	Contact Email	
4.3	Contact Phone (1)	
4.4	Contact Phone (2)	

Part B: Vehicle(s) Built to Specifications offered for Mini-Bid		
1.0	**General Questions (Built to Spec)**	**Contractor Response**
1.1	Does the Vehicle offered meet all Authorized User Specifications for the requested Vehicle? *[Note: General specifications, and an "Additional Vehicle Specifications Document(s)" are included with each Mini-Bid Request]*	
1.2	Enter the estimated number of days after receipt of a Purchase Order, or other ordering document, that the delivery will be made.	
1.3	Enter the Final Order Due Date for the Vehicle offered for the Mini-Bid, or "TBA" if the date has not been announced by the manufacturer.	
2.0	**Vehicle Offered (Built to Spec)**	
2.1	Model Year (e.g., 2023, 2024)	
2.2	Make (e.g., Ford, Chevrolet, Dodge)	
2.3	Model (e.g., Taurus, Tahoe, Grand Caravan), and Trim Level (e.g., SE, LE, XL)	
2.4	Model Code (the OEM code used to identify a particular subset of a Vehicle Model)	
2.5	Drive Type *[click on yellow box and use drop-down menu]*	
	If the offered Drive Type is not included in the drop-down menu, enter it here	
2.6	Fuel Type *[click on yellow box and use drop-down menu]*	
	If the offered Fuel Type is not included in the drop-down menu, enter it here	
2.7	Enter the vendor business name(s) of the Aftermarket Components Provider(s), if applicable. If not applicable, enter "N/A".	

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GROUP 40440 – Vehicles, Class 1-8

3.0	Additional Information (Built to Spec)	
3.1	If applicable, enter any deviations from the Authorized User Specifications, or other additional information applicable to this Mini-Bid. Bidders are strongly encouraged to submit proposed deviations to the Authorized User by email prior to the Mini-Bid Response Due Date, so that they may be given due consideration prior to the submission of Bids. Do not enter information about Options or Aftermarket Components available for the Vehicle offered, unless it has been included in the Authorized User Specifications. If not applicable, enter "N/A".	

4.0	Vehicle Price Worksheet (Built to Spec)	Price
4.1	**NYS Base MSRP**	
4.2	**NYS Discount** *[Type a number only (e.g., 5.5); Do not type a percentage sign (%) after the number; For 5.5% type 5.5, not 0.055].*	
4.3	**NYS Base Price** *[Automatically calculated: NYS Base MSRP minus NYS Discount]*	$0.00
4.4	**NYS Aftermarket Components Price** *[If there are no Aftermarket Components, leave blank]*	
4.5	**NYS Price for the Vehicle** *[Automatically calculated: NYS Base Price plus NYS Aftermarket Component Price]*	$0.00
4.6	**Number of Vehicles** *[This quantity must match the Number of Vehicles specified by the Authorized User in the Mini-Bid Request]*	
4.7	**Total Price for Mini-Bid** *[Automatically calculated: NYS Price for the Vehicle multiplied by Total Number of Vehicles]*	Enter Pricing

Part C: Pre-Existing Inventory Vehicle(s) offered for Mini-Bid

1.0	General Questions (Pre-Existing)	Contractor Response
1.1	Do the Vehicle(s) offered meet all Authorized User Specifications for the requested Vehicle? *[click on yellow box and use drop-down menu]* *(Note: General specifications, and an "Additional Vehicle Specifications Document" are included with each Mini-Bid Request. A Vehicle offered that does not meet all Authorized User Specifications may be deemed non-responsive and may be rejected).*	Yes

DRAFT

GROUP 40440 – Vehicles, Class 1-8

1.2	Will the Vehicle(s) and pricing offered for the Mini-Bid Response remain firm and not be withdrawn for at least ten (10) calendar days from the first business day immediately following the Mini-Bid response submittal deadline, or such other period of time as specified in the Mini-Bid Request, in accordance with the Contract (see *Section 2.42 Procurement Method,* Paragraph G *Timeframe for Offers in Mini-Bids)?* *[click on yellow box and use drop-down menu]*	Yes
2.0	**Additional Information (Pre-Existing)**	
2.1	If applicable, enter any deviations from the Authorized User Specifications, or other additional information applicable to this Mini-Bid. Bidders are strongly encouraged to submit proposed deviations to the Authorized User by email prior to the Mini-Bid Response Due Date, so that they may be given due consideration prior to the submission of Bids. Do not enter information about Options or Aftermarket Components available for the Vehicle offered, unless it has been included in the Authorized User Specifications. If not applicable, enter "N/A".	
3.0	**Vehicle Price Worksheet (Pre-Existing)**	

[If more than fifteen (15) Pre-Existing Inventory Vehicles are being offered for a Mini-Bid, submit an additional completed Form B (Single OEM Vehicle): Mini-Bid Response form for the Mini-Bid. Submit both Form Bs following the instructions at the top of this Form, using the following naming convention for the additional Form B "OGS 23166-XXXXXXXX-PC12345-Additional Vehicles" (i.e., OGS Award#-Mini-Bid Reference#-Contract#-Additional Vehicles)].

Ref. #	Model Year	Make	Model and Trim Level	Model Code	Exterior Color	Interior Color	Seat Fabric	Drive Type	Fuel Type	NYS Base MSRP	NYS Discount	NYS Base Price	NYS Aftermarket Components Price	NYS Price for Vehicle
(Example)	2023	Chevrolet	Traverse	CV14526	Blue Metallic	Dark Titanium	Cloth	FWD	Gasoline	$41,500.00	5.00	$39,425.00	$1,500.00	$40,925.00
001	2024	FORD	F-350	F3B	RACE RED	MED SLATE GRAY	CLOTH	4X4	GASOLLINE	$52,400.00	10.45	$46,926.82	$7,313.00	$54,239.82
002														
003														
004														
005														
006														
007														
008														
009														
010														
011														
012														
013														
014														
015														

Total Price for Mini-Bid	**$54,239.82**
Total Pre-Existing Vehicles Offered	1

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Group 40440-23166, VEHICLES, Class 1-8 (Vehicle Marketplace)

Form B (Single OEM Vehicle): *Mini-Bid Response*

Form Revision: 9/12/23

DRAFT

GROUP 40440 – Vehicles, Class 1-8

Part A: Mini-Bid and Contractor Information

1.0	Mini-Bid Questions	Contractor Response
1.1	**Mini-Bid Reference Number** (e.g. 12345; see the *Mini-Bid Request*)	**23166-2024811-1**
1.2	**Is the Mini-Bid for Vehicle(s) to be purchased or leased by the Authorized User?** *[click on yellow box and use drop-down menu]*	**Purchased**
1.3	**Are Vehicle(s) Built to Specifications being offered in response to the Mini-Bid?** *[click on yellow box and use drop-down menu]*	**Yes, Part B of this form has been completed.**
1.4	**Are Pre-Existing Inventory Vehicle(s) being offered in response to the Mini-Bid?** *[click on yellow box and use drop-down menu]*	**Yes, Part C of this form has been completed.**
2.0	**Contractor Information**	
2.1	Full Legal Business Name, including DBA if applicable	depaula ford llc
2.2	OGS Contract Number (e.g., PC12345)	pc69145
2.3	Federal Employer Identification Number / FEIN (e.g. 14-1234567)	81-4291033
2.4	NYS Vendor ID Number (e.g., 1000012345)	1100186766
3.0	**Primary Contact Information**	
3.1	Contact Name	joshua halse
3.2	Contact Email	jhalse@depaulaford.com
3.3	Contact Phone (1)	518-477-0948
3.4	Contact Phone (2)	
4.0	**Secondary Contact Information**	
4.1	Contact Name	
4.2	Contact Email	
4.3	Contact Phone (1)	
4.4	Contact Phone (2)	

Part B: Vehicle(s) Built to Specifications offered for Mini-Bid

1.0	General Questions (Built to Spec)	Contractor Response
1.1	Does the Vehicle offered meet all Authorized User Specifications for the requested Vehicle? *[Note: General specifications, and an "Additional Vehicle Specifications Document(s)" are included with each Mini-Bid Request]*	Yes
1.2	Enter the estimated number of days after receipt of a Purchase Order, or other ordering document, that the delivery will be made.	5

GROUP 40440 – Vehicles, Class 1-8

1.3	Enter the Final Order Due Date for the Vehicle offered for the Mini-Bid, or "TBA" if the date has not been announced by the manufacturer.	
2.0	**Vehicle Offered (Built to Spec)**	
2.1	Model Year (e.g., 2023, 2024)	2024
2.2	Make (e.g., Ford, Chevrolet, Dodge)	ford
2.3	Model (e.g., Taurus, Tahoe, Grand Caravan), and Trim Level (e.g., SE, LE, XL)	F350
2.4	Model Code (the OEM code used to identify a particular subset of a Vehicle Model)	XL
2.5	Drive Type *[click on yellow box and use drop-down menu]*	4x4
	If the offered Drive Type is not included in the drop-down menu, enter it here	
2.6	Fuel Type *[click on yellow box and use drop-down menu]*	Gasoline Only
	If the offered Fuel Type is not included in the drop-down menu, enter it here	
2.7	Enter the vendor business name(s) of the Aftermarket Components Provider(s), if applicable. If not applicable, enter "N/A".	

DRAFT

GROUP 40440 – Vehicles, Class 1-8

3.0	Additional Information (Built to Spec)	
3.1	If applicable, enter any deviations from the Authorized User Specifications, or other additional information applicable to this Mini-Bid. Bidders are strongly encouraged to submit proposed deviations to the Authorized User by email prior to the Mini-Bid Response Due Date, so that they may be given due consideration prior to the submission of Bids. Do not enter information about Options or Aftermarket Components available for the Vehicle offered, unless it has been included in the Authorized User Specifications. If not applicable, enter "N/A".	
	RACE RED	

4.0	Vehicle Price Worksheet (Built to Spec)	Price
4.1	**NYS Base MSRP**	**$62,791.00**
4.2	**NYS Discount** *[Type a number only (e.g., 5.5); Do not type a percentage sign (%) after the number; For 5.5% type 5.5, not 0.055].*	**8.00**
4.3	**NYS Base Price** *[Automatically calculated: NYS Base MSRP minus NYS Discount]*	**$57,767.72**
4.4	**NYS Aftermarket Components Price** *[If there are no Aftermarket Components, leave blank]*	
4.5	**NYS Price for the Vehicle** *[Automatically calculated: NYS Base Price plus NYS Aftermarket Component Price]*	**$57,767.72**
4.6	**Number of Vehicles** *[This quantity must match the Number of Vehicles specified by the Authorized User in the Mini-Bid Request]*	**1**
4.7	**Total Price for Mini-Bid** *[Automatically calculated: NYS Price for the Vehicle multiplied by Total Number of Vehicles]*	**$57,767.72**

Part C: Pre-Existing Inventory Vehicle(s) offered for Mini-Bid

1.0	General Questions (Pre-Existing)	Contractor Response
1.1	Do the Vehicle(s) offered meet all Authorized User Specifications for the requested Vehicle? *[click on yellow box and use drop-down menu]* (*Note: General specifications, and an "Additional Vehicle Specifications Document" are included with each Mini-Bid Request. A Vehicle offered that does not meet all Authorized User Specifications may be deemed non-responsive and may be rejected).*	Yes

GROUP 40440 – Vehicles, Class 1-8

1.2	Will the Vehicle(s) and pricing offered for the Mini-Bid Response remain firm and not be withdrawn for at least ten (10) calendar days from the first business day immediately following the Mini-Bid response submittal deadline, or such other period of time as specified in the Mini-Bid Request, in accordance with the Contract (see *Section 2.42 Procurement Method,* Paragraph G *Timeframe for Offers in Mini-Bids)?* *[click on yellow box and use drop-down menu]*	
2.0	**Additional Information (Pre-Existing)**	
2.1	If applicable, enter any deviations from the Authorized User Specifications, or other additional information applicable to this Mini-Bid. Bidders are strongly encouraged to submit proposed deviations to the Authorized User by email prior to the Mini-Bid Response Due Date, so that they may be given due consideration prior to the submission of Bids. Do not enter information about Options or Aftermarket Components available for the Vehicle offered, unless it has been included in the Authorized User Specifications. If not applicable, enter "N/A".	
	UNIT IS IN STOCK...PRICE INCLUDES XV2 9-6 MILD STEEL (YELLOW BLADE)	
3.0	**Vehicle Price Worksheet (Pre-Existing)**	

[If more than fifteen (15) Pre-Existing Inventory Vehicles are being offered for a Mini-Bid, submit an additional completed Form B (Single OEM Vehicle): Mini-Bid Response form for the Mini-Bid. Submit both Form Bs following the instructions at the top of this Form, using the following naming convention for the additional Form B "OGS 23166-XXXXXXXX-PC12345-Additional Vehicles" (i.e., OGS Award#-Mini-Bid Reference#-Contract#-Additional Vehicles)].

Ref. #	Model Year	Make	Model and Trim Level	Model Code	Exterior Color	Interior Color
(Example)	2023	Chevrolet	Traverse	CV14526	Blue Metallic	Dark Titanium
001						
002						
003						
004						
005						
006						
007						
008						
009						
010						
011						
012						
013						
014						
015						

GROUP 40440 – Vehicles, Class 1-8

DRAFT

RESOLUTION NO. 457.24

AUTHORIZE STIPULATION OF SETTLEMENT WITH BJS WAREHOUSE CLUB INC.

WHEREAS, the Town of Rotterdam has litigated this Article 7, Real Property Tax Certiorari proceeding with BJ's Warehouse Club Inc., regarding real property taxes upon the premises located at 70 W Campbell Rd., SBL 48.5-3-10.12 for 2024; 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 eight million six hundred seventy five thousand and 00/100 dollars ($8,675,000.00) to six million five hundred seventy two thousand forty hundred eighty and 00/100 dollars ($6,572,480.00) for the property located at 70 W Campbell Rd., SBL 48.5-3-10.12 for 2024, with RPTL 727 to apply in accordance with its terms to the 2024 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; NOW

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Beebe Law Firm to enter into a stipulation of settlement on behalf of the Town of Rotterdam, in the matter BJ's Warehouse Club Inc v. Town of Rotterdam, et al., Index Number 2024-1548, Article 7 Real Property Tax Certiorari proceedings for the tax year 2024 consistent with the terms set forth above.

SECTION 2. This resolution shall become effective December 11, 2024

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

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

LEGISLATIVE REQUEST FORM

DATE: November 27, 2024

TO: Town Board

FROM: Brad Canning, Assessor

TITLE OF LEGISLATIVE REQUEST: Settlement of Tax Certiorari filed by BJ's Warehouse Club, Inc. (LBW Rotterdam LLC) for 2024. SBL 48.5-3-10.12

TO BE PLACED ON TOWN BOARD AGENDA OF: December 11, 2024

TO BE PLACED ON TOWN BOARD MEETING OF: December 11, 2024

Background Information: Applicants filled Article 7 tax certioraris for the property located at 70 W Campbell Rd., SBL 48.5-3-10.12

Evaluation/Analysis: Based on discussions between the Assessor and Attorneys representing the Town and Petitioner, an agreement to settle has been reached.

Recommendation(s): Approval of stipulation.

Attachment/Document(s): Order of Stipulation.

Compliance with Purchasing Policy: n/a

Effect(s) on Existing Law(s): RPTL 727 is enforced.

LEGISLATION WILL BE PREPARED BY: Town Attorney

DRAFT

File #22883-4006

At a Special Condemnation and Tax Certiorari Term of the Supreme Court of the State of New York, held in and for the County of Schenectady, New York, on the ____ day of , 2024.

P R E S E N T:

HON. MICHAEL CUEVAS, JSC
Justice

In the Matter of

BJ'S WHOLESALE CLUB, INC.

PETITIONER,

-AGAINST-

THE BOARD OF ASSESSORS AND/OR THE ASSESSOR OF THE TOWN OF ROTTERDAM, AND THE BOARD OF ASSESSMENT REVIEW,

RESPONDENTS,

AND

SCHALMONT CENTRAL SCHOOL DISTRICT,

INTERVENOR-RESPONDENT.

CONSENT ORDER & JUDGMENT

Index #	**Assessment Year**
2024-1548	2024

Section 48.5, Block 3, Lot 10.12

The above Petitioner having heretofore served and filed the Petitions and Notices to review the tax assessments fixed by the Town of Rotterdam for the assessment year 2024 upon certain real property constituting the following assessment parcel and designated as Tax Map No. 48.5-3-10.12, on the official Assessment Map of the Town of Rotterdam, and

The issues of these proceedings having duly come on for trial at an IAS Term of this Court, and the Petitioner having appeared by ERIN A. O'BRIEN, ESQ. of CULLEN AND DYKMAN LLP, and the Respondents having appeared by SCOTT RONDA, ESQ., of LAW OFFICE OF ROBERT L. BEEBE, LLC, and the Intervenor-Respondent having appeared by CHRISTOPHER J. HONEYWELL, ESQ. of HONEYWELL LAW FIRM, PLLC. and the Parties having made their settlement, it is

DRAFT

ORDERED, that the assessments on the above-referenced property be and the same are hereby reduced, corrected and fixed for the assessment year as follows:

TAX MAP NO. 48.5-3-10.12

ASSESSMENT YEAR	ORIGINAL ASSESSMENT	REDUCTION	FINAL ASSESSMENT
2024	8,675,000	2,102,520	6,572,480

and so reduced and confirmed, it is further

ORDERED, ADJUDGED AND DECREED that the officer or officers having custody of the assessment rolls upon which the above-mentioned assessments and any taxes levied thereon are entered shall correct the said entries in conformity with this Order and shall note upon the margin of said rolls, opposite said entries, that the same have been corrected by the authority of this Order, and it is further

ORDERED, that there shall be audited, allowed and paid to the Petitioner by the Town of Rotterdam the amount of Town taxes paid by the Petitioner as taxes against the said erroneous assessments in excess of what the taxes would have been if the said assessments made in the aforesaid years had been determined by this Order, together with interest thereon from the date of payment thereof as provided by statute, and it is further

ORDERED, that there shall be audited, allowed and paid to the Petitioner by the Schalmont Central School District of the Town of Rotterdam, the amount of School taxes paid by the Petitioner as taxes against the said erroneous assessments in excess of what the taxes would have been if the said assessments made in the aforesaid years had been determined by this Order, together with interest from the date of payment thereof as provided by statute, and it is further

ORDERED AND DIRECTED that the County Legislators of the County of Schenectady, State of New York, be and are hereby directed and authorized to audit, allow and to pay to the Petitioner the amount, if any, of State, County, Judiciary, Sewer District and any special taxes paid by the Petitioner as taxes against said erroneous assessments in excess of what the taxes would have been if the said

assessments had been as determined by this Order, together with interest thereon from the date of payment thereof as provided by statute, and it is further

ORDERED AND DIRECTED, that all tax refunds are to be paid with interest pursuant to §726 of the Real Property Tax Law of the State of New York; except that in the event the refund of taxes is paid within sixty (60) days from the date of service of a copy of this judgment upon the Schenectady County Commissioner of Finance, Town of Rotterdam Receiver of Taxes and the Schalmont Central School District Superintendent, then interest is waived; together with the amounts of interest and penalties, if any, paid on the excess of any of the aforesaid taxes by reason of delinquent payment, and it is further

ORDERED AND DIRECTED, that all tax refunds hereinabove directed to be made by Respondent, the Town of Rotterdam, and/or any of the various taxing authorities, be made by check or draft payable to the order of CULLEN AND DYKMAN LLP, as attorneys for the Petitioner, who are to hold the proceeds as trust funds for appropriate distribution, and who are to remain subject to the further jurisdiction of this Court in regard to their attorney's lien, pursuant to Judiciary Law §475, and it is further

ORDERED AND DIRECTED, that the moratorium imposed by RPTL §727, as well as the exceptions contained therein, shall apply to this settlement for the 2025/26, 2026/27 and 2027/28 tax years, and it is further

ORDERED, that this Order hereby constitutes and represents full settlement of each of the tax review proceedings herein, and there are no costs or allowances awarded to, by or against any of the Parties, and that upon compliance with the terms of this Order, the above-entitled proceedings be and the same are settled and discontinued.

ENTER,

J.S.C.

DRAFT

SIGNING AND ENTRY OF THE WITHIN
ORDER IS HEREBY CONSENTED TO:

TOWN OF ROTTERDAM

_____

By: SCOTT RONDA, ESQ.
Attorneys for Respondents
LAW OFFICE OF ROBERT L. BEEBE, LLC
514 Vischers Ferry Road
Clifton Park, NY 12065
(518) 373-1500

CULLEN AND DYKMAN LLP

By: ERIN A. O'BRIEN, ESQ.
Attorneys for Petitioner
333 Earle Ovington Blvd
Uniondale, NY 11553
(516) 357-3700
eobrien@cullenllp.com

SCHALMONT CENTRAL SCHOOL DISTRICT

_____

By: CHRISTOPHER J. HONEYWELL, ESQ.
Attorneys for Intervenor-Respondents
HONEYWELL LAW FIRM, PLLC
187 Wolf Road, Suite 202
Albany, NY 12205
(518) 512-4580

DRAFT

RESOLUTION NO. 458.24

AUTHORIZE STIPULATION OF SETTLEMENT WITH COLUMBIA ALTAMONT LLC

WHEREAS, the Town of Rotterdam has litigated this Article 7, Real Property Tax Certiorari proceeding with Columbia Altamont LLC, regarding real property taxes upon the premises located at 1925 Curry Rd., SL 59.9-7-1 in 2020 and 2021; 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 years, from one million seven hundred forty thousand and 00/100 dollars ($1,740,000.00) to one million five hundred forty thousand and 00/100 dollars ($1,540,000.00) for the property located at 1925 Curry Rd., SL 59.9-7-1 in 2020 and 2021; and

WHEREAS, it is deemed in the Town's best interest to settle the case for the above stated amount; NOW

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Beebe Law Firm to enter into a stipulation of settlement on behalf of the Town of Rotterdam, in the matter Columbia Altamont LLC v. Town of Rotterdam, et al., Index Number 2020-0823 and 2021-1462, Article 7 Real Property Tax Certiorari proceedings for the tax years 2020 and 2021 consistent with the terms set forth above.

SECTION 2. This resolution shall become effective December 11, 2024

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

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

LEGISLATIVE REQUEST FORM

DATE: November 27, 2024

TO: Town Board

FROM: Brad Canning, Assessor

TITLE OF LEGISLATIVE REQUEST: Settlement of Tax Certiorari filed by Columbia Altamont LLC for years 2020 and 2021. SBL 59.9-7-1

TO BE PLACED ON TOWN BOARD AGENDA OF: December 11, 2024

TO BE PLACED ON TOWN BOARD MEETING OF: December 11, 2024

Background Information: Applicants filled Article 7 tax certioraris for the property located at 1925 Curry Rd., SL 59.9-7-1 in 2020 and 2021.

Evaluation/Analysis: Based on discussions between the Assessor and Attorneys representing the Town, School, and Petitioner, an agreement to settle has been reached. Settlement applies to the 2020 and 2021 roll years only.

Recommendation(s): Approval of stipulation.

Attachment/Document(s): Order of Stipulation.

Compliance with Purchasing Policy: n/a

Effect(s) on Existing Law(s): RPTL 727 is not enforced.

LEGISLATION WILL BE PREPARED BY: Town Attorney

DRAFT

STATE OF NEW YORK
SUPREME COURT COUNTY OF SCHENECTADY

In the Matter of the Application of **COLUMBIA ALTAMONT LLC,**

Petitioner,

-against-

BOARD OF ASSESSMENT REVIEW AND ASSESSOR OF THE TOWN OF ROTTERDAM AND THE TOWN OF ROTTERDAM,

Respondents.

and

MOHONASEN CENTRAL SCHOOL DISTRICT,

Respondent-Intervenor.

For the review of the assessment for the years 2021 and 2022 of certain real property in the said **TOWN OF ROTTERDAM.**

STIPULATION & ORDER OF SETTLEMENT

Index Nos.: 2020-0823 & 2021-1462

RJI Nos. 46-1-2020-0381 46-1-2021-0590

Assigned Judge: Hon. Thomas D. Buchanan, J.S.C.

The above named Petitioner having duly brought these Real Property Tax Law ("RPTL") Article 7 proceedings to review the tax assessments made against the premises owned by the Petitioner and located at 1925 Curry Road (SBL No.: 59.9-7-1) in the Town of Rotterdam, County of Schenectady, State of New York (the "Parcel"), for the 2020 and 2021 assessment rolls being the real property mentioned and more fully described in the petitions made and filed herein, and issue having been duly joined herein, and the Petitioner having appeared by Goldman Attorneys PLLC, Erika C. Browne, Esq., the Respondents Board of Assessment Review and Assessor of the Town of Rotterdam and the Town of Rotterdam (the "Respondents") having appeared by Scott M. Ronda, Esq., Respondent-Intervenor Mohonasen Central School District having appeared by Tabner, Ryan & Keniry, LLP, William F. Ryan, Jr., Esq., and the parties having entered into and consent to this Stipulation & Order of Settlement;

DRAFT

NOW, on motion of Goldman Attorneys PLLC, attorneys for Petitioner, it is hereby,

1. ORDERED, ADJUDGED and DECREED, that the 2020 assessment of the Parcel in the Town of Rotterdam, County of Schenectady, State of New York on the assessment roll of the Town of Rotterdam for the year 2020 be corrected and reduced as follows:

Property	Original Assessed Value	Corrected Assessed Value	Reduction in Assessed Value
1925 Curry Rd (SBL No.: 59.9-7-1)	$1,740,000	$1,540,000	$200,000

; and it is further;

2. ORDERED, ADJUDGED and DECREED, that the 2021 assessment of the Parcel in the Town of Rotterdam, County of Schenectady, State of New York on the assessment roll of the Town of Rotterdam for the year 2021 be corrected and reduced as follows:

Property	Original Assessed Value	Corrected Assessed Value	Reduction in Assessed Value
1925 Curry Rd (SBL No.: 59.9-7-1)	$1,740,000	$1,540,000	$200,000

; and it is further;

3. ORDERED, ADJUDGED and DECREED, that the provisions of RPTL §727 shall not apply to this settlement; and it is further,

4. ORDERED, ADJUDGED and DECREED, that the County of Schenectady (the "County") shall refund any excess County taxes paid including special district charges, on account of the reductions set forth above to the 2020 and 2021 assessments of the Parcel for the 2020 and 2021 assessment rolls used to generate the 2021 and 2022 County taxes including special district charges, if any, on the Parcel; and it is further,

5. ORDERED, ADJUDGED and DECREED, that the Town of Rotterdam (the "Town") and/or the County shall refund any excess Town taxes paid, including special district charges, on

account of the reductions set forth above to the 2020 and 2021 assessments of the Parcel for the 2020 and 2021 assessment rolls used to generate the 2021 and 2022 Town taxes including special district charges, if any, on the Parcel; and it is further,

6. ORDERED, ADJUDGED and DECREED, that the Mohonasen Central School District (the "School District") shall refund any excess School District taxes (including the library taxes) paid on account of the reductions set forth above to the assessments of the Parcel on account of the 2020 and 2021 assessment rolls used to generate the 2020-2021 and 2021-2022 School District taxes (including the library taxes) on the Parcel; and it is further,

7. ORDERED, ADJUDGED and DECREED, that the refunds, set forth above, shall be paid to Goldman Attorneys PLLC, attorneys for the Petitioner, 255 Washington Avenue Extension, Suite 108, Albany, New York 12205, without interest or costs, provided any such refunds are made within sixty (60) days of the service of this Stipulation and Order of Settlement with notice of entry thereof.

Dated: _____, 2024
Schenectady, New York

SO ORDERED:

_____
Hon. Thomas D. Buchanan
Justice, Supreme Court

DRAFT

STIPULATION

The Attorneys for the respective Parties do hereby consent to this Stipulation & Order of Settlement.

Dated: _____, 2024

GOLDMAN ATTORNEYS PLLC

By: _____

Erika C. Browne, Esq.
Paul J. Goldman, Esq.
Attorneys for Petitioner
Columbia Altamont LLC
255 Washington Avenue Extension, Suite 108
Albany, New York 12205
(518) 431-0941
ebrowne@goldmanpllc.com

Dated: _____, 2024

By: _____

Scott M. Ronda, Esq.
Attorney for Respondents
Town of Rotterdam
1 Vosburgh Road, Suite 2
Mechanicville, New York 12118-3613
(518) 605-0703
sronda@beebelaw.com

Dated: 25 November 2024

TABNER, RYAN & KENIRY, LLP

By: W. Ryan Jr.

William F. Ryan, Jr., Esq.
Attorneys for Respondent-Intervenor
Mohonasen Central School District
18 Corporate Woods Boulevard, Suite 8
Albany, New York 12211
(518) 512-5325
wfr@trklaw.com

DRAFT

RESOLUTION NO. 459.24

TO AWARD BID FOR ROTTERDAM POLICE DEPARTMENT CAR WASH 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, December 4, 2024, posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (https://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk on December 2, 2024, for public inspection upon request for the purchase by the Town of Rotterdam of the following:

ROTTERDAM POLICE DEPARTMENT CAR WASH SERVICES

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 the purchase of Rotterdam Police Department Car Wash Services, to Colonial Car Wash, located at 1530 Altamont Ave, Rotterdam, New York 12303, at the mutual consent of both the Town and Colonial Car Wash, according to the pricing in the attached bidding documents, commencing January 1, 2025, through December 31, 2026.

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

SECTION 3. This resolution shall become effective December 11, 2024

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

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

LEGISLATIVE REQUEST FORM

DATE: December 3, 2024

TO: Legislative Review Board

FROM: Deputy Chief William Male

TITLE OF REQUEST: Award car washing services bid to Colonial Car Wash for a two year period commencing January 1, 2025 thru December 31, 2026, for Rotterdam Police Department vehicles.

TOWN BOARD MEETING: December 11, 2024

Background Information: The Rotterdam Police Department's contract for car wash services expires on December 31, 2024. An invitation for bids was posted on BidNet on November 15, 2024 and closed on December 2, 2024 at 10:45am. There were three bids submitted. Colonial Car Wash submitted the lowest responsible bid for services.

Evaluation/Analysis: N/A

Recommendation(s): Award bid to Colonial Car Wash for a two year period beginning January 1, 2025 and running through December 31, 2026.

Attachment/Document(s): Bid Proposal from Colonial Car Wash

Compliance with Purchasing Policy: Yes

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

LEGISLATION WILL BE PREPARED BY: RPD

DRAFT

COLONIAL CAR WASH

DRAFT

Town of Rotterdam
Request for Bids

Rotterdam Police Department
Car Wash Services

Bid Opening:
December 2, 2024
@ 10:45 a.m.

DRAFT

TOWN OF ROTTERDAM BID FORM:

Rotterdam Police Department Car Wash Services

The undersigned has read, understands, and agrees to all conditions of this bid form and will furnish material as follows :

Sealed bids for the furnishing of all labor and/or material necessary for the Town of Rotterdam Police Department Car Wash Services will be received by the Town of Rotterdam Town Clerk at 1100 Sunrise Boulevard, Rotterdam, New York 12306 until 10:45 a.m. local time on Monday December 2, 2024 at which time and place they will be publicly opened and read aloud.

ITEM I - INTENT

1. The specification as listed is intended for Car Wash Services for all Rotterdam Police Department Vehicles, marked and unmarked.
2. We are requesting these bids for Car Wash Services for the years 2025-2026. Prices must be for the complete contract period.

ITEM II- BID FORMAT

1. We are requesting each bidder to submit a bid offering the cost per vehicle, per wash.

ITEM III-GENERAL BIDDER INFORMATION

1. No bid will be considered unless the bidder can meet the following conditions:

a) Bidder must guarantee all cleaning must be done properly and without damage to vehicles. If such damage develops the damage shall be replaced and/or repaired without cost to the Town of Rotterdam.

b) Bidder must expressly understand and agree to:

SECTION 103 OF THE GENERAL MUNICIPAL LAW - WAIVER OF IMMUNITY (CHAPTER 675) - LAWS OF 1966 - It is expressly understood and agreed that upon refusal of the bidder or any agent or employee of the bidder, when called before a Grand Jury to testify concerning any transaction of bid with the State of New York any political subdivision thereof, a public authority thereof or a waiver of immunity against subsequent prosecution to answer any relevant questions concerning such transaction or bid, shall cause the cancellation termination of this bid and the municipality shall be liable the bidder only for goods delivered or work done prior to the time of said cancellation.

SECTION 220-3-(b) OF THE LABOR LAW - NON, DISCRIMINATION - Neither contractor nor any person on their 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, sex or national origin.

SECTION 109 OF THE GENERAL MUNICIPAL LAW - NON-ASSIGNABILITY -The contractor is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this contract, or of contractor's power to execute this contract, to any other person or corporation without the previous consent in writing of the owner.

DRAFT

TOWN OF ROTTERDAM BID PROPOSAL:
Rotterdam Police Department Car Wash Services

The entire bid is strictly in accordance with the specification set forth in the bid documents herein. NOTE: Any questions should be submitted in writing to Deputy Chief William Male, Town of Rotterdam Police Department wmale@rotterdamny.org

COST PER VEHICLE 5.00 **PER VEHICLE WASH**

WE THE UNDERSIGNED hereby offer to supply Car Wash Services to the Town of Rotterdam Police Department for vehicles, marked and unmarked. The services shall not be limited to these specifications if your standard equipment exceeds such specifications. Further, all standard or necessary services not specified or stipulated will be included. All bids must be per item, EACH.

Signature

Altamont Enterprises DBA Colonial Car Wash
Name of Company or Corporation

1530 Altamont Ave
Address

Rotterdam NY 12303
City State Zip

vmangini@fisorealtygroup.com
Email & Telephone

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.

If submitting bid in person or by mail, ***please write bid title on the outside envelope*** *and submit in a sealed envelope to the Town Clerks Office, 1100 Sunrise Blvd, Rotterdam, NY 12306, during regular business hours, Monday – Friday 8am- 4pm.*

DRAFT

INSTRUCTIONS TO BIDDERS

1. All bids must be submitted before **10:45 a.m. on December 2, 2024,** the day of opening.

2. Electronic and in person 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 **10:45 a.m. December 2, 2024** 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 source. Only those vendors who obtain ITB, RFP or RFQ documents from the BidNet system are guaranteed to receive addendum information, if such information is issued. If you obtain the document(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.

DRAFT

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 (if applicable).

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

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

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

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

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

DRAFT

NON-COLLUSION BIDDING CERTIFICATION

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

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

2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

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

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

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

Name of Firm: Cattamore Enterprises

Signed by: Robin Mangini Title: Rep

Signature: [signature] Date: 11/21/24

Email: rmangini@hslorealtygroup.com

DRAFT

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 _____ _____, **20__.**

(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:_____

Signed by:_____ Title: _____

Signature:_____ Date:_____

DRAFT

RESOLUTION NO. 460.24

TO AWARD BID FOR ROTTERDAM POLICE DEPARTMENT UNIFORM AND CIVILIAN CLOTHING DRY CLEANING

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, December 4, 2024, posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (https://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk on December 2, 2024, for public inspection upon request for the purchase by the Town of Rotterdam of the following:

ROTTERDAM POLICE DEPARTMENT UNIFORM AND CIVILIAN CLOTHING DRY CLEANING

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 the purchase of Rotterdam Police Department Uniform And Civilian Clothing Dry Cleaning, to Smith's Dry Cleaning Delivery Service, located at 2568 Western Avenue, Apt. 3-08, Altamont, New York 12009, at the mutual consent of both the Town and Smith's Dry Cleaning Delivery Service, according to the individual pricing in the attached bidding documents, commencing January 1, 2025 through December 31, 2026.

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

SECTION 3. This resolution shall become effective December 11, 2024

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

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

LEGISLATIVE REQUEST FORM

DATE: December 3, 2024

TO: Legislative Review Board

FROM: Deputy Chief William Male

TITLE OF REQUEST: Award dry cleaning services bid to Smith's Dry Cleaning Delivery Service for a two year period commencing January 1, 2025 thru December 31, 2026, for Rotterdam Police Department Officer's uniforms / clothing.

TOWN BOARD MEETING: December 11, 2024

Background Information: The Rotterdam Police Department's contract for dry cleaning services expires on December 31, 2024. An invitation for bids was posted on BidNet on November 15, 2024 and closed on December 2, 2024 at 11:00am. Smith's Dry Cleaning Delivery Service was the sole bidder.

Evaluation/Analysis: N/A

Recommendation(s): Award bid to Smith's Dry Cleaning Delivery Service for a two year period beginning January 1, 2025 and running through December 31, 2026.

Attachment/Document(s): Bid Proposal from Smith's Dry Cleaning Delivery Service

Compliance with Purchasing Policy: Yes

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

LEGISLATION WILL BE PREPARED BY: RPD

DRAFT

Town of Rotterdam

Request for Bids

Rotterdam Police Department
Uniform and Civilian Clothing Dry Cleaning

Bid Opening:
December 2, 2024
@ 11:00 a.m.

DRAFT

TOWN OF ROTTERDAM BID FORM:

Rotterdam Police Department Uniform and Civilian Clothing Dry Cleaning

The undersigned has read, understands, and agrees to all conditions of this bid form and will furnish material as follows:

Sealed bids for the furnishing of all labor and/or material necessary for the Town of Rotterdam Police Department Uniform and Civilian Clothing Dry Cleaning will be received by the Town of Rotterdam Town Clerk at 1100 Sunrise Boulevard, Rotterdam, New York 12306 until 11:00 AM local time on Monday December 2, 2024 at which time and place they will be publicly opened and read aloud.

ITEM I - INTENT

1. The specification as listed is intended for dry cleaning of standardized uniforms and civilian clothing as presently used by the Rotterdam Police Department.
2. We are requesting these bids for dry cleaning services of uniforms and street clothes for the years 2025-2026. Prices must be for the complete contract period.

ITEM II- BID FORMAT

1. We are requesting each bidder to submit on each item and not the total bid.

ITEM III-GENERAL BIDDER INFORMATION

1. No bid will be considered unless the bidder can meet the following conditions:

a) Bidder must guarantee all dry cleaning must be done properly and without damage to clothing. If such damage does develop the fault shall be replaced and/or repaired without cost to the Town of Rotterdam.

b) Bidder must expressly understand and agree to:

SECTION 103 OF THE GENERAL MUNICIPAL LAW - WAIVER OF IMMUNITY (CHAPTER 675) - LAWS OF 1966 - It is expressly understood and agreed that upon refusal of the bidder or any agent or employee of the bidder, when called before a Grand Jury to testify concerning any transaction of bid with the State of New York any political subdivision thereof, a public authority thereof or a waiver of immunity against subsequent prosecution to answer any relevant questions concerning such transaction or bid, shall cause the cancellation termination of this bid and the municipality shall be liable the bidder only for goods delivered or work done prior to the time of said cancellation.

SECTION 220-3-(b) OF THE LABOR LAW - NON, DISCRIMINATION - Neither contractor nor any person on their 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, sex or national origin.

SECTION 109 OF THE GENERAL MUNICIPAL LAW - NON-ASSIGNABILITY -The contractor is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this contract, or of contractor's power to execute this contract, to any other person or corporation without the previous consent in writing of the owner.

DRAFT

159 November 13, 2024

TOWN OF ROTTERDAM BID PROPOSAL:
Rotterdam Police Department Uniform and Civilian Clothing Dry Cleaning

BID PROPOSAL SHEET

1. **PANTS**

Dress	$ 8.95	each
Uniform	$ 5.45	each
Bicycle Shorts	$ 7.95	each

2. **SHIRTS**

uniform Short Sleeves	$ 7.00	each
uniform Long Sleeves	$ 7.50	each
Dress Shirt	$ 3.95	each

3. **COATS**

A.	Dress Coat	$ 18.00 - 24.00	each
B.	Dress Blouse	$ 8.95 - 15.00	each
C.	Winter Coat	$ 17.00 - 22.00	each

4. **Sweater/Commando** $ 8.95 each

5. **Tie** $ 6.00 each

6. **Suit** $ 18.50 each

7. **Sport Jacket** $ 11.00 each

DRAFT

TOWN OF ROTTERDAM

Rotterdam Police Department Uniform and Civilian Clothing Dry Cleaning

The entire bid is strictly in accordance with the specification set forth in the bid documents herein. NOTE: Any questions should be submitted in writing to Deputy Chief William Male, Town of Rotterdam Police Department wmale@rotterdamny.org

Adam Smith
Signature

Smith's Dry Cleaning Delivery Service
Name of Company or Corporation

2568 Western Ave. Apt. 3-08
Address

Altamont, NY 12009
City ***State*** ***Zip***

Smithsdrycleaners@gmail.com 518-506-0983
Email & Telephone

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.

*If submitting bid in person or by mail, **please write bid title on the outside envelope** and submit in a sealed envelope to the Town Clerks Office, 1100 Sunrise Blvd, Rotterdam, NY 12306, during regular business hours, Monday – Friday 8am- 4pm.*

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INSTRUCTIONS TO BIDDERS

1. All bids must be submitted before **11:00 a.m. on December 2, 2024,** the day of opening.

2. Electronic and in person 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 **11:00 a.m. December 2, 2024** 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 source. Only those vendors who obtain ITB, RFP or RFQ documents from the BidNet system are guaranteed to receive addendum information, if such information is issued. If you obtain the document(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.

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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 (if applicable).

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

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

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

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

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

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NON-COLLUSION BIDDING CERTIFICATION

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

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

2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

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

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

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

Name of Firm: _____

Signed by: _____ Title: _____

Signature: _____ Date: _____

Email: _____

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 _____ _____, 20__.

(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: _____

Signed by: _____ Title: _____

Signature: _____ Date: _____

DRAFT

RESOLUTION NO. 461.24

TO ACCEPT BID AND AWARD CONTRACT FOR INSTALLATION OF NEW FENCING OFF KINGS ROAD

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 December 4, 2024 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:

INSTALLATION OF NEW FENCING OFF KINGS ROAD

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 Installation of New Fencing Off Kings Road for the Town of Rotterdam to AFSCO Fence Supply Co., located at PO Box 98, Latham, New York 12110, with a bid amount not to exceed six thousand nine hundred and 00/100 ($6,900.00) dollars.

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

SECTION 3. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE: December 3, 2024

TO: Town Board

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

TITLE OF REQUEST: Fencing across Martinalla Drive (paper road), located off Kings Road

TOWN BOARD MEETING: December 11, 2024

Background Information: Seven (7) fencing contractors were initially contacted for the purpose of supplying and installing 5' high chain link fencing with gates perpendicular to the road to prevent unauthorized access to the pond recently constructed for the Kings Road – Sartoli Avenue drainage improvement project. A total of three (3) bids were received.

Evaluation/Analysis: An evaluation was conducted to determine which company is the lowest responsible bidder. The bids are as follows:

- AFSCO Fence Supply Co., Inc. - $6,900.00
- Phoenix Fence & Deck LLC - $9,500.00
- Absolute Fence, LLC - $8,600.00

It appears that AFSCO Fence Supply Co. is the lowest responsible bidder. For information purposes, prior to the bid date, a representative of AFSCO visited the project site and appeared to understand the work involved.

Recommendation(s): I recommend that the Town award the project to AFSCO Fence Supply Co., Inc. The total lump sum cost is $$6,900.00.

Attachment/Document(s): Attached is the original bid document, addendum #1, three received bids and summary of bids.

DRAFT

Compliance with Purchasing Policy: Yes

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

LEGISLATION WILL BE PREPARED BY: Supervisors Office

DRAFT

AFSCO

DRAFT

Town of Rotterdam
Request for Bids (RFB)

Installation of New Fencing
Off Kings Road
RFB 24-02

Bid Due Date:
December 3, 2024
@ 11:00 AM

DRAFT

TOWN OF ROTTERDAM

ADVERTISEMENT FOR BIDS

Sealed bids for the furnishing of all labor, material, equipment and other means necessary for the installation of new fence and gate along a Town owned paper street located off Kings Road will be received by the Town of Rotterdam Town Clerk at 1100 Sunrise Boulevard, Rotterdam, New York 12306 until 11:00 AM local time on Tuesday, December 3, 2024 at which time and place they will be publicly opened and read aloud.

The work shall include clearing and grubbing as needed along the proposed new fence location. Also, any disturbance of the ground in the area shall be restored to existing conditions.

Each Bid must be submitted on the provided Bid Form and subject to the conditions provided in the Instructions to Bidders. No Bidder may withdraw the bid within forty-five (45) days after the actual date of opening thereof.

There will be no formal Pre-Bid Meeting held, but any Bidder that has any questions should contact Fred C. Mastroianni, P.E. of FCM Engineering, PLLC at (518)-641-9192 or via email at fred@fcmengpllc.com.

Bidders shall not include in their bid sales and compensating use taxes on the cost of any materials which are to be incorporated into the work and which are to be separately sold by the Contractor to the Town of Rotterdam prior to incorporation into the work of the Contract.

The attention of Bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the Contract. Prevailing wage rates shall apply.

The right is reserved to waive any informalities in the Bid and to reject any or all Bids.

DRAFT

INSTRUCTIONS TO BIDDERS (ITB)

1. All bids must be submitted before **11:00 a.m. on December 3, 2024,** the day of opening.
2. Purchases made for the Town of Rotterdam are not subject to State or local taxes or Federal excise taxes. Exemption certificates will be furnished upon request.
3. An "Affidavit of Non-Collusion" is attached and forms a part of this bid. 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.
4. Each bidder must acknowledge receipt of and comply with the Town's Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace policy.
5. Bid proposals shall remain firm, pending bid award, up to the completion of the project.
6. The Town Board reserves the right to reject any or all bids and re-advertise.
7. All bids are to be based on delivery prepaid to destination, which shall be the project area.
8. Delivery (if applicable): Time is of the essence. Materials are 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.
9. 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.

DRAFT

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

11. The approximate quantities if shown in the bidding documents are not meant to imply that said quantities will in fact be the purchased amount. Payment will be based on an "as installed" basis as provided in the bid form.

12. Failure to adequately and fully complete the bid packet and/or questions contained herein shall be disqualified and the bid shall be rejected.

13. Qualifications of Bidder - Town of Rotterdam may make such investigations it deems necessary to determine the ability of the Bidder to perform the work. The bidder shall furnish to the Town, within five (5) days of a request, all such information and data for this purpose as may be requested.

14. Bid Evaluation-
    a. Bids shall remain for the life of the project:
    b. Bids received will be evaluated by the Town of Rotterdam and will be based, at a minimum, upon the following criteria:
        - Lowest responsible total lump sum cost;
    c. Workmanship determined to be below the standards herein specified will not be accepted nor paid for until correct and/or replaced as required by the Town Consultant Engineer or the designated representative.

15. 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 manner 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 the bidder may withdraw its bid and the bid security will be returned.

DRAFT

NON-COLLUSION BIDDING CERTIFICATION

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

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

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

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

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

Name of Company: AFSCO Fence Supply Co., Inc.

Signed by: Neal R. Galvin Title: President

Signature: Neal R. Galvin (Pres) Date: 11.21.24

Email: neal@afsco-fence.com

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

Resolved that Neal R. Galvin be authorized to sign and submit the bid or proposal of this corporation for the new Fence off Kings Road 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 AFSCO Fence Supply Co., corporation at a meeting of its board of directors held on the 21st day of November, 2024.

(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 Contractor/Company:_____

Signed by:_____ Title: _____

Signature:_____ Date:_____

DRAFT

TOWN OF ROTTERDAM

BID FORM

The undersigned has read, understands, and agrees to all conditions of this proposal:

New Fencing Off Kings Road

SUBMITTED BY: AFSCO Fence Supply Co., Inc.
Po Box 98
Latham, NY 12110

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:
Town of Rotterdam
Attn: Jim Keith
Department of Public Works
1100 Sunrise Boulevard
Rotterdam, NY 12306

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER'S ACKNOWLEDGEMENTS

Bidder accepts all the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 45 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

DRAFT

Addendum No.	Addendum Date
1	11-19-24

B. Bidder has visited the site, conducted a thorough, alert visual examination of the Site and adjacent areas and become familiar with and satisfied itself as to the general, local, and site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.

E. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.

F. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

G. Bidder has given Designer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents and confirms that the written resolution thereof by Designer is acceptable to Bidder.

H. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.

I. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER'S CERTIFICATION

4.01 Bidder certifies that:

A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;

B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;

C. Bidder has not solicited or induced any individual or entity to refrain from bidding;

D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;
2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels;
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

Bidder will provide all labor, materials, equipment and complete the work in accordance with the plans, specifications and as directed by the Town:

TOTAL LUMP SUM BID PRICE $6,900.00 Six Thousand Nine Hundred Dollars

If the total cost of items does not equal the total lump sum bid price, the total lump sum bid price will be determined as the final bid price and the Town will adjust pricing of items for payment purposes.

SUBMITTED on November 21, 2024.

The entire bid is strictly in accordance with the specification set forth in the bid documents herein.

Neal R. Halvin (President)
Signature

Afsco Fence Supply Co., Inc.
Name of Company or Corporation

PO Box 98
Address

Latham NY 12110
City ***State*** ***Zip***

518-783-0395
Phone Number

neal@afsco-fence.com
Email

I understand if 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.

ARTICLE 6 - CONTRACTOR SELECTION CRITERIA

The Town will be awarding the project to the lowest cost responsible bidder as determined by the Town. In addition to the bid price, the Town will conduct investigations as deemed necessary to determine the lowest responsible bidder.

DRAFT

TOWN OF ROTTERDAM

BID FORM

The undersigned has read, understands, and agrees to all conditions of this proposal:

New Fencing Off Kings Road

SUBMITTED BY: AFSCO Fence Supply Co., Inc.
Po Box 98
Latham, NY 12110

ARTICLE 1 – BID RECIPIENT

1.01 This Bid is submitted to:
Town of Rotterdam
Attn: Jim Keith
Department of Public Works
1100 Sunrise Boulevard
Rotterdam, NY 12306

1.02 The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with Owner in the form included in the Bidding Documents to perform all Work as specified or indicated in the Bidding Documents for the prices and within the times indicated in this Bid and in accordance with the other terms and conditions of the Bidding Documents.

ARTICLE 2 – BIDDER'S ACKNOWLEDGEMENTS

Bidder accepts all the terms and conditions of the Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for 45 days after the Bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner.

ARTICLE 3 – BIDDER'S REPRESENTATIONS

3.01 In submitting this Bid, Bidder represents that:

A. Bidder has examined and carefully studied the Bidding Documents, and any data and reference items identified in the Bidding Documents, and hereby acknowledges receipt of the following Addenda:

DRAFT

Addendum No.	Addendum Date
1	11-19-24

B. Bidder has visited the site, conducted a thorough, alert visual examination of the Site and adjacent areas and become familiar with and satisfied itself as to the general, local, and site conditions that may affect cost, progress, and performance of the Work.

C. Bidder is familiar with and has satisfied itself as to all Laws and Regulations that may affect cost, progress, and performance of the Work.

D. Bidder has considered the information known to Bidder itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Bidding Documents; and any Site-related reports and drawings identified in the Bidding Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Bidder; and (3) Bidder's safety precautions and programs.

E. Bidder agrees, based on the information and observations referred to in the preceding paragraph, that no further examinations, investigations, explorations, tests, studies, or data are necessary for the determination of this Bid for performance of the Work at the price bid and within the times required, and in accordance with the other terms and conditions of the Bidding Documents.

F. Bidder is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Bidding Documents.

G. Bidder has given Designer written notice of all conflicts, errors, ambiguities, or discrepancies that Bidder has discovered in the Bidding Documents and confirms that the written resolution thereof by Designer is acceptable to Bidder.

H. The Bidding Documents are generally sufficient to indicate and convey understanding of all terms and conditions for the performance and furnishing of the Work.

I. The submission of this Bid constitutes an incontrovertible representation by Bidder that Bidder has complied with every requirement of this Article, and that without exception the Bid and all prices in the Bid are premised upon performing and furnishing the Work required by the Bidding Documents.

ARTICLE 4 – BIDDER'S CERTIFICATION

4.01 Bidder certifies that:

A. This Bid is genuine and not made in the interest of or on behalf of any undisclosed individual or entity and is not submitted in conformity with any collusive agreement or rules of any group, association, organization, or corporation;

B. Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid;

C. Bidder has not solicited or induced any individual or entity to refrain from bidding;

D. Bidder has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for the Contract. For the purposes of this Paragraph 4.01.D:

1. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value likely to influence the action of a public official in the bidding process;
2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process to the detriment of Owner, (b) to establish bid prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish bid prices at artificial, non-competitive levels;
4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

ARTICLE 5 – BASIS OF BID

Bidder will provide all labor, materials, equipment and complete the work in accordance with the plans, specifications and as directed by the Town:

TOTAL LUMP SUM BID PRICE $6,900.00 Six Thousand Nine Hundred Dollars

If the total cost of items does not equal the total lump sum bid price, the total lump sum bid price will be determined as the final bid price and the Town will adjust pricing of items for payment purposes.

SUBMITTED on November 21, 2024.

The entire bid is strictly in accordance with the specification set forth in the bid documents herein.

Neal R. Falvin (President)
Signature

AFSCO Fence Supply Co., Inc.
Name of Company or Corporation

PO Box 98
Address

Latham NY 12110
City *State* *Zip*

518-783-0395
Phone Number

neal@afsco-fence.com
Email

I understand if 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.

ARTICLE 6 - CONTRACTOR SELECTION CRITERIA

The Town will be awarding the project to the lowest cost responsible bidder as determined by the Town. In addition to the bid price, the Town will conduct investigations as deemed necessary to determine the lowest responsible bidder.

DRAFT

NON-COLLUSION BIDDING CERTIFICATION

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

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

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

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

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

Name of Company: AFSCO Fence Supply Co., Inc.

Signed by: Neal R. Galvin Title: President

Signature: Neal R. Galvin (Pres) Date: 11.21.24

Email: neal@afsco-fence.com

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

Resolved that Neal R. Galvin be authorized to sign and submit the bid or proposal of this corporation for the new Fence off Kings Road 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 AFJCO Fence Supply Co., corporation at a meeting of its board of directors held on the 21st day of November, 2024.

(SEAL OF THE CORPORATION)

A Mahoney (Secretary)

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 Contractor/Company:_____

Signed by:_____ Title: _____

Signature:_____ Date:_____

DRAFT

RESOLUTION NO. 462.24

TO ACCEPT AND AWARD BID FOR WATER DISTRICT NO. 5 LEAK DETECTION SURVEY PHASE 3, 4, & 5

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, posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (https://bidnetdirect.com/townofrotterdam). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk for public inspection upon request for the purchase by the Town of Rotterdam of the following:

WATER DISTRICT NO. 5 LEAK DETECTION SURVEY PHASE 3, 4 & 5

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 Water District No. 5 Leak Detection Survey Phase 3, 4, & 5 for the Town of Rotterdam to Consulting Engineering Inc., located at 19655 Tanbark Lane, Strongsville, Ohio 44149, at the mutual consent of both the Town and Consulting Engineering Inc.

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

SECTION 3. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE:	December 3, 2024
TO:	Mollie Collins – Town Supervisor
FROM:	Charles Jack Dodson-Deputy Supervisor
TITLE OF REQUEST:	Award Bid - Water District No. 5 Leak Detection Survey Phases 3, 4 & 5
TOWN BOARD MEETING:	December 11, 2024
Background Information:	The Town called for bids for Water District No. 5 Leak Detection Survey Phases 3, 4 & 5.
Evaluation/Analysis:	Sealed bids were publicly opened for the Water District #5 Leak Detection Survey Phase 3, 4 & 5 Project at Town Hall on Tuesday, December 3, 2024. The apparent low bidder for this work is Consulting Engineering, Inc., located in Strongsville, Ohio.
Recommendation(s):	Award bid for Water District No. 5 Leak Detection Survey Phases 3, 4 & 5 for the Town of Rotterdam to Consulting Engineering Inc., located at 19655 Tanbark Lane, Strongsville, Ohio 44149.
Attachment/Document(s):	Letter from KB Engineering & Architecture, P.C. dated December 3, 2024 recommending award in the amount of $30,850.00. Bid Packet from Consulting Engineers Inc.
Compliance with Purchasing Policy:	Sealed bids after public advertisement
Effect(s) on Existing Law(s):	N/A
LEGISLATION WILL BE PREPARED BY:	Supervisor's Office

DRAFT

CONSULTING ENGINEERING INC

DRAFT

FORMS TO BE SUBMITTED WITH BID

- 004117 BID FORM
- 004313 BID BOND
- 004513 CONTRACTOR'S QUALIFICATION STATEMENT
- 004519 NON-COLLUSION AFFIDAVIT
- 004525 NON-DISCRIMINATION AND HARASSMENT IN THE WORKPLACE POLICY

DRAFT

Town of Rotterdam
Water District #5 Leak Detection Survey
Phases 3, 4, & 5
Contract No. 1 – Leak Detection

004117
Bid Form

For: Town of Rotterdam
Water District #5 Leak Detection Survey Phases 3, 4, & 5

From: Consulting Engineering Inc.
(Name of Bidder)

Date Bid Submitted: 11/20/2024

The undersigned 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 Bid Price and within the Bid Times 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 Advertisement or Invitation to Bid and Instructions to Bidders, including without limitation those dealing with the disposition of Bid security. This Bid will remain subject to acceptance for forty-five days after the day of Bid opening. BIDDER will sign and deliver the required number of counterparts of the Agreement with the Bonds and other documents required by the Bidding Requirements within ten 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 visited the site and become familiar with and is satisfied as to the general, local and site conditions that may affect cost, progress, performance and furnishing of the work.

BIDDER has studied carefully all reports of explorations and tests of subsurface conditions at or contiguous to the site and all drawings of physical conditions, in or relating to existing surface or subsurface structures at or contiguous to the site (except underground facilities) which have been identified in the Supplementary Conditions as provided in 5.03 of the General Conditions. BIDDER accepts the determination set forth in paragraph SC-5.03 of the Supplementary Conditions of the extent of the technical data contained in such reports and drawings upon which BIDDER is entitled to rely as provided in 5.03 of the General Conditions. BIDDER acknowledges that such reports and drawings are not contract documents and may not be complete for BIDDER's purposes. BIDDER acknowledges that OWNER and ENGINEER do not assume responsibility for the accuracy or completeness of information and data shown, or indicated, in the bidding documents with respect to underground facilities at or contiguous to the site. BIDDER has obtained and carefully studied (or assumes responsibility for having done so) all such additional or supplementary examinations, investigations, explorations, tests, studies and data concerning conditions (surface, subsurface and underground facilities) at or contiguous to the site or otherwise which may affect cost, progress, performance or furnishing of the work or which relate to any aspect of the means, methods, techniques, sequences and procedures of construction to be employed by BIDDER and safety precautions and programs incident thereto. BIDDER does not consider that any additional examinations, investigations, explorations, tests, studies or data are necessary for the determination of this Bid for the performance and furnishing of the work in accordance with the times, price and other terms and conditions of the contract documents.

BIDDER agrees that the Work will be substantially completed and ready for final payment in accordance with 15.03 and 15.06 of the General Conditions on or before the dates or within the number of calendar days indicated in the Agreement. BIDDER accepts the provisions of the Agreement as to liquidated damages in the event of failure to complete the Work within the times specified in the Agreement.

BIDDER is aware of the general nature of work to be performed by OWNER and others at the site that relates to work for which this Bid is submitted as indicated in the contract documents.

BIDDER has correlated the information known to BIDDER. Information and observations obtained from visits to the site, reports and drawings identified in the contract documents and all additional examinations, investigations, explorations, tests, studies and data with the contract documents.

BIDDER has given ENGINEER written notice of all conflicts, errors, ambiguities or discrepancies that BIDDER has discovered in the Contract Documents and the written resolution thereof by ENGINEER is acceptable to BIDDER and the contract documents are generally sufficient to indicate and convey understanding of all terms and conditions for performing and furnishing the work for which this Bid is submitted.

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 and furnish a satisfactory bond as stated in the foregoing Notice to Bidders, within ten 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 and the certified check or bid bond accompanying this proposal shall be invoked as liquidated damages for such failure; otherwise it shall be returned to the undersigned.

BID FORM MUST BE INSERTED IN PROJECT MANUAL

Town of Rotterdam
Water District #5 Leak Detection Survey
Phases 3, 4, & 5
Contract No. 1 – Leak Detection

Contract No. 1 – Leak Detection

1. Leak Detection Bid Amount

The contractor shall include all costs associated with the leak detection survey in the lump sum bid for water main leak detection in the bid form below, including but not limited to labor, equipment, vehicles, mileage, hotels, meals, paper, coordination with the Town and Engineer, project management and administration, insurance, and reports.

For work of Contract No. 1 – Leak Detection, the BIDDER proposes to perform the work required in accordance with contract documents, complete for the lump sum price of:

Pay Item No.	Pay Item Description	Lump Sum $ Amount
1.	Leak Detection Bid Work per contract	$30,850.00

Total Lump Sum Leak Detection Bid Amount written in numbers:

$ 30,850.00

Total Lump Sum Leak Detection Bid Amount written in words:

Thirty-thousand eight-hundred fifty Dollars and Zero Cents

Bids shall include all associated costs for completion of that particular item of work, including but not limited to all overhead and administrative costs. Failure to include any costs or work will not be grounds for extra payment.

Note: Owner retains the right to reject all bids.

2. Bid Deposit

In accordance with the conditions established in the foregoing Notice to Bidders, attached is a certified check or bid bond drawn on

One-thousand five-hundred forty-two dollars and fifty cents

for the sum of 5% of the total bid amount or

$ 1,542.50

3. Acknowledgment of Receipt of Addenda

Addenda #	Date	Contractor's Signature

4. Address/Telephone and Telefax Number for Communications Regarding Bid

Name: Consulting Engineering Inc.

Address: 19655 Tanbark Ln.; Strongsville, OH 44149

BID FORM MUST BE INSERTED IN PROJECT MANUAL

DRAFT

Town of Rotterdam
Water District #5 Leak Detection Survey
Phases 3, 4, & 5
Contract No. 1 – Leak Detection

Telephone: 440-238-9699 x206 Telefax: 440-238-9699

5. Non-Collusion Affidavit Signed (Section 004519)

✓ Yes _____ No

6. Contractors Qualification Statement completed (section 004513)

✓ Yes _____ No

7. Harassment Policy Affidavit signed (section 004525)

✓ Yes _____ No

8. Bidder's Signature

If Bidder is an Individual:

By: _____ (signature)

_____ (print or type name (and title if applicable))

DBA: _____

Address: _____

_____

Phone _____

If Bidder is a Partnership:

_____ (print or type firm name)

By: _____ (signature of General Partner)

_____ (print or type name & title)

Address: _____

_____

Phone _____

If Bidder is a Corporation:

Consulting Engineering Inc. (print or type corporate name)

Ohio (state of incorporation)

By: y chan (signature of President or Vice President)

Principal Owner & Civil Engineer (print or type name & title)

(Corporate Seal)

Attest RC (signature by corp. secretary/asst. secretary)

Ray Chan | Civil Engineer (print or type name & title)

Address: 19655 Tanbark Ln.
Strongsville, OH 44149

Phone: 440-238-9699 x206

BID FORM MUST BE INSERTED IN PROJECT MANUAL

DRAFT

004313

BID BOND

(Attach Bid surety to this Page)

DRAFT

PENAL SUM FORM

BID BOND

Any singular reference to Bidder, Surety, Owner or other party shall be considered plural where applicable.

BIDDER *(Name and Address)*:

Consulting Engineering, Inc.
19655 Tanbark Ln
Strongsville, OH 44149

SURETY *(Name and Address of Principal Place of Business)*:

Travelers Casualty and Surety Company of America
One Tower Square
Hartford, CT 06183

OWNER *(Name and Address)*:

Town of Rotterdam
1100 Sunrise Boulevard,
Rotterdam, New York 12306

BID

Bid Due Date: **Tuesday, December 3, 2024**

Description *(Project Name and Include Location)*: **WATER DISTRICT #5 LEAK DETECTION SURVEY PHASES 3, 4, & 5 CONTRACT NO. 1 – LEAK DETECTION**

BOND

Bond Number: **Bid Bond**

Date *(Not earlier than Bid due date)*: **December 3, 2024**

Penal sum **Five Percent of the Total Bid Amount** (Words) $ **5% TAB** (Figures)

Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth below, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.

BIDDER	**SURETY**
_____ (Seal)	**Travelers Casualty and Surety Company of America** (Seal)
Bidder's Name and Corporate Seal	Surety's Name and Corporate Seal
By: y chan	By:
Signature	Signature (Attach Power of Attorney)
Y Chan	**Edita Abrudeanu**
Print Name	Print Name
Principal Owner & Civil Engineer	**Attorney-in-Fact**
Title	Title
Attest: RC	Attest:
Signature	Signature
Civil Engineer	**Ionatan Abrudeanu, Witness**
Title	Title

CONSULTING ENGINEERING, INC. CORPORATE SEAL STATE OF OHIO

Note: Above addresses are to be used for giving any required notice. Provide execution by any additional parties, such as joint venturers, if necessary.

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PENAL SUM FORM

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond shall be Owner's sole and exclusive remedy upon default of Bidder.

2. Default of Bidder shall occur upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.

3. This obligation shall be null and void if:

3.1 Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or

3.2 All Bids are rejected by Owner, or

3.3 Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).

4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.

5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions shall not in the aggregate exceed 120 days from Bid due date without Surety's written consent.

6. No suit or action shall be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety and in no case later than one year after Bid due date.

7. Any suit or action under this Bond shall be commenced only in a court of competent jurisdiction located in the state in which the Project is located.

8. Notices required hereunder shall be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Registered or Certified Mail, return receipt requested, postage pre-paid, and shall be deemed to be effective upon receipt by the party concerned.

9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.

10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond shall be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute shall govern and the remainder of this Bond that is not in conflict therewith shall continue in full force and effect.

11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

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TRAVELERS

Travelers Casualty and Surety Company of America
Travelers Casualty and Surety Company
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and the Companies do hereby make, constitute and appoint **EDITA ABRUDEANU** of **FRISCO**, **Texas**, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this **16th** day of **February, 2024**.

SEAL SEAL SEAL

State of Connecticut

By: _____
Bryce Grissom, Senior Vice President

City of Hartford ss.

On this the **16th** day of **February, 2024**, before me personally appeared **Bryce Grissom**, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the **30th** day of **June, 2026**

ANNA P NOWIK NOTARY PUBLIC CONNECTICUT

_____
Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, **Kevin E. Hughes**, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this day of

SEAL SEAL SEAL

_____
Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.

004513

QUALIFICATIONS STATEMENT

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QUALIFICATIONS STATEMENT

THE INFORMATION SUPPLIED IN THIS DOCUMENT IS CONFIDENTIAL TO THE EXTENT PERMITTED BY LAWS AND REGULATIONS

1. SUBMITTED BY:

Official Name of Firm: Consulting Engineering Inc.

Address: 19655 Tanbark Ln.
Strongsville, OH 44149

2. SUBMITTED TO: Town of Rotterdam and Prime AE Group of NY

3. SUBMITTED FOR:

Owner: Town of Rotterdam

Project Name: WATER DISTRICT #5 LEAK DETECTION SURVEY PHASE 2
Phases 3, 4, & 5

TYPE OF WORK: Water System Leak Detection Services

4. CONTRACTOR'S CONTACT INFORMATION

Contact Person: Y Chan

Title: Principal Owner & Civil Engineer

Phone: 440-238-9699 x206

Email: y.chan@cengr.co

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5. AFFILIATED COMPANIES:

Name: N/A

Address: _____

_____

_____

6. TYPE OF ORGANIZATION:

☐ SOLE PROPRIETORSHIP

Name of Owner: _____

Doing Business As: _____

Date of Organization: _____

☐ PARTNERSHIP

Date of Organization: _____

Type of Partnership: _____

Name of General Partner(s): _____

_____

_____

☑ CORPORATION

State of Organization: Ohio

Date of Organization: 2/16/2006

Executive Officers:

- President: Y Chan
- Vice President(s): Y Chan

_____

_____

- Treasurer: Y Chan
- Secretary: Y Chan

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☐ LIMITED LIABILITY COMPANY

State of Organization: _____

Date of Organization: _____

Members: _____

_____

_____

_____

☐ JOINT VENTURE

Sate of Organization: _____

Date of Organization: _____

Form of Organization: _____

Joint Venture Managing Partner

- Name: _____
- Address: _____

_____

_____

Joint Venture Managing Partner

- Name: _____
- Address: _____

_____

Joint Venture Managing Partner

- Name: _____
- Address: _____

_____

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7. LICENSING

Jurisdiction: _____

Type of License: _____

License Number: _____

Jurisdiction: _____

Type of License: _____

License Number: _____

8. CERTIFICATIONS

CERTIFIED BY:

Disadvantage Business Enterprise: State of Ohio

Minority Business Enterprise: State of Ohio

Woman Owned Enterprise: _____

Small Business Enterprise: State of Ohio

Other (_____): _____

9. BONDING INFORMATION

Bonding Company: Travelers Casualty and Surety Company of America

Address: One Tower Square
Hartford, CT 06183

Bonding Agent: _____

Address: _____

Contact Name: _____

Phone: _____

Aggregate Bonding Capacity: _____

Available Bonding Capacity as of date of this submittal: _____

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10. FINANCIAL INFORMATION

Financial Institution: Fifth Third Bank

Address: 16046 Pearl Rd MD A97711

Strongsville, OH 44136

Account Manager: Dustin Hayden | VP

Phone: 440-238-1024

INCLUDE AS AN ATTACHMENT AN AUDITED BALANCE SHEET FOR EACH OF THE LAST 3 YEARS

11. CONSTRUCTION EXPERIENCE:

Current Experience:

List on **Schedule A** all uncompleted projects currently under contract (If Joint Venture list each participant's projects separately).

Previous Experience:

List on **Schedule B** all projects completed within the last 5 Years (If Joint Venture list each participant's projects separately).

Has firm listed in Section 1 ever failed to complete a construction contract awarded to it?

☐ YES ☑ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Has any Corporate Officer, Partner, Joint Venture participant or Proprietor ever failed to complete a construction contract awarded to them in their name or when acting as a principal of another entity?

☐ YES ☑ NO

If YES, attach as an Attachment details including Project Owner's contact information.

Are there any judgments, claims, disputes or litigation pending or outstanding involving the firm listed in Section 1 or any of its officers (or any of its partners if a partnership or any of the individual entities if a joint venture)?

☐ YES ☑ NO

If YES, attach as an Attachment details including Project Owner's contact information.

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12. EQUIPMENT:

MAJOR EQUIPMENT:

List on **Schedule C** all pieces of major equipment available for use on Owner's Project.

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I HEREBY CERTIFY THAT THE INFORMATION SUBMITTED HEREWITH, INCLUDING ANY ATTACHMENTS, IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NAME OF ORGANIZATION: Consulting Engineering Inc.

BY: Y Chan

TITLE: Principal Owner & Civil Engineer

DATED: 11/21/2024

NOTARY ATTEST:

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 21 DAY OF Nov, 2024

NOTARY PUBLIC - STATE OF Ohio
MY COMMISSION EXPIRES: 1-24-26

SARAH REINHARDT
Notary Public, State of Ohio
My Commission Expires
January 24, 2026
COMMISSION: 2021-RE-825625

REQUIRED ATTACHMENTS

1. Schedule A (Current Experience).
2. Schedule B (Previous Experience).
3. Schedule C (Major Equipment).
4. Audited balance sheet for each of the last 3 years for firm named in Section 1.
5. Evidence of authority for individuals listed in Section 7 to bind organization to an agreement.
6. Resumes of officers and key individuals (including Safety Officer) of firm named in Section 1.
7. Required safety program submittals listed in Section 13.
8. Additional items as pertinent.

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SCHEDULE A

CURRENT EXPERIENCE

Project Name	Owner's Contact Person	Design Engineer	Contract Date	Type of Work	Status	Cost of Work
*See attached which includes names, client, contact information, project details and letters of reference. More references and information available upon request.	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				

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SCHEDULE B

PREVIOUS EXPERIENCE (Include ALL Projects Completed within last 5 years)

Project Name	Owner's Contact Person	Design Engineer	Contract Date	Type of Work	Status	Cost of Work
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				
	Name: Address: Telephone:	Name: Company: Telephone:				

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CONSULTING ENGINEERING, INC.

Representative Projects

Customer: Naperville, IL ($545,292.00 Contract/yr)
Contact: Tony Conn | Deputy Director
Material: Metallic & Non-metallic | Completed: 2024 (2025, 2026) | System Age: ~100 yrs.
Services Rendered: Leak detection of 748 miles twice a year while documenting all listening points, defects, mapping discrepancies, sounds, and leaks along with emergency services.

Customer: Clearwater, FL ($199,771 Contract/yr)
Contact: Adam Brugman | Distribution Manager
Material: Metallic & Non-metallic | Completed: 2024 (2025, 2026) | System Age: ~100 yrs.
Services Rendered: Leak detection of 730 miles while documenting all listening points, defects, mapping discrepancies, sounds, and leaks along with emergency services.

Customer: E Source and Cal Water ($317,850 Contract/yr)
Contact: Kate Gasner | Vice-President of Operations
Material: Metallic & Non-metallic | Completed: 2022-2023| System Age: ~100 yrs.
Services Rendered: Comprehensive leak detection of 815 miles and satellite leak detection of 163 Asterra POIs for the Hermoso Redondo, Livermore, Mid-Peninsula, and Westlake water systems in California.

Customer: Sweetwater, CA ($154,5000 Contract/yr)
Contact: Adam Brugman | Distribution Manager
Material: Metallic & Non-metallic | Completed: 2024 | System Age: ~100 yrs.
Services Rendered: Comprehensive leak detection of 395 miles and satellite leak detection of 618 Asterra POIs while documenting all listening points, defects, mapping discrepancies, sounds, and leaks.

Customer: E Source and Cal Water ($57,420 Contract/yr)
Contact: Kate Gasner | Vice-President of Operations
Material: Metallic & Non-metallic | Completed: 2024| System Age: ~100 yrs.
Services Rendered: Comprehensive leak detection of 174 miles and satellite leak detection of 36-mile equivalent of Echologic logger POIs for the Bear Gulch water system in California.

Customer: Cleveland Water Department ($130,000 Contract; $640,750 Contract)
Material: Metallic | Completed: 2017, 2021-2023 | System Age: ~100 yrs.
Services Rendered: 2017 Leak detection survey services for 2,100 miles while documenting all listening points in ArcGIS/ESRI. 2021-2023 comprehensive leak detection of Utilis/Asterra's 750 POIs along with emergency services.

Customer: Cambridge, MA ($57,750 Contract/yr)
Contact: Mark F. Gallagher | Director of Engineering & Distribution
Material: Metallic | Completed: 2022, 2023 (2024) | System Age: ~100 yrs.
Services Rendered: Annual leak correlation survey for 185 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks using the 100% correlation method.

19655 Tanbark Ln | Strongsville, OH 44149
Tel: 440.238.9699 | Email: ce@cengr.co | Website: www.cengr.co

CONSULTING ENGINEERING, INC.

Customer: Yarmouth, MA ($48,576 Contract/yr)
Contact: Laurie J. Ruszala, P.E. | Superintendent of Water and Wastewater
Material: Metallic | Completed: 2023 (2024, 2025) | System Age: ~100 yrs.
Services Rendered: Leak detection for 264 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks.

Customer: City of Sandwich, MA ($29,274 Contract/yr)
Contact: Dan Mahoney | Water Superintendent
Material: Metallic | Completed: 2021, 2022, 2023 | System Age: ~100 yrs.
Services Rendered: Leak detection survey services for 145 miles while documenting all listening points and leak detection results.

Customer: Lowell, MA Regional Water Utility ($24,72, $44,075 Contracts)
Contact: Paul Pires | Superintendent of Distribution
Material: Metallic | Completed: 2019, 2023, (2024) | System Age: ~100 yrs.
Services Rendered: Leak detection survey services for 215 miles while documenting all listening points and leak detection results.
Customer: Asterra/Utilis | ($51,550 Contract)
Locations: Aqua, VA; Bristol, RI; Kline, PA; N. Kingstown, RI; Oak Creek, WI; Warren, OH
Contact: Fareed Nazaryfar | Customer Success Manager
Material: Metallic & Non-Metallic | Completed: 2022 | System Age: ~100 yrs.
Services Rendered: Comprehensive investigations of satellite POIs for water distribution piping while documenting all listening points, defects, mapping discrepancies, sounds, and leaks.

Customer: Montgomery, PA ($43,171 Contract/yr)
Contact: David Quinn | Project Manager at North Wales Water Authority
Material: Metallic | Completed: 2020, 2021, 2022, 2023, (2024) | System Age: ~100 yrs.
Services Rendered: Annual leak correlation survey for 136 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks using the 100% correlation method.

Customer: Bellevue, WA ($15,750 Contract/yr)
Contact: Nathan Rauscher | Senior Engineering Technician, Water Operations & Maintenance
Material: Metallic & Non-metallic | Completed: 2022, 2023 (2024) | System Age: ~100 yrs.
Services Rendered: Leak comprehensive survey for 70 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, & leaks.

Customer: U.S. Air Force ($22,000 Contract)
Contact: Gary Krivokapich. P.E., CEM | Energy Utility Manager & Engineer of Davis Monthan AFB
Material: Metallic & Non-metallic | Completed: 2022 | System Age: ~100 yrs.
Services Rendered: Leak detection survey services for DM AVB water distribution piping while documenting all listening points and leak detection results.

Customer: City of Normal, IL ($46,600 Contract/yr)
Contact: John Burkhart | Director of Water
Material: Metallic | Completed: 2023 | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 200 miles documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

CONSULTING ENGINEERING, INC.

Customer: City of Arlington Heights, IL ($30,940 Contract/yr)
Contact: Scott Schweda | Water Superintendent
Material: Metallic | Completed: 2021, 2022, 2023, 2024 (2025-2026) | System Age: ~100 yrs.
Services Rendered: Leak detection survey services for 286 miles while documenting all listening points and leak detection results with ongoing emergency services.

Customer: City of Glenview, IL ($29,274 Contract/yr)
Contact: Jack Fragassi | Water and Sewer Supervisor
Material: Metallic | Completed: 2021, 2022, 2023 (2024-2026) | System Age: ~100 yrs.
Services Rendered: Leak detection survey services for 246 miles while documenting all listening points and leak detection results with ongoing emergency services.

Customer: City of Northbrook, IL ($24,395 Contract/yr)
Contact: Joseph Rizzo | Utilities Superintendent
Material: Metallic | Completed: 2021, 2022, 2023 (2024-2026) | System Age: ~100 yrs.
Services Rendered: Leak detection survey services for 205 miles of water distribution and 2020 POIs piping while documenting all listening points and leak detection results with ongoing emergency services.

Customer: City of Carol Stream, IL ($23,120 Contract/yr)
Contact: Phil Modaff | Director of Public Works
Material: Metallic | Completed: 2021, 2022, 2023, (2024) | System Age: ~100 yrs.
Services Rendered: Leak detection survey services for 177 miles and private mains while documenting all listening points and leak detection results with ongoing emergency services.

Customer: City of Lake Forest, IL ($22,230 Contract/yr)
Contact: Rich Volpe | Water & Sewer Superintendent
Material: Metallic | Completed: 2021, 2022, 2023 (2024-2026) | System Age: ~100 yrs.
Services Rendered: Leak detection survey services for 170 miles while documenting all listening points and leak detection results with ongoing emergency services.

Customer: City of Winnetka, IL ($25,526 Contract/yr)
Contact: Drew Ceckowski | Water & Electric Analyst
Material: Metallic | Completed: 2021, 2022, 2023 (2024-2026) | System Age: ~100 yrs.
Services Rendered: Leak detection survey services for 103 miles, twice a year, while documenting all listening points and leak detection results with ongoing emergency services.

Customer: City of Niles, IL ($24,564 Contract/yr)
Contact: Jack Grana | Utilities Superintendent
Material: Metallic | Completed: 2021, 2022, 2023 (2024-2026) | System Age: ~100 yrs.
Services Rendered: Leak detection survey services for 103 miles while documenting all listening points and leak detection results with ongoing emergency services.

CONSULTING ENGINEERING, INC.

Customer: Village of Buffalo Grove, IL ($25,000 Contract/yr)
Contact: David K. Haisma | Superintendent of Water Operations
Material: Metallic | Completed: 2020-2022 | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 183 miles with ongoing emergency services while all listening points, defects, mapping discrepancies, sounds, and leaks of 4,894 assets were documented in ArcGIS. Confirmed leaks were documented and reported in Cartegraph.

Customer: Springfield, IL Water, Light, and Power ($29,000 Contract/yr)
Contact: Josh Stewart, P.E. | Water Distribution Engineer
Material: Metallic | Completed: 2019-2022 | System Age: ~100 yrs.
Services Rendered: Leak detection survey services for 224 miles while documenting all listening points and leak detection results.

Customer: City of Lakewood, OH ($23,000 Contract/yr)
Contact: Nicholas DelVecchio | City of Lakewood Division Manager
Material: Metallic | Completed: 2020-2022, 2023, (2024-2027) | System Age: ~100 yrs.
Services Rendered: Bi-annual leak detection services for 240 miles/year with ongoing emergency services while all listening points, defects, mapping discrepancies, sounds, asset types, and leaks were documented in ArcGIS.

Customer: City of Bensenville, IL ($13,200 Contract/yr)
Contact: Vincent Smith | Operation Superintendent
Material: Metallic | Completed: 2021, 2022, & 2023 (2024) | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 80 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

Customer: City of Cary, IL ($10,200 Contract/yr)
Contact: John Stein | Deputy Director of Public Works
Material: Metallic | Completed: 2023 (2024-2025) | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 30 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

Customer: City of Park Ridge, IL ($19,320 Contract/yr)
Contact: Mark Miller | Superintendent of Public Works
Material: Metallic | Completed: 2020-2022 | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 138 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

Customer: City of Oak Park, IL ($17,490.00 Contract/yr)
Contact: James Eggen, P.E. | Superintendent of Water & Sewer Division
Material: Metallic | Completed: 2020 & 2022 | System Age: ~100 yrs.
Services Rendered: Leak detection services for 106 miles documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

Customer: Rotterdam, NY ($19,963 Contract/yr)
Contact: Jeffrey Trzeciak, P.E. | Senior Project Manager II of Prime AE
Material: Metallic | Completed: 2023 | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for Water District 3, 4, & 5 with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

19655 Tanbark Ln | Strongsville, OH 44149
Tel: 440.238.9699 | Email: ce@cengr.co | Website: www.cengr.co

CONSULTING ENGINEERING, INC.

Customer: City of St. Clair Shores, MI ($29,400 Contract/yr)
Contact: Russ Miller | Water Department Superintendent
Material: Metallic | Completed: 2023 (2024-2025) | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 210 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

Customer: City of Ecorse, MI ($9,675 Contract/yr)
Contact: Dulanga Pathirana, P.E. | P.E. for Andersen, Eckstein, & Westrick
Material: Metallic | Completed: 2023 | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 43 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

Customer: City of Havre de Grace, MD ($9,000 Contract/yr)
Contact: Joe Conway | Chief of Construction and Program Management
Material: Metallic | Completed: 2022 | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 45 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

Customer: City of Milton-Freewater, OR ($10,335 Contract/yr)
Contact: Steven Patten | Public Works Technician
Material: Metallic & Non-metallic | Completed: 2022 | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 39 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

Customer: City of Diablo, CA ($27,125 Contract)
Contact: Dan Muelrath | General Manager of the Diablo Water District
Material: Metallic & Non-Metallic | Completed: 2020 | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 175 miles with ongoing emergency services while documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

Customer: St. Joseph, MI ($5,400 Contract)
Contact: Tom MacDonald | Director of Public Works (retired)
Material: Metallic | Completed: 2021 | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 50 miles while documenting all listening points and leak detection results.

Customer: City of Darien, IL ($12,916.80 Contract/yr)
Contact: Kris Throm | Superintendent of Municipal Services
Material: Metallic | Completed: 2022-2023 | System Age: ~100 yrs.
Services Rendered: Annual leak detection services for 90 miles documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

Customer: Erie, CO ($14,816 Contract/yr)
Contact: Jared Muir | Utilities Superintendent
Material: Metallic | Completed: 2023, 2024 | System Age: ~100 yrs.
Services Rendered: Leak detection services for 45 miles documenting all listening points, defects, mapping discrepancies, sounds, and leaks in ArcGIS.

19655 Tanbark Ln | Strongsville, OH 44149
Tel: 440.238.9699 | Email: ce@cengr.co | Website: www.cengr.co

DRAFT

THE CITY OF
LAKE FOREST
CHARTERED 1861

September 13, 2024

To Whom It May Concern

It is my pleasure to recommend Consulting Engineering Inc. (CEI) for leak detection services. CEI has annually performed a comprehensive leak detection survey for us on over a 170 miles of water main the past four years.

I have been more than pleased with the results. Through Maurice Little, Field Manager, and his crew's efforts and dedication, they consistently meet deadlines and communicate progress and issues that arise. This has allowed us to make repairs on larger leaks and uncertain assets while they are still in town.

The final report CEI provides is thorough and precise. They have accurately identified leaks on hydrants, valves, service lines and distribution mains. CEI's consistency, accuracy and proactive approach has significantly contributed to the success of our projects.

I highly recommend CEI for leak detection services. Their professionalism, integrity and commitment to delivering accurate results will be beneficial to your city's projects.

Sincerely,

Rich Volpe
City of Lake Forest
Water & Sewer Supervisor
847-810-3570
volper@cityoflakeforest.com

DRAFT

BENSENVILLE

Department of Public Works
717 E. Jefferson Street
Bensenville, IL 60106

Office: 630.350.3435
Fax: 630.594.1148
www.bensenville.il.us

7/19/2024

To Whom it May Concern,

It is my pleasure to recommend Consulting Engineering Inc. (CEI) for leak detection services.

CEI performed comprehensive leak detection surveys of nearly 80 miles of water distribution system for the past 5 years for the Village of Bensenville.

Their performance fulfilled the terms and scope outlined in our agreement. They were within budget, on-time, responsive, communicative, and efficient. Their team stayed in constant contact, provided daily updates, and provided a concise report upon completion.

Specifically, we found the qualities of Maurice Little to be exceptional. Maurice showed a true passion for the work he was doing. He relayed updates at regular intervals and made certain the work was being done to the standards and expectations of the Village. He answered any questions and provided detailed responses in a timely manner. Working with Maruice was a real pleasure.

I confidently recommend CEI to conduct leak detection services as their expertise and passion will provide a great benefit to your community.

Respectfully,

Frank Palumbo
Superintendent of Operations
Department of Public Works
Village of Bensenville, Illinois
C: (630) 202-5444 | Fpalumbo@bensenville.il.us

DRAFT

CITY OF CAMBRIDGE
MASSACHUSETTS
Water Department

7/29/2022

To: Whom it May Concern

From: Mark Gallagher, Director of Engineering and Distribution, CWD

Date: 7/29/2022

Re: Recommendation Letter - Consulting Engineering Inc. (CEI)
City Wide Leak Detection Survey

During the Spring of 2022, CEI staff conducted a City-Wide Leak Detection Survey of the 186 miles of water main that compromise the City of Cambridge Water Distribution System. Although Cambridge is a densely populated city that presents many challenges while working in the public right of way, the CEI staff always conducted themselves in a professional manner and often adjusted their scope of work to get past these challenges. These adjustments often caused their staff to work through the night in order to complete the survey in heavily trafficked areas. The staff's flexibility, hard work and diligence resulted in the project being completed on time and within budget. To date all the locations identified by CEI have been proven to be very accurate and has allowed the City of Cambridge to repair the leaks and stop the wasting of water.

Overall CEI has proven themselves to be a reliable and professional company which resulted in a very successful project. Therefore, I would highly recommend them for any large-scale Leak Detection services.

Sincerely,

Mark Gallagher,
Director of Engineering and Distribution
Cambridge Water Department
617-349-7754

DRAFT

(508) 888-2775
Fax (508) 888-9675

Sandwich Water District
72 TUPPER ROAD, BOX 600
SANDWICH, MASSACHUSETTS 02563-0600

To whom it may concern:

I write this letter of recommendation for the firm, Consulting Engineering, Inc. (CEI), based on consideration of personnel, equipment and references – we awarded Consulting Engineering Inc. the contract for leak detection in Sandwich, MA for FY 2021 with options to renew in FY 2022 and FY 2023.

Using the latest electronic acoustic devices, loggers, and correlators, CEI identified potential leak locations by sounding assets connected to water mains. Implementing real-time, synchronized data collection through ESRI's ArGIS, CEI provided us with well-documented, measurable results; clearly communicated their areas of work and deployments; and conducted their tasks with the utmost safety which left us with a feeling of confidence in their expertise.

We decided to purchase offline mapping tablets from CEI for our field technicians so we would have the latest information on our water system. CEI's mapping solution included iPads with screen protectors, engraving, and drop-proof and water-resistant casing.

In closing, it has been a positive and professional experience working with Y Chan and his team for our leak detection project. Y is responsive, as are the field staff they employ. Maurice Little, our main field contact with CEI, worked with our personnel. For these reasons, I confidently and highly recommend CEI for leak detection and water distribution maintenance needs.

Regards

Dani Mahoney

Superintendent

Sandwich Water District

508-888-2775 or dmahoney@sandwichmass.org

DRAFT

VILLAGE OF
BUFFALO GROVE

Department of Public Works
Fifty One Raupp Blvd.
Buffalo Grove, IL 60089-2198
Fax 847-537-5845

David K. Haisma
Supt. of Utility Operations
Phone 847-459-2545
dhaisma@vbg.org

To whom it may concern:

It is with pleasure I write this letter of recommendation for the firm, Consulting Engineering, Inc. (CEI). I have come to know their work through a 3-year contract they won for leak detection for Buffalo Grove, IL, for 2020-2022.

CEI implemented real-time and synchronized data collection through ESRI's ArGIS. Using electronic acoustic devices and loggers, CEI identified potential leak locations by sounding assets connected to water system. By sounding all accessible assets in Phase 1, then identified points of interest in Phase 2, CEI performed 183 miles of main line leak detection for Buffalo Grove to date. CEI provided us with measurable results, clearly communicated their whereabouts and deployments, and conducted their tasks with the utmost safety which left us with a feeling of confidence in their expertise.

In closing, it has been a great to work with Y Chan and the field staff. Y is responsive, as are the field staff they employ. Our main field contact for CEI, Maurice Little, provided his expertise with our personnel. For these reasons, I recommend CEI for leak detection and water distribution maintenance needs.

I can be reached at (847) 459-2045 or DHAISMA@VBG.ORG with any questions.

X *David Haisma*

David Haisma

DRAFT

NWWA
North Wales Water Authority
PUBLICLY OWNED SINCE 1951

December 15, 2020

To Whom It May Concern,

I write this letter of recommendation for the firm Consulting Engineering, Inc. (CEI). CEI was the lowest bidder on a Contract for leak detection for 2021. North Wales Water Authority conducts full system leak detection on a three (3) year rotating basis, surveying approximately 180 miles of main and appearances annually.

CEI performed real time and synchronized data collection through ESRI's ArGIS. Using the latest electronic acoustic devices and loggers, CEI identified potential leak locations by sounding assets connected to water mains. Using the 100% correlation method, CEI performed 180 miles of leak detection for the North Wales Water Authority to date. CEI provided us with measurable results, clearly communicated their whereabouts and deployments, and conducted their tasks with the utmost safety which left us with a feeling of confidence in their expertise.

In closing, Y Chan and the field staff are very responsive to work with. Our main field contact for CEI, Maurice little, worked well with our personnel. For these reasons, I feel confident in recommending CEI for leak detection and water distribution maintenance needs.

I can be reached at dquinn@nwwater.com with any questions.

Thank you,

David Quinn,
Administrator

DRAFT

Reply To: ☒ Main Office: 200 W. Walnut Street, P.O. Box 1339, North Wales, PA 19454 • Phone: 215-699-4836 • wizard@nwwater.com
☐ Bucks Office: 1560 Easton Road, P.O. Box 1018, Warrington, PA 18976 • Phone: 267-482-6940 • nwwabucks@nwwater.com
FOREST PARK WATER

DIABLO WATER DISTRICT

87 Carol Lane
P.O. Box 127
Oakley, CA 94561-0127
925-625-3798
Fax 925-625-0814
www.diablowater.org

Directors:
Edward Garcia
President

John H. de Fremery
Vice President

Kenneth L. Crockett
Howard Hobbs
Paul Seger

General Manager & Secretary:
Daniel Muelrath

General Counsel:
Jeffrey D. Polisner

December 15, 2020

RE: Leak Detection Services by Consulting Engineering Inc.

To Whom it May Concern:

Diablo Water District recently (Nov/Dec 2020) had 175 miles of water mains leak detected by Consulting Engineering Inc. We were happy with their services, staff, and management, as they finished the project on time and within budget.

Feel free to reach out to me if you have any questions about the scope of services they performed.

Sincerely,

Dan Muelrath
General Manager

DRAFT

City of Flagstaff

September 20, 2018

RE: Letter of recommendation for Consulting Engineering, Inc.

To whom it may concern:

It is with pleasure to write a letter of recommendation for the firm, Consulting Engineering, Inc. (CEI) I have become to know their work through a contract they won for a leak detection and valve box maintenance, in 2017.

CEI has performed nearly 255 miles of leak detection and valve-box maintenance for the City to date. 220 of these miles were completed on the first contract, during FY18, and another 35 of 90 miles have been completed in FY19. The original contract was written such that continuation each fiscal year could occur provided the work performed followed the scope of work, met the City's expectations, and City Council passed the budget.

Our evaluation team was impressed with CEI's proposal. Flagstaff is working towards real-time or synchronized data collection with our GIS and City-Works systems and CEI was very comfortable performing these tasks. Their strength is in completing the on-the-ground work. They provided us weekly updates consistently. We are working with CEI in this FY to better follow the scope of work, including collecting a photo of each valve box to populate our Collector App. Traffic control, a daily field work plan are also focus areas of our in working with CEI this FY.

In closing, it has been a delight to work with Y Chan and the field staff. Y is very responsive, as are the field staff they employ. Our main field contact for CEI, Maurice Little, has provided many recommendations for making better use of our Collector App, many or all of which we have implemented. For these reasons, I highly recommend CEI for leak detection and valve-box maintenance needs.

I can be reached at (928) 213-2405 or eyoung@flagstaffaz.gov with any questions.

Erin M. Young, RG
Water Resources Manager
City of Flagstaff, Water Services Division

DRAFT

City of Cleveland
Frank G. Jackson, Mayor

Department of Public Utilities
Division of Water
1201 Lakeside Avenue
Cleveland, Ohio 44114-1175
(216) 664-2444
www.clevelandwater.com

March 22, 2017

Re: Recommendation of Consulting Engineering, Inc.

To whom it may concern:

This is to verify that the firm of Consulting Engineering, Inc. of Strongsville. OH has been employed as a sub-consultant to our prime consultant on our current leak detection and water audit project.

In that capacity, they have been a member of the CH2M Hill project team working on this project. Specifically, they have worked directly for their consultant, Wachs Water Services. Central Engineering's role in the project has been surveying the CWD water distribution system to identify potential leak locations by electronically listening to fire hydrants connected to water mains. As of this time, they have listened to approximately 35,900 fire hydrants covering 2,430 miles of water mains. So far, this work has eventually led to the identification and pin pointing of approximately 400 leaks by Wachs Water Services as part of this project.

To-date, their performance has fulfilled the terms of the Scope of Services outlined in our agreement. At the current rate, Consulting Engineering's role in this project is scheduled to be completed on-time and within budget. I confidently recommend Consulting Engineering for conducting leak surveying services.

Best regards.

Very truly yours,

J. Christopher Kocsan
Sr. Budget and Management Analyst
Cleveland Division of Water

An Equal Opportunity Employer

DRAFT

AMORY ENGINEERS, P.C.

WATER WORKS • WATER RESOURCES • CIVIL WORKS

25 DEPOT STREET, P.O. BOX 1768
DUXBURY, MASSACHUSETTS 02331-1768

TEL.: 781-934-0178 • FAX: 781-934-6499
WWW.AMORYENGINEERS.COM

March 23, 2017

To Whom It May Concern

Subject: **Comprehensive Leak Detection Survey Reference**

It is my pleasure to recommend Consulting Engineering, Inc. (CEI), of Strongsville, OH for leak detection services. CEI successfully performed a comprehensive leak detection survey of approximately 135 miles of the water distribution system for the Town of Middleborough, MA in 2016.

CEI's performance fulfilled the terms of the Scope of Services for the project. The comprehensive leak survey was completed on-time and within budget. Their field and office personnel were knowledgeable, cooperative and highly professional during the work.

I would recommend CEI to conduct leak detection services in the future.

Very truly yours,

AMORY ENGINEERS, P.C.

By:

Richard S. Johnson, P.E.

Consulting Engineer for the Town of Middleborough

RSJ

DRAFT

March 20th, 2017

TO WHOM IT MAY CONCERN

It is my pleasure to recommend Consulting Engineering, Inc. (CEI) for civil engineering and leak detection services.

CEI performed a comprehensive leak detection survey, intermittently, from 1986-2011 for 60 miles of the water distribution system for the City of East Cleveland.

Their performance fulfilled the terms of the Scope of Services outlined in our agreement. This project was a resounding success as it was completed on-time and within budget.

I confidently recommend CEI to conduct leak detection services as their expertise will provide a benefit to your city.

Respectfully,

Ross Brankatelli, P.E.

Retired Service Director for the City of East Cleveland

DRAFT

CITY OF
CLEVELAND
HEIGHTS
Utilities Department

March 20, 2017

Re: Letter of Recommendation – Consulting Engineering

To Whom This May Concern:

Consulting Engineering performed leak surveys for the City of Cleveland Heights for more than 10 years. During this period the company delivered high quality services, locating hundreds of leaks and saving the City of Cleveland Heights millions of dollars over this period by reducing wasted water and preserving this very valuable resource. During my tenure at the City of Cleveland Heights and in my previous position as Director of Water in a neighboring community, I used the services of Consulting Engineers annually. I have found Ray Chan to be very responsive and committed to helping communities address their leak issues within the water distribution system.

I wholeheartedly recommend Consulting Engineering to provide leak and engineering services. The City looks forward to continuing our relationship with the company in other capacities in the future. If you would like to discuss this company in more detail, please feel free to contact me at 216-291-5990 or via email at cclinkscale@clvhts.com.

Sincerely,

Collette Clinkscale
Utilities Commissioner

40 SEVERANCE CIRCLE, CLEVELAND HEIGHTS, OHIO 44118
216 • 291 • 4444 FAX • 291 • 2064

DRAFT

SCHEDULE C - LIST OF MAJOR EQUIPMENT AVAILABLE

ITEM	PURCHASE DATE	CONDITION	ACQUIRED VALUE
*See attached list. More information available upon request.			

DRAFT

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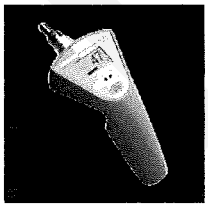
CONSULTING ENGINEERING, INC.

Quality and Features of Proposed Equipment

CEI uses a variety of listening devices in order to leverage filtering options, annual services, and calibrations. All equipment is recharged daily while teams are outfitted with backup batteries, devices, and attachments such as headphones, attachments, cords, and lanyards. The use of different devices allows for greater comparison, re-calibration, and training options. Naturally, these devices have different performances based on material differences so the variety of equipment means greater accuracy for our customer.

SebaKMT HL 50-BT with GM-80



This ubiquitous instrument was created by Vivax-Metrotech and compatible with the GM-80 ground mic. This SebaKMT water network survey leak locator tool has outstanding acoustic properties which enable the operator to locate large and small water leaks. Three basic filter settings allow the user to adjust to any leak scenario. The integrated LCD screen displays the actual measured sound level as a number and simultaneously as a bar graph. After each new measurement, the previous level will still be displayed to compare sound levels.

This listening device can be used to investigate potential leak noises. Based on the digital readout, verification and pinpointing can be prioritized. In addition, upon the follow-up visit, the applicable appurtenance can be rechecked to confirm a leak noise is still present, at or greater than the value of the initial visit. This confirms a leak is indeed present and eliminates false-positive reporting.

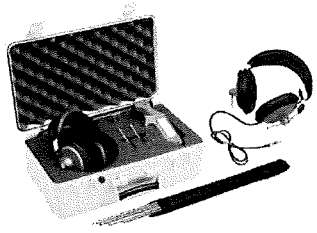
SebaKMT HL 5000 with GM-80

Along with being compatible with the GM-80 ground mic, this equipment uses modern digital signal processing technology (DSP) to clearly recognize the leak sound, even with substantial environmental ambient noise. The sounds are both audibly perceived and graphically displayed using dual segment analysis (DSA) technology. For the user this means greater reliability in locating water losses.

HWM L-mic

The well-known HWM L-mic is an easy-to-use, low cost, electronic listening stick and ground microphone combined. It is ideal for general leak sounding operations and can be fitted with either a tripod foot (for use as a ground microphone) or probe rods (for sounding at fittings or in soft ground). The control unit is hand-held with a 'trigger' operation and a volume/sensitivity rotary control. An LED indicates operation and battery status. This lightweight unit can be used to confirm the position of underground leaks audibly from ground level, sound pipe fittings penetrate soft ground to listen for leaks and carry out traditional acoustic surveys.

Subsurface Leak Detection LD 8



Accurate and reliable, the SubSurface LD 8 is a lightweight instrument for water leak detection of hydrants and fixtures. This leak detection tool uses contact rods attached to a piezoelectric sensor and amplifier to connect to water line fixtures so the construction professional can listen for the sound of unwanted water flows. Also, the amplifier comes with an amplification range of 55 decibels with a frequency range of 100 to 2,000 Hertz.

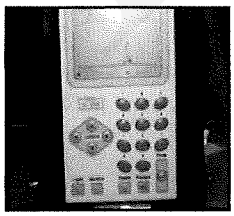
The LD-8 includes a short contact rod used for listening to hydrants while the long contact rods are used for below-grade meters and valves. Also, this water leak detector has a two-digit LCD display that is easy-to-read.

CONSULTING ENGINEERING, INC.

Subsurface Leak Detection LD 15

The SubSurface Instruments LD-15 Leak Survey Equipment offers the best solution for listening to leaks at hydrants, valves, and meters. It features a high-sensitivity sensor with a sealed waterproof Neodymium magnet. Equipped with an amplifier, this device has superior audio quality and amplifies to 56 db. This device includes three filter ranges and comes with both survey & pinpoint functions for water leaks. Plus, the sensor has a resonance frequency of 950 Hertz which can detect the faintest of sounds. With an IP68 protection rating, this unit is dustproof and water submersible up to 3 feet for 3 hours. It comes with a large meter display for easy reading and up to 80 hours of battery life.

Subsurface Leak Detection LC 2500



The SubSurface LC-2500 Leak Noise Correlator is lightweight and compact, yet it offers full capabilities for programming and correlating leak noise from many different pipe materials and pipe diameters. Great Sensors, powerful radios and fast processing of sounds make the LC-2500 truly the best performing correlator on the market.

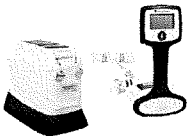
This correlator is used for QA/QC and pinpointing of the leak noises often qualified by the HL-50 in sounding. Multiple correlations are used to localize suspected leak source(s) to be verified by ground mics or additional inspection. The graphical display indicates to the technician the possible size and characteristics of the leak.

CST/Berger Magna-Trak Locator

The Magna-Trak locates ferromagnetic objects which may be concealed by earth, road surface, snow, and/or water. These objects may include hydrants, marker magnets, manhole covers, valve rods, surveying marks and rods, water meters, etc.

This metal detector will be used to locate potentially buried assets which may prove especially useful during nighttime operations, areas of heavy vegetation, or where visibility may be poor.

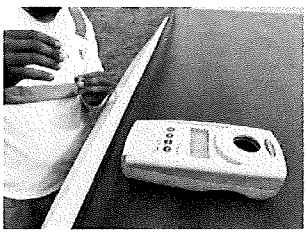
Vivax-Metrotech VM-810 Line Locator



The antenna system in the locator is different from a normal locator. Rather than place antennas on the same center line, one antenna is offset to the right and another to the left. Coupled with extremely sensitive electronics enables the locator to find which antenna is receiving the strongest signal, indicating which direction one should move to be over the buried line. The VM-810's Distance Sensitive Left/Right Guidance provides a sharper, crisper, response, allowing for greater accuracy in line location.

This line locator will verify the line location in the street to enable accurate pinpointing and field markings of leak locations.

Lovibond Chlorine Tester



Free Chlorine (hypochlorous acid) reacts with Ammonia and certain Nitrogenous compounds to form Combined Chlorine. With Ammonia, the reaction produces chloramines which have very little disinfecting power; thus, it is important to be able to determine the various fractions of Chlorine present at any one time. DPD (NN Diethyl p Phenylene Diamine Sulphate) is the preferred reagent for the determination of Free, Combined and Total Chlorine. It is available in Tablet, Liquid and Powder form.

Total Chlorine can also be measured using a Potassium Iodide reagent. This can measure concentrations of up to 300 mg/l chlorine and is widely used in food manufacturing and industrial water treatment.

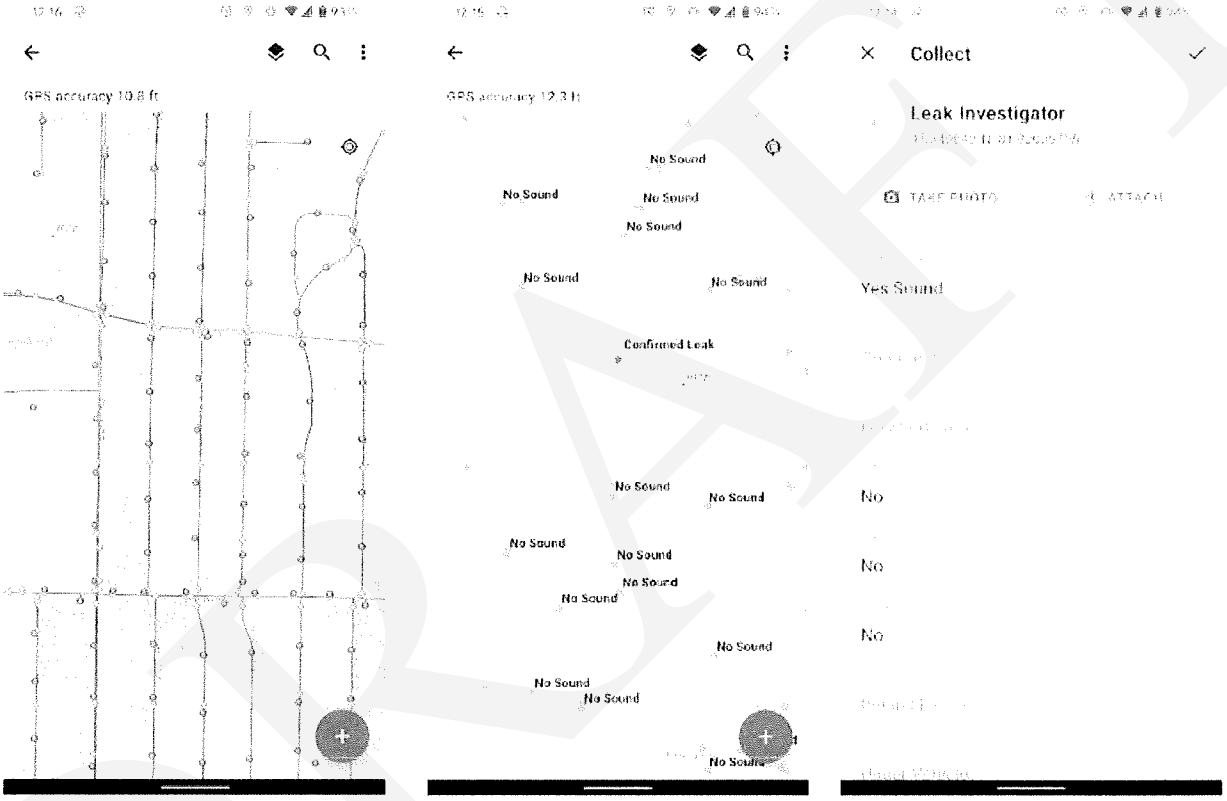
19655 Tanbark Ln | Strongsville, OH 44149
Tel: 440.238.9699 | Email: ce@cengr.co | Website: www.cengr.co

DRAFT

CONSULTING ENGINEERING, INC.

Data-Enabled Collection Devices with ArcGIS

GPS & data-enabled devices with ArcGIS Field Maps allow our specialists to collect photos, videos, acoustics, mapping discrepancies, and all assessment data. Our devices include Samsung, Apple, and LG phones, tablets, & PCs. With interactive mapping, we import GIS shapefile(s), update GIS information, and provide valuable information using our flexible data-driven solutions and analysis tools. By creating customizable layers, our leak detection specialists can collect information which can be represented visually and represent patterns in whatever manner we find valuable. Though this information is visually stunning, the power behind this is our teams can share and access information through mapping, embedded information, and dashboards.

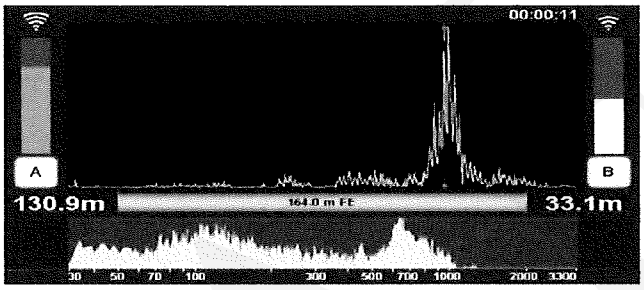


DRAFT

CONSULTING ENGINEERING, INC.

SebaKMT Corelux C-3 Correlator
The acoustics of pressurized water travel in all directions of the pipe. This noise is recorded, amplified, and sent wirelessly to the correlator by 2 sensors (piezo mic, hydrophone) which are attached to the pipe (e.g. valve, hydrants). The C-3 compares the signals then calculates the distance based on the delays time of the signals, sensor distance, and sound velocity in the pipe.

This hybrid correlator can be used for online and offline correlations. The C-3 is capable of multi-correlation without pipe parameter input, possesses a touch display with an intuitive user interface, has long operating times, has inductive sensor charging, and can pinpoint using multi-sensors or a ground mic. This device is perfect for all piping materials.

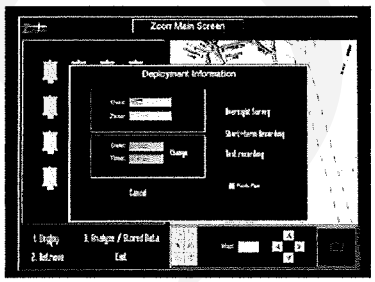


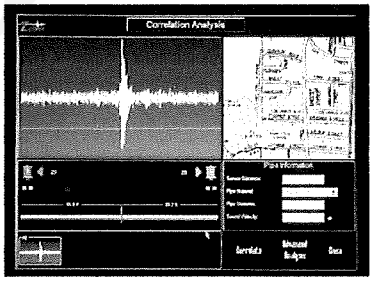
ZCorr Digital Correlating Loggers
ZCorr digital correlating loggers offer significant advantages over listening loggers by detecting and pinpointing multiple leaks in a zone overnight. ZCorr's technical advances make leak surveying viable for water utilities at less effort and cost.

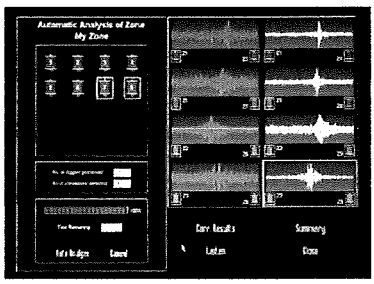
ZCorr is a software-driven approach that allows a distribution system leak survey to be efficiently directed from the office, integrating leak detection data, maps, and database tools to:

- Plan the survey and print deployment orders.
- Pinpoint leaks and print repair reports.
- Track survey progress and performance.

The ZCorr survey has 3 steps: DEPLOY, RETRIEVE and ANALYZE. Each step can be taken either in the office or in the field.







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Tel: 440.238.9699 | Email: ce@cengr.co | Website: www.cengr.co

CONSULTING ENGINEERING, INC.

Policy & Affiliation Statements

Health & Safety Policy

It is the policy of Consulting Engineering Inc. to provide a safe and healthy culture for our employees and to observe all State and Federal Laws and Regulations, including but not limited to training and certifications associated with our tasks in the context with which they are performed to follow safe practices and to recognize, correct, and/or avoid unsafe working conditions.

Active participation and adherence to the Safety Program is a condition of employment. No individual should work at a job that he or she knows is not safe. Therefore, we must make every workplace safe by detecting, correcting, and reporting unsafe conditions, as well as the detection of unsafe work practices.

Our Safety Policy has equal importance with Consulting Engineering Inc.'s policies of providing the best quality and most productive service in our industry with a goal of preventing all accidents and injuries. Because of the many different hazards of our industry, we must maintain a constant safety awareness to achieve this goal.

Public Safety

We recognize the importance of making our customers happy along with those they serve so our conduct, dress, communication, and visibility are made clear before our boots touch the ground. Operations are planned & conducted to maximize convenience to the public including permission to access inaccessible areas.

Our plan conforms to the MUTCD (Section 6G.02 Type of Temporary Traffic Control Zone Activities, Work Duration). Our work follows the guidelines of mobile work (work that moves intermittently or continuously) which specifically mention frequent stops for activities such as utility operations. Our traffic plan satisfies Canada's Traffic Control Manual (Sections 18.3 Standards of Traffic Control and 8.24 High-visibility Apparel).

CEI's work vehicle(s) maintain an oscillating dome light, traffic cones, 4-way blinkers, CEI branded magnets & DOT-approved Class III reflective high-visibility clothing, and a survey sign for advanced traffic warning to increase visibility. The survey sign is periodically retrieved and repositioned in advanced warning areas.

CEI requests a laminated letter from the Water Utility Superintendent to be displayed in-vehicle and presented to residents and authorities should they have questions including contact information. Additionally, we carry branded identification which matches our equipment.

Any additional concerns may be found in the adverse conditions detailed in the methodology and will be addressed in the kickoff meeting.

Meter or AMR Manufacturer Affiliation

CEI has no affiliation with any meter or AMR manufacturers.

Cleanup

CEI maintains neat, orderly working conditions to ensure environmental and fire safety. Proper disposal of rubbish and maintenance of natural beauty is a part of our office and field culture.

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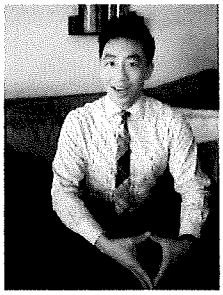
CONSULTING ENGINEERING, INC.

Experience

Key Personnel

Project Manager – 20+ years of experience



Y Chan is the Principal Owner and a Civil Engineer with a BSCE from the Ohio State University with a specialization in Structural Engineering (2003) who has managed civil design projects and leak detection programs for CEI since 2013. He managed all projects listed in this proposal while performing sounding and pinpointing, as needed. In addition to managing leak detection and water audit projects, Mr. Chan has managed and designed civil engineering and construction administration projects around the nation for ODOT, OTIC, PATH, NYCDOT, NYSDOT, PennDOT, MTA, MetroNorth, NHDES, GSA, Veterans Affairs, and numerous government entities. He is the architect of CEI's ESRI/ArcGIS program used for documenting listening points including asset defects, GIS mapping errors, photos, and acoustic results in ArcGIS Collector so the data is readily accessible. He is a DOT-certified flagger, CPR-certified, and experienced in all Bentley programs, all AutoDesk programs, and Cartegraph. He manages all budgeting, scheduling, communications, data analysis, and reports.

Experienced Oversight –30+ years of experience

Ray C. S. Chan, P.E., is the founder of CEI. He is a Structural and Hydraulic Engineer with his BSCE from the University of Illinois at Urbana-Champagne and masters from Virginia Tech. He is well-acquainted with water infrastructure projects, specializing in leak detection in the Cleveland Water System; the majority of the Cleveland master-metered suburban cities, including City of East Cleveland, Cleveland Heights (a client since 1990), the City of Bedford, the City of Lakewood, and other surrounding suburbs; and across North America.

Ray C. S. Chan, P.E., will be responsible for the program oversight. Mr. Chan has specialized in leak detection and location since 1974. He was the engineer-in-charge for the Pitometer Associates, assigned to the Cleveland Water Department in the early '80s where he detected and pinpointed leaks for the entire system (5,360 miles) including applying first generation leak correlation technique to pinpointing. Being in business for over thirty years, Mr. Chan believes in a safety-oriented team effort focused on clear communication while emphasizing quality assurance. Deliverables are expected to stay under budget while meeting established deadlines.

Field Services Leader – 14+ years of experience

Maurice Little's input is critical in the purchase of all water leak detection equipment. He is an expert in the use of all CEI leak detection equipment and the training of field technicians.

With thousands of miles of water utility experience, he has performed & executed all field services in this proposal. His conceptual skills, leak detection training, and field experience provide for the skills, knowledge, and expertise to evaluate and pinpoint leaking assets, document findings, and make recommendations for rehabilitation. Training and Certifications include ArcGIS Collector, Cartegraph, OSHA 30, Field Operations Classroom Training, Valve Operator, Truck Safety, Equipment and Inspection Training, Trimble Operation and Data Management Training, First Aid/CPR Certification, Confined Space Entry Trained, Flagger Certification, Hydrant Flushing/Flow Trained (AWWA M17, NFPA 291), DOT Certified Vehicle Driver.

In addition to CEI projects, Mr. Little has performed the following:

CONSULTING ENGINEERING, INC.

Client	Years	Leak Detection	Valve &/or Hydrant Assessment	UDF	Confined Space	System Iso. (Shut-downs)	On-Call Services	Metallic	Non-Metallic	Miles
Anne Arundel County, MD	2017	Yes	Yes					Yes		210
Baltimore City, MD	2007-2013	Yes	Yes		Yes	Yes	Yes	Yes		160
Baltimore County, MD	2007-2013	Yes	Yes		Yes	Yes	Yes	Yes		220
Batavia, IL	2017-2018	Yes						Yes		190
Bayonne, NJ	2015	Yes						Yes		130
Buffalo Grove	2020-2022	Yes					Yes	Yes		183
Carol Stream, IL	2018	Yes	Yes	Yes				Yes		140
Charles County, MD	2017	Yes	Yes					Yes		150
Cleveland, OH (CWD)	2016-2017	Yes	Yes				Yes	Yes		2,100
DC Water	2010	Yes	Yes					Yes		660
Dupage, IL	2014	Yes		Yes				Yes		160
Edenton, NC	2009	Yes	Yes					Yes		130
Flagstaff, AZ	2017-2018	Yes	Yes					Yes	Yes	220
Georgia Environmental Finance Authority	2015	Yes						Yes		1,200
Hays, KS	2015	Yes						Yes		106
Howard County, MD	2016-2017	Yes	Yes				Yes	Yes		500
Jersey City, NJ	2015	Yes						Yes		210
Lakewood, OH	2020-2022	Yes						Yes		240
Lowell, MA	2019	Yes						Yes		215
Massachusetts Water Resources Authority	2015, 2016, 2018	Yes					Yes	Yes		3,735
McKinney, TX	2011	Yes						Yes	Yes	120

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CONSULTING ENGINEERING, INC.

Client	Years	Leak Detection	Valve &/or Hydrant Assessment	UDF	Confined Space	System Iso. (Shut-downs)	On-Call Services	Metallic	Non-Metallic	Miles
Middleborough, MA	2016	Yes						Yes		135
Minneapolis, MN	2015	Yes						Yes		440
Needham, MA	2012	Yes						Yes		150
New Hampshire Department of Environmental Services	2018	Yes						Yes		732
Norridge, IL	2017	Yes		Yes				Yes		44
North Kentucky, KY	2016	Yes					Yes	Yes		160
Pagosa Springs, CO	2015	Yes						Yes		240
Piqua, OH	2017	Yes					Yes	Yes		110
Pontiac, MI	2015	Yes	Yes					Yes		
Puerto Rico Aqueducts & Sewers Authority	2015	Yes					Yes	Yes	Yes	1,700
San Antonio Water System	2015	Yes						Yes		2,400
Surrey, British Columbia Canada	2017	Yes					Yes	Yes	Yes	180
Waco, TX	2014	Yes						Yes	Yes	190
Monroe County Water Authority, FL	2014	Yes	Yes	Yes				Yes	Yes	170
Wilson, NC	2015	Yes	Yes					Yes		130
WSSC, MD	2014, 2015	Yes	Yes					Yes		1,700

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CONSULTING ENGINEERING, INC.

Field Services Technician – 15+ years of experience
Damian Booker has conducted acoustic surveying and valvebox assessment & cleaning for Tucson, AZ,; Buffalo Grove, IL; Carol Stream, IL; Oak Park, IL; Park Ridge, IL; Montgomery, PA; Baltimore, MD; Cleveland, OH, & Lakewood, OH. Mr. Booker has experience with Vivax-Metrotech, CST-Berger, Sub-Surface and SebaKMT products as well as traditional equipment. Mr. Booker has been trained and performs work on ArcGIS Collector and Cartegraph. OSHA 10 Certified.

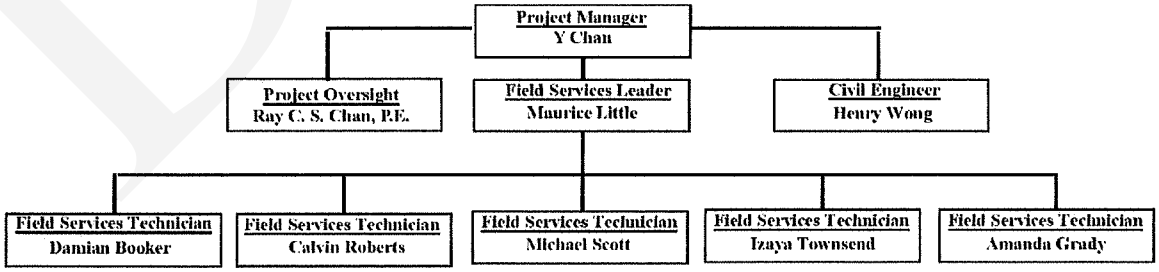
Field Services Technician – 5+ years of experience
Calvin Roberts has conducted acoustic surveying and valvebox assessment & cleaning for Flagstaff, AZ; Springfield, IL; Carol Stream, IL; Lowell, MA; Buffalo Grove, IL; Oak Park, IL; Park Ridge, IL; Diablo, CA; Montgomery, PA; Cleveland, OH; & Lakewood, OH. Mr. Roberts has experience with Vivax-Metrotech, CST-Berger, Sub-Surface and SebaKMT products as well as traditional equipment. He has been trained and performs work on ArcGIS Collector and Cartegraph. OSHA 10 Certified.

Field Services Technician – 3+ years of experience
Michael Scott is a Leak Detection Specialist who has conducted acoustic surveying and valvebox assessment & cleaning for Lowell, MA; Park Ridge, IL; Buffalo Grove, IL; Oak Park, IL; Park Ridge, IL; Diablo, CA; Montgomery, PA; Cleveland, OH; & Lakewood, OH. He has experience with Vivax-Metrotech, CST-Berger, and SebaKMT products as well as traditional equipment. He has been trained and performs work on ArcGIS Collector and Cartegraph. OSHA 10 Certified.

Field Services Technician – 2+ years of experience
Izaya Townsend has conducted acoustic surveying and valvebox assessment & cleaning for Arlington Heights, IL; Buffalo Grove, IL; Glenview, IL; Montgomery, PA; Cleveland, OH; & Lakewood, OH. Mr. Gaither has experience with Vivax-Metrotech, CST-Berger, Sub-Surface, and SebaKMT products. He has been trained and performs work on ArcGIS Collector and Cartegraph. OSHA 10 Certified.

Field Services Technician – 2+ years of experience
Amanda Grady has conducted acoustic surveying and valvebox assessment & cleaning for Springfield, IL; Buffalo Grove, IL; Montgomery, PA; Cleveland, OH; & Lakewood, OH. He has experience with Vivax-Metrotech, CST-Berger, and SebaKMT products as well as traditional equipment. She has been trained and performs work on ArcGIS Collector and Cartegraph. OSHA 10 Certified.

Data Integrity, Office Support, Civil Engineer – 30+ years of experience
Henry Wong was a Leak Detection Specialist with CEI in the '80s and '90s who now provides support to field services using ArcGIS online, scheduling access to inaccessible areas, tracking crew production, verifying data integrity, generating daily reports, etc. He is familiar with all ESRI. Cartegraph, Bentley, and AutoDesk programs.



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004519

NON-COLLUSION AFFIDAVIT

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Town of Rotterdam
Water District #5 Leak Detection Survey
Phases 3, 4, & 5
Contract No. 1 – Leak Detection

004519
Non-Collusion Affidavit

Every bid or proposal made to a political subdivision of the state or any public department, agency or official thereof where competitive bidding is required by statute, rule, regulation or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury.

By submission of this bid, each bidder and each person signing on behalf of any bidder, or in the case of a joint bid each party thereto, certifies that:

such bid is not made in the interest of or on behalf of any undisclosed person, partnership, company, association, organization or corporation;

such bid is genuine and not collusive or sham;

said bidder has not directly induced or solicited any other bidder to put in a false or sham bid and has not directly or indirectly colluded, conspired, connived or agreed with any bidder or anyone else to put in a sham bid, nor that anyone shall refrain from bidding;

said bidder has not in any manner, directly or indirectly, sought by agreement, communication or conference with anyone to fix the bid price of said bidder or of any other bidder, nor to fix any overhead, profit or cost element of such bid price, nor of that of any other bidder, nor to secure any advantage against the public body awarding the contract or anyone interested in the proposed contract;

all statements contained in such bid are true;

and, further, that said bidder has not directly or indirectly, submitted his bid price or any breakdown

thereof, nor the contents thereof, nor divulged information or data relative thereto, nor paid and will not pay fee in connection therewith to any corporation, partnership, company, association, organization, bid depository, nor to any member or agent thereof, nor to any other individual except to such persons or persons as have a partnership or other financial interest with said bidder in his general business.

No bid shall be considered for award, neither shall any award be made where above items have not been complied with.

If 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 why the above items have not been complied with. The bid shall not be considered for award, neither 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 the appointed designee, determines that such disclosure was not made for the purpose of restricting competition.

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 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 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 noncollusion as the act and deed of the corporation.

Signature: _____

Print Name: Y Chan

Title: Principal Owner & Civil Engineer

Business Address of Bidder: 19655 Tanbark Ln.; Strongsville, OH 44149

Dated: 11/20/2024

NON-COLLUSION AFFIDAVIT MUST BE INSERTED IN PROJECT MANUAL

004525

TOWN OF ROTTERDAM
NON-DISCRIMINATION AND HARASSMENT POLICY & AFFIDAVIT

DRAFT

903 Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace

Policy Statement – It is the policy of the Town of Rotterdam to promote a productive work environment and to prohibit conduct by any Elected Official or employee (as defined in Section 104 of the Employee Handbook) that disrupts or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment. In keeping with this goal, the Town is committed to educate Elected Officials and employees in the recognition and prevention of workplace discrimination and harassment, including sexual harassment, and to provide an effective means of eliminating such discrimination and harassment from the workplace. In short, the Town does not tolerate any form of discrimination or harassment, including sexual harassment, and will take all steps necessary to prevent and stop the occurrence of such activity in the workplace. The accompanying complaint procedure is intended to provide an effective mechanism for reporting, and resolving promptly, complaints of discrimination and harassment, including sexual harassment, without any risk of repercussion to any individual covered by this policy who, in good faith, files such complaint.

Applicability of Policy – This policy applies to all Elected Officials, Appointed Members of Boards and Commissions, employees, supervisors, and Department Heads, whether employed full or part-time, temporary or seasonal, paid or unpaid interns, volunteers, and those employed by companies contracting to provide services in the workplace. Depending on the extent of the Town's exercise of control, this policy may be applied to the conduct of non-Town employees with respect to harassment of Town employees in the workplace.

Prohibited harassment (including sexual harassment) is not limited to the physical workplace itself. It can occur while Elected Officials, employees or other individuals covered by this policy are traveling for Town business or at Town sponsored events or parties. Calls, texts, emails, and social media usage by employees or other individuals covered by this policy can constitute workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Prohibited Activity – No Elected Official, employee or other individuals covered by this policy shall engage in any of the following:

- Harassment: Unwanted, unreasonable verbal or physical conduct directed toward or affecting another person that disturbs, frightens, insults, threatens, intimidates, demeans, or offends that other person, that continues or is repeated after a request to cease, and that: 1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; 2) has the purpose or effect of unreasonably interfering with an individual's work performance; or 3) otherwise adversely affects an individual's employment opportunities. Harassment includes offensive or inappropriate images or written materials or electronic communications (e.g. letters, e-mail, text messages, or graffiti) as well as bias-based harassment and sexual harassment (see below).
- Bias-Based Harassment: Harassment that denigrates, offends or shows hostility or aversion toward an individual on the basis of sex, (including gender identity and the status of being transgender), sexual orientation, race, color, national origin, religion,

disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information or predisposing characteristics, domestic violence victim status, or any other protected status. Bias-based harassment includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written, electronic, or graphic material that denigrates, ridicules, objectifies, or shows hostility, aversion or contempt toward an individual or group and that is placed on walls, bulletin boards, lockers or elsewhere on or in the Town's premises, vehicles, or equipment, or is circulated in the workplace, including through electronic means.

- Discrimination: The Town of Rotterdam is an Equal Opportunity Employer. The Town does not unlawfully discriminate on the basis of sex, (including gender identity and the status of being transgender), sexual orientation, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information or predisposing characteristics, domestic violence victim status, or any other protected status. Unlawful discrimination based on membership in these categories is prohibited by applicable federal, state, or local laws. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, assignments, compensation, promotion, transfer, training, leave of absence, and termination.

Definition of Sexual Harassment – This policy places special attention on the prohibition of sexual harassment in the workplace.

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory

remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of Sexual Harassment - The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, name-calling.

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Prohibition Against Retaliation – Unlawful retaliation can be any action that could discourage an employee from coming forward to make or support a claim of discrimination or harassment, including sexual harassment. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Unlawful retaliation against any employee who has engaged in "protected activity" is strictly prohibited by this policy as well as (where applicable) federal, state, and local law. Protected activity occurs when a person has:

- made a complaint of harassment or discrimination, either internally or with any anti-discrimination agency;
- opposed harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or management of harassment or discrimination;
- reported that another employee has been subjected to harassment or discrimination;
- encouraged a fellow employee to report harassment or discrimination;
- participated in a workplace investigation regarding harassment or discrimination;
- testified or assisted in a proceeding involving harassment or discrimination under the Human Rights Law or other anti-discrimination laws.

Even if the alleged discrimination or harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of discrimination or harassment.

Reporting of Discrimination and Harassment (including Sexual Harassment) – Reports of alleged discrimination and/or harassment (including sexual harassment) or retaliation may be made verbally or in writing. A form for the submission of a written complaint is attached to this policy and individuals are encouraged to use this form. If an individual chooses to submit a verbal complaint, such complaint will be recorded by the receiver of this complaint on this form. Employees are encouraged to report incidents of discrimination, harassment (including sexual harassment), or retaliation to their Department Head and/or the Town Supervisor as soon as possible after their occurrence. If the employee's Department Head is believed to be involved in the incident, or if the employee is not comfortable in addressing the incident with the Department Head, the report should be made directly to the Town Supervisor. If the Town Supervisor is believed to be involved in the incident or the employee is not comfortable reporting the incident to the Town Supervisor, the employee should report the incident to a member of the Town Board. Employees who believe they have been discriminated against or harassed and would like to obtain guidance as to how to proceed in filing a complaint, should contact their immediate supervisor, their Department Head, the Town Supervisor, or any member of the Town Board. Employees who work during off-hours are encouraged to contact their supervisor, their Department Head, the Town Supervisor, or any member of the Town Board at home if these individuals do not work during the employee's shift. Non-employees are encouraged to report incidents of alleged discrimination and harassment (including sexual harassment) to either the Department Head of the

department where services are being provided, the Town Supervisor, or a member of the Town Board.

Supervisory Responsibility – Supervisory personnel must make every effort to ensure a work environment that is free from discrimination and harassment, including sexual harassment. Any Department Head or supervisor who receives a complaint or information about suspected prohibited activity (as outlined above), observes behavior that may constitute prohibited activity, or for any reason suspects that prohibited activity is occurring, is required to report such suspected prohibited activity to the Town Supervisor, or any member of the Town Board.

In addition to being subject to corrective action or discipline if they engaged in prohibited activity themselves, supervisory personnel will be subject to discipline for failing to report suspected prohibited activity or otherwise knowingly allowing prohibited activity to continue. Supervisory personnel will also be subject to corrective action or discipline for engaging in any form of retaliation prohibited by this policy.

Investigation of Complaint – The Town Supervisor, in consultation with the Town Board, will determine the appropriate individual(s) to conduct the investigation. All complaints pursuant to this policy, whether reported in verbal or written form, will be investigated promptly, thoroughly, and in as impartial a manner as possible. The investigation will normally include conferring with the parties involved and any named or apparent witnesses. All employees are required to cooperate in an investigation, if so directed. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation. All relevant materials, including all electronic communications, documents, emails or phone records that are relevant to the allegations will also be considered. A written report will be prepared documenting the results of the investigation. The individual who reported the complaint and the individual about whom the complaint was made will be notified of the final determination.

Confidentiality – Complaints of discrimination and harassment, including sexual harassment, will be handled and investigated promptly and in a manner that is as impartial and confidential as possible. In no event will information concerning a complaint be released by the Town to third parties or to anyone within the Town employment who is not directly involved in the investigation or handling of the complaint unless otherwise required by law.

Corrective Action and Discipline – Any employee who is found to have violated any aspect of this policy will be subject to corrective or disciplinary action, up to and including termination of employment, as provided by Town operating procedures, including Civil Service Law Section 75, or a collective bargaining agreement. Any Elected Official who violates this policy will be subject to remedial action as provided for and/or allowed under NYS Public Officers Law, as well as any other applicable statutes. Any vendor, supplier, visitor, customer, or other non-employee who violates this policy will be subject to remedial action, to the extent that the Town is empowered to take such action.

Legal Protections and External Remedies – Nothing in this policy should be construed as in any way limiting employees' rights to file a formal complaint with the appropriate state or federal

agencies responsible for administering anti-discrimination laws. Complainants should be aware that time restrictions may apply and need to be considered.

Harassment (including sexual harassment) is not only prohibited by Town policy but is also prohibited by federal, state, and (where applicable) local law. Aside from the Town's internal process, employees may also choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL) applies to employers in New York State with regard to harassment and protects employees and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court. Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed an HRL complaint in state court. Filing an internal complaint with the Town does not extend the time limits to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment. An attorney is not needed to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate the complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the Town to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400. Contact DHR at (888) 392- 3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov. If an individual filed an

administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Contact the Rotterdam Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the Rotterdam Police Department.

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004525

Town of Rotterdam Non-Discrimination and Harassment Policy Affidavit

Every bid or proposal made to the Town of Rotterdam where competitive bidding is required by statute, rule, regulation or local law, for work or services performed or to be performed or goods sold or to be sold, shall contain the following statement subscribed by the bidder and affirmed by such bidder as true under the penalties of perjury.

By submission of this bid, each bidder and each person signing on behalf of any bidder, or in the case of a joint bid each party thereto, certifies that:

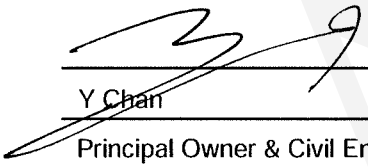
The bidder has received the Town of Rotterdam's *903 Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace* policy;

And said bidder understands and will comply with said non-discrimination and harassment policy;

No bid shall be considered for award, neither shall any award be made where above items have not been complied with.

If 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 why the above items have not been complied with. The bid shall not be considered for award, neither 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 the appointed designee, determines that such disclosure was not made for the purpose of restricting competition.

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 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 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 noncollusion as the act and deed of the corporation.

Signature: 

Print Name: Y Chan

Title: Principal Owner & Civil Engineer

Business Address of Bidder: 19655 Tanbark Ln.; Strongsville, OH 44149

Dated: 11/20/2024

NON-DISCRIMINATION AND HARASSMENT AFFIDAVIT MUST BE INSERTED IN PROJECT MANUAL

8:38 PM
07/04/24
Accrual Basis

Consulting Engineering, Inc.
Balance Sheet
As of December 31, 2021

	Dec 31, 21	
ASSETS		
Current Assets		
Checking/Savings		
FIFTH THIRD SAVING		36,109.75
1027 · Fifth Third Bank		19,941.92
Total Checking/Savings		56,051.67
Accounts Receivable		
1100 · Account Receivable - Trade		2,400.01
Total Accounts Receivable		2,400.01
Other Current Assets		
cashier check for bid bond		1,013.43
2309 · Shareholder Loan - Y Chan		74,703.00
2310 · Loans Payable - Ray Chan		-3,900.00
Total Other Current Assets		71,816.43
Total Current Assets		130,268.11
Fixed Assets		
Fixed Assets		
1400 · Furniture & Fixtures		
1410 · Acc.Dep. - Furn & Fix	-28,904.87	
1400 · Furniture & Fixtures - Other	28,904.87	
Total 1400 · Furniture & Fixtures		0.00
1500 · EQUIPMENT		
1501 · COST	27,451.15	
1510 · Acc. Dep. - Equipment	-27,451.15	
Total 1500 · EQUIPMENT		0.00
1701 · Office Equipment		
1710 · Acc. Dep. - Office Equipment	-2,366.47	
1701 · Office Equipment - Other	2,366.47	
Total 1701 · Office Equipment		0.00
1720 · Office Equipment - Computers		
1730 · Acc.Dep. - Computer	-2,160.00	
1720 · Office Equipment - Computers - O...	2,160.00	
Total 1720 · Office Equipment - Computers		0.00
Total Fixed Assets		0.00
Total Fixed Assets		0.00
TOTAL ASSETS		**130,268.11**
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Other Current Liabilities		
Payroll Liabilities		
city		456.00
federal		1,820.40
ohio		223.46
Total Payroll Liabilities		2,499.86

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8:38 PM
07/04/24
Accrual Basis

Consulting Engineering, Inc.
Balance Sheet
As of December 31, 2021

	Dec 31, 21
2321 · Loans Payable - John Chu	26,000.00
Total Other Current Liabilities	28,499.86
Total Current Liabilities	28,499.86
Total Liabilities	28,499.86
Equity	
Retained Earnings	7,217.32
3000 · Common Stock /Capital	500.00
3101 · Y Chan Equity	25,709.77
Net Income	68,341.16
Total Equity	101,768.25
TOTAL LIABILITIES & EQUITY	**130,268.11**

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8:37 PM
07/04/24
Accrual Basis

Consulting Engineering, Inc.
Balance Sheet
As of December 31, 2022

	Dec 31, 22	
ASSETS		
Current Assets		
Checking/Savings		
FIFTH THIRD SAVING	1,111.40	
new bank - 4394	113,828.28	
1027 · Fifth Third Bank	1,236.16	
Total Checking/Savings	116,175.84	
Accounts Receivable		
1100 · Account Receivable - Trade	0.01	
Total Accounts Receivable	0.01	
Other Current Assets		
cashier check for bid bond	250.00	
12000 · Undeposited Funds	500.00	
2310 · Loans Payable - Ray Chan	137,950.00	
Total Other Current Assets	138,700.00	
Total Current Assets	254,875.85	
Fixed Assets		
Fixed Assets		
1400 · Furniture & Fixtures		
1410 · Acc.Dep. - Furn & Fix	-28,904.87	
1400 · Furniture & Fixtures - Other	28,904.87	
Total 1400 · Furniture & Fixtures	0.00	
1500 · EQUIPMENT		
1501 · COST	27,451.15	
1510 · Acc. Dep. - Equipment	-27,451.15	
Total 1500 · EQUIPMENT	0.00	
1701 · Office Equipment		
1710 · Acc. Dep. - Office Equipment	-2,366.47	
1701 · Office Equipment - Other	2,366.47	
Total 1701 · Office Equipment	0.00	
1720 · Office Equipment - Computers		
1730 · Acc.Dep. - Computer	-2,160.00	
1720 · Office Equipment - Computers - O...	2,160.00	
Total 1720 · Office Equipment - Computers	0.00	
Total Fixed Assets		0.00
Total Fixed Assets		0.00
TOTAL ASSETS		**254,875.85**
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Other Current Liabilities		
Payroll Liabilities		
city	480.00	
federal	2,178.00	
ohio	7.76	
Total Payroll Liabilities	2,665.76	

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07/04/24
Accrual Basis

Consulting Engineering, Inc.
Balance Sheet
As of December 31, 2022

	Dec 31, 22
2321 · Loans Payable - John Chu	24,250.00
Total Other Current Liabilities	26,915.76
Total Current Liabilities	26,915.76
Total Liabilities	26,915.76
Equity	
Retained Earnings	-140,464.92
3000 · Common Stock /Capital	500.00
3101 · Y Chan Equity	151,901.61
Net Income	216,023.40
Total Equity	227,960.09
TOTAL LIABILITIES & EQUITY	**254,875.85**

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8:33 PM
07/04/24
Accrual Basis

Consulting Engineering, Inc.
Balance Sheet
As of December 31, 2023

	Dec 31, 23	
ASSETS		
Current Assets		
Checking/Savings		
FIFTH THIRD SAVING		27,504.72
new bank - 4394		65,933.74
Total Checking/Savings		93,438.46
Accounts Receivable		
1100 · Account Receivable - Trade		307,124.95
Total Accounts Receivable		307,124.95
Other Current Assets		
cashier check for bid bond		250.00
12000 · Undeposited Funds		500.00
2310 · Loans Payable - Ray Chan		137,950.00
Total Other Current Assets		138,700.00
Total Current Assets		539,263.41
Fixed Assets		
Fixed Assets		
1400 · Furniture & Fixtures		
1410 · Acc.Dep. - Furn & Fix	-28,904.87	
1400 · Furniture & Fixtures - Other	28,904.87	
Total 1400 · Furniture & Fixtures		0.00
1500 · EQUIPMENT		
1501 · COST	27,451.15	
1510 · Acc. Dep. - Equipment	-27,451.15	
Total 1500 · EQUIPMENT		0.00
1701 · Office Equipment		
1710 · Acc. Dep. - Office Equipment	-2,366.47	
1701 · Office Equipment - Other	2,366.47	
Total 1701 · Office Equipment		0.00
1720 · Office Equipment - Computers		
1730 · Acc.Dep. - Computer	-2,160.00	
1720 · Office Equipment - Computers - O...	2,160.00	
Total 1720 · Office Equipment - Computers		0.00
Total Fixed Assets		0.00
Total Fixed Assets		0.00
TOTAL ASSETS		**539,263.41**
LIABILITIES & EQUITY		
Liabilities		
Current Liabilities		
Other Current Liabilities		
Payroll Liabilities		
city		420.06
federal		2,279.78
FUTA		42.00
ohio		171.86
Total Payroll Liabilities		2,913.70

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8:33 PM
07/04/24
Accrual Basis

Consulting Engineering, Inc.
Balance Sheet
As of December 31, 2023

	Dec 31, 23
2321 · Loans Payable - John Chu	24,250.00
Total Other Current Liabilities	27,163.70
Total Current Liabilities	27,163.70
Total Liabilities	27,163.70
Equity	
Retained Earnings	75,558.48
3000 · Common Stock /Capital	500.00
3101 · Y Chan Equity	60,273.05
Net Income	375,768.18
Total Equity	512,099.71
TOTAL LIABILITIES & EQUITY	**539,263.41**

DRAFT

DOC ID ----> 202308301058

DATE	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
03/24/2023	202308301058	AGENT ADDRESS CHANGE (AGA)	25.00				0

Receipt

This is not a bill. Please do not remit payment.

CONSULTING ENGINEERING INC.
13477 PROSPECT ROAD
SUITE 214
STRONGSVILLE, OH, 44136

STATE OF OHIO
CERTIFICATE

Ohio Secretary of State, Frank LaRose

1600677

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

CONSULTING ENGINEERING INC.

and, that said business records show the filing and recording of:

Document(s)	Document No(s):
AGENT ADDRESS CHANGE	**202308301058**

Effective Date: 03/24/2023

United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the Secretary of State at Columbus, Ohio this 24th day of March, A.D. 2023.

Ohio Secretary of State

DRAFT

DOC ID ----> 202308301058

Form 521 Prescribed by:

Frank LaRose
Ohio Secretary of State

Date Electronically Filed: 3/24/2023

Toll Free: 877.767.3453 | Central Ohio: 614.466.3910

OhioSoS.gov | business@OhioSoS.gov

File online or for more information: OhioBusinessCentral.gov

Statutory Agent Update
Filing Fee: $25
Form Must Be Typed

(CHECK ONLY ONE(1) BOX)

(1) Subsequent Appointment of Agent
- ☐ Corp (165-AGS)
- ☐ LP (165-AGS)
- ☐ LLC (171-LSA)
- ☐ Business Trust (171-LSA)
- ☐ Real Estate Investment Trust (171-LSA)

(2) Change of Address of an Agent
- ☑ Corp (145-AGA)
- ☐ LP (145-AGA)
- ☐ LLC (144-LAD)
- ☐ Business Trust (144-LAD)
- ☐ Real Estate Investment Trust (144-LAD)

(3) Resignation of Agent
- ☐ Corp (155-AGR)
- ☐ LP (155-AGR)
- ☐ LLC (153-LAG)
- ☐ Partnership (153-LAG)
- ☐ Business Trust (153-LAG)
- ☐ Real Estate Investment Trust (153-LAG)

Name of Entity: CONSULTING ENGINEERING INC.

Charter, License or Registration No.: 1600677

Name of Current Agent: Y CHAN

Complete the information in this section if box (1) is checked

Name and Address of New Agent

Name of Agent

Mailing Address

City | State: OH | ZIP Code

DOC ID ----> 202308301058

Complete the information in this section if box (1) is checked and business is an Ohio entity or Foreign LLC

ACCEPTANCE OF APPOINTMENT FOR DOMESTIC ENTITY'S AGENT

The Undersigned, _____ (Name of Agent), named herein as the statutory agent for _____ (Name of Business Entity), hereby acknowledges and accepts the appointment of statutory agent for said entity.

Signature: _____

Individual Agent's Signature/Signature on behalf of Business Serving as Agent

Complete the information in this section if box (2) is checked

New Address of Agent

19655 TANBARK LN
Mailing Address

STRONGSVILLE (City) | OH (State) | 44149 (ZIP Code)

Complete the information in this section if box (3) is checked

The agent of record for the entity identified on page 1 resigns as statutory agent.

Current or last known address of the entity's principal office where a copy of this Resignation of Agent was sent as of the date of filing or prior to the date filed.

_____
Mailing Address

_____ (City) | _____ (State) | _____ (Zip Code)

DOC ID ----> 202308301058

By signing and submitting this form to the Ohio Secretary of State, the undersigned hereby certifies that he or she has the requisite authority to execute this document.

Required

Agent update must be signed by an authorized representative (see instructions for specific information).

If authorized representative is an individual, then they must sign in the "signature" box and print their name in the "Print Name" box.

If authorized representative is a business entity, not an individual, then please print the business name in the "signature" box, an authorized representative of the business entity must sign in the "By" box and print their name in the "Print Name" box.

CONSULTING ENGINEERING INC.
Signature

Y CHAN
By (if applicable)

Print Name

Signature

By (if applicable)

Print Name

DRAFT

RESOLUTION NO. 463.24

TO REJECT ALL BIDS FOR ROTTERDAM POLICE DEPARTMENT VEHICLE MAINTENANCE AND REPAIRS

WHEREAS, pursuant to notice duly published according to Section 103 of the General Municipal Law, the Town Board of the Town of Rotterdam on the 2nd day of December 2024, at 10:30a.m. publicly opened and read all bid proposals received by the Town of Rotterdam for Rotterdam Police Department Vehicle Maintenance and Repairs; and

WHEREAS, the Town Board of the Town of Rotterdam wishes to reject all bids received in response to said call for bids on November 13, 2024, because it was determined there were discrepancies for bidders to properly respond; and

WHEREAS, the Town Board wishes to reject all bids on December 11, 2024; NOW

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam does hereby reject all bids received on December 2, 2024, in response to the call for bids for Rotterdam Police Department Vehicle Maintenance and Repairs for the Town of Rotterdam.

SECTION 2. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE: December 3, 2024

TO: Mollie Collins

FROM: Chief Brown

TITLE OF REQUEST: Authorize the Supervisor to reject all bids received on December 2, 2024, for Rotterdam Police Department Vehicle Maintenance and Repairs

TOWN BOARD MEETING: December 11, 2024

Background Information: There were discrepancies related to the abovementioned bids.

Evaluation/Analysis: Due to the discrepancies the Town should reject all bids received on December 2, 2024, related to Rotterdam Police Department Vehicle Maintenance and Repairs.

Recommendation(s): Recall bids for Rotterdam Police Department Vehicle Maintenance and Repairs

Attachment/Document(s): N/A

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisor

DRAFT

RESOLUTION NO. 464.24

REQUEST FOR BIDS FOR ROTTERDAM POLICE DEPARTMENT VEHICLE MAINTENANCE AND REPAIRS

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 call for bids for Rotterdam Police Department Vehicle Maintenance and Repairs.

SECTION 2. The Town Clerk of the Town of Rotterdam shall cause the following public notice to be published in the official newspaper of the Town of Rotterdam, and the Supervisor of the Town of Rotterdam shall cause the following public notice be published to the Empire State Purchasing Group on BidNet (http://www.bidnetdirect.com/townofrotterdam) at least five (5) days before the date of reception of bid proposals:

TOWN OF ROTTERDAM
NOTICE TO BIDDERS

PLEASE TAKE NOTICE: That all bids received by the Town Board of the Town of Rotterdam, by December 27, 2024, at 10:00 a.m., will be opened electronically and in person at that time. The Town Board will subsequently post an official report to the Empire State Purchasing Group on BidNet (http://www.bidnetdirect.com/townofrotterdam) of all bid submissions received pursuant to this notice. Additionally, the official bid report and all bids shall be available in the office of the Town Clerk for public inspection during regular business hours, for the purchase by the Town of Rotterdam of the following:

ROTTERDAM POLICE DEPARTMENT VEHICLE MAINTENANCE AND REPAIRS

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

ALL BID PROPOSALS MUST BE SUBMITTED TO THE TOWN CLERK OFFICE AT 1100 SUNRISE BOULEVARD, ROTTERDAM NY, 12306 OR ELECTRONICALLY ON BIDNET PRIOR TO 10:00 A.M., DECEMBER 27, 2024

All handling costs (mail, delivery services, printing etc.) shall be the responsibility of the bidder. The Town Board reserves the right to reject any and all bids or proposals or any specific part of any item of any bid.

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

DATED: December 11, 2024
BidNet: Please publish on December 13, 2024
Daily Gazette: Please publish on December 13, 2024
Town Clerk Post

SECTION 3. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

Town of Rotterdam
Request for Bids

Rotterdam Police Department
Vehicle Maintenance and Repairs

Bid Opening:
December 27, 2024
@ 10:00 a.m.

DRAFT

TOWN OF ROTTERDAM BID FORM:
Rotterdam Police Department Vehicle Maintenance and Repairs

The undersigned has read, understands, and agrees to all conditions of this bid form and will furnish material as follows:

Sealed bids for the furnishing of all labor and/or material necessary for the Town of Rotterdam Police Department Vehicle Maintenance and Repairs will be received by the Town of Rotterdam Town Clerk at 1100 Sunrise Boulevard, Rotterdam, New York 12306 until **10:00 a.m**. local time on **Friday December 27, 2024,** at which time and place they will be publicly opened and read aloud.

ITEM I – ADVERTISEMENT

1. Automotive service, preventative maintenance, and repair work on police vehicles shall be given priority service over others. All repairs are to be made within twenty-four (24) hours, unless the bidder notifies and receives approval from the Chief of Police or his/her designee that additional time is necessary. If the work is not completed in a timely manner, the Town reserves the rights to utilize another vendor for the repair.

2. Vehicles required to be kept overnight for work shall be secure indoors. The bidder will be responsible for any and all damage incurred while the vehicle is in their possession.

3. All automotive service, preventative maintenance, and vehicle repairs shall be completed using parts that either meet or exceed the manufacturer's recommendation. All parts and materials will be supplied and/or purchased by the bidder as an agent of the Town. Where applicable state contracts or fleet rates shall be utilized. The bidder agrees to bill all necessary parts and materials at 35% over vendor cost, with no additional handling charge or mark-up.

4. All repairs must be accompanied by a complete invoice detailing the repair, number of hours required to perform the work and a list of parts and/or material. No work exceeding ($200.00) two hundred dollars is to be performed without the prior approval of the Chief of Police or his/her designee. The bidder can only charge for actual time spent on a repair. At a minimum, 15 minutes of labor can be charged.

5. Records of all vehicles will be kept on a computer file and will be designated by unit number, year, make, model, VIN# and plate #. All services, repairs, parts and materials, labor hours as well as shipping costs, parts prices and repair rates are to be listed subtotaled and totaled at the end of invoice for final cost of repair. With the exception of services and repairs listed as A, B and C on the final page of the bid. All labor billed must be in compliance with either NATIONAL SERVICE ALL DATA PRO FLAT RATE DATA TIME SYSTEM and/or MITCHELL ESTIMATING MANUAL and/or CHILTON LABOR GUIDE. The invoice shall then be dated and duplicated. One invoice is to accompany the vehicle at time of pickup or delivery and a second copy will be sent with the monthly vouchers.

6. There will be a ninety (90) day warranty on all work performed. All parts shall have a manufacturer's warranty where applicable. If none is available the bidder must provide a ninety (90) day warranty. The bidder is responsible for determining whether a manufacturer's warranty is in effect. If the bidder fails to do so they will be responsible for any charges incurred, which would have been covered by warranty. Any work that is deemed inferior or unacceptable by the Chief of Police or his/her designee shall be corrected at no additional cost to the Town.
7. Bidder must employ at least one A.S.E. Certified· Technician and must attach documentation of certification to bid proposal.
8. Service must be available at a minimum of Monday through Friday 9:00 a.m. to 5:00 p.m.
9. Bidders shall be licensed by the State of New York for both repair work and the ability to complete the New York State inspection service.
10. Bidders must have an established business within a ten (10) mile radius of the Rotterdam Police Headquarters. Consideration may be given to businesses that operate within the jurisdictional boundaries of the Town of Rotterdam. ·
11. Transmissions will be serviced by a pressurized system which pumps out the old transmission fluid and replaces it with new fluid.
12. Radiators will be serviced by a pressurized system which pumps out the old radiator fluid and replaces it with new radiator fluid.

ITEM II- INTENT

1. The specifications listed are intended for police vehicle maintenance used by the Rotterdam Police Department.
2. We are requesting these bids for Police Vehicle Maintenance and Repairs for the calendar years 2025 and 2026. Prices must be for the complete length of the contract.

ITEM III- BID FORMAT

1. We are requesting each bidder to submit a bid offering an hourly rate for services**.**

ITEM IV -GENERAL BIDDER INFORMATION

1. No bid will be considered unless the bidder can meet the following conditions:
   a) Bidder must guarantee all work must be done properly and without damage to vehicle. If such faults develop, the fault shall be replaced and/or repaired without cost to the Town of Rotterdam.
   b) Bidder must expressly understand and agree to:

SECTION 103 OF THE GENERAL MUNICIPAL LAW - WAIVER OF IMMUNITY (CHAPTER 675) - LAWS OF 1966 - It is expressly understood and agreed that upon refusal of the bidder or any agent or employee of the bidder, when called before a Grand Jury to testify concerning any transaction of bid with the State of New York any political subdivision thereof, a public authority thereof or a waiver of immunity against subsequent prosecution to answer any relevant questions concerning such transaction or bid, shall cause the cancellation termination of this bid and the municipality shall be liable the bidder only for goods delivered or work done prior to the time of said cancellation.

SECTION 220-3-(b) OF THE LABOR LAW - NON, DISCRIMINATION - Neither contractor nor any person on their 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, sex or national origin.

SECTION 109 OF THE GENERAL MUNICIPAL LAW - NON- ASSIGNABILITY - The contractor is prohibited from assigning, transferring, conveying, subletting or otherwise disposing of this contract, or of contractor's power to execute this contract, to any other person or corporation without the previous consent in writing of the owner.

DRAFT

TOWN OF ROTTERDAM BID PROPOSAL:
Rotterdam Police Department Vehicle Maintenance and Repairs

The entire bid is strictly in accordance with the specification set forth in the bid documents herein. NOTE: Any questions should be submitted in writing to Deputy Chief William Male, Town of Rotterdam Police Department wmale@rotterdamny.org

Hourly Labor Rate: _____

_____
Signature

_____
Name of Company or Corporation

_____
Address

_____
City ***State*** ***Zip***

_____
Email & Telephone

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.

If submitting bid in person or by mail, ***please write bid title on the outside envelope*** *and submit in a sealed envelope to the Town Clerks Office, 1100 Sunrise Blvd, Rotterdam, NY 12306, during regular business hours, Monday – Friday 8am- 4pm.*

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INSTRUCTIONS TO BIDDERS

1. All bids must be submitted before **10:00 a.m. on December 27, 2024,** the day of opening.

2. Electronic and in person 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 **10:00 a.m. December 27, 2024** 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 source. Only those vendors who obtain ITB, RFP or RFQ documents from the BidNet system are guaranteed to receive addendum information, if such information is issued. If you obtain the document(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.

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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 (if applicable).

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

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

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

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

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

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NON-COLLUSION BIDDING CERTIFICATION

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

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

2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

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

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

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

Name of Firm: _____

Signed by:_____ Title:_____

Signature: _____ Date:_____

Email: _____

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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 _____ _____, **20__.**

(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:_____

Signed by:_____ Title: _____

Signature:_____ Date:_____

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903 Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace

Policy Statement – It is the policy of the Town of Rotterdam to promote a productive work environment and to prohibit conduct by any Elected Official or employee (as defined in Section 104 of the Employee Handbook) that disrupts or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment. In keeping with this goal, the Town is committed to educate Elected Officials and employees in the recognition and prevention of workplace discrimination and harassment, including sexual harassment, and to provide an effective means of eliminating such discrimination and harassment from the workplace. In short, the Town does not tolerate any form of discrimination or harassment, including sexual harassment, and will take all steps necessary to prevent and stop the occurrence of such activity in the workplace. The accompanying complaint procedure is intended to provide an effective mechanism for reporting, and resolving promptly, complaints of discrimination and harassment, including sexual harassment, without any risk of repercussion to any individual covered by this policy who, in good faith, files such complaint.

Applicability of Policy – This policy applies to all Elected Officials, Appointed Members of Boards and Commissions, employees, supervisors, and Department Heads, whether employed full or part-time, temporary or seasonal, paid or unpaid interns, volunteers, and those employed by companies contracting to provide services in the workplace. Depending on the extent of the Town's exercise of control, this policy may be applied to the conduct of non-Town employees with respect to harassment of Town employees in the workplace.

Prohibited harassment (including sexual harassment) is not limited to the physical workplace itself. It can occur while Elected Officials, employees or other individuals covered by this policy are traveling for Town business or at Town sponsored events or parties. Calls, texts, emails, and social media usage by employees or other individuals covered by this policy can constitute workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Prohibited Activity – No Elected Official, employee or other individuals covered by this policy shall engage in any of the following:

- Harassment: Unwanted, unreasonable verbal or physical conduct directed toward or affecting another person that disturbs, frightens, insults, threatens, intimidates, demeans, or offends that other person, that continues or is repeated after a request to cease, and that: 1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; 2) has the purpose or effect of unreasonably interfering with an individual's work performance; or 3) otherwise adversely affects an individual's employment opportunities. Harassment includes offensive or inappropriate images or written materials or electronic communications (e.g. letters, e-mail, text messages, or graffiti) as well as bias-based harassment and sexual harassment (see below).

- Bias-Based Harassment: Harassment that denigrates, offends or shows hostility or aversion toward an individual on the basis of sex, (including gender identity and the

status of being transgender), sexual orientation, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information or predisposing characteristics, domestic violence victim status, or any other protected status. Bias-based harassment includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written, electronic, or graphic material that denigrates, ridicules, objectifies, or shows hostility, aversion or contempt toward an individual or group and that is placed on walls, bulletin boards, lockers or elsewhere on or in the Town's premises, vehicles, or equipment, or is circulated in the workplace, including through electronic means.

- Discrimination: The Town of Rotterdam is an Equal Opportunity Employer. The Town does not unlawfully discriminate on the basis of sex, (including gender identity and the status of being transgender), sexual orientation, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information or predisposing characteristics, domestic violence victim status, or any other protected status. Unlawful discrimination based on membership in these categories is prohibited by applicable federal, state, or local laws. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, assignments, compensation, promotion, transfer, training, leave of absence, and termination.

Definition of Sexual Harassment – This policy places special attention on the prohibition of sexual harassment in the workplace.

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements or sexually

discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of Sexual Harassment - The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
  - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
  - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;

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- Sabotaging an individual's work;
- Bullying, yelling, name-calling.

Prohibition Against Retaliation – Unlawful retaliation can be any action that could discourage an employee from coming forward to make or support a claim of discrimination or harassment, including sexual harassment. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Unlawful retaliation against any employee who has engaged in "protected activity" is strictly prohibited by this policy as well as (where applicable) federal, state, and local law. Protected activity occurs when a person has:

- made a complaint of harassment or discrimination, either internally or with any anti-discrimination agency;
- opposed harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or management of harassment or discrimination;
- reported that another employee has been subjected to harassment or discrimination;
- encouraged a fellow employee to report harassment or discrimination;
- participated in a workplace investigation regarding harassment or discrimination;
- testified or assisted in a proceeding involving harassment or discrimination under the Human Rights Law or other anti-discrimination laws.

Even if the alleged discrimination or harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of discrimination or harassment.

Reporting of Discrimination and Harassment (including Sexual Harassment) – Reports of alleged discrimination and/or harassment (including sexual harassment) or retaliation may be made verbally or in writing. A form for the submission of a written complaint is attached to this policy and individuals are encouraged to use this form. If an individual chooses to submit a verbal complaint, such complaint will be recorded by the receiver of this complaint on this form. Employees are encouraged to report incidents of discrimination, harassment (including sexual harassment), or retaliation to their Department Head and/or the Town Supervisor as soon as possible after their occurrence. If the employee's Department Head is believed to be involved in the incident, or if the employee is not comfortable in addressing the incident with the Department Head, the report should be made directly to the Town Supervisor. If the Town Supervisor is believed to be involved in the incident or the employee is not comfortable reporting the incident to the Town Supervisor, the employee should report the incident to a member of the Town Board. Employees who believe they have been discriminated against or harassed and would like to obtain guidance as to how to proceed in filing a complaint, should contact their immediate supervisor, their Department Head, the Town Supervisor, or any member of the Town Board. Employees who work during off-hours are encouraged to contact their supervisor, their

Department Head, the Town Supervisor, or any member of the Town Board at home if these individuals do not work during the employee's shift. Non-employees are encouraged to report incidents of alleged discrimination and harassment (including sexual harassment) to either the Department Head of the department where services are being provided, the Town Supervisor, or a member of the Town Board.

Supervisory Responsibility – Supervisory personnel must make every effort to ensure a work environment that is free from discrimination and harassment, including sexual harassment. Any Department Head or supervisor who receives a complaint or information about suspected prohibited activity (as outlined above), observes behavior that may constitute prohibited activity, or for any reason suspects that prohibited activity is occurring, is required to report such suspected prohibited activity to the Town Supervisor, or any member of the Town Board.

In addition to being subject to corrective action or discipline if they engaged in prohibited activity themselves, supervisory personnel will be subject to discipline for failing to report suspected prohibited activity or otherwise knowingly allowing prohibited activity to continue. Supervisory personnel will also be subject to corrective action or discipline for engaging in any form of retaliation prohibited by this policy.

Investigation of Complaint – The Town Supervisor, in consultation with the Town Board, will determine the appropriate individual(s) to conduct the investigation. All complaints pursuant to this policy, whether reported in verbal or written form, will be investigated promptly, thoroughly, and in as impartial a manner as possible. The investigation will normally include conferring with the parties involved and any named or apparent witnesses. All employees are required to cooperate in an investigation, if so directed. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation. All relevant materials, including all electronic communications, documents, emails or phone records that are relevant to the allegations will also be considered. A written report will be prepared documenting the results of the investigation. The individual who reported the complaint and the individual about whom the complaint was made will be notified of the final determination.

Confidentiality – Complaints of discrimination and harassment, including sexual harassment, will be handled and investigated promptly and in a manner that is as impartial and confidential as possible. In no event will information concerning a complaint be released by the Town to third parties or to anyone within the Town employment who is not directly involved in the investigation or handling of the complaint unless otherwise required by law.

Corrective Action and Discipline – Any employee who is found to have violated any aspect of this policy will be subject to corrective or disciplinary action, up to and including termination of employment, as provided by Town operating procedures, including Civil Service Law Section 75, or a collective bargaining agreement. Any Elected Official who violates this policy will be subject to remedial action as provided for and/or allowed under NYS Public Officers Law, as well as any other applicable statutes. Any vendor, supplier, visitor, customer, or other non-

employee who violates this policy will be subject to remedial action, to the extent that the Town is empowered to take such action.

Legal Protections and External Remedies – Nothing in this policy should be construed as in any way limiting employees' rights to file a formal complaint with the appropriate state or federal agencies responsible for administering anti-discrimination laws. Complainants should be aware that time restrictions may apply and need to be considered.

Harassment (including sexual harassment) is not only prohibited by Town policy but is also prohibited by federal, state, and (where applicable) local law. Aside from the Town's internal process, employees may also choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL) applies to employers in New York State with regard to harassment and protects employees and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court. Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed an HRL complaint in state court. Filing an internal complaint with the Town does not extend the time limits to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment. An attorney is not needed to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate the complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the Town to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400. Contact DHR at (888) 392- 3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to have occurred. If an employee believes that he/she has been

discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Contact the Rotterdam Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the Rotterdam Police Department.

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RESOLUTION NO. 465.24

REQUEST FOR BIDS FOR CHLORINE GAS

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to call for bids for Chlorine Gas.

SECTION 2. The Town Clerk of the Town of Rotterdam shall cause the following public notice to be published in the official newspaper of the Town of Rotterdam, and the Supervisor of the Town of Rotterdam shall cause the following public notice be published to the Empire State Purchasing Group on BidNet (http://www.bidnetdirect.com/townofrotterdam) at least five (5) days before the date of reception of bid proposals:

TOWN OF ROTTERDAM
NOTICE TO BIDDERS

PLEASE TAKE NOTICE: That all bids received by the Town Board of the Town of Rotterdam, by January 3, 2025, at 10:00 A.M., will be opened electronically and in person at that time. The Town Board will subsequently post an official report to the Empire State Purchasing Group on BidNet (http://www.bidnetdirect.com/townofrotterdam) of all bid submissions received pursuant to this notice. Additionally, the official bid report and all bids shall be available in the office of the Town Clerk for public inspection during regular business hours, for the purchase by the Town of Rotterdam of the following:

CHLORINE GAS

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

ALL BID PROPOSALS MUST BE SUBMITTED TO THE TOWN CLERK OFFICE AT 1100 SUNRISE BOULEVARD, ROTTERDAM NY, 12306 OR ELECTRONICALLY ON BIDNET PRIOR TO 10:00 A.M., JANUARY 3, 2025

ALL HANDLING COSTS (MAIL, DELIVERY SERVICES, PRINTING ETC.) SHALL BE THE RESPONSIBILITY OF THE BIDDER

The Town Board reserves the right to reject any and all bids or proposals or any specific part of any item of any bid.

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

DATED: December 11, 2024
BidNet: Please publish on December 13, 2024
Daily Gazette: Please publish on December 13, 2024
Town Clerk Post

SECTION 3. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

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TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE:	November 21, 2024
TO:	Town Board
FROM:	Justin Peterson, Sr. Water Plant Operator
TITLE OF REQUEST:	Call for Bids- Chlorine Gas
TOWN BOARD MEETING:	December 11 , 2024
Background Information:	Rice Rd. Water Plant utilizes chlorine gas for disinfection.
Evaluation/Analysis:	Annual price needs to be requested per cylinder from chlorine gas suppliers for 2025.
Recommendation(s):	Town Board call for bids to provide Chlorine Gas to Water District #5 Treatment Plant for 2025
Attachment/Document(s):	None
Compliance with Purchasing Policy:	Yes
Effect(s) on Existing Law(s):	N/A
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

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Town of Rotterdam

Request for Bids

CHLORINE GAS

Bid Opening:

Friday, January 3, 2025

@ 10:00 A.M.

DRAFT

TOWN OF ROTTERDAM

BID FORM

The undersigned has read, understands, and agrees to all conditions of this proposal and will furnish material as follows:

CHLORINE GAS

Unit price per 150-pound cylinder delivered to the Town of Rotterdam Water Treatment Plant, 49 Rice Road, Rotterdam, New York 12306.

Price per 150 lb. Cylinder: *$*_____

The entire bid is strictly in accordance with the specification set forth in the bid documents herein.

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

_____

Name of Company or Corporation

_____

Address

_____

City ***State*** ***Zip***

If submitting bid in person or by mail, please write bid title on the outside envelope and submit in a sealed envelope to the Town Clerks Office, 1100 Sunrise Blvd, Rotterdam, NY 12306, during regular business hours, Monday – Friday 8am- 4pm.

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Town of Rotterdam

Chlorine Gas

Detailed Specifications

LIQUID CHLORINE

The approximate quantity required will be 10,000 pounds per year, supplied in 150-pound cylinders.

The successful bidder will not charge deposit fees on cylinders unless those cylinders are held at the plant sites in excess of six (6) months.

All material supplied under this bid shall be in conformance with ANSI/AWWA Standard 301-87 or subsequent revision.

DELIVERY

Delivery shall be to the Town of Rotterdam Water Treatment Plant, 49 Rice Road, within two (2) weeks of placement of the order as ordered by the Senior Water Plant Operator or his designee.

PERIOD OF CONTRACT

The prices shall remain in effect up to and including December 31, 2025.

BID REQUIREMENTS

The Town of Rotterdam has the right to accept or reject any or all bids.

Each bid must contain a Non-Collusion Bidding Certificate as per Section 103-d of the General Municipal Law.

NOTE: Questions should be submitted in writing to Justin Peterson, Town of Rotterdam Water Treatment Plant – jpeterson@rotterdamny.org or by calling 518-393-1131.

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INSTRUCTIONS TO BIDDERS

1. All bids must be submitted before **10:00 a.m. on January 3, 2025,** the day of opening.

2. Electronic and in person 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 **10:00 a.m. January 3, 2025** 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 source. Only those vendors who obtain ITB, RFP or RFQ documents from the BidNet system are guaranteed to receive addendum information, if such information is issued. If you obtain the document(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.

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

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

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

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

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

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

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NON-COLLUSION BIDDING CERTIFICATION

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

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

2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

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

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

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

Name of Firm: _____

Signed by: _____ Title: _____

Signature: _____ Date: _____

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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 _____ _____, **20__.**

(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:_____

Signed by:_____ Title: _____

Signature:_____ Date:_____

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903 Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace

Policy Statement – It is the policy of the Town of Rotterdam to promote a productive work environment and to prohibit conduct by any Elected Official or employee (as defined in Section 104 of the Employee Handbook) that disrupts or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment. In keeping with this goal, the Town is committed to educate Elected Officials and employees in the recognition and prevention of workplace discrimination and harassment, including sexual harassment, and to provide an effective means of eliminating such discrimination and harassment from the workplace. In short, the Town does not tolerate any form of discrimination or harassment, including sexual harassment, and will take all steps necessary to prevent and stop the occurrence of such activity in the workplace. The accompanying complaint procedure is intended to provide an effective mechanism for reporting, and resolving promptly, complaints of discrimination and harassment, including sexual harassment, without any risk of repercussion to any individual covered by this policy who, in good faith, files such complaint.

Applicability of Policy – This policy applies to all Elected Officials, Appointed Members of Boards and Commissions, employees, supervisors, and Department Heads, whether employed full or part-time, temporary or seasonal, paid or unpaid interns, volunteers, and those employed by companies contracting to provide services in the workplace. Depending on the extent of the Town's exercise of control, this policy may be applied to the conduct of non-Town employees with respect to harassment of Town employees in the workplace.

Prohibited harassment (including sexual harassment) is not limited to the physical workplace itself. It can occur while Elected Officials, employees or other individuals covered by this policy are traveling for Town business or at Town sponsored events or parties. Calls, texts, emails, and social media usage by employees or other individuals covered by this policy can constitute workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Prohibited Activity – No Elected Official, employee or other individuals covered by this policy shall engage in any of the following:

- Harassment: Unwanted, unreasonable verbal or physical conduct directed toward or affecting another person that disturbs, frightens, insults, threatens, intimidates, demeans, or offends that other person, that continues or is repeated after a request to cease, and that: 1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; 2) has the purpose or effect of unreasonably interfering with an individual's work performance; or 3) otherwise adversely affects an individual's employment opportunities. Harassment includes offensive or inappropriate images or written materials or electronic communications (e.g. letters, e-mail, text messages, or graffiti) as well as bias-based harassment and sexual harassment (see below).

- Bias-Based Harassment: Harassment that denigrates, offends or shows hostility or aversion toward an individual on the basis of sex, (including gender identity and the

status of being transgender), sexual orientation, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information or predisposing characteristics, domestic violence victim status, or any other protected status. Bias-based harassment includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written, electronic, or graphic material that denigrates, ridicules, objectifies, or shows hostility, aversion or contempt toward an individual or group and that is placed on walls, bulletin boards, lockers or elsewhere on or in the Town's premises, vehicles, or equipment, or is circulated in the workplace, including through electronic means.

- Discrimination: The Town of Rotterdam is an Equal Opportunity Employer. The Town does not unlawfully discriminate on the basis of sex, (including gender identity and the status of being transgender), sexual orientation, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information or predisposing characteristics, domestic violence victim status, or any other protected status. Unlawful discrimination based on membership in these categories is prohibited by applicable federal, state, or local laws. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, assignments, compensation, promotion, transfer, training, leave of absence, and termination.

Definition of Sexual Harassment – This policy places special attention on the prohibition of sexual harassment in the workplace.

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted

verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of Sexual Harassment - The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
    - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
    - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
    - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
    - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
    - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
    - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
    - Sabotaging an individual's work;

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- Bullying, yelling, name-calling.

Prohibition Against Retaliation – Unlawful retaliation can be any action that could discourage an employee from coming forward to make or support a claim of discrimination or harassment, including sexual harassment. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Unlawful retaliation against any employee who has engaged in "protected activity" is strictly prohibited by this policy as well as (where applicable) federal, state, and local law. Protected activity occurs when a person has:

- made a complaint of harassment or discrimination, either internally or with any anti-discrimination agency;
- opposed harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or management of harassment or discrimination;
- reported that another employee has been subjected to harassment or discrimination;
- encouraged a fellow employee to report harassment or discrimination;
- participated in a workplace investigation regarding harassment or discrimination;
- testified or assisted in a proceeding involving harassment or discrimination under the Human Rights Law or other anti-discrimination laws.

Even if the alleged discrimination or harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of discrimination or harassment.

Reporting of Discrimination and Harassment (including Sexual Harassment) – Reports of alleged discrimination and/or harassment (including sexual harassment) or retaliation may be made verbally or in writing. A form for the submission of a written complaint is attached to this policy and individuals are encouraged to use this form. If an individual chooses to submit a verbal complaint, such complaint will be recorded by the receiver of this complaint on this form. Employees are encouraged to report incidents of discrimination, harassment (including sexual harassment), or retaliation to their Department Head and/or the Town Supervisor as soon as possible after their occurrence. If the employee's Department Head is believed to be involved in the incident, or if the employee is not comfortable in addressing the incident with the Department Head, the report should be made directly to the Town Supervisor. If the Town Supervisor is believed to be involved in the incident or the employee is not comfortable reporting the incident to the Town Supervisor, the employee should report the incident to a member of the Town Board. Employees who believe they have been discriminated against or harassed and would like to obtain guidance as to how to proceed in filing a complaint, should contact their immediate supervisor, their Department Head, the Town Supervisor, or any member of the Town Board. Employees who work during off-hours are encouraged to contact their supervisor, their Department Head, the

Town Supervisor, or any member of the Town Board at home if these individuals do not work during the employee's shift. Non-employees are encouraged to report incidents of alleged discrimination and harassment (including sexual harassment) to either the Department Head of the department where services are being provided, the Town Supervisor, or a member of the Town Board.

Supervisory Responsibility – Supervisory personnel must make every effort to ensure a work environment that is free from discrimination and harassment, including sexual harassment. Any Department Head or supervisor who receives a complaint or information about suspected prohibited activity (as outlined above), observes behavior that may constitute prohibited activity, or for any reason suspects that prohibited activity is occurring, is required to report such suspected prohibited activity to the Town Supervisor, or any member of the Town Board.

In addition to being subject to corrective action or discipline if they engaged in prohibited activity themselves, supervisory personnel will be subject to discipline for failing to report suspected prohibited activity or otherwise knowingly allowing prohibited activity to continue. Supervisory personnel will also be subject to corrective action or discipline for engaging in any form of retaliation prohibited by this policy.

Investigation of Complaint – The Town Supervisor, in consultation with the Town Board, will determine the appropriate individual(s) to conduct the investigation. All complaints pursuant to this policy, whether reported in verbal or written form, will be investigated promptly, thoroughly, and in as impartial a manner as possible. The investigation will normally include conferring with the parties involved and any named or apparent witnesses. All employees are required to cooperate in an investigation, if so directed. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation. All relevant materials, including all electronic communications, documents, emails or phone records that are relevant to the allegations will also be considered. A written report will be prepared documenting the results of the investigation. The individual who reported the complaint and the individual about whom the complaint was made will be notified of the final determination.

Confidentiality – Complaints of discrimination and harassment, including sexual harassment, will be handled and investigated promptly and in a manner that is as impartial and confidential as possible. In no event will information concerning a complaint be released by the Town to third parties or to anyone within the Town employment who is not directly involved in the investigation or handling of the complaint unless otherwise required by law.

Corrective Action and Discipline – Any employee who is found to have violated any aspect of this policy will be subject to corrective or disciplinary action, up to and including termination of employment, as provided by Town operating procedures, including Civil Service Law Section 75, or a collective bargaining agreement. Any Elected Official who violates this policy will be subject to remedial action as provided for and/or allowed under NYS Public Officers Law, as well as any other applicable statutes. Any vendor, supplier, visitor, customer, or other non-employee who

violates this policy will be subject to remedial action, to the extent that the Town is empowered to take such action.

Legal Protections and External Remedies – Nothing in this policy should be construed as in any way limiting employees' rights to file a formal complaint with the appropriate state or federal agencies responsible for administering anti-discrimination laws. Complainants should be aware that time restrictions may apply and need to be considered.

Harassment (including sexual harassment) is not only prohibited by Town policy but is also prohibited by federal, state, and (where applicable) local law. Aside from the Town's internal process, employees may also choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL) applies to employers in New York State with regard to harassment and protects employees and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court. Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed an HRL complaint in state court. Filing an internal complaint with the Town does not extend the time limits to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment. An attorney is not needed to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate the complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the Town to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400. Contact DHR at (888) 392- 3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to

have occurred. If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Contact the Rotterdam Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the Rotterdam Police Department.

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RESOLUTION NO. 466.24

REQUEST FOR BIDS FOR SODIUM HEXAMETAPHOSPHATE

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 call for bids for Sodium Hexametaphosphate.

SECTION 2. The Town Clerk of the Town of Rotterdam shall cause the following public notice to be published in the official newspaper of the Town of Rotterdam, and the Supervisor of the Town of Rotterdam shall cause the following public notice be published to the Empire State Purchasing Group on BidNet (http://www.bidnetdirect.com/townofrotterdam) at least five (5) days before the date of reception of bid proposals:

TOWN OF ROTTERDAM
NOTICE TO BIDDERS

PLEASE TAKE NOTICE: That all bids received by the Town Board of the Town of Rotterdam, by January 3, 2025, at 10:15 A.M., will be opened electronically and in person at that time. The Town Board will subsequently post an official report to the Empire State Purchasing Group on BidNet (http://www.bidnetdirect.com/townofrotterdam) of all bid submissions received pursuant to this notice. Additionally, the official bid report and all bids shall be available in the office of the Town Clerk for public inspection during regular business hours, for the purchase by the Town of Rotterdam of the following:

SODIUM HEXAMETAPHOSPHATE

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

ALL BID PROPOSALS MUST BE SUBMITTED TO THE TOWN CLERK OFFICE AT 1100 SUNRISE BOULEVARD, ROTTERDAM NY, 12306 OR ELECTRONICALLY ON BIDNET PRIOR TO 10:15 A.M., JANUARY 3, 2025

ALL HANDLING COSTS (MAIL, DELIVERY SERVICES, PRINTING ETC.) SHALL BE THE RESPONSIBILITY OF THE BIDDER

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The Town Board reserves the right to reject any and all bids or proposals or any specific part of any item of any bid.

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

DATED: December 11, 2024
BidNet: Please publish on December 13, 2024
Daily Gazette: Please publish on December 13, 2024
Town Clerk Post

SECTION 3. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

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TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE:	November 21, 2024
TO:	Town Board
FROM:	Justin Peterson, Sr. Water Plant Operator
TITLE OF REQUEST:	Call for Bids- Sodium Hexametaphosphate
TOWN BOARD MEETING:	December 11 , 2024
Background Information:	Rice Rd. Water Plant utilizes Sodium Hexametaphosphate for corrosion control.
Evaluation/Analysis:	Annual price needs to be requested per 50/lb bag from chemical suppliers for 2025
Recommendation(s):	Town Board call for bids to provide Sodium Hexametaphosphate to Water District #5 Treatment Plant for 2025
Attachment/Document(s):	None
Compliance with Purchasing Policy:	Yes
Effect(s) on Existing Law(s):	N/A
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

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Town of Rotterdam

Request for Bids

SODIUM HEXAMETAPHOSPHATE

Bid Opening:

Friday, January 3, 2025

@ 10:15 A.M.

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TOWN OF ROTTERDAM
BID FORM

The undersigned has read, understands, and agrees to all conditions of this proposal and will furnish material as follows:

SODIUM HEXAMETAPHOSPHATE
Minimum amount required: 18,000 lbs.

Unit price per 50-pounds delivered to the Town of Rotterdam Water Treatment Plant, 49 Rice Road, Rotterdam, New York 12306.

Price per 50 lbs.: *$*_____

The entire bid is strictly in accordance with the specification set forth in the bid documents herein.

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

_____
Name of Company or Corporation

_____
Address

_____
City ***State*** ***Zip***

If submitting bid in person or by mail, please write bid title on the outside envelope and submit in a sealed envelope to the Town Clerks Office, 1100 Sunrise Blvd, Rotterdam, NY 12306, during regular business hours, Monday – Friday 8am- 4pm.

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Town of Rotterdam

SODIUM HEXAMETAPHOSPHATE

Detailed Specifications

This proposal will consist of furnishing Sodium Hexametaphosphate, required for a **12-month period** for Water District #5 of the Town of Rotterdam, according to the following specifications:

Sodium Hexametaphosphate: According to AWWA Standard B502-17, and the following supplementary specifications:

Section 3: Definitions - 6. Sodium polyphosphate, glassy: A glassy solid that is a soluble sodium phosphate containing Na2O and P2O5 in a molar ratio of approximately 1.1 Na2O to 1.0 P2O5. It is an amorphous mixture of long-chain polyphosphates with the formula Nan+2Pn0n+l. The approximate value of n is either 12-16 or 18-21.

Section 4.1: Physical Requirements - Material shall be glass plate type only. Pulverized or granular/powder form is not acceptable. Material shall be manufactured and produced in the U.S.A. Materials manufactured in foreign countries will not be acceptable.

Section 6.1: Marking - An Affidavit of Compliance shall be furnished with the shipment, attesting that the sodium hexametaphosphate furnished under the purchaser's specifications complies with all applicable specifications of this standard.

Section 6.2: Packaging and Shipping: - The material shall be furnished in 50 lb. moisture proof bags. Material shall include Freight on Board (F.O.B.) charges to Rotterdam Water Treatment Plant, 49 Rice Road, Rotterdam, New York. Material shall be delivered in a minimum of 2 shipments.

NOTE: A straight delivery truck or short trailer is necessary, and an electric pallet jack is required for delivery. Pallets are to be placed inside of the building. Delivery requires 1 days' notice from the carrier.

Questions should be submitted in writing to Justin Peterson, Town of Rotterdam Water Treatment Plant – jpeterson@rotterdamny.org or by calling 518-393-1131.

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INSTRUCTIONS TO BIDDERS

1. All bids must be submitted before **10:15 a.m. on January 3, 2025,** the day of opening.

2. Electronic and in person 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. January 3, 2025** 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 source. Only those vendors who obtain ITB, RFP or RFQ documents from the BidNet system are guaranteed to receive addendum information, if such information is issued. If you obtain the document(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.

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

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

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

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

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

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

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NON-COLLUSION BIDDING CERTIFICATION

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

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

2) Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to opening, directly or indirectly, to any other bidder or to any competitor; and

3) No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition.

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

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

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

Name of Firm: _____

Signed by: _____ Title: _____

Signature: _____ Date: _____

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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 _____ _____, **20__.**

(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:_____

Signed by:_____ Title: _____

Signature:_____ Date:_____

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903 Non-Discrimination and Harassment (Including Sexual Harassment) in the Workplace

Policy Statement – It is the policy of the Town of Rotterdam to promote a productive work environment and to prohibit conduct by any Elected Official or employee (as defined in Section 104 of the Employee Handbook) that disrupts or interferes with another's work performance or that creates an intimidating, offensive, or hostile work environment. In keeping with this goal, the Town is committed to educate Elected Officials and employees in the recognition and prevention of workplace discrimination and harassment, including sexual harassment, and to provide an effective means of eliminating such discrimination and harassment from the workplace. In short, the Town does not tolerate any form of discrimination or harassment, including sexual harassment, and will take all steps necessary to prevent and stop the occurrence of such activity in the workplace. The accompanying complaint procedure is intended to provide an effective mechanism for reporting, and resolving promptly, complaints of discrimination and harassment, including sexual harassment, without any risk of repercussion to any individual covered by this policy who, in good faith, files such complaint.

Applicability of Policy – This policy applies to all Elected Officials, Appointed Members of Boards and Commissions, employees, supervisors, and Department Heads, whether employed full or part-time, temporary or seasonal, paid or unpaid interns, volunteers, and those employed by companies contracting to provide services in the workplace. Depending on the extent of the Town's exercise of control, this policy may be applied to the conduct of non-Town employees with respect to harassment of Town employees in the workplace.

Prohibited harassment (including sexual harassment) is not limited to the physical workplace itself. It can occur while Elected Officials, employees or other individuals covered by this policy are traveling for Town business or at Town sponsored events or parties. Calls, texts, emails, and social media usage by employees or other individuals covered by this policy can constitute workplace harassment, even if they occur away from the workplace premises, on personal devices, or during non-work hours.

Prohibited Activity – No Elected Official, employee or other individuals covered by this policy shall engage in any of the following:

- Harassment: Unwanted, unreasonable verbal or physical conduct directed toward or affecting another person that disturbs, frightens, insults, threatens, intimidates, demeans, or offends that other person, that continues or is repeated after a request to cease, and that: 1) has the purpose or effect of creating an intimidating, hostile, or offensive work environment; 2) has the purpose or effect of unreasonably interfering with an individual's work performance; or 3) otherwise adversely affects an individual's employment opportunities. Harassment includes offensive or inappropriate images or written materials or electronic communications (e.g. letters, e-mail, text messages, or graffiti) as well as bias-based harassment and sexual harassment (see below).

- Bias-Based Harassment: Harassment that denigrates, offends or shows hostility or aversion toward an individual on the basis of sex, (including gender identity and the

status of being transgender), sexual orientation, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information or predisposing characteristics, domestic violence victim status, or any other protected status. Bias-based harassment includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating, or hostile acts; denigrating jokes; and written, electronic, or graphic material that denigrates, ridicules, objectifies, or shows hostility, aversion or contempt toward an individual or group and that is placed on walls, bulletin boards, lockers or elsewhere on or in the Town's premises, vehicles, or equipment, or is circulated in the workplace, including through electronic means.

- Discrimination: The Town of Rotterdam is an Equal Opportunity Employer. The Town does not unlawfully discriminate on the basis of sex, (including gender identity and the status of being transgender), sexual orientation, race, color, national origin, religion, disability, pregnancy, age, marital status, veteran status, military status, arrest or conviction record, genetic information or predisposing characteristics, domestic violence victim status, or any other protected status. Unlawful discrimination based on membership in these categories is prohibited by applicable federal, state, or local laws. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, placement, assignments, compensation, promotion, transfer, training, leave of absence, and termination.

Definition of Sexual Harassment – This policy places special attention on the prohibition of sexual harassment in the workplace.

Sexual harassment is a form of sex discrimination and is unlawful under federal, state, and (where applicable) local law. Sexual harassment includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender.

Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
- Such conduct is made either explicitly or implicitly a term or condition of employment; or
- Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation or physical violence which are of a sexual nature, or which are directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted

verbal or physical advances, sexually explicit derogatory statements or sexually discriminatory remarks made by someone which are offensive or objectionable to the recipient, which cause the recipient discomfort or humiliation, or which interfere with the recipient's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment or any other terms, conditions or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy.

Examples of Sexual Harassment - The following describes some of the types of acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
    - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body or poking another employee's body;
    - Rape, sexual battery, molestation or attempts to commit these assaults.
- Unwanted sexual advances or propositions, such as:
    - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion or other job benefits or detriments;
    - Subtle or obvious pressure for unwelcome sexual activities.
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment.
- Sex stereotyping occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look.
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
    - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace.
- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity and the status of being transgender, such as:
    - Interfering with, destroying or damaging a person's workstation, tools or equipment, or otherwise interfering with the individual's ability to perform the job;
    - Sabotaging an individual's work;

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- Bullying, yelling, name-calling.

Prohibition Against Retaliation – Unlawful retaliation can be any action that could discourage an employee from coming forward to make or support a claim of discrimination or harassment, including sexual harassment. Adverse action need not be job-related or occur in the workplace to constitute unlawful retaliation (e.g., threats of physical violence outside of work hours).

Unlawful retaliation against any employee who has engaged in "protected activity" is strictly prohibited by this policy as well as (where applicable) federal, state, and local law. Protected activity occurs when a person has:

- made a complaint of harassment or discrimination, either internally or with any anti-discrimination agency;
- opposed harassment or discrimination by making a verbal or informal complaint to management, or by simply informing a supervisor or management of harassment or discrimination;
- reported that another employee has been subjected to harassment or discrimination;
- encouraged a fellow employee to report harassment or discrimination;
- participated in a workplace investigation regarding harassment or discrimination;
- testified or assisted in a proceeding involving harassment or discrimination under the Human Rights Law or other anti-discrimination laws.

Even if the alleged discrimination or harassment does not turn out to rise to the level of a violation of law, the individual is protected from retaliation if the person had a good faith belief that the practices were unlawful. However, the retaliation provision is not intended to protect persons making intentionally false charges of discrimination or harassment.

Reporting of Discrimination and Harassment (including Sexual Harassment) – Reports of alleged discrimination and/or harassment (including sexual harassment) or retaliation may be made verbally or in writing. A form for the submission of a written complaint is attached to this policy and individuals are encouraged to use this form. If an individual chooses to submit a verbal complaint, such complaint will be recorded by the receiver of this complaint on this form. Employees are encouraged to report incidents of discrimination, harassment (including sexual harassment), or retaliation to their Department Head and/or the Town Supervisor as soon as possible after their occurrence. If the employee's Department Head is believed to be involved in the incident, or if the employee is not comfortable in addressing the incident with the Department Head, the report should be made directly to the Town Supervisor. If the Town Supervisor is believed to be involved in the incident or the employee is not comfortable reporting the incident to the Town Supervisor, the employee should report the incident to a member of the Town Board. Employees who believe they have been discriminated against or harassed and would like to obtain guidance as to how to proceed in filing a complaint, should contact their immediate supervisor, their Department Head, the Town Supervisor, or any member of the Town Board. Employees who work during off-hours are encouraged to contact their supervisor, their Department Head, the

Town Supervisor, or any member of the Town Board at home if these individuals do not work during the employee's shift. Non-employees are encouraged to report incidents of alleged discrimination and harassment (including sexual harassment) to either the Department Head of the department where services are being provided, the Town Supervisor, or a member of the Town Board.

Supervisory Responsibility – Supervisory personnel must make every effort to ensure a work environment that is free from discrimination and harassment, including sexual harassment. Any Department Head or supervisor who receives a complaint or information about suspected prohibited activity (as outlined above), observes behavior that may constitute prohibited activity, or for any reason suspects that prohibited activity is occurring, is required to report such suspected prohibited activity to the Town Supervisor, or any member of the Town Board.

In addition to being subject to corrective action or discipline if they engaged in prohibited activity themselves, supervisory personnel will be subject to discipline for failing to report suspected prohibited activity or otherwise knowingly allowing prohibited activity to continue. Supervisory personnel will also be subject to corrective action or discipline for engaging in any form of retaliation prohibited by this policy.

Investigation of Complaint – The Town Supervisor, in consultation with the Town Board, will determine the appropriate individual(s) to conduct the investigation. All complaints pursuant to this policy, whether reported in verbal or written form, will be investigated promptly, thoroughly, and in as impartial a manner as possible. The investigation will normally include conferring with the parties involved and any named or apparent witnesses. All employees are required to cooperate in an investigation, if so directed. All persons involved, including complainants, witnesses and alleged perpetrators will be accorded due process to protect their rights to a fair and impartial investigation. All relevant materials, including all electronic communications, documents, emails or phone records that are relevant to the allegations will also be considered. A written report will be prepared documenting the results of the investigation. The individual who reported the complaint and the individual about whom the complaint was made will be notified of the final determination.

Confidentiality – Complaints of discrimination and harassment, including sexual harassment, will be handled and investigated promptly and in a manner that is as impartial and confidential as possible. In no event will information concerning a complaint be released by the Town to third parties or to anyone within the Town employment who is not directly involved in the investigation or handling of the complaint unless otherwise required by law.

Corrective Action and Discipline – Any employee who is found to have violated any aspect of this policy will be subject to corrective or disciplinary action, up to and including termination of employment, as provided by Town operating procedures, including Civil Service Law Section 75, or a collective bargaining agreement. Any Elected Official who violates this policy will be subject to remedial action as provided for and/or allowed under NYS Public Officers Law, as well as any other applicable statutes. Any vendor, supplier, visitor, customer, or other non-employee who

violates this policy will be subject to remedial action, to the extent that the Town is empowered to take such action.

Legal Protections and External Remedies – Nothing in this policy should be construed as in any way limiting employees' rights to file a formal complaint with the appropriate state or federal agencies responsible for administering anti-discrimination laws. Complainants should be aware that time restrictions may apply and need to be considered.

Harassment (including sexual harassment) is not only prohibited by Town policy but is also prohibited by federal, state, and (where applicable) local law. Aside from the Town's internal process, employees may also choose to pursue legal remedies with the following governmental entities at any time.

New York State Division of Human Rights (DHR)

The Human Rights Law (HRL) applies to employers in New York State with regard to harassment and protects employees and non-employees regardless of immigration status. A complaint alleging violation of the Human Rights Law may be filed either with DHR or in New York State Supreme Court. Complaints with DHR may be filed any time within one year of the harassment. If an individual did not file at DHR, they can sue directly in state court under the HRL, within three years of the alleged discrimination. An individual may not file with DHR if they have already filed an HRL complaint in state court. Filing an internal complaint with the Town does not extend the time limits to file with DHR or in court. The one year or three years is counted from date of the most recent incident of harassment. An attorney is not needed to file a complaint with DHR, and there is no cost to file with DHR. DHR will investigate the complaint and determine whether there is probable cause to believe that discrimination has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award relief, which varies but may include requiring the Town to take action to stop the harassment, or redress the damage caused, including paying monetary damages, attorney's fees and civil fines.

DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458, (718) 741-8400. Contact DHR at (888) 392- 3644 or visit dhr.ny.gov/complaint for more information about filing a complaint. The website has a complaint form that can be downloaded, filled out, notarized and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

United States Equal Employment Opportunity Commission (EEOC)

The EEOC enforces federal anti-discrimination laws, including Title VII of the 1964 federal Civil Rights Act (codified as 42 U.S.C. § 2000e et seq.). An individual can file a complaint with the EEOC anytime within 300 days from the harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a complaint in federal court. The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining parties. Federal courts may award remedies if discrimination is found to

have occurred. If an employee believes that he/she has been discriminated against at work, he/she can file a "Charge of Discrimination." The EEOC has district, area, and field offices where complaints can be filed. Contact the EEOC by calling 1-800-669-4000 (1-800-669-6820 (TTY)), visiting their website at www.eeoc.gov or via email at info@eeoc.gov. If an individual filed an administrative complaint with DHR, DHR will file the complaint with the EEOC to preserve the right to proceed in federal court.

Local Protections

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city or town in which they live to find out if such a law exists.

Contact the Rotterdam Police Department

If the harassment involves physical touching, coerced physical confinement or coerced sex acts, the conduct may constitute a crime. Contact the Rotterdam Police Department.

DRAFT

RESOLUTION NO. 467.24

TO DECLARE POLICE BICYCLES OBSOLETE

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, on the advice and recommendation of the Rotterdam Police Department, hereby declares the following equipment obsolete and no longer needed by the Town and authorizes their proper disposal or auction:

- Raleigh Talus 4.0 (Serial # U12XK42278)
- Raleigh F500 (Serial # AC8L07304)
- Raleigh F500 (Serial # AC8L06892)

SECTION 2. This resolution shall be effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

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

LEGISLATIVE REQUEST FORM

DATE: December 4, 2024

TO: Legislative Review Board

FROM: Deputy Chief William Male

TITLE OF REQUEST: Declare the following Police bicycles obsolete in order to be put up for auction.

- Raleigh Talus 4.0 (Serial # U12XK42278)
- Raleigh F500 (Serial # AC8L07304)
- Raleigh F500 (Serial # AC8L06892)

TOWN BOARD MEETING: December 11, 2024

Background Information: The above equipment is in need of repair to be safely operated. It is cost prohibitive to invest in repairs due to new equipment being obtained via grant money.

Evaluation/Analysis: N/A

Recommendation(s): Declare Rotterdam Police Department bicycles obsolete in order to be put up for auction at Collar City Auctions, 9423 Western Turnpike Delanson, NY 12053.

Attachment/Document(s): Memorandum prepared by Sgt. Reilly.

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: RPD

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ROTTERDAM POLICE DEPARTMENT
ADMINISTRATION
MEMORANDUM

To: Deputy Chief Bill Male

From: Sgt. Derek Reilly

Re: Obsolete bicycles

Date: December 4, 2024

I am requesting the following bicycles be declared obsolete in order to be put up for auction.

Raleigh Talus 4.0 Serial # U12XK42278
Raleigh F500 Serial # AC8L07304
Raleigh F500 Serial # AC8L06892

These bicycles are currently not being used by the department due to the level of repair needed to be safely operated due to significant issues. I recommend auctioning said bicycles at the earliest convenience.

Respectfully Submitted,

Sgt. Derek Reilly 18 #100

Sgt. Derek Reilly

DRAFT

RESOLUTION NO. 468.24

TO ESTABLISH THE NEW JOB TITLE OF STORMWATER PROGRAM COORDINATOR BETWEEN THE TOWN OF ROTTERDAM AND SCHENECTADY COUNTY CIVIL SERVICE

WHEREAS, on November 19, 2024, the Schenectady County Civil Service Commission voted to establish the title of Stormwater Program Coordinator in the Town of Rotterdam in the non-competitive class of civil service; NOW

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby establishes the position of Stormwater Program Coordinator, a position in the non-competitive class of Civil Service.

SECTION 2. This resolution shall become effective December 11, 2024

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE: October 21, 2024

TO: Supervisor's Office

FROM: Comptroller's Office

TITLE OF REQUEST: Appointment to the position of Stormwater Program Coordinator

TOWN BOARD MEETING: December 11, 2024

Background Information: The Town of Rotterdam appointed Mary Barrie to the position of Stormwater Manager in January of 2022.

Evaluation/Analysis: It has come to the Town's attention that a more appropriate title exists, Stormwater Program Coordinator, that is more in line with the duties and responsibilities of this position required while working for the Town.

Recommendation(s): Appoint Mary Barrie to the position of Stormwater Program Coordinator.

Attachment/Document(s): New Position Duties Statement

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

DRAFT

MSD 222 (6-57)

Civil Service Law: Section 22: Certification for new positions.
Before any new positions in the service of the city or other civil division shall be created, the proposal therefore, including a statement of the duties of the positions, shall be referred to the municipal commission having jurisdiction and such commission shall furnish a certificate stating the appropriate civil service title for the proposed positions. Any such new position shall be created only with the title approved and certified by the commission.
Effective April 13, 1957.

SCHENECTADY COUNTY
CIVIL SERVICE COMMISSION

NEW POSITION DUTIES STATEMENT

Department head or other authority requesting the creation of a new position, prepare a separate description for each new position to be created except that one description may cover two or more identical positions in the same organizational unit.
Forward two typed copies to this Commission.

1. DEPARTMENT	BUREAU, DIVISION, UNIT OR SECTION	LOCATION OF POSITION
DPW	**Town of Rotterdam**	**Town Hall/Various Remote Field Locations**

2. DESCRIPTION OF DUTIES This position exists in the Town of Rotterdam and involves the responsibility for working with the Schenectady County Planning Department and other governmental agencies to promote compliance with the NYS DEC Municipal Separate Stormwater Sewer System (MS4) permit and Rotterdam Town Codes. Duties are performed under the general supervision of the Town Supervisor or the Supervisor of the Department of Public Works with allowance for the exercise of independent judgment in carrying out the details of the work.

STORMWATER PROGRAM COORDINATOR

- Serves as the key liaison and maintain professional relationships with other County departments and governmental agencies;
- Works with the Schenectady County Planning Department to develop and implement a program to reduce pollutants from land disturbance activities for new and re-development construction;
- Develops and implements an inspection program to detect and eliminate illicit discharges to the MS4 and waterways;
- Prepares annual reports to demonstrate to the State compliance with the NPDES permit;
- Assists in the preparation of public outreach activities to educate the public and promote compliance with requirements of the Storm water Management Law;
- Manages the required activities and assists with the budgeting of the financial needs of the storm water management;
- Relays to appropriate officials the information of drainage complaints made by town residents in relation to storm water management;
- Attends meetings dispensing information regarding water quality, erosion control, and related topics in order to keep the town government informed of future changes;
- Receives and reviews various records and reports including regulations, educational materials, visual information with regards to drainage issues, and verbal information from other departments;
- Prepares and processes various records and reports including annual report and other information received regarding storm water management requirements;
- Interacts and communicates with various groups and individuals to effectively complete the functions of the storm water management law;
- Establishes and maintains cooperative, effective and productive working relationships with participants involved in the implementation of the storm water management law;
- Plans and organizes work and completes tasks within prescribed time frame;
- Does related work as required.

(Attach additional sheets if more space is needed)

DRAFT

3. Names and Titles of Persons Supervising this position (General. Direct, Administrative, etc.)

NAME	TITLE	TYPE 0F SUPERVISION
James Keith	Sr. Building Inspector	Direct
Mollie Collins	Supervisor	Administrative

4. Names and Titles of Persons Supervised by Employee in this position.

NAME	TITLE	TYPE 0F SUPERVISION
N/A		

5. Names and Titles of Persons doing substantially the same kind and level of work as will be done by the Incumbent of this new position.

NAME	TITLE	LOCATION OF POSITION
N/A		

6. What minimum qualifications do you think should be required for this position?

Good knowledge of the principles, practices and techniques of storm water management; good knowledge of the federal, state and local laws and regulations governing storm water management; Good knowledge of research methods and the techniques of data collection; good knowledge of computers and various software; ability to analyze and interpret detailed information; ability to perform research and prepare detailed reports; ability to communicate effectively both orally and in writing; ability to establish effective working relationships.

Experience: (list amount and type)

MINIMUM QUALIFICATIONS:

(A) Graduation from a regionally accredited or New York State college or University with an Associate's Degree in Civil Engineering or a related field and two (2) years of experience in public utilities/public works operations; OR

(B) Graduation from high school or possession of a high school equivalency diploma and four (4) years of experience as defined by the limits of (A) above; OR

(C) An equivalent combination of training and experience as defined by the limits of (A) and (B) above.

Type of license or certificate required: N/A

7. The above statements are accurate and complete.

Date: 10/21/2024 Title: Supervisor Signature: Mollie A. Collins

CERTIFICATE OF CIVIL SERVICE COMMISSION

8. In accordance with the provisions of Civil Service Law, Section 22, the Schenectady County Civil Service Commission certifies that the appropriate civil service title for the position described is _____

Date: Signature:

ACTION BY LEGISLATIVE BODY OR OTHER APPROVING AUTHORITY

9. Creation of described position

Approved

Disapproved

Date: Signature:

DRAFT

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STORMWATER PROGRAM COORDINATOR

DISTINGUISHING FEATURES OF THE CLASS: This position exists in a Town and involves the responsibility for working with the Schenectady County Planning Department and other governmental agencies to promote compliance with the NYS DEC Municipal Separate Stormwater Sewer System (MS4) permit and Town Codes. The work is performed under the general supervision of the Town Supervisor or Supervisor of the Department of Public Works with allowance for the exercise of independent judgement in carrying out the details of the work.

TYPICAL WORK ACTIVITIES:

- Serves as the key liaison and maintain professional relationships with other County departments and governmental agencies;
- Works with the Schenectady County Planning Department to develop and implement a program to reduce pollutants from land disturbance activities for new and re-development construction;
- Develops and implements an inspection program to detect and eliminate illicit discharges to the MS4 and waterways;
- Prepares annual reports to demonstrate to the State compliance with the NPDES permit;
- Assists in the preparation of public outreach activities to educate the public and promote compliance with requirements of the Storm water Management Law;
- Manages the required activities and assists with the budgeting of the financial needs of the storm water management;
- Relays to appropriate officials the information of drainage complaints made by town residents in relation to storm water management;
- Attends meetings dispensing information regarding water quality, erosion control, and related topics in order to keep the town government informed of future changes;
- Receives and reviews various records and reports including regulations, educational materials, visual information with regards to drainage issues, and verbal information from other departments;
- Prepares and processes various records and reports including annual report and other information received regarding storm water management requirements;
- Interacts and communicates with various groups and individuals to effectively complete the functions of the storm water management law;
- Establishes and maintains cooperative, effective and productive working relationships with participants involved in the implementation of the storm water management law;
- Plans and organizes work and completes tasks within prescribed time frame;
- Does related work as required.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES AND PERSONAL CHARACTERISTICS: Good knowledge of the principles, practices and techniques of storm water management; good knowledge of the federal, state and local laws and regulations governing storm water management; Good knowledge of research methods and the techniques of data collection; good knowledge of computers and various software; ability to analyze and interpret detailed information; ability to perform research and prepare detailed reports; ability to communicate effectively both orally and in writing; ability to establish effective working relationships.

MINIMUM QUALIFICATIONS:

(A) Graduation from a regionally accredited or New York State college or University with an Associate's Degree in Civil Engineering or a related field and two (2) years of experience in public utilities/public works operations; OR

(B) Graduation from high school or possession of a high school equivalency diploma and four (4) years of experience as defined by the limits of (A) above; OR

(C) An equivalent combination of training and experience as defined by the limits of (A) and (B) above.

Adopted
CSC 05/15/07
Revised
CSC 9/17/24
CSC 12/17/24

PENDING CLASSIFICATION

DRAFT

MEETING MINUTES
SCHENECTADY COUNTY
CIVIL SERVICE COMMISSION
November 19, 2024

Present:

Judy Dagostino – Chair of the Civil Service Commission
B. Donald Ackerman – Commissioner
Richard Nebolini – Commissioner
Julie Biittig - Supervising Personnel Assistant
Joe McQueen – Secretary to the Civil Service Commission
Barbara Leonard - Personnel Technician

Mrs. Dagostino called the meeting to order at 1:00. All Commissioners were present.

There were no comments during Privilege of the Floor for the Public Hearing

There were no comments during Privilege of the Floor for the Civil Service Commission meeting.

Mr. Ackerman moved, and Mr. Nebolini seconded, and the Commission unanimously voted to approve the minutes of October 17, 2024.

Mr. Nebolini moved, and Mr. Ackerman seconded, and the Commission unanimously voted to approve the Report of Personnel Actions (attached).

Mr. Ackerman moved, and Mr. Nebolini seconded, and the Commission unanimously voted to establish the following titles, based on New Position Duty Statements:

Position	Jurisdiction	Classification
Account Clerk	Town of Rotterdam	Competitive
Assistant Maintenance Supervisor (Office of Facilities)	County – Facilities	Competitive
Confidential Secretary to the Conflict Defender	County – Conflict Defender	Exempt*
Head Custodian (2)	Schenectady City Schools	Competitive
Human Resources Coordinator (HELPS Program)	ALL	Non-Competitive*
Information Processing Specialist III (6)	Schenectady City Schools	Competitive
Information Processing Specialist IV	Schenectady City Schools	Competitive

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Intern	County – Veterans Services	Non-Competitive
Intern	County – DEPW	Non-Competitive
Manager of Fiscal Operations (Public Health) (HELPS Program)	County – Public Health	Non-Competitive*
Paralegal (County)	County – Law	Competitive
Patrol Officer (Part-Time) (6)	County – Sheriff Civil Office	Non-Competitive
Principal Account Clerk (2)	County – Social Services	Competitive
School Bus Driver/Monitor (2)	Burnt Hills-Ballston Lake Schools	Non-Competitive*
School Monitor (5)	Burnt Hills-Ballston Lake Schools	Non-Competitive
Secretary to the Chief of Police II	Town of Glenville	Competitive
Senior Casework Assistant	County – Social Services	Competitive
Senior Legal Assistant (2)	County – Public Defender	Competitive
Senior Crime Victim Services Assistant	County – District Attorney	Competitive
Stormwater Program Coordinator	Town of Rotterdam	Non-Competitive*
Substance Abuse Counselor (Schools)	Schenectady City Schools	Competitive
Teacher Aide (5)	Burnt Hills- Ballston Lake Schools	Non-Competitive
Water and Sewer Maintenance Manager	Town of Rotterdam	Competitive

*pending classification

Mrs. Dagostino moved, and Mr. Ackerman seconded, and the Commission unanimously voted to adopt the following new job specifications:

Position	Jurisdiction
Assistant Maintenance Supervisor (Office of Facilities)	County – Facilities
Confidential Secretary to the Conflict Defender	County – Conflict Defender
Human Resources Coordinator(HELPS Program)	ALL
Manager of Fiscal Operations (Public Health) (HELPS Program)	County – Public Health
Secretary to the Chief of Police II	Town of Glenville
Senior Casework Assistant	County – Social Services
Water and Sewer Maintenance Manager	Town of Rotterdam

Mrs. Dagostino moved, and Mr. Nebolini seconded, and the Commission unanimously voted to revise the following job specifications:

Title	Requested by:
Maintenance Worker	County - Facilities
Manager of Fiscal Operations (Public Health)	County – Public Health

DRAFT

Parent Advocate County – Public Defender

Mr. Ackerman moved, and Mr. Nebolini seconded, and the Commission unanimously approved the request from the Public Defender to deem eligible list #63-626, Senior Legal Assistant, established on 4/01/24 for the Conflict Defender's Office, appropriate for filling a vacancy in the Public Defender's Office.

Mrs. Dagostino moved, and Mr. Ackerman seconded, and the Commission unanimously approved the request from the Probation Director to deem the eligible list #87-003, Probation Officer 1 Trainee, established on 10/1/24, appropriate for filling a vacancy for Probation Officer 1.

Mr. Nebolini moved, and Mr. Ackerman seconded, and the Commission unanimously approved the request from the Commissioner of Finance to promote Maria Rampersad to the position of Principal Account Clerk, effective 1/1/25, in accordance with Section 52.7 of New York State Civil Service Law and Rule XII.8 of the Schenectady County Civil Service Rules. No further written exam is required.

Mr. Nebolini moved, and Mr. Ackerman seconded, and the Commission unanimously approved the request from the Director of Human Resources to adopt the Resolution amending Rule XXV -Layoff of Competitive Class Employees.

Mrs. Dagostino moved, and Mr. Nebolini seconded, and the Commission unanimously approved the request from the Director of Human Resources to adopt Resolution amending Rule XII – Certification for Appointment.

Mrs. Dagostino moved, and Mr. Ackerman seconded, and the Commission unanimously approved the request from the Director of Public Works, Schenectady County, to promote Angelo Melillo to the position of Civil Engineer effective Jan. 1, 2025 in accordance with Section 52.7 of the New York Civil Service law and Rule XII.8 of the Schenectady County Civil Service Rules. No further written examination will be required.

Mr. Ackerman moved, and Mr. Nebolini seconded, and the Commission unanimously approved the request from the Sheriff, Schenectady County, to transfer Martha Lara from the New York State Department of Corrections to Schenectady County as a Correction Officer in accordance with Rule XVII of the Schenectady County Civil Service Rules.

Mr. Nebolini moved, and Mrs. Dagostino seconded, and the Commission unanimously approved the request from the Sherriff, Schenectady County, to transfer Andrew Beaudet from the New York State Department of Corrections to Schenectady County as a Correction Officer in accordance with Rule XVII of the Schenectady County Civil Service Rules.

The next regularly scheduled meeting will be held on **Tuesday, December 17, 2024,** at 1:00 pm.

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Mr. Ackerman moved, and Mr. Nebolini seconded, and the Commission unanimously voted to adjourn the meeting.

Respectfully Submitted,

11/19/24

Joe McQueen
Secretary of the Civil Service Commission

By:

Barbara Leonard
Personnel Technician

DRAFT

RESOLUTION NO. 469.24

APPOINTING MARY BARRIE TO THE POSITION OF STORMWATER PROGRAM COORDINATOR – PART TIME

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Mary Barrie of Schenectady, New York, is hereby appointed to the position of Stormwater Program Coordinator, part time, with no employee benefits, at an hourly rate of thrity-five ($35.00) dollars, commencing January 1, 2025.

SECTION 2. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

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

LEGISLATIVE REQUEST FORM

DATE: December 5, 2024

TO: Town Board

FROM: Mollie A. Collins, Supervisor

TITLE OF REQUEST: Appoint Ms. Mary Barrie to the position of Stormwater Program Coordinator

TOWN BOARD MEETING: December 11, 2024

Background Information: Ms. Barrie has been acting as our Stormwater Management Officer. This title did not include many of the duties that Ms. Barrie performs.

Evaluation/Analysis: Ms. Barrie should have the correct title for her job duties.

Recommendation(s): Recommend to appoint Ms. Barrie to the position of Stormwater Program Coordinator, part time at a rate of $35.00 per hour.

Attachment/Document(s): See attached documents.

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisors Office

DRAFT

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

Schenectady County

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

APPLICATION FOR EXAMINATION OR EMPLOYMENT

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

Date Received _____ Approved _____

Conditional _____ Disapproved _____

CIVIL SERVICE DEPT. USE ONLY

1. Stormwater Program Coordinator _____
POSITION TITLE EXAM NUMBER

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

2. Name and Legal Residence

Barrie Mary L
Last Name First Name Middle Initial

[redacted]
Street Address or Road R.D. # or P.O. Box #

Schenectady, Rotterdam, NY 12306
County City, Town, Village State Zip

Home Phone Number none Cell Phon[redacted]

Email Address: [redacted]

If mailing address is different:

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

County City, Town, Village State Zip

Social Security Number 080 - 40 - 4414

3. Police Officer & Firefighter Candidates Only:

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

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

	Name	Years	Months
State of:	New York	[redacted]	
County of:	Schenectady		
Village of:			
Town of:	Rotterdam		
City of:			
School District	Schalmont		

5. Citizenship

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

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

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

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

Religious ☐ **Military** ☐ **Disability** ☐

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

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

License #:	[redacted]
Restrictions:	
Expiration Date:	
Endorsements:	
Class of License:	D
Is this License Currently Valid	YES ☒ NO ☐

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

	YES	NO
Have you ever served in the Armed Forces of the United States? *(The Armed Forces means the Army, Navy, Marine Corps, Air Force, and Coast Guard, including all components thereof and the National Guard when in the service of the US pursuant to call as provided by Law on a full-time active duty basis other than active duty for training purposes).*		
Have you ever used additional credits as a disabled or non-disabled veteran for appointment to any position in the public employment of New York State or any of its civil divisions?		
Do you have a service connected disability rated at 10% or more by the U.S. Department of Veterans Affairs? This disability must have been incurred during a Time of War period listed above.		
After you were permanently appointed using non-disabled veteran credits, were you subsequently certified as having a service connected disability rated at 10% or more by the U.S. Department of Veterans Affairs?		
Are you currently a resident of New York State?		

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

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

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

REMARKS:_____

_____

_____

_____

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

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

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

High School	
Have you ever graduated from High School or do you have possession of a High School Equivalency Diploma?	YES [■] NO [ ]
If Yes, Name and Location of High School or Issuing Government Authority:	Mohonasen Central Schools
Equivalency Diploma Number:	

College, University, Professional or Technical School

Name of School	Number of College Credits	Degree Earned	Major Subject/ Courses	Did You Graduate? Yes	Did You Graduate? No	Date Degree Expected or Received
Schenectady CCCC	45		Liberal Arts/Sec. Science		no	[redacted]
Maria College	25	AAS	Medical Assistant	yes		
University at Albany	67	BA	English/Journalism	yes	~~no~~	

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

Length of Employment

[redacted]

Month/Year (mm/yyyy)

Employment Details

Your Exact Title: Stormwater Program Coordinator

Name of Your Supervisor: James Keith

Supervisor's Title: Sr. Building Inspector

Hours worked / wk. (exclusive of overtime): 22+

Reason for Leaving: currently employed in the position

Firm Name: Town of Rotterdam

Firm Address: 1100 Sunrise Boulevard, Rotterdam, NY 12306

Description of Duties:

Sign off and review all SWPPPs as the Stormwater Management Officer. Inspect all construction activity. Prepare Stormwater Management Program Plan and provide updates coordinating with all appropriate staff. Municipal Facilities Inspections, Outfall Inspections and all aspects of the NYSDEC MS4 permit compliance and requirements for the Town of Rotterdam.

Length of Employment

[redacted]

Month/Year (mm/yyyy)

Employment Details

Your Exact Title: Environmental Pro. Special

Name of Your Supervisor: Derek Thorsland

Supervisor's Title: Regional Water Engineer

Hours worked / wk. (exclusive of overtime): 37.5

Reason for Leaving: Retirement

Firm Name: NYS DEC - Region 4

Firm Address: 1130 North Westcott Road

Description of Duties:

Managed MS4 for Albany and Rens. Counties, including auditing their MS4 Programs and providing guidance and oversight. Wastewater Inspector for Albany and Rens. County Individual SPDES permit compliance.

Length of Employment

[redacted]

Month/Year (mm/yyyy)

Employment Details

Your Exact Title: Environmental Prog. Spec.

Name of Your Supervisor: Kelly Lewandowski

Supervisor's Title: Chief Env. Engineer

Hours worked / wk. (exclusive of overtime): 37.5

Reason for Leaving: Transfer to Region 4

Firm Name: NYS DEC - Central Office

Firm Address: 625 Broadway, NY

Description of Duties:

Administrative and technical review of Brownfiecd applications statewide, Also managed Hazardous Waste Registry primarily for Regions 1 (Long Island) & Region 2 (NYC).

Length of Employment

[redacted]

Month/Year (mm/yyyy)

Employment Details

Your Exact Title: Secretary 2

Name of Your Supervisor: Steve Schassler

Supervisor's Title: Regional Director

Hours worked / wk. (exclusive of overtime): 37.5

Reason for Leaving: promotion

Firm Name: NYS DEC - Region 4

Firm Address: 1130 North Westcott Road

Description of Duties:

Managed Region 4 office as the Regional Director's Secretary and assistant. Supervised all support staff.

THIS AFFIRMATION MUST BE COMPLETED

I affirm, subject to the penalties of perjury, that the statements made in this application, including statements made in any accompanying papers, are true. I understand that all statements made by me in connection with this application are subject to investigation and verification and that a material misstatemen or fraud may disqualify me from appointment and/or lead to revocation of my appointment. I give the employer the right to investigate all references and t secure additional job related information about me. I hereby release from liability the employer and its representatives for seeking such information and a other persons, corporations or organizations for furnishing such information. If the position I am applying for is covered by the employer's drug testin policy, I understand that as a condition of appointment to this position, I will be required to take and successfully pass a pre-employment drug test.

Mary Barrie — Signature of Applicant

Mary Barrie — Print Name

12/06/24 — Date

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

RESOLUTION NO. 470.24

TO DECLARE LEAD AGENCY FOR SEQR REVIEW ON A CHANGE OF ZONE FOR ±1.82 ACRES FROM AGRICULTURAL (A-1) TO TWO FAMILY RESIDENTIAL (R-2) LOCATED ALONG FORT HUNTER ROAD AND THE TERMINUS OF VALENTINE DRIVE

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 SEQR (State Environmental Quality Review) on a Change of Zone from Agriculture (A-1) to Two Family Residential (R-2) to facilitate a potential 3 Lot Subdivision on a ±1.82-acre parcel on vacant land located along Fort Hunter Road and the terminus of Valentine Drive and is known as Tax Map No. 71.6-4-3.

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 SEQR (State Environmental Quality Review).

SECTION 3. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE:	December 3, 2024
TO:	Mollie Collins, Town Supervisor
FROM:	Peter Comenzo, Senior Planner PC
TITLE OF REQUEST:	Declare Lead Agency for a Change of Zone Request on a ±1.82-acre parcel from Agriculture (A-1) to Two Family Residential (R-2).
TOWN BOARD MEETING:	December 11, 2024
Background Information:	CNZ LLC (Contract Vendee) c/o Ziggy Viscusi 2794 West Lydius Street Schenectady, NY 12306 Change of Zone Request on a ±1.82-acre parcel from Agriculture (A-1) to Two Family Residential (R-2) to facilitate a potential 3 Lot Subdivision. Property is vacant land located along Fort Hunter Road and the terminus of Valentine Drive and is known as Tax Map No. 71.6-4-3.
Evaluation/Analysis:	Change of Zone application was referred to the Planning Board for a report and recommendation on November 6, 2024. Planning Commission issued a positive recommendation on November 19, 2024.
Recommendation(s):	Town Board should consider declaring lead agency pursuant to NYCRR Part 617 – State Environmental Quality Review.
Attachment/Document(s):	SEQR Environmental Assessment Form
Compliance with Purchasing Policy:	N/A
Effect(s) on Existing Law(s):	NYCRR Part 617 – State Environmental Quality Review
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

DRAFT

Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Name of Action or Project:
Fort Hunter Road Rezone

Project Location (describe, and attach a location map):
Fort Hunter Road and Valentine Drive, Schenectady, NY 12303

Brief Description of Proposed Action:
The Applicant is requesting a zoning change from Agricultural to R-2 to allow construction of one duplex and two single family houses. Public water and individual septic systems will serve the new homes.

Name of Applicant or Sponsor:	Telephone: 518-858-3504
Ziggy Viscusi	E-Mail: soccer12349@hotmail.com

Address:
2794 West Lydius Street

City/PO:	State:	Zip Code:
Schenectady	NY	12306

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Zoning Board of Appeals	☐	☑

3. a. Total acreage of the site of the proposed action? 1.82± acres
   b. Total acreage to be physically disturbed? 1.3± acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.82± acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☑	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		
If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☑	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☑	☐

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements?		
If the proposed action will exceed requirements, describe design features and technologies:	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____	☑	☐
Private Septic and leachfield		

	NO	YES
12. a. 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?	☑	☐
b. 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?	☐	☑

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☑	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☑	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Karner Blue	☐	☑
16. Is the project site located in the 100-year flood plan?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	☑	☐
If Yes, a. Will storm water discharges flow to adjacent properties?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☑	☐
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☑	☐
20.Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☑	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP Date: October 16, 2024

Signature: _____ Title: Professional Engineer

PRINT FORM

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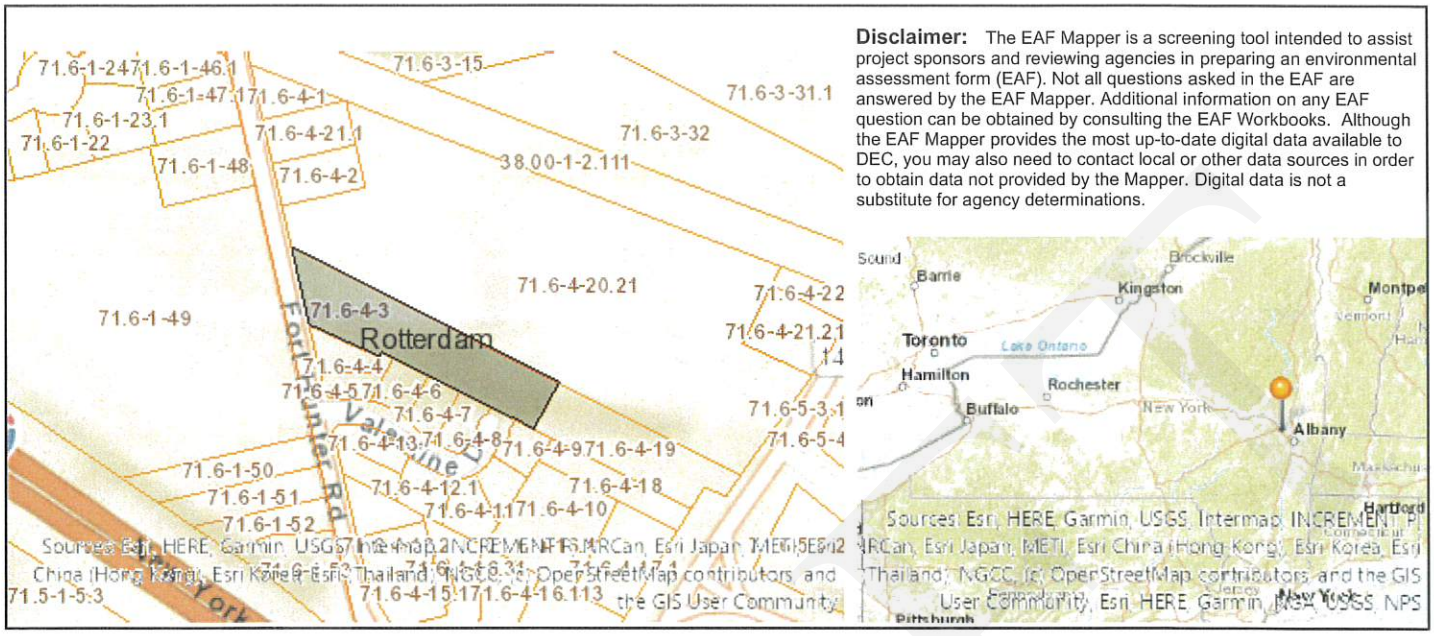
EAF Mapper Summary Report

Wednesday, October 16, 2024 10:21 AM



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

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Karner Blue
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

DRAFT

RESOLUTION NO. 471.24

TO CALL FOR A PUBLIC HEARING ON THE PROPOSED INTRODUCTORY LOCAL LAW __ OF 2024; TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE, RELATING TO A CHANGE OF ZONE REQUEST ON ±1.82-ACRES FROM AGRICULTURAL (A-1) TO TWO FAMILY RESIDENTIAL (R-2) LOCATED ALONG FORT HUNTER ROAD AND THE TERMINUS OF VALENTINE DRIVE

WHEREAS, the Town Board passed Resolution No. 411.24 to recognize the introduction of Introductory Local Law __ of 2024; To amend Chapter 270, Zoning, of the Town Code, for a Change of Zone request on ±1.82 acres from Agriculture (A-1) to Two Family Residential (R-2) to facilitate a potential 3 Lot Subdivision on vacant land located along Fort Hunter Road and the terminus of Valentine Drive and is known as Tax Map No. 71.6-4-3; and

WHEREAS, the Planning Commission, on November 19, 2024, issued a positive recommendation on the change of zone requested by the applicant; and

WHEREAS, the Town Board Declared Lead Agency on the Change of Zone application under 6NYCRR Part 617 State Environmental Quality Review (SEQR) on December 11, 2024; NOW

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Town Clerk to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided for hereby the following notice:

TOWN OF ROTTERDAM
NOTICE OF HEARING

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306, at 7:00 p.m. on the 8th day of January 2025 for the following purpose:

> To recognize the introduction of Introductory Local Law No. ____ of 2024; ; To amend Chapter 270, Zoning, of the Town Code, for a Change of Zone request on ±1.82 acres from Agriculture (A-1) to Two Family Residential (R-2) to facilitate a potential 3 Lot Subdivision on vacant land located along Fort Hunter Road and the terminus of Valentine Drive and is known as Tax Map No. 71.6-4-3.

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

DRAFT

DATED: December 11, 2024
Daily Gazette: Please publish once on December 13, 2024
Town Clerk
Post

SECTION 2. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE:	October 24, 2024
TO:	Mollie Collins, Town Supervisor
FROM:	Peter Comenzo, Senior Planner PC
TITLE OF REQUEST:	Refer to Planning Commission for Report and Recommendation for Change of Zone Request on a ±1.82-acre parcel from Agriculture (A-1) to Two Family Residential (R-2).
TOWN BOARD MEETING:	November 6, 2024
Background Information:	CNZ LLC (Contract Vendee) c/o Ziggy Viscusi 2794 West Lydius Street Schenectady, NY 12306 Refer to Planning Commission for Report and Recommendation for Change of Zone Request on a ±1.82-acre parcel from Agriculture (A-1) to Two Family Residential (R-2) to facilitate a potential 3 Lot Subdivision. Property is vacant land located along Fort Hunter Road and the terminus of Valentine Drive and is known as Tax Map No. 71.6-4-3.
Evaluation/Analysis:	Rotterdam Town Code 270-174 states that Change of Zone applications shall be referred to the Planning Board for a report and recommendation prior to a public hearing.
Recommendation(s):	Refer to Planning Commission for Report and Recommendation.
Attachment/Document(s):	Application Materials
Compliance with Purchasing Policy:	N/A
Effect(s) on Existing Law(s):	NYS Town Law Article 16 Proposed Local Law of the Year 2024
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

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****

TOWN OF ROTTERDAM CHANGE OF ZONE APPLICATION

Application Fee **$1,000**

Existing Zone Classification: Agricultural

Proposed Zone Classification: R-2

PART II
GENERAL INFORMATION

Legal Owner's Name: Ziggy Viscusi, CNZ, LLC
Mailing Address: 2794 West Lydius Street
City: Schenectady State: NY Zip: 12306
Daytime Phone: 518-857-1000 E-mail: soccer12349@hotmail.com

If applicant is not the owner, include written owner authorization for the below-designated contact to serve as representative.

Owner's Designated Contact: Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP

Mailing Address: 411 Union Street
City: Schenectady State: NY Zip: 12305
Daytime Phone: 518-377-0315 E-mail: luigi@abdeng.com
Project/Proposal Site Area: (Acres or sq. ft.) 1.82± acres
Assessor Tax Parcel No.(s) of Site: 71.6-4-3
Adjacent Parcels Owned or Controlled and Tax Map Parcel No: (Acres or sq. ft.) 1.82± acres

Street Address of Proposed Site (if any): Fort Hunter Road (no address assigned yet).

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Describe Existing Use(s) on Proposed Site: (commercial vacant, residential, buildings, well, sewer drainfield, etc.)
The existing site is vacant.

School District: Mohonasen Central School District (CSD) Fire District: 2

Water Supply: Rotterdam

LEGAL INFORMATION

Location of Proposal Site: (General description by which direction and how far from roads and intersections and other community features)
The site is 150 feet north of Valentine Drive.

Name of Public Road(s) Providing Access: Fort Hunter Road and Valentine Drive

Width of Property Fronting on the Existing Public Road in Linear Feet: 183± feet

Does the Proposal Have Access to an Arterial or Planned Arterial? ( ) Yes (✓) No

Name(s) of Arterial Road(s): _____

A legal description of the proposed site must be attached: (X) Yes ( ) No

A copy of the assessor's map of the proposed site must be attached: (X) Yes ( ) No

A copy of the most current deed(s) of the proposed site must be attached: (X) Yes ( ) No

(All applications must contain a legal description that describes the exterior boundaries of the entire area to be rezoned. Please include the legal description for the entire area to be rezoned and also a copy of the assessor's map. A simple copy of the deed is not sufficient to process the change of zone request).

If you do not hold title to property, what is your interest in it? N/A

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What factors support this rezone? (This may be provided on a separate sheet of paper if necessary)

The site is near multifamily projects, duplexes, and single family. This provides a different style homes for the community.

Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES _____ NO ✓. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

UTILITIES

Proposed Source of Water:
( ) Individual Wells (✓) Public System ( ) Private Community System
( ) Other, please describe _____

Proposed Means of Sewage Disposal:
( ) Public Sewer ( ) Dry Sewer ( ) Community System (✓) Septic Tank & Leachfield ( ) Other, please describe _____

PART III

****
SURVEYOR/ARCHITECT/ENGINEER VERIFICATION
****

I, the undersigned, a licensed land surveyor, architect, and/or engineer, have completed the information requested. The legal description has been prepared by me or under my supervision in accordance with the requirements of the Town of Rotterdam regulations and the laws of the State of New York.

Signed: _____ Date: October 16, 2024
Address: 411 Union Street, Schenectady, NY Phone: 518-377-0315
Zip: 12305

PLEASE AFFIX SURVEYOR/ARCHITECT/ENGINEER SEAL HERE

DRAFT

****

LEGAL OWNER SIGNATURE

****

(Signature of legal owner or representative as authorized by legal owner)

I, the undersigned, swear or affirm under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

I further swear or affirm that I am the owner of record of the area proposed for the previously identified land use action, or, if not the owner, attached herewith is written permission from the owner authorizing my actions on his/her behalf.

Name: Ziggy Viscusi, CNZ, LLC
Address: 2794 West Lydius Street
Schenectady, NY

Date:
Phone: 518-858-3504
Zip: 12306

Signature of applicant or representative

10/18/24
Date

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF Schenectady)

SUBSCRIBED AND SWORN to before me this 18th day of October, 2024

NOTARY SEAL

Melanie Efaw
Notary Signature

Notary Public in and for the State of New York
Residing at:
My appointment expires:

MELANIE EFAW
Notary Public, State of New York
Qualified in Montgomery County
Reg. No. 01EF6336694
Commission Expires February 8, 2028

PLEASE AFFIX NOTARY SEAL HERE

DRAFT

TOWN OF ROTTERDAM

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

LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER INVOLVED

I, Ziggy Viscusi, CNZ, LLC, being duly sworn declare that I am the

(PROPERTY OWNER)

owner of the property involved in a proposed subdivision application request before the Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): 71.6-4-3

I hereby grant Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects true and correct to the best of my knowledge and belief.

Signature (Authorized Representative): [signature]

Date: 10/19/24

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF Schenectady
SUBSCRIBED AND SWORN to before me this 19th day of October, 2024

NOTARY SEAL

[signature]
Notary Signature

Notary Public in and for the State of New York
Residing at: MELANIE EFAW
My appointment expires: Notary Public, State of New York Qualified in Montgomery County Reg. No. 01EF6336694 Commission Expires February 8, 2028

DRAFT

OFFICE OF THE SCHENECTADY COUNTY CLERK

620 STATE STREET
SCHENECTADY, NY 12305-2114
PHONE (518) 388-4220
FAX (518) 388-4224

Cara M. Ackerley
County Clerk

Instrument Number - 202421152
Recorded On 4/11/2024 At 10:50:20 AM
* Instrument Type - DEED
* Book/Page - DEED/2128/709
* Total Pages - 4
Invoice Number - 1206609 User ID: TMH
* Document Number - 2024-1456
* Grantor - VALENTINE PHILOMENA ESTATE
GUZZARDI LUCILLE
* Grantee - J & N ADAMEC ENTERPRISES LLC
J&N ADAMEC ENTERPRISES LLC

*RETURN DOCUMENT TO:
BRICK LAW FIRM
2 COMPUTER DR W
SUITE 100
ALBANY, NY 12205

*FEES

NY REALTY TRANSFER TAX	$230.00
NY LAND SUR	$4.75
NY E & A FEES	$241.00
NY LAND COMP SUR	$14.25
CO GENERAL REVENUE	$50.50
CO LAND SUR	$0.25
CO E & A FEES	$9.00
CO LAND COMP SUR	$0.75
TOTAL PAID	$550.50

TRANSFER TAX
Real Estate Transfer Tax Num - 2933
Transfer Tax Amount - $ 230.00

I hereby CONFIRM that this document is
Recorded in the Schenectady County Clerk's Office
in Schenectady, New York

CMackerley
Cara M. Ackerley
Schenectady County Clerk

THIS IS AN ENDORSEMENT PAGE

Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

0051NP

INSTRUMENT NUMBER - 202421152

DRAFT

DEED Book 2128 Page 710
Doc No 2024-1456

Administrator's Deed

This Indenture,

Made the 28th day of March, Two Thousand Twenty-Four,

BETWEEN

LUCILLE GUZZARDI, residing at 179 Boxwood Drive, Schenectady, New York, 12303, Individually and as Administrator d.b.n. of the **ESTATE OF PHILOMENA VALENTINE**, late of the County of Schenectady, New York

Party of the First Part, and

J & N ADAMEC ENTERPRISES, LLC a domestic limited liability company with offices at 389 Masullo Parkway, Schenectady, New York, 12306,

Party of the Second Part.

WITNESSETH, that the Party of the First Part, by virtue of the power and authority to them given in and by Article 11 of the Estates, Powers and Trusts Law, or any amendment thereof from time to time made, and in consideration of Fifty Seven Thousand Five Hundred and 00/100 Dollars ($57,500.00), lawful money of the United States, paid by the Party of the Second Part, do hereby grant and release unto the Party of the Second Part, its heirs, distributees and assigns, forever,

ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Rotterdam, County of Schenectady and State of New York, bounded and described as follows: BEGINNING at a point in the division line between lands of CHARLES J. ZAJAN and lands now or formerly of Kallas, said point being distant 465.38 feet northwesterly from a concrete monument located in the Northerly boundary of lands of said Charles J. Zajan, and said concrete monument is further described as being distant 71.75 feet Westerly from the Northwesterly side of Guilderland Road and running thence North 51 degrees 15 minutes West along said division line between lands of said Zajan and said Kallas a distance of 686.96 feet to a point in the Easterly line of Fort Hunter Road; thence South 01 degrees 02 minutes East along the Easterly line of Fort Hunter Road a distance of 156.19 feet to an iron pipe at lands of Benjamin Valentine and wife; thence South 51 degrees 15 minutes East along the division line between lands of said Charles J. Zajan and Benjamin Valentine and wife a distance of 586.98 feet to an iron pipe; thence North 38 degrees 45 minutes East through lands of said Zajan a distance of 120.0 feet to the point of beginning and. containing 1.75 acres.

DRAFT

DEED Book 2128 Page 711
Doc No 2024-1456

ALSO, ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, situate in the Town of Rotterdam, County of Schenectady, and State of New York, and being more particularly bounded and described as follows:

BEGINNING at an iron pipe in the easterly line of Fort Hunter Road, said point being at the northwesterly corner of the lands now or formerly of Joseph Geloso (Liber 1028, Page 689) and running from said point South 54° 51′ East along the lands now or formerly of Geloso a distance of 123.77 feet to a point; thence running from said point South 51° 15′ East a distance of 50 feet to a point; thence running North 38° 45′ E, a distance of 12.5 feet to a point; thence running North 51° 15′ West a distance of 190.41 feet to a point on the easterly line of Fort Hunter Road; and thence running South 1° 03′ E along the easterly boundary of Fort Hunter Road, a distance of 26.38 feet to the point or place of beginning.

It is intended to convey that parcel of land with Tax Map I.D. #71.6 – 4 – 3.

BEING a portion of lands described in a Deed from Benjamin A. Valentine and Philomena Valentine to Philomena Valentine, dated March 19, 1986, and recorded in the Office of the Clerk of the County of Schenectady on March 20, 1986, in Book 1098 of Deeds at Page 11.

The said Philomena Valentine died intestate, a resident of the County of Schenectady, New York, on March 6, 2001. On September 16, 2005, Letters of Administration d.b.n. were issued to Lucille Guzzardi by the Schenectady County Surrogate's Court. Said Letters are now in full force and effect and have not been revoked.

This conveyance is made pursuant to a Stipulation of Settlement entered in the Accounting proceedings for the Estate of Philomena Valentine, in the Surrogate's Court for the County of Schenectady, New York, on December 16, 2011. (S.F. #1361-049) and subsequent Order of the Hon. Vincent W. Versaci, Surrogate, dated and filed in the Schenectady County Surrogates Court on March 3, 2015, incorporating a written Stipulation modifying and amending the Stipulation and Settlement dated December 16, 2011.

SUBJECT to all enforceable covenants, easements, conditions, reservations and restrictions of record.

THIS CONVEYANCE is made subject to the conditions, restrictions, agreements, and easements of record and as shown on said map which affect the said premises and to any assessment for public improvements now due or to become due against said premises.

Together with the appurtenances, and the estate which the said Decedent had at the time of her decease, in said premises, and also the estate therein, which the Party of the First Part had or have power to convey or dispose of, whether individually, or by virtue of said estate or statute or otherwise,

To have and to hold the premises herein granted unto the Party of the Second Part, their heirs, distributees, and assigns, forever.

DEED Book 2128 Page 712
Doc No 2024-1456

And said Party of the First Part covenant that the Party of the First Part have not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

Subject to the provisions of Section Thirteen of the Lien Law.

The word "Party" shall be construed as if it reads "Parties" whenever the sense of this indenture so requires.

In Witness Whereof, the Party of the First Part have duly executed this Deed the day and year first above written.

IN PRESENCE OF

Lucille Guzzardi L.S.
Lucille Guzzardi, as Administrator d.b.n.

STATE OF NEW YORK :
COUNTY OF SCHENECTADY : SS.:

On the 28th day of March, 2024, before me, the undersigned, personally appeared LUCILLE GUZZARDI, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Victoria L. Wienclawski
Notary Public

VICTORIA WIENCLAWSKI
Commissioner of Deeds, City of Schenectady
No. 1-0002
Cert. Filed in Schenectady County
Commission Expires on 02-15-2025

R4R: Brick Law Firm
2 Computer Dr. W.
Suite 100
Albany, NY 12205

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Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Name of Action or Project:
Fort Hunter Road Rezone

Project Location (describe, and attach a location map):
Fort Hunter Road and Valentine Drive, Schenectady, NY 12303

Brief Description of Proposed Action:
The Applicant is requesting a zoning change from Agricultural to R-2 to allow construction of one duplex and two single family houses. Public water and individual septic systems will serve the new homes.

Name of Applicant or Sponsor:	Telephone: 518-858-3504
Ziggy Viscusi	E-Mail: soccer12349@hotmail.com

Address:
2794 West Lydius Street

City/PO:	State:	Zip Code:
Schenectady	NY	12306

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Zoning Board of Appeals	☐	☑

3. a. Total acreage of the site of the proposed action? 1.82± acres
   b. Total acreage to be physically disturbed? 1.3± acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 1.82± acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☑ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☑ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☑	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		
If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☑	☐
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☑	☐

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements?		
If the proposed action will exceed requirements, describe design features and technologies:	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____		
Private Septic and leachfield	☑	☐

	NO	YES
12. a. 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?	☑	☐
b. 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?	☐	☑

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☑	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☑	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Karner Blue	☐	☑
16. Is the project site located in the 100-year flood plan?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	☑	☐
If Yes, a. Will storm water discharges flow to adjacent properties?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☑	☐
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	☑	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	☑	☐
20.Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	☑	☐

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Luigi A. Palleschi, P.E., ABD Engineers & Surveyors, LLP Date: October 16, 2024

Signature: _____ Title: Professional Engineer

PRINT FORM

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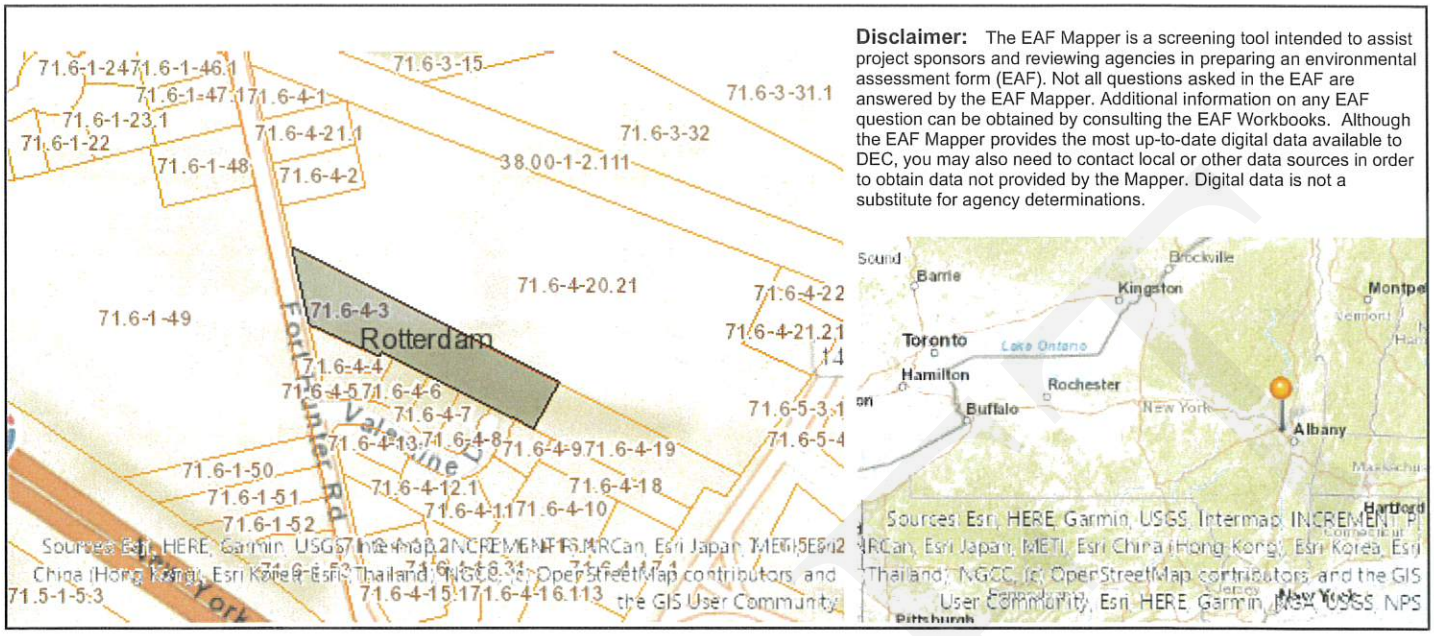
EAF Mapper Summary Report

Wednesday, October 16, 2024 10:21 AM



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

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Karner Blue
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

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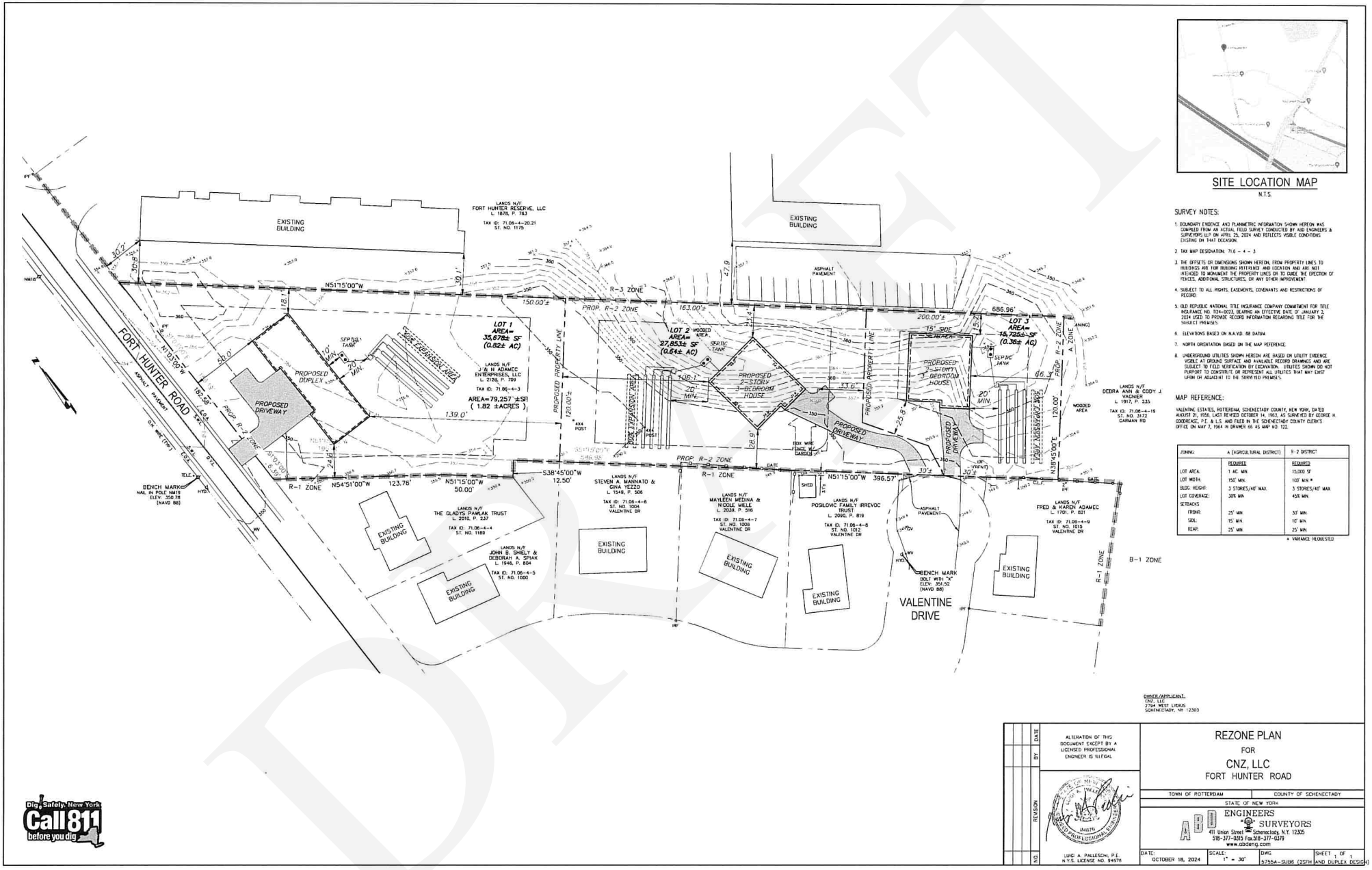

SITE LOCATION MAP

N.T.S.

SURVEY NOTES:

1. BOUNDARY EVIDENCE AND PLANIMETRIC INFORMATION SHOWN HEREON WAS COMPILED FROM AN ACTUAL FIELD SURVEY CONDUCTED BY ABD ENGINEERS & SURVEYORS LLP ON APRIL 25, 2024 AND REFLECTS VISIBLE CONDITIONS EXISTING ON THAT OCCASION.
2. TAX MAP DESIGNATION: 71.6 - 4 - 3
3. THE OFFSETS OR DIMENSIONS SHOWN HEREON, FROM PROPERTY LINES TO BUILDINGS ARE FOR BUILDING REFERENCE AND LOCATION AND ARE NOT INTENDED TO MONUMENT THE PROPERTY LINES OR TO GUIDE THE ERECTION OF FENCES, ADDITIONAL STRUCTURES, OR ANY OTHER IMPROVEMENT.
4. SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.
5. OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE NO. 1124-0023, BEARING AN EFFECTIVE DATE OF JANUARY 3, 2024 USED TO PROVIDE RECORD INFORMATION REGARDING TITLE FOR THE SUBJECT PREMISES.
6. ELEVATIONS BASED ON N.A.V.D. 88 DATUM.
7. NORTH ORIENTATION BASED ON THE MAP REFERENCE.
8. UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON UTILITY EVIDENCE VISIBLE AT GROUND SURFACE AND AVAILABLE RECORD DRAWINGS AND ARE SUBJECT TO FIELD VERIFICATION BY EXCAVATION. UTILITIES SHOWN DO NOT PURPORT TO CONSTRUCT, OR REPRESENT ALL UTILITIES THAT MAY EXIST UPON OR ADJACENT TO THE SURVEYED PREMISES.

MAP REFERENCE:

VALENTINE ESTATES, ROTTERDAM, SCHENECTADY COUNTY, NEW YORK, DATED AUGUST 21, 1956, LAST REVISED OCTOBER 14, 1963, AS SURVEYED BY GEORGE H. GOODREASE, P.E. & L.S. AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON MAY 7, 1964 IN DRAWER 66 AS MAP NO. 122.

ZONING:	A (AGRICULTURAL DISTRICT)	R-2 DISTRICT
	REQUIRED	REQUIRED
LOT AREA:	1 AC. MIN.	15,000 SF
LOT WIDTH:	150' MIN.	100' MIN.*
BLDG. HEIGHT:	3 STORIES/40' MAX.	3 STORIES/40' MAX.
LOT COVERAGE:	30% MIN.	45% MIN.
SETBACKS:		
FRONT:	25' MIN.	30' MIN.
SIDE:	15' MIN.	10' MIN.
REAR:	25' MIN.	25' MIN.

* VARIANCE REQUESTED

OWNER/APPLICANT:
CNZ, LLC
2734 WEST LYDIUS
SCHENECTADY, NY 12303

NO.	REVISION	BY	DATE

ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER IS ILLEGAL

LUIGI A. PALLESCHI, P.E.
N.Y.S. LICENSE NO. 94676

REZONE PLAN
FOR
CNZ, LLC
FORT HUNTER ROAD

TOWN OF ROTTERDAM | COUNTY OF SCHENECTADY
STATE OF NEW YORK

ABD ENGINEERS & SURVEYORS
411 Union Street Schenectady, N.Y. 12305
518-377-0315 Fax 518-377-0379
www.abdeng.com

DATE: OCTOBER 18, 2024 | SCALE: 1" = 30' | DWG: 5755A-SUB6 (25TH AND DUPLEX DESIGN) | SHEET 1 OF 1

Dig Safely. New York Call 811 before you dig

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"A Nice Place to Live" "A Nice Place to Do Business"

Town of Rotterdam
Office of the Planning Commission

Kimberly Ricker Scannell, Chairman
Peter J. Comenzo, Senior Planner

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

Resolution Number PC63-2024
Moved by Mr. Calder seconded by Mr. D'Alessandro
Applicant: Ziggy Viscusi, CNZ, LLC

Resolution Adopting a Report and Positive Recommendation on the Change of Zone Request by Ziggy Viscusi, CNZ, LLC

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") has received an application from Ziggy Viscusi, CNZ, LLC the ("Applicant") for a Change of Zone from Agriculture (A-1) to Two Family Residential (R-2) to facilitate a potential Three (3) Lot Subdivision on a ±1.825-acre parcel located off of Fort Hunter Road and the terminus of Valentine Drive (Tax Map Parcel No.71.6-4-3); and

WHEREAS, the Town Board referred the Change of Zone application to the Planning Commission on November 6, 2024 for a report and recommendation thereon; and

WHEREAS, the Applicant presented the Change of Zone application to the Planning Commission at its regularly scheduled meeting held on November 19, 2024; and

WHEREAS, the Planning Commission reviewed the proposed Change of Zone at its regularly scheduled meeting held on November 19, 2024; and

WHEREAS, the Planning Commission has deliberated on the proposed Change of Zone;

NOW, THEREFORE, upon motion of Member Calder, seconded by Member D'Alessandro,

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

1. The Planning Commission hereby adopts the following as its report on the proposed Change of Zone:

   The Change of Zone request concerns one parcel comprising a total of ±1.825-acres located at the terminus of Valentine Drive with additional frontage on Fort Hunter Road. The±1.825-acre parcel to be rezoned is currently zoned Agriculture (A-1). The property is surrounded by both single family and multi-family residential development. This area is very convenient for traveling to and from multiple locations.

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If rezoned to R-2, the following uses would be permissible:

The primary effect of a Change of Zone would be to eliminate all of the currently allowable uses for that portion of the parcel to be changed which includes Agriculture while adding allowable uses of the R-2 zoning district which is more limited and allows for the construction of either a one- and two-family residence per lot.

2. Subject to the considerations set forth in Paragraph 3, below, the Planning Commission hereby adopts a **positive recommendation** on the **Ziggy Viscusi, CNZ, LLC** Change of Zone request for the following reasons:

A. the property is in an area surrounded by similar uses, including single family residential on Valentine Drive and a Multi Family Residential property located adjacent and to the north of the subject property.

B. The applicant is proposing to include adequate buffering and stormwater management to lessen the impacts to the adjoining neighbors.

C. The site is proposed to have two potential points of access that being Fort Hunter Road and the terminus of Valentine Drive.

D. Any proposed subdivision to this property would be subject to Planning Commission approval. The location of two driveways onto Valentine Drive may be problematic and any proposed subdivision of this land would need variances to the Town Code for roadway frontage in order to proceed.

3. Neither a positive recommendation by the Planning Commission, nor any rezoning action taken by the Town Board, should be construed as an approval or other favorable position concerning any proposed conceptual development plan. Any proposed development shall remain subject to full review by the Planning Commission.

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Member	Aye	Nay
Kimberly Ricker-Scannell	X	
Mark D'Alessandro	X	
Wayne Calder	X	
Clark Collins	X	
Joseph Signore	X	
Lynn Flansburg	X	
Joseph Miglucci	X	

Peter J. Comenzo
Senior Planner

Kimberly Ricker Scannell
Planning Commission Chairman

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RESOLUTION NO. 472.24

TO DECLARE LEAD AGENCY FOR SEQR REVIEW ON A CHANGE OF ZONE FOR ±3.07 ACRES FROM AGRICULTURAL (A-1) TO GENERAL BUSINESS (B-2) LOCATED ALONG OLD MARIAVILLE ROAD

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 SEQR (State Environmental Quality Review) on a Change of Zone request on ±3.07 acres parcel from Agriculture (A-1) to General Business (B-2) to facilitate the potential construction of three (3) contractor storage buildings compromising four parcels of vacant land located along Old Mariaville Road and is known as Tax Map Nos. 47.-4-8, 47.-4-9, 47.-4-10 and 47.-4-11.

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 SEQR (State Environmental Quality Review).

SECTION 3. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE:	December 5, 2024
TO:	Mollie Collins, Town Supervisor
FROM:	Peter Comenzo, Senior Planner PC
TITLE OF REQUEST:	Declare Lead Agency for a Change of Zone Request on ±3.07 acres parcel from Agriculture (A-1) to General Business (B-2).
TOWN BOARD MEETING:	November 13, 2024
Background Information:	Mark & Deanna Nardini Old Mariaville Road Schenectady, NY 12306 Change of Zone Request on ±3.07- acres from Agriculture (A-1) to General Business (B-2) to facilitate the potential construction of three (3) contractor storage buildings. Property comprises 4 parcels of vacant land located along Old Mariaville Road and is known as Tax Map Nos. 47.-4-8, 47.-4-9, 47.-4-10 and 47.-4-11.
Evaluation/Analysis:	Change of Zone application was referred to the Planning Board for a report and recommendation on November 6, 2024. Planning Commission discussed the matter at the November 19, 2024 and December 3, 2024 meetings and issued a Positive Recommendation on December 3, 2024.
Recommendation(s):	Town Board should consider declaring lead agency pursuant to NYCRR Part 617 – State Environmental Quality Review.
Attachment/Document(s):	SEQR Environmental Assessment Form
Compliance with Purchasing Policy:	N/A
Effect(s) on Existing Law(s):	NYCRR Part 617 – State Environmental Quality Review
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

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Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project:		
Project Location (describe, and attach a general location map): Nardini Rezoning		
Brief Description of Proposed Action (include purpose or need): Applicant is requesting a zoning change of four parcels (3.07 acres) from A-1 Agricultural to B-2 Business to build two or three office/warehouse buildings.		
Name of Applicant/Sponsor: Mark Nardini	Telephone: 518-857-0781 E-Mail: marknardini@icloud.com	
Address: 596 Scotch Ridge Road		
City/PO: Schenectady	State: NY	Zip Code: 12306
Project Contact (if not same as sponsor; give name and title/role): Joseph J. Bianchine, P.E., ABD Engineers & Surveyors, LLP	Telephone: 518-377-0315 E-Mail: joe@abdeng.com	
Address: 411 Union Street		
City/PO: Schenectady	State: NY	Zip Code: 12306
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	**If Yes: Identify Agency and Approval(s) Required**	**Application Date (Actual or projected)**
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Town Board	10/29/2024
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Town Planning Commission	TBD referred
c. City, Town or Village Zoning Board of Appeals ☐Yes ☑No		
d. Other local agencies ☐Yes ☑No		
e. County agencies ☑Yes ☐No	Schenectady County Planning Board	TBD
f. Regional agencies ☐Yes ☑No		
g. State agencies ☐Yes ☑No		
h. Federal agencies ☐Yes ☑No		

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

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No
iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

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

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No
If Yes, what is the zoning classification(s) including any applicable overlay district?
Agricultural - A-1

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

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No
If Yes,
i. What is the proposed new zoning for the site? Business - B-2

C.4. Existing community services.

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

b. What police or other public protection forces serve the project site?
Town of Rotterdam

c. Which fire protection and emergency medical services serve the project site?
South Schenectady

d. What parks serve the project site?
Town of Rotterdam Park

D. Project Details

D.1. Proposed and Potential Development

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

b. a. Total acreage of the site of the proposed action? 3.07± acres
b. Total acreage to be physically disturbed? 1.29± acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 3.95± acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 348% Units:

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

e. Will the proposed action be constructed in multiple phases? ☑ Yes ☐ No
i. If No, anticipated period of construction: months
ii. If Yes:
- Total number of phases anticipated 3
- Anticipated commencement date of phase 1 (including demolition) 4 month 25 year
- Anticipated completion date of final phase 12 month 26 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:
Up to 3 separate buildings. They will be built separately upon tenant demand.

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

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

g. Does the proposed action include new non-residential construction (including expansions)? ☑Yes ☐No
If Yes,
i. Total number of structures 3
ii. Dimensions (in feet) of largest proposed structure: 30 height; 50' width; and 140' length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

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

D.2. Project Operations

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

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

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

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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:
TBD

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

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

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

v. Describe any proposed reclamation/mitigation following disturbance:

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

i. Total anticipated water usage/demand per day: 1,000 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:
Wells

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: 5 gallons/minute.

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

i. Total anticipated liquid waste generation per day: 1,000 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):
Sanitary waste water

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

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

If Yes:

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

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

If Yes:

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

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

Septic systems to groundwater

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

TBD

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

If Yes:

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

4818 Square feet or 0.88± acres (impervious surface)

133,834 Square feet or 3.07± acres (parcel size)

ii. Describe types of new point sources. Impervious surface runoff

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)?

Stormwater management facility

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

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

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

If Yes, identify:

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

Heavy equipment

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

N/A

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

Heating

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

If Yes:

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

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

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

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

If Yes:

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

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

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

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

_____

_____

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

If Yes:

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

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

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

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

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

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

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

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

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

If Yes:

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

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

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

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

i. During Construction:

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

ii. During Operations:

- Monday - Friday: 7 am to 9 pm
- Saturday: 7 am to 4 pm
- Sunday: _____
- Holidays: _____

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

If yes:

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

Heavy equipment, 7 am to 5 pm

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

Describe: Tree removal

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

If yes:

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

Building mounted LED down facing

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

Describe: Tree removal

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

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

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

If Yes:

i. Product(s) to be stored

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

iii. Generally, describe the proposed storage facilities:

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

If Yes:

i. Describe proposed treatment(s):

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

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

If Yes:

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

- Construction: 1 tons per month (unit of time)
- Operation : 1 tons per month (unit of time)

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

- Construction: Reuse
- Operation: Recycle

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

- Construction: To carrier
- Operation: To carrier

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0.88	+0.88
• Forested	3.07	1.78	-1.29
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0.41	+0.41
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.04	0.04	0
• Wetlands (freshwater or tidal)	0.04	0.04	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• 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:
Jefferson Elementary School

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):

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

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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? over 5 feet

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

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

Burdett-Scriba	28 %
Fluvaquents	58 %
Nunda	14 %

d. What is the average depth to the water table on the project site? Average: Over 5 feet

e. Drainage status of project site soils:
☐ Well Drained: N/A % of site
☑ Moderately Well Drained: 14 % of site
☑ Poorly Drained 86 % of site

f. Approximate proportion of proposed action site with slopes:
☑ 0-10%: 52 % of site
☑ 10-15%: 4 % of site
☑ 15% or greater: 44 % of site

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

h. Surface water features.

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

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

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

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

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

- Streams: Name 876-99 Classification B
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size 0.04
- Wetland No. (if regulated by DEC) _____

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

If yes, name of impaired water body/bodies and basis for listing as impaired: _____

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

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

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

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

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

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

n. Does the project site contain a designated significant natural community? ☐Yes ☑No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation):
ii. Source(s) of description or evaluation:
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

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

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

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☑No
If yes, give a brief description of how the proposed action may affect that use:

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

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

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☑No
i. If Yes: acreage(s) on project site?
ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☑No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☑No
If Yes:
i. CEA name:
ii. Basis for designation:
iii. Designating agency and date:

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

If Yes:

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

ii. Name: _____

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

_____

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

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

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

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

If Yes:

i. Identify resource: Town of Rotterdam Park

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

iii. Distance between project and resource: 1 miles.

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

If Yes:

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

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

F. Additional Information

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

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

G. Verification

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

Applicant/Sponsor Name Joseph J. Bianchine, P.E. Date October 29, 2024

Signature _____ Title Professional Engineer

PRINT FORM

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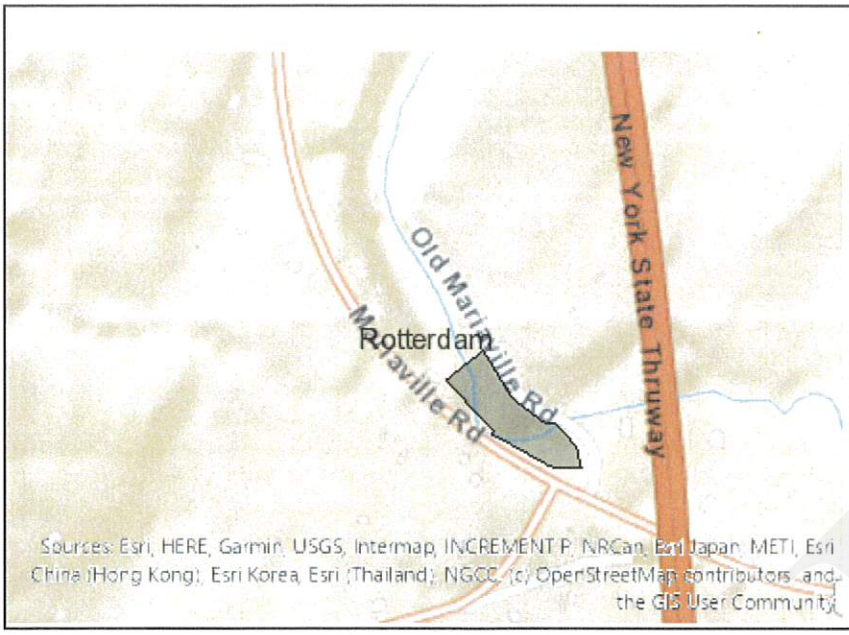
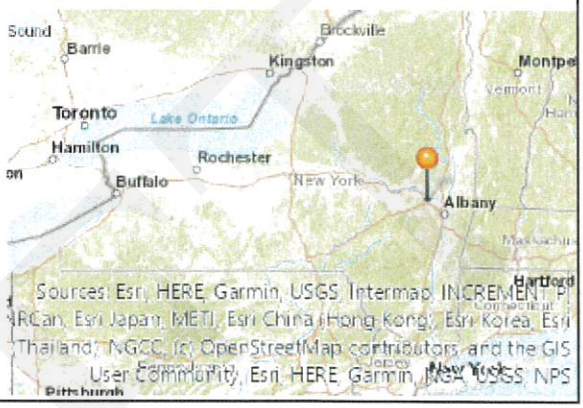
EAF Mapper Summary Report

Thursday, October 3, 2024 2:59 PM



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



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYS Heritage Areas:Mohawk Valley Heritage Corridor
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	876-99
E.2.h.iv [Surface Water Features - Stream Classification]	B
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	Yes

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E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer, Sole Source Aquifer Names:Schenectady-Niskayuna SSA
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

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RESOLUTION NO. 473.24

TO CALL FOR A PUBLIC HEARING ON THE PROPOSED INTRODUCTORY LOCAL LAW __ OF 2024; TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE, RELATING TO A CHANGE OF ZONE REQUEST ON ±3.07 ACRES FROM AGRICULTURAL (A-1) TO GENERAL BUSINESS (B-2) LOCATED ALONG OLD MARIAVILLE ROAD

WHEREAS, the Town Board passed Resolution No. 422.24 to recognize the introduction of Introductory Local Law __ of 2024; To amend Chapter 270, Zoning, of the Town Code, for a Change of Zone request on ±3.07-acres parcel from Agriculture (A-1) to General Business (B-2) to facilitate the potential construction of three (3) contractor storage buildings compromising four parcels of vacant land located along Old Mariaville Road and is known as Tax Map Nos. 47.-4-8, 47.-4-9, 47.-4-10 and 47.-4-11; and

WHEREAS, the Planning Commission, on December 3, 2024, issued a positive recommendation on the change of zone requested by the applicant; and

WHEREAS, the Town Board Declared Lead Agency on the Change of Zone application under 6NYCRR Part 617 State Environmental Quality Review (SEQR) on December 11, 2024; NOW

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Town Clerk to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided for hereby the following notice:

TOWN OF ROTTERDAM
NOTICE OF HEARING

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306, at 7:00 p.m. on the 8th day of January 2025 for the following purpose:

> To recognize the introduction of Introductory Local Law No. ____ of 2024; To amend Chapter 270, Zoning, of the Town Code, for a Change of Zone request on ±3.07-acres parcel from Agriculture (A-1) to General Business (B-2) to facilitate the potential construction of three (3) contractor storage buildings compromising four parcels of vacant land located along Old Mariaville Road and is known as Tax Map Nos. 47.-4-8, 47.-4-9, 47.-4-10 and 47.-4-11.

BY ORDER OF THE ROTTERDAM TOWN BOARD

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DIANE M. MARCO, TOWN CLERK

DATED: December 11, 2024
Daily Gazette: Please publish once on December 13, 2024
Town Clerk
Post

SECTION 2. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE:	December 5, 2024
TO:	Mollie Collins, Town Supervisor
FROM:	Peter Comenzo, Senior Planner PC
TITLE OF REQUEST:	Call for a Public Hearing on a for a Change of Zone Request on ±3.07 acres parcel from Agriculture (A-1) to General Business (B-2).
TOWN BOARD MEETING:	December 11, 2024
Background Information:	Mark & Deanna Nardini Old Mariaville Road Schenectady, NY 12306 Change of Zone Request on ±3.07- acres from Agriculture (A-1) to General Business (B-2) to facilitate the potential construction of three (3) contractor storage buildings. Property comprises 4 parcels of vacant land located along Old Mariaville Road and is known as Tax Map Nos. 47.-4-8, 47.-4-9, 47.-4-10 and 47.-4-11.
Evaluation/Analysis:	Change of Zone application was referred to the Planning Board for a report and recommendation on November 6, 2024. Planning Commission discussed the matter at the November 19, 2024 and December 3, 2024 meetings and issued a positive recommendation on December 3, 2024.
Recommendation(s):	Call for a public hearing to be conducted on January 8, 2025.
Attachment/Document(s):	Application Materials Planning Commission Report and Recommendation Planning Commission Verbatim Minutes 11/19/24 & 12/3/24
Compliance with Purchasing Policy:	N/A
Effect(s) on Existing Law(s):	NYS Town Law Article 16 Proposed Local Law of the Year 2024
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

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****

TOWN OF ROTTERDAM CHANGE OF ZONE APPLICATION

Application Fee **$1,000**

Existing Zone Classification: A-1 Agricultural

Proposed Zone Classification: B-2 Business

PART II
GENERAL INFORMATION

Legal Owner's Name: Mark & Deanna Nardini
Mailing Address: 596 Scotch Ridge Road
City: Schenectady State: NY Zip: 12306
Daytime Phone: 518-857-0781 E-mail: marknardini@icloud.com

If applicant is not the owner, include written owner authorization for the below-designated contact to serve as representative.

Owner's Designated Contact: Joseph J. Bianchine, P.E., ABD Engineers & Surveyors, LLP

Mailing Address: 411 Union Street
City: Schenectady State: NY Zip: 12306
Daytime Phone: 518-377-0315 E-mail: joe@abdeng.com
Project/Proposal Site Area: (Acres or sq. ft.) _____
Assessor Tax Parcel No.(s) of Site: 47.-4-8, 9, 10, & 11
Adjacent Parcels Owned or Controlled and Tax Map Parcel No: (Acres or sq. ft.) _____

194-6 Old Mariaville Road, TM# 47.-4-6.1, 1.55 acres

Street Address of Proposed Site (if any): To be determined

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Describe Existing Use(s) on Proposed Site: (commercial vacant, residential, buildings, well, sewer drainfield, etc.)
Vacant with parking area and well.

School District: Schalmont Fire District: South Schenectady

Water Supply: Rotterdam

LEGAL INFORMATION

Location of Proposal Site: (General description by which direction and how far from roads and intersections and other community features)
North west corner of intersection of Mariaville Road and Old Mariaville Road

Name of Public Road(s) Providing Access: Old Mariaville Road

Width of Property Fronting on the Existing Public Road in Linear Feet: 1,326±

Does the Proposal Have Access to an Arterial or Planned Arterial? (✓) Yes ( ) No
Name(s) of Arterial Road(s): Mariaville Road (will not be used)

A legal description of the proposed site must be attached: (X) Yes ( ) No

A copy of the assessor's map of the proposed site must be attached: (X) Yes ( ) No

A copy of the most current deed(s) of the proposed site must be attached: (X) Yes ( ) No

(All applications must contain a legal description that describes the exterior boundaries of the entire area to be rezoned. Please include the legal description for the entire area to be rezoned and also a copy of the assessor's map. A simple copy of the deed is not sufficient to process the change of zone request).

If you do not hold title to property, what is your interest in it? N/A owner

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What factors support this rezone? (This may be provided on a separate sheet of paper if necessary)

Adjacent similar development by Nardini and in a B-2 zone. Site is not conducive to single family homes or agricultural uses because of location between two roads and the Poentic Kill flows through the site with a flood area and portions of the site have steep slopes.

Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES ✓ NO ____. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

UTILITIES

Proposed Source of Water:
(✓) Individual Wells ( ) Public System ( ) Private Community System
( ) Other, please describe _____

Proposed Means of Sewage Disposal:
( ) Public Sewer ( ) Dry Sewer ( ) Community System
(✓) Septic Tank & Leachfield ( ) Other, please describe _____

PART III

****
SURVEYOR/ARCHITECT/ENGINEER VERIFICATION
****

I, the undersigned, a licensed land surveyor, architect, and/or engineer, have completed the information requested. The legal description has been prepared by me or under my supervision in accordance with the requirements of the Town of Rotterdam regulations and the laws of the State of New York.

Signed: _____ Date: October 25, 2024
Address: 411 Union Street, Schenectady, NY Phone: 518-377-0315
Zip: 12305

STATE OF NEW YORK * JOSEPH J. BIANCHINE * LICENSED PROFESSIONAL ENGINEER 50226

PLEASE AFFIX SURVEYOR/ARCHITECT/ENGINEER SEAL HERE

DRAFT

****

LEGAL OWNER SIGNATURE

****

(Signature of legal owner or representative as authorized by legal owner)

I, the undersigned, swear or affirm under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

I further swear or affirm that I am the owner of record of the area proposed for the previously identified land use action, or, if not the owner, attached herewith is written permission from the owner authorizing my actions on his/her behalf.

Name: Mark Nardini
Address: Scotch Ridge Road
Schenectady, NY

Date: October 3, 2024
Phone: 518-857-0781
Zip: 12306

Mark Nardini
Signature of applicant or representative

10/28/24
Date

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF Schenectady)

SUBSCRIBED AND SWORN to before me this 28TH day of OCTOBER, 2024

NOTARY SEAL

Notary Signature

Notary Public in and for the State of New York
Residing at: Schenectady County
My appointment expires: July 10, 2027

LOUIS J. GIAMMATTEO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01GI4953244
Qualified in Schenectady County
Commission Expires July 10, 2027

PLEASE AFFIX NOTARY SEAL HERE

DRAFT

TOWN OF ROTTERDAM

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

LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER INVOLVED

I, Mark Nardini, being duly sworn declare that I am the

(PROPERTY OWNER)

owner of the property involved in a proposed rezoning application request before the Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): 47.-4-8, 9, 10, & 11

I hereby grant Joseph J. Bianchine, P.E., ABD Engineers & Surveyors, LLP and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects true and correct to the best of my knowledge and belief.

Signature (Authorized Representative): Mark Nardini

Date: 10/28/24

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF Schenectady)
SUBSCRIBED AND SWORN to before me this 28TH day of October, 2024

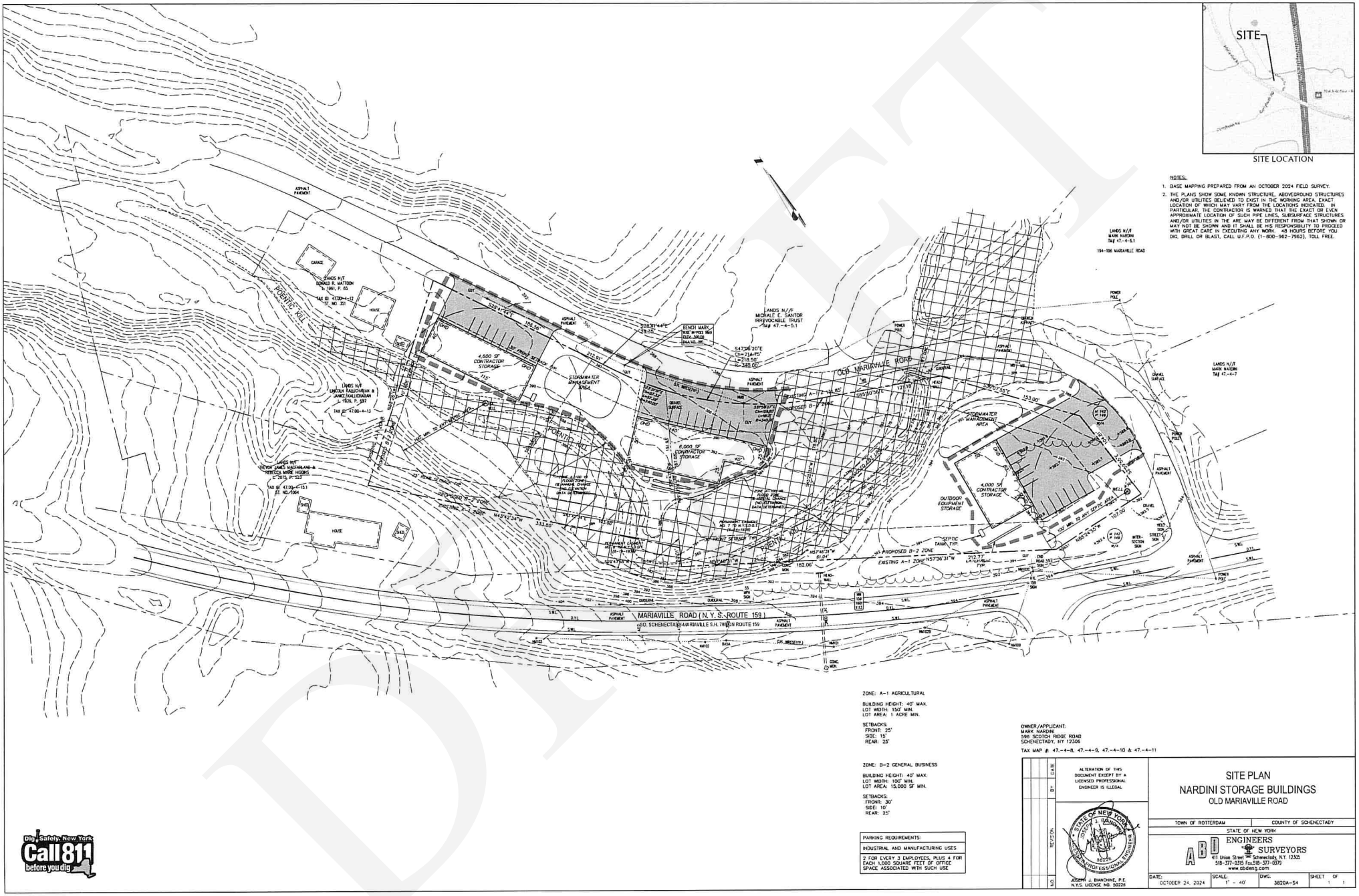
NOTARY SEAL

Notary Signature

LOUIS J. GIAMMATTEO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01GI4953244
Qualified in Schenectady County
Commission Expires July 10, 2027

Notary Public in and for the State of New York
Residing at: Schenectady County
My appointment expires: July 10, 2027

DRAFT


SITE
SITE LOCATION
NOTES:
1. BASE MAPPING PREPARED FROM AN OCTOBER 2024 FIELD SURVEY.
2. THE PLANS SHOW SOME KNOWN STRUCTURE, ABOVEGROUND STRUCTURES AND/OR UTILITIES BELIEVED TO EXIST IN THE WORKING AREA. EXACT LOCATION OF WHICH MAY VARY FROM THE LOCATIONS INDICATED. IN PARTICULAR, THE CONTRACTOR IS WARNED THAT THE EXACT OR EVEN APPROXIMATE LOCATION OF SUCH PIPE LINES, SUBSURFACE STRUCTURES AND/OR UTILITIES IN THE ARE MAY BE DIFFERENT FROM THAT SHOWN OR MAY NOT BE SHOWN AND IT SHALL BE HIS RESPONSIBILITY TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK. 48 HOURS BEFORE YOU DIG, DRILL OR BLAST, CALL U.F.P.O. (1-800-962-7962), TOLL FREE.
OLD MARIAVILLE ROAD
MARIAVILLE ROAD (N.Y.S. ROUTE 159)
CO. SCHENECTADY-MARIAVILLE S.H. 7810 ON ROUTE 159
POESTIE KILL
4,600 SF CONTRACTOR STORAGE
6,000 SF CONTRACTOR STORAGE
4,000 SF CONTRACTOR STORAGE
OUTDOOR EQUIPMENT STORAGE
STORMWATER MANAGEMENT AREA
PROPOSED B-2 ZONE
EXISTING A-1 ZONE
SEPTIC TANK, TYP.
LANDS N/F MARK NARDINI Tax# 47.-4-5.1
LANDS N/F MICHALE E. SANTOR IRREVOCABLE TRUST Tax# 47.-4-5.1
LANDS N/F DONALD R. MATTOON
LANDS N/F LINCOLN FALLOON & JANICE FALLOON
LANDS N/F STEVEN JAMES MACFARLAND & REBECCA MARIE HIGGINS
BENCH MARK
ZONE: A-1 AGRICULTURAL
BUILDING HEIGHT: 40' MAX.
LOT WIDTH: 150' MIN.
LOT AREA: 1 ACRE MIN.
SETBACKS:
FRONT: 25'
SIDE: 15'
REAR: 25'
ZONE: B-2 GENERAL BUSINESS
BUILDING HEIGHT: 40' MAX.
LOT WIDTH: 100' MIN.
LOT AREA: 15,000 SF MIN.
SETBACKS:
FRONT: 30'
SIDE: 10'
REAR: 25'
PARKING REQUIREMENTS:
INDUSTRIAL AND MANUFACTURING USES
2 FOR EVERY 3 EMPLOYEES, PLUS 4 FOR EACH 1,000 SQUARE FEET OF OFFICE SPACE ASSOCIATED WITH SUCH USE
OWNER/APPLICANT:
MARK NARDINI
596 SCOTCH RIDGE ROAD
SCHENECTADY, NY 12306
TAX MAP #: 47.-4-8, 47.-4-9, 47.-4-10 & 47.-4-11
ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER IS ILLEGAL
JOSEPH J. BIANCHINE, P.E.
N.Y.S. LICENSE NO. 50226
SITE PLAN
NARDINI STORAGE BUILDINGS
OLD MARIAVILLE ROAD
TOWN OF ROTTERDAM
COUNTY OF SCHENECTADY
STATE OF NEW YORK
ABI ENGINEERS & SURVEYORS
411 Union Street Schenectady, N.Y. 12305
518-377-0315 Fax 518-377-0379
www.abieng.com
DATE: OCTOBER 24, 2024
SCALE: 1" = 40'
DWG. 3820A-S4
SHEET OF 1 1
Dig Safely. New York Call 811 before you dig

"A Nice Place to Live" "A Nice Place to Do Business"

Town of Rotterdam
Office of the Planning Commission

Kimberly Ricker Scannell, Chairman
Peter J. Comenzo, Senior Planner

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

Resolution Number PC64-2024
Moved by Mr. Signore seconded by Mr. D'Allesandro
Applicant: Mark Nardini

Resolution Adopting a Report and Positive Recommendation on the Change of Zone Request by Mark Nardini

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") has received an application from Mark Nardini ("Applicant") for a Change of Zone Request on ±3.07- acres parcel from Agriculture (A-1) to General Business (B-2) to facilitate the potential construction of three (3) contractor storage buildings. Property comprises 4 parcels of vacant land located along Old Mariaville Road and is known as Tax Map Nos. 47.-4-8, 47.-4-9, 47.-4-10 and 47.-4-11; and

WHEREAS, the Town Board referred the Change of Zone application to the Planning Commission on November 13, 2024 for a report and recommendation thereon; and

WHEREAS, the Applicant presented the Change of Zone application to the Planning Commission at its regularly scheduled meeting held on November 13, 2024 and the Planning Commission tabled action on this matter with an additional presentation by the applicant on December 3, 2024; and

WHEREAS, the Planning Commission reviewed the proposed Change of Zone upon an updated presentation by the Applicant at its regularly scheduled meeting held on December 3, 2024; and

WHEREAS, the Planning Commission has deliberated on the proposed Change of Zone;

NOW, THEREFORE, upon motion of Member Signore, seconded by Member D'Alessandro;

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

1. The Planning Commission hereby adopts the following as its report on the proposed Change of Zone:

   Change of Zone Request on ±3.07- acres parcel from Agriculture (A-1) to General Business (B-2) to facilitate the potential construction of three (3) contractor storage buildings. Property comprises 4 parcels of vacant land located along Old Mariaville Road and is known as Tax Map Nos. 47.-4-8, 47.-4-9, 47.-4-10 and 47.-4-11.

   The property is surrounded by a mixed use of commercial and residential uses. The Poentic Kill is located on the property and there is floodplain constraints associated with full development. There is a large amount of roadway frontage on Old Mariaville Road and

sufficient area to construct contractor storage buildings. There is limited potential for farming or residential development due to the environmental constraints of the property. There is no public water available and the construction of septic systems difficult due to the environmental constraints of the property and the location of a well. This area is very convenient for traveling to and from multiple locations.

If rezoned to B-2, the following uses would be permissible:

- All nonresidential uses permitted as of right in the B-2 District.
- Dry-cleaning, carpet-cleaning and laundry facilities.
- Bottling plants.
- Bus barns and public garages.
- Car washes.
- Contractor shops and equipment storage yards.
- Creameries and milk plants.
- Kennels and veterinary hospitals.
- Laboratories for scientific or industrial research, testing and development.
- Lumberyards and building material sales yards.
- Machine shops.
- Mechanical, optical, photographic, scientific or electronic manufacturing conducted entirely within a completely enclosed building.
- Newspaper and printing establishments.
- Saw and planing mills.
- Trucking terminals, warehousing and distributing, provided that no outdoor storage of materials shall be permitted.
- Woodworking mills.
- Fuel-oil storage tanks.
- Wind energy facilities subject to the requirements of the Town of Rotterdam Wind Energy Facility Law

The primary effect of a change of zone would be to eliminate all of the currently allowable uses of the parcel to be changed which includes Agriculture, while adding all allowable uses of the B-2 zoning district. Due to the lack of public water, floodplain constraints, topography, and location it is highly unlikely that many of these potential uses in the B-2 zoning district would be feasible and the proposal for contactor storage or this type of use seems to be one of the only viable options. There is existing B-2 zoning on property owned by the applicant located east side of Old Mariaville Road adjacent to the NYS Thruway which is being used in a similar manner as proposed.

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2. Subject to the considerations set forth in Paragraph 3, below, the Planning Commission hereby adopts a **positive recommendation** on the Mark Nardini Change of Zone request for the following reasons:

A. The property is in an area that has similar uses, including contractor buildings and equipment storage located directly east of the proposed Change of Zone.

B. The applicant is proposing the potential construction of three (3) contractor storage buildings on property that comprises 4 parcels of vacant land located along Old Mariaville Road which would be compatible with the area.

C. Not all contractor storage buildings are proposed to be built at once and instead will be built per need for them, thus reducing the impacts on neighboring properties.

D. The site is proposed to have access to Old Mariaville Road and impacts to the neighboring property is minimal. There is limited potential for farming or residential development due to the environmental constraints of the property.

E. Due to the lack of public water, floodplain constraints, topography, and location it is highly unlikely that many potential uses in the B-2 zoning district would be feasible and the proposal for contactor storage or this type of use seems to be one of the only viable options if this zone were to be changed by the Town Board.

F. In addition to the impracticability of many of the permissible uses (as detailed in E hereinabove), a special use permit is required for many permissible B-2 uses, which would allow the Planning Commission an additional opportunity to weigh the benefits and risks of such use upon site plan review.

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3. Neither a positive recommendation by the Planning Commission, nor any rezoning action taken by the Town Board, should be construed as an approval or other favorable position concerning any proposed conceptual development plan. Any proposed development shall remain subject to full review by the Planning Commission.

Member	Aye	Nay
Kimberly Ricker-Scannell	X	
Mark D'Alessandro	X	
Wayne Calder	X	
Clark Collins	X	
Joseph Signore	X	
Lynn Flansburg	X	
Joseph Miglucci	X	

Peter J. Comenzo
Senior Planner

Kimberly Ricker Scannell
Planning Commission Chairman

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RESOLUTION NO. 474.24

TO DECLARE LEAD AGENCY FOR SEQR REVIEW ON A CHANGE OF ZONE FOR ±2.41 ACRES FROM SINGLE FAMILY RESIDENTIAL (R-1) TO MULTIPLE FAMILY (R-3) LOCATED AT 759 PETER ROAD

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 SEQR (State Environmental Quality Review) on a Change of Zone request on ±2.41 acres parcel from Single Family Residential (R-1) to Multiple Family (R-3) to facilitate the potential construction of up to twenty (20) condominium units located on the property known as 759 Peter Road, Tax Map No. 59.20-1-1.

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 SEQR (State Environmental Quality Review).

SECTION 3. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE:	December 5, 2024
TO:	Mollie Collins, Town Supervisor
FROM:	Peter Comenzo, Senior Planner PC
TITLE OF REQUEST:	Declare Lead Agency for a Change of Zone Request on ±2.41 acres parcel from Single Family Residential (R-1) to Multiple Family (R-3)
TOWN BOARD MEETING:	December 11, 2024
Background Information:	Peter Road, LLC (owner) 141 West Campbell Road Schenectady, NY 12306 Change of Zone Request on ±2.41 acres parcel from Single Family Residential (R-1) to Multiple Family (R-3) to facilitate the potential construction of up to twenty (20) condominium units. Property is known as 759 Peter Road, Tax Map No. 59.20-1-1.
Evaluation/Analysis:	Change of Zone application was referred to the Planning Board for a report and recommendation on November 6, 2024. Planning Commission issued a negative recommendation on November 19, 2024.
Recommendation(s):	Town Board should consider declaring lead agency pursuant to NYCRR Part 617 – State Environmental Quality Review.
Attachment/Document(s):	SEQR Environmental Assessment Form
Compliance with Purchasing Policy:	N/A
Effect(s) on Existing Law(s):	NYCRR Part 617 – State Environmental Quality Review
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

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Short Environmental Assessment Form
Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information

Peter Road Condominiums Zone Change

Name of Action or Project:

Peter Road Condominiums Zone Change

Project Location (describe, and attach a location map):

759 Peter Road

Brief Description of Proposed Action:

Change the zone of the parcel locate at 759 Peter Road from R-2 to R-3 to accomodate the development of 20 owner occupied condominiums located on 2.41 Acres

Name of Applicant or Sponsor:	Telephone: (518) 355-9093
Peter Road LLC	E-Mail: clewandowski@charlew.com

Address:

141 W. Campbell Road

City/PO:	State:	Zip Code:
Schenectady	NY	12309

	NO	YES
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.	☑	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:	☑	☐

3. a. Total acreage of the site of the proposed action? 2.41 acres
   b. Total acreage to be physically disturbed? 2.41 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 2.41 acres

4. Check all land uses that occur on, are adjoining or near the proposed action:

5. ☐ Urban ☐ Rural (non-agriculture) ☑ Industrial ☑ Commercial ☑ Residential (suburban)
   ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify):
   ☐ Parkland

	NO	YES	N/A
5. Is the proposed action,			
a. A permitted use under the zoning regulations?	☑	☐	☐
b. Consistent with the adopted comprehensive plan?	☐	☑	☐

	NO	YES
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	☐	☑

	NO	YES
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		
If Yes, identify: _____	☑	☐

	NO	YES
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	☑	☐
b. Are public transportation services available at or near the site of the proposed action?	☐	☑
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☑	☐

	NO	YES
9. Does the proposed action meet or exceed the state energy code requirements?		
If the proposed action will exceed requirements, describe design features and technologies:	☐	☑

	NO	YES
10. Will the proposed action connect to an existing public/private water supply?		
If No, describe method for providing potable water: _____	☐	☑

	NO	YES
11. Will the proposed action connect to existing wastewater utilities?		
If No, describe method for providing wastewater treatment: _____ Onsite wastewater treatment	☑	☐

	NO	YES
12. a. 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?	☑	☐
b. 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?	☑	☐

	NO	YES
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	☑	☐
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☑	☐
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____		

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14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:

☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional

☐ Wetland ☐ Urban ☑ Suburban

	NO	YES
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	☑	☐
16. Is the project site located in the 100-year flood plan?	☑	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources?	☑	☐
If Yes,		
a. Will storm water discharges flow to adjacent properties?	☑	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☑	☐
If Yes, briefly describe:		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	☑	☐
If Yes, explain the purpose and size of the impoundment:		
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	☑	☐
If Yes, describe:		
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	☑	☐
If Yes, describe:		

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Brett L. Steenburgh Date: 11/1/2024

Signature: Brett Steenburgh Digitally signed by Brett Steenburgh DN: cn=Brett Steenburgh, o, ou=Steenburgh Consulting Engineers, email=brettsteenburgh@gmail.com, c=US Date: 2024.11.01 09:15:58 -04'00' Title: Engineer for Applicant

PRINT FORM

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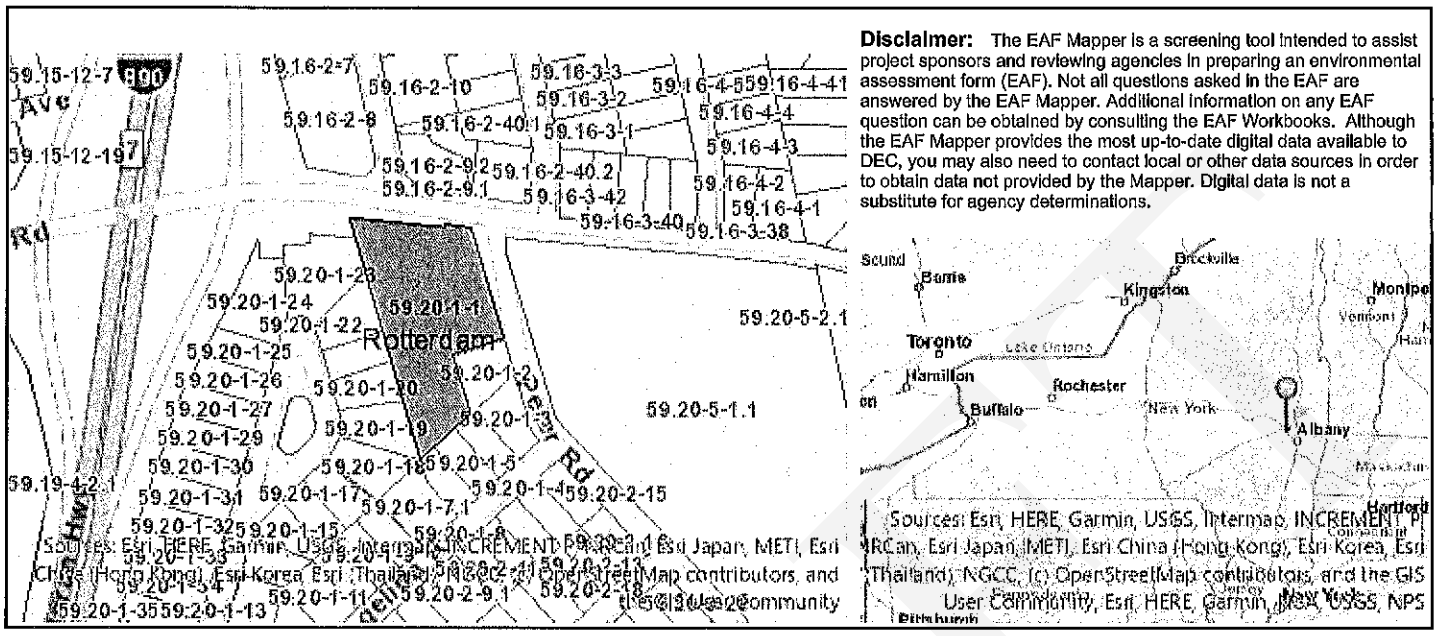
EAF Mapper Summary Report

Friday, November 1, 2024 9:06 AM



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

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

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RESOLUTION NO. 475.24

TO CALL FOR A PUBLIC HEARING ON THE PROPOSED INTRODUCTORY LOCAL LAW __ OF 2024; TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE, RELATING TO A CHANGE OF ZONE REQUEST ON ±2.41 ACRES FROM SINGLE FAMILY RESIDENTIAL (R-1) TO MULTIPLE FAMILY (R-3) LOCATED AT 759 PETER ROAD

WHEREAS, the Town Board passed Resolution No. 423.24 to recognize the introduction of Introductory Local Law __ of 2024; To amend Chapter 270, Zoning, of the Town Code, for a Change of Zone request on ±2.41 acres parcel from Single Family Residential (R-1) to Multiple Family (R-3) to facilitate the potential construction of up to twenty (20) condominium units located on the property known as 759 Peter Road, Tax Map No. 59.20-1-1; and

WHEREAS, the Planning Commission, on November 19, 2024, issued a negative recommendation on the change of zone requested by the applicant; and

WHEREAS, the Town Board Declared Lead Agency on the Change of Zone application under 6NYCRR Part 617 State Environmental Quality Review (SEQR) on December 11, 2024; NOW

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Town Clerk to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided for hereby the following notice:

TOWN OF ROTTERDAM
NOTICE OF HEARING

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306, at 7:00 p.m. on the 8th day of January 2025 for the following purpose:

> To recognize the introduction of Introductory Local Law No. ____ of 2024; To amend Chapter 270, Zoning, of the Town Code, for a Change of Zone request on ±2.41 acres parcel from Single Family Residential (R-1) to Multiple Family (R-3) to facilitate the potential construction of up to twenty (20) condominium units located on the property known as 759 Peter Road, Tax Map No. 59.20-1-1.

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

DRAFT

DATED: December 11, 2024
Daily Gazette: Please publish once on December 13, 2024
Town Clerk
Post

SECTION 2. This resolution shall become effective December 11, 2024.

DATED: December 11, 2024

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

DRAFT

TOWN OF ROTTERDAM

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

LEGISLATIVE REQUEST FORM

DATE:	December 5, 2024
TO:	Mollie Collins, Town Supervisor
FROM:	Peter Comenzo, Senior Planner PC
TITLE OF REQUEST:	Call for a Public Hearing on a Change of Zone Request on ±2.41 acres parcel from Single Family Residential (R-1) to Multiple Family (R-3)
TOWN BOARD MEETING:	December 11, 2024
Background Information:	Peter Road, LLC (owner) 141 West Campbell Road Schenectady, NY 12306 Change of Zone Request on ±2.41 acres parcel from Single Family Residential (R-1) to Multiple Family (R-3) to facilitate the potential construction of up to twenty (20) condominium units. Property is known as 759 Peter Road, Tax Map No. 59.20-1-1.
Evaluation/Analysis:	Change of Zone application was referred to the Planning Board for a report and recommendation on November 6, 2024. Planning Commission issued a negative recommendation on November 19, 2024.
Recommendation(s):	Call for a public hearing to be conducted on January 8, 2025.
Attachment/Document(s):	Application Materials Planning Commission Report and Recommendation Planning Commission Verbatim Minutes 11/19/24
Compliance with Purchasing Policy:	N/A
Effect(s) on Existing Law(s):	NYS Town Law Article 16 Proposed Local Law of the Year 2024
LEGISLATION WILL BE PREPARED BY:	Supervisors Office

DRAFT

****

TOWN OF ROTTERDAM CHANGE OF ZONE APPLICATION

Application Fee $1,000

Existing Zone Classification: R-1 One Family Residential

Proposed Zone Classification: R-3 Multi-family Residential

PART II
GENERAL INFORMATION

Legal Owner's Name: Peter Road LLC
Mailing Address: 141 W. Campbell Rd
City: Schenectady State: NY Zip: 12306
Daytime Phone: (518) 355-9093 E-mail:

If applicant is not the owner, include written owner authorization for the below-designated contact to serve as representative.

Owner's Designated Contact: Brett Steenburgh, PE.

Mailing Address: 2832 Rosendale Rd
City: Niskayuna State: NY Zip: 12309
Daytime Phone: (518) 365-0675 E-mail: bsteenburghpe@gmail.com
Project/Proposal Site Area: (Acres or sq. ft.) 2.41 Ac ±
Assessor Tax Parcel No.(s) of Site: 59.20-1-1
Adjacent Parcels Owned or Controlled and Tax Map Parcel No: (Acres or sq. ft.) 0

Street Address of Proposed Site (if any): 759 Peter Road

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Describe Existing Use(s) on Proposed Site: (commercial vacant, residential, buildings, well, sewer drainfield, etc.)
The parcel is currently vacant residential land. The majority of the parcel is cleared of mature vegetation

School District: Mohonasen Fire District: Fire Dist #3 T of Rotterdam Volunteer

Water Supply: T of Rotterdam

LEGAL INFORMATION

Location of Proposal Site: (General description by which direction and how far from roads and intersections and other community features)
The parcel is located at 759 Peter Road at the Southwest intersection of Peter Road and Highbridge Rd.

Name of Public Road(s) Providing Access: Peter Road & Highbridge Road

Width of Property Fronting on the Existing Public Road in Linear Feet: 286 L.F. on Highbride and 259 L.F. on Peter Rd for a Total of 545 L.F.

Does the Proposal Have Access to an Arterial or Planned Arterial? ( ) Yes (X) No

Name(s) of Arterial Road(s): N/A

A legal description of the proposed site must be attached: (X) Yes ( ) No

A copy of the assessor's map of the proposed site must be attached: (X) Yes ( ) No

A copy of the most current deed(s) of the proposed site must be attached: (X) Yes ( ) No

(All applications must contain a legal description that describes the exterior boundaries of the entire area to be rezoned. Please include the legal description for the entire area to be rezoned and also a copy of the assessor's map. A simple copy of the deed is not sufficient to process the change of zone request).

If you do not hold title to property, what is your interest in it? _____

DRAFT

What factors support this rezone? (This may be provided on a separate sheet of paper if necessary)

See attached

Does any City officer, employee or family member thereof have a financial interest (as defined by General Municipal Law Section 809) in this application? YES _____ NO X. If yes, a statement disclosing the name, residence, nature and extent of this interest must be filed with this application.

UTILITIES

Proposed Source of Water:
( ) Individual Wells ( ) Public System ( ) Private Community System
( ) Other, please deseribe _____

Proposed Means of Sewage Disposal:
( ) Public Sewer ( ) Dry Sewer (X) Community System ( )
Septic Tank & Leachfield ( ) Other, please deseribe _____

PART III

****

SURVEYOR/ARCHITECT/ENGINEER VERIFICATION

****

I, the undersigned, a licensed land surveyor, architect, and/or engineer, have completed the information requested. The legal description has been prepared by me or under my supervision in accordance with the requirements of the Town of Rotterdam regulations and the laws of the State of New York.

Signed: _____ Date: 10/25/2024
Address: 2832 Rosendale Rd Phone: (518) 365-0675
Pistayma, NY 12306 Zip: 12309

STATE OF NEW YORK
BRETT L. STEENBURGH
075458
LICENSED PROFESSIONAL ENGINEER

PLEASE AFFIX SURVEYOR/ARCHITECT/ENGINEER SEAL HERE

DRAFT

Peter Road Re-zoning factors:

The parcel at Peter Road known as 759 Peter Road has been under the ownership of Peter Road LLC for approximately 10 years. It has been investigated for several types of developments including but not limited to commercial, single family and transient multi-family developments. Due to the configuration of the parcel, proximity to Highbridge Road, neighboring commercial parcels and Interstate 890 single family development of the parcel is cost prohibitive and offers minimal sale value. It is proposed to re-zone the parcel to R-3 multi-family residential to permit to the development of ownership based condominiums. This would allow the density necessary to provide affordable housing units geared towards young professionals and senior citizens. This location would be very attractive to both demographics due to its close proximity to Interstate 890 and the re-development of goods and services along the Hamburg Street Corridor. This development will also offer an excellent buffer between the single family residential structures and the commercial parcel on the west side of Highbridge Road. Additionally, the condominiums would include a homeowner's association (HOA) which would be responsible for all exterior maintenance and upkeep of the parcel. The HOA will provide peace of mind and comfort to the surrounding single family residences that the parcel will be maintained to highest standards.

DRAFT

****

LEGAL OWNER SIGNATURE

****

(Signature of legal owner or representative as authorized by legal owner)

I, the undersigned, swear or affirm under penalty of perjury that the above responses are made truthfully and to the best of my knowledge.

I further swear or affirm that I am the owner of record of the area proposed for the previously identified land use action, or, if not the owner, attached herewith is written permission from the owner authorizing my actions on his/her behalf.

Name: Peter Road, LLC
Address: 2 Computer Drive, West Suite 110 Albany, NY 12205

Date: 10/29/24
Phone: 518-365-3292
Zip: 12205

By:
Signature of applicant or representative
Corey J. Lewandowski, Member

10/29/24
Date

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF Albany)

SUBSCRIBED AND SWORN to before me this 29th day of October, 2024

NOTARY SEAL

Notary Signature

Notary Public in and for the State of New York
Residing at: 3 Old Birch Lane, Colonie, NY 12205
My appointment expires: 03-13-2026

CHERI ANN MCGEARY
Notary Public, State of New York
No. 01MC6038407
Qualified in Albany County
Commission Expires March 13, 2026

PLEASE AFFIX NOTARY SEAL HERE

DRAFT

TOWN OF ROTTERDAM

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

LETTER FROM PROPERTY OWNER GRANTING AUTHORIZATION TO ACT

A COPY OF THIS LETTER MUST BE SUBMITTED FOR EACH PROPERTY OWNER INVOLVED

I, Corey J. Lewandowski, being duly sworn declare that I am the sole member + manager

(PROPERTY OWNER) Pete Road, LLC the

owner of the property involved in a proposed Pete Road Condominium Development application request before the Town of Rotterdam for property known as parcel number (s):

Tax Parcel Number(s): 59.20-1-1

I hereby grant Brett Steenburgh and/or their agent(s) to act on my behalf.

I further declare that all statements, answers, and information herein submitted is in all respects true and correct to the best of my knowledge and belief.

Signature (Authorized Representative): Member

Date: 10/29/24

NOTARY

STATE OF NEW YORK) ss:
COUNTY OF Albany)
SUBSCRIBED AND SWORN to before me this 29th day of October, 2024

NOTARY SEAL

Notary Signature

Notary Public in and for the State of New York
Residing at: 39 Old Birch Lane, Clifton Park, NY 12065
My appointment expires: 03-13-2026

CHERI ANN MCGEARY
Notary Public, State of New York
No. 01MC6038407
Qualified in Albany County
Commission Expires March 13, 2026

DRAFT

Schenectady County Endorsement Page

JOHN J. WOODWARD
Schenectady County Clerk
620 State Street
Schenectady, NY 12305

COUNTY CLERK'S OFFICE
SCHENECTADY, NEW YORK

Document Type EXECUTOR'S DEED

From Party Anthony J. Valentine, as Executor of the Last of Benjamin A. Valentine

To Party Peter Road, LLC

RECEIVED
$ 860.00
REAL ESTATE
AUG 07, 2014
SCHENECTADY COUNTY
69

RETURN TO Donald Zee, PC
1 Winners Circle, Suite 140
Albany, N.Y. 12205

RECORDED
08/07/2014 1:45:09 PM
County Clerk
JOHN J. WOODWARD
SCHENECTADY COUNTY, NY

Book/Page: DEED/1898/910
Total Pages: 6

Receipt No:	779833
Doc No:	2014-2606
Inst Num:	201432235
NY REALTY TRANSFER TAX	$860.00
NY LAND SUR	$4.75
NY E & A FEES	$116.00
NY LAND COMP SUR	$14.25
CO GENERAL REVENUE	$55.00
CO LAND SUR	$0.25
CO E & A FEES	$9.00
CO LAND COMP SUR	$0.75
TOTAL PAID	$1,060.00

INV: 779833 USER: GMS

Visit our Webpage:
Schenectadycountyclerk.com

Important: This endorsement page constitutes the Clerk's endorsement in accordance with Local Law #7 of 1996–DO NOT DETACH–Upon recording, this page becomes part of the document.

DRAFT

C71430377

Executor's Deed

This Indenture

Made the 1st day of August, Two Thousand Fourteen

Between ANTHONY J. VALENTINE, residing at 3013 Kirvin Lane, Schenectady, New York 12306, as **Executor of the Last Will and Testament of Benjamin A. Valentine**, late of the City of Schenectady, Schenectady County, New York, Party of the First Part, and

PETER ROAD, LLC, a New York limited liability company, with offices at 3020 Mariaville Road, Schenectady, New York 12306, Party of the Second Part,

Witnesseth that the Party of the First Part, by virtue of the power and authority given in and by said Last Will and Testament, and/or by Article 11 of the Estates, Powers and Trusts Law, and in consideration of TWO HUNDRED FIFTEEN THOUSAND and no/100 ($215,000.00) Dollars lawful money of the United States, paid by the Party of the Second Part, does hereby grant and release unto the Party of the Second Part, his heirs, distributees and assigns, forever,

ALL THAT TRACT OR PARCEL OF LAND, with the buildings and improvements thereon, situate in the Town of Rotterdam, County of Schenectady, State of New York, more particularly bounded and described on Schedule A attached hereto and made part hereof.

Being the same the same premises conveyed by Eleanor Schrom to Benjamin A. Valentine and Philomena Valentine, his wife, by Executor's Deed dated May 18, 1978 and recorded in the Schenectady County Clerk's Office on May 19, 1978 in Book 1017 of Deeds, at page 108.

The said Benjamin A. Valentine died testate, a resident of the City of Schenectady, Schenectady County, New York, on July 12, 2005. His Last Will and Testament dated December 7, 2001, was duly admitted to probate by the Schenectady County Surrogate's Court on April 25, 2012, and Letters Testamentary were issued to Anthony J. Valentine and such letters have not been revoked and are now in full force and effect.

The said Philomena Valentine died a resident of the City of Schenectady, Schenectady County, New York, on March 6,

R.P.T.S.A. TAX MAP IDENT. SEC 59.20 BLK 1 LOT 1

Lavelle & Finn
LIMITED LIABILITY PARTNERSHIP
Attorneys At Law

29 British American Blvd.
Latham, New York
12110-1405

(518) 869-6227
Fax (518) 869-0572

188 Church Street
Saratoga Springs, New York
12866

(518) 584-6300
Fax (518) 584-5673

2001 leaving Benjamin A. Valentine her surviving tenant by the entirety.

Tax Map ID# 59.20-1-1

Subject to all enforceable covenants, easements, conditions, reservations and restrictions of record.

Together with all right, title and interest, if any, of the Party of the First Part in and to any streets and roads abutting the above described premises to the center lines thereof;

Together with the appurtenances, and also all the estate which the said decedent had at the time of decedent's death in said premises, and also the estate therein, which the Party of the First Part has or has power to convey or dispose of, whether individually, or by virtue of said will, or otherwise;

To have and to hold the premises herein granted unto the Party of the Second Part, his heirs, distributees and assigns, forever.

And the Party of the First Part covenants that the Party of the First Part has not done or suffered anything whereby the said premises have been encumbered in any way whatsoever, except as aforesaid.

Subject to the provisions of Section Thirteen of the Lien Law.

The word "Party" shall be construed as if it reads "Parties" whenever the sense of this indenture so requires.

In Witness Whereof, the Party of the First Part has duly executed this deed on the day and year first above written.

Estate of Benjamin A. Valentine

In Presence of By: Anthony J. Valentine EXE
Anthony J. Valentine, Executor

Lavelle & Finn
LIMITED LIABILITY PARTNERSHIP
Attorneys At Law

29 British American Blvd.
Latham, New York
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12866

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DRAFT

Executor's Deed

STATE OF NEW YORK)
) ss.:
COUNTY OF Albany)

On the 1st day of August in the year 2014, before me, the undersigned, a notary public in and for said state, personally appeared Anthony J. Valentine, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

MICHAEL P. MULLANEY
Notary Public, State of New York
Qualified in Schenectady County
Reg. No. 4607603
Commission Expires Jan. 31, 2017

RECORD & RETURN:

Lavelle & Finn
LIMITED LIABILITY PARTNERSHIP
Attorneys At Law

9 British American Blvd.
Latham, New York
12110-1405

(518) 869-6227
Fax (518) 869-0572

188 Church Street
Saratoga Springs, New York
12866

(518) 584-6300
Fax (518) 584-5673

DRAFT

SCHEDULE A DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, with the buildings and improvements thereon, situate in the Town of Rotterdam, County of Schenectady, State of New York, as shown and designated on a Map No. 2 of Freds Community Plat, Town of Rotterdam, Schenectady County, N.Y., dated July 29, 1950, made by Walter E. Maxwell, Engineer and filed in the Schenectady County Clerk's Office on November 1, 1950, and more particularly bounded and described as follows:

Beginning at a point on the southerly line of Highbridge Road where it is intersected by the westerly line of Peter Road as designated on said map; thence North 73 degrees 7 minutes west 288.69 feet as designated on said map to a point; thence south 5 degrees 10 minutes east 572.31 feet as designated on said map to a point; thence north 59 degrees 47 minutes east 294.96 feet as designated on said map to a point in the westerly line of Peter Road; thence northerly along the westerly line of said Peter Road 400.99 feet as designated on said map to the point or place of beginning.

EXCEPTING AND RESERVING THEREFROM, HOWEVER, ALL THAT PIECE OR PARCEL OF LAND with the buildings thereon situate in the Town of Rotterdam, County of Schenectady and State of New York, more particularly described as follows:

Beginning at an iron pipe found in the westerly boundary of Peter Road, said pipe lying south 5 degrees 10 minutes east a distance of 259.05 feet from the intersection of the westerly boundary of Peter Road with the southerly boundary of Highbridge Road; thence running along the westerly boundary of Peter Road south 5 degrees 10 minutes east for a distance of 80 feet to an iron pipe; thence running along the division line between lands of Nocian on the north and lands now or formerly of Elizabeth Day on the south, south 59 degrees 48 minutes 40 seconds west for a distance of 137.95 feet to a pipe; thence through the lands of said Nocian north 5 degrees 10 minutes west 138.34 feet; thence north 84 degrees 50 minutes east a distance of 125 feet to the point of beginning; the said parcel containing 0.3133 acres of land more or less.

Premises are more modernly described as follows:

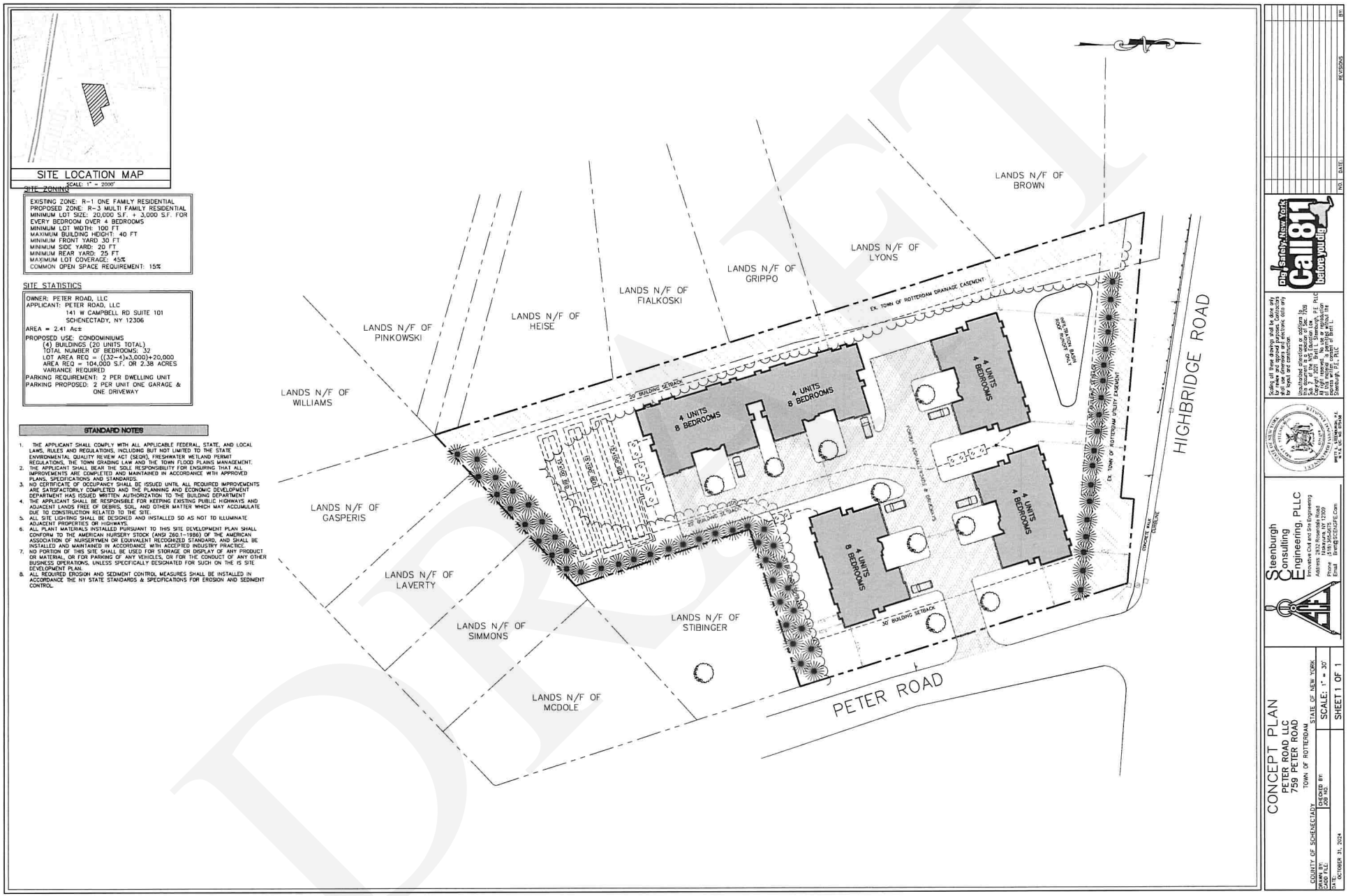
All that piece or parcel of land, with buildings and improvements situate in the Town of Rotterdam, County of Schenectady, State of New York, lying northerly of Angelina Road, easterly of Devendorf Road, southerly of Highbridge Road, westerly of New York State (I-890) and being more particularly bounded and described as follows;

Beginning at a recovered iron pipe on the division line of the herein described parcel to the north and lands of now or formerly Stibinger (L.949 P.690) to the south, said iron pipe being South 17° 33' 39" East 259.46 feet from the southerly bounds of Highbridge Road;
Thence along the bounds of Stibinger South 72° 14' 02" West 125.02 feet to a recovered iron pipe and South 17° 45' 55" East 138.17 feet to a recovered iron pipe on the northerly bounds of lands of now or formerly Simmons (L.1874 P.900) also being the northerly bounds of Lot No. 261 as shown on a map entitled "Map No. 2 of Freds Community Plot" as prepared by Walter E. Maxwell P.E. & L.S. on July 29, 1950 and filed in the office of the Schenectady County Clerk on November 1, 1950 in Plat Cabinet G as Map 166;
Thence continuing along the northerly bounds of Lot No.261, 260 and 259 as shown on a map entitled "Map No. 2 of Freds Community Plot", also being the northerly bounds of lands of now or formerly Simmons (L.1874 P.900), Laverty (L.1346 P.179) and De Gasperis (L.1032 P.704) respectively South 46° 58' 33" West for a distance of 155.59 feet to a recovered capped iron rod at the southerly corner of lands of now or formerly Heise (L.1571 P.16) also being the southerly corner of Lot No. 36 as shown on a map entitled

DEED Book 1898 Page 915
Doc No 2014-2606

"Riggi Manor Section Two, Town of Rotterdam, County of Schenectady, N.Y." as prepared by C.T. Male Associates on June 23, 1965 and filed in the office of the Schenectady County Clerk on August 19, 1965 in Plat Cabinet G as Map 232;
Thence continuing along the easterly bounds of Lot No.36, 34, 32, 30 and 28 as shown on a map entitled "Riggi Manor Section Two, Town of Rotterdam, County of Schenectady, N.Y.", also being the northerly bounds of lands of now or formerly Heise (L.1571 P.16), Fialkowski (L.1155 P.117), Grippo (L.1830 P.437), Lyons (L.982 P.324) and Devery (L.1850 P.262) respectively, North 17° 33' 39" West 562.12 feet to point on the southerly bounds of Highbridge Road(a.k.a. County Road No. 48) as shown on N.Y.S. Appropriation of Interstate 550-2-1.1, Map 365 Parcel 371, South 85° 21' 58" East 218.41 feet, North 05° 05' 25" East 10.00 feet and South 85° 30' 39" East 63.57 feet to the intersection of the southerly bounds of Highbridge Road and the westerly bounds of Peter Road;
Thence South 17° 33' 39" East 259.46 feet along the westerly bounds of Peter Road to the point and place of beginning, containing 2.41 acres of land, more or less.

DRAFT


SITE LOCATION MAP
SCALE: 1" = 2000'
SITE ZONING
EXISTING ZONE: R-1 ONE FAMILY RESIDENTIAL
PROPOSED ZONE: R-3 MULTI FAMILY RESIDENTIAL
MINIMUM LOT SIZE: 20,000 S.F. + 3,000 S.F. FOR EVERY BEDROOM OVER 4 BEDROOMS
MINIMUM LOT WIDTH: 100 FT
MAXIMUM BUILDING HEIGHT: 40 FT
MINIMUM FRONT YARD 30 FT
MINIMUM SIDE YARD: 20 FT
MINIMUM REAR YARD: 25 FT
MAXIMUM LOT COVERAGE: 45%
COMMON OPEN SPACE REQUIREMENT: 15%
SITE STATISTICS
OWNER: PETER ROAD, LLC
APPLICANT: PETER ROAD, LLC
141 W CAMPBELL RD SUITE 101
SCHENECTADY, NY 12306
AREA = 2.41 Ac±
PROPOSED USE: CONDOMINIUMS
(4) BUILDINGS (20 UNITS TOTAL)
TOTAL NUMBER OF BEDROOMS: 32
LOT AREA REQ = ((32-4)x3,000)+20,000
AREA REQ = 104,000 S.F. OR 2.38 ACRES
VARIANCE REQUIRED
PARKING REQUIREMENT: 2 PER DWELLING UNIT
PARKING PROPOSED: 2 PER UNIT ONE GARAGE & ONE DRIVEWAY
STANDARD NOTES
1. THE APPLICANT SHALL COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL LAWS, RULES AND REGULATIONS, INCLUDING BUT NOT LIMITED TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR), FRESHWATER WETLAND PERMIT REGULATIONS, THE TOWN GRADING LAW AND THE TOWN FLOOD PLAINS MANAGEMENT.
2. THE APPLICANT SHALL BEAR THE SOLE RESPONSIBILITY FOR ENSURING THAT ALL IMPROVEMENTS ARE COMPLETED AND MAINTAINED IN ACCORDANCE WITH APPROVED PLANS, SPECIFICATIONS AND STANDARDS.
3. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED UNTIL ALL REQUIRED IMPROVEMENTS ARE SATISFACTORILY COMPLETED AND THE PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT HAS ISSUED WRITTEN AUTHORIZATION TO THE BUILDING DEPARTMENT
4. THE APPLICANT SHALL BE RESPONSIBLE FOR KEEPING EXISTING PUBLIC HIGHWAYS AND ADJACENT LANDS FREE OF DEBRIS, SOIL, AND OTHER MATTER WHICH MAY ACCUMULATE DUE TO CONSTRUCTION RELATED TO THE SITE.
5. ALL SITE LIGHTING SHALL BE DESIGNED AND INSTALLED SO AS NOT TO ILLUMINATE ADJACENT PROPERTIES OR HIGHWAYS.
6. ALL PLANT MATERIALS INSTALLED PURSUANT TO THIS SITE DEVELOPMENT PLAN SHALL CONFORM TO THE AMERICAN NURSERY STOCK (ANSI Z60.1-1986) OF THE AMERICAN ASSOCIATION OF NURSERYMEN OR EQUIVALENT RECOGNIZED STANDARD, AND SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH ACCEPTED INDUSTRY PRACTICE.
7. NO PORTION OF THIS SITE SHALL BE USED FOR STORAGE OR DISPLAY OF ANY PRODUCT OR MATERIAL, OR FOR PARKING OF ANY VEHICLES, OR FOR THE CONDUCT OF ANY OTHER BUSINESS OPERATIONS, UNLESS SPECIFICALLY DESIGNATED FOR SUCH ON THE IS SITE DEVELOPMENT PLAN.
8. ALL REQUIRED EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE THE NY STATE STANDARDS & SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL.
LANDS N/F OF BROWN
LANDS N/F OF LYONS
LANDS N/F OF GRIPPO
LANDS N/F OF FIALKOSKI
LANDS N/F OF HEISE
LANDS N/F OF PINKOWSKI
LANDS N/F OF WILLIAMS
LANDS N/F OF GASPERIS
LANDS N/F OF LAVERTY
LANDS N/F OF SIMMONS
LANDS N/F OF MCDOLE
LANDS N/F OF STIBINGER
HIGHBRIDGE ROAD
PETER ROAD
EX. TOWN OF ROTTERDAM DRAINAGE EASEMENT
EX. TOWN OF ROTTERDAM UTILITY EASEMENT
20' BUILDING SETBACK
30' BUILDING SETBACK
4 UNITS 8 BEDROOMS
4 UNITS 4 BEDROOMS
RETENTION BASIN ROOF RUNOFF ONLY
CONCEPT PLAN
PETER ROAD LLC
759 PETER ROAD
TOWN OF ROTTERDAM
COUNTY OF SCHENECTADY
STATE OF NEW YORK
DRAWN BY: DECKARD
CHECKED BY: JOB NO.
DATE: OCTOBER 31, 2024
SCALE: 1" = 30'
SHEET 1 OF 1
Steenburgh Consulting Engineering, PLLC
Innovative Civil and Site Engineering
Address: 2122 Rt. 9P, Suite 2
Hadley, NY 12835
Phone: (518) 826-0013
Email: Steve@SCEnE.Com
Call 811 Before you dig
NO. DATE REVISIONS BY

DRAFT

"A Nice Place to Live" "A Nice Place to Do Business"

Town of Rotterdam
Office of the Planning Commission

Kimberly Ricker Scannell, Chairman
Peter J. Comenzo, Senior Planner

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

Resolution Number PC62-2024
Moved by Mr. Collins seconded by Mr. Calder
Applicant: Peter Road, LLC

Resolution Adopting a Report and Positive Recommendation on the Change of Zone Request by Peter Road, LLC

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") has received an application from Peter Road, LLC the ("Applicant") for Change of Zone Request from Single Family Residential (R-1) to Multiple Family (R-3) to facilitate the potential construction of up to twenty (20) condominium units on a ±2.41 acres parcel located at 759 Peter Road (Tax Map No. 59.20-1-1); and

WHEREAS, the Town Board referred the Change of Zone application to the Planning Commission on November 6, 2024 for a report and recommendation thereon; and

WHEREAS, the Applicant presented the Change of Zone application to the Planning Commission at its regularly scheduled meeting held on November 19, 2024; and

WHEREAS, the Planning Commission reviewed the proposed Change of Zone at its regularly scheduled meeting held on November 19, 2024; and

WHEREAS, the Planning Commission has deliberated on the proposed Change of Zone;

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

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

1. The Planning Commission hereby adopts the following as its report on the proposed Change of Zone:

   The Change of Zone request concerns one parcel comprising a total of ±2.41 acres located at 759 Peter Road. The ±2.41 acres parcel to be rezoned is currently zoned Single Family Residential (R-1). The property is surrounded by single family residential with a proposed Stewarts Shop convenience store located across Highbridge Road from this property. This area is very convenient for traveling to and from multiple locations.

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If rezoned to R-3, the following uses would be permissible:

Multi-Family residential as opposed to only single-family residential development.

2. Subject to the considerations set forth in Paragraph 3, below, the Planning Commission hereby adopts a **negative recommendation** on the **Peter Road, LLC** Change of Zone request for the following reasons:

A. The property is in an area predominately single family residential along Peter Road and the Highbridge Area with commercial property and multi-family development located to the north of the subject property across Highbridge Road.

B. Peter Road is a collector road for the single-family residential developments located south if the property and experiences traffic delays during the peak travel periods.

C. The Change of Zone may negatively impact property values in the immediate neighborhood and potential spur additional requests for Multi Family Residences.

D. The proposed Change of Zone is not in character with the existing development in the area.

E. Change of Zone applications to Multi-Family Residential have been requested for this property previously and comments/concerns have not changed.

3. Neither a negative recommendation by the Planning Commission, nor any rezoning action taken by the Town Board, should be construed as a denial or other negative position concerning any proposed conceptual development plan. Any proposed development shall remain subject to full review by the Planning Commission.

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Member	Aye	Nay
Kimberly Ricker-Scannell		**X**
Mark D'Alessandro	**X**	
Wayne Calder	**X**	
Clark Collins	**X**	
Joseph Signore	**X**	
Lynn Flansburg	**X**	
Joseph Miglucci	**X**	

Peter J. Comenzo
Senior Planner

Kimberly Ricker Scannell
Planning Commission Chairman

DRAFT

3. **Peter Road LLC – Peter Road. Report and Recommendation to the Town Board on a Change of Zone from Single Family Residential (R-1) to Multi-Family Residential (R-3) for the potential construction of up to 20 condominiums on a ±2.41 acres. Engineer: Brett Steenburg, P.E. PLLC.**

Ms. Scannell: Next up, Peter Road, LLC, to support and recommendation to the town board on a change of zone from a single-family residential to multi-family residential for the potential construction of up to 20 condominiums.

Mr. Steenburgh: Good evening. Brett Steenburgh, Steenburgh Consulting Engineering. I'm here on behalf of Peter Road LLC, Mr. Lewandowski, who has owned the parcel at 759 Peter Road for I think over a decade now. He had several requests and projects over the years looking at developing this parcel. I believe all of them involved transient occupancy, apartment-style living to develop this parcel.

I recently met with Corey and we kind of looked at some different options that would allow him to develop the parcel in a manner that would basically be productive. Given the proximity to 890, the proximity to the new stewards, which hopefully will be being built, it really is kind of between a residential zone and a commercial and highway transit zone. So, we looked at some of the various things that have been successful in the Town of Rotterdam.

Condominium development, homeowner-occupied condominiums. It won't take you long to drive around Rotterdam and see condominiums embedded in beautiful single-family home residential communities. Stable Gate, Homestead, the new Crossings at Helderberg Meadows are building 124 condominiums. All three of those products are being built by Pigliavento. You have White Birch Gardens on Helderberg Avenue. Again, all nestled within the proximity of single-family residences.

What this offers is an ability for first-time homebuyers, which is my son's graduating college this year. I shudder at the thought of him trying to purchase a home. Homes are starting three-quarters of a million dollars almost anywhere you go. So, what these condominiums offer is a great opportunity for first-time homebuyers and retirees, people downsizing, people downsizing, wanting to downsize within their community. If you look at the people who have purchased at those aforementioned condominium developments, that's very much what they are. The huge advantage to this particular parcel, especially for the first-time homebuyers, the young business professional, is the proximity to Interstate 890.

You can be anywhere in Albany in 15 minutes, anywhere in Schenectady in 15 minutes, just without much difficulty and much impact on the Rotterdam residential streets. Looking at this and looking at what's going on in Hamburg Street, all of the new redevelopment along Hamburg Street, I think adding door fronts within that proximity will only help foster the growth of the restaurants and the shops and all of the businesses that I'm sure the Town of Rotterdam would love to get along Hamburg Street. I'd love to see the development of that as well.

So, we sat down, and we looked at the parcel and we're proposing there are four-unit buildings similar to almost all of those I mentioned, Stable Gate, Putnam, all of those. And the reason we like the four-unit buildings, especially for home ownership, if you look at a lot of condominium developments, some of them where they have that interior unit where you have a front and back exterior wall. All of these are two up, two down.

So, every resident has three exterior walls and only share one common wall, which is nice because you have a lot of natural light, a lot of windows, and it becomes a much more sellable product for people who actually want to buy and live there and stay there. Whereas what we found a lot of times with the larger condominium buildings, where you have 10, 15 units in one building, you do get those units that aren't particularly as sellable and can. It's the, you have the issue with those interior units not being as sellable. I've seen a lot of those buildings where the owners and the developers have had to put those, some of those up for rent because those larger units, they're not, people don't want to buy a unit where they have one exterior wall or two exterior walls. These have been incredibly successful, especially in this market. And I think the biggest thing is, the site will be encumbered with a homeowners association for all the maintenance of the exteriors of the building, all of the maintenance of the site, the septic system, all of the utilities, the porous asphalt, the drainage, all of that will be maintained by a homeowners association, which money is set aside every year for the maintenance of that.

Peter Road LLC
Peter Road

I'm sure all of you are familiar with HOAs. There have been a lot of them here, but money is set aside for that maintenance. So, this, in the residents, they want it to look nice because they're going to be at those HOA meetings saying, hey, listen, you know, we didn't get the leaves cleaned up last week. We really, you know, that type of stuff. So, it ends up becoming a community and a community of homeowners.

So, we spent a lot of time, we looked at this four-unit building. We're looking at five of them on the site, a mixture of one and two bedrooms, which meets the R3 zoning requirements. We meet all of the R3 zoning requirements should this be changed to R3. And even exceeding some of the setback requirements by, I think the front yard setback is 30 feet. We're right at about 30 feet along Peter Road, but along the rear of the lots, I think it's 20-foot setback. We're at about 30 feet on those rear yard setbacks. And we're going to retain that existing tree and brush buffer along the rear of those yards to provide privacy to the residents behind and plant additional buffers on the south side of the property.

We can certainly, as we work through the planning process, look at different amenities that this board would feel see fit to, you know, look at for a development of this type within a community like the Highbridge Road community. So, we're here this evening seeking a positive recommendation from this board to the town board for the change of zone from R1 to R3.

Ms. Scannell: Well, thank you. I appreciate you being here. I think that we all need to remember that we're here for a report and recommendation. So, while I'm sure as a Planning Commission we immediately look at your schedule, we start asking questions. Where are we going to put the snow and where are we going to put this? I will tell you I really do like the idea of how private you are keeping this community. There's an awful lot of green space that I can see just by looking at it. Even this early on with a site plan we don't always see that level of trees. Usually, we're starting like with not a lot of trees and we're asking for more trees. So, I always like to say he who names first loses. So, I could also see moving forward, like you said, additional buffers or something like that.

I'm going to give the opportunity to everyone up here to kind of ask some questions, to make some comments. If they have any concerns, certainly you could address things. My own personal take is that I am at a point in my life where I'm making decisions, and my daughter is at a point in her life where she is making decisions. Our decisions might find us in similar locations and for some of the similar reasons. I have a five-bedroom, four-bathroom house right now. I mow a lot of lawn. I'm digging a lot of gardens and there's some days that I just sit back and say what am I doing? This is crazy. I'm one person and the idea of condo living, certainly as I get older, I'm 55 now, as I get older it is nice to have that maintenance done and kept up. My daughter's going to be 27. She's a professional woman. She does not ever want to ever take care of a lawn, but she wants it nice, right? She wants it to look nice. What price point are you looking at for these?

Mr. Steenburgh: I wish I had consulted with Corey beforehand, but it would probably, I would guess probably in the upper 300,000s.

Ms. Scannell: Do you find typically with condominiums at this price point in communities as small as this one, do you find more owner occupancy, or do you find less owner occupancy? In your experience.

Mr. Steenburgh: I find more owner occupancy. If you're going to invest that amount of money, you want to live there. I know the success the Pigliavento's have had in this community with Homestead and Stable Gate, and they certainly wouldn't be investing into 124 more condominiums at the Crossings if this wasn't a successful venture. We very much feel that this is something that would be sellable on this parcel. Again, the proximity to 890 for young business professionals is invaluable. They don't want to drive. They don't want to be in their car for an hour. They would like to have that ability to access their workplace quickly and easily.

Peter Road LLC
Peter Road

Ms. Scannell: And then I think on the opposite side of the fence, we've also seen with folks that are eligible like I am for the 55 and up community over at Whispering Pines. So, there's folks too that might have children and grandchildren that have stayed in the area, and they just don't want to keep the big house anymore. All right, very good.

Mr. Miglucci, questions, comments, concerns?

Mr. Miglucci: Well, this obviously has to have a zone change. So, the convoy's got to handle that. You know, apartments and condos, apartments and condos, I believe we have more than Clifton Park right now. So, it's a double-edged sword. You have people here that own properties that have been there for years. It's a lot to consider.

I believe the town board is going to have to take a look at that zone change.

Ms. Scannell: Right, well, so just to clarify for the record, the town board will be making the decision whether or not to grant the change of zone. All they are asking from this Planning Commission is for a report and recommendation. So, we would not be voting on anything whether or not to move forward with this project. In the event that the change of zone were to be approved by the Town Board, they'd be back in front of us and we'd be talking about the trees and the setbacks and the snow and where are we going to park and things like that. Mr. D'Alessandro?

Mr. D'Alessandro: Yeah, I've got a couple things. I've been on this board probably almost seven years now. This project has been turned down multiple times. I knew as soon as Stewart's got approved, this was going to happen. But there's a residential neighborhood and it's there for a reason. Now we're getting encroachment with businesses, and I don't think that's right. Traffic on Peter Road and Sherman between you guys, no, between eight and nine and four to six is a nightmare. Now when Stewart's coming in, it's going to be worse. Yeah, I would rather see affordable homes there. Something that's going to blend in with the neighborhood. That's my opinion. *"Inaudible...people clapping and cannot hear what Mark is saying."*

Ms. Scannell: Thank you. Mr. Signore.

Mr. Signore: Your home is your castle and obviously all of you feel somewhat infringed or affected by what's going to go on here. I'm with two and a half, almost two and a half acres. I'm okay with staying with the character of the neighborhood and perhaps putting residential homes because it's hard to tell people what they can do with their property when they own it. It's very difficult and I would feel much better with residential homes because it's within the character of that neighborhood. So, I really can't support the 20 condominiums.

Ms. Scannell: Thank you. Anything else, Mr. Signore?

Mr. Signore: No.

Ms. Scannell: All righty. Mr. Calder.

Mr. Calder: Well, I lived over there for 44 years on Day Road and I just went into one of the Pigliavento's condos about 6 years ago. When I was on the Town Board we disapproved this project, and the neighbors were very happy. I understand. I think the bigger fight, I don't approve of this by the way, but I think the bigger fight is going to be when the farmland across the street and that goes. That's going to be a tough one to stop. That's going to be sizable. I don't know, you know, of course, when that might happen, but I'm very familiar with this project and I, for one, have to agree with a couple of board members. I'm not going to vote for it.

Peter Road LLC
Peter Road

Ms. Scannell: Mr. Collins?

Mr. Collins: Yeah, I've seen this project. This is the third time. I voted down every time and I plan on doing that tonight. And since this isn't a public hearing, I'll say some things that made you thinking. I mean, you bought your homes for a reason. You want to live there. This guy, and I'm not criticizing him, he bought it for $250,000. He sells these for $300,000. He's bringing in $6 million.

He's going to make a ton of money and go on and he's going to leave you guys. And you have the right to live in your home and neighborhood and not be infringed upon somebody that wants to. And he can build four houses. Joe Signore, where he wanted, I lived next to it, and they wanted to put apartments and stuff on it, and we fought it. And now they've got seven homes over there. It's a beautiful neighborhood.

Now the guy might not make enough money, but it's not my job to make him money. My job is to protect you residents that have lived here for years, paid your taxes, because I think of Rotterdam as a business. Every one of you has a share and if we build this and your house is worth $250,000 now and you go to somebody who says, I don't want to look at condos, I'm going to give you $200,000. So, your share went down after all the years you paid for it. And that's how I feel. And what's the problem is like Wayne saying across the street, you've got 13 acres. If we okay this, you've got to okay that. And in those 13 acres, we can build 50 or 60. So then what do we have? We've got condominium in heaven.

And now he said that out on Guilderland Avenue, but that's out on the outskirts. This is infringing upon your rights as residents that bought houses in the bedroom community to maintain the lifestyle that you wanted. It's not our job. And as far as I'm concerned, and my wife's on the town board, I will fight tooth and nails to make sure that this doesn't go through because you deserve your privacy. You deserve what you worked hard for. And this gentleman said that you can't, you can buy a lot of houses in Rotterdam for $250,000. Somebody wanted to give me $350,000 for mine. I'll sell it tomorrow. You know what I'm saying? So, I'm here for you.

I think you, you guys own Rotterdam and this board, I'm going to vote no. I don't know how the town board's going to vote, but they should take into consideration. I urge you when this becomes a public hearing with the Town Board, you come out like you are now and show your support against this because it's your homes and your livelihood and your way of life. That's all I have.

Ms. Scannell: Mrs. Flansburg?

Mrs. Flansburg: I've been on this board for quite some time and must have been even predating that property owner. There have been many iterations that have come through here. I have in my mind a former board member that was on here. I think they tried to put multiple apartment buildings on here where there was more building than green space and so this is atypical in that regard.

However, not necessarily to the same vehemence, I do not agree with this particular project because it's two-sided. We sit up here and we're trying to think of the best for our community and although I live on the complete other side of town, even I know Peter Road cannot have significantly more traffic added to it. You cannot get off of it onto Highbridge. But then on the other side, you are going to have new development of the Stewart's and so Highbridge is going to get busier and in a good way, right? We want to encourage business in our community. And then you also have multifamily tends to be a good buffer between business and single family, but I don't think in this case, like it's not a large piece of property. And I know that, similar to what Mr. Collins vehemently said, it's not our responsibility to make that particular property owner money.

I think each time this has come before the board, whatever the makeup of the board has been, it has been to say if you had come with single family homes, it wouldn't be as much of a discussion. There wouldn't be so much dissent coming from here. But with an entrance so close to Highbridge, with multifamily adding more traffic onto Peter Road, I don't agree with this particular project in this location. I think this spot is too difficult to do what you're trying to do, even though it looks, if you put it anywhere else, it looks perfect. I would be like, wow, you actually have more green than building. Having said that, they're absolutely right. If the property on the other side, we'd still have a traffic issue, unless maybe they had an entrance on Highbridge, and we don't need to speculate, but there's much more to deal with, and it's not abutting so many single-family homes that have been there. So, it's close. He's trying, but I just don't think that it's the appropriate place for it. Peter Road has enough issues on its own right now, and I will vote no.

Ms. Scannell: Thank you, Mrs. Flansburg. Well, I think that as a Planning Commission, I probably am the only one that thinks that this project does have merit. I have not been on this Planning Commission. I have not seen a hundred different proposals. So, when I came here tonight, I tried to look at this with fresh eyes for the first time, and to look at things from that lens and through that lens.

While I applaud my fellow Planning Commission members for respecting adjoining property owners' rights, I also have learned this past year just how strongly people feel about property owners' rights. So, I think that we are really working on finding that balance, and we are at some point allowed, all of us, to agree to disagree. This is not a Planning Commission decision. Our report and recommendation will be to the town board, and it will not be by the sounds of it. I'll entertain a motion for the recommendation.

Mr. Collins: Can I make a statement? I would just like to, sometimes I ramble, but I'm here as a Planning Commission member, not as a resident, and my sole purpose is to do my job as a Planning Commission and see projects. I just want to clarify that.

Mr. Valiquette: And what you mean by that is that as your role as a Planning Commission member, you will not have any undue influence in that role on the town board. Is that correct?

Mr. Collins: Right.

Mr. Valiquette: Thank you.

Ms. Scannell: So, I would entertain a motion for a recommendation, which is what we're being asked for, a response and recommendation, so whoever wants to make the motion can make it the way they see fit.

Mr. Collins: I'd like to make the motion as a negative recommendation to the town board, not a positive, but a negative.

Ms. Scannell: We have a motion.

Mr. Calder: I'll second it.

Ms. Scannell: Thank you. Marlo, could you please call the roll.

Ms. Carter: Mr. Collins?

Mr. Collins: Yes.

Ms. Carter: Mrs. Flansburg?

Peter Road LLC
Peter Road

Mrs. Flansburg: Yes.

Ms. Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Ms. Carter: Mr. Calder?

Mr. Calder: Yes.

Ms. Carter: Mr. Signore?

Mr. Signore: Yes.

Ms. Carter: Mr. Miglucci?

Mr. Miglucci: Yes.

Ms. Carter: Ms. Scannell?

Ms. Scannell: No.

Motion is carried.

Mr. Steenburgh: Thank you for your input this evening.

Ms. Scannell: Thank you very much.

DRAFT