

MEETING OF THE ROTTERDAM TOWN BOARD

July 9, 2025

7:00 PM

Agenda Review 6:30 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SUPERVISOR'S REMARKS: Supervisor Mollie A. Collins

PROCLAMATIONS

PUBLIC HEARING

PRESENTATIONS

- Bohler Engineering – Tractor Supply Project – 774/448 Duanesburg Road SEQR & COZ

EXECUTIVE SESSION

- Personnel matter relating to employee number 07092025

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR:

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

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

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

INTRODUCTION OF MOTIONS, ORDERS AND RESOLUTIONS: RESOLUTIONS

- 236.25** Accepting Town Board Meeting Minutes. Pg. 4
- 237.25** To appoint Joshua Nellis to the position of Water & Sewer Maintenance Worker. Pg. 47
- 238.25** To appoint members of the Town of Rotterdam Conservation Advisory Council. Pg. 54
- 239.25** To authorize the Supervisor to negotiate and execute an agreement with Mohonasen Central School District to staff two school resource officers (SRO) for their school resource program. Pg. 56
- 240.25** To authorize the Supervisor to negotiate and execute an agreement with Schalmont Central School District to staff one school resource officer (SRO) for their school resource program. Pg. 61
- 241.25** To approve budget transfers to the 2025 budget. Pg. 66
- 242.25** To accept general utility, waterline, and sanitary sewer easements from Development at Helderberg Meadows, LLC. Pg. 69
- 243.25** To negotiate and execute an agreement with Rotterdam Heating and Air Conditioning for air conditioning and furnace replacement services at the Rotterdam Senior Center. Pg. 102
- 244.25** To purchase one Ferris lawn mower for the Water Treatment Plant. Pg. 113
- 245.25** To accept revenue for Town Clerk's office for June 2025. Pg. 118
- 246.25** To authorize an agreement with FCM Engineering PLLC for construction support and observation engineering services for the Curry Road (Route 7) Reconstruction, between Altamont Avenue and Deforest Street. Pg. 124
- 247.25** To recognize the introduction of Introductory Local Law ____ of 2025; To amend Chapter 270, Zoning, of the town code, relating to Battery Energy Storage Systems (BESS), and refer to the Planning Commission for report and recommendation. Pg. 128
- 248.25** To adopt a SEQR Negative Declaration on a Change of Zone application from Agricultural (A-1) to General Business (B-2) located at 774 and 778 Duanesburg Road. Pg. 155
- 249.25** To enact Local Law No. 5 of 2025; To amend Chapter 270, Zoning, of the town code, relating to a change of zone request on a ±14.02-acre parcel from Agricultural (A-1) to General Business (B-2) located at 774 and 778 Duanesburg Road. Pg. 270

250.25 Declaring the intent of the Town of Rotterdam Town Board to act as Lead Agency for the Town of Rotterdam Curry Road Water Main Replacement Project. Pg. 284

251.25 Requesting bids for Town of Rotterdam Kiwanis International Water Park Waterfront Access Improvements Project. Pg. 302

252.25 To authorize the Town Supervisor to execute the Memorandum of Agreement between the Town of Rotterdam and the Civil Service Employees' Association (CSEA) to settle Public Employment Relations Board (PERB) case number U-38064. Pg. 307

253.25 To adopt the factual findings contained in the report on personnel matter 07092025. Pg. 309

LIAISON REPORTS

MISCELLANEOUS

EXECUTIVE SESSION

ADJOURNMENT

Mollie A. Collins, Supervisor

RESOLUTION NO. 236.25

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 June 11, 2025 Town Board meetings as attached.

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: July 1, 2025

TO: Mollie A. Collins, Supervisor

FROM: Diane M. Marco, Town Clerk

TITLE OF LEGISLATIVE REQUEST: To adopt meeting minutes from the June 11, 2025, Town Board Meeting.

TO BE PLACED ON TOWN BOARD AGENDA OF: July 9, 2025

TO BE PLACED ON TOWN BOARD MEETING OF: July 9, 2025

Background Information: Attached. To adopt the meeting minutes from the June 11, 2025 Town Board Meeting.

Evaluation/Analysis: N/A

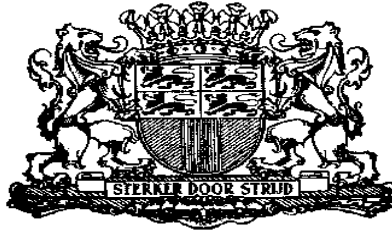
Recommendation(s): To place on Town Board agenda and Town Board meeting of July 9, 2025.

Attachment/Document(s): Attached

Compliance with Purchasing Policy: N/A

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

LEGISLATION WAS PREPARED BY: Town Clerk Diane M. Marco



TOWN OF ROTTERDAM

DIANE M. MARCO

Town Clerk

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

June 16, 2025

Certified Resolutions: #207.25-235.25 for the year 2025 was duly adopted at the Town Board Meeting held at the J.F. Kirvin Government Center, 1100 Sunrise Boulevard Rotterdam, New York, 12306 that was held Wednesday, June 11, 2025. The Town Board Agenda Meeting started at approximately 6:40 p.m. The agenda meeting was adjourned at approximately 6:49 p.m. all agreed to adjourn the agenda meeting. The Town Board meeting began at approximately 7:00 p.m. The Town Board Meeting was adjourned at approximately 7:39 p.m. by Councilmember Dodson and seconded by Councilmember Gallucci. All agreed to adjourn the Town Board Meeting.

Councilmember Schlag was absent

Diane M. Marco

Diane M. Marco, Town Clerk

MEETING OF THE ROTTERDAM TOWN BOARD

June 11, 2025

7:00 PM

Agenda Review 6:30 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SUPERVISOR'S REMARKS: Supervisor Mollie A. Collins

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.

INTRODUCTION OF MOTIONS, ORDERS AND RESOLUTIONS: RESOLUTIONS

- 207.25** Accepting Town Board meeting minutes. Pg. 4
- 208.25** To promote Devin Murphy to the position of Sergeant 2nd. Pg. 37
- 209.25** To appoint Paul J. Brown to the position of Police Officer. Pg. 43
- 210.25** To appoint Anthony J. Fasolino to the position of Police Officer. Pg. 49
- 211.25** To appoint Bethany E. Gill to the position of Police Officer. Pg. 55
- 212.25** To appoint Alexis N. Hunt to the position of Police Officer. Pg. 61
- 213.25** To appoint Ashley E. Sedgwick to the position of Police Officer. Pg. 67
- 214.25** To appoint Jeffrey Briere to the position of Building Inspector. Pg. 73
- 215.25** To appoint Thomas Berman to the position of Park Attendant. Pg. 79
- 216.25** To authorize the Supervisor to negotiate and execute an agreement with Comp Alliance.
Pg. 86
- 217.25** To amend Resolution 192.25 of the year 2025; Appoint Seasonal Laborers to the Highway
Department. Pg. 93
- 218.25** To amend Resolution 193.25 of the year 2025; Appoint Seasonal Park Attendants to the
Parks & Water Department. Pg. 98
- 219.25** To negotiate and execute an agreement with Jamilee Marino for secretarial and
transcription services for the Planning Commission. Pg. 102
- 220.25** To accept revenue for Town Clerk's office for May 2025. Pg. 107
- 221.25** To accept and award bid for Curry Road (Route 7) Reconstruction, between Altamont
Avenue and Deforest Street. Pg. 113
- 222.25** To accept and award bid for 6.3mm Polymer-Modified Hot Mix Asphalt Highway
Resurfacing. Pg. 147
- 223.25** To accept and award bid for Sandborn Road Type 3 Dense Binder & 6.3mm Polymer
Modified Hot Mix Asphalt Highway Resurfacing. Pg. 157

- 224.25** To enter into an agreement pursuant to Highway Law Section 284 for Town Highway Paving for 2025. Pg. 175
- 225.25** To accept and award bid for Grinding and Removal of Brush, Yard Waste and Wood at the Town of Rotterdam Compost Transfer Facility. Pg. 188
- 226.25** To accept and award bid for Hazardous Materials Removal at 369 Duanesburg Road, Rotterdam NY. Pg. 200
- 227.25** A Resolution in connection with the Town of Rotterdam Fire Hydrant Replacement Project determination of non-significance pursuant to the State Environmental Quality Review Act (SEQRA) regulations 6NYCRR Part 617. Pg. 224
- 228.25** To negotiate and execute Change Order No. 1 with Labella Associates for the Philomena Apartments Sewer Connections Sewer District No. 7 Extension No. 2 Project. Pg. 226
- 229.25** To negotiate and execute Change Order No. 2 to an existing agreement with Labella for Sewer District No. 7 and related extensions for an updated final Map Plan And Report. Pg. 246
- 230.25** To negotiate and execute an agreement with Barton and Loguidice for the Rotterdam Town Court and Police Facility Project. Pg. 266
- 231.25** To authorize the Supervisor to execute and sign an agreement with the CSEA Employee Benefit Fund. Pg. 345
- 232.25** To purchase a swing set for Roslyn Warlik Park. Pg. 349
- 233.25** To authorize a final release of retainage to Eberhardt Excavation. Pg. 360
- 234.25** To purchase two hydrants from Everett J. Prescott. Pg. 367
- 235.25** To establish Capital Project Expenditure Line H137-Water & Sewer Maintenance Equipment. Pg. 371

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

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 207.25

ACCEPTING TOWN BOARD MEETING MINUTES

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby adopts the minutes of the May 28, 2025 Town Board meetings as attached.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 208.25

TO PROMOTE DEVIN MURPHY TO THE POSITION OF SERGEANT 2ND

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Devin Murphy, of Schenectady, New York is hereby appointed to the position of Sergeant 2nd, probationary, full-time, with full employee benefits and subject to pre-employment background checks, at an annual salary of one hundred four thousand three-hundred ninety-seven and 19/100 (\$104,397.19) commencing July 5, 2025.

SECTION 2. This resolution shall be effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.

Diane M. Marco

Diane M. Marco, Town Clerk



At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 209.25

TO APPOINT PAUL J. BROWN TO THE POSITION OF POLICE OFFICER

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Paul J. Brown, of Rotterdam, New York is hereby appointed to the position of Police Officer, Patrolman 6th, probationary, full-time, with full employee benefits and subject to pre-employment background checks, at an annual salary of forty-eight thousand six hundred thirty-six and 26/100 (\$48,636.26) commencing July 11, 2025.

SECTION 2. This resolution shall be effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 210.25

TO APPOINT ANTHONY J. FASOLINO TO THE POSITION OF POLICE OFFICER

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Anthony J. Fasolino, of Rotterdam, New York is hereby appointed to the position of Police Officer, Patrolman 6th, probationary, full-time, with full employee benefits and subject to pre-employment background checks, at an annual salary of forty-eight thousand six hundred thirty-six and 26/100 (\$48,636.26) commencing July 11, 2025.

SECTION 2. This resolution shall be effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 211.25

TO APPOINT BETHANY E. GILL TO THE POSITION OF POLICE OFFICER

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Bethany E. Gill, of Delanson, New York is hereby appointed to the position of Police Officer, Patrolman 6th, probationary, full-time, with full employee benefits and subject to pre-employment background checks, at an annual salary of forty-eight thousand six hundred thirty-six and 26/100 (\$48,636.26) commencing July 11, 2025.

SECTION 2. This resolution shall be effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 212.25

TO APPOINT ALEXIS N. HUNT TO THE POSITION OF POLICE OFFICER

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Alexis N. Hunt, of Rotterdam, New York is hereby appointed to the position of Police Officer, Patrolman 6th, probationary, full-time, with full employee benefits and subject to pre-employment background checks, at an annual salary of forty-eight thousand six hundred thirty-six and 26/100 (\$48,636.26) commencing July 11, 2025.

SECTION 2. This resolution shall be effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 213.25

TO APPOINT ASHLEY E. SEDGWICK TO THE POSITION OF POLICE OFFICER

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Ashley E. Sedgwick, of Rotterdam, New York is hereby appointed to the position of Police Officer, Patrolman 6th, probationary, full-time, with full employee benefits and subject to pre-employment background checks, at an annual salary of forty-eight thousand six hundred thirty-six and 26/100 (\$48,636.26) commencing July 11, 2025.

SECTION 2. This resolution shall be effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 214.25

TO APPOINT JEFFREY BRIERE TO THE POSITION OF BUILDING INSPECTOR

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Jeffrey Briere, of Rotterdam, New York 12306, is hereby appointed to the position of Building Inspector, permanent, full time, with full employee benefits, and subject to pre-employment background checks, at an annual salary of seventy-four thousand nine hundred fifty-seven and 72/100 (\$74,957.72) dollars, commencing June 12, 2025.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 215.25

TO APPOINT THOMAS BERMAN TO THE POSITION OF PARK ATTENDANT

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Thomas Berman, of Rotterdam, New York 12303, is hereby appointed to the position of Park Attendant, probationary, full time, with full employee benefits, and subject to pre-employment background checks, at an annual salary of fifty thousand nine hundred forty-eight and 29/100 (\$50,948.29) dollars, commencing June 30, 2025.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 216.25

TO AUTHORIZE THE SUPERVISOR TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH COMP ALLIANCE

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with Comp Alliance, USI Insurance Services LLC, located at 855 Route 146 Suite 235, Clifton Park, New York 12065, for Workers Compensation and VFBL coverage for a participation period of July 1, 2025 through June 30, 2027.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 217.25

**TO AMEND RESOLUTION 192.25 OF THE YEAR 2025;
APPOINT SEASONAL LABORERS TO THE HIGHWAY DEPARTMENT**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Section 1 of Resolution 192.25, as amended, is hereby amended, and restated to read as follows:

The following individuals are hereby appointed and reappointed to various seasonal summer positions at the Town of Rotterdam Highway Department at indicated hourly rates of pay, on an as needed basis, with no employee benefits commencing May 27, 2025 for Evan, Jonathan and Ryan and June 16, 2025 for Devan and Elijah through September 1, 2025.

Evan Krenav	5/27/2025-8/22/2025	Laborer	\$17.00
Jonathan Enright	5/27/2025-Available as Needed	Laborer	\$17.00
Ryan Redmond	5/27/2025-8/15/2025	Laborer	\$17.00
Noah Solt	5/27/2025-5/29/2025	Laborer	\$17.00
Devan Parker	6/16/2025 - Available as Needed	Laborer	\$17.00
Elijah Polsinelli	6/16/2025 - 8/7/2025	Laborer	\$17.00

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 218.25

**TO AMEND RESOLUTION 193.25 OF THE YEAR 2025;
APPOINT SEASONAL PARK ATTENDANTS TO THE PARKS & WATER
DEPARTMENT**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Section 1 of Resolution 193.25, as amended, is hereby amended, and restated to read as follows:

The following individuals are hereby appointed and reappointed to various seasonal summer positions at the Town of Rotterdam Parks and Water Department at indicated hourly rates of pay, on an as needed basis, with no employee benefits commencing the dates below:

Parks Department

Michael Romano	6/16/2025-8/15/2025	Park Attendant	\$17.00
Joseph Baker	5/19/2025-8/22/2025	Park Attendant	\$17.00
Nicholas Biski	5/19/2025-8/18/2025	Park Attendant	\$17.00
Jacob Deguire	5/21/2025-9/1/2025	Park Attendant	\$17.00
Ryan Woodrow	5/20/2025-8/14/2025	Park Attendant	\$17.00
Daniel Benedetto	5/19/2025-8/18/2025	Park Attendant	\$17.00

SECTION 2. This resolution shall be retroactive effective May 14, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 219.25

TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH JAMILEE MARINO FOR SECRETARIAL AND TRANSCRIPTION SERVICES FOR THE PLANNING COMMISSION

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

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with Jamilee Marino of Rotterdam, New York to provide secretarial and transcription services for the Town of Rotterdam Planning Commission, and on an as needed basis for the Town of Rotterdam Zoning Board of Appeals, commencing July 1, 2025 through December 31, 2025.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 220.25

TO ACCEPT REVENUE FOR TOWN CLERK'S OFFICE FOR MAY 2025

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Clerk's report for the month of May 2025, has been placed on file and the Town Clerk's check in the amount of ten thousand four hundred sixty-eight dollars and 30/100 (\$10,468.30) has been submitted to the Supervisor for deposit.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 221.25

**TO ACCEPT AND AWARD BID FOR CURRY ROAD (ROUTE 7)
RECONSTRUCTION, BETWEEN ALTAMONT AVENUE AND DEFOREST STREET**

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:

**CURRY ROAD (ROUTE 7) RECONSTRUCTION, BETWEEN ALTAMONT
AVENUE AND DEFOREST STREET**

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 does hereby accept and award the bid Curry Road (Route 7) Reconstruction, between Altamont Avenue and Deforest Street, for the Town of Rotterdam, to Carver Construction Inc., located at 26 Corporate Circle, Albany, New York 12203, at the mutual consent of both the Town and Carver Construction Inc., with a bid amount not to exceed, one hundred seventy-three thousand one hundred seventy-four and 00/100 (\$173,174.00) 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 June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 222.25

TO ACCEPT AND AWARD BID FOR 6.3MM POLYMER-MODIFIED HOT MIX ASPHALT HIGHWAY RESURFACING

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:

6.3MM POLYMER-MODIFIED HOT MIX ASPHALT HIGHWAY RESURFACING

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam does hereby accept and award the bid for 6.3mm Polymer-Modified Hot Mix Asphalt Highway Resurfacing for the Town of Rotterdam to New Castle Paving, LLC, 1 Madison Street, Suite 100, Troy, NY 12180, at the mutual consent of both the Town and New Castle Paving, LLC.

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 June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 223.25

TO ACCEPT AND AWARD BID FOR SANDBORN ROAD TYPE 3 DENSE BINDER & 6.3MM POLYMER MODIFIED HOT MIX ASPHALT HIGHWAY RESURFACING

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:

SANDBORN ROAD TYPE 3 DENSE BINDER & 6.3MM POLYMER MODIFIED HOT MIX ASPHALT HIGHWAY RESURFACING

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam does hereby accept and awards the bid for Sandborn Road Type 3 Dense Binder & 6.3mm Polymer Modified Hot Mix Asphalt Highway Resurfacing for the Town of Rotterdam to Empire Paving of Schenectady, Inc., 1900 Duanesburg Rd, Duanesburg, NY 12056, at the mutual consent of both the Town and Empire Paving of Schenectady, Inc.

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 June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 224.25

**TO ENTER INTO AN AGREEMENT PURSUANT TO HIGHWAY LAW SECTION 284
FOR TOWN HIGHWAY PAVING FOR 2025**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby passes this resolution authorizing an agreement between the Town Board and the Highway Superintendent to establish a paving plan for 2025 and to allow payment for the Town of Rotterdam paving 2025 fiscal year, in accordance with the competitive bidding requirements of the New York State General Municipal Law, in the amount not to exceed \$692,524.20 for the roadway paving for the year 2025, leaving a balance of \$68,827.18.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 225.25

TO ACCEPT AND AWARD BID FOR GRINDING AND REMOVAL OF BRUSH, YARD WASTE AND WOOD AT THE TOWN OF ROTTERDAM COMPOST TRANSFER FACILITY

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:

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

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam does hereby accept and awards the bid for Grinding and Removal of Brush, Yard Waste and Wood at the Town of Rotterdam Compost Transfer Facility for the Town of Rotterdam to Troy Sand & Gravel Co. Inc., P.O. Box 171 Watervliet, N.Y. 12189; at the mutual consent of both the Town and Troy Sand & Gravel Co. Inc, and that the term of the contract and/or bid price may be extended to a second or third year.

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 June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 226.25

TO ACCEPT AND AWARD BID FOR HAZARDOUS MATERIALS REMOVAL AT 369 DUANESBURG ROAD, ROTTERDAM NY

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:

**HAZARDOUS MATERIALS REMOVAL AT 369 DUANESBURG ROAD,
ROTTERDAM NY**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam does hereby accept and award the Hazardous Materials Removal at 369 Duanesburg Road, Rotterdam NY, to MJ'S Contracting Services Inc., located at 7722 US 20, Waterville, NY 13480, at the mutual consent of both the Town and MJ'S Contracting Services Inc., with a bid amount not to exceed, forty-one thousand five hundred and 00/100 (\$41,500.00) 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 June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 227.25

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

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town of Rotterdam has determined that a need exists to replace numerous leaky fire hydrants in the existing water system in Water District No. 5.

SECTION 2. The Town of Rotterdam is in the planning stages for a fire hydrant replacement project and KB Engineering & Architecture, P.C. is preparing a Map, Plan, and Report for said proposed project.

SECTION 3. As part of the approval process, the Town of Rotterdam Town Board must comply with regulations required under the State Environmental Quality Review Act (SEQRA).

SECTION 4. The project is considered regular maintenance involving no substantial changes and therefore the project is considered a Type II action under the State Environmental Quality Review Act (SEQRA).

SECTION 5. The Town of Rotterdam Town Board hereby makes the determination that the project will not have a significant effect on the environment.

SECTION 6. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 228.25

TO NEGOTIATE AND EXECUTE CHANGE ORDER NO. 1 WITH LABELLA ASSOCIATES FOR THE PHILOMENA APARTMENTS SEWER CONNECTIONS SEWER DISTRICT NO. 7 EXTENSION NO. 2 PROJECT

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute Change Order No. 1 with Labella Associates, located at 4 British American Blvd, Latham, NY 12110, for professional engineering services for the Philomena Apartments Sewer Connections Sewer District No. 7, Extension No. 2 Project, Task 02 – Construction Inspection Services, in an amount not to exceed fourteen thousand five hundred fifty and 00/100 (\$14,550.00) dollars, for a new total agreement amount not to exceed seventeen thousand three hundred and 00/100 (\$17,300.00) dollars.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 229.25

TO NEGOTIATE AND EXECUTE CHANGE ORDER NO. 2 TO AN EXISTING AGREEMENT WITH LABELLA FOR SEWER DISTRICT NO. 7 AND RELATED EXTENSIONS FOR AN UPDATED FINAL MAP PLAN AND REPORT

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 Change Order No. 1 to an existing agreement with Labella, located at 4 British American Blvd, Latham, NY 12110, for professional engineering services for the Sewer District No. 7 and related extensions, for an updated final Map, Plan and Report, in an amount not to exceed three thousand six hundred twenty five and 00/100 (\$3,625.00) dollars, for a new total agreement amount not to exceed forty two thousand three hundred fifty and 00/100 (\$42,350.00) dollars.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 230.25

TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH BARTON AND LOGUIDICE FOR THE ROTTERDAM TOWN COURT AND POLICE FACILITY PROJECT

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with Barton and Loguidice, located at 10 Airline Drive, Suite 200, Albany, New York 12205, for professional engineering services for the Rotterdam Town Court and Police Facility Project, in an amount not to exceed three million six hundred ninety-five thousand and 00/100 (\$3,695,000.00) dollars.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 231.25

**TO AUTHORIZE THE SUPERVISOR TO EXECUTE AND SIGN AN AGREEMENT
WITH THE CSEA EMPLOYEE BENEFIT FUND**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute and sign an agreement between the Town of Rotterdam and CSEA Employee Benefit Fund for the Platinum 12 Vision Plan.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 232.25

TO PURCHASE A SWINGSET FOR ROSLYN WARLIK PARK

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 hereby authorizes the Supervisor to negotiate and execute the purchase and installation of one 8-foot high Elite Arch Post Swing – 3 Bays to New Jersey Swingsets, located at 59 Greenwood, Avenue Unit 9, Midland Park, New Jersey 07432, to be installed at Roslyn Warlik Park (formally Boxwood Park) on Boxwood Drive, in the amount not to exceed five thousand seven hundred ninety-three and 00/100 (\$5,793.00) dollars.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 233.25

**TO AUTHORIZE A FINAL RELEASE OF RETAINAGE TO EBERHARDT
EXCAVATION**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute all documents for the release of retainage and issue final payment to Eberhardt Excavation, located at 72 Hillside Drive, West Shokan, New York 12494, for the Rotterdam Water System Improvements – Contract No. 1 – Well Site #6 – Site Fill, in the total amount, not to exceed eleven thousand seven hundred ninety and 00/100 (\$11,790.00) dollars.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 234.25

TO PURCHASE TWO HYDRANTS FROM EVERETT J. PRESCOTT

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 the purchase of two (2) Hydrants from Everett J. Prescott Inc., located at P.O. Box 600, Gardiner, Maine 04345, in the amount not to exceed nine thousand one hundred sixty and 00/100 (\$9,160.00) dollars.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 on Wednesday, June 11, 2025, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 235.25

TO ESTABLISH CAPITAL PROJECT EXPENDITURE LINE H137-WATER & SEWER MAINTENANCE EQUIPMENT

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 establish Capital Project Expenditure Line H137, Water and Sewer Maintenance Equipment, to allow for the proper recording of all associated revenues and expenditures.

SECTION 2. This resolution shall become effective June 11, 2025.

DATED: June 11, 2025

NAME	AYES	NOES	ABSTAIN
Dodson	X		
Mastroianni	X		
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 Meeting of the Town of Rotterdam on June 11, 2025, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this June 16, 2025.



Diane M. Marco
Diane M. Marco, Town Clerk

RESOLUTION NO. 237.25

**TO APPOINT JOSHUA NELLIS TO THE POSITION OF WATER & SEWER
MAINTENANCE WORKER**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Joshua Nellis, of Pattersonville, New York 12137, is hereby appointed to the position of Water & Sewer Maintenance Worker, probationary, full time, with full employee benefits, and subject to pre-employment background checks, at an annual salary of fifty-five thousand seven hundred thirty and 10/100 (\$55,730.10) dollars, commencing July 14th, 2025.

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: June 23, 2025

TO: Town Board

FROM: Mollie Collins, Town Supervisor

TITLE OF REQUEST: Appoint Joshua Nellis to the position of Water/Sewer Maintenance Worker

TOWN BOARD MEETING: July 9, 2025

Background Information: One of our Water/Sewer Maintenance Workers has taken another position within the town. This move leaves a position open in that department.

Evaluation/Analysis: Mr. Nellis has experience in excavation, drainage and water and sewer installations. Mr. Nellis also has experience with large equipment.

Recommendation(s): Appoint Joshua Nellis to the position of Water/Sewer Maintenance Worker.

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: Supervisor's Office

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



Schenectady County

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

APPLICATION FOR EXAMINATION OR EMPLOYMENT

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

1. water/sewer maintenance

POSITION TITLE

EXAM NUMBER

Date Received _____ Approved _____

Conditional _____ Disapproved _____

RECEIVED

MAY 18 2025

Town of Rotterdam
SUPERVISORS OFFICE

CIVIL SERVICE DEPT.
USE ONLY

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

2. Name and Legal Residence

nellis. Joshua S
Last Name First Name Middle Initial

Street Address or Road R.D. # or P.O. Box #
schenectady. pattersonville ny 12137

County City, Town, Village State Zip

Home Phone Number Cell Phone

Email Address:

If mailing address is different:

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

County City, Town, Village State Zip

Social Security Number

3. Police Officer & Firefighter Candidates Only:

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

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

	Name	Years	Months
State of:	New York		
County of:	schenectady		
Village of:	pattersonville		
Town of:			
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 #:	
Restrictions:	
Expiration Date:	
Endorsements:	none
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:						
Equivalency Diploma Number:				not sure how to find this		
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:	J Nellis Construction Inc
From: [REDACTED]	Firm Address:	9339 MARIAVILLE RD pattersonville ny 12137
To: [REDACTED] (mm/yyyy)	Description of Duties:	
Reason for Leaving (mm/yyyy)	all excavation and drainage with water and sewer utilizes installation	
Employment Details		
Your Exact Title: owner		
Name of Your Supervisor: self		
Supervisor's Title: owner		
Hours worked / wk. (exclusive of overtime): 40		
Reason for Leaving: no longer looking to be self employed		
Length of Employment	Firm Name:	high country hardscape
From: [REDACTED]	Firm Address:	consualus Ave Schenectady
To: [REDACTED] (mm/yyyy)	Description of Duties:	
Reason for Leaving (mm/yyyy)	crew foreman and equipment operator	
Employment Details		
Your Exact Title: crew foreman		
Name of Your Supervisor: zach Zeh		
Supervisor's Title: owner		
Hours worked / wk. (exclusive of overtime): 40		
Reason for Leaving: started own business		

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	<u>Joshua Nellis</u> Print Name	<u>5/18/25</u> Date
---------------------------------	------------------------------------	------------------------

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

WATER AND SEWER MAINTENANCE WORKER

DISTINGUISHING FEATURES OF THE CLASS: This is manual work involving responsibility for performing a variety of preventative maintenance, repair and installation activities in the extension, maintenance and repair of the municipal water distribution and sewage collection system. Employees may also be assigned other duties in the department such as servicing, replacing and reading water meters, and inspecting and maintaining hydrants. The work is performed under the direct supervision of a higher level supervisor with leeway allowed for the exercise of independent judgment in carrying out the technical details of the job. Supervision over the work of others is not a responsibility of employees in this class. The incumbent does related work as required.

TYPICAL WORK ACTIVITIES:

- Makes taps on water mains for customer services and for installing valves, gates and fire lines;
- Locates leaks, installs clamps and sleeves and makes other emergency repairs;
- Cleans, checks, evaluates and maintains pumping station and equipment to ensure continuous operation;
- Installs, repairs and resets hydrants, valves, meters, pumps, related water distribution equipment, catch basins and storm drainage systems;
- Installs lines from water main to curb stop;
- Operates mechanical equipment including backhoe, loaders, air compressors, drills, pumps, generators, vacuums, rodders, jetters and welders torches;
- Digs trenches for service lines, water mains, drainage and catch basins;
- May read, replace and repair water consumption meters;
- Mows lawns, plows snow, collects rubbish and litter to keep clear access to pumping stations, hydrants, catch basins, storm drainage systems etc;
- May perform minor custodial duties;
- May clean sludge drying beds at sewage plant;
- Responds at all times to emergency repair calls;
- Raises or lowers manholes for paving purposes;
- Checks, cleans and repairs sewer lines;
- May climb water tower and tanks to inspect facilities and perform maintenance;
- May enter various permit required certified spaces to maintain, repair or replace facilities;
- Performs a variety of related duties as required.

FULL PERFORMANCE KNOWLEDGE, SKILLS, ABILITIES & PERSONAL CHARACTERISTICS:

Good knowledge of the common practices, principles, terminology and safety precautions used in the maintenance and extension of a municipal water distribution and sewage collection system; good knowledge of the use of tools and equipment required in the construction and repair of a municipal water and sewage system; ability to perform heavy manual labor for extended periods, occasionally under adverse weather conditions; willingness to report for emergencies; ability to understand and carry out oral and written instructions; dependability.

MINIMUM QUALIFICATIONS: One year of experience in plumbing work or in the maintenance of a public or private water distribution and sewage collection system.

SPECIAL REQUIREMENTS IN THE TOWN OF NISKAYUNA: Must possess a CDL at the time of appointment and must maintain such license throughout the tenure of appointment.

SPECIAL REQUIREMENT IN THE TOWN OF ROTTERDAM: Possession of a Commercial Driver's License at time of appointment which must be maintained throughout employment.

SPECIAL REQUIREMENT: Possession of a Commercial Driver's License at time of appointment.

Revised CSC 02/13/96

Revised CSC 02/21/06

Revised CSC 09/19/06

Revised CSC 02/21/19

Revised CSC 02/20/25

RESOLUTION NO. 238.25

**TO APPOINT MEMBERS OF THE TOWN OF ROTTERDAM CONSERVATION
ADVISORY COUNCIL**

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The following individual(s) of Rotterdam, New York are hereby appointed as members to the Town of Rotterdam Conservation Advisory Council to fill the remaining vacancies to the committee with a term commencing July 9, 2025, through December 31, 2025:

Dan Brudos

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

John F. Kirvin Government Center | 1100 Sunrise Boulevard | Rotterdam New York 12306
Telephone: 518.355.7575 | Facsimile: 518.355.7976 | Website: www.rotterdamny.org



LEGISLATIVE REQUEST FORM

DATE: June 30, 2025

TO: Town Board

FROM: Teri A. Gallucci, Town Councilwoman

TITLE OF REQUEST: Appoint Dan Brudos to the Conservation Advisory Council – Chapter 270. Zoning Article XXIV

TOWN BOARD MEETING: July 9, 2025

Background Information: To fill a vacancy within the Conservation Advisory Council.

Evaluation / Analysis: Facilitate safeguarding the natural environment and functional beauty of our surroundings which condition the quality of our life experience within the Town of Rotterdam. Work in partnership with local and state officials and with various public and private industries, agencies and organizations to foster unified action on environmental initiatives.

Recommendation(s): I recommend the Town Board appoint Dan Brudos to the Conservation Advisory Council for the remainder of term.

Attachment / Document(s): Letter of Intent from Dan Brudos to join the Conservation Advisory Council to assist in fulfilling the purposes of the above Article.

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

RESOLUTION NO. 239.25

TO AUTHORIZE THE SUPERVISOR TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH MOHONASEN CENTRAL SCHOOL DISTRICT TO STAFF TWO SCHOOL RESOURCE OFFICER (SRO) FOR THEIR SCHOOL RESOURCE PROGRAM

WHEREAS, the Mohonasen Central School District desires to continue their respective School Resource Officer (SRO) Programs, furthering the development of strong, supportive relationships between students, faculty and law enforcement, to deter criminal behavior and maintain a safe learning environment; and

WHEREAS, the Mohonasen Central School District desires to add an additional SRO to the 2025-2026 agreement; and

WHEREAS, the Mohonasen Central School has agreed to reimburse the Town for seventy percent (70%) of the expense of the program; **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 Supervisor to negotiate and execute an agreement with Mohonasen Central School District, located at 2072 Curry Road, Schenectady, New York 12303, to staff two (2) School Resource Officer (SRO) to continue their School Resource Program commencing July 1, 2025, through June 30, 2026.

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: June 23, 2025

TO: Town Board

FROM: Mollie A. Collins, Supervisor

TITLE OF REQUEST: Authorize the Supervisor to negotiate and execute an agreement with Mohonasen Central School District for two (2) School Resource Officers

TOWN BOARD MEETING: July 9, 2025

Background Information: The agreement for School Resource Officers with Mohonasen Central School District has not been updated since 2019. Mohonasen has also requested and increase in School Resource Officers from one to two.

Evaluation/Analysis: The town has discussed the increase in School Resource Officers with Police Chief Brown and the increase in officers will not impact police services.

Recommendation(s): Recommend that the Town Board approve the agreement for two School Resource Officers for Mohonasen Central School District.

Attachment/Document(s): Contract

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

**AGREEMENT BETWEEN THE
ROTTERDAM TOWN BOARD, THE ROTTERDAM POLICE DEPARTMENT AND
THE MOHONASEN CENTRAL SCHOOL DISTRICT
FOR TWO SCHOOL RESOURCE OFFICERS**

This Agreement is made this 23rd day of June 2025 by and between the Mohonasen Central School District (the "School District") with its principal office at 2072 Curry Road, Schenectady, NY 12303 and the Town of Rotterdam (the "Town") with its principal office at 1100 Sunrise Boulevard, Schenectady, NY 12306.

WHEREAS, the School District desires to obtain two School Resource Officers (SRO program), to develop a strong, supportive relationship between students, faculty and law enforcement in order to deter criminal behavior and maintain a safe learning environment; and

WHEREAS, the Town of Rotterdam desires to provide School Resource Officer services to the School District and;

WHEREAS, the School District has agreed to reimburse the Town for seventy percent (70%) of the expense of the program;

Now, THEREFORE, it is mutually agreed by and between the parties as follows:

Term:

The term of the agreement shall commence July 1, 2025 through June 30, 2026, the 2025/2026 school year. Continuation of this agreement is contingent on the annual budget approval of both the School District and the Town Board.

Eligibility and Appointment:

1. The School Resource Officers shall be sworn Rotterdam Police Officers employed by the Town and also employed by the School District.
2. If there is a need to replace an officer the School District shall participate in the selection of the SRO(s) and shall be offered the opportunity to interview all applicants if so desired. If for any reason, the School District is dissatisfied with the performance of an individual serving in the role of SRO, the District will contact the Town and Rotterdam Police to discuss and replace if warranted.
3. The School District shall require the services of the SRO(s) for the length of a school year. Additional service time can be requested with approval of the Rotterdam Chief of Police.

Funding and Compensation:

4. It is agreed that the SRO(s) are classified as a non-exempt position for purposes of wages and hours under the Fair Labor Standards Act (FLSA). As such, the agreed upon hourly rate for the SRO(s) will be based on the hourly rate with the Town.

5. The School District agrees to pay the Town for the SRO(s) the equivalent of seventy percent (70%), through the general budget, of the total annual compensation due to the SRO(s), with the Town paying the SRO(s) the other thirty percent (30%), of the total annual compensation for the annual hours worked by the SRO(s) on behalf of the School District.
6. The School District will also pay 70% for FICA, Workers Compensation, State Employee Retirement System costs, and health insurance coverage.
7. The Town will issue an invoice to the School District in December and June for the balance of the amount paid for payroll, FICA, ERS, Workers Compensation and insurance that comprises the difference between the respective shares for the compensation of the SRO(s) position as agreed hereto.
8. In recognition of the value to the Rotterdam Police Department of having the SRO(s) serving at the school, the Town will not request for reimbursement from the School District for the expense of providing the SRO(s) with the use of a police vehicle or any other costs associated with the SRO program, other than what is described in this agreement.
9. The Town and the School District will provide each other with any and all information regarding costs and payroll for the SRO(s) upon request.

Day-to-Day Operation during the School Year:

10. The SRO(s) shall act as educator, counselor and police officer.
11. The SRO(s) shall take law enforcement action as required to protect the immediate safety of others or property. The SRO(s) will need to make a conscious effort to decide the best time to act on/and or address an issue, so as to not interfere with school operations. Some things can wait so that school functions are not interrupted. Sound judgment needs to be demonstrated and as soon as practical, the SRO(s) shall make the superintendent/principal of the school aware of such action. At the superintendent/principal request, the SRO(s) shall take appropriate law enforcement action against intruders and unwanted visitors who may appear at the school and related school functions, to the extent the SRO(s) may do so under the authority of law.
12. The SRO(s) shall coordinate all his/her activities with the principal and staff members concerned and will seek advice, guidance and permission from the school administration prior to enacting any program within the school.
13. The SRO(s) shall confer with the Rotterdam Chief of Police regarding current police activities as deemed appropriate. The SRO(s) are anticipated to work an average of eight hours per day, the scheduling of said hours can be made flexible-time, at the discretion of the Superintendent of Schools, or her/his designee, and the Rotterdam Chief of Police, as is necessary to accommodate the need for the SRO(s) to conclude investigations or be present at events occurring outside the regularly scheduled school day.
14. The SRO(s) will expect to participate in school functions such as athletic events, dances, or other school sponsored events when the Superintendent or her/his designee and the Rotterdam Chief of Police agree the SRO(s) attendance is advantageous.
15. The SRO(s) regular working hours may be adjusted, on a situational basis, with consent of the school administration and the Rotterdam Chief of Police.
16. When appropriate and in consultation the Rotterdam Chief of Police, the SRO(s) may keep the school principal and/or superintendent of schools informed of the nature of any investigation of any alleged criminal activities involving students, employees, teachers or third parties that have allegedly occurred upon school grounds.

17. The SRO(s) shall maintain detailed and accurate records of the operation of the School Resource Officer Program.

SRO Employer:

18. The SRO(s), being an employee of the Rotterdam Police Department, shall consider the Rotterdam Police Chief as his reporting senior. However, in matters related to the Mohonasen Central School District, the SRO(s) duties and all other work functions, particularly as such relates to pedagogical functions of the position, the SRO(s) shall consider the Superintendent of Schools, or her/his designee, as his reporting senior. The SRO(s) shall abide by the policies of the Mohonasen Central School District when they are not in conflict with the policy and procedures of the Rotterdam Police Department.

Training:

19. The Rotterdam Police Department shall provide the training considered by the police department as necessary to maintain the skills and knowledge of the SRO(s) in the capacity of a Police Officer. Scheduling of training and/or conferences during the school year shall be coordinated between the school administration and the Rotterdam Chief of Police prior to the attendance by the SRO(s) at training.

The Mohonasen Central School District agrees to:

1. Notify the SRO(s) of any crime (Misdemeanor or Felony) that has been committed on or near school property or of any intelligence that a crime may be committed on or near school property as soon as possible, and to cooperate with any investigation if necessary;
2. Notify the SRO(s) of any searches on school grounds that may lead to criminal charges;
3. Coordinate regular meetings with the SRO(s) and the police department administration so as to maintain open lines of communication;
4. Notify the SRO(s) of any student who has been suspended from school, whether In School Suspension or Out of School Suspension;
5. Allow the SRO(s) access to all school functions, including classroom activities, as long as the SRO(s) presence does not interrupt the educational process.

Town of Rotterdam

By: _____

Mollie A. Collins
Town of Rotterdam Supervisor

Mohonasen Central School District

By:  _____

Shannon Shine
Superintendent of Schools

Rotterdam Police Department

By: _____

Michael Brown
Chief of Police

RESOLUTION NO. 240.25

**TO AUTHORIZE THE SUPERVISOR TO NEGOTIATE AND EXECUTE AN
AGREEMENT WITH SCHALMONT CENTRAL SCHOOL DISTRICT TO STAFF ONE
SCHOOL RESOURCE OFFICER (SRO) FOR THEIR SCHOOL RESOURCE
PROGRAM**

WHEREAS, the Schalmont Central School District desires to continue their respective School Resource Officer (SRO) Programs, furthering the development of strong, supportive relationships between students, faculty and law enforcement, to deter criminal behavior and maintain a safe learning environment; and

WHEREAS, the Schalmont Central School has agreed to reimburse the Town for seventy percent (70%) of the expense of the program; **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 Supervisor to negotiate and execute an agreement with Schalmont Central School District, located at 4 Sabre Drive, Schenectady, New York 12306, to staff one (1) School Resource Officer (SRO) to continue their School Resource Program commencing July 1, 2025, through June 30, 2026.

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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LEGISLATIVE REQUEST FORM

DATE: June 23, 2025

TO: Town Board

FROM: Mollie A. Collins, Supervisor

TITLE OF REQUEST: Authorize the Supervisor to negotiate and execute an agreement with Schalmont Central School District for one (1) School Resource Officer

TOWN BOARD MEETING: July 9, 2025

Background Information: The agreement for a School Resource Officer with Schalmont Central School District has not been updated since 2019. Schalmont has requested a current agreement.

Evaluation/Analysis: The town recognizes the importance of a School Resource Officer being present in our local school districts.

Recommendation(s): Recommend that the Town Board approve the agreement for one School Resource Officer for Schalmont Central School District.

Attachment/Document(s): Contract

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

**AGREEMENT BETWEEN THE
ROTTERDAM TOWN BOARD, THE ROTTERDAM POLICE DEPARTMENT AND
THE SCHALMONT CENTRAL SCHOOL DISTRICT
FOR A SCHOOL RESOURCE OFFICER**

This Agreement is made this 9th day of July 2025 by and between the Schalmont Central School District (the "School District") with its principal office at 4 Sabre Drive, Schenectady, NY 12306 and the Town of Rotterdam (the "Town") with its principal office at 1100 Sunrise Boulevard, Schenectady, NY 12306.

WHEREAS, the School District desires to obtain a School Resource Officer (SRO) program, to develop a strong, supportive relationship between students, faculty and law enforcement in order to deter criminal behavior and maintain a safe learning environment; and

WHEREAS, the Town of Rotterdam desires to provide School Resource Officer services to the School District and;

WHEREAS, the School District has agreed to reimburse the Town for seventy percent (70%) of the expense of the program;

Now, THEREFORE, it is mutually agreed by and between the parties as follows:

Term:

The term of the agreement shall commence July 1, 2025 through June 30, 2026, the 2025/2026 school year. Continuation of this agreement is contingent on the annual budget approval of both the School District and the Town Board.

Eligibility and Appointment:

1. The School Resource Officer shall be a sworn Rotterdam Police Officer employed by the Town and also employed by the School District.
2. If there is a need to replace an officer the School District shall participate in the selection of the SRO(s) and shall be offered the opportunity to interview all applicants if so desired. If for any reason, the School District is dissatisfied with the performance of an individual serving in the role of SRO, the District will contact the Town and The Rotterdam Police Department to discuss and replace the SRO, if warranted.
3. The School District shall require the services of the SRO for the length of a school year. Additional service time can be requested with approval of the Rotterdam Chief of Police.

Funding and Compensation:

4. It is agreed that the SRO is classified as a non-exempt position for purposes of wages and hours under the Fair Labor Standards Act (FLSA). As such, the agreed upon hourly rate for the SRO will be based on the hourly rate with the Town.

5. The School District agrees to pay the Town for the SRO the equivalent of seventy percent (70%), through the general budget, of the total annual compensation due to the SRO, with the Town paying the SRO the other thirty percent (30%), of the total annual compensation for the annual hours worked by the SRO on behalf of the School District.
6. The School District will also pay seventy percent tax (70%) for Federal Insurance Contribution Act, Workers Compensation, State Employee Retirement System costs, and health insurance coverage.
7. The Town will issue an invoice to the School District in December and June for the balance of the amount paid for payroll, FICA, retirement, Workers Compensation and insurance that comprises the difference between the respective shares for the compensation of the SRO position, as agreed hereto.
8. In recognition of the value to the Rotterdam Police Department of having the SRO serving at the school, the Town will not request for reimbursement from the School District for the expense of providing the SRO with the use of a police vehicle or any other costs associated with the SRO program, other than what is described in this agreement.
9. The Town and the School District will provide each other with any and all information regarding costs and payroll for the SRO upon request.

Day-to-Day Operation during the School Year:

10. The SRO shall act as educator, counselor and police officer.
11. The SRO shall take law enforcement action as required to protect the immediate safety of others or property. The SRO will need to make a conscious effort to decide the best time to act on/and or address an issue, so as to not interfere with school operations. Some things can wait so that school functions are not interrupted. Sound judgment needs to be demonstrated and as soon as practical, the SRO shall make the superintendent/principal of the school aware of such action. At the superintendent/principal request, the SRO shall take appropriate law enforcement action against intruders and unwanted visitors who may appear at the school and related school functions, to the extent the SRO may do so under the authority of law.
12. The SRO shall coordinate all his/her activities with the principal and staff members concerned and will seek advice, guidance and permission from the school administration prior to enacting any program within the school.
13. The SRO shall confer with the Rotterdam Chief of Police regarding current police activities as deemed appropriate. The SRO is anticipated to work an average of eight hours per day, the scheduling of said hours can be made flexible-time, at the discretion of the Superintendent of Schools, or her/his designee, and the Rotterdam Chief of Police, as is necessary to accommodate the need for the SRO to conclude investigations or be present at events occurring outside the regularly scheduled school day.
14. The SRO will expect to participate in school functions such as athletic events, dances, or other school sponsored events when the Superintendent or her/his designee and the Rotterdam Chief of Police agree the SRO attendance is advantageous.
15. The SRO's regular working hours may be adjusted, on a situational basis, with consent of the school administration and the Rotterdam Chief of Police.
16. When appropriate and in consultation the Rotterdam Chief of Police, the SRO may keep the school principal and/or superintendent of schools informed of the nature of any investigation of any alleged criminal activities involving students, employees, teachers or third parties that have allegedly occurred upon school grounds.
17. The SRO shall maintain detailed and accurate records of the operation of the School Resource Officer Program.

SRO Employer:

18. The SRO, being an employee of the Rotterdam Police Department, shall consider the Rotterdam Police Chief as his reporting senior. However, in matters related to the Schalmont Central School District, the SRO duties and all other work functions, particularly as such relates to pedagogical functions of the position, the SRO shall consider the Superintendent of Schools, or her/his designee, as his reporting senior. The SRO shall abide by the policies of the Schalmont Central School District when they are not in conflict with the policy and procedures of the Rotterdam Police Department.

Training:

19. The Rotterdam Police Department shall provide the training considered by the police department as necessary to maintain the skills and knowledge of the SRO(s) in the capacity of a Police Officer. Scheduling of training and/or conferences during the school year shall be coordinated between the school administration and the Rotterdam Chief of Police prior to the attendance by the SRO at training.

The Schalmont Central School District agrees to:

1. Notify the SRO of any crime (Misdemeanor or Felony) that has been committed on or near school property or of any intelligence that a crime may be committed on or near school property as soon as possible, and to cooperate with any investigation if necessary;
2. Notify the SRO of any searches on school grounds that may lead to criminal charges;
3. Coordinate regular meetings with the SRO and the police department administration so as to maintain open lines of communication;
4. Notify the SRO of any student who has been suspended from school, whether In School Suspension or Out of School Suspension;
5. Allow the SRO access to all school functions, including classroom activities, as long as the SRO's presence does not interrupt the educational process.

Town of Rotterdam

By: _____

Mollie A. Collins
Town of Rotterdam Supervisor

Schalmont Central School District

By: 2 B.R. E.D.

Dr. Thomas B. Reardon
Superintendent of Schools

Rotterdam Police Department

By: _____

Michael Brown
Chief of Police

RESOLUTION NO. 241.25

TO APPROVE BUDGET TRANSFERS TO THE 2025 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 2025 are hereby audited and approved:

<i>Fund</i>	<i>Account No.</i>	<i>Title</i>	<i>Amount</i>
Water Dist 3	W38320-2000	FROM: Water 3 Equipment	\$ (4,698.00)
Water Dist 3	W38320-4880	FROM: Equip Maint & Repair	(14,476.00)
Water Dist 3	W38320-4904	TO: Buildings & Ground Maint	19,174.00

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM



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LEGISLATIVE REQUEST FORM

DATE: **June 30, 2025**

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

FROM: **Comptroller's Office**

TITLE OF REQUEST: To approve budget transfers to the 2025 budget.

TOWN BOARD MEETING: To be placed on the Town Board Meeting of July 9, 2025.

Background Information: Budget transfers are needed to correct lines within Water District 3 to cover the unbudgeted costs of the roof replacement at 1214 Main Street Rotterdam Junction building.

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 July 9, 2025, and approve the transfers.

Attachment/Document(s): Memo: James Keith

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): Town Law 102, 112 & 113

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

Memorandum

To: Mollie Collins, Supervisor

From: James Keith, Senior Building Inspector *JK*

Subject: Budget Transfer

Date: June 26, 2025

Please transfer the following funds to cover expenses:

From	W38320 2000 W3 Equipment	Amount \$ 4,698.00
	W38320 4880 W3 Equip Maint & Repair	Amount \$14,476.00
To	W38320 1904 W3 Buildings & Ground Maint.	Amount \$19,174.00

Thank you.

cc: Alison Grace

RESOLUTION NO. 242.25

**TO ACCEPT GENERAL UTILITY, WATERLINE, AND SANITARY SEWER
EASEMENTS FROM DEVELOPMENT AT HELDERBERG MEADOWS, LLC**

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 accepts permanent easements for the following:

- A. Water line easement (privately owned infrastructure) entitled: “Map showing proposed water utility easement of lands of Development at Helderberg Meadows, LLC” dated June 24, 2025 as prepared by Stephen P. Walrath, L.S. dated June 24, 2025.
- B. Sanitary Sewer Forcemain easement (publicly owned infrastructure) entitled: “Map showing amended forcemain utility easement of lands of Development at Helderberg Meadows, LLC” dated June 24, 2025 as prepared by Stephen P. Walrath, L.S. dated June 24, 2025.
- C. General utility maintenance easement over common lands entitled: “Map showing parcel consolidation of lands of Development at Helderberg Meadows, LLC Tax Map ID Numbers 58.19-1-17, 58.19-1-10, 58.15-6-3.112 and 58.14-1-3.21” dated July 17, 2024.

SECTION 2. The Town Board hereby authorizes the Town Supervisor to execute all documents required for acceptance of these easements subject to final review and approval by the Town Designated Engineer and Department of Public Works. In addition, final documents shall be approved as to form by the Attorney for the Town.

SECTION 3. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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LEGISLATIVE REQUEST FORM

DATE: June 30, 2025

TO: Mollie Collins, Town Supervisor

FROM: Peter Comenzo – Senior Planner

TITLE OF REQUEST: Acceptance of Utility, Waterline, and Sanitary Sewer Easements from Development at Helderberg Meadows, LLC

TOWN BOARD MEETING: July 9, 2025

Background Information: On July 19, 2022 the Planning Commission approved the Crossings at Helderberg Meadows consisting of 124 condominium units on approximately 64 acres.

Evaluation/Analysis: As part of the approvals of this development, the developer was required to provide relocated easements for the existing force main owned by the Town of and to grant general utility, waterline, and sanitary sewer easements to the Town of Rotterdam.

Recommendation(s): Accept Utility, Waterline, and Sanitary Sewer Easements from the Development at Helderberg Meadows, LLC.

Attachment/Document(s): Proposed easements from Development at Helderberg Meadows, LLC

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

UTILITY EASEMENT

THIS INDENTURE, Made this 25th day of June, Two Thousand Twenty-Five.

BETWEEN DEVELOPMENT AT HELDERBERG MEADOWS, LLC, a New York limited liability company with a mailing address of 2 Computer Drive West, Suite 100, Albany, New York 12205, party of the first part; and,

TOWN OF ROTTERDAM, a municipal corporation with offices located at John F. Kirvin Government Center, Vinewood Avenue, Rotterdam, New York 12306, party of the second part,

WITNESSETH that the party of the first part, in consideration of -----ONE AND NO/100-----DOLLAR (\$1.00) to it in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, does hereby grant and release unto the Party of the Second Part, its successors and assigns, utility easement for the installation, construction and maintenance of municipal utilities specifically water lines, and related appurtenances thereto in, on, over and through said easement as bounded and described in Schedule "A", which is attached hereto and made a part hereof.

No structures, fencing, pavement, landscaping, or other such improvements shall be placed within said easement without permission of the party of the second part.

The Party of the Second Part shall restore or cause to be restored the surface of the easement areas described herein after any excavation or other disturbance of said surface at any time by the Party of the Second Part, its agents, servants or employees to its condition prior to said excavation or disturbance, to the extent reasonable practicable.

Being a portion of the same premises conveyed to Development at Helderberg Meadows, LLC by deed from John A. Adamec and Norine A. Adamec dated December 24, 2009, and duly recorded in the Schenectady County Clerk's Office on January 12, 2010, in Book 1814 of Deeds at Page 266, as Instrument #201001655.

This conveyance is made with unanimous consent of the Grantor's Members/Managers, in its normal course of business and does not constitute all or substantially all of the assets of the limited liability company.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, its heirs, successors and assigns forever.

And the party of the first part covenants as follows:

First, That the party of the second part shall quietly enjoy the said premises.

Second, That the party of the first part will forever Warrant the title to said premises.

Third, That, in Compliance with Sec. 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the party of the first part has hereunto set their hand and seal the day and year first above written.

IN PRESENCE OF

IN WITNESS WHEREOF, the party of the first part has caused these presents to be signed by its duly authorized officer this 25th day of June, 2025.

DEVELOPMENT AT HELDERBERG MEADOWS, LLC

BY: Donald Zee
DONALD ZEE, MANAGER

STATE OF NEW YORK }
COUNTY OF ALBANY } ss.:

On the 25th day of June, 2025, before me, the undersigned, a notary public in and for said state, personally appeared **DONALD ZEE**, 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(s) upon behalf of which the individual acted, executed the instrument.

Wendy E. Shay
NOTARY PUBLIC

WENDY E. SHAY
Notary Public, State of New York
No. 01SH5024291
Qualified in Saratoga County
Commission Expires March 7, 2026

RECORD AND RETURN TO
=====

SCHEDULE "A"

**Water Utility Easement (0.737 acres)
2 page description – 1 page map**

Stephen P. Walrath, L.S.

**Land Surveying & Land Use Planning
Environmental Mapping**

**P.O. Box 381
122 Main Street
Altamont, NY 12009
518-986-0125**

email: spwalrath3@gmail.com

**SUGGESTED DESCRIPTION
Proposed Water Utility Easement
Helderberg Meadows Condominiums - Phase 1**

All that tract, piece, or parcel of land, situate lying and being on the Westerly side Guilderland Ave. (NYS Route 158) in the Town of Rotterdam, Schenectady County, New York as shown on a map entitled "Helderberg Meadows Condominiums", prepared by Brett L. Steenburgh, P.E. PLLC dated April 16, 2020 and being more particularly bounded and described as follows:

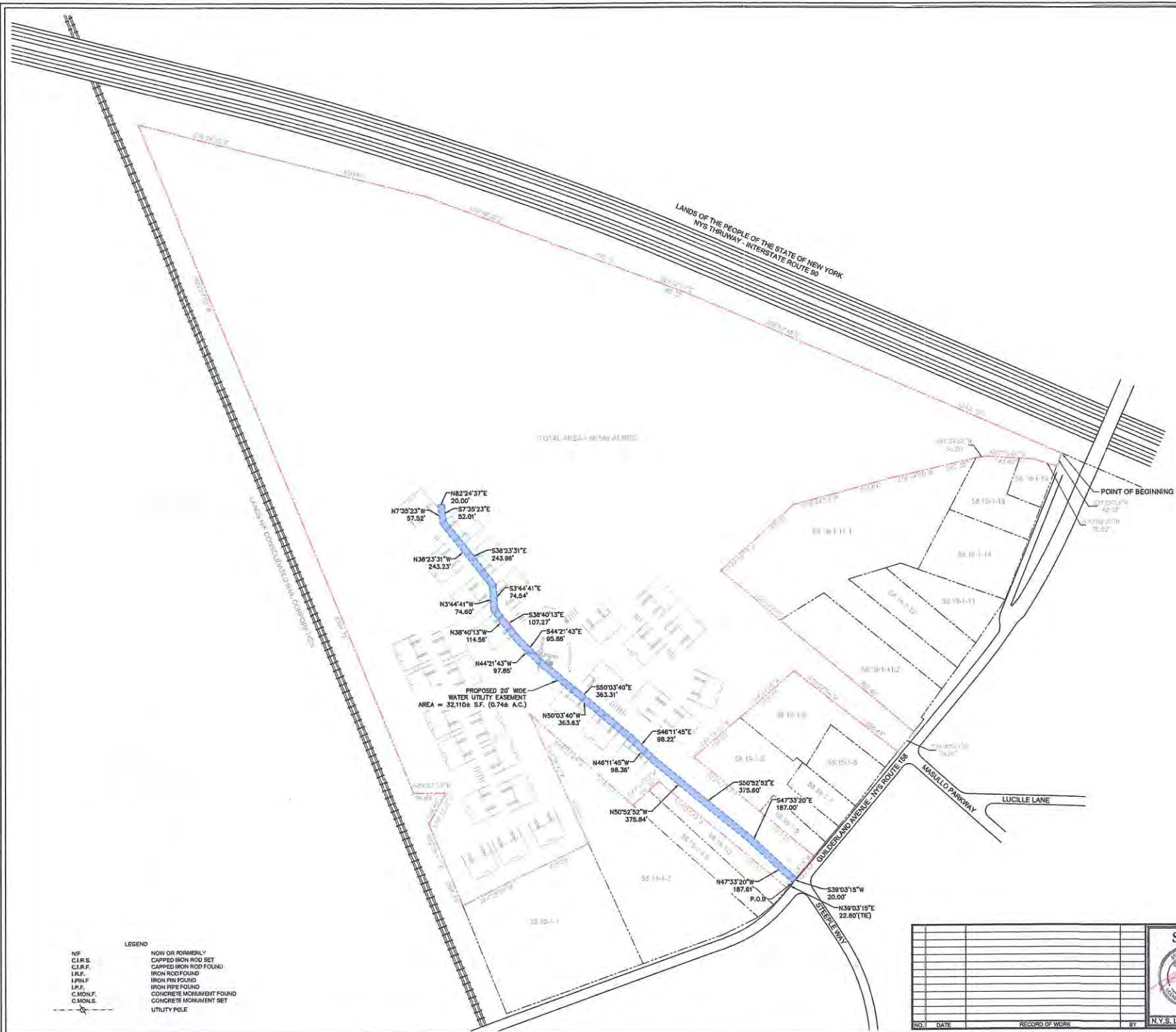
Beginning at a point along the westerly side of Guilderland Ave. (NYS Route 158) N39°-03'15"E 22.80' (TIE) from the end of the subject parcels 14th (14) course and running thence and continuing Helderberg Meadows Condominiums (Phase 1) the following twenty (20) courses and distances:

1. North 47°-33'-20" West, 187.61 feet to a point;
2. North 50°-52'-52" West, 375.84 feet to a point;
3. North 46°-11'-45" West, 98.36 feet to a point;
4. North 50°-03'-40" West, 363.63 feet to a point;
5. North 44°-21'-43" West, 97.85 feet to a point;
6. North 38°-40'-13" West, 114.56 feet to a point;
7. North 03°-44'-41" West, 74.60 feet to a point;
8. North 38°-23'-31" West, 243.23 feet to a point;
9. North 07°-35'-23" West, 57.52 feet to a point;
10. North 82°-24'-37" East, 20.00 feet to a point;
11. South 07°-35'-23" East, 52.01 feet to a point;
12. South 38°-23'-31" East, 243.96 feet to a point;
13. South 03°-44'-41" East, 74.54 feet to a point;
14. South 38°-40'-13" East, 107.27 feet to a point;
15. South 44°-21'-43" East, 95.86 feet to a point;
16. South 50°-03'-40" East, 363.31 feet to a point;
17. South 46°-11'-45" East, 98.22 feet to a point;
18. South 50°-52'-52" East, 375.60 feet to a point;
19. South 47°-33'-20" East, 187.00 feet to a point; and

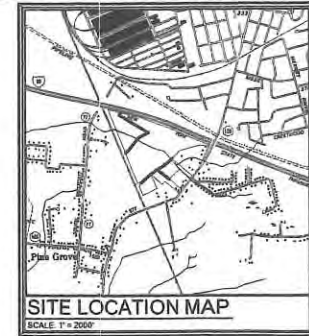
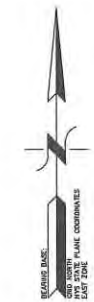
20. South $39^{\circ}-03'-15''$ West, 20.00 feet to a point or place of beginning.

Containing 0.737 Acres.

Subject to any easements, covenants, or restrictions of record.



GRID NORTH NYS STATE PLANE COORDINATES EAST ZONE



Notes:

1. Property line information taken from map references and deeds of record.
2. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law.
3. Survey shown is subject to any subsurface conditions that may exist, if any.

Map References:

1. Map entitled "Helderberg Meadows Condominiums" dated April 16, 2020, last revised February 15, 2024 and prepared by Brett L. Steenburgh, P.E., PLLC.
2. Map entitled "Helderberg Meadows - Helderberg Meadows, LLC - Developer Subdivision Plat 3" dated April 3, 2003, last revised October 8, 2008 and prepared by Ingalls and Associates, LLP.
3. Map entitled "Topographic Survey of Lands of Louis J. and Camella Gianetti" dated December 5, 1990, last revised July 7, 1991 and prepared by Gilbert VanGuilder & Associates

Adjoining Owners		
58.10-1-1	Kueser, Barbara J.	Book 1781, Page 797
58.10-1-2	Bodmer, Evelyn E. & Nelson	Book 1249, Page 286
58.10-1-3	Balis, Peter J. & Marcia A.	Book 2072, Page 88
58.10-1-4.2	Balis, Peter J. & Marcia A.	Book 2072, Page 88
58.10-1-5	Olszewski, Michael Thomas	Book 1521, Page 569
58.10-1-6	Alfieri, Norman M.	Book 1822, Page 466
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58.10-1-8	Quick, Graig B. & Erika M.	Book 1834, Page 909
58.10-1-9	Hoefner, Douglas & Pamela	Book 1840, Page 137
58.10-1-11.1	Michel, William & Shatoya	Book 2095, Page 497
58.10-1-11.2	Dir, Simakal & Haidar, Nadir	Book 2027, Page 175
58.10-1-12	Harvey, Gregory	Book 1402, Page 187
58.10-1-13	Salerno, Renee M. & Jarrie R.	Book 2071, Page 540
58.10-1-14	Le Roy, Joseph M. & Kathryn A.	Book 1759, Page 899
58.10-1-15	Lancos, Kenneth M. & Karen S.	Book 1236, Page 132
58.10-1-16	Scotfield, Charles D. & Bryan	Book 2015, Page 512

LEGEND

N.F.	NOW OR FORMERLY
C.I.R.S.	CAPPED IRON ROD SET
I.R.F.	IRON ROD FOUND
I.R.F.	IRON ROD FOUND
I.P.F.	IRON PIPE FOUND
C.M.O.N.F.	CONCRETE MONUMENT FOUND
C.M.O.N.F.	CONCRETE MONUMENT SET
U.T.I.L.I.T.Y.	UTILITY POLE

STEPHEN P. WALRATH, L.S. LAND SURVEYING & LAND PLANNING 22 MAIN STREET P.O. BOX 381 ALBANY, NY 12209 TEL: 518-866-0125		MAP SHOWING PROPOSED WATER UTILITY EASEMENT OF LANDS OF DEVELOPMENT AT HELDERBERG MEADOWS, LLC	
COUNTY OF SCHENECTADY		TOWN OF ROTTERDAM	
STATE OF NEW YORK		STATE OF NEW YORK	
PROJECT NO. 23737	FILE NO. 2023-23737-WATER	SCALE: 1" = 150'	
DWG. NO. 23737-1	DATE: JUNE 24, 2025	SHEET 1 OF 1	

N.Y.S. LIC. NO. 49,678

**Combined Real Estate Transfer Tax Return,
Credit Line Mortgage Certificate, and
Certification of Exemption from the
Payment of Estimated Personal Income Tax**

See Form TP-584-I, Instructions for Form TP-584, before completing this form. Print or type.

Schedule A – Information relating to conveyance

Grantor/Transferor	Name (if individual, last, first, middle initial) (☐ mark an X if more than one grantor)	Social Security number (SSN)
☐ Individual	Development at Helderberg Meadows, LLC	
☐ Corporation	Mailing address	SSN
☐ Partnership	2 Computer Drive West, Suite 100	
☐ Estate/Trust	City State ZIP code	Employer Identification Number (EIN)
☐ Single member LLC	Albany NY 12205	26-1970591
☒ Multi-member LLC	Single member's name if grantor is a single member LLC (see instructions)	Single member EIN or SSN
☐ Other		
Grantee/Transferee	Name (if individual, last, first, middle initial) (☐ mark an X if more than one grantee)	SSN
☐ Individual	Town of Rotterdam	
☒ Corporation	Mailing address	SSN
☐ Partnership	Vinewood Avenue (John F. Kirvin Government Center)	
☐ Estate/Trust	City State ZIP code	EIN
☐ Single member LLC	Rotterdam NY 12306	
☐ Multi-member LLC	Single member's name if grantee is a single member LLC (see instructions)	Single member EIN or SSN
☐ Other		

Location and description of property conveyed

Tax map designation – Section, block & lot (include dots and dashes)	SWIS code (six digits)	Street address	City, town, or village	County
p/o 58.19-4-1	422800	3379 Guiderland Road	Rotterdam	Schenectady

Type of property conveyed (mark an X in applicable box)

1 ☐ One- to three-family house	6 ☐ Apartment building	Date of conveyance <table border="1"><tr><td>06</td><td></td><td>2025</td></tr><tr><td>month</td><td>day</td><td>year</td></tr></table>	06		2025	month	day	year	Percentage of real property conveyed which is residential real property 0.0 % (see instructions)
06			2025						
month	day		year						
2 ☐ Residential cooperative	7 ☐ Office building								
3 ☐ Residential condominium	8 ☐ Four-family dwelling								
4 ☐ Vacant land	9 ☒ Other <u>Easement</u>								
5 ☐ Commercial/Industrial									

**Condition of conveyance
(mark an X in all that apply)**

a. ☐ Conveyance of fee interest	f. ☐ Conveyance which consists of a mere change of identity or form of ownership or organization (attach Form TP-584.1, Schedule F)	i. ☐ Option assignment or surrender
b. ☐ Acquisition of a controlling interest (state percentage acquired _____ %)	g. ☐ Conveyance for which credit for tax previously paid will be claimed (attach Form TP-584.1, Schedule G)	m. ☐ Leasehold assignment or surrender
c. ☐ Transfer of a controlling interest (state percentage transferred _____ %)	h. ☐ Conveyance of cooperative apartment(s)	n. ☐ Leasehold grant
d. ☐ Conveyance to cooperative housing corporation	i. ☐ Syndication	o. ☐ Conveyance of an easement
e. ☐ Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest (attach Form TP-584.1, Schedule E)	j. ☐ Conveyance of air rights or development rights	p. ☐ Conveyance for which exemption from transfer tax claimed (complete Schedule B, Part 3)
	k. ☐ Contract assignment	q. ☐ Conveyance of property partly within and partly outside the state
		r. ☐ Conveyance pursuant to divorce or separation
		s. ☒ Other (describe) <u>Water Utility Easement</u>

For recording officer's use	Amount received	Date received	Transaction number
	Schedule B, Part 1 \$ _____		
	Schedule B, Part 2 \$ _____		

Schedule B – Real estate transfer tax return (Tax Law Article 31)**Part 1 – Computation of tax due**

- 1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, mark an X in the Exemption claimed box, enter consideration and proceed to Part 3) ☒ **Exemption claimed**
- 2 Continuing lien deduction (see instructions if property is taken subject to mortgage or lien)
- 3 Taxable consideration (subtract line 2 from line 1)
- 4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3
- 5 Amount of credit claimed for tax previously paid (see instructions and attach Form TP-584.1, Schedule G)
- 6 Total tax due* (subtract line 5 from line 4)

1.		0 00
2.		0 00
3.		0 00
4.		0 00
5.		0 00
6.		0 00

Part 2 – Computation of additional tax due on the conveyance of residential real property for \$1 million or more

- 1 Enter amount of consideration for conveyance (from Part 1, line 1)
- 2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A) ...
- 3 Total additional transfer tax due* (multiply line 2 by 1% (.01))

1.		
2.		
3.		

Part 3 – Explanation of exemption claimed on Part 1, line 1 (mark an X in all boxes that apply)

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, New York State, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada) a ☒
- b. Conveyance is to secure a debt or other obligation..... b ☐
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance..... c ☐
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts..... d ☐
- e. Conveyance is given in connection with a tax sale..... e ☐
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F f ☐
- g. Conveyance consists of deed of partition g ☐
- h. Conveyance is given pursuant to the federal Bankruptcy Act..... h ☐
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property i ☐
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment..... j ☐
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, § 1401(e) (attach documents supporting such claim) k ☐

* The total tax (from Part 1, line 6 and Part 2, line 3 above) is due within 15 days from the date of conveyance. Make check(s) payable to the county clerk where the recording is to take place. For conveyances of real property within New York City, use Form TP-584-NYC. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.

Schedule C – Credit Line Mortgage Certificate (Tax Law Article 11)

Complete the following only if the interest being transferred is a fee simple interest.

This is to certify that: (mark an X in the appropriate box)

1. ☒ The real property being sold or transferred is not subject to an outstanding credit line mortgage.
 2. ☐ The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
 - a ☐ The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
 - b ☐ The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
 - c ☐ The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
 - d ☐ The maximum principal amount secured by the credit line mortgage is \$3 million or more, and the real property being sold or transferred is **not** principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

Note: for purposes of determining whether the maximum principal amount secured is \$3 million or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

 - e ☐ Other (attach detailed explanation).
3. ☐ The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
 - a ☐ A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
 - b ☐ A check has been drawn payable for transmission to the credit line mortgagee or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
4. ☐ The real property being transferred is subject to an outstanding credit line mortgage recorded in _____ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is _____. No exemption from tax is claimed and the tax of _____ is being paid herewith. (Make check payable to county clerk where deed will be recorded.)

Signature (both the grantors and grantees must sign)

The undersigned certify that the above information contained in Schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of their knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

DEVELOPMENT OF HOLDING MORTGAGES, LLC

David Z...

Grantor signature

member

Title

Grantee signature

Title

Grantor signature

Title

Grantee signature

Title

Reminder: Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you marked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place? If no recording is required, send this return and your check(s), made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.

Schedule D – Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, § 663)

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

If the property is being conveyed by a referee pursuant to a foreclosure proceeding, proceed to Part 2, mark an X in the second box under *Exemption for nonresident transferors/sellers*, and sign at bottom.

Part 1 – New York State residents

If you are a New York State resident transferor/seller listed in Form TP-584, Schedule A (or an attachment to Form TP-584), you must sign the certification below. If one or more transferor/seller of the real property or cooperative unit is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

Certification of resident transferors/sellers

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor/seller as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law § 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

Note: A resident of New York State may still be required to pay estimated tax under Tax Law § 685(c), but not as a condition of recording a deed.

Part 2 – Nonresidents of New York State

If you are a nonresident of New York State listed as a transferor/seller in Form TP-584, Schedule A (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law § 663(c), mark an X in the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor/seller, that transferor/seller is not required to pay estimated personal income tax to New York State under Tax Law § 663. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, *Nonresident Real Property Estimated Income Tax Payment Form*, or Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form*. For more information, see *Payment of estimated personal income tax*, on Form TP-584-I, page 1.

Exemption for nonresident transferors/sellers

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor/seller (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law § 663 due to one of the following exemptions:

- ☐ The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from _____ Date _____ to _____ Date _____ (see instructions).
- ☐ The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- ☐ The transferor or transferee is an agency or authority of the United States of America, an agency or authority of New York State, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

UTILITY EASEMENTS

THIS INDENTURE, Made this 25th day of June, Two Thousand Twenty-Five.

BETWEEN DEVELOPMENT AT HELDERBERG MEADOWS, LLC, a New York limited liability company with a mailing address of 2 Computer Drive West, Suite 100, Albany, New York 12205, party of the first part; and,

TOWN OF ROTTERDAM, a municipal corporation with offices located at John F. Kirvin Government Center, Vinewood Avenue, Rotterdam, New York 12306, party of the second part,

WITNESSETH that the party of the first part, in consideration of -----ONE AND NO/100-----DOLLAR (\$1.00) to it in hand paid by the Party of the Second Part, the receipt whereof is hereby acknowledged, does hereby grant and release unto the Party of the Second Part, its successors and assigns, utility easements for the installation, construction and maintenance of municipal utilities specifically sanitary sewer lines, and related appurtenances thereto in, on, over and through said easements as bounded and described in Schedule "A", which is attached hereto and made a part hereof.

No structures, fencing, pavement, landscaping, or other such improvements shall be placed within said easements without permission of the party of the second part.

The Party of the Second Part shall restore or cause to be restored the surface of the easement areas described herein after any excavation or other disturbance of said surface at any time by the Party of the Second Part, its agents, servants or employees to its condition prior to said excavation or disturbance, to the extent reasonable practicable.

Being a portion of the same premises conveyed to Development at Helderberg Meadows, LLC by deed from John A. Adamec and Norine A. Adamec dated December 24, 2009, and duly recorded in the Schenectady County Clerk's Office on January 12, 2010, in Book 1814 of Deeds at Page 266, as Instrument #201001655.

This conveyance is made with unanimous consent of the Grantor's Members/Managers, in its normal course of business and does not constitute all or substantially all of the assets of the limited liability company.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, its heirs, successors and assigns forever.

And the party of the first part covenants as follows:

First, That the party of the second part shall quietly enjoy the said premises.

Second, That the party of the first part will forever Warrant the title to said premises.

Third, That, in Compliance with Sec. 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the party of the first part has hereunto set their hand and seal the day and year first above written.

IN PRESENCE OF

IN WITNESS WHEREOF, the party of the first part has caused these presents to be signed by its duly authorized officer this 25th day of June, 2025.

DEVELOPMENT AT HELDERBERG MEADOWS, LLC

BY:

Donald Zee
DONALD ZEE, MANAGER

STATE OF NEW YORK }
COUNTY OF ALBANY } ss.:

On the 25th day of June, 2025, before me, the undersigned, a notary public in and for said state, personally appeared **DONALD ZEE**, 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(s) upon behalf of which the individual acted, executed the instrument.

Wendy E. Shay
NOTARY PUBLIC

WENDY E. SHAY
Notary Public, State of New York
No. 01SH5024291
Qualified in Saratoga County
Commission Expires March 7, 2026

RECORD AND RETURN TO
=====

SCHEDULE "A"

Sanitary Utility Easement (0.439 acres)

1 page description – 1 page map

Amended Forcemain Utility Easement

3 page description – 1 page map

Stephen P. Walrath, L.S.

**Land Surveying & Land Use Planning
Environmental Mapping**

**P.O. Box 381
122 Main Street
Altamont, NY 12009
518-986-0125**

email: spwalrath3@gmail.com

SUGGESTED DESCRIPTION

**Proposed Sanitary Utility Easement
Helderberg Meadows Condominiums - Phase 1**

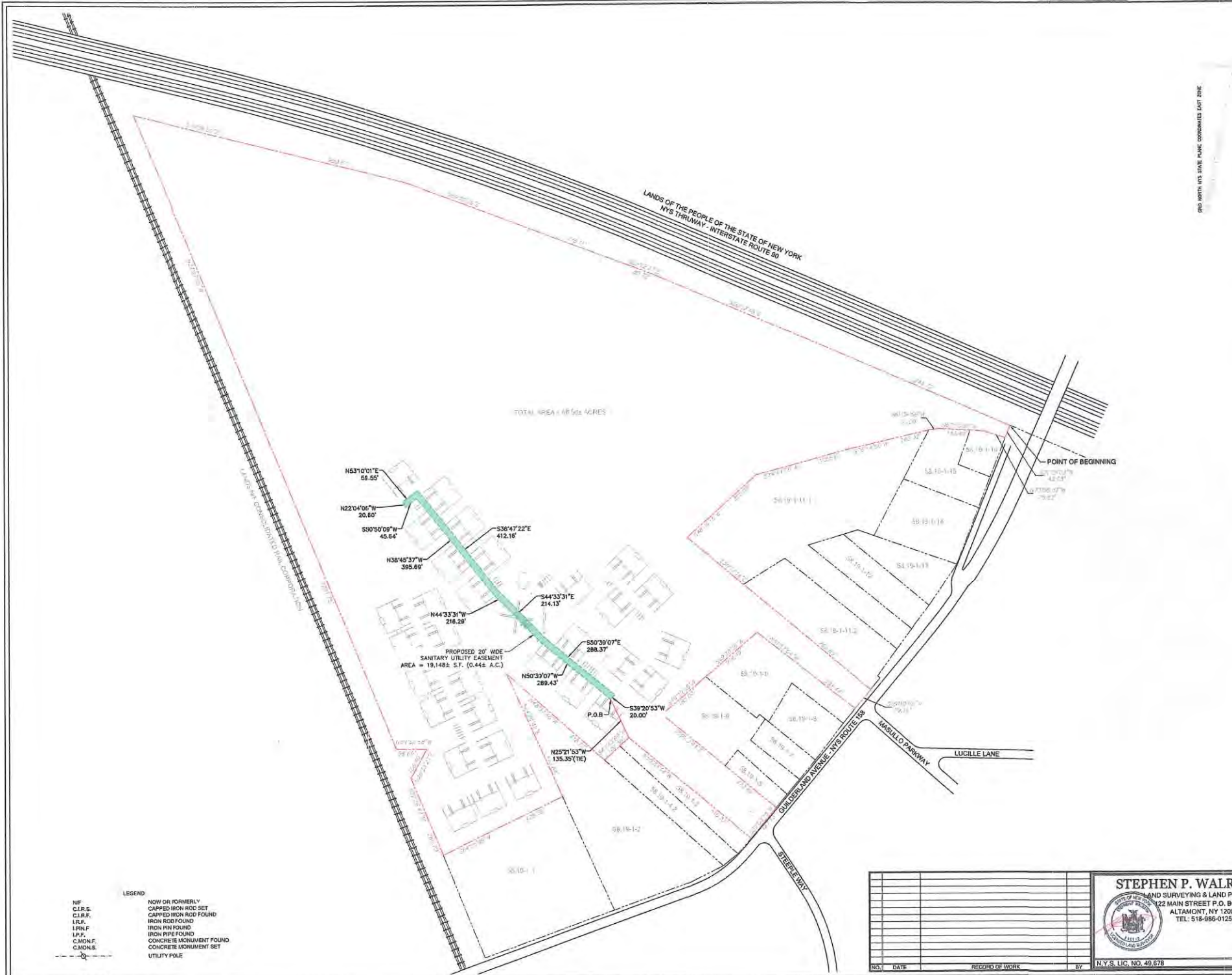
All that tract, piece, or parcel of land, situate lying and being on the Westerly side Guilderland Ave. (NYS Route 158) in the Town of Rotterdam, Schenectady County, New York as shown on a map entitled "Helderberg Meadows Condominiums", prepared by Brett L. Steenburgh, P.E. PLLC dated April 16, 2020 and being more particularly bounded and described as follows:

Beginning at a point along the southerly side of Crossings Blvd. N25°-21'53"W 135.35' (TIE) from the end of the subject parcels 15th (15) course and running thence and continuing through Helderberg Meadows Condominiums (Phase 1) the following ten (10) courses and distances:

1. North 50°-39'-07" West, 289.43 feet to a point;
2. North 44°-33'-31" West, 216.29 feet to a point;
3. North 38°-45'-37" West, 395.69 feet to a point;
4. South 50°-50'-09" West, 45.64 feet to a point;
5. North 22°-04'-06" West, 20.60 feet to a point;
6. North 53°-10'-01" East, 59.55 feet to a point;
7. South 38°-47'-22" East, 412.16 feet to a point;
8. South 44°-33'-31" East, 214.13 feet to a point;
9. South 50°-39'-07" East, 288.37 feet to a point; and
10. South 39°-20'-53" West, 20.00 feet to a point; feet to a point or place of beginning.

Containing 0.439 Acres.

Subject to any easements, covenants, or restrictions of record.



Notes:

1. Property line information taken from map references and deeds of record.
2. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law.
3. Survey shown is subject to any subsurface conditions that may exist, if any.

Map References:

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3. Map entitled "Topographic Survey of Lands of Louis J. and Carmella Gianetti" dated December 5, 1990, last revised July 7, 1991 and prepared by Gilbert VanGulder & Associates

Adjoining Owners		
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58.19-1-2	Bodmer, Evelyn E. & Nelson	Book 1249, Page 286
58.19-1-3	Balis, Peter J. & Marcia A.	Book 2072, Page 88
58.19-1-4.2	Balis, Peter J. & Marcia A.	Book 2072, Page 88
58.19-1-5	Olazewski, Michael Thomas	Book 1521, Page 569
58.19-1-6	Affner, Norman M.	Book 1822, Page 466
58.19-1-7	Hannigan, Inez J. & Gordon K.	No reference
58.19-1-8	Quick, Craig B. & Erika M.	Book 1834, Page 909
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58.19-1-11.2	Din, Samiuel & Halder, Nadir	Book 2027, Page 175
58.19-1-12	Harvey, Gregory	Book 1402, Page 167
58.19-1-13	Salerno, Renae M. & Jamie R.	Book 2071, Page 540
58.19-1-14	Le Roy, Joseph M. & Kathryn A.	Book 1759, Page 599
58.19-1-15	Lancio, Kenneth M. & Karen S.	Book 1236, Page 132
58.19-1-16	Scotfield, Charles D. & Bryan	Book 2015, Page 512

LEGEND

NF
C.I.R.B.
C.I.R.F.
I.R.P.
I.R.P.F.
I.P.F.
C.MON.F.
C.MON.S.

NOW OR FORMERLY
CAPPED IRON ROD SET
CAPPED IRON ROD FOUND
IRON ROD FOUND
IRON PIPE FOUND
IRON PIPE FOUND
CONCRETE MONUMENT FOUND
CONCRETE MONUMENT SET
UTILITY POLE

STEPHEN P. WALRATH, L.S. LAND SURVEYING & LAND PLANNING 122 MAIN STREET P.O. BOX 381 ALTAMONT, NY 12009 TEL: 516-886-0125		MAP SHOWING PROPOSED SANITARY UTILITY EASEMENT OF LANDS AT DEVELOPMENT AT HELDERBERG MEADOWS, LLC	
TOWN OF ROTTERDAM COUNTY OF SCHENECTADY STATE OF NEW YORK		PROJECT NO. 23737 FILED JOBS 2023 23737/SWR	
DATE: JUNE 24, 2025		SCALE: 1" = 150'	
NO. DATE RECORD OF WORK BY		DWG. NO. 23737-SANITARY SHEET 1 OF 1	

Stephen P. Walrath, L.S.

**Land Surveying & Land Use Planning
Environmental Mapping**

**P.O. Box 381
122 Main Street
Altamont, NY 12009
518-986-0125**

email: spwalrath3@gmail.com

SUGGESTED DESCRIPTION

**Amended Forcemain Utility Easement
Helderberg Meadows Condominiums - Phase I**

All that tract, piece, or parcel of land, situate lying and being on the Westerly side Guilderland Ave. (NYS Route 158) in the Town of Rotterdam, Schenectady County, New York as shown on a map entitled "Helderberg Meadows Condominiums", prepared by Brett L. Steenburgh, P.E. PLLC dated April 16, 2020 and being more particularly bounded and described as follows:

Beginning at a point along the southerly side of Crossings Blvd. N39°-03'15"E 5.04' (TIE) from the end of the subject parcels 14th (14) course and running thence and continuing through Helderberg Meadows Condominiums (Phase 1) the following forty-one (41) courses and distances:

1. Northerly along a curve to the right, having a radius of 25.00 feet, an arc distance of 31.83 feet to a point; the chord for said curve being 29.72' and having a chord bearing of North 02°-34'-13" East to a point of curvature;
2. Northerly along a curve to the left, having a radius of 120.00 feet, an arc distance of 37.37 feet to a point; the chord for said curve being 37.22 feet and having a chord bearing of North 42°-49'-28" West;
3. North 51°-44'-40" West, 293.42 feet to a point of curvature;
4. Northerly along a curve to the right, having a radius of 360.00 feet, an arc distance of 68.76 feet to a point; the chord for said curve being 68.66 feet and having a chord bearing of North 46°-16'-22" West;
5. North 40°-48'-06" West, 111.36 feet to a point of curvature;
6. Northerly along a curve to the left, having a radius of 300.00 feet, an arc distance of 56.16 feet to a point; the chord for said curve being 56.08 feet and having a chord bearing of North 46°-09'-53" West;
7. North 51°-31'-39" West, 516.75 feet to a point of curvature;
8. Southerly along a curve to the left, having a radius of 25.00 feet, an arc distance of 39.27 feet to a point; the chord for said curve being 35.36 feet and having a chord bearing of South 83°-28'-20" West;
9. North 51°-31'-39" West, 60.00 feet to a point of curvature;
10. Northerly along a curve to the left, having a radius of 25.00 feet, an arc distance of 39.27 feet to a point; the chord for said curve being 32.36 feet and having a chord bearing of North 06°-30'-22" West;
11. North 51°-31'-39" West, 48.10 feet to a point of curvature;
12. Northerly along a curve to the right, having a radius of 360.00 feet, an arc distance of 77.68 feet to a point; the chord for said curve being 77.53 feet and having a chord bearing of North 45°-

- 20'-46" West;
13. North 39°-09'-51" West, 204.29 feet to a point;
 14. North 50°-50'-09" East, 23.16 feet to a point;
 15. North 22°-04'-06" West, 20.60 feet to a point;
 16. South 77°-22'-30" West, 28.33 feet to a point of curvature;
 17. Northerly along a curve to the right, having a radius of 96.59 feet, an arc distance of 127.48 feet to a point; the chord for said curve being 118.42 feet and having a chord bearing of North 43°-44'-09" West to a point of curvature;
 18. Northerly along a curve to the right, having a radius of 214.37 feet, an arc distance of 135.85 feet to a point; the chord for said curve being 133.59 feet and having a chord bearing of North 42°-52'-50" East;
 19. North 70°-53'-00" West, 213.78 feet to a point;
 20. North 82°-32'-23" West, 249.53 feet to a point;
 21. North 22°-27'-05" West, 1039.52 feet to a point;
 22. South 76°-06'-50" East, 75.00 feet to a point;
 23. South 13°-53'-10" West, 51.33 feet to a point;
 24. South 22°-27'-05" East, 936.37 feet to a point;
 25. South 82°-32'-23" East, 235.25 feet to a point;
 26. South 70°-53'-00" East, 238.42 feet to a point of curvature;
 27. Southerly along a curve to the right, having a radius of 41.81 feet, an arc distance of 53.38 feet to a point; the chord for said curve being 49.83 feet and having a chord bearing of South 17°-10'-10" West to a point of curvature;
 28. Southerly along a curve to the left, having a radius of 184.37 feet, an arc distance of 96.59 feet to a point; the chord for said curve being 95.49 feet and having a chord bearing of South 46°-46'-56" West to a point of curvature;
 29. Southerly along a curve to the left, having a radius of 48.82 feet, an arc distance of 106.69 feet to a point; the chord for said curve being 86.69 feet and having a chord bearing of South 48°-24'-38" East to a point of curvature;
 30. Southerly along a curve to the right, having a radius of 30.98 feet, an arc distance of 55.11 feet to a point; the chord for said curve being 48.13 feet and having a chord bearing of South 53°-40'-23" East;
 31. North 50°-50'-09" East, 5.45 feet to a point;
 32. South 39°-09'-51" East, 204.29 feet to a point of curvature;
 33. Southerly along a curve to the left, having a radius of 300.00 feet, an arc distance of 64.73 feet to a point; the chord for said curve being 64.60 feet and having a chord bearing of South 45°-20'-44" East;
 34. South 51°-31'-39" East, 674.85 feet to a point of curvature;
 35. Southerly along a curve to the right, having a radius of 360.00 feet, an arc distance of 67.39 feet to a point; the chord for said curve being 67.29 feet and having a chord bearing of South 46°-

09'-54" East;

36. South 40°-48'-06" East, 111.36 feet to a point of curvature;

37. Southerly along a curve to the left, having a radius of 300.00 feet, an arc distance of 57.30 feet to a point; the chord for said curve being 57.21 feet and having a chord bearing of South 46°-16'-25" East;

38. South 51°-44'-40" East, 293.42 feet to a point of curvature;

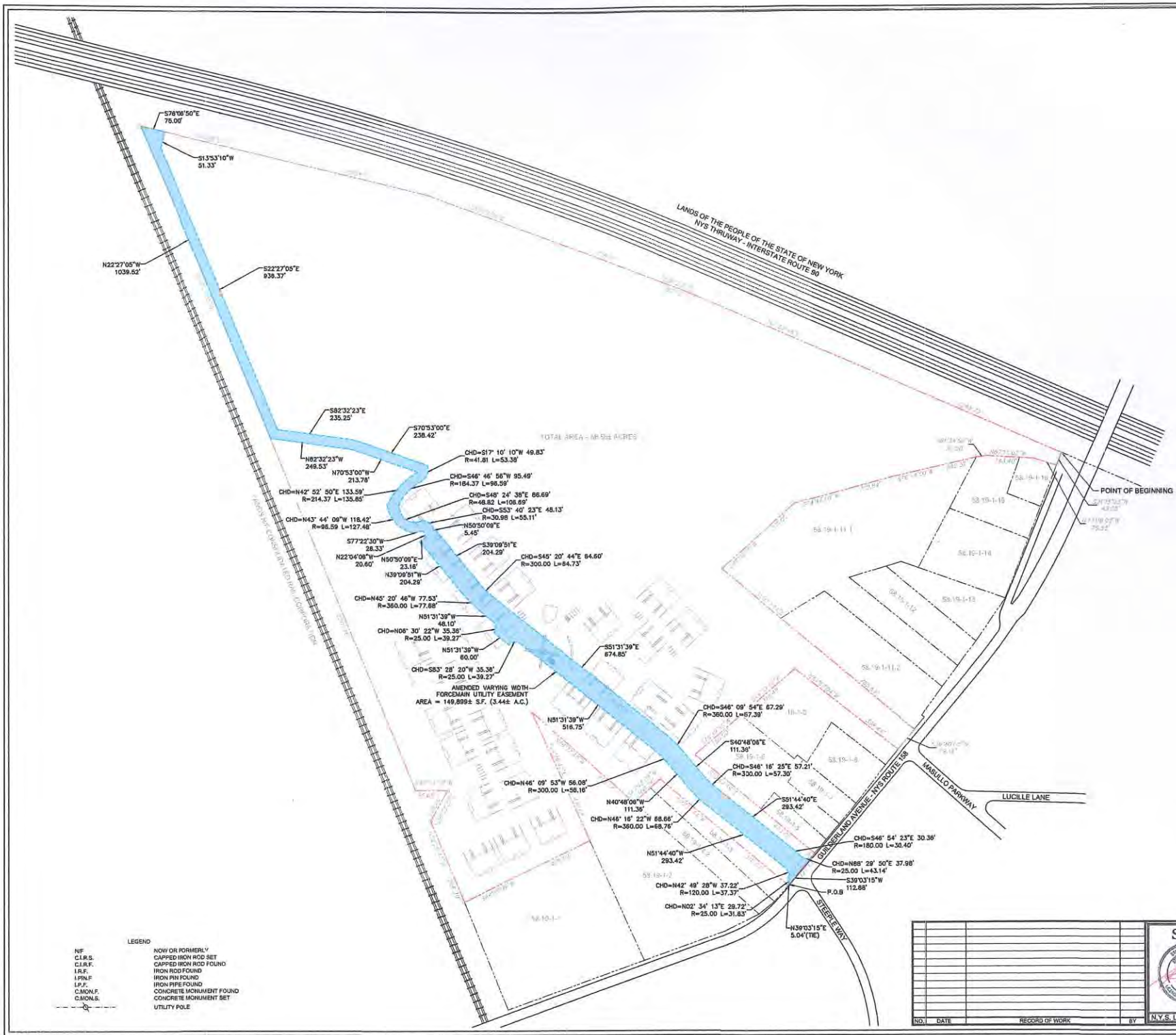
39. Southerly along a curve to the right, having a radius of 180.00 feet, an arc distance of 30.40 feet to a point; the chord for said curve being 30.36 feet and having a chord bearing of South 46°-54'-23" East to a point of curvature;

40. Northerly along a curve to the left, having a radius of 25.00 feet, an arc distance of 43.14 feet to a point; the chord for said curve being 37.98 feet and having a chord bearing of North 88°-29'-50" East; and

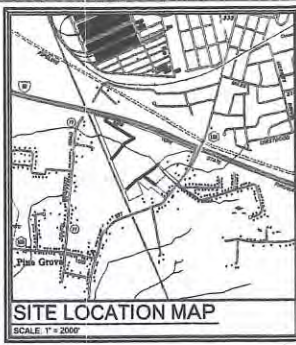
41. South 39°-03'-15" West, 112.88 feet to a point or place of beginning.

Containing 3.44 Acres.

Subject to any easements, covenants, or restrictions of record.



GRID NORTH INTO STATE PLANE COORDINATES EAST ZONE



Notes:
1. Property line information taken from map references and deeds of record.
2. Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of the New York State Education Law.
3. Survey shown is subject to any subsurface conditions that may exist, if any.

Map References:
1. Map entitled "Helderberg Meadows Condominiums" dated April 16, 2020, last revised February 15, 2024 and prepared by Brett L. Stenburgh, P.E., PLLC.
2. Map entitled "Helderberg Meadows - Helderberg Meadows, LLC - Developer Subdivision Plat 3" dated April 3, 2003, last revised October 8, 2008 and prepared by Ingalls and Associates, LLP.
3. Map entitled "Topographic Survey of Lands of Louis J. and Carmella Gianelli" dated December 5, 1990, last revised July 7, 1991 and prepared by Gilbert VanGulder & Associates

Adjoining Owners	
58.19-1-1	Kusek, Barbara J. Book 1781, Page 797
58.19-1-2	Bodmer, Eveline E. & Nelson Book 1249, Page 286
58.19-1-3	Balis, Peter J. & Marcia A. Book 2072, Page 88
58.19-1-4.2	Balis, Peter J. & Marcia A. Book 2072, Page 88
58.19-1-5	Olazuenki, Michael Thomas Book 1521, Page 569
58.19-1-6	Ajferi, Norman M. Book 1822, Page 466
58.19-1-7	Hannigan, Inez J. & Gordon K. No reference
58.19-1-8	Quick, Craig B. & Erika M. Book 1934, Page 909
58.19-1-9	Hoffner, Douglas & Pamela Book 1840, Page 137
58.19-1-11.1	Michel, William & Shatoya Book 2065, Page 407
58.19-1-11.2	Din, Samiafat & Halder, Nadir Book 2027, Page 175
58.19-1-12	Harvey, Gregory Book 1402, Page 167
58.19-1-13	Balemo, Renee M. & Jannie R. Book 2071, Page 540
58.19-1-14	Le Roy, Joseph M. & Kathryn A. Book 1768, Page 869
58.19-1-15	Lanco, Kenneth M. & Karen S. Book 1236, Page 132
58.19-1-16	Scofield, Charles D. & Bryan Book 2015, Page 512

LEGEND
NF
C.I.R.S.
C.I.R.F.
I.R.F.
I.P.N.F.
I.P.N.F.
C.MON.F.
C.MON.S.
UTILITY POLE
NOW OR FORMERLY
CAPPED IRON ROD SET
CAPPED IRON ROD FOUND
IRON ROD FOUND
IRON PIN FOUND
IRON PIPE FOUND
CONCRETE MONUMENT FOUND
CONCRETE MONUMENT SET
UTILITY POLE

STEPHEN P. WALRATH, L.S. LAND SURVEYING & LAND PLANNING 222 MAIN STREET P.O. BOX 381 ALBANY, NY 12209 TEL: 518-886-0125		MAP SHOWING AMENDED FORCEMAIN UTILITY EASEMENT OF LANDS OF DEVELOPMENT AT HELDERBERG MEADOWS, LLC	
COUNTY OF SCHENECTADY		STATE OF NEW YORK	
PROJECT NO: 23737	FILE: JOBS 2023-23737FORCE	SCALE: 1" = 150'	
DWG. NO. 23737-FORCEMAIN		SHEET 1 OF 1	

DATE: JUNE 24, 2025

N.Y.S. LIC. NO. 49,678

**Combined Real Estate Transfer Tax Return,
Credit Line Mortgage Certificate, and
Certification of Exemption from the
Payment of Estimated Personal Income Tax**

See Form TP-584-I, Instructions for Form TP-584, before completing this form. Print or type.

Schedule A – Information relating to conveyance

Grantor/Transferor	Name (if individual, last, first, middle initial) (☐ mark an X if more than one grantor)	Social Security number (SSN)
☐ Individual	Development at Helderberg Meadows, LLC	
☐ Corporation	Mailing address	SSN
☐ Partnership	2 Computer Drive West, Suite 100	
☐ Estate/Trust	City State ZIP code	Employer Identification Number (EIN)
☐ Single member LLC	Albany NY 12205	26-1970591
☒ Multi-member LLC	Single member's name if grantor is a single member LLC (see instructions)	Single member EIN or SSN
☐ Other		
Grantee/Transferee	Name (if individual, last, first, middle initial) (☐ mark an X if more than one grantee)	SSN
☐ Individual	Town of Rotterdam	
☒ Corporation	Mailing address	SSN
☐ Partnership	Vinewood Avenue (John F. Kirvin Government Center)	
☐ Estate/Trust	City State ZIP code	EIN
☐ Single member LLC	Rotterdam NY 12306	
☐ Multi-member LLC	Single member's name if grantee is a single member LLC (see instructions)	Single member EIN or SSN
☐ Other		

Location and description of property conveyed

Tax map designation – Section, block & lot (include dots and dashes)	SWIS code (six digits)	Street address	City, town, or village	County
p/o 58.19-4-1	422800	3379 Guilderland Road	Rotterdam	Schenectady

Type of property conveyed (mark an X in applicable box)

1 ☐ One- to three-family house	6 ☐ Apartment building	Date of conveyance <table border="1"><tr><td>06</td><td></td><td>2025</td></tr><tr><td>month</td><td>day</td><td>year</td></tr></table>	06		2025	month	day	year	Percentage of real property conveyed which is residential real property <u>0.0</u> % (see instructions)
06			2025						
month	day		year						
2 ☐ Residential cooperative	7 ☐ Office building								
3 ☐ Residential condominium	8 ☐ Four-family dwelling								
4 ☐ Vacant land	9 ☒ Other <u>Easement</u>								
5 ☐ Commercial/industrial									

**Condition of conveyance
(mark an X in all that apply)**

a. ☐ Conveyance of fee interest	f. ☐ Conveyance which consists of a mere change of identity or form of ownership or organization (attach Form TP-584.1, Schedule F)	i. ☐ Option assignment or surrender
b. ☐ Acquisition of a controlling interest (state percentage acquired _____ %)	g. ☐ Conveyance for which credit for tax previously paid will be claimed (attach Form TP-584.1, Schedule G)	m. ☐ Leasehold assignment or surrender
c. ☐ Transfer of a controlling interest (state percentage transferred _____ %)	h. ☐ Conveyance of cooperative apartment(s)	n. ☐ Leasehold grant
d. ☐ Conveyance to cooperative housing corporation	i. ☐ Syndication	o. ☐ Conveyance of an easement
e. ☐ Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest (attach Form TP-584.1, Schedule E)	j. ☐ Conveyance of air rights or development rights	p. ☐ Conveyance for which exemption from transfer tax claimed (complete Schedule B, Part 3)
	k. ☐ Contract assignment	q. ☐ Conveyance of property partly within and partly outside the state
		r. ☐ Conveyance pursuant to divorce or separation
		s. ☒ Other (describe) <u>Utility Easement</u>

For recording officer's use	Amount received	Date received	Transaction number
	Schedule B, Part 1 \$		
	Schedule B, Part 2 \$		

Schedule B – Real estate transfer tax return (Tax Law Article 31)**Part 1 – Computation of tax due**

- 1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, mark an X in the Exemption claimed box, enter consideration and proceed to Part 3) ☒ **Exemption claimed**
- 2 Continuing lien deduction (see instructions if property is taken subject to mortgage or lien)
- 3 Taxable consideration (subtract line 2 from line 1)
- 4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3
- 5 Amount of credit claimed for tax previously paid (see instructions and attach Form TP-584.1, Schedule G)
- 6 Total tax due* (subtract line 5 from line 4)

1.		0 00
2.		0 00
3.		0 00
4.		0 00
5.		0 00
6.		0 00

Part 2 – Computation of additional tax due on the conveyance of residential real property for \$1 million or more

- 1 Enter amount of consideration for conveyance (from Part 1, line 1)
- 2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A) ...
- 3 Total additional transfer tax due* (multiply line 2 by 1% (.01))

1.		
2.		
3.		

Part 3 – Explanation of exemption claimed on Part 1, line 1 (mark an X in all boxes that apply)

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, New York State, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada) a ☒
- b. Conveyance is to secure a debt or other obligation..... b ☐
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance..... c ☐
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts..... d ☐
- e. Conveyance is given in connection with a tax sale..... e ☐
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F f ☐
- g. Conveyance consists of deed of partition..... g ☐
- h. Conveyance is given pursuant to the federal Bankruptcy Act..... h ☐
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property..... i ☐
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment..... j ☐
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, § 1401(e) (attach documents supporting such claim) k ☐

* The total tax (from Part 1, line 6 and Part 2, line 3 above) is due within 15 days from the date of conveyance. Make check(s) payable to the county clerk where the recording is to take place. For conveyances of real property within New York City, use Form TP-584-NYC. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.

Schedule C – Credit Line Mortgage Certificate (Tax Law Article 11)

Complete the following only if the interest being transferred is a fee simple interest.

This is to certify that: (mark an X in the appropriate box)

1. ☒ The real property being sold or transferred is not subject to an outstanding credit line mortgage.
2. ☐ The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
 - a ☐ The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
 - b ☐ The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
 - c ☐ The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
 - d ☐ The maximum principal amount secured by the credit line mortgage is \$3 million or more, and the real property being sold or transferred is not principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

Note: for purposes of determining whether the maximum principal amount secured is \$3 million or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

- e ☐ Other (attach detailed explanation).
3. ☐ The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
 - a ☐ A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
 - b ☐ A check has been drawn payable for transmission to the credit line mortgagee or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
4. ☐ The real property being transferred is subject to an outstanding credit line mortgage recorded in _____ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is _____. No exemption from tax is claimed and the tax of _____ is being paid herewith. (Make check payable to county clerk where deed will be recorded.)

Signature (both the grantors and grantees must sign)

The undersigned certify that the above information contained in Schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of their knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

DEVELOPMENT AT HELDERBERG MANORS, LLC

Donald J...
Grantor signature

Title

Grantee signature

Title

Grantor signature

Title

Grantee signature

Title

Reminder: Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you marked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place? If no recording is required, send this return and your check(s), made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.

Schedule D – Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, § 663)

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

If the property is being conveyed by a referee pursuant to a foreclosure proceeding, proceed to Part 2, mark an X in the second box under *Exemption for nonresident transferors/sellers*, and sign at bottom.

Part 1 – New York State residents

If you are a New York State resident transferor/seller listed in Form TP-584, Schedule A (or an attachment to Form TP-584), you must sign the certification below. If one or more transferor/seller of the real property or cooperative unit is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

Certification of resident transferors/sellers

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor/seller as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law § 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

Note: A resident of New York State may still be required to pay estimated tax under Tax Law § 685(c), but not as a condition of recording a deed.

Part 2 – Nonresidents of New York State

If you are a nonresident of New York State listed as a transferor/seller in Form TP-584, Schedule A (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law § 663(c), mark an X in the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor/seller, that transferor/seller is not required to pay estimated personal income tax to New York State under Tax Law § 663. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, *Nonresident Real Property Estimated Income Tax Payment Form*, or Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form*. For more information, see *Payment of estimated personal income tax*, on Form TP-584-I, page 1.

Exemption for nonresident transferors/sellers

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor/seller (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law § 663 due to one of the following exemptions:

- ☐ The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from _____ Date _____ to _____ Date _____ (see instructions).
- ☐ The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- ☐ The transferor or transferee is an agency or authority of the United States of America, an agency or authority of New York State, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

**ALL PURPOSE
UTILITY EASEMENT**

THIS INDENTURE made this 23rd day of May, 2025, between **DEVELOPMENT AT HELDERBERG MEADOWS, LLC**, a New York limited liability company organized under the laws of the State of New York with a mailing address of c/o Brick Law Firm, P.C., 2 Computer Drive West, Suite 100, Albany, New York 12205, party of the first part; and,

The **TOWN OF ROTTERDAM**, a municipal corporation with offices located at John F. Kirvin Government Center, Vinewood Avenue, Rotterdam, NY 12306, party of the second part.

WITNESSETH: That the party of the first part in consideration of \$1.00 to it in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, does hereby grant unto the party of the second part, its successors or assigns, a non-exclusive easement over the HOA Open Space for the purposes of ingress and egress as well as installing and maintaining thereon any and all municipal utilities or services including drainage facilities, with all appurtenances, and being more particularly described and shown as the Open Space Area upon the approved survey map entitled **Map Showing Parcel Consolidation of Lands of Development at Helderberg Meadows, LLC** prepared by Stephen P. Walrath, L.S. dated July 17, 2024 and filed in the Office of Schenectady County Clerk on July 30, 2024 in Book 74 of Maps at Page 300 and Instrument #202444628 and as attached hereto as Exhibit "A".

The Open Space area subject to this All Purpose Utility Easement as set forth herein is also subject to a **Declaration of Restrictive Covenants** filed in the office of the Schenectady County Clerk on April 23, 2025 in Book 2148 of Deeds at Page 266 as Instrument #202509874 and the party of the second part shall be subject to the restrictions contained therein.

No permanent structure shall be constructed by any party over the land described in the above easement herein granted.

The party of the second part, its successors and/or assigns shall restore or cause to be restored the surface of the easement area described herein after any excavation or other disturbance to its condition prior to said excavation or disturbance.

Being a portion of the premises conveyed to the party of the first part by two deeds; one from John A. Adamec and Norine A. Adamec dated December 24, 2009 and duly recorded in the Schenectady County Clerk's Office on January 12, 2010 in Book 1814 of Deeds at Page 266, and one from Joseph E. Gianetti, Sr. and Judith Ann Gianetti dated April 22, 2021 and duly recorded in the Schenectady County Clerk's Office on May 12, 2021 in Book 2058 of Deeds at Page 592.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be signed by its duly authorized officer this 23rd day of May, Two Thousand Twenty-Five.

IN PRESENCE OF

DEVELOPMENT AT HELDERBERG
MEADOWS, LLC

BY:

Donald Zee
DONALD ZEE, Manager

STATE OF NEW YORK)
COUNTY OF ALBANY) ss:

On the 23rd day of May, 2025, before me, the undersigned, a notary public in and for said state, personally appeared **DONALD ZEE**, 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 acknowledge 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 whom the individual acted, executed the agreement.

Wendy E. Shay
Notary Public

WENDY E. SHAY
Notary Public, State of New York
No. 01SH5024291
Qualified in Saratoga County
Commission Expires March 7, 2026

SCHEDULE “A”

OPEN SPACE MAP

**Combined Real Estate Transfer Tax Return,
Credit Line Mortgage Certificate, and
Certification of Exemption from the
Payment of Estimated Personal Income Tax**

See Form TP-584-I, Instructions for Form TP-584, before completing this form. Print or type.

Schedule A – Information relating to conveyance

Grantor/Transferor ☐ Individual ☐ Corporation ☐ Partnership ☐ Estate/Trust ☐ Single member LLC ☒ Multi-member LLC ☐ Other	Name (if individual, last, first, middle initial) (☐ mark an X if more than one grantor) Development at Helderberg Meadows, LLC			Social Security number (SSN)
	Mailing address 2 Computer Drive West, Suite 100			SSN
	City Albany	State NY	ZIP code 12205	Employer Identification Number (EIN) 26-1970591
	Single member's name if grantor is a single member LLC (see instructions)			Single member EIN or SSN
Grantee/Transferee ☐ Individual ☒ Corporation ☐ Partnership ☐ Estate/Trust ☐ Single member LLC ☐ Multi-member LLC ☐ Other	Name (if individual, last, first, middle initial) (☐ mark an X if more than one grantee) Town of Rotterdam			SSN
	Mailing address Vinewood Avenue (John F. Kirvin Government Center)			SSN
	City Rotterdam	State NY	ZIP code 12306	EIN
	Single member's name if grantee is a single member LLC (see instructions)			Single member EIN or SSN

Location and description of property conveyed

Tax map designation – Section, block & lot (include dots and dashes)	SWIS code (six digits)	Street address	City, town, or village	County
p/o 58.19-4-1	422800	3379 Guilderland Road	Rotterdam	Schenectady

Type of property conveyed (mark an X in applicable box)

1 ☐ One- to three-family house	6 ☐ Apartment building	Date of conveyance <table border="1"><tr><td>5</td><td>23</td><td>2025</td></tr><tr><td>month</td><td>day</td><td>year</td></tr></table>	5	23	2025	month	day	year	Percentage of real property conveyed which is residential real property <u>0.00</u> % (see instructions)
5	23		2025						
month	day		year						
2 ☐ Residential cooperative	7 ☐ Office building								
3 ☐ Residential condominium	8 ☐ Four-family dwelling								
4 ☐ Vacant land	9 ☒ Other <u>Easement</u>								
5 ☐ Commercial/industrial									

**Condition of conveyance
(mark an X in all that apply)**

a. ☐ Conveyance of fee interest	f. ☐ Conveyance which consists of a mere change of identity or form of ownership or organization (attach Form TP-584.1, Schedule F)	i. ☐ Option assignment or surrender
b. ☐ Acquisition of a controlling interest (state percentage acquired _____ %)	g. ☐ Conveyance for which credit for tax previously paid will be claimed (attach Form TP-584.1, Schedule G)	m. ☐ Leasehold assignment or surrender
c. ☐ Transfer of a controlling interest (state percentage transferred _____ %)	h. ☐ Conveyance of cooperative apartment(s)	n. ☐ Leasehold grant
d. ☐ Conveyance to cooperative housing corporation	i. ☐ Syndication	o. ☒ Conveyance of an easement
e. ☐ Conveyance pursuant to or in lieu of foreclosure or enforcement of security interest (attach Form TP-584.1, Schedule E)	j. ☐ Conveyance of air rights or development rights	p. ☐ Conveyance for which exemption from transfer tax claimed (complete Schedule B, Part 3)
	k. ☐ Contract assignment	q. ☐ Conveyance of property partly within and partly outside the state
		r. ☐ Conveyance pursuant to divorce or separation
		s. ☒ Other (describe) <u>All Purpose Easement</u>

For recording officer's use	Amount received	Date received	Transaction number
	Schedule B, Part 1 \$		
	Schedule B, Part 2 \$		

Schedule B – Real estate transfer tax return (Tax Law Article 31)**Part 1 – Computation of tax due**

- 1 Enter amount of consideration for the conveyance (if you are claiming a total exemption from tax, mark an X in the Exemption claimed box, enter consideration and proceed to Part 3) ☒ **Exemption claimed**
- 2 Continuing lien deduction (see instructions if property is taken subject to mortgage or lien)
- 3 Taxable consideration (subtract line 2 from line 1)
- 4 Tax: \$2 for each \$500, or fractional part thereof, of consideration on line 3
- 5 Amount of credit claimed for tax previously paid (see instructions and attach Form TP-584.1, Schedule G)
- 6 Total tax due* (subtract line 5 from line 4)

1.		0	00
2.		0	00
3.		0	00
4.		0	00
5.		0	00
6.		0	00

Part 2 – Computation of additional tax due on the conveyance of residential real property for \$1 million or more

- 1 Enter amount of consideration for conveyance (from Part 1, line 1)
- 2 Taxable consideration (multiply line 1 by the percentage of the premises which is residential real property, as shown in Schedule A) ...
- 3 Total additional transfer tax due* (multiply line 2 by 1% (.01))

1.		
2.		
3.		

Part 3 – Explanation of exemption claimed on Part 1, line 1 (mark an X in all boxes that apply)

The conveyance of real property is exempt from the real estate transfer tax for the following reason:

- a. Conveyance is to the United Nations, the United States of America, New York State, or any of their instrumentalities, agencies, or political subdivisions (or any public corporation, including a public corporation created pursuant to agreement or compact with another state or Canada) a ☒
- b. Conveyance is to secure a debt or other obligation..... b ☐
- c. Conveyance is without additional consideration to confirm, correct, modify, or supplement a prior conveyance..... c ☐
- d. Conveyance of real property is without consideration and not in connection with a sale, including conveyances conveying realty as bona fide gifts..... d ☐
- e. Conveyance is given in connection with a tax sale..... e ☐
- f. Conveyance is a mere change of identity or form of ownership or organization where there is no change in beneficial ownership. (This exemption cannot be claimed for a conveyance to a cooperative housing corporation of real property comprising the cooperative dwelling or dwellings.) Attach Form TP-584.1, Schedule F f ☐
- g. Conveyance consists of deed of partition..... g ☐
- h. Conveyance is given pursuant to the federal Bankruptcy Act..... h ☐
- i. Conveyance consists of the execution of a contract to sell real property, without the use or occupancy of such property, or the granting of an option to purchase real property, without the use or occupancy of such property..... i ☐
- j. Conveyance of an option or contract to purchase real property with the use or occupancy of such property where the consideration is less than \$200,000 and such property was used solely by the grantor as the grantor's personal residence and consists of a one-, two-, or three-family house, an individual residential condominium unit, or the sale of stock in a cooperative housing corporation in connection with the grant or transfer of a proprietary leasehold covering an individual residential cooperative apartment..... j ☐
- k. Conveyance is not a conveyance within the meaning of Tax Law, Article 31, § 1401(e) (attach documents supporting such claim) k ☐

* The total tax (from Part 1, line 6 and Part 2, line 3 above) is due within 15 days from the date of conveyance. Make check(s) payable to the county clerk where the recording is to take place. For conveyances of real property within New York City, use Form TP-584-NYC. If a recording is not required, send this return and your check(s) made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.

Schedule C – Credit Line Mortgage Certificate (Tax Law Article 11)

Complete the following only if the interest being transferred is a fee simple interest.

This is to certify that: (mark an X in the appropriate box)

1. ☒ The real property being sold or transferred is not subject to an outstanding credit line mortgage.
 2. ☐ The real property being sold or transferred is subject to an outstanding credit line mortgage. However, an exemption from the tax is claimed for the following reason:
 - a ☐ The transfer of real property is a transfer of a fee simple interest to a person or persons who held a fee simple interest in the real property (whether as a joint tenant, a tenant in common or otherwise) immediately before the transfer.
 - b ☐ The transfer of real property is (A) to a person or persons related by blood, marriage or adoption to the original obligor or to one or more of the original obligors or (B) to a person or entity where 50% or more of the beneficial interest in such real property after the transfer is held by the transferor or such related person or persons (as in the case of a transfer to a trustee for the benefit of a minor or the transfer to a trust for the benefit of the transferor).
 - c ☐ The transfer of real property is a transfer to a trustee in bankruptcy, a receiver, assignee, or other officer of a court.
 - d ☐ The maximum principal amount secured by the credit line mortgage is \$3 million or more, and the real property being sold or transferred is not principally improved nor will it be improved by a one- to six-family owner-occupied residence or dwelling.

Note: for purposes of determining whether the maximum principal amount secured is \$3 million or more as described above, the amounts secured by two or more credit line mortgages may be aggregated under certain circumstances. See TSB-M-96(6)-R for more information regarding these aggregation requirements.

 - e ☐ Other (attach detailed explanation).
3. ☐ The real property being transferred is presently subject to an outstanding credit line mortgage. However, no tax is due for the following reason:
 - a ☐ A certificate of discharge of the credit line mortgage is being offered at the time of recording the deed.
 - b ☐ A check has been drawn payable for transmission to the credit line mortgagee or mortgagee's agent for the balance due, and a satisfaction of such mortgage will be recorded as soon as it is available.
4. ☐ The real property being transferred is subject to an outstanding credit line mortgage recorded in _____ (insert liber and page or reel or other identification of the mortgage). The maximum principal amount of debt or obligation secured by the mortgage is _____. No exemption from tax is claimed and the tax of _____ is being paid herewith. (Make check payable to county clerk where deed will be recorded.)

Signature (both the grantors and grantees must sign)

The undersigned certify that the above information contained in Schedules A, B, and C, including any return, certification, schedule, or attachment, is to the best of their knowledge, true and complete, and authorize the person(s) submitting such form on their behalf to receive a copy for purposes of recording the deed or other instrument effecting the conveyance.

DEVELOPMENT AT HEDDERBERG MEADOWS LLC

By: <u>Donald Zee</u> Grantor signature DONALD ZEE, MANAGER	<u>MANAGER</u> Title	_____ Grantee signature	_____ Title
_____ Grantor signature	_____ Title	_____ Grantee signature	_____ Title

Reminder: Did you complete all of the required information in Schedules A, B, and C? Are you required to complete Schedule D? If you marked e, f, or g in Schedule A, did you complete Form TP-584.1? Have you attached your check(s) made payable to the county clerk where recording will take place? If no recording is required, send this return and your check(s), made payable to the **NYS Department of Taxation and Finance**, directly to the NYS Tax Department, RETT Return Processing, PO Box 5045, Albany NY 12205-0045. If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.

Schedule D – Certification of exemption from the payment of estimated personal income tax (Tax Law, Article 22, § 663)

Complete the following only if a fee simple interest or a cooperative unit is being transferred by an individual or estate or trust.

If the property is being conveyed by a referee pursuant to a foreclosure proceeding, proceed to Part 2, mark an X in the second box under *Exemption for nonresident transferors/sellers*, and sign at bottom.

Part 1 – New York State residents

If you are a New York State resident transferor/seller listed in Form TP-584, Schedule A (or an attachment to Form TP-584), you must sign the certification below. If one or more transferor/seller of the real property or cooperative unit is a resident of New York State, each resident transferor/seller must sign in the space provided. If more space is needed, photocopy this Schedule D and submit as many schedules as necessary to accommodate all resident transferors/sellers.

Certification of resident transferors/sellers

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor/seller as signed below was a resident of New York State, and therefore is not required to pay estimated personal income tax under Tax Law § 663(a) upon the sale or transfer of this real property or cooperative unit.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

Note: A resident of New York State may still be required to pay estimated tax under Tax Law § 685(c), but not as a condition of recording a deed.

Part 2 – Nonresidents of New York State

If you are a nonresident of New York State listed as a transferor/seller in Form TP-584, Schedule A (or an attachment to Form TP-584) but are not required to pay estimated personal income tax because one of the exemptions below applies under Tax Law § 663(c), mark an X in the box of the appropriate exemption below. If any one of the exemptions below applies to the transferor/seller, that transferor/seller is not required to pay estimated personal income tax to New York State under Tax Law § 663. Each nonresident transferor/seller who qualifies under one of the exemptions below must sign in the space provided. If more space is needed, photocopy this Schedule D and submit as many schedules as necessary to accommodate all nonresident transferors/sellers.

If none of these exemption statements apply, you must complete Form IT-2663, *Nonresident Real Property Estimated Income Tax Payment Form*, or Form IT-2664, *Nonresident Cooperative Unit Estimated Income Tax Payment Form*. For more information, see *Payment of estimated personal income tax*, on Form TP-584-I, page 1.

Exemption for nonresident transferors/sellers

This is to certify that at the time of the sale or transfer of the real property or cooperative unit, the transferor/seller (grantor) of this real property or cooperative unit was a nonresident of New York State, but is not required to pay estimated personal income tax under Tax Law § 663 due to one of the following exemptions:

- ☐ The real property or cooperative unit being sold or transferred qualifies in total as the transferor's/seller's principal residence (within the meaning of Internal Revenue Code, section 121) from _____ to _____ (see instructions).
Date Date
- ☐ The transferor/seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure, or in lieu of foreclosure with no additional consideration.
- ☐ The transferor or transferee is an agency or authority of the United States of America, an agency or authority of New York State, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.

Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date
Signature	Print full name	Date

RESOLUTION NO. 243.25

**TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH ROTTERDAM HEATING
AND AIR CONDITIONING FOR AIR CONDITIONING AND FURNACE
REPLACEMENT SERVICES AT THE ROTTERDAM SENIOR CENTER**

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with Rotterdam Heating and Air Conditioning, located at 3101 N. Thompson Street, Rotterdam, NY 12306, for air conditioning and furnace replacements in two rooms, in the total amount not to exceed fourteen thousand one hundred fifty and 00/100 (\$14,150.00) dollars.

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: July 1, 2025

TO: Mollie A. Collins, Supervisor

FROM: Jim Keith, Sr. Building Inspector

TITLE OF LEGISLATIVE REQUEST: Authorize Supervisor to enter into a contract with Rotterdam Heating and Air Conditioning, 3101 North Thompson Street, Rotterdam, NY 12306, for the purchase of the AC units and furnace.

TO BE PLACED ON TOWN BOARD AGENDA OF: July 9, 2025

TO BE PLACED ON TOWN BOARD MEETING OF: July 9, 2025

Background Information: Attached all 3 quotes.

Evaluation/Analysis: Piano Room AC unit needs to be replaced and the Craft Room needs new furnace and AC to be installed.

Recommendation(s): To place on Town Board agenda and Town Board meeting of July 9, 2025.

Attachment/Document(s): 3 Quotes

Compliance with Purchasing Policy: Yes

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

LEGISLATION WAS PREPARED BY: Supervisors Office

Proposal

Rotterdam Heating & Air Conditioning
3101 N. Thompson Street
Rotterdam, N.Y. 12306
(518) 356-2162 • Fax (518) 356-3509

PROPOSAL SUBMITTED TO <u>Town of Rotterdam</u>		PHONE Home <u>518 355-7575</u>	Work Cell	DATE <u>7-1-25</u>
STREET		JOB NAME <u>Senior Center (Craft Room)</u>		
CITY, STATE AND ZIP CODE <u>Schlag 12306</u>		JOB LOCATION <u>2639 Hamburg St.</u>		
SALESPERSON	DATE OF PLANS	CONTACT: <u>Jim Keith</u>	JOB PHONE	

We hereby propose to furnish the materials and perform the labor necessary for the completion of:

Install Goodman Model # GR9596120S Dura 9690 high efficiency GAS Warm Air furnace with 4-Ton Air Conditioner. Remove Old furnace Set new furnace in same location. Tie into existing duct work. New 4-Ton Coil on top of furnace. Running Refrigeration Lines to Condenser on outside of Building on preformed Plastic Pad. Reconnect Gas Line, wiring, PVC Venting, existing Thermostat, Condensate drain. Start up + Test. all necessary materials + labor to complete work.

Goodman Parts 10 years per MFG.
 all other Parts + Labor 1 year

4300
 9850
\$14,150

X (Please return one signed copy when accepted with deposit)

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Ninety Eight Hundred Fifty dollars (\$ 9850).

Payment to be made as follows: Upon Completion deposit, balance upon completion.

1 1/2% INTEREST ON ACCOUNTS OVER 30 DAYS
 (18% PER ANNUM) REASONABLE ATTORNEYS' FEES
 ARE CHARGED WHERE COLLECTION BECOMES NECESSARY

All cancelled jobs are subject to a restocking fee.
 We have a standard restocking fee of 20%

**Purchaser has 3 days
 to cancel this proposal**

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specification involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature

[Signature]

Note: This proposal may be withdrawn by us if not accepted within 15 days.

Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance

Signature

Proposal

Rotterdam Heating & Air Conditioning
3101 N. Thompson Street
Rotterdam, N.Y. 12306
(518) 356-2162 • Fax (518) 356-3509

PROPOSAL SUBMITTED TO <i>Town of Rotterdam</i>		PHONE Home _____ Work _____ Cell _____	DATE <i>6/6/25</i>
STREET <i>1100 Sunrise Blvd</i>		JOB NAME <i>Senior Center</i>	
CITY, STATE AND ZIP CODE <i>Rotterdam 12306</i>		JOB LOCATION <i>2639 Hamburg St</i>	
SALESPERSON	DATE OF PLANS	CONTACT	JOB PHONE

We hereby propose to furnish the materials and perform the labor necessary for the completion of:

Piano Room - Replace 3-Ton Air Conditioner Unit
 Material + Labor 4300⁰⁰ LEAK ~~FIX~~ HIGH LABOR COST
 HAS TO USE NEW FREON.
 End 2-Rooms Replace GAS high efficiency GAS
 Warm Air Furnace 4100⁰⁰ Run New 3" intake
 line to Furnace OLD ROTTED FRAMES

to REPAIR
 REPLACEMENT LESS COSTLY

RECOMMENDED
 APPROVAL

W
 6/30/25

(Please return one signed copy when accepted with deposit)

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Payment to be made as follows: _____ deposit, balance upon completion. dollars (\$ _____).

1 1/2% INTEREST ON ACCOUNTS OVER 30 DAYS
 (18% PER ANNUM) REASONABLE ATTORNEY'S FEES
 ARE CHARGED WHERE COLLECTION BECOMES NECESSARY

All cancelled jobs are subject to a restocking fee.
 We have a standard restocking fee of 20%

Purchaser has 3 days
 to cancel this proposal

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specification involving extra cost will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Authorized Signature _____

Note: This proposal may be
 withdrawn by us if not accepted within 10 days.

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance _____

Signature _____

Signature _____



CRAFT ROOM FURNACE

Total Investment

\$270/MO*

\$13,456

*with approved credit

MODELS

Rheem RA13NY60AJ1NA

- Endeavor Line Classic Series iM
- Single-Stage
- Up to 13 SEER2
- Air Conditioner
- 10 year parts limited warranty with registration

Rheem RCFY6024HTANMC

- RCFY Series
- Endeavor Line
- Cased Coil
- 10 Year Parts

Rheem R962V1115A24

- Endeavor Line
- Classic Plus Series
- Two-Stage
- 96% Gas Furnace
- 10 Year Parts
- 10 Years Heat Exchanger
- Limited Lifetime Conditional Unit
- Replacement 10 Years registration required

Included Deductions:

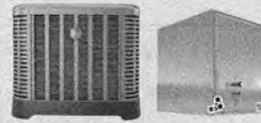
- Multi System Discount (\$400.00)

Net Investment

\$13,456

Financing Details:

Min 3% minimum payment
7.99% APR Payment based
on 60.96 Mos



PIANO ROOM A/C

Total Investment

\$113/MO*

\$5,635

*with approved credit

MODELS

Rheem RA13NY36AJ1NA

- Endeavor Line Classic Series iM
- Single-Stage
- Up to 13 SEER2
- Air Conditioner
- 10 year parts limited warranty with registration

Rheem RCFY3621STANMC

- RCFY Series
- Endeavor Line
- Coil
- 10 Year Parts

Net Investment

\$5,635

Financing Details:

Min 3% minimum payment
7.99% APR Payment based
on 60.96 Mos

13456
5635

\$19,091

[To read about Adams Heating & Cooling Company Inc - CLICK THIS LINK!](#)

TERMS & CONDITIONS OF AGREEMENT

General Items:

- All work to begin between 7-8am in the morning
- Both Material and Labor included
- All warranties are Non-Transferable unless otherwise specified
- Customer's responsibility to clear all obstructions from around the work area(s) prior to technicians arrival
- Adams is not responsible for any asbestos removal
- Ask about the Adams HVAC referral program

Payment to be made as follows:

Cash/Check: 25% down payment upon signature of contract, Remaining balance due on day of completion. A Finance charge of 2% per month will be charged on unpaid balances. In the event of delinquency, I agree to pay finance charges, attorney fees, costs and disbursements necessary to affect collection.

Credit Card: 25% down payment upon signature of contract, Remaining balance due on day of completion 3% surcharge for payments made by any means other than CASH or CHECK. A Finance charge of 2% per month will be charged on unpaid balances. In the event of delinquency, I agree to pay finance charges, attorney fees, costs and disbursements necessary to affect collection.

Synchrony Financing: A \$69 activation fee will be charged to the first month statement. Months 2-18 will be at the amount listed in above quote. Credit approval required. When not in promotional months an additional 9% service fee may be charged.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manor according to standard practices. Any alterations or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by workmen compensation insurance

**This Proposal may be withdrawn by us if not accepted
within 10 days of the original quote date**

5 Ton AC and Gas Furnace 115k BTU Rheem • Date Created: 06-23-2025

4

Approve Your Proposal

Print your name

Draw your signature.

Clear

I accept the terms of this agreement.

Proposal Prepared By:



Cliff Koenitzer
Project Coordinator
2088 Curry Road
Schenectady, NY 12303
Tel : 518-339-5799
Cliffk@adams-heat.com
www.adamshvac.net

Prepared For
ROTTERDAM SENIOR CENTER
2639 HAMBURG ST
SCHENECTADY, NY 12303
Tel : 5184411245
JKEITH@ROTTERDAMNY.ORG

Bill To
ROTTERDAM SENIOR CENTER
2639 HAMBURG ST
SCHENECTADY, NY 12303

BILL TO

Town of Rotterdam
1100 Sunrise Boulevard
Rotterdam, NY 12306 USA

ESTIMATE
531764808

ESTIMATE DATE
Jun 19, 2025

JOB ADDRESS

Town of Rotterdam Senior Center
2639 Hamburg Street
Schenectady, NY 12303 USA

Job: 441589

Technician: Mark Connal

ESTIMATE DETAILS

Install new furnace/ Ac and new AC: This installation will include adding on a new ac system to the existing furnace system the outdoor unit will be placed on the ground to the rear of the building.

SERVICE	DESCRIPTION	QTY
1	AC Condenser & Coil R454b Featuring: • Equipment listed in this Agreement • Optimally Matched Indoor Coil • Matched System Control • 1 Year Workmanship Warranty* Expert Installation Includes (at no additional charge): • Removal and recycling of your existing equipment • Supply ductwork reworked at the coil • Install a new condensation removal system (if applicable) • Reconnect to the existing electrical circuit • Supply and install a condenser pad • Recover existing system reffridgerant and dispose of according to regulation • Replace the existing lineset to the new system if access allows • Nitrogen test, vacuum down and charge the system per the manufacturers recommendations • Setup, startup and commission the system for proper operation	1.00
2	90%+ Furnace Installation Featuring: • Equipment listed in this Agreement	1.00

- Matched System Control
- 1 Year Workmanship Warranty

Expert Installation Includes (at no additional charge):

- Removal and recycling of your existing equipment
- Up to 30' of venting for air intake and combustion removal
- New switch & box for high voltage connections
- Reconnect to existing gas supply & low voltage systems
- New return downdrop for proper air flow
- Sealed supply connections at furnace
- Install a new condensation removal system (if applicable)
- Up to 4" water heater venting
- Setup, startup and commission the system for proper operation

3	AC Condenser & Coil R454b	1.00
	Featuring:	

- Equipment listed in this Agreement
- Optimally Matched Indoor Coil
- Matched System Control
- 1 Year Workmanship Warranty*

Expert Installation Includes (at no additional charge):

- Removal and recycling of your existing equipment
- Supply ductwork reworked at the coil
- Install a new condensation removal system (if applicable)
- Reconnect to the existing electrical circuit
- Supply and install a condenser pad
- Recover existing system refrigerant and dispose of according to regulation
- Replace the existing lineset to the new system if access allows
- Nitrogen test, vacuum down and charge the system per the manufacturers recommendations
- Setup, startup and commission the system for proper operation

4	Install a new lineset longer than 50'	1.00
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5	Install aesthetic cover over wiring and/or refrigeration system on the outside of the home	3.00
---	---	------

6	New AC Installation	1.00
	• Up to 30' new electrical wiring • (2) Mini breakers	

7	Elite Single Stage AC	1.00
	• Cooling Efficiency up to 15.2 SEER2 • Single Stage Cooling • Sound as low as 71 dB(A) • 10-Year Parts Limited Warranty*	

**Available with Product Registration, to the original purchaser at the original installation location, otherwise the Manufacturers' Base Limited Warranty terms will apply.*

8 **Programmable System Control** 1.00

- Simplified Control
- Adaptive Intelligent Recovery
- 7 Day Programmable
- 5-Year Parts Limited Warranty*

**Available with Product Registration, to the original purchaser at the original installation location, otherwise the Manufacturers' Base Limited Warranty terms will apply.*

Honeywell TH4110U2005

9 **Merit Single Stage, ECM Furnace** 1.00

- Heating Efficiency up to 96.0% AFUE
- Single Stage Heating
- ECM Air Delivery
- 20-Year Heat Exchanger Warranty*
- 10 Year Limited Parts Warranty*

**Available with Product Registration, to the original purchaser at the original installation location, otherwise the Manufacturers' Base Limited Warranty terms will apply.*

Lennox ML196UH110XE60C

10 **Programmable System Control** 1.00

- Simplified Control
- Adaptive Intelligent Recovery
- 7 Day Programmable
- 5-Year Parts Limited Warranty*

**Available with Product Registration, to the original purchaser at the original installation location, otherwise the Manufacturers' Base Limited Warranty terms will apply.*

Honeywell TH4110U2005

POTENTIAL SAVINGS	\$0.00
SUB-TOTAL	\$29,762.00
TOTAL	\$29,762.00
EST. FINANCING	\$393.14

Thank you for the opportunity to be your service provider. We welcome your suggestions on better ways to serve you. If we have delivered anything less than the 5-Star service you deserve, please contact us at quality@crisbro.com. We will see to it to make things right.

CUSTOMER AUTHORIZATION

I authorize Crisafulli Bros. Home Services to **PROCEED** with the selected services and agree to pay \$29,762.00 upon completion. I am the person authorized to make this decision regarding service(s) at 2639 Hamburg Street, Schenectady, NY 12303 USA.

Sign here

Date

RESOLUTION NO. 244.25

**TO PURCHASE ONE FERRIS LAWN MOWER FOR THE WATER TREATMENT
PLANT**

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 the purchase of one Ferris lawn mower from Jack Miller's Tractors & Trucks Inc., located at 4932 State Route 30, Schoharie, New York 12157, for the Town's Water Treatment Plant, in an amount not to exceed eleven thousand fifty and 00/100 (\$11,050.00) dollars.

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: 7/1/2025

FROM: Justin Peterson, Sr. Water Plant Operator

TITLE OF REQUEST: Lawn Mower Purchase

TO: Town Board

TOWN BOARD MEETING: 7/1/2025

Background Information: The water plant is in need of a new lawn mower to maintain the grounds at the wellfields and water tanks. The current machine needs a new deck and parts. It is not cost effective to replace the mower deck and associated parts on a 10-year-old machine.

Evaluation/Analysis: Quotes for a machine similar to the current model were requested in order to obtain the best price and comply with the purchasing policy. We received quotes for the exact same model machine from 3 different dealers. Jack Miller's Tractor in Schoharie had the lowest price.

Recommendation(s): Authorize the purchase of (1) Ferris mower from Jack Miller's Tractor.

Attachment/Document(s): (3) Mower quotes

Compliance with Purchasing Policy: Yes

Effect(s) on Existing Law(s):

LEGISLATION WILL BE PREPARED BY:

JACK MILLER'S TRACTOR & TRUCK Inc.

4932 State Route 30
Schoharie, NY 12157
(518) 295-7733
Fax (518) 295-7889
Cell (518) 231-2469
E-Mail: millers@midtel.net



BUSINESS NAME JUSTIN
NAME TOWN OF ROTTERDAM
STREET _____
TOWN J. PETERSON @ ROTTERDAM ST. NY 12096
COUNTY _____
PHONE 518-393-1131 ZIP _____

DATE OF ORDER <u>6/26/2015</u>	DELIVERY DATE	P.O. NO.	SALESMAN	JM TRUCK ☐	HIRED ☐	CUST'S TRUCK ☐
DELIVER THE FOLLOWING: ☐ QUOTE ☐ SOLD ☐ DEMONSTRATION ☐ PICKUP ☐ TRANSFER ☐ RECEIPT ☐ RENTAL ☐ CREDIT						
QUANTITY	TAG NO.	DESCRIPTION				AMOUNT
1	5902078	ISX 2200 28 HP Vanguard 810cc 60"				
		Deck + Sup Seat				
		LIST				15399 00
		Buy Board Price				11620 00
		Bid Price 5M tractor				11,500 00
1	5902180	ISX 2200 30.5 HP KAW EX 70 VEVO W60				
		Deck + Sup Seat				
		LIST				14959 00
		Buy Board Price				11290 00
		Bid Price 5M tractor				11,050 00
STATE TAX #						

CUSTOMER'S
SIGNATURE

ABOVE ITEMS RECEIVED IN GOOD ORDER

J. Miller

DATE

6/26/2015

2211

CUSTOMER COPY



RANDALL IMPLEMENTS CO., INC.

QUOTATION

2991 State Highway 5S

Fultonville, NY 12072

(518) 853-4500

CUSTOMER'S ORDER NO.		PHONE		DATE <u>6/26/2025</u>	
NAME <u>Town of Rotterdam</u>					
ADDRESS <u>att Justin Peterson</u>					
SOLD BY	CASH	C.O.D.	CHARGE	ON ACCT.	MDSE. RET'D
PAID OUT					
QTY.	DESCRIPTION			PRICE	AMOUNT
1	New Ferris ISX 2200 w/ 30.5 hp Kawasaki FFI engine w/ 60" deck Buy Based Price			\$11287.17	<u>3</u>
1	New Ferris ISX 2200 w/ 28 hp Vanguard FFI engine, oil guard & 60" deck Buy Based Price			\$11619.17	<u>3</u>
TAX					
RECEIVED BY				TOTAL	

All claims and returned goods must be accompanied by this bill

17784

Thank You

DEER PARK SUPPLY, INC.
167 VALENTINE ROAD
CHAMPLAIN, NY 12013
(518) 345-7571, ext. 345-7572

Date.....: 6/26/25
Customer.....: 953820
Special info.....
Ship Via.....: CUSTOMER OPTION

Invoice.....: 599682
Salesman.....: 281/007
D.O. #.....:
Packing Slip #:

-- SOLD TO --
TOWN OF ROTTERDAM
1100 SUNRISE BLVD
SCHENECTADY NY 12306
NEED PO NEED VOUCHER

-- SHIP TO --
TOWN OF ROTTERDAM
1100 SUNRISE BLVD
SCHENECTADY NY 12306
NEED PO NEED VOUCHER

Tax Exemption #: 14-0002410
(518) 345-7575
(518) 345-5191

No returns on electrical parts. Restocking fee
of 20% on special order parts. As a result of the
EPA's rule 40CFR 751.407 ET SEQ. some Kubota parts

Page 1 of 1

Ord	Ship	B/O	Line	Part Number	Description	List	Net	Amount
1	1			FEE 5902180	15X22VA 60 20.5 HW EF	14959.00	11297.17	11297.17
				SNF				
1	1			FRE 1	SHIPPING AND HANDLING		200.00	200.00
1	1			MIS NYSTD	NYS TIRE TAX PER TIRE		2.00	10.00

Total Price
11,497.17

DATE

SUB TOTAL 11497.17
MISC. 0.00
LABOR 0.00
TAX 2.00
INVOICE TOTAL 11499.17

RESOLUTION NO. 245.25

TO ACCEPT REVENUE FOR TOWN CLERK'S OFFICE FOR JUNE 2025

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 June 2025 has been placed on file and the Town Clerk's check in the amount of seven thousand five hundred eighteen dollars and 63/100 (\$7,518.63) has been submitted to the Supervisor for deposit.

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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LEGISLATIVE REQUEST FORM

DATE: July 1, 2025

TO: Mollie A. Collins, Supervisor

FROM: Diane M. Marco, Town Clerk

TITLE OF LEGISLATIVE REQUEST: Revenue received for June \$7,518.63 in the Town Clerks office.

TO BE PLACED ON TOWN BOARD AGENDA OF: July 9, 2025

TO BE PLACED ON TOWN BOARD MEETING OF: July 9, 2025

Background Information: Attached

Evaluation/Analysis: Increase revenue for the Town.

Recommendation(s): To place on the Town Board Agenda and Town Board meeting of July 9, 2025.

Attachment/Documents(s): Attached

Compliance with Purchasing Policy: N/A

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

LEGISLATION WAS PREPARED BY: Diane M. Marco, Town Clerk

Account Description	Fee Description	Account#	Qty	Local Share
Total Local Shares Remitted:				\$7,518.63
Amount paid to:	NYS Ag. & Markets for spay/neuter program			337.00
Amount paid to:	NYS Environmental Conservation			892.50
Amount paid to:	State Health Dept. For Marriage Licenses			315.00
Total State, County & Local Revenues:				\$9,063.13
Total Non-Local Revenues:				\$1,544.50

To the Supervisor:

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

Mollie A. Collins 7/1/25
Supervisor Date

Diane M. Marco 7/1/25
Town Clerk Date

Account Description	Fee Description	Account#	Qty	Local Share
Bingo 3%	Bingo 3%	A2530	6	203.13
			Sub-Total:	\$203.13
Conservation	Conservation	A1255	17	37.50
			Sub-Total:	\$37.50
Dog Licensing	Exempt Dog	A2544	4	0.00
Dog Licensing	Female, Spayed	A2544	139	1,946.00
Dog Licensing	Female, Unspayed	A2544	9	153.00
Dog Licensing	Male, Neutered	A2544	135	1,890.00
Dog Licensing	Male, Unneutered	A2544	12	204.00
Dog Licensing	Replacement Tags	A2544	1	3.00
			Sub-Total:	\$4,196.00
Ez pass	Ez Pass	A1255	2	50.00
			Sub-Total:	\$50.00
Fireworks	Fire Works	A2545	2	200.00
			Sub-Total:	\$200.00
Late Fees	Late Fee -Dog Renewal	A1550	41	410.00
			Sub-Total:	\$410.00
Marriage Lic.	MARRIAGE LICENSE FEE	A1255	14	245.00
			Sub-Total:	\$245.00
MISC. FEES	Certified Copies	A1255	125	1,274.00
			Sub-Total:	\$1,274.00
PERMIT FEES	Garage Sale	A2590	65	325.00
			Sub-Total:	\$325.00
Senior Discount	Senior Discount	A2544	90	-897.00
			Sub-Total:	-\$897.00
Soliciting	Soliciting Hawking Peddler	A2545	9	1,350.00
			Sub-Total:	\$1,350.00
Soliciting Hawking Peddler (Additional)	Soliciting Hawking Peddler (Additional)		1	125.00
			Sub-Total:	\$125.00

*Monthly Worksheet of Daily Work
June 2025*

DATE	AMOUNT DEPOSITED	DEC LICENSE SALES	DEC PORTION	TOWN PORTION	DOG AMOUNT PAID	STATE AG MKTS PORTION	TOWN PORTION	MARRIAGE FEE PAID	STATE DOH PORTION	TOWN PORTION	Bingo Games of chance 3%	STATE BINGO/ GAMES CHANCE	TOWN PORTION	EZ PASS	ONE Day Officiant
6/2/2025	\$516.00	\$85.00	\$80.30	\$4.70	\$251.00	\$27.00	\$224.00	\$80.00	\$45.00	\$35.00	\$0.00	\$0.00	\$0.00	\$25.00	\$0.00
6/3/2025	\$460.00	\$40.00	\$38.34	\$3.66	\$250.00	\$23.00	\$227.00	\$40.00	\$22.50	\$17.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6/4/2025	\$201.23	\$15.00	\$14.16	\$0.84	\$95.00	\$11.00	\$84.00	\$0.00	\$0.00	\$0.00	\$1.23	\$0.00	\$0.00	\$0.00	\$0.00
6/5/2025	\$330.00	\$25.00	\$23.62	\$1.38	\$285.00	\$24.00	\$261.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6/6/2025	\$561.00	\$55.00	\$51.96	\$3.04	\$266.00	\$27.00	\$239.00	\$80.00	\$45.00	\$35.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6/9/2025	\$625.00	\$385.00	\$380.54	\$4.46	\$190.00	\$15.00	\$175.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6/10/2025	\$1,644.60	\$0.00	\$0.00	\$0.00	\$220.00	\$18.00	\$202.00	\$0.00	\$0.00	\$0.00	\$24.60	\$0.00	\$0.00	\$0.00	\$0.00
6/11/2025	\$412.00	\$40.00	\$37.78	\$2.22	\$220.00	\$19.00	\$201.00	\$120.00	\$67.50	\$52.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6/12/2025	\$302.00	\$5.00	\$4.72	\$0.28	\$200.00	\$19.00	\$181.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6/13/2025	\$510.00	\$0.00	\$0.00	\$0.00	\$200.00	\$20.00	\$180.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6/16/2025	\$390.00	\$5.00	\$4.72	\$0.28	\$225.00	\$17.00	\$208.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00	\$0.00
6/17/2025	\$330.00	\$30.00	\$28.34	\$1.66	\$120.00	\$11.00	\$109.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6/18/2025	\$411.00	\$25.00	\$23.62	\$1.38	\$196.00	\$20.00	\$176.00	\$80.00	\$45.00	\$35.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6/20/2025	\$447.57	\$50.00	\$47.24	\$2.76	\$100.00	\$10.00	\$90.00	\$120.00	\$67.50	\$52.50	\$27.57	\$0.00	\$0.00	\$0.00	\$0.00
6/23/2025	\$340.33	\$25.00	\$23.62	\$1.38	\$200.00	\$16.00	\$184.00	\$0.00	\$0.00	\$0.00	\$75.33	\$0.00	\$0.00	\$0.00	\$0.00
6/24/2025	\$219.37	\$30.00	\$28.34	\$1.66	\$90.00	\$8.00	\$82.00	\$0.00	\$0.00	\$0.00	\$29.37	\$0.00	\$0.00	\$0.00	\$0.00
6/25/2025	\$235.03	\$55.00	\$51.24	\$3.76	\$30.00	\$4.00	\$26.00	\$0.00	\$0.00	\$0.00	\$45.03	\$0.00	\$0.00	\$0.00	\$0.00
6/26/2025	\$355.00	\$0.00	\$0.00	\$0.00	\$185.00	\$18.00	\$167.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6/27/2025	\$365.00	\$30.00	\$28.34	\$1.66	\$75.00	\$7.00	\$68.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
6/30/2025	\$408.00	\$30.00	\$27.62	\$2.38	\$238.00	\$23.00	\$215.00	\$40.00	\$22.50	\$17.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Audited by DMM 6/30/25	\$9,063.13	\$930.00	\$892.50	\$37.50	\$3,636.00	\$337.00	\$3,299.00	\$560.00	\$315.00	\$245.00	\$203.13	\$0.00	\$0.00	\$50.00	\$0.00

THE RED THERMO 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 July 1, 2025 - 2992
29-7/213

PAY
TO THE
ORDER OF

Mollie Collins Supervisor

\$ 7518.63

Seven Thousand five hundred eighteen and 63/100

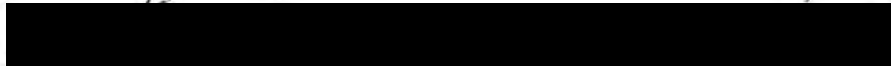
DOLLARS

KeyBank 
KeyBank National Association

MEMO

Revenue for Jan 2025

Diana M. Masu
town clerk



JB-3920167

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RESOLUTION NO. 246.25

**TO AUTHORIZE AN AGREEMENT WITH FCM ENGINEERING PLLC FOR
CONSTRUCTION SUPPORT AND OBSERVATION ENGINEERING SERVICES FOR
THE CURRY ROAD (ROUTE 7) RECONSTRUCTION, BETWEEN ALTAMONT
AVENUE AND DEFOREST STREET**

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 FCM Engineering PLLC, located at 156 Spring Road, Scotia, New York 12302, for construction support and observation engineering services relating to the Curry Road (Route 7) Reconstruction, between Altamont Avenue and Deforest Street, in an amount not to exceed seven thousand five hundred and 00/100 (\$7,500.00) dollars.

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: June 30, 2025

TO: Town Board

FROM: C. Jack Dodson

TITLE OF REQUEST: Authorize supervisor to negotiate and execute an agreement with FCM Engineering, PLLC for Construction Support and Observation Services for the Curry Road Reconstruction

TOWN BOARD MEETING: July 9, 2025

Background Information: Due to a water main break on Curry Road in the fall of 2024 a portion of Curry Road had to be excavated to repair the break. The area was temporarily patched and needs a permanent restoration.

Evaluation/Analysis: The town accepted a bid for the restoration but it is necessary for the town to have a consultant on site for construction support and observation services.

Recommendation(s): Authorize the supervisor to negotiate and execute an agreement with FCM Engineering, PLLC for Construction Support and Observation Services for the Curry Road Reconstruction.

Attachment/Document(s): Agreement

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisors Office

May 24, 2025

Mollie Collins, Supervisor
Town of Rotterdam
1100 Sunrise Boulevard
Rotterdam, NY 12302

Re: Curry Road Reconstruction
Construction Support and Observation Services

Dear Ms. Collins:

Assuming the Town Board will approve the lowest responsible bid for the Curry Road Reconstruction in June, FCM Engineering proposes to provide construction support and observation services. Below is our scope of services and cost for your review and consideration.

SCOPE OF SERVICES

Task 1 – Construction Support Services

FCM Engineering will provide the following:

- Design responses to unanticipated or changed field conditions, analyze and participate in proposed design changes, and if ambiguous, interpret the design plans.
- In response to unanticipated and/or varying field conditions or changes in construction procedures, conduct on-site field reconnaissance.
- Analyze and make recommendations on the implementation of changes proposed by the construction contractor.
- Review and approve all shop drawings and material submittals for conformance with the plans and specifications.
- Review and approve the contractor's payment requests based upon input from the Resident Engineer.
- Coordinate as needed with NYSDOT Resident Engineer and Inspector during construction.

Task 2 – Construction Observation Services

FCM Engineering will provide the following:

- Construction observation services from the start to substantial completion of the project. FCM Engineering will administer the contract, including maintaining project records and processing payments.
- Scheduling and coordinating and attending pre-construction and on-site construction progress meetings.

- Tracking of all quantities of materials installed on the project, which will serve as the basis of the contractor's payments.
- Provide a Resident Engineer (RE) with PE license on site until substantial completion of the project. It is anticipated that the RE will be on site for a maximum of five (5) nights to witness the construction activities. The starting time is anticipated to be 8:00 PM and ending at 6:00 AM for a total of 10 hours/night. The RE responsibilities will include:
 - Witness the construction work for compliance with the design plans and specifications. Any construction not in compliance with the plans and specifications will be brought to the attention of the Town.
 - Witness any on-site field testing performed by the contractor as per the specifications.
 - Prepare written reports to summarize the work performed.
 - Digitally photograph key work performed by the contractor.
 - Review and recommend any potential change order requests.
 - Complete and submit to the Town all required project close-out documents, including but not limited to material/field testing reports.

ASSUMPTIONS

Task 1 – it is assumed that the Principal Engineer will spend a total of 12 hours providing construction support services.

Task 2 - it is assumed that the Resident Engineer will spend a total of 50 hours providing construction observation services.

ENGINEERING FEE

FCM Engineering will perform all the work stated above at a not-to-exceed amount of \$7,500.00. Hourly rates for technical staff are as follows:

- Principal Engineer - \$125.00/hour
- Resident Engineer - \$120.00/hour

All invoices will include time sheets as a backup to the hours spent and invoiced for this project.

If this Proposal is acceptable, please sign and date below. We look forward to providing construction services for the Town of Rotterdam.

Sincerely,



Fred C. Mastroianni, P.E.
Principal Engineer

Proposal Acceptance

Signature

Date

Print Name

RESOLUTION NO. 247.25

TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW ____ OF 2025; TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE, RELATING TO BATTERY ENERGY STORAGE SYSTEMS (BESS), AND REFER TO THE PLANNING COMMISSION FOR REPORT AND RECOMMENDATION

WHEREAS, the Energy Advisory Committee for the Town of Rotterdam was charged with developing proposed Zoning Code language to address Battery Energy Storage Systems in the Town; 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 recognizes the introduction of Introductory Local Law No. ____ of 2025; To amend Chapter 270, Zoning, of the Town Code, Relating to Battery Energy Storage Systems (BESS).

SECTION 2. The Town Board hereby refers this Introductory Local Law No. ____ of 2025 to the Planning Commission of the Town of Rotterdam for report and recommendation thereon.

SECTION 3. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

John F. Kirvin Government Center • 1100 Sunrise Boulevard • Rotterdam, NY 12306
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LEGISLATIVE REQUEST FORM

DATE: June 18, 2025

TO: Mollie Collins, Town Supervisor

FROM: Peter Comenzo – Senior Planner *PC*

TITLE OF REQUEST: Refer to the Planning Commission for a Report and Recommendation proposed Zoning Code amendments regulating Battery Energy Storage Systems

TOWN BOARD MEETING: July 9, 2025

Background Information: The Energy Advisory Committee for the Town of Rotterdam was charged with developing proposed Zoning Code language to address Battery Energy Storage Systems in the Town.

Evaluation/Analysis: On Wednesday, March 8, 2023 the Town Board established and appointed various members to the Town of Rotterdam Energy Advisory Committee. Since that time, the Energy Advisory Committee has worked diligently to develop recommended additions to the Town Code to regulate Battery Energy Storage Systems. The Committee has put forth a recommended draft law and is requesting that the Town Board adopt the new code which is attached.

Recommendation(s): Refer to Planning Commission for a Report and Recommendation.

Attachment/Document(s): Proposed Battery Energy Storage Systems Code

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): Updates to Zoning Code Chapter 270

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

Town of Rotterdam

PROPOSED LOCAL LAW NO. OF THE YEAR 2025

BE IT ENACTED by the Town Board of the Town of Rotterdam, in the County of Schenectady, as follows:

I. SECTION ONE – TITLE

This Local Law shall be known as the “Battery Energy Storage System”.

II. SECTION TWO - LEGISLATIVE INTENT AND PURPOSE

It is the intent of this local law to amend the Town of Rotterdam Zoning Law, as the same may have been amended from time to time, to enact provisions providing for Small-scale Battery Energy Storage System (S-BESS), Large-Scale Battery Energy Storage System (L-BESS) and Utility-Scale Battery Energy Storage Systems (U-BESS) installations in the Town, as defined in this local law through addition of a new Section, Section 270 Battery Energy Storage Systems, to Article VIII (Supplementary Regulations) of the Town of Rotterdam Zoning Law. It is further the intent and purpose of this local law to, in accordance with the Town of Rotterdam Comprehensive Plan, to responsibly locate Large Scale Battery Energy Storage Systems (L-BESS) and Utility-Scale Battery Energy Storage Systems (U-BESS) within the Town. Accordingly, this local law modifies certain use definitions relating to prohibited uses, energy storage systems, and public utilities.

The Town finds that well-planned, suitably sized, and located Battery Energy Storage Systems can be beneficial. This law seeks to foster thorough project planning and appropriate siting.

- A. Protecting the health, safety, and well-being of our 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.
- B. Allowing Town of Rotterdam residents, landowners, farms, and government to safely locate Battery Energy Storage Systems resources in a way that is consistent with the nature and character of the Town in accordance with the Town of Rotterdam Comprehensive Plan and the Natural Resource Inventory.
- C. Promoting and supporting our Town’s Open Space Plan with Battery Energy Storage Systems zoning that protects and preserves open space, agricultural lands, and

environmentally significant areas of Town as designated by our Comprehensive Plan and Natural Resource Inventory.

Protecting the Town’s unique ecosystem of plants, wildlife, and habitats, particularly in the western upland and rural areas of Town.

- D. Recognizing the importance of Agriculture and protecting water and soils conducive to farming. Agricultural areas and surrounding areas should not be used for Utility-Scale Battery Energy Storage Systems (U-BESS).
- E. Protecting and ensuring farmland, agricultural land, and forested land are put to their highest and best use.
- F. Protecting and promoting scenic and environmental resources by minimizing Utility-Scale Battery Energy Storage Systems (U-BESS) facilities' impacts on these resources as outlined in the Rotterdam Comprehensive Plan including, but not limited to, fresh watersheds, floodplains, historic sites, conservation easements, trails, parklands, wetlands, wildlife, and scenery, and areas for recreational and outdoor activities.
- G. Protecting the property values of those properties neighboring and within the viewshed and sound shed of a Utility-Scale Battery Energy Storage Systems (U-BESS).
- H. Conserving the rural character of western Rotterdam and rural hamlets, including Rotterdam Junction and Pattersonville.

III. SECTION THREE - AUTHORITY

This local law is adopted by the Town Board of Town of Rotterdam (hereinafter referred to as the “Town Board”) pursuant to its authority to adopt local laws under Article IX of the New York State Constitution; Articles 2 and 3 of the Municipal Home Rule Law; Article I of the Town Zoning Law, particularly Section 2 which authorize the Town to adopt zoning provisions that promote health and general welfare, encourage the most appropriate use of land throughout the Town, encourage development in accordance with a comprehensive plan and professional planning techniques, and improve the quality of life throughout the Town.

IV. SECTION FOUR - DEFINITIONS

Article II- Definitions Section 270-5 of the Town of Rotterdam Zoning Law is hereby amended to add the following definitions:

BATTERY(IES): A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store

energy electrochemically. For the purposes of this law, batteries utilized in consumer products are excluded from these requirements.

BATTERY ENERGY STORAGE SYSTEM: One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery, an electric motor vehicle, uninterruptible power supply systems, or a energy storage system for temporary use. A Battery Energy Storage System is classified as follows:

- A. Small-Scale Battery Energy Storage Systems (S-BESS) have an aggregate energy capacity less than or equal to 150kWh. Designed to produce energy for onsite consumption.
- B. Large-Scale Battery Energy Storage Systems (L-BESS) have an aggregate energy capacity greater than 150kWh and less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology. Ground-Mounted Large Scale Battery Energy Storage Systems are further defined as those which may be installed in a dedicated use building, within a cabinet, and/or a walk-in unit. Designed to produce energy for onsite consumption.
- C. Utility-Scale Battery Energy Storage Systems (U-BESS) have an aggregate energy capacity greater than 600kWh, are comprised of more than one storage battery technology in a room or enclosed area or are co-located with Solar Energy Systems and other energy generation facilities designed to produce energy for onsite consumption and/or released into the energy grid.

BATTERY SYSTEM'S AREA: Area of battery including required local and state safe operating clearances.

ENERGY CODE: The New York State Energy Conservation Construction Code adopted pursuant to Article 11 of the Energy Law, as currently in effect and as hereafter amended from time to time.

FIRE CODE: The fire code Section of the New York State Uniform Fire Prevention and Building Code adopted pursuant to Article 18 of the Executive Law, as currently in effect and as hereafter amended from time to time.

HAMLET OF PATTERSONVILLE-ROTTERDAM JUNCTION: A census designated place in Schenectady County, New York, United States.

TOWN OF ROTTERDAM BATTERY ENERGY STORAGE SYSTEM PERMIT: The Town's minimum submittal requirements for electrical and structural plan review applicable to small-scale Battery Energy Storage Systems with an aggregate energy

capacity less than or equal to 600kWh, based on the 2020 NYSERDA Battery Energy Storage System Model Permit, as may be amended.

UNIFORM CODE: the New York State Uniform Fire Prevention and Building Code adopted pursuant to Article 18 of the Executive Law, as currently in effect and as hereafter amended from time to time.

The following definition is hereby replaced in entirety and amended, as follows:

SOLAR ENERGY EQUIPMENT AND SYSTEMS: Solar collectors, controls, heat pumps, heat exchangers, and or other materials, hardware or equipment necessary to the process by which solar radiation is collected, converted into another form of energy, stored, protected from unnecessary dissipation and distributed. Solar systems include solar thermal, photovoltaic and concentrated solar. For energy storage devices, refer to Battery Energy Storage System in this Section.

V. SECTION FIVE - APPLICABILITY

- A. The requirements herein shall apply to all Battery Energy Storage Systems and equipment installations modified or installed after the effective date of this law, excluding general maintenance and repair.
- B. Modifications to an existing Battery Energy Storage System that increases the battery system's area by more than 5 percent (exclusive of moving any fencing) from original approval shall be subject to this law.
- C. All Battery Energy Storage Systems shall be designed, erected, and installed in accordance with all applicable codes, regulations, and industry standards as referenced in the NYS Uniform Fire Prevention and Building Code ("Building Code") the NYS Energy Conservation Code, and the Town of Rotterdam Code. Whichever code is more stringent shall govern.
- D. To the extent that any other Town law, rule or regulation, or parts thereof, are inconsistent with the provisions of this law, the provisions set forth in this law shall control only as they pertain to Battery Energy Storage Systems.
- E. Any proposed Battery Energy Storage Systems subject to review by the New York Board on Electric Generation and Siting and the Environment pursuant to Article 10 of the New York State Public Service Law, or the Office of Renewable Energy Siting pursuant to Article 94-c of the Executive Law, shall be subject to all substantive provisions of this law and any other applicable laws, codes, ordinances and regulations of the Town of Rotterdam, and any other applicable state or federal laws.

VI. SECTION SIX - PROHIBITED USE –UTILITY-SCALE BATTERY ENERGY STORAGE SYSTEMS

A. U-BESS failure has the potential to undermine public health, safety and welfare, will potentially be situated in locations without access to water supply for fire suppression, and will overtax the Town’s first responders. U-BESS failure resulting in fire can produce a range of toxic gasses and particulates, including several highly toxic compounds including benzene, toluene, styrene, biphenyl, hydrogen fluoride and many others.

U-BESS is a permitted use in the I-2 zoning districts.

U-BESS is not permitted in the aquifer recharge zone and tributary areas.

U-BESS is not permitted in the Hamlet of Pattersonville-Rotterdam Junction.

Section 6(b). In accordance with the findings set forth in this Section, Article II- Definitions Section 270-5 of the Town of Rotterdam Zoning Law is hereby added, as follows:

USE, PROHIBITED: Within a district, a use that is not listed as a permitted or a special use is a prohibited use. In addition, development within non-conforming uses that are detrimental to the natural environment are specifically prohibited within the Town, including landfills, open mining, strip mining, open composting, salvage or junkyards, debris dumping, open petroleum or chemical tank farms, Tier 3 or Tier 4 Scale Solar systems, and utility-scale Battery Energy Storage Systems.

VII. SECTION SEVEN - LARGE-SCALE BATTERY ENERGY STORAGE SYSTEMS AS AN SPECIAL USE

A. Allowing L-BESS for onsite power consumption in existing districts for B-1, B-2, C-1, and I-1 is permitted as a special use with the understanding that all existing zoning and planning requirements are met as well as the guidelines in this law.

SECTION EIGHT - UTILITY-SCALE BATTERY ENERGY STORAGE SYSTEMS AS AN ALLOWABLE USE

A. Allowing U-BESS in existing I-2 is permitted with the understanding that all existing zoning and planning requirements are met as well as the guidelines in this law.

IX. SECTION NINE - GENERAL REQUIREMENTS

A. Applicability:

1. The requirements of this Zoning Law shall apply to all Battery Energy Storage Systems permitted, installed, or modified in the Town of Rotterdam after the effective date of applicable amendments to this Section, excluding general maintenance and repair.
2. Battery Energy Storage Systems constructed or installed prior to the effective date of applicable amendments to this Zoning Law shall not be required to meet the requirements of this Section.
3. Modifications to, augmentations, retrofits or replacements of an existing Battery Energy Storage System that increase the total Battery Energy Storage System designed discharge duration or power rating shall be subject to this Section.

B. General Requirements:

1. A building permit and an electrical permit shall be required for installation of all Battery Energy Storage Systems. The building permit shall be administered in accordance with Town requirements, including this Zoning Law.
0. Issuance of permits and approvals under this Zoning Law shall include review pursuant to the State Environmental Quality Review Act, as appropriate.
1. All Battery Energy Storage Systems and all other buildings or structures that (1) contain or are otherwise associated with a Battery Energy Storage System and (2) are subject to the Uniform Code and/or the Energy Code shall be designed, erected, installed, and operated in accordance with all applicable provisions of the Uniform Code.
2. Application fees. Application for construction of a Battery Energy Storage System shall be subject to the payment of fees in amounts indicated in the Town Schedule of Fees as adopted by the Town Board.

X. SECTION TEN - SMALL-SCALE BATTERY ENERGY STORAGE SYSTEMS – PERMITTING REQUIREMENTS

A. Zones Allowed: Allowed by right in all zones.

B. Applications, Approvals, Fees, and Permits: S-BESS Application and Building Permit. Fees in accordance with the most current version of the Town of Rotterdam Fee Schedule. Systems in a non-residential zone may require site plan reviews under other Sections of Town code.

C. Setbacks:

1. S-BESS shall conform to the setbacks in the subject zoning district. If there is an existing structure which is nonconforming with its zone requirements, setbacks for new structures shall conform to the current Town Code.

D. Specific Requirements:

1. S-BESS shall be required to display a permanent plaque or directory placed in an exterior location near the main or front entry of a residence or other structure that is readily visible to firefighters to identify the system disconnect(s) location. The plaque or directory shall meet all New York State Building Code standards for reflection, lettering, and color for easy visibility.

**XI. SECTION ELEVEN - LARGE-SCALE BATTERY ENERGY STORAGE SYSTEMS
- PERMITTING REQUIREMENTS**

A. Zones Allowed: Allowed by special use in Zones B-1, B-2, C-1, I-1 and I-2.

B. Applications, Approvals, Fees, and Permits: L-BESS Application and Building Permit. Fees in accordance with the most current version of the Town of Rotterdam Fee Schedule. Non-residential systems may require site plan reviews under other Sections of Town code.

C. Setbacks:

1. L-BESS located by special use shall be set back from the property line at a minimum of 100 feet.
2. L-BESS Facility Areas shall be setback at a minimum of 150 feet from wetlands, ponds, and streams, unless otherwise waived from this requirement by the Planning Commission upon receiving any required permit from a state or federal regulatory agency.
3. The following will not be subject to the required property line setback herein unless otherwise directed by the Town of Rotterdam Planning Commission.
 - a. Access roads proposed from a public road to the fence of a L-BESS facility, including any stormwater management, or other necessary infrastructure installed for the purpose of this access road.

D. Specific Requirements:

1. When located outside of a building or structure the L-BESS shall be in a side or rear yard.
2. L-BESS shall be required to display a permanent plaque or directory placed in an exterior location near the main or front entry of the building or structure that is readily visible to firefighters to identify the system disconnect(s) location. The plaque or directory

shall meet all New York State Building Code standards for reflection, lettering, and color for easy visibility.

3. L-BESS shall be required to be self-contained and have a built-in fire extinguishing system supplied by the L-BESS manufacturer.
4. L-BESS shall be allowed only in zoning districts where there are fire hydrants fed from a municipal water supply within 500 feet of the L-BESS batteries. L-BESS are not allowed in any zoning district without municipal water. L-BESS is prohibited in the Hamlet of Pattersonville-Rotterdam Junction.
5. Where site plan approval is required elsewhere in the regulations of the Town for the principal use, the L-BESS shall be subject to site plan review. In its review of the site plan, the Planning Commission shall apply the standards and procedures set forth in Section 11 of this Local Law. Site plan review of L-BESS development shall include review of the adequacy, location, arrangement, size, design, screening, accessibility for emergency response, and general site compatibility of proposed L-BESS.
6. The Planning Commission may require a submission of a noise analysis, an emergency response plan as part of the site plan application, and/or a decommissioning plan. The Planning Commission may require a performance guarantee, in accordance with the provisions of this Local Law, Section 13.
7. The Planning Commission may require after consultation with the responding fire district that the Applicant and/or Operator of the L-BESS provide safety and first responder training. The Town may, from time to time, require training of new personnel, and funding, or other mechanisms to cause such training to be provided, , which shall be provided by the owner/operator upon request by the responding fire district.
8. Only (1) L-BESS may be located on a single parcel with a minimum of 2 acres.
9. Pre construction for L-BESS projects shall include well water and ground contamination testing.
 - a. The Applicant, Town, and TDE shall develop a list of potential contaminants that will be tested for, and the location of testing based on the proposed equipment for the L-BESS facility prior to testing.
 - i. List of contaminants that may be tested for includes but is not limited to: sulfuric acid, mercury, nickel, cadmium (known Carcinogen), cadmium telluride, lead, lithium, cobalt, lithium, iron, arsenic, silicon, copper, silver, selenium, copper indium selenide, copper indium gallium, diselenide, (di)selenide, hexafluoroethane, polyvinyl fluoride, PFAS, and any other contaminant required for testing by the Town, County or State for this type of facility at the time testing takes place.

- b. At the Applicant's cost, an escrow account with the Town shall be established to provide an independent third-party testing agency which will provide testing of the Facility Area and of water wells on properties within 1000-ft of the Facility Area.
 - c. At the Applicant's expense, notice shall be given to all property owners within 1000-ft that water well testing is available prior to L-BESS construction at the cost of the L-BESS Applicant.
 - d. Pre-construction testing: Initial testing shall take place within 12-months of establishing the escrow account. Test results for the Participating L-BESS Properties shall be furnished to the Town.
10. L-BESS must have a continuously maintained connection to the municipal water supply, where municipal water is available. The L-BESS application must obtain in writing from the local fire department the type of fire department connection.
11. L-BESS shall not be located within one half mile of public structures that are or can be designated as follows under the NYS Building Code:
- a. Category III – structures that represent substantial hazard to human life.
 - b. Category IV – structures designated as essential facilities. **XII.**

SECTION TWELVE - UTILITY-SCALE BATTERY ENERGY STORAGE SYSTEMS – PERMITTING REQUIREMENTS

A. Zones Allowed: Allowed by right in Zone I-2.

B. Applications, Approvals, Fees, and Permits: U-BESS Development Application; Site Plan, Special Use Permit approval process; Building Permit. Fees in accordance with the most current version of the Town of Rotterdam Fee Schedule.

- 1. A pre-submission conference with the Town is required. The Applicant shall provide the opportunity for an on-site visit by any interested Town committee or board members.

C. Setbacks:

- 1. U-BESS located in zones I-2 shall be set back from the property line at a minimum of 100 feet.
- 12. U-BESS Facility Areas shall be setback at a minimum of 150 feet from wetlands, ponds, and streams, unless otherwise waived from this requirement by the Planning Commission upon receiving the proper permit from a state or federal regulatory agency, where required by such agency.
- 13. The following may not be subject to the required property line setback herein unless otherwise directed by the Town of Rotterdam Planning Commission.

- a. Access roads proposed from a public road to the fence of a U-BESS facility, including any stormwater management, or other necessary infrastructure installed for the purpose of this access road.

D. Escrow for Review and Operations: U-BESS projects will require more oversight and services by the Town and their selected consultants. In addition to the normal escrow requirements of Section 7, the account shall also include adequate funding for any necessary mailings by the Town, construction inspections, annual inspections, and for monitoring during operation of the facility. The escrow account shall be replenished when required by the Town and shall be maintained for the life of the project. Failing to replenish the account will result in enforcement action by the Town or activating the Decommissioning Agreement.

E. Specific Requirements:

1. All applicable requirements listed under Section 9, and all requirements of Section 12 of this Law.
2. The Applicant shall disclose the full scope of the planned size of the project, including any other involved municipalities, and shall not segment the application for purposes of reducing the apparent significance of proposed plans. Where the Planning Commission or Lead Agency has substantial proof that the ultimate scope of the project may exceed that which is being proposed by the Applicant, it shall conduct its review and base its findings on the larger potential scope.
3. All requirements of Site Plan Approval. In addition, Site Plans for the application shall also contain the following:
 - a. Location map showing types of existing structures and uses on the site, public roads, and properties with abutting boundaries of the site including any bordering municipalities.
 - b. The Site plan shall provide the surveyed data of abutting properties to the Participating Property parcel(s) showing all principal and accessory buildings (residential and commercial), roads, utilities and private or public wells; and labeling distances from those features to the Participating Property boundary;
 - c. Location and description of all U-BESS components, whether on site or off site, all above and below-ground utility lines on the site, transformers, POI, Renewable Energy Electrical Substations when required for project, fencing, laydown, and storage areas to be used as part of construction and other ancillary facilities or structures;
 - d. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.
 - e. Label all setback distances as required by Town Laws; 2. Part 1 of a Full Environmental Assessment Form for SEQRA.

3. Upon receipt of an application, at the Applicant's expense, a notice of the proposed project to all abutting owners of property to the Participating Property boundaries regardless of municipality shall be required. The Applicant shall provide proof of mailing to the Town. Notices shall contain a summary of the project, a designated contact person, with telephone number, e-mail address, and mailing address from whom information will be available on a going forward basis.
4. An electrical one-line diagram detailing the associated components, and electrical interconnection methods, with all disconnects and overcurrent devices identified.
5. Manufacturer data on all proposed U-BESS components.
6. Documentation of access to the Facility Area via a lease agreement or other instrument to show the landowner's consent to the project.
7. Documentation of utility notification, including proof of interconnection agreement. Projects not viable to the utility company shall not be considered by the Planning Commission.
8. Decommissioning plan, including cost estimate and description and form of financial surety as described in other Sections of this Law.
9. Deforestation: Previously cleared or disturbed areas are preferred locations for U-BESS projects.
0. Acoustical noise studies by an independent third-party vendor shall be submitted with the application, which provide analysis of all noise-generating equipment that may be included in the project, including for construction. Noise generated from the U-BESS components and associated ancillary equipment, including but not limited to transformers, inverters, storage devices and substations shall provide for no discernable difference from existing noise levels at property lines. The study shall contain:
 - a. Actual measurements of existing daytime and nighttime ambient noise at the boundary of the participating properties. Ambient noise testing locations and schedule shall be discussed with the Planning Commission before testing takes place.
 - b. Proposed noise model to predict the potential increase in noise from pre-construction to post-construction conditions at both the project boundaries and nearest adjacent receptors (neighboring houses, etc.).
 - c. Noise studies shall follow industry norms and report their findings using A-weighted methodologies. The Planning Commission may require additional

analysis as they deem appropriate and may require noise mitigation or additional setbacks as needed.

11. As part of the Operation, Safety and Maintenance Plan in Section 14 of this Law, the Applicant shall document existing firefighting resources near or on the Participating Properties that may include, but not be limited to: the distance to nearest fire hydrant, dry hydrants, ponds, or other waterbodies for drawing water in emergency situations.
12. U-BESS shall not exceed a maximum project size of 5 contiguous acres.
13. In addition to Section 12(f)(6) of this Law, the required notice to surrounding landowners shall contain a link to a project website, created and paid for by the Applicant, which is meant to disseminate information to the public. At the Applicant's expense, publication of notice of application shall be made in newspapers designated by the County of Schenectady and Town of Rotterdam for the same. Notice shall also be provided to each member of the State and County Legislature in whose district any portion of the proposed U-BESS is in, or which district the project abuts upon.
14. Upon submission of an application, the Applicant shall conspicuously post signage on the frontage of participating properties at all roads abutting the proposed project and at the proposed entryways/exits to the project. Signage must be of sufficient size to contain the name of the proposed project, the application number, a rough concept map of the project, and contact information for the developer as well as a proposed project website address. Signage shall be sized and placed at a safe distance from the public roadway so as not to interfere with sight distance on the roadway or any adjacent driveways.
15. In addition to the Noise Studies requirements under Section 12 of this law, within 90-days of project completion the Applicant or facility owner shall conduct a post-construction noise sampling at locations and schedule discussed with the Planning Commission prior to testing. If noise sampling is found to be greater than predictions the Applicant may be required to mitigate the sound to a level sufficient to the Planning Commission. Failure to implement mitigation measures within 90-days of notice will result in enforcement procedures by the Town. The Applicant may request one (1) 90-day extension if reasonable evidence that the requested measures cannot be completed in 90-days are established. Further, violations and penalties of this provision shall be handled in accordance with other Sections of Town Code concerning noise violations. The Town may use the project's escrow account to hire an independent third-party engineer/noise monitor to oversee compliance with noise requirements and the ongoing obligation of the same for the lifetime of the project.

14. At the Planning Commissions discretion, a Road-Use Agreement may be required for the desired traffic route.
15. Pre construction for U-BESS projects shall include well water and ground contamination testing.
 - a. The Applicant, Town, and TDE shall develop a list of potential contaminants that will be tested for, and the location of testing based on the proposed equipment for the U-BESS facility prior to testing.
 - i. List of contaminants that may be tested for includes but is not limited to: sulfuric acid, mercury, nickel, cadmium (known Carcinogen), cadmium telluride, lead, lithium, cobalt, lithium, iron, arsenic, silicon, copper, silver, selenium, copper indium selenide, copper indium gallium, diselenide, (di)selenide, hexafluoroethane, polyvinyl fluoride, PFAS, and any other contaminant required for testing by the Town, County or State for this type of facility at the time testing takes place.
 - b. At the Applicant's cost, an escrow account with the Town shall be established to provide an independent third-party testing agency that may provide testing of the Facility Area and of water wells on properties within 1000-ft of the Facility Area.
 - c. At the Applicant's expense, notice shall be given to all property owners within 1000-ft that water well testing is available prior to U-BESS construction at the cost of the U-BESS Applicant.
 - d. Pre-construction testing: Initial testing shall take place within 12-months of establishing the escrow account. Test results for the Participating U-BESS Properties shall be furnished to the Town.
18. Landscape and Screening: Buffers shall use existing vegetation to the fullest extent practicable. If existing vegetation does not provide the desired screening or buffer width it shall be supplemented with new landscaping to form a continuous hedge at least 14 feet in height at planting shall be required and maintained for the life of the project. Berms, solid fencing, and opaque enclosures are the least desirable method of screening but may be proposed in situations where existing or new landscaping for screening is not practical. New landscaping proposed for the project shall be species native to the region and selected by a Registered Landscape Architect. All landscaping and screening methods shall be maintained and replaced as necessary during the life of the project.
19. U-BESS must have a continuously maintained connection to the municipal water supply, where municipal water is available. The U-BESS application must obtain in writing from the local fire department the type of fire department connection.

20. U-BESS shall not be located within one half mile of public structures that are or can be designated as follows under the NYS Building Code:
- a. Category III – structures that represent substantial hazard to human life.
 - b. Category IV – structures designated as essential facilities.

XIII. SECTION THIRTEEN – REQUIRED AGREEMENTS

The following applies to Utility-Scale Battery Energy Storage Systems (U-BESS), unless waived or altered by the Planning Commission.

- A. Road Use Agreement:** The Applicant shall execute a road use agreement with the Town if Town roads are to be used for the project. Prior to the issuance of the building permit and commencement of construction, an existing condition assessment of the proposed hauling routes using Town roads shall be undertaken by the Applicant at the Applicant's expense. Any damage to a Town during construction caused by the operator or its subcontractors shall be repaired or reconstructed to the satisfaction of the Town Highway Superintendent at the operator's expense.
- B. Performance Guarantees:** The Town will require the Applicant or facility owner to provide, prior to construction, a performance bond or cash escrow that names the Town of Rotterdam as the beneficiary, to ensure proper operation and maintenance of all below noted facilities, both during and after construction and until the U-BESS is removed from operation. If the Applicant or facility owner fails to properly operate and maintain below noted facilities, the Town, after giving reasonable notice for non-emergencies, may draw upon the account to cover the costs of proper operation and maintenance, including engineering and inspection costs. After which, the account shall be replenished by the Applicant or facility owner within 90 days, or else the facility will be considered abandoned, and decommissioning shall be enacted.
- 1. Facilities for performance guarantees:
 - a. All proposed landscaping and screening for the project in the amount of 50 percent the installed cost.
 - b. Stormwater management and erosion and sediment control facilities required for the project in the amount of 50 percent the installed cost.
 - c. Any other facility as part of the proposed project, deemed necessary for inclusion to this Section by the Planning Commission.
- C. Decommissioning:** The Applicant shall execute a Decommissioning Agreement and financial surety as described in Section Fourteen of this Law.
- D. Indemnification:** The Applicant system shall execute an Indemnification Agreement with the Town. The agreement shall require the Applicant/owner/operator to at all times defend, indemnify, protect, save, hold harmless and exempt the Town and its

officers, councils, employees, attorneys, agents and consultants from any and all penalties, damages, costs or charges arising out of any and all claims, suits, demands, causes of action or award of damages whether compensatory or punitive, or expenses arising there from either at law or in equity, which might arise out of or be caused by the placement, construction, erection, modification, location, equipment's performance, use, operation, maintenance, repair, installation, replacement, removal or restoration of said U-BESS, excepting however any portion of such claims, suits, demands, causes of action or award of damages as may be attributable to the negligent or intentional acts or omissions of the Town or its employees or agents. With respect to the penalties, damages or changes referenced herein, reasonable attorneys' fees, consultant fees and expert witness fees are included in those costs that are recoverable by the Town.

E. Payment in-lieu of Taxes: The Applicant shall enter into an agreement for a payment in lieu of taxes (PILOT) Agreement with the Town Board pursuant to Real Property Tax Law Section 487. This PILOT agreement shall be reviewed and approved by the Town Board. A PILOT agreement executed with the county IDA, acceptable to the Town Board, in its sole discretion, for the U-BESS may serve to meet the requirements of this Section.

1. No building permit shall be issued, or construction commenced for a U-BESS until such time as the PILOT agreement has been executed by all parties and recorded at the Office of the County Clerk.
2. The PILOT shall run to the benefit of the Town and School District and be executed by the operator and the owners of the real property upon which the U-BESS is to be located and such signatures be notarized in such a way that allows the PILOT agreement to be recorded at the Office of the County Clerk. Prior to commencement of construction, the PILOT agreement shall be recorded at the Office of the County Clerk as a lien on the property and indexed against the property/properties upon which the U-BESS is to be constructed. The intent of this provision is so that should the operator of the U-BESS default with regard to the PILOT agreement, such obligation will become the responsibility of the then owner of the property upon which the U-BESS is sited and failure to satisfy the terms of such agreement will permit the Town to enforce such agreement against the owner.

XIV. SECTION FOURTEEN – SYSTEM OPERATIONS AND SAFETY

The following applies to Large-Scale Battery Energy Storage Systems (L-BESS) and Utility-Scale Battery Storage Systems (U-BESS), unless waived by the Planning Commission or noted otherwise in this document.

- A. Operation, Safety and Maintenance Plan: The Applicant shall submit a comprehensive operation, safety and maintenance plan that addressing the following:
1. An executive summary sheet at the front of the document which clearly shows the following:
 - a. Facility owner information and contact, both phone and current email address.

- i. Landowner information and contact, both phone and current email address.
 - ii. An emergency contact phone number for a competent person who can be to the facility within one (1) hour or less notice. The individual shall have access to the facility gates, knowledge of the site and be able to quickly identify electrical disconnect locations.
 - iii. An emergency contact at the Utility Company associated with the L-BESS or U-BESS.
 - iv. Contact information for the company or individual responsible for regular maintenance and landscaping of the site.
2. Descriptions of continuing maintenance and upkeep for L-BESS or U-BESS, as well as design, construction, installation, testing and commissioning information and shall meet all requirements set forth in the Uniform Code and all applicable codes and the additional items below:
 - a. Procedure for how damaged or malfunctioning equipment shall be identified, isolated, removed, replaced, or repaired from the site within 30 days of discovery or notification of problem at the expense of the developer, ATIMA/ISAOA.
 - b. Description of internally located components for temperature monitoring, self-extinguishing fire system and off gassing monitoring. Method for how this equipment will be maintained, tested and inspected yearly or more frequently if required by the manufacturer.
 - c. System equipment, grounds, fencing and buffer areas shall be maintained in good condition by the operator.
 - d. Only DEC approved cleaning products applied by DEC approved applicators are allowed.
3. The Applicant shall prepare an Emergency Operations Plan in cooperation with Town emergency service providers, which will become part of the Operation, Safety and Maintenance Plan. A copy of the approved plan shall be given to the system owner, the local fire department, and local fire code official. A permanent copy shall also be placed in an approved location to be accessible to facility personnel, fire code officials and emergency responders. The emergency operations plan shall include the following information:
 - a. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.

- b. Procedures for inspection and testing of associated alarms, interlocks, controls, temperature monitoring, self-extinguishing fire suppression system and off gassing monitoring.
- c. Procedures to be followed in response to notifications from the L-BESS or U-BESS that, when provided, could signify potentially dangerous conditions, including shutting down equipment, summoning service, and repair personnel, and providing agreed upon notification to fire company personnel for potentially hazardous conditions in the event of a system failure. All means of shutting down the L-BESS or U-BESS shall be clearly marked.
- d. The property must be inspected after a National Weather Service designation of a Severe Weather event to ensure that the property did not sustain damage. Reports of said inspection shall be filed with the Town Building Inspector.
- e. Emergency procedures to be followed in case of fire, explosion, release of liquids, oils, or vapors, damage to critical moving parts, or other potentially dangerous conditions.
- f. Response considerations similar to a material safety data sheet (MSDS) that will address response safety concerns and extinguishment when an MSDS is not required.
- g. Procedures for dealing with L-BESS or U-BESS equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged equipment from the facility. System owner shall provide guaranteed non-emergency and emergency response times of a qualified subject matter expert to the DPW and local emergency responders.
- h. Other procedures as determined necessary by the Town to provide for the safety of occupants, neighboring properties, and emergency responders.
 - 1. Procedure to the Town officials and emergency responders on how to inspect components that perform the temperature monitoring, self-extinguishing fire suppression system and off gassing monitoring.
- i. Procedures and schedules for conducting drills of these procedures and for training local (all agencies within 15 miles) emergency responders on the contents of the plan and appropriate response procedures. Training shall be taught by a New York State certified instructor, performed annually, and shall include local and mutual aid emergency responders. Training and specialty equipment shall be paid for by the developer, ATIMA/ISAOA.
- j. The system owner shall notify the local fire department, County emergency management office and the Town building inspector at least one week prior to any scheduled maintenance or equipment swap out.

- k. In the event of a fire, all contaminated soil must be removed and disposed of properly, in accordance with all applicable laws. After 72 hours and every month for a minimum of 12 months after an emergency event the test wells on the site shall be tested for contaminants. If contaminants are detected testing will continue until the test results return back to predevelopment test well levels.
- B. Consultation with Town Emergency Services: The Applicant shall arrange an on-site meeting with the fire department having primary coverage of the project area and any other associated emergency service provider or Town department, to review the components of the system, safety issues and procedures for emergency response. This shall include details on the location of labeled warnings, access to the site, and emergency disconnection of the system. A draft version of the Operation, Safety and Maintenance Plan described above shall be made available to attendees of this meeting at least seven (7) calendar days before. The Applicant shall take feedback from attendees and amend the Operation, Safety and Maintenance Plan as needed.
- C. Ownership Changes: If the owner or operator of the L-BESS or U-BESS changes or the owner of the property changes, all requirements of the permit or special use permit shall remain in effect. Approval to operate the system shall continue, provided that the successor owner or operator assumes in writing all the obligations of the special use permit, site plan approval, decommissioning plan, security, escrow, and any other binding agreements. Both the new owner or operator of the L-BESS or U-BESS and the preceding owner shall notify the Code Enforcement Officer and the Town Supervisor of such change in ownership or operator 30 days prior to the ownership change. All the terms set forth herein shall be binding on developers, ATIMA/ISAOA.
- D. Annual Report/Inspection: On a yearly basis, the L-BESS or U-BESS owner shall provide the Town reports showing the following information: rated capacity of the energy charges and discharge (kWh) totals provided to the grid or end user and a report of the inspection of the components that perform the temperature monitoring, self-extinguishing fire suppression system and off gassing monitoring. The reports shall be submitted no later than 30 days after the end of the calendar year. Additionally, an Applicant/operator shall hire an independent, third-party engineer/inspector approved by the Town to oversee compliance with site and operational requirements and the ongoing obligation of the same for the lifetime of the project. The engineer/inspector shall perform a site inspection if a complaint regarding the U-BESS and any of its components is made to the Town of Rotterdam Code Enforcement Officer. Annual inspections of the completed U-BESS shall be performed at the expense of the developer, ATIMA, ISAOA.
- E. Project Changes: Any changes and/or augmentation to the U-BESS that occur after final approval from the Planning Commission, except for immaterial modifications as defined herein, shall be done by amendment to the special use permit only and shall be subject to the requirements of this law.

Unless expressly limited by a condition imposed in the permit, the Code Enforcement Officer, or other Town designee may, during project construction, allow immaterial modifications to the design of the project as represented in the final set of site plans reviewed by the Planning Commission. Such immaterial modifications shall only be allowed in response to a written request by the Applicant. All such requests shall be addressed to the authorized Town designee, with copies to the Chairman of the Planning Commission, and the TDE.

F. Insurance:

1. Unless waived by the Town, the Applicant or facility owner shall agree to secure and maintain for the duration of the project, public liability insurance as follows:
 - a. Commercial general liability covering personal injuries, death and property damage: \$10,000,000 per occurrence, \$20,000,000 aggregate, which shall specifically include the Town and its officers, councils, employees, attorneys, agents and consultants as additional named insured;
 - b. Umbrella coverage: \$300,000,000.
2. Insurance Company: The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State and with at least a Best's rating of "A".
3. Insurance Policy Cancellation: The insurance policies shall contain an endorsement obligating the insurance company to furnish the Town with at least 30 days prior written notice in advance of cancellation.
4. Insurance Policy Renewal: Renewal or replacement policies shall be delivered to the Town at least 15 days before the expiration of the insurance that such policies are to renew or replace.
5. Copies of Insurance Policy: No more than 15 days after the grant of the permit and before construction is initiated, the permit holder shall deliver to the Town a copy of each of the policies or certificates representing the insurance in the required amounts.
6. Certificate of Insurance: A certificate of insurance that states it is for information purposes only and does not confer sufficient rights upon the Town shall not be deemed to comply with this law.
7. Construction Inspection: The escrow account required herein shall be used to provide inspection by a Town engineering consultant during construction of the U-BESS. Work shall remain accessible and exposed until inspected and accepted by the Town's consultant. After inspection, the work or a portion thereof shall be noted as satisfactory as completed, or the permit holder shall be notified as to how the work fails to comply with the Uniform Code or conditions of the special use permit.

Work not in compliance shall remain exposed until brought into compliance, reinspected, and found satisfactory as completed. During construction, the Town Building Inspector/Code Enforcement Officer can issue a stop order at any time for violations of the special use permit.

3. Operational Inspection: Upon 24 hours advance notice to the owner/operator or designated contact person, the Town of Rotterdam Code Enforcement Officer/Building Inspector or his or her designee may enter the U-BESS to verify compliance with any requirements or conditions. The U-BESS shall be inspected by a New York State licensed professional engineer, under contract with the Town and paid by the escrow account required herein, to ensure that it is operating according to the conditions of the special use permit. Such inspections shall be done annually, and at any other time, upon a determination by the Town's Building Inspector that damage may have occurred. The engineer shall file an inspection report with the Town Code Enforcement Officer/Building Inspector. All recommendations for maintenance and repair contained in said report shall be completed by the operator within a written schedule agreed on by the Code Enforcement Officer/Building Inspector.
4. Groundwater Testing: For U-BESS, Unadulterated soil samples shall be taken at 4 corners of the proposed site. Testing shall utilize 4-foot-deep holes, with testing at 2-foot increments. One monitoring test well hole shall be at the lowest elevation on the site. In the event groundwater contamination occurs because of the U-BESS, the operator, at its sole expense, shall provide a reliable alternative water source and address the contamination in accordance with all legal requirements.

XV. SECTION FIFTEEN – ABANDONMENT OR DECOMMISSIONING OF SYSTEMS

The following applies to Utility-Scale Battery Energy Storage Systems (U-BESS). A proposed Decommissioning Agreement shall be provided by the Applicant and approved by the Town Board. No building permit shall be issued for a U-BESS until the Decommissioning Agreement has been executed and financial surety provided as set forth below.

A. Cause to implement decommissioning plan.

1. If a U-BESS ceases to perform its originally intended function for more than 12 months or is considered abandoned by the Code Enforcement Officer for lack of maintenance and other provisions of this law, the Code Enforcement Officer shall notify the owner and/or operator of the facility to implement the decommissioning plan. Within 180 days of notice being served, the facility owner shall either restore operation or complete implementation of the decommissioning plan. If the owner and/or operator fails to fully implement the decommissioning plan within the 180-day time period and restore the site to original conditions as required, the Town may implement the decommissioning plan in accordance with the law, and recover

all expenses incurred for such activities from the financial surety described in other Sections of this law, and if required, from the defaulted facility owner.

2. If the Applicant begins and does not complete construction within eighteen (18) months after receiving final site plan approval, the decommissioning plan may be implemented unless the facility owner can show to the satisfaction of the Code Enforcement Officer good cause as to why this time should be extended for a maximum of 6 months. At which time if the facility is not fully constructed and operating, the Code Enforcement Officer may implement the decommissioning plan in accordance with this law.

B. Decommissioning Plan: The plan shall be submitted as part of the application to the Planning Commission. The decommissioning plan that ensures that the site will be restored to a useful, nonhazardous condition without delay, including but not limited to the following provisions:

1. The removal of the U-BESS within the from the Facility Area, including but not limited to all above and subsurface structures, electrical equipment, wires, footings, ground anchors, cables, utility poles, point of interconnection, concrete, switch gears, transformers, fencing, renewable energy electrical substations, inverters, roadways, stormwater management features, roadways, etc.
2. Compacted portions of the site shall be decompacted and excavations shall be backfilled to restore the site. Restoration of the original surface grade and topsoil installation after removal of the facility.
3. Revegetation of restored topsoil areas with native seed mixes, excluding any invasive species.
4. The cost of removing the entire U-BESS based upon prevailing wages and any other requirements applicable to municipalities under state or federal law.
5. No salvage value shall be attributed to any of the components of the U-BESS.
6. A schedule and methods for the removal of the U-BESS, including any ancillary structures.
7. A plan for restoring the property to its pre-installed condition, including grading and vegetative stabilization to eliminate any negative impacts to surrounding properties, and, where if it was previously used for farming, with vegetation suitable for farming purposes, i.e. a hay field, crops, or grazing.

C. Financial Surety

1. Financial Surety shall be in an amount sufficient to ensure the good faith performance of the terms and conditions of the permit issued pursuant hereto and to provide for the removal of the U-BESS and restoration of the site subsequent to removal.

2. Prior to the issuance of a building permit and every five (5) years thereafter, the U-BESS owner shall file with the Town evidence of financial security to provide for the full cost of decommissioning and removal of the U-BESS in the event the system is not removed by the system owner. Evidence of financial surety shall be in effect throughout the life of the system and shall be in the form of an irrevocable letter of credit or other security acceptable to the Town Board. The irrevocable letter of credit shall include an automatic extension provision, to be issued by an A-rated institution solely for the benefit of the Town, substantially in the form attached hereto as Exhibit A.
3. The amount of the financial surety shall be 150 percent of the estimated cost of removal of the U-BESS and restoration of the property, with an escalator of 2 percent annually (or Consumer Price Index change if more than the annual escalator of 2 percent) for the life of the Utility-Scale Battery Energy Storage Systems and shall not consider the net salvage value of any such project components. The financial surety established by the Agreement shall not be subject to disclaimer or rejection in a bankruptcy proceeding. The amount of the surety shall be determined and certified by the Applicant's engineer and shall be reviewed by the TDE. The amount of the surety may be adjusted by the Town during each five (5) year review as required.
4. In the event of default upon performance of such conditions, after proper notice and expiration of any cure periods, the security shall be forfeited to the Town, which shall be entitled to maintain an action thereon. The financial surety shall remain in full force and effect until 90 days after the restoration of the property, as set forth in the decommissioning plan, is completed.
5. Any cost incurred by the Town that exceeds funding available to them from financial surety, which cannot be recovered from the defaulted facility owner, shall be assessed against the property, in a manner appropriate by law, and in the form of tax, lien or other available method enforceable by the Town.

XVI. SECTION SIXTEEN – PUBLIC USE

A Battery Energy Storage System shall not be considered a Public Utility Use.

SECTION SEVENTEEN - SEVERABILITY

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

XVII. SECTION EIGHTEEN – EFFECTIVE DATE

This Local Law shall take effect immediately upon the filing in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

RESOLUTION NO. 248.25

**TO ADOPT A SEQR NEGATIVE DECLARATION ON A CHANGE OF ZONE
APPLICATION FROM AGRICULTURAL (A-1) TO GENERAL BUSINESS (B-2)
LOCATED AT 774 AND 778 DUANESBURG 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 adopts the SEQR Negative Declaration dated July 9, 2025, as prepared by the Senior Planner, for a Change of Zone request from Agricultural (A-1) to General Business (B-2) to facilitate the construction of a ±22,000 square foot retail business, on a ±14.02 acre parcel, located at 774 Duanesburg Road (Tax Map No. 57.7-1-14) and 778 Duanesburg Road (Tax Map No. 57-3-6.1).

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 July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: June 30, 2025

TO: Mollie Collins, Town Supervisor

FROM: Peter Comenzo, Senior Planner *PC*

TITLE OF REQUEST: Issuance of SEQR Negative Declaration for a Change of Zone from Agricultural (A-1) to General Business (B-2)

TOWN BOARD MEETING: July 9, 2025

Background Information: Primax Properties, LLC – Contract Vendee
c/o Adam Sellner
1100 East Morehead Street
Charlotte, NC 28204

Change of Zone Request on ±14.02 acres from Agricultural (A-1) to General Business (B-2) to facilitate the construction of a ±22,000 square foot retail business. Property is known as 774 Duanesburg Road (Tax Map No. 57.7-1-14) and 778 Duanesburg Road (Tax Map No. 57-3-6.1).

Evaluation/Analysis: The proposal is a State Environmental Quality Review (SEQR) Unlisted Action and will require environmental review prior to the Town Board making a decision on the request. The Town Board Declared Lead Agency on July 10, 2024

Recommendation(s): Town Board should make a decision on SEQR review and authorize the Senior Planner to distribute all documents in accordance with SEQR.

Attachment/Document(s): Full Environmental Assessment Form, dated 6/26/2025
Draft Negative Declaration dated 7/9/2025
SHPO Letter of No Effect, dated 5/16/2025
T&E Letter of No Effect, dated 6/26/2025
DOT Stage 1 Approval, dated 5/15/2025
LaBella Traffic Letter, dated 6/27/2025
Geotechnical Report, prepared by Whitestone Associates Engineering & Geology NY, PLLC, dated 12/3/2024.
Site Plan dated 9/20/2024

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): 6NYCRR Part 617 -State Environmental Quality Review

LEGISLATION WILL BE PREPARED BY: Supervisors Office

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Change of Zone & Retail Store		
Project Location (describe, and attach a general location map): Tax Parcels: 57-3-6.1 & 57.7-1-14 (774-778 NYS Route 7 / Duanesburg Road, Town of Rotterdam, Schenectady County, NY		
Brief Description of Proposed Action (include purpose or need): A change of zone is proposed from the current A-1 Agricultural zoning district to the B-2 General Business zoning district. A ±22,000 square foot retail store is proposed parcel 6.1. The project will have associated access, parking, landscaping, lighting, utilities, stormwater management, etc.		
Name of Applicant/Sponsor: Primax Properties, LLC c/o Bohler Engineering and Landscape Architecture NY, PLLC	Telephone: 518-438-9900	
	E-Mail: cmlodzianowski@bohlereng.com	
Address: 17 Computer Drive West		
City/PO: Albany	State: NY	Zip Code: 12205
Project Contact (if not same as sponsor; give name and title/role): Same as above	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor): Current: Bernice V. & Earl B. Avery (Primax Properties is the contract purchaser)	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Town Board - Change of Zone	June 2024
b. City, Town or Village Planning Board or Commission ☒ Yes ☐ No	Planning Commission - change of zone, site plan review	June 2024
c. City, Town or Village Zoning Board of Appeals ☐ Yes ☒ No	Not anticipated	
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☒ Yes ☐ No	Schenectady County Planning	
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☒ Yes ☐ No	New York State Department of Transportation, NYSDEC	August 2024; project October 2024
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?

A-1 Agricultural

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? B-2 General Business

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 police

c. Which fire protection and emergency medical services serve the project site?

FD600 - Fire District 6

d. What parks serve the project site?

None known

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)? commercial

b. a. Total acreage of the site of the proposed action? ±13.5 acres

b. Total acreage to be physically disturbed? ±4.8 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? ±13.5 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % Units:

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed?

iv. Minimum and maximum proposed lot sizes? Minimum Maximum

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☒ No

i. If No, anticipated period of construction: ±8 months

ii. If Yes:

- Total number of phases anticipated
- Anticipated commencement date of phase 1 (including demolition) month year
- Anticipated completion date of final phase month year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses? ☐ Yes ☒ No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No If Yes,	
i. Total number of structures _____ 1	
ii. Dimensions (in feet) of largest proposed structure: _____ ±20' height; _____ 127' width; and _____ 182' length	
iii. Approximate extent of building space to be heated or cooled: _____ 22,000 square feet	

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

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____	

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

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

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

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

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

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

i. Total anticipated water usage/demand per day: _____ ±350 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: Town of Rotterdam
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

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

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

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

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

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

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

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

i. Total anticipated liquid waste generation per day: _____ ±350 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 wastewater

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

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

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☒ No ☐ Yes ☒ No	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	☐ Yes ☒ No	
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): on site septic system _____ _____ _____		
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____		
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or <u>±2.75</u> acres (impervious surface) _____ Square feet or <u>±13</u> acres (parcel size) ii. Describe types of new point sources, <u>storm water pipes</u> 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)? on-site stormwater management facilities _____ _____	☒ Yes ☐ No	
• If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? _____		
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?		
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? If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)	☐ Yes ☒ No ☐ Yes ☒ No	
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? 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) ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)		☐ Yes ☒ No ☐ Yes ☐ No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): local grid/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. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ 7am-6pm • Saturday: _____ 7am-5pm as needed • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ 8am-9pm • Saturday: _____ 8am-9pm • Sunday: _____ 8am-7pm • Holidays: _____ closed Thanksgiving, Christmas, Easter </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ 7am-6pm • Saturday: _____ 7am-5pm as needed • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ 8am-9pm • Saturday: _____ 8am-9pm • Sunday: _____ 8am-7pm • Holidays: _____ closed Thanksgiving, Christmas, Easter
i. During Construction: • Monday - Friday: _____ 7am-6pm • Saturday: _____ 7am-5pm as needed • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ 8am-9pm • Saturday: _____ 8am-9pm • Sunday: _____ 8am-7pm • Holidays: _____ closed Thanksgiving, Christmas, Easter		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☒ No If yes: i. Provide details including sources, time of day and duration: _____ _____	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____ _____	
n. Will the proposed action have outdoor lighting? ☒ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____ _____	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No Describe: _____ _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ _____ _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____ _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☒ Yes ☐ No If Yes: i. Describe proposed treatment(s): <u>Standard building/operational maintenance</u> _____ _____	
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: _____ typical tons per _____ month (unit of time) • Operation : _____ typical 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: <u>pre-engineered building</u> _____ • Operation: <u>company-wide programs for recycling cardboard, pallets, scrap metal, and other materials at its stores, distribution centers, and store support center. Used oil and batteries are accepted for recycling.</u> _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: <u>local waste hauler</u> _____ • Operation: <u>local waste hauler</u> _____	

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): <u>school</u>			
ii. If mix of uses, generally describe: _____ _____			
b. Land uses and coverytypes on the project site.			
Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	.03	2.75	+2.72
• Forested	.95	.24	-.71
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	12.02	10.01	-2.01
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____ _____			

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? _____ >12 feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ >10 feet	
e. Drainage status of project site soils: ☒ Well Drained: _____ 50 % of site ☒ Moderately Well Drained: _____ 50 % of site ☐ Poorly Drained _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 100 % of site ☐ 10-15%: _____ % of site ☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No If Yes, describe: _____ _____	
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☒ No ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No If Yes to either <i>i</i> or <i>ii</i>, continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: - Streams: Name _____ Classification _____ - Lakes or Ponds: Name _____ Classification _____ - Wetlands: Name _____ Approximate Size _____ - Wetland No. (if regulated by DEC) _____	

m. Identify the predominant wildlife species that occupy or use the project site: <u>typical habitat found in fields</u> _____ _____	
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? 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: _____	☐ Yes ☒ No
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒ Yes ☐ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	☐ Yes ☒ No
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.	☐ Yes ☒ No
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? 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 ☐ 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.

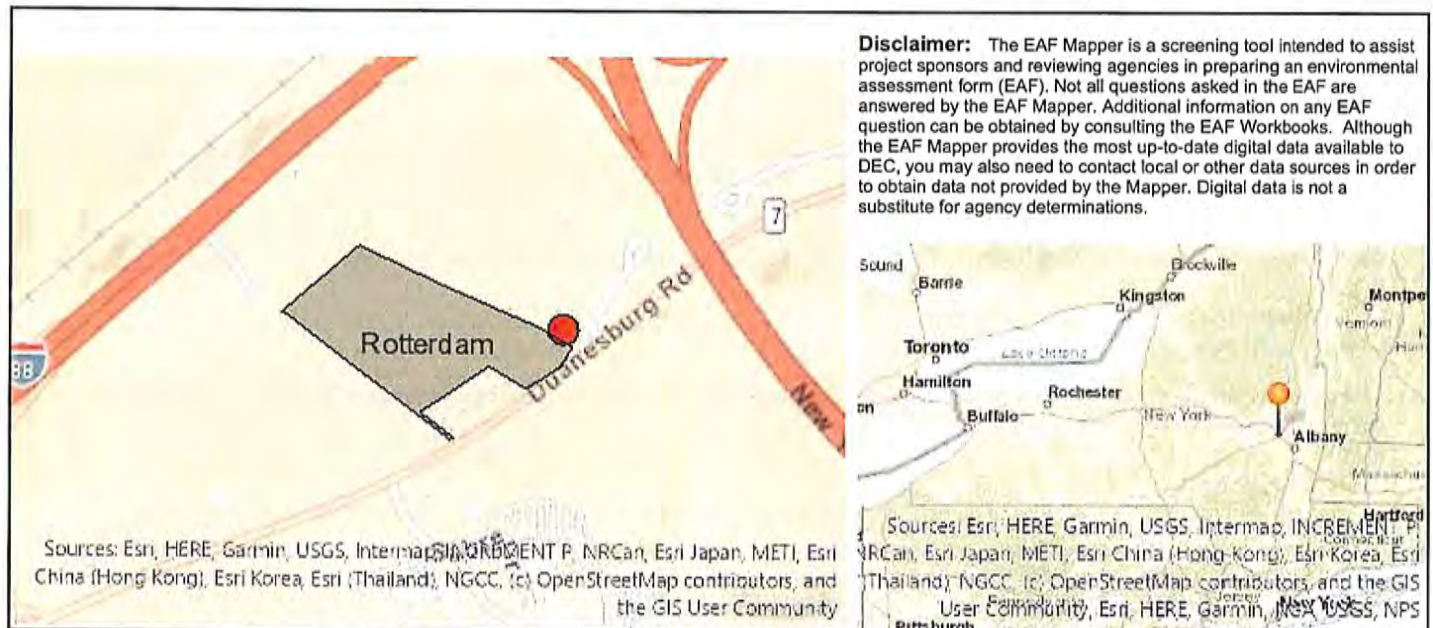
G. Verification

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

Applicant/Sponsor Name Caryn Mlodzianowski, Bohler Date 6/26/2025

Signature  Title Project Manager

PRINT FORM



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]	No
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.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	Yes
E.2.l. [Aquifer Names]	Principal Aquifer
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]	Yes
E.3.i. [Designated River Corridor]	No

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

Agency Use Only [If applicable]
 Project : Change of Zone 774-778 Duaneburg Rd.
 Date : July 9, 2025

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☒	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☒	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☒	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☒	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☒	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☒	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☒	☐
h. Other impacts: _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

I. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☒	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☒	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☒	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☒	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☒	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☒	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☒	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. ☒ NO ☐ YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:			
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	☐	☐
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	☐	☐
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	☐	☐
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐
vi. 43 tons/year or more of methane	D2h	☐	☐
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	☐	☐
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐
f. Other impacts: _____		☐	☐

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) ☐ NO ☒ YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☒	☐
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☒	☐
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☒	☐
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☒	☐

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☒	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☒	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☒	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	☒	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☒	☐
j. Other impacts: _____		☐	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☐ NO ☒ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☒	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☒	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☒	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☒	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☒	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☒	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☒	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☐	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☐	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____		☐	☐
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	☐	☐
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	☐	☐
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	☐	☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐
e. Other impacts: _____		☐	☐

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐
c. Other impacts: _____		☐	☐

13. Impact on Transportation The proposed action may result in a change to existing transportation systems. ☐ NO ☒ YES (See Part 1. D.2.j) <i>If "Yes", answer questions a - f. If "No", go to Section 14.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☒	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☒	☐
c. The proposed action will degrade existing transit access.	D2j	☒	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☒	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☒	☐
f. Other impacts: Traffic Study Completed and reviewed by NYSDOT. Stage 1 approval has been granted by NYSDOT.		☒	☐

14. Impact on Energy The proposed action may cause an increase in the use of any form of energy. ☐ NO ☒ YES (See Part 1. D.2.k) <i>If "Yes", answer questions a - e. If "No", go to Section 15.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☒	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☒	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☒	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☒	☐
e. Other Impacts:		☐	☐

15. Impact on Noise, Odor, and Light The proposed action may result in an increase in noise, odors, or outdoor lighting. ☐ NO ☒ YES (See Part 1. D.2.m., n., and o.) <i>If "Yes", answer questions a - f. If "No", go to Section 16.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☒	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☒	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☒	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☒	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☒	☐
f. Other impacts: _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part I.D.2.q., E.1. d. f. g. and h.)
If "Yes", answer questions a - m. If "No", go to Section 17.

☒ NO

☐ YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____		☐	☐

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☐	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☐	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☐	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☐	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☐	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☐	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☐	☐
h. Other: _____		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☒	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☒	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☒	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☒	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☒	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☒	☐
g. Other impacts: This area has been identified for 25 years as a future commercial growth opportunity for the Town in the Exit 25A linkage study and Comprehensive Plan.		☒	☐

PRINT FULL FORM

6NYCRR PART 617
NEGATIVE DECLARATION
Notice of Determination of Non-Significance
State Environmental Quality Review

Date: July 9, 2025

In accordance with Article 8 (State Environmental Quality Review) of the Environmental Conservation Law (the “Act”), and the statewide regulations under the Act (6NYCRR Part 617) (the “Regulations”), the Lead Agency has received an environmental assessment form in connection with the proposed action described below (the “Action”) and the Lead Agency has determined (i) that said proposed action will result in no major impacts and therefore will not have a significant effect on the environment, and (ii) therefore that an environmental impact statement is not required to be prepared with respect to said Action.

SEQRA Status:	Type I	()
	Type II	()
	Unlisted	(X)

Conditioned Negative Declaration:	Yes	()
	No	(X)

Contract Vendee:	Primax Properties, LLC – c/o Adam Sellner 1100 East Morehead Street Charlotte, NC 28204
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Owners:	Estate of Bernice V. and Earl B. Avery 636 SW LONG KEY CT PORT ST. LUCIE, FL 34986
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Location:	774-778 Duanesburg Road
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Action:	Change of Zone request on ±14.02 acres from Agricultural (A-1) to General Business (B-2) to facilitate the construction a ±22,000 square foot retail business. Property is known as 774 Duanesburg Road (Tax Map No. 57.7-1-14) and 778 Duanesburg Road (Tax Map No. 57-3-6.1)
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Involved/Interested Agencies:	Schenectady County Economic Development and Planning Schenectady County Department of Health NYS Dept. of Environmental Conservation – Region #4 New York State Department of Transportation United States Department of Army, Corps of Engineers United State Fish and Wildlife Service Rotterdam Highway Department Rotterdam Planning Commission Metroplex Development Authority Fire District #6 Schalmont School District
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Reasons for Determination of Non-Significance:

The Lead Agency has reviewed the Change of Zone application, the associated site plans, a project description, full EAF, and supporting documentation, and conducted further investigation of the requested action and its environmental effects as deemed appropriate. Based upon this review and the Lead Agency's knowledge of the area surrounding the project, the Lead Agency has determined that the action will have no significant effects on the environment.

The Town of Rotterdam Department of Public Works transmitted this application information to all involved and interested agencies for review on July 11, 2024. The applicant then supplied supplemental information subsequent to the original submittal following up with the following agencies seeking letters relative to the actions. These inquiries include the following:

- 1) Full Environmental Assessment Form, dated 7/1/2025
- 2) Draft Negative Declaration dated 7/9/2025
- 3) SHPO Letter of No Effect, dated 5/16/2025
- 4) T&E Letter of No Effect, dated 6/26/2025
- 5) DOT Letter dated 4/4/2025
- 6) DOT Stage 1 Approval, dated 5/15/2025
- 7) LaBella Traffic Letter, dated 6/27/2025
- 8) Geotechnical Report, prepared by Whitestone Associates Engineering & Geology NY, PLLC, dated 12/3/2024
- 9) Site Plan dated 9/20/2024

The Change of Zone request concerns a total of ± 14.02 acres consisting of two separate parcels located on the north side of Duanesburg Road west of Old Duanesburg Road and immediately south of Interstate 88. The properties known as 774 and 778 Duanesburg Road each currently containing a single-family residential structure. The Applicant seeks the Change of Zone to facilitate the construction of a new $\pm 22,000$ square foot Tractor Supply Retail Store. The construction of this store is anticipated to disturb approximately 4.2 acres of property. No additional project actions are proposed at this time. Although there are no retail facilities immediately adjacent to this property, there are other retail facilities in the immediate vicinity. There is a recently constructed gas station/convenience store, liquor store, and a fast-food establishment (Wendys) located immediately to the west of the I-88 entrance and a truck stop fueling center with fast food (Pilot/Dunkin Donuts/Subway) also located immediately to the west. There is an existing regional library facility located to the west. Approximately 17.3 acres of property adjacent to the library facility and this property was recently rezoned from Agriculture to General Business (B-2). This Change of Zone was approved to construct a $\pm 102,500$ square foot BJ's Wholesale Club and $\pm 2,500$ square foot retail building with associated drive thru. Additional properties to the west of these parcels in the vicinity of the site are currently zoned B-2 and contain retail businesses and a wellness center. Lands of the Schalmont Central School District are located to the south are drainage areas, woodlands, and athletic fields. The entrance to the school campus is located approximately 850 feet west of the proposed roadway into the property to be rezoned. The

property is located in Water District #5 and will be serviced by municipal water. Prior to the issuance of building permits, Site Plan approval would be required for this commercial use from the Rotterdam Planning Commission.

The proposed Project will utilize public water and will provide on-site septic to treat project wastewater. The proposed project will connect to the Town of Rotterdam municipal water system which is located immediately adjacent to the project property along NYS Route 7 (Duanesburg Road). The proposed water supply system will include a distribution system to service the domestic and fire flow needs of the Project. The water appurtenances shall be designed and constructed in accordance with all local, state, and federal requirements for dedication to the appropriate entity at the sole cost of the Applicant.

The Town of Rotterdam Town Board as lead agency has reviewed the Full Environmental Assessment Form Part 1 completed by the Project Sponsor along with supporting reports, studies, and plans.

The conceptual site plan and potential environmental effects of the proposed Change of Zone were discussed at regularly scheduled Planning Commission Meeting on June 18, 2024 and a unanimous positive referral to the Town Board was prepared. The project was also the subject of a public hearing conducted at the August 14, 2024 Town Board Meeting in which two (2) members of the public spoke and had questions regarding the proposed Change of Zone. In addition, a petition was presented to the Town Board in opposition to the Change of Zone at the Public Hearing.

Pursuant to the allowances in 6 NYCRR Part 617, the Town has retained the services of a Town Designated Engineer (TDE) to assist in the review of this project. The TDE reviewed the environmental materials and traffic study prepared in support of this project.

Further and final review of the proposed Change of Zone and Project was conducted by the Town Board on July 9, 2025 after receiving further input from the Applicant, Town Staff, and the Town Designated Engineer for the project. The Town Board considered all comments received in its deliberations and decisions.

Based on the submitted materials, public comment, and input from the Planning Commission and Town Board, the Town completed or caused to be completed Part 2 of the Long Environmental Assessment Form and a Draft Negative Declaration dated July 9, 2025 was circulated for review and use by the Town Board in making this determination.

The evaluation indicates rezoning this property to General Business (B-2) will not result in significant environmental impacts. Any future project proposed for this site must meet the requirements of the General Business (B-2) zone, as well as all other existing regulatory requirements at the Town, State, or Federal level; thereby adequately mitigating or avoiding significant environmental impacts.

Findings, Basis, and Rationale for Decision

The following discussion sets forth the Findings, basis, and rationale for the Town of Rotterdam's decision, including required mitigation measures. The analysis is based upon the criteria set forth in Part 1 and Part 2 of the Full Environmental Assessment form.

Impact on Land

The site includes primarily flat terrain with a mix of Moderately Well Drained sand, soils, and limited bedrock.

There are either none or small impacts to land expected as a result of the project.

Impact in Geological Features

A geotechnical report was prepared by Whitestone Associates Engineering & Geology NY, PLLC, dated 12/3/2024. This Site Development will not result in any adverse impacts in Geological Features as it will not impact any unique or unusual land forms.

There are either none or small impacts to geologic features expected as a result of the project.

Impacts on Surface Water

A geotechnical report was prepared by Whitestone Associates Engineering & Geology NY, PLLC, dated 12/3/2024. Surface runoff would generally follow site topography, flowing to the southeast. No wetlands were identified in the report. The project proposes the use of an on-site wastewater system. The property is more than adequate to support the proposed wastewater treatment for the location. The Rotterdam Planning Commission may require additional site investigation in the future if additional development were to be proposed for the northern portion of the property.

There are either none or small impacts to surface water expected as a result of the project.

Impact on Groundwater

A geotechnical report was prepared by Whitestone Associates Engineering & Geology NY, PLLC, dated 12/3/2024. Groundwater was encountered within two borings during this investigation, one at relatively shallow depth. Similar shallow perched/trapped water may be encountered above non-permeable layers elsewhere on the site during construction. As such,

construction phase dewatering will likely consist of removing surface water runoff, infiltrating water, or trapped water at this site. Whitestone anticipates that construction phase dewatering would include installing temporary sump pits and filtered pumps within trenches and excavations. Proper grading and drainage should be incorporated into the site design and construction phase grading to discourage ponding of surface runoff. The Planning Commission may conduct additional detailed analysis of the impacts to groundwater during site plan review.

The proposed Site Development will not result in any adverse impact on Groundwater. The Project is designed with a municipal water system, which system has adequate capacity to serve the Project. Wastewater will be treated through an onsite system which will be designed in accordance with all New York State and Schenectady County requirements.

There are either none or small impacts to groundwater expected as a result of the project.

Impact on Flooding

The proposed Site Development will not result in any adverse impacts on lands subject to flooding. The Project site does not lie within a flood zone nor will it result in modification of existing drainage patterns.

There are either none or small impacts to flooding expected as a result of the project.

Impacts on Air

The proposed Site Development will not result in any adverse impacts on Air as it will not include any state regulated air emission source. Minor air impacts may be encountered with the use of machinery that utilizes fossil fuels during construction and traffic generated as consequence of any project action.

There are either none or small impacts to air expected as a result of the project.

Impact on Plants and Animals

An Endangered Species Habitat Assessment Report was prepared and indicates that based upon NYSDEC mapping that there are no Rare Plant or Animals Mapping and also analyzed the potential presence of the northern long-eared bat.

A letter was received from the US Fish and Wildlife Service dated June 26, 2025 indicating that they had reviewed the project site and have issued a “No Effect” on the northern long-eared bat.

The proposed Site Development will not result in adverse impacts on Plants and Animals, except for minor impact arising from temporary construction activities and associated disturbance and noise, and from the use of fertilizer and of pesticides to be applied by licensed application during normal site operation.

There are either none or small impacts to plants and animals expected as a result of the project.

Impacts on Agricultural Resources

A majority of this property has been utilized for agricultural purposes (hay production) in the recent past.

With these parcels being collectively ± 14.20 acres and currently vacant with frontage on State Route 7 and adjoining Interstate 88 and drainage area. These properties have limited potential for farming activities due to their size and surroundings. A review of Agricultural District mapping on the NYS Agricultural and Markets website indicates that these properties are not located in an Agricultural District.

There are either none or small impacts to Agriculture Resources expected as a result of the project.

Impacts on Aesthetic Resources

The proposed Site Development will not result in any adverse impacts on Aesthetic Resources as the proposed uses and structures are consistent with surrounding uses and structures.

There are either none or small impacts to Aesthetics Resources expected as a result of the project.

Impact on Historic and Archeological Recourses

A complete and comprehensive Phase 1A cultural resource survey was performed for the proposed project area entitled: "Phase IA Literature Search and Sensitivity Assessment & Phase IB Archaeological Field Reconnaissance Survey Rotterdam Retail Project" (May 2025; 25SR00215). A No Impact Letter has been received from the Office of New York State Parks Recreation and Historic Preservation dated May 16, 2025.

There are either none or small impacts to Historic and Archeological Resources expected as a result of the project.

Impact on Open Space and Recreation

The proposed Site Development will not result in any adverse impacts on Open Space and/or Recreation opportunities. This privately owned project site is bounded on the north and south by major state and interstate roadways and has limited recreational value.

There are either none or small impacts to Open Space and Recreation expected as a result of the project.

Impact on Critical Environmental Areas

The proposed Site Development will not result in any adverse impacts on Critical Environmental Areas as the project is not within nor adjacent to a Critical Environmental Areas.

Impact on Transportation

A traffic study was prepared by the project consultant and review coordinated with both the NYS Department of Transportation and the Town Designated Engineer. The methodology used in preparing the Traffic Impact Study, including trip generation, trip distribution, trip assignment, background growth and level of service analysis are consistent with standard industry practice. No additional mitigation measures are required. Therefore, the intersection and safety improvements required at the existing intersections are consistent with the site's obligation to minimize the adverse impacts of the proposed development. In addition, the geometry and intersection control at the proposed site access roads will allow these intersections to operate at acceptable levels of service on all approaches.

A letter dated April 4, 2025 was received from the NYS Department of Transportation in response to the lead agency coordination. Several suggestions were received concerning the Rotterdam Comprehensive Plan, traffic, safety, stormwater management, and accessibility. These suggestions have been reviewed by the Town Board, Town Designated Engineer, and Town Staff and have and are to be considered during both the non-project action of the Change of Zone by the Town Board as well as the Site Plan project review and approval to be conducted by the Planning Commission.

NYSDOT provided its conceptual approval for the driveway location and full-movement configuration via an email dated May 15, 2025. In this same email, the NYSDOT directs the applicant's project team to proceed with its Stage 2 submission, which is the Design Review stage.

As part of the coordinated SEQRA review of this application, the lead agency circulated the application materials to the Schalmont School District as an interested agency. The school property is located directly south of the proposed site and the signalized entrance to the school campus is located approximately 800 feet west. Schalmont had expressed some consideration of potential mitigation as there is currently no sidewalk infrastructure both on the school campus leading to the signalized entrance nor anywhere along Duanesburg Road in the vicinity of the school campus. There is however a pedestrian actuated button at the signalized entrance but no crosswalks or roadway signage.

Discussions have occurred with both the Town Staff, Town Designated Engineer, and School District in regards to potential improvements. Further discussions with the Town, NYSDOT, and the School District are scheduled to be conducted. As part of the site plan review process for the project action, the Planning Commission will address any potential future transportation improvements including signage, striping, handicap, and pedestrian accommodations.

There are either none or small impacts to transportation expected as a result of the project.

Impact on Energy

The proposed Site Development will result in an increase of use of various forms of energy for heat, lighting, and electricity. Nonetheless, the existing infrastructure includes sufficient capacity to provide services to the project without requiring new or upgraded infrastructures.

There are either none or small impacts to energy expected as a result of the project.

Impact on Noise, Odor and Light

The proposed Site Development will result in temporary increases in noise and odors due to construction activities, and thereafter in noise generated by typical commercial retail activities. Impacts from new lighting will be created as a result of the site development proposed to be developed on site. Noise and Odor impacts are expected to be primarily temporary in nature.

A photo illumination plan will be reviewed by both the Town Designated Engineer and the Planning Commission during site plan review. Lighting will be minimized to the greatest extent practicable and site lighting will be shielded and oriented downward to reduce lighting impacts. There are proposed significant buffers included in project design and through appropriate lighting design.

There are either none or small impacts to noise, odor, or light expected as a result of the project.

Impact on Human Health

The proposed Site Development is not expected to have any adverse impacts on Human Health as the project will not create opportunities for exposure to new or existing source of contamination.

There are either none or small impacts to human health expected as a result of the project.

Consistency with Community Plans

The proposed Site Development is generally in alignment with Town, County and State land use plans for the project vicinity, including but not limited zoning which authorizes commercial and residential uses, the inclusion of areas of open space, and development which is sensitive to surrounding land uses.

The project as proposed is consistent with and supports the goals and objectives of the Town's Comprehensive Plan as adopted in 2022. The Comprehensive Plan for the Town of Rotterdam says its objectives are to encourage and promote quality development and utilize existing infrastructure and Town services. The stated goals also include the following:

- "Promote investment and reinvestment to attract and retain local businesses and employment opportunities.
- Ensure that commercial growth occurs in a manner that maintains the character of the community while expanding the Town's tax base and the availability of services to members of the community.
- Support and promote existing commercial and industrial areas." Page II-2 2022 Comprehensive Plan

While the property remains zoned Agricultural, it is no longer considered a suitable zoning for the site as it is surrounded by other Commercial uses and is located at the major intersection of Duanesburg Road (NYS Route 7) and NYS Interstate-88. The Project Proposal is consistent with the Corridor Mixed Use areas and recommended actions as defined and described in the Comprehensive Plan. (2022 Comprehensive Plan III-7).

Some of the existing infrastructure and Town services the project will benefit from are as follows:

- Located in close proximity to the intersection for the entrance to Interstate 88, characterized as a Key Regional Access point. Locating the proposed Project at this intersection ensures that the Project will have minimal impacts on the overall transportation system
- Located in the Schalmont School District which will benefit from the increased tax revenues.
- There is an existing water main on Duanesburg Road and an analysis of the water infrastructure indicates that there is sufficient quantity and pressure to service the project.

- The proposed use is compatible with surrounding uses and ensures that a significant retail resource to the Town of Rotterdam and the surrounding communities.

There are no feasible alternatives to the action given the existing agriculture zoning of the property and the proximity to Route 7 (Duanesburg Road), the commercial corridor for the town. There are no irreversible and irretrievable commitments of important resources which would be involved in the proposed action if it is implemented, the soils are not especially valuable for agriculture use, and most adjacent properties are zoned for and/ or committed to commercial uses.

The Town Board has concluded that this project is consistent with community plans.

Consistency with Community Character

The proposed Site Development is not expected to result in adverse impacts to the Community Character. The project is designed in accordance with general zoning and land use objectives of the Town and County as discussed above. The Project models the Town's vision for development practices and meets the objectives discussed through their Comprehensive Land Use Plan and other planning documents. Several of the larger vacant parcels located along Route 7 of the Town of Rotterdam are surrounded by parcels already developed for commercial and residential uses. The Project area has been identified by the Comprehensive Plan for commercial uses and economic development as it near a major highway interchange for I-88. There are several single-family residential properties located along Duanesburg Road which is a busy state roadway and is a major truck traffic route for the Golub Warehouse and the Rotterdam Corporate Park located nearby to the east. Although there is little opportunity for buffering of the traffic along State Route 7, large vegetative buffer areas and landscaping will be incorporated into the site plan to assist with buffering this site with the adjoining residential properties. The existing land is vegetated with light brush with groupings of moderate woods and mixed areas of open meadow. The proposed design will work to maintain the community characteristics enjoyed in the Town.

Existing environmentally sensitive areas and neighboring properties shall be protected by the establishment of buffers and avoiding the areas from potential impacts. The Project should allow for preservation of character, protect natural resources, and avoid additional demands to the infrastructure.

The Town Board has concluded that this project is consistent with community character.

The Town Board has also reviewed the potential development thresholds of this non-project action on the property for all potential uses of this property under the General Business Zoning Classification. Any use of this property will require Rotterdam Planning Commission site plan approval.

This rezoning will not result in any impacts to utilities and all coordination and expenses related to on-site utility infrastructure improvements will be handled by the project sponsor.

After a review of the application materials, the Long Environmental Assessment Form (Parts 1 and 2), and comments received on this proposal, the Town Board of the Town of Rotterdam has determined that this proposal will not have a significant adverse impact on the environment.

The Town Board has considered the following criteria to determine if this proposal has significant adverse impacts on the environment:

- (i) a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;
- (iii) the impairment of the environmental characteristics of a Critical Environmental Area.
- (iv) the creation of a material conflict with a community's current plans or goals as officially approved or adopted;
- (v) the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (vi) a major change in the use of either the quantity or type of energy;
- (vii) the creation of a hazard to human health;
- (viii) a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;
- (ix) the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;
- (x) the creation of a material demand for other actions that would result in one of the above consequences;
- (xi) changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or
- (xii) two or more related actions undertaken, funded or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively would meet one or more of the criteria in this subdivision.

The Town Board has also considered the reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions, which are:

- (i) included in any long-range plan of which the action under consideration is a part;
- (ii) likely to be undertaken as a result thereof; or
- (iii) dependent thereon.

(3) The significance of a likely consequence (i.e., whether it is material, substantial, large or important) has been assessed in connection with:

- (i) its setting (e.g., urban or rural);
- (ii) its probability of occurrence;
- (iii) its duration;
- (iv) its irreversibility;
- (v) its geographic scope;
- (vi) its magnitude; and
- (vii) the number of people affected

At a regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, NY on the 9th day of July, 2025 hereby adopted this NEGATIVE DECLARATION pursuant to 6NYCRR PART 617, State Environmental Quality Review.

Mollie Collins
Town Supervisor

For further information contact: Peter J. Comenzo
Town of Rotterdam Senior Planner
John F. Kirvin Government Center
1100 Sunrise Boulevard
Rotterdam, New York 12306
(518) 355-7575 x-338

For Type 1 Actions a copy of this Notice sent to:

Town Supervisor
Other Involved Agencies
Applicant
Environmental Notice Bulletin <http://www.dec.ny.gov/enb/enb.html>



May 16, 2025

Bohler Engineering
17 Computer Drive West
Albany NY 12205
Albany, NY 12205

Re: SEQRA
Proposed Change of Zone & Retail store
776 -778 Duanesburg Rd, Schenectady, NY 12306
25PR02333

Dear Bohler Engineering:

Thank you for requesting the comments of the Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the submitted materials in accordance with the New York State Historic Preservation Act of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Division for Historic Preservation and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project.

OPRHP has reviewed the Phase I Archaeological Survey Report entitled "Phase IA Literature Search and Sensitivity Assessment & Phase IB Archaeological Field Reconnaissance Survey Rotterdam Retail Project" (May 2025; 25SR00215). No archaeological sites were identified by the survey. Therefore, it is the opinion of the OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

If you have any questions, I can be reached at Jessica.Vavrasek@parks.ny.gov.

Sincerely,

Jessica Vavrasek, Ph.D.
Scientist – Archaeology/NAGPRA



United States Department of the Interior



FISH AND WILDLIFE SERVICE
New York Ecological Services Field Office
3817 Luker Road
Cortland, NY 13045-9385
Phone: (607) 753-9334 Fax: (607) 753-9699
Email Address: fw5es_nyfo@fws.gov

In Reply Refer To:

06/26/2025 17:12:33 UTC

Project code: 2025-0070262

Project Name: Proposed Retail Store - Rotterdam, NY

Federal Nexus: no

Federal Action Agency (if applicable):

Subject: Record of project representative's no effect determination for 'Proposed Retail Store - Rotterdam, NY'

Dear Vishal Rai:

This letter records your determination using the Information for Planning and Consultation (IPaC) system provided to the U.S. Fish and Wildlife Service (Service) on June 26, 2025, for 'Proposed Retail Store - Rotterdam, NY' (here forward, Project). This project has been assigned Project Code 2025-0070262 and all future correspondence should clearly reference this number.

Please carefully review this letter.

Ensuring Accurate Determinations When Using IPaC

The Service developed the IPaC system and associated species' determination keys in accordance with the Endangered Species Act of 1973 (ESA; 87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) and based on a standing analysis. All information submitted by the Project proponent into IPaC must accurately represent the full scope and details of the Project.

Failure to accurately represent or implement the Project as detailed in IPaC or the **Northern Long-eared Bat and Tricolored Bat Range-wide Determination Key (Dkey)**, invalidates this letter. *Answers to certain questions in the DKey commit the project proponent to implementation of conservation measures that must be followed for the ESA determination to remain valid.*

Determination for the Northern Long-Eared Bat and/or Tricolored Bat

Based upon your IPaC submission and a standing analysis, your project has reached the following effect determinations:

Species	Listing Status	Determination
---------	----------------	---------------

Northern Long-eared Bat (<i>Myotis septentrionalis</i>)	Endangered	No effect
Tricolored Bat (<i>Perimyotis subflavus</i>)	Proposed	No effect
	Endangered	

Federal agencies must consult with U.S. Fish and Wildlife Service under section 7(a)(2) of the Endangered Species Act (ESA) when an action *may affect* a listed species. Tricolored bat is proposed for listing as endangered under the ESA, but not yet listed. For actions that may affect a proposed species, agencies cannot consult, but they can *confer* under the authority of section 7(a)(4) of the ESA. Such conferences can follow the procedures for a consultation and be adopted as such if and when the proposed species is listed. Should the tricolored bat be listed, agencies must review projects that are not yet complete, or projects with ongoing effects within the tricolored bat range that previously received a NE or NLAA determination from the key to confirm that the determination is still accurate.

To make a no effect determination, the full scope of the proposed project implementation (action) should not have any effects (either positive or negative), to a federally listed species or designated critical habitat. Effects of the action are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action. (See § 402.17).

Under Section 7 of the ESA, if a federal action agency makes a no effect determination, no consultation with the Service is required (ESA §7). If a proposed Federal action may affect a listed species or designated critical habitat, formal consultation is required except when the Service concurs, in writing, that a proposed action "is not likely to adversely affect" listed species or designated critical habitat [50 CFR §402.02, 50 CFR§402.13].

Other Species and Critical Habitat that May be Present in the Action Area

The IPaC-assisted determination key for the northern long-eared bat and tricolored bat does not apply to the following ESA-protected species and/or critical habitat that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Proposed Threatened

You may coordinate with our Office to determine whether the Action may affect the animal species listed above and, if so, how they may be affected.

Next Steps

If there are no updates on listed species, no further consultation/coordination for this project is required with respect to the species covered by this key. However, the Service recommends that project proponents re-evaluate the Project in IPaC if: 1) the scope, timing, duration, or location of the Project changes (includes any project changes or amendments); 2) new information reveals the Project may impact (positively or negatively) federally listed species or designated critical

habitat; or 3) a new species is listed, or critical habitat designated. If any of the above conditions occurs, additional coordination with the Service should take place to ensure compliance with the Act.

If you have any questions regarding this letter or need further assistance, please contact the New York Ecological Services Field Office and reference Project Code 2025-0070262 associated with this Project.

Action Description

You provided to IPaC the following name and description for the subject Action.

1. Name

Proposed Retail Store - Rotterdam, NY

2. Description

The following description was provided for the project 'Proposed Retail Store - Rotterdam, NY':

Project involves rezoning of the subject property from A-1 Agricultural Zone to B-2 General Business Zone. The applicant then proposes construction of a +/-22,000 SF retail building along with associated parking areas, access drives, utilities, greenspace and stormwater management areas. Rear of the site is proposed to be maintained as green. Project is proposed to start construction in the third quarter of 2025.

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.7856614,-74.01826533874123,14z>



DETERMINATION KEY RESULT

Based on the information you provided, you have determined that the Proposed Action will have no effect on the species covered by this determination key. Therefore, no consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required for those species.

QUALIFICATION INTERVIEW

1. Does the proposed project include, or is it reasonably certain to cause, intentional take of listed bats or any other listed species?

Note: Intentional take is defined as take that is the intended result of a project. Intentional take could refer to research, direct species management, surveys, and/or studies that include intentional handling/encountering, harassment, collection, or capturing of any individual of a federally listed threatened, endangered or proposed species?

No

2. Is the action area wholly within Zone 2 of the year-round active area for northern long-eared bat and/or tricolored bat?

Automatically answered

No

3. Does the action area intersect Zone 1 of the year-round active area for northern long-eared bat and/or tricolored bat?

Automatically answered

No

4. Does any component of the action involve leasing, construction or operation of wind turbines? Answer 'yes' if the activities considered are conducted with the intention of gathering survey information to inform the leasing, construction, or operation of wind turbines.

Note: For federal actions, answer 'yes' if the construction or operation of wind power facilities is either (1) part of the federal action or (2) would not occur but for a federal agency action (federal permit, funding, etc.).

No

5. Is the proposed action authorized, permitted, licensed, funded, or being carried out by a Federal agency in whole or in part?

No

6. [Semantic] Is the action area located within 0.5 miles of a known bat hibernaculum? Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

7. Does the action area contain any winter roosts or caves (or associated sinkholes, fissures, or other karst features), mines, rocky outcroppings, or tunnels that could provide habitat for hibernating bats?

No

8. Will the action cause effects to a bridge?

Note: Covered bridges should be considered as bridges in this question.

No

9. Will the action result in effects to a culvert or tunnel at any time of year?

No

10. Are trees present within 1000 feet of the action area?

Note: If there are trees within the action area that are of a sufficient size to be potential roosts for bats answer "Yes". If unsure, additional information defining suitable summer habitat for the northern long-eared bat and tricolored bat can be found in Appendix A of the USFWS' Range-wide Indiana Bat and Northern long-eared bat Survey Guidelines at: <https://www.fws.gov/media/range-wide-indiana-bat-and-northern-long-eared-bat-survey-guidelines>.

No

11. Does the action area intersect the northern long-eared bat species list area?

Automatically answered

Yes

12. [Semantic] Is the action area located within 0.5 miles of radius of an entrance/opening to any known NLEB hibernacula? **Note:** The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

13. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats? **Note:** The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

14. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats?

Automatically answered

No

15. [Semantic] Is the action area located within 150 feet of a documented northern long-eared bat roost site?

Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency. Have you contacted the appropriate agency to determine if your action is within 150 feet of any documented northern long-eared bat roosts?

Note: A document with links to Natural Heritage Inventory databases and other state-specific sources of information on the locations of northern long-eared bat roosts is available here. Location information for northern long-eared bat roosts is generally kept in state natural heritage inventory databases – the availability of this data varies by state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited.

Automatically answered

No

16. Does the action area intersect the tricolored bat species list area?

Automatically answered

Yes

17. [Semantic] Is the action area located within 0.5 miles of radius of an entrance/opening to any known tricolored bat hibernacula? Note: The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

18. [Semantic] Is the action area located within 0.25 miles of a culvert that is known to be occupied by northern long-eared or tricolored bats? **Note:** The map queried for this question contains proprietary information and cannot be displayed. If you need additional information, please contact your State wildlife agency.

Automatically answered

No

19. Do you have any documents that you want to include with this submission?

No

PROJECT QUESTIONNAIRE

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Vishal Rai
Address: 17 Computer Drive West
City: Albany
State: NY
Zip: 12205
Email: vrai@bohlereng.com
Phone: 5184389900



April 4th, 2025

Peter Comenzo, Senior Planner
Town of Rotterdam
Planning/Zoning Department
1100 Sunrise Blvd
Rotterdam, NY 12306

**Re: Proposed Change of Zone & Retail Store
774-778 Duanesburg Rd
Schenectady, NY 12306**

Dear Mr. Comenzo:

The New York State Department of Transportation has reviewed the SEQR documentation received per the correspondence dated **July 11th, 2024**, and offers the following:

1. The NYSDOT acknowledges the **Town Board of the Town of Rotterdam** will be designated as the Lead Agency for this environmental review. NYSDOT believes we are an **Involved** agency under SEQR.
2. The project area is currently located within the Agricultural Zone (A-1). The project proposes a zone change to a General Business Zone (B-2). This area is considered a corridor mixed-use node, denoted the "Western Gateway Node" in the towns comprehensive plan (pg. II-5, III-13). The project consists of a zoning change from A-1 to B-2, and construction of a 22,000 SF retail building housing a tractor supply store. The plan includes construction of associated car parking, landscaping, lighting, utilities, and stormwater management facilities. The project will alter approximately 5 of the 14.02 site acres, introducing new impervious surfaces.

The Town of Rotterdam's Comprehensive Plan (2022) states that areas designated "Corridor Mixed-Use" should promote "mixed-use development and redevelopment along these corridors with a focus on office/commercial/retail establishments" (pg. II-3). This site, if granted a zone change, would align with this objective of the town, and a tractor supply store would be an appropriate addition into a B-2 zoning area within Rotterdam.

Although this project does align with some of the comprehensive plan's vision, there are some potential concerns and considerations that need to be

reviewed. These concerns regard traffic, safety, stormwater management, and accessibility. Suggestions to address these concerns will be outlined in the following section.

Regarding traffic: this area is deemed the “Western Gateway Node” into Rotterdam, and “high volume of truck traffic and lack of infrastructure to properly accommodate the high truck volume” along with “overall lack of pedestrian and bicycle infrastructure” are two associated challenges within the area (pg. III-13). This leads to potential traffic concerns as this Section of NYS RT 7, considered an access highway and principal arterial (other), has an AADT of approx. 12,446 (2019), with trucks representing 14% of all traffic. The addition of a new curb cut, and increased traffic to the retail store will result in an increased AADT and will introduce additional heavy vehicle trips to the corridor.

Regarding stormwater management, this project site is located on the Indian House Creek / Normans Kill Watersheds and on the Middle-Hudson Subbasin, leading to flooding concerns as this section of NYS Rt 7 is deemed to have medium vulnerability to flooding. Although the plans include a stormwater management area to address this issue, it also proposes to direct overflow to “storm drains along the road.” NYSDOT does not allow direct discharge of stormwater into our system from new development as a standard requirement outlined later.

Regarding walkability and multi-modal transportation: the current plan includes no amenities regarding cyclists and does not include any plans to build/expand the sidewalks within the area, infrastructure that the comprehensive plan notes is lacking. The surrounding area, a mix of residential, business, and agricultural zones, along with the close proximity to the Schalmont Middle/Highschool makes this area a prime spot for introducing new sidewalk and connections, and continuous work with the town and other developments should be considered to expand the network beyond this proposed retail site.

3. There are potential improvements the proposed project could implement to better align with the town’s comprehensive plan and address the concerns expressed above. These improvements can help better address the mobility, pedestrian/traffic safety, and development desired in the “Western Gateway Node.” Please see below suggestions for the town’s consideration:
 - a) Installation of sidewalks along the entire Rt 7 corridor should be considered. Sidewalks extending from Becker Road east to the nearest bus stop at Rotterdam Industrial Park (Rt 7 & Dunnsville Rd Stop) would completely connect this area and gateway and promote multi-modal transportation options. Sidewalk on both sides of the street would be preferred, but sidewalks solely on the Northern side of Rt. 7

would still be beneficial. Cooperation with the Town and other development, such as the proposed BJ's in the same corridor, is encouraged to create a unified network.

- b) Installation of sidewalk along the driveway into the parking lot with a crosswalk/pedestrian striping from South of the lot to the building's pedestrian refuge.
 - c) Consider putting the remaining acres of land into conservation easement to prohibit the remaining agricultural land from being developed. This will help maintain the rural character of the town, along with preventing more destruction of green spaces in this area, which was initially zoned as agricultural.
 - d) Landscape beautification along the site area, especially surrounding the septic and stormwater management areas can help maintain the neighborhood and natural character of the area. The introduction of this new vegetation can help with flooding concerns as they can help reduce rainfall runoff and slow the flow of rainwater.
 - e) To promote multi-modal travel, installation of bike racks at main entrance.
- 4. The NYSDOT has received a Lead Agency Request, a Short EAF, Proposed Change of Boundary Site Map, Site Maps, Change of Zone Application, and a Change of Zone Application Letter from Peter Comenzo on August 6th, 2024.
 - 5. Please note that NYSDOT does not allow new development to directly discharge stormwater into the highway stormwater management system.
 - 6. A NYSDOT Highway Work Permit (PERM 33-com) will be necessary for any work within the State right-of-way along NYS Route 7.
 - 7. In anticipation of the Highway Work Permit, a Traffic Impact Study will be required.
 - 8. A PERM 32 NYSDOT permit application will be required for any utility work in the NYSDOT right-of-way. Please submit documentation the Town will take ownership of any proposed utilities in NYSDOT right-of-way.

If you have any questions pertaining to the Utility Permit process or requirements, please contact Matt Haggerty at Matt.Haggerty@dot.ny.gov or (518) 461-3669. For questions about the Highway Work Permit process and requirements, contact Wyatt Martin, Regional Permit Engineer (Wyatt.Martin@dot.ny.gov or 518-457-4745).

Sincerely,



Gregory S Wichser, P.E.
Acting Regional Program and Planning Manager

cc: Wyatt Martin, Region 1 Traffic
Matt Haggerty, Region 1 Construction
Thomas Cashdollar, Resident Engineer, Schenectady County
Brian Sleasman, Region 1 Design

Caryn Mlodzianowski

From: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>
Sent: Thursday, May 15, 2025 11:00 AM
To: Caryn Mlodzianowski; Jed Randell Sarabia
Cc: dot.sm.R01.permits; nyb240019.00@nf.bohlereng.com; Martin, Wyatt (DOT)
Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

EXTERNAL: Use caution with attachments and links.

Caryn,

After reviewing the responses to our Traffic comments and the plan submission and for Stage 1, we conceptually approve the driveway locations. Please submit Stage 2 plans, Work Zone Traffic Control plans, driveway detail, curb/shoulder recon detail, stormwater plan, and the Stage 2 application.

Thanks,

JIM MCNALLY

Region 1 Permits

New York State Department of Transportation

50 Wolf Road

Albany, NY 12232

(518) 485-9637 Jim.McNally@dot.ny.gov

www.dot.ny.gov

From: Caryn Mlodzianowski <cmlodzianowski@bohlereng.com>
Sent: Thursday, May 15, 2025 10:41 AM
To: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>; Jed Randell Sarabia <jsarabia@bohlereng.com>
Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>; nyb240019.00@nf.bohlereng.com; Martin, Wyatt (DOT) <Wyatt.Martin@dot.ny.gov>
Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Good morning,

Please find responses to the below comments attached. Let us know if you have any questions. Thank you,

Caryn Mlodzianowski

Project Manager, Land Development

o 518-438-9900 / c 518-727-3592 / cmlodzianowski@bohlereng.com

BOHLER //

From: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>

Sent: Friday, May 9, 2025 12:29 PM

To: Caryn Mlodzianowski <cmłodzianowski@bohlereng.com>; Jed Randell Sarabia <jsarabia@bohlereng.com>

Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>; nyb240019.00@nf.bohlereng.com; Martin, Wyatt (DOT) <Wyatt.Martin@dot.ny.gov>

Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

EXTERNAL: Use caution with attachments and links.

Caryn,

I just received the following minor comments/questions from traffic:

These comments are regarding the 1/14/25 TIS letter:

- Only the Turning Movement Counts for Route 7/Sabre Drive are included in the appendices. All count data should be included in the appendices.
- Were the “Other Development” volumes (i.e. BJ’s), distributed and assigned in the same manner as the October 19, 2024 BJ’s TIS? (*I should have said BJ’s instead of Home Depot in the original comment*)

Thanks,

JIM MCNALLY

Region 1 Permits

New York State Department of Transportation

50 Wolf Road

Albany, NY 12232

(518) 485-9637 Jim.McNally@dot.ny.gov

www.dot.ny.gov

From: Caryn Mlodzianowski <cmłodzianowski@bohlereng.com>

Sent: Friday, May 9, 2025 7:40 AM

To: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>; Jed Randell Sarabia <jsarabia@bohlereng.com>

Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>; nyb240019.00@nf.bohlereng.com; Martin, Wyatt (DOT) <Wyatt.Martin@dot.ny.gov>

Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

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Good morning Jim,

Thanks for catching up earlier this week. Were you able to meet with the traffic review team and complete Stage 1 review?

Caryn Mlodzianowski

Project Manager, Land Development

o 518-438-9900 / c 518-727-3592 / cmłodzianowski@bohlereng.com



From: Caryn Mlodzianowski
Sent: Wednesday, April 30, 2025 8:15 AM
To: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>; Jed Randell Sarabia <jsarabia@bohlereng.com>
Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>; nyb240019.00@nf.bohlereng.com; Martin, Wyatt (DOT) <Wyatt.Martin@dot.ny.gov>
Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

Good morning Jim and Wyatt,

Can you confirm receipt of this email and attachment and let us know if it has been reviewed/how timing looks?
Thank you!

Caryn Mlodzianowski
Project Manager, Land Development
17 Computer Drive West | Albany, NY 12205
70 Linden Oaks, Third Floor, Suite 15 | Rochester, NY 14625
o 518-438-9900 / c 518-727-3592 / cmlodzianowski@bohlereng.com
www.BohlerEngineering.com



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From: Caryn Mlodzianowski
Sent: Monday, April 14, 2025 3:12 PM
To: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>; Jed Randell Sarabia <jsarabia@bohlereng.com>
Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>; nyb240019.00@nf.bohlereng.com; Martin, Wyatt (DOT) <Wyatt.Martin@dot.ny.gov>
Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

Good afternoon Jim,

Based on the feedback received, the traffic engineers have assembled the attached for review.
Let us know this is received and if there are any comments/questions on this additional information.

Thank you,

Caryn Mlodzianowski
Project Manager, Land Development
17 Computer Drive West | Albany, NY 12205
70 Linden Oaks, Third Floor, Suite 15 | Rochester, NY 14625
o 518-438-9900 / c 518-727-3592 / cmlodzianowski@bohlereng.com
www.BohlerEngineering.com

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From: Caryn Mlodzianowski
Sent: Thursday, April 3, 2025 3:38 PM
To: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>; Jed Randell Sarabia <jsarabia@bohlereng.com>
Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>; nyb240019.00@nf.bohlereng.com; Martin, Wyatt (DOT) <Wyatt.Martin@dot.ny.gov>
Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

Thank you for this feedback, Jim. We have a couple of comments/questions **below**. Attached is the traffic evaluation to ensure everyone received a copy of the full evaluation.

From: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>
Sent: Tuesday, April 1, 2025 11:31 AM
To: Caryn Mlodzianowski <cmlodzianowski@bohlereng.com>; Jed Randell Sarabia <jsarabia@bohlereng.com>
Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>; nyb240019.00@nf.bohlereng.com; Martin, Wyatt (DOT) <Wyatt.Martin@dot.ny.gov>
Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

EXTERNAL: Use caution with attachments and links.

Caryn,

Please see the following comments from traffic:

- What are existing and expected queues on Becker Road? Any concern for vehicles backing up onto I-88 Ramps or mainline? **There is no concern for vehicles backing up onto the I-88 ramps- additional queuing details will be provided in a formal response.**
- Should the outparcel tenant turn out to be a higher generator than a Tractor Supply, the TIS will need to be updated and re-reviewed by NYSDOT **There is no planned outparcel at the site.**
- I agree with analyzing the Schalmont School driveway/Route 7 intersection instead of the Pangburn Road/Route 7 intersection **Noted- the Pangburn Road intersection was not included in the detailed traffic study.**
- Our opinion is that the AM peak hour is not particularly important if the site use is to be a Tractor Supply, however, if they want to analyze the AM PH in case the site use changes, then that is fine **PM and Saturday peak hours were evaluated in the detailed study attached.**
- I agree that VHB's count data can be used, but the consultant should calibrate that data based on the new counts at the Route 7/Schalmont School Driveway intersection **The 2023 data was adjusted to represent 2024 existing conditions to use as a base condition for the analysis. Further balancing was not completed- but will be reviewed. More information will be provided in a formal response.**
- A crash review along the Route 7 from the School Driveway to Burdeck St should be included in the study. **Crash data has been requested from NYSDOT. A summary of the data will be included in a formal response.**

The SEQR response for the project should be sent out tomorrow or Wednesday.

Thank,

JIM MCNALLY

Region 1 Permits

New York State Department of Transportation

50 Wolf Road

Albany, NY 12232

(518) 485-9637 Jim.McNally@dot.ny.gov

www.dot.ny.gov

From: Caryn Mlodzianowski <cmlodzianowski@bohlereng.com>

Sent: Friday, March 28, 2025 9:54 AM

To: Jed Randell Sarabia <jsarabia@bohlereng.com>; McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>

Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>; nyb240019.00@nf.bohlereng.com

Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

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Good morning Jim,

Has Stage 1 and traffic review been completed for this project?

Caryn Mlodzianowski

Project Manager, Land Development

o 518-438-9900 / c 518-727-3592 / cmlodzianowski@bohlereng.com

BOHLER //

From: Caryn Mlodzianowski

Sent: Monday, March 24, 2025 12:21 PM

To: Jed Randell Sarabia <jsarabia@bohlereng.com>; McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>

Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>; nyb240019.00@nf.bohlereng.com

Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

Good afternoon Jim,

Can you provide an update on review of this project or let us know if there is someone else we can follow up with.

Thank you,

Caryn Mlodzianowski

Project Manager, Land Development

17 Computer Drive West | Albany, NY 12205

70 Linden Oaks, Third Floor, Suite 15 | Rochester, NY 14625

o 518-438-9900 / c 518-727-3592 / cmlodzianowski@bohlereng.com

www.BohlerEngineering.com



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From: Caryn Mlodzianowski
Sent: Tuesday, March 18, 2025 12:26 PM
To: Jed Randell Sarabia <jsarabia@bohlereng.com>; McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>
Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>; nyb240019.00@nf.bohlereng.com
Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

Good afternoon Jim,

Following up on our calls and emails. We look forward to hearing back from you on this review.

Thank you,

Caryn Mlodzianowski
Project Manager, Land Development
17 Computer Drive West | Albany, NY 12205
70 Linden Oaks, Third Floor, Suite 15 | Rochester, NY 14625
o 518-438-9900 / c 518-727-3592 / cmlodzianowski@bohlereng.com
www.BohlerEngineering.com



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From: Jed Randell Sarabia <jsarabia@bohlereng.com>
Sent: Friday, March 14, 2025 2:13 PM
To: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>
Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>; Caryn Mlodzianowski <cmlodzianowski@bohlereng.com>; nyb240019.00@nf.bohlereng.com
Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

Hi Jim, good afternoon,

Just left you a voicemail – wanted to follow up below if the review of the traffic study is complete and when we can expect the SEQR response for the project. Any updates would be appreciated.

Thank you and have a great weekend!

Jed Randell Sarabia

Sr. Design Engineer

o 518-438-9900 / jsarabia@bohlereng.com

BOHLER //

From: Caryn Mlodzianowski <cmlodzianowski@bohlereng.com>

Sent: Thursday, March 6, 2025 4:19 PM

To: Jed Randell Sarabia <jsarabia@bohlereng.com>; McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>

Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>

Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

Good afternoon Jim,

Did traffic complete their review yesterday? We also will need a SEQR response for the project. Thank you,

Caryn Mlodzianowski

Project Manager, Land Development

17 Computer Drive West | Albany, NY 12205

70 Linden Oaks, Third Floor, Suite 15 | Rochester, NY 14625

o 518-438-9900 / c 518-727-3592 / cmlodzianowski@bohlereng.com

www.BohlerEngineering.com

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From: Caryn Mlodzianowski

Sent: Tuesday, February 25, 2025 4:02 PM

To: Jed Randell Sarabia <jsarabia@bohlereng.com>; McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>

Cc: dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>

Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

Good afternoon Jim,

Wanted to check in on the below and let you know we will also need a SEQR response and/or to confirm if this was prepared? The Town reached out to Matthew DeSimone previously on this and not sure if it was finalized. Let us know and if we could receive a copy that'd be great.

Caryn Mlodzianowski

Project Manager, Land Development

o 518-438-9900 / c 518-727-3592 / cmlodzianowski@bohlereng.com

BOHLER //

From: Jed Randell Sarabia <jsarabia@bohlereng.com>

Sent: Friday, February 21, 2025 9:03 AM

To: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>

Cc: Caryn Mlodzianowski <cmlodzianowski@bohlereng.com>; dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>

Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

Hi Jim, good morning – thank you for the update.

Any chance we could have a completed Stage 1 review back sooner. Would you have an estimated date on that?

Thank you,

Jed Randell Sarabia

Sr. Design Engineer

o 518-438-9900 / jsarabia@bohlereng.com

BOHLER //

From: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>

Sent: Thursday, February 20, 2025 2:33 PM

To: Jed Randell Sarabia <jsarabia@bohlereng.com>

Cc: Caryn Mlodzianowski <cmlodzianowski@bohlereng.com>; dot.sm.R01.permits <dot.sm.R01.permits@dot.ny.gov>

Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

EXTERNAL: Use caution with attachments and links.

Jed,

Our Traffic will not be able provide any comments on the traffic study until 3/5. My apologies for the delay.

Thanks,

JIM MCNALLY

Region 1 Permits

New York State Department of Transportation

50 Wolf Road

Albany, NY 12232

(518) 485-9637 Jim.McNally@dot.ny.gov

www.dot.ny.gov

From: Jed Randell Sarabia <jsarabia@bohlereng.com>

Sent: Thursday, January 23, 2025 4:03 PM

To: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>

Cc: Caryn Mlodzianowski <cmlodzianowski@bohlereng.com>

Subject: RE: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

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Hi Jim, good afternoon,

At the request of the municipality, please see the attached Traffic Study to supplement our Stage 1 application for review and approval. Let us know if you have any questions.

Thank you!

Jed Randell Sarabia

Sr. Design Engineer

o 518-438-9900 / jsarabia@bohlereng.com

BOHLER //

From: Jed Randell Sarabia

Sent: Monday, September 23, 2024 2:17 PM

To: McNally, Jim (DOT) <Jim.McNally@dot.ny.gov>

Cc: Caryn Mlodzianowski <cmlodzianowski@bohlereng.com>

Subject: 774-778 Duanesburg Road, Rotterdam, NY - Stage 1 DOT review

Hi Jim, good afternoon,

Hope you had a great weekend. Please see attached documents regarding the project located at 774 & 778 Duanesburg Road (NYS Route 7), Rotterdam, NY. The project consists of approximately ±22,000 SF retail building with associated car parking, utilities, stormwater basins, landscape, and lighting. The proposed access is shown along NYS Route 7. Please let us know if this acceptable for our Stage 1 application.

Thank you,
Jed

Jed Randell Sarabia

Sr. Design Engineer

17 Computer Drive West

Albany, NY 12205

o 518-438-9900 / jsarabia@bohlereng.com

www.BohlerEngineering.com

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June 27, 2025

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

**RE: Proposed Development
774-778 Duanesburg Road (NYS Route 7)
Rotterdam, NY 12306
Labella Project # 2241303.04**

Dear Mr. Comenzo:

As requested by the Town of Rotterdam, LaBella Associates (LaBella) has completed a review of the correspondence between the applicant's project team and the New York State Department of Transportation (NYSDOT) as well as the technical letters addressing the NYSDOT comments for the Highway Work Permit (PERM33-COM) Stage 1 Submission made by the applicant's project team.

LaBella finds the comments made by the NYSDOT in its emails dated April 1, 2025 and May 9, 2025 reasonable and Lansing Engineering's respective responses dated April 7, 2025 and May 15, 2025 acceptable.

LaBella notes that the NYSDOT provided its conceptual approval for the driveway location and full-movement configuration via an email dated May 15, 2025. In this same email, the NYSDOT directs the applicant's project team to proceed with its Stage 2 submission, which is the Design Review stage.

Having completed its review of the aforementioned materials, LaBella has no outstanding comments regarding the application.

In the event the Town staff have any questions or require additional information, please do not hesitate to contact me at (518) 903-8388 x7726

Respectfully submitted,

LaBella Associates



Reuben Hull, PE, PMP, M. ASCE
Asst. Municipal Discipline Lead
Sr. Civil Engineer

cc: Peter Comenzo, Town of Rotterdam Senior Planner (via email only)

REPORT OF GEOTECHNICAL INVESTIGATION

**PROPOSED TRACTOR SUPPLY COMPANY STORE
778 DUANESBURG ROAD
SECTION 57, BLOCK 3, LOT 6.1
ROTTERDAM, SCHENECTADY COUNTY, NEW YORK**



Prepared for:

**PRIMAX PROPERTIES, LLC
1100 East Morehead Street
Charlotte, North Carolina 28204**

Prepared by:

**WHITESTONE ASSOCIATES ENGINEERING
& GEOLOGY NY, PLLC
500 Canal View Boulevard, Suite 700
Rochester, New York 14623**



**Richard W.M. McLaren
Senior Consultant**



**Ryan R. Roy, PE
Vice President**

**Whitestone Project No.: GM2422433.Y00
December 3, 2024**

Office Locations:



500 CANAL VIEW BOULEVARD
SUITE 700
ROCHESTER, NY 14623
585.252.6879
whitestoneassoc.com

December 3, 2024

via email

PRIMAX PROPERTIES, LLC
1100 East Morehead Street
Charlotte, North Carolina 28204

Attention: Mr. Adam F. Sellner
Vice President - Development

**Regarding: REPORT OF GEOTECHNICAL INVESTIGATION
PROPOSED TRACTOR SUPPLY COMPANY STORE
778 DUANESBURG ROAD
SECTION 57, BLOCK 3, LOT 6.1
ROTTERDAM, SCHENECTADY COUNTY, NEW YORK
WHITESTONE PROJECT NO.: GM2422433.Y00**

Dear Mr. Sellner:

Whitestone Associates Engineering & Geology NY, PLLC (Whitestone) is pleased to submit this *Report of Geotechnical Investigation* for the above-referenced project. The report presents the results of Whitestone's subsurface exploration and includes design recommendations for the foundations, slabs, and pavements, and related earthwork associated with the proposed Tractor Supply Company (TSC) store.

Whitestone appreciates the opportunity to be of continued service to Primax Properties, LLC. Should you have questions regarding the enclosed report, contact us at (585) 252-6879.

Sincerely,

WHITESTONE

Richard W.M. McLaren
Senior Consultant

Ryan R. Roy, PE
Vice President

RWM/th N:\Job Folders\2024\2422433GM\Reports and Submittals\Primax TSC Rotterdam NY GM2422433.Y00 ROGI 12-3-24.docx
Enclosures
Copy: Laurence W. Keller, PE, Whitestone Associates, Inc.

Office Locations:

NEW JERSEY

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MASSACHUSETTS

CONNECTICUT

FLORIDA

NEW HAMPSHIRE

NEW YORK

July 9, 2025
Page 219

REPORT OF GEOTECHNICAL INVESTIGATION

**Proposed Tractor Supply Company Store
778 Duaneburg Road
Rotterdam, Schenectady County, New York**

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REPORT OF GEOTECHNICAL INVESTIGATION

**Proposed Tractor Supply Company Store
778 Duaneburg Road
Rotterdam, Schenectady County, New York**

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APPENDICES

APPENDIX A Records of Subsurface Exploration
 (Borings B-1 through B-8; Test Pits TP-1 through TP-8)
APPENDIX B Laboratory Test Results
APPENDIX C Supplemental Information (USCS, Terms & Symbols)

SECTION 1.0

Summary of Findings

Whitestone has completed an exploration and evaluation of the subsurface conditions at the site of the proposed Tractor Supply Company (TSC) store located at 778 Duanesburg Road in the Town of Rotterdam, Schenectady County, New York. Based on a January 26, 2024 *Concept Plan* prepared by Bohler Engineering NY, PLLC (Bohler) of Albany, New York, the project consists of constructing a TSC store with a footprint of 22,000 square feet, a permanent trailer display area, four small sidewalk display areas, associated paving, utilities, and landscaped areas. A stormwater management area is planned southeast of the proposed store. A septic area is planned to the northwest proposed store. No new retaining walls are shown on the *Concept Plan*.

The geotechnical investigation included conducting a reconnaissance of the project site, advancing eight borings, excavating eight test pits, performing *in-situ* infiltration and percolation tests, and collecting soil samples for laboratory testing and characterization. Site subsurface conditions generally consisted of topsoil/subsoil overlying an alluvial deposit, which is underlain by a kame deposit, in turn underlain by glacial till. Shallow existing fill was encountered in one exploration. Weathered and apparent bedrock were encountered beneath the glacial till. Groundwater was encountered in two borings at depths of 2.5 feet below ground surface (fbgs) and 12 feet fbgs during field activities. The shallower groundwater is likely perched.

The proposed structure may be supported on conventional spread footings designed to bear on the alluvial deposit or kame moraine, and/or structural fill placed on the alluvial deposit or kame moraine. Glacial till, which was generally encountered at depth in the borings, would also be suitable for footing support if exposed at foundation subgrade level. The site is suitable for ground-supported slabs bearing on the properly inspected, approved, and improved alluvial deposit, kame moraine, or existing fill, and/or structural fill. Additionally, the site conditions support the use of typical pavement sections using standard New York State Department of Transportation (NYSDOT) specified materials.

The above summary is intended to provide an overview of the geotechnical findings and recommendations and is not fully developed. Greater detail is presented in the following sections. The entire report must be read for comprehensive understanding of the information contained herein.

SECTION 2.0

Introduction

2.1 AUTHORIZATION

Mr. Adam F. Sellner, Vice President - Development at Primax Properties, LLC, issued authorization to Whitestone to conduct a geotechnical investigation on this site relevant to the construction of a proposed TSC store located at 778 Duanesburg Road in the Town of Rotterdam, Schenectady County, New York. The geotechnical investigation was conducted in general accordance with Whitestone's August 28, 2024 proposal.

2.2 PURPOSE

The purpose of this exploration and analysis was to:

- ▶ ascertain the various soil profile components at test locations;
- ▶ conduct preliminary infiltration and percolation testing;
- ▶ estimate the engineering characteristics of the proposed foundation bearing and subgrade materials;
- ▶ provide geotechnical criteria for use by the design engineers in preparing the foundation, slab, and pavement design;
- ▶ provide recommendations for required earthwork and subgrade preparation;
- ▶ record groundwater and/or bedrock levels (if encountered) at the time of the investigation and discuss the potential impact on the proposed construction; and
- ▶ recommend additional investigation and/or analysis, if warranted.

2.3 SCOPE

The scope of the exploration and analysis included the subsurface exploration, field testing and sampling, laboratory testing, evaluation of the subsurface materials, and a geotechnical engineering analysis. This *Report of Geotechnical Investigation* is limited to addressing the site conditions related to the physical support of the proposed construction.

2.3.1 Field Exploration

Field exploration of the project site was conducted by means of eight borings, identified as B-1 through B-8, which were advanced with a truck-mounted Diedrich D-50 drill rig equipped with hollow stem augers.

The borings were advanced to termination depths of approximately four fbgs to 15.8 fbgs. The borings were backfilled with soils generated from the investigation upon completion.

Whitestone also excavated eight test pits, identified as TP-1 through TP-8, with a Komatsu PC40 mini excavator. The test pits were excavated to termination depths that ranged from approximately 5.5 fbgs to 10 fbgs. The test pits were backfilled with excavated soils upon completion.

The *Records of Subsurface Exploration* for the explorations are included in Appendix A. Test locations are shown on the *Test Location Plan* included as Figure 1.

Test locations were based on project information provided to Whitestone at the time of the investigation, including the January 26, 2024 Bohler *Concept Plan*. The subsurface tests were conducted in the presence of a Whitestone field engineer, who conducted field tests, recorded visual classifications, and collected samples of the various strata encountered. The tests were located in the field using phone-based GPS. These locations are presumed to be accurate to the degree implied by the method used (± 20 feet).

Borings and Standard Penetration Tests (SPTs) were conducted in general accordance with ASTM International (ASTM) designation D1586. The Standard Penetration Resistance value (N) can be used as an indicator of the consistency of fine-grained soils and the relative density of coarse-grained soils. The N-value for various soil types can be correlated with the engineering behavior of earthworks and foundations.

Groundwater level observations, where encountered, were recorded during and immediately following the completion of the testing operations within the borings. Seasonal variations, temperature effects, and recent rainfall conditions may influence the levels of the groundwater, and the observed levels will depend on the permeability of the soils. Groundwater elevations derived from sources other than seasonally observed groundwater monitoring wells may not be representative of true groundwater levels.

2.3.2 Infiltration Testing

Test pits TP-5 and TP-8 were advanced to a depth of 10 fbgs and eight fbgs, respectively, to evaluate soil conditions prior to infiltration testing. Infiltration tests I-1 and I-2 were then conducted as falling head tests in cased holes in the test pits in general accordance with the New York State Department of Environmental Conservation procedures at the locations shown on the *Test Location Plan*. PVC casing, four inches in diameter, was installed to the depths tabulated below. The soil was pre-soaked for approximately 10 minutes. Following testing, the casings were removed. The results are tabulated below.

SUMMARY OF INFILTRATION TESTING				
Location	Approximate Ground Elevation (ft NAVD)	Test Depth (fbgs)	Approximate Test Elevation (ft NAVD)	Infiltration Rate (in/hr)
I-1 (TP-5)	350	4.0	346	> 10
I-2 (TP-8)	350	4.5	345.5	> 10

Infiltration tests I-1 and I-2 were conducted in the alluvial deposit, which generally consists of relatively clean sand. The high infiltration rates are reflective of this soil type. However, infiltration rates for kame moraine, which is mapped for the site, and glacial till would generally be in the one inch per hour (in/hr) to two in/hr range.

Typically, a Factor of Safety (FoS) is applied to measured infiltration rates to account for siltation and consolidation of soil below the systems over time. Safety factors used should consider how critical the systems are to the development and the available storage. If the system is critical or storage limited, a higher FoS should be applied. Infiltration rates are variable and dependent on test depth and stratification.

2.3.3 Percolation Testing

Subsurface soil conditions were initially explored by advancing test pits TP-2, TP-3, TP-6, and TP-7 to depths of eight fbgs to 10 fbgs. Subsequently, percolation tests, Perc-1 through Perc-4, were conducted in general accordance with New York State Department of Health procedures, at the locations shown on Figure 1 - *Test Location Plan*. The test depths are tabulated below. The percolation test holes were pre-soaked for 30 minutes. Percolation tests Perc-1 and Perc-2 were conducted in the kame moraine and subsoil, respectively. Percolation tests Perc-3 and Perc-4 were conducted in the alluvial deposit.

SUMMARY OF PERCOLATION TESTING				
Location	Approximate Ground Elevation (ft NAVD)	Test Depth (fbgs)	Approximate Test Elevation (ft NAVD)	Percolation Rate (min/in)
Perc-1 (TP-2)	350	4.5	345.5	> 60
Perc-2 (TP-3)	350	1.5	348.5	> 60
Perc-3 (TP-6)	350	4.0	346	3.5
Perc-4 (TP-7)	350	3.5	346.5	1.5

2.3.4 Laboratory Testing

Laboratory testing was conducted to determine additional, pertinent engineering characteristics of representative samples of on-site soils. The laboratory testing was conducted in general accordance with applicable ASTM standard test methods and included physical testing of the kame moraine and alluvial deposit.

Physical/Textural Analysis: Representative samples of the site soils were subjected to laboratory testing that included moisture content determination (ASTM D2216) and washed gradation analyses (ASTM D422) in order to conduct supplementary engineering soil classifications and/or to assess possible re-use of the site soils as structural fill. The results of the laboratory testing are summarized in the table below.

LABORATORY TESTING SUMMARY					
Exploration	Sample Number	Depth (fbgs)	Moisture Content (%)	Passing No. 200 Sieve (%)	USCS Classification
B-1	S-3	5.0 - 7.0	9.1	48.4	SM
B-3	S-2	2.0 - 4.0	5.3	8.8	SP-SM
TP-5	S-1	4.5	5.5	13.6	SM
TP-6	S-1	4.5	6.1	9.6	SP-SM
TP-7	S-1	4.0	3.8	6.8	SP-SM
TP-8	S-1	5.0	11.5	11.8	SP-SM

The engineering classifications are useful when considered in conjunction with the additional site data to estimate properties of the soil types encountered and to predict soil behavior under construction and service loads. Laboratory test results are provided in Appendix B.

SECTION 3.0

Site Description

3.1 LOCATION & DESCRIPTION

The subject site is located at 778 Duanesburg Road (NYS Route 7) in the Town of Rotterdam, Schenectady County, New York, Latitude 42.7857 North, Longitude 74.0190 West. The site is an undeveloped, 13.7-acre parcel, identified further as Section 57, Block 13, Lot 6.1.

The irregularly shaped site is bounded to the southeast by residences and Duanesburg Road; to the southwest by residences; to the northwest by a NYSDOT tandem lot, then Interstate 88; and to the northeast by a former speedway racetrack. Access to the site is from Duanesburg Road. The site of the proposed construction is shown on the *Test Location Plan* included as Figure 1.

3.2 EXISTING CONDITIONS

Existing Development: At the time of site investigation the subject site was undeveloped and used for agricultural purposes.

Topography: Based on a review of the *USGS 7.5 Minute Series Rotterdam Junction Quadrangle, New York* (2023) and on Whitestone's visual observations, the site is generally level at approximately elevation 350 feet above North American Datum of 1988 (NAVD), with a slight slope down to the southeast.

Utilities: The site was not serviced by underground utilities. The utility information contained in this report is presented for general discussion only and is not intended for construction purposes.

Site Drainage: Surface runoff would generally follow site topography, flowing to the southeast.

3.3 SITE GEOLOGY

According to the University of the State of New York, The State Education Department *Surficial Geologic Map of New York, Hudson-Mohawk Sheet* (1987), the natural subsurface soils are mapped as kame moraine. The University of the State of New York, The State Education Department *Geologic Map of New York, Finger Lakes Sheet* (1970) indicates that the subject site is underlain by Middle Ordovician-age Normanskill Shale, consisting of shale with minor sandstone and mudstone. The mapped boundary with the Upper Ordovician-age Schenectady Formation, consisting of sandstone, siltstone, and graywacke, with minor shale, is immediately northwest of the site. Both are part of the Lorraine, Trenton, and Black River Groups. The site is not mapped by USGS as being in a karst area.

3.4 PROPOSED CONSTRUCTION

Based on the aforementioned Bohler *Concept Plan*, the project consists of constructing a TSC store with a footprint of 22,000 square feet, a permanent trailer display area, four small sidewalk display areas, and associated paving, utilities, and landscaped areas. Whitestone anticipates that the finished floor elevation will be close to existing site grades. A stormwater management area is planned southeast of the proposed store. A septic area is planned to the northwest of the proposed store. No new retaining walls are shown on the *Concept Plan*.

Whitestone anticipates the proposed building will be a single-story, masonry and metal-framed structure constructed with ground-supported concrete foundations and slabs and no basement. Maximum column, wall, and slab loads are expected to be on the order of:

- ▶ interior columns - 150.0 kips;
- ▶ load bearing walls - 3.0 kips per linear foot; and
- ▶ slabs - 150 pounds per square foot.

The scope of Whitestone's investigation and the professional advice contained in this report were generated based on the project details and loading noted herein. Revisions or additions to the design details enumerated in this report should be brought to the attention of Whitestone for additional evaluation as warranted.

SECTION 4.0

Subsurface Conditions

Details of the subsurface materials encountered are presented on the *Records of Subsurface Exploration* presented in Appendix A of this report. The subsurface soil conditions encountered in the test locations consisted of the following generalized strata in order of increasing depth.

4.1 SUBSURFACE SOIL CONDITIONS

Surface Cover Materials: The borings encountered three inches to 24 inches of topsoil at the ground surface, generally underlain by four inches to 16 inches of subsoil, with roots.

Existing Fill (intermittent): Beneath the surface cover materials, test pit TP-1 encountered existing fill, consisting of gray-brown, sandy silt with gravel, and concrete debris. The existing fill extended to a depth of 2.2 fbgs. Other areas of existing fill could be encountered during construction elsewhere on the site between the widely spaced explorations, as could stump pits and other burial features, which are common on such sites.

Alluvial Deposit: Beneath the surface cover materials or existing fill, the borings B-3, B-4, B-7, and B-8 and test pits TP-1, TP-2, and TP-5 through TP-8 encountered an alluvial deposit, consisting of brown, loose (occasionally medium dense), poorly graded sand with silt, in places with gravel (USCS: SP-SM) to silty sand, in places with gravel (USCS: SM), occasionally brown to gray, very stiff, clayey silt (USCS: ML). SPT N-values recorded within the alluvial deposit were variable, ranging from five blows per foot (bpf) to 25 bpf. Where penetrated, the alluvial deposit extended to depths of 3.2 fbgs to seven fbgs. Borings B-7 and B-8 terminated in the alluvial deposit at a depth of four fbgs. Test pits TP-5 through TP-8 terminated in the alluvial deposit at depths of eight fbgs to 10 fbgs.

Kame Moraine: Beneath the alluvial deposit or surface cover material, borings B-1, B-2, B-3, B-5, and B-6 and test pits TP-1 through TP-4 encountered kame moraine, consisting of brown to gray, medium dense (occasionally dense), silty sand with gravel (USCS: SM) to sandy silt with gravel (USCS: ML), cobbles. SPT N-values recorded within the kame moraine were variable, ranging from 10 bpf to 39 bpf. Where penetrated, the kame moraine extended to depths of five fbgs to seven fbgs. Boring B-6 terminated in the kame deposit at a depth of four fbgs. Test pits TP-1 through TP-4 terminated in the kame deposit at depths of 5.5 fbgs to 6 fbgs.

Glacial Till: Beneath the kame moraine deposit or alluvial deposit, borings B-1 through B-5 encountered glacial till, consisting of gray to gray-brown, very dense (occasionally dense), silty sand with gravel (USCS: SM), cobbles, boulders. The SPT N-values in the glacial till were variable, ranging from 44 bpf to 78 bpf. Where penetrated, the glacial till extended to depths of 10 fbgs to 11.5 fbgs. Boring B-1 terminated in the glacial till at a depth of 15.8 fbgs.

Weathered and Apparent Bedrock: Borings B-3, B-4, and B-5 encountered weathered bedrock at depths of 6.5 fbgs to 11 fbgs, and refusal on more competent bedrock at depths of 12 fbgs to 13.5 fbgs. Boring B-2 encountered auger refusal on apparent bedrock at a depth of 11.5 fbgs. Bedrock was not sampled through rock coring efforts but was inferred by auger refusal. Rock coring techniques would be required to further characterize the nature and extent of the refusal materials. Bedrock should be expected to undulate significantly over short distances and may be shallower than encountered in the borings.

4.2 GROUNDWATER

Groundwater was encountered in borings B-1 and B-4 at depths of 12 fbgs and 2.5 fbgs, respectively, during the investigation. The shallower groundwater is likely perched. Similarly, groundwater could seasonally perch at shallower depths elsewhere on the site. Static and perched/trapped water conditions generally will fluctuate seasonally and following periods of precipitation.

SECTION 5.0

Conclusions & Recommendations

5.1 GENERAL

The proposed structure may be supported on conventional spread footings designed to bear on the alluvial deposit or kame moraine, and/or structural fill placed on the alluvial deposit or kame moraine. Glacial till, which was generally encountered at depth in the borings, would also be suitable for footing support if exposed at foundation subgrade level. The site is suitable for ground-supported slabs bearing on the properly inspected, approved, and improved alluvial deposit, kame moraine, or existing fill, and/or structural fill. Additionally, the site conditions support the use of typical pavement sections using standard NYSDOT specified materials.

5.2 SITE PREPARATION & EARTHWORK

Surface Cover Stripping: Vegetation, topsoil, and organic matter should be removed from within and at least five feet beyond the limits of the proposed building and slab footprints, as well as any other area that will require controlled structural fill placement. Any tree and brush removal should include the removal of stumps and root material, which will require removal of more than the few inches of topsoil encountered in the explorations. The contractor should be required to conduct earthwork in accordance with the recommendations in this report, including backfilling any excavation, etc. with structural fill. Fill or backfill placed within the proposed structural areas should be placed as structural fill in accordance with Sections 5.2 and 5.3 of this report.

Surface Preparation/Proofrolling: Prior to placing fill or base materials to raise or restore grades to the desired subgrade elevations, the existing exposed soils should be compacted to a firm surface with several passes in two perpendicular directions of a minimum 10-ton vibratory roller. The surface should then be proofrolled with a loaded tandem axle truck in the presence of the geotechnical engineer to help identify soft or loose pockets that may require removal and replacement or further investigation. Proofrolling should be conducted after a suitable period of dry and non-freezing weather to reduce the likelihood of degrading an otherwise stable subgrade. Should construction be started during the winter months, Whitestone should be contacted for alternate surface preparation procedures. Fill or backfill should be placed and compacted in accordance with Section 5.3.

Weather Performance Criteria: The site soils are generally moisture sensitive. Every effort should be made to maintain drainage of surface water runoff away from construction areas by grading and limiting the exposure of excavations and prepared subgrades to precipitation. Accordingly, excavation and fill placement procedures should be conducted during favorable weather conditions. Overexcavation of saturated soils and replacement with controlled structural fill per Section 5.3 of this report may be required prior to resuming work on disturbed subgrade soils.

Subgrade Protection and Maintenance: The site soils are generally moisture sensitive and will degrade if exposed to inclement weather, freeze-thaw cycles, or repeated construction traffic. However, if properly protected and maintained as recommended herein, the site soils will provide adequate support for the proposed structures and pavement. The site contractors should employ appropriate means and methods to protect the subgrade including, but not limited to the following:

- ▶ sealing exposed subgrade soils on a daily basis with a smooth drum roller operated in static mode;
- ▶ regrading the site as needed to maintain positive drainage away from open earthwork construction areas and to prevent standing water;
- ▶ removing wet surficial soils and ruts immediately; and
- ▶ limiting exposure to construction traffic and precipitation especially following inclement weather and subgrade thawing.

5.3 STRUCTURAL FILL & BACKFILL

Imported Fill Material: Imported material placed as structural fill or backfill to raise elevations or restore design grades should consist of clean, relatively well-graded sand or gravel with a maximum particle size of 3 inches and up to 15 percent of material finer than a #200 sieve. Imported material should be free of silt, clay, organics, and deleterious material.

On-Site Material/Reuse: Whitestone anticipates that only portions of the alluvial deposit and kame moraine will be suitable for selective reuse as structural fill/backfill material, provided that soil moisture contents are controlled within three percent of optimum moisture level, particles larger than three inches in diameter are either removed or crushed, and objectionable portions, such as organics, are segregated. The site soils typically have a relatively high fines content. Prior to reuse, drying may be necessary or mixing with more granular materials, such as the cleaner portions of the alluvial deposit. In addition, on-site soil reuse should not be attempted during inclement weather or in damp conditions. Reuse of the site soils will be contingent on careful review in the field by the owner's geotechnical engineer by visual observation during construction as recommended herein.

Submerged Fill: In the wet (flooding, perched water, or groundwater), consideration should be given to placing an open-graded, 0.75-inch crushed stone to provide a working mat, expedite dewatering efforts and enable subsequent placement of structural fill or backfill in the dry. Prior to placing submerged fill materials, free water and disturbed materials should be removed to the extent recommended by the geotechnical engineer. A fines barrier geotextile, such as *Mirafi 140N* or equivalent, should be placed at the base and sides of the overexcavation to separate the crushed stone from underlying and adjacent soils. The fabric also should be placed on top of the crushed stone prior to subsequent fill placement, if fill soils with a substantial amount of fines are to be used to restore grade.

Compaction and Placement Requirements: Fill and backfill should be placed in maximum 12-inch-thick loose lifts when compacted using a vibratory drum roller with a minimum weight of one ton, and in maximum eight-inch-thick loose lifts when compacted with a plate compactor. Structural fill and backfill should be compacted to at least 95 percent of the maximum dry density within three percent of the optimum moisture content, as determined by ASTM D1557 (Modified Proctor).

Structural Fill Testing: A sample of the imported fill material or on-site material proposed for re-use as structural fill or backfill should be submitted to the owner's geotechnical engineer for analysis and approval at least one week prior to its use. The placement of fill and backfill should be monitored by a qualified engineering technician, so that the specified material and lift thicknesses are properly installed. A sufficient number of in-place density tests should be conducted to check that the specified compaction is achieved throughout the height of the fill or backfill.

5.4 GROUNDWATER CONTROL

Groundwater was encountered within two borings during this investigation, one at relatively shallow depth. Similar shallow perched/trapped water may be encountered above non-permeable layers elsewhere on the site during construction. As such, construction phase dewatering will likely consist of removing surface water runoff, infiltrating water, or trapped water at this site. Whitestone anticipates that construction phase dewatering would include installing temporary sump pits and filtered pumps within trenches and excavations.

Proper grading and drainage should be incorporated into the site design and construction phase grading to discourage ponding of surface runoff. Every effort should be made to maintain drainage of surface run-off away from construction areas by grading. The contractor should limit exposure of excavations and prepared subgrades to rainfall. Overexcavation of wet soils and replacement with controlled structural fill per Section 5.3 of this report may be required prior to resuming work on disturbed subgrade soils.

5.5 FOUNDATIONS

Shallow Foundation Design Criteria: Whitestone considers that the proposed structure may be supported on conventional spread and continuous wall footings designed to bear on the alluvial deposit or kame moraine, and/or structural fill placed on the alluvial deposit or kame moraine, provided these materials are properly evaluated, placed, and compacted in accordance with Sections 5.2, 5.3, and 5.11 of this report. Glacial till, which was generally encountered at depth in the borings, would also be suitable for footing support if exposed at foundation subgrade level. Following in-trench compaction of foundation subgrades and placement of structural fill, foundations bearing within these materials as recommended herein may be designed to impart a maximum net allowable bearing pressure of 4,000 pounds per square foot.

The site appears to have been used for agricultural purposes, however, existing fill was encountered in one boring. In addition, stump pits or other isolated infilled excavations may be encountered during construction.

Foundation subgrades should be compacted in the presence of the geotechnical engineer to densify any disturbed soils. Regardless of loading conditions, new foundations should be sized no less than minimum dimensions of 24 inches for continuous wall footings and 36 inches for isolated column footings.

Below-grade footings should be designed so that the maximum toe pressure due to the combined effect of vertical loads (including soil weight) and overturning moment does not exceed the recommended maximum allowable bearing pressure. In addition, positive contact pressure should be maintained throughout the base of the footings, such that no uplift or tension exists between the base of the footings and the supporting soil. Uplift loads should be resisted by the weight of the concrete footing and the weight of the soil above the footing. Side friction should be neglected when proportioning the footings, so that lateral resistance is provided by friction resistance at the base of the footings. A coefficient of friction against sliding of 0.4 is recommended for use in the design of the foundations bearing within the site soils or imported structural fill.

Foundation Inspection/Overexcavation Criteria: Whitestone recommends that the suitability of the bearing materials along new footing bottoms be reviewed by a Whitestone geotechnical engineer prior to placing concrete for the footings. Following review by the owner's geotechnical engineer, the exposed subgrade may be compacted. Special attention should be given to areas of the site underlain by any soft/loose conditions. In the event that isolated areas of unsuitable materials are encountered in footing excavations, overexcavation and replacement of the materials or deeper foundation embedment may be necessary to provide a suitable footing subgrade. Overexcavation to be restored with structural fill will need to extend at least 1 foot laterally beyond footing edges for each vertical foot of overexcavation. Lateral overexcavation may be eliminated if grade is restored with lean concrete.

Settlement: Whitestone estimates post-construction settlements of building foundations will be on the order of less than one inch, if the recommendations outlined in this report are properly implemented. Differential settlements of building foundations should be less than ½ inch.

Frost Embedment Depths: Perimeter wall footings and exterior spread footings should bear at a minimum depth of four feet below adjacent exterior grades, or the depth required by local building codes, to provide protection from frost penetration. Interior footings not subject to frost action (including during construction) may be placed at a depth of 18 inches below the slab subgrade but should not be placed on existing fill.

5.6 SLABS

Whitestone anticipates that the properly inspected, approved, and improved alluvial deposit, kame moraine, or existing fill, and/or compacted structural fill placed on these soils will be suitable for support of the proposed slabs provided these materials are properly compacted and proofrolled in accordance with Sections 5.2, 5.3, and 5.11 of this report during favorable weather conditions. Areas of overexcavation should be anticipated where deleterious materials are present or if the subgrades are exposed to precipitation. Areas of soil that are, or become, softened or disturbed as a result of wetting and/or repeated exposure to construction traffic should be removed and replaced with compacted structural fill. The properly prepared on-site soils are expected to yield a minimum subgrade modulus (k) of 150 psi/in.

A minimum 12-inch-thick layer of NYSDOT 733-04 *Subbase Course, Type 2* (or approved equivalent) should be placed below slabs to provide a uniform granular base. If a slab has a moisture-sensitive covering and/or supports moisture-sensitive equipment, a moisture vapor barrier should be installed beneath the slab in accordance with flooring manufacturer's recommendations.

5.7 PAVEMENT DESIGN CRITERIA

General: Whitestone anticipates that the properly inspected, approved, and improved alluvial deposit, kame moraine, or existing fill, and/or compacted structural fill and/or backfill placed on these soils to raise or restore design elevations will be suitable for the support of the proposed pavements, provided these materials are properly evaluated, compacted, and proofrolled in accordance with Sections 5.2, 5.3, and 5.11 of this report during favorable weather conditions.

Design Criteria: A California Bearing Ratio of 8.0 has been assigned to the properly prepared subgrade soils for pavement design purposes. This value was correlated with pertinent soil support values and assumed traffic loads to prepare flexible and rigid pavement designs per the AASHTO *Guide for the Design of Pavement Structures*.

Design traffic loads were assumed based on typical volumes for similar facilities and correlated with 18-kip equivalent single axle loads (ESAL) for a 20-year life. Estimated maximum pavement loads of 30,000 ESALs and 75,000 ESALs were used for the standard-duty and heavy-duty pavement areas, respectively. These values assume the pavements primarily will accommodate both automobile and limited heavier truck traffic, with the heavier truck traffic designated to the main drive lanes. Actual loading experienced is anticipated to be less than these values.

Pavement Sections: Pavement components should meet material specifications from NYSDOT *Standard Specifications* specified below. The recommended flexible pavement sections are tabulated below:

FLEXIBLE PAVEMENT SECTION			
Layer	Material	Standard-Duty Thickness (inches)	Heavy-Duty Thickness (inches)
Asphalt Top Course	NYSDOT 12.5 mm F3 Top Course WMA, 70 Series Compaction (Superpave); PG 64S-22	1.5	1.5
Asphalt Binder Course	NYSDOT 19 mm F9 Binder Course WMA, 70 Series Compaction (Superpave); PG 64S-22	1.5	2.5
Granular Subbase	NYSDOT Type 2 Subbase	12.0	12.0

A rigid concrete pavement should be used to provide suitable support at areas of high traffic or severe turns, such as at the trash enclosure and ingress/egress locations. The recommended rigid pavement is tabulated below:

RIGID PAVEMENT SECTION		
Layer	Material	Thickness (inches)
Surface	4,000 psi Air-Entrained Concrete	6.0 ¹
Granular Subbase	NYSDOT Type 2 Subbase	12.0

¹ The outer edges of concrete pavements are susceptible to damage as trucks move from rigid pavement to adjacent flexible pavement. Therefore, the thickness at the outer two feet of the rigid concrete pavement should be 12 inches. The concrete should be reinforced with at least one layer of six-inch by six-inch W5.4/W5.4 welded wire fabric (ASTM A185).

Additional Design Considerations: The pavement section thickness designs presented in this report are based on the design parameters detailed herein and are contingent on proper construction, inspection, and maintenance. Additional pavement thickness may be required by local code. The designs are contingent on achieving the minimum soil support value in the field. To accomplish this requirement, subgrade soil and supporting fill or backfill must be placed, compacted, and evaluated in accordance with Sections 5.2, 5.3, and 5.11 of this report. Proper drainage should be provided for the pavement structure, including appropriate grading and surface water control.

The performance of the pavement also will depend on the quality of materials and workmanship. Whitestone recommends that NYSDOT standards for materials, workmanship, and maintenance be applied to this site. Project specifications should include verifying that the installed asphaltic concrete material composition is within tolerance for the specified materials and that the percentage of air voids of the installed pavement is within specified ranges for the respective materials. Rigid concrete pavements should be suitably air-entrained, jointed, and reinforced in general accordance with ACI 330R-08 *Guide for the Design and Construction of Concrete Parking Lots*.

5.8 RETAINING WALLS/LATERAL EARTH PRESSURES

The following parameters may be used for design of any retaining walls, below-grade walls, and other structures reliant on granular materials to provide adequate drainage. However, the parameters are not directly applicable to the design of mechanically stabilized earth (MSE) retaining walls, which require proprietary design methods for the selected earth retention system.

Lateral Earth Pressures: Retaining/below-grade walls should be capable of withstanding active and at-rest earth pressures. With an active earth pressure coefficient (K_a) of 0.33 and assuming a level backfill and an assumed maximum backfill soil unit weight of 140 pounds per cubic foot (pcf), an equivalent fluid pressure of 46 psf per foot of wall height should be used in design of retaining/below-grade walls which are free to rotate.

Retaining/below-grade walls and wall corners that are restrained from lateral movement should be designed using at-rest earth pressures. A coefficient of at-rest earth pressure (K_o) of 0.5, for a level backfill, is recommended for retaining/below-grade walls designed to resist at-rest earth pressures, which assume no lateral movement. With an assumed maximum total unit weight of backfill of approximately 140 pcf, an equivalent fluid pressure of 70 pounds per square foot per foot of wall height should be used in design of restrained retaining/below-grade wall and wall corners. A coefficient of friction of 0.4 against sliding can be used for concrete on the existing site soils. Additional lateral earth pressures from a sloped backfill or any temporary or long-term surcharge loads also should be included in the design. Retaining wall design should include a global stability analysis.

Backfill Criteria: Whitestone recommends that granular soils be used to backfill behind retaining walls. The granular backfill materials should consist of clean, relatively well graded sand or gravel.

Whitestone recommends that backfill directly behind any walls be compacted with light, hand-held compactors. Heavy compactors and grading equipment should not be allowed to operate within a zone of influence measured at a 45-degree angle from the base of the walls during backfilling to avoid developing excessive temporary or long-term lateral soil pressures.

Positive drainage should be provided at the base of the below-grade walls. Where wall drainage is not provided, the wall should be designed to withstand full hydrostatic pressure.

Whitestone should be notified if any other retaining structures or design considerations requiring lateral earth pressure estimations are proposed. Specific recommendations for temporary retaining structures are beyond Whitestone's scope of work.

5.9 SEISMIC & LIQUEFACTION CONSIDERATIONS

The subsurface conditions are most consistent with a Site Class D, as defined by the New York *State Building Code*. The site soils are not susceptible to earthquake induced liquefaction.

5.10 EXCAVATIONS

The site soils encountered during this investigation typically are, at a minimum, consistent with Type C Soil Conditions as defined by 29 CFR Part 1926 (OSHA) that require a maximum unbraced excavation angle of 1.5:1 (horizontal: vertical). Actual conditions encountered during construction should be evaluated by a competent person (as defined by OSHA) so that safe excavation methods and/or shoring and bracing requirements are implemented.

5.11 SUPPLEMENTAL POST INVESTIGATION SERVICES

Construction Inspection and Monitoring: The owner's geotechnical engineer with specific knowledge of the site subsurface conditions and design intent should conduct inspection, testing, and consultation during construction as described in previous sections of this report. Monitoring and testing should also be conducted to confirm that the existing surface cover materials are properly removed, any encountered underground structures are properly backfilled, and suitable materials, used for controlled fill, are properly placed and compacted over suitable subgrade soils. The proofrolling of all subgrades prior to foundation, slab, and pavement support should be witnessed and documented by the owner's geotechnical engineer.

SECTION 6.0

General Comments

Supplemental recommendations may be required upon finalization of construction plans or if significant changes are made in the characteristics or location of the proposed structure. Soil bearing conditions should be checked at the appropriate time for consistency with those conditions encountered during Whitestone's geotechnical investigation.

The recommendations presented herein should be utilized by a qualified engineer in preparing the project plans and specifications. The engineer should consider these recommendations as minimum physical standards which may be superseded by local and regional building codes and structural considerations. These recommendations are prepared for the sole use of Primax Properties, LLC for the specific project detailed and should not be used by any third party. These recommendations are relevant to the design phase and should not be substituted for construction specifications.

The possibility exists that conditions between borings may differ from those at specific test locations, and conditions may not be as anticipated by the designers or contractors. In addition, the construction process may alter soil conditions. Therefore, experienced geotechnical personnel should observe and document the construction procedures used and the conditions encountered.

Whitestone assumes that a qualified contractor will be employed to conduct the construction work, and that the contractor will be required to exercise care to ensure all excavations are conducted in accordance with applicable regulations and good practice. Particular attention should be paid to avoid damaging or undermining adjacent properties and maintaining slope stability.

Whitestone recommends that the services of the geotechnical engineer be engaged to test and evaluate the soils in the footing excavations prior to concreting in order to determine that the soils will support the bearing capacities. Monitoring and testing also should be conducted to verify that suitable materials are used for controlled fills and that they are properly placed and compacted over suitable subgrade soils.

The exploration and analysis of the foundation conditions reported herein are considered sufficient in detail and scope to form a reasonable basis for the foundation design. The recommendations submitted for the proposed construction are based on the available soil information and the design details furnished by Primax Properties, LLC and Bohler Engineering NY, PLLC. Deviations from the noted subsurface conditions encountered during construction should be brought to the attention of the geotechnical engineer.

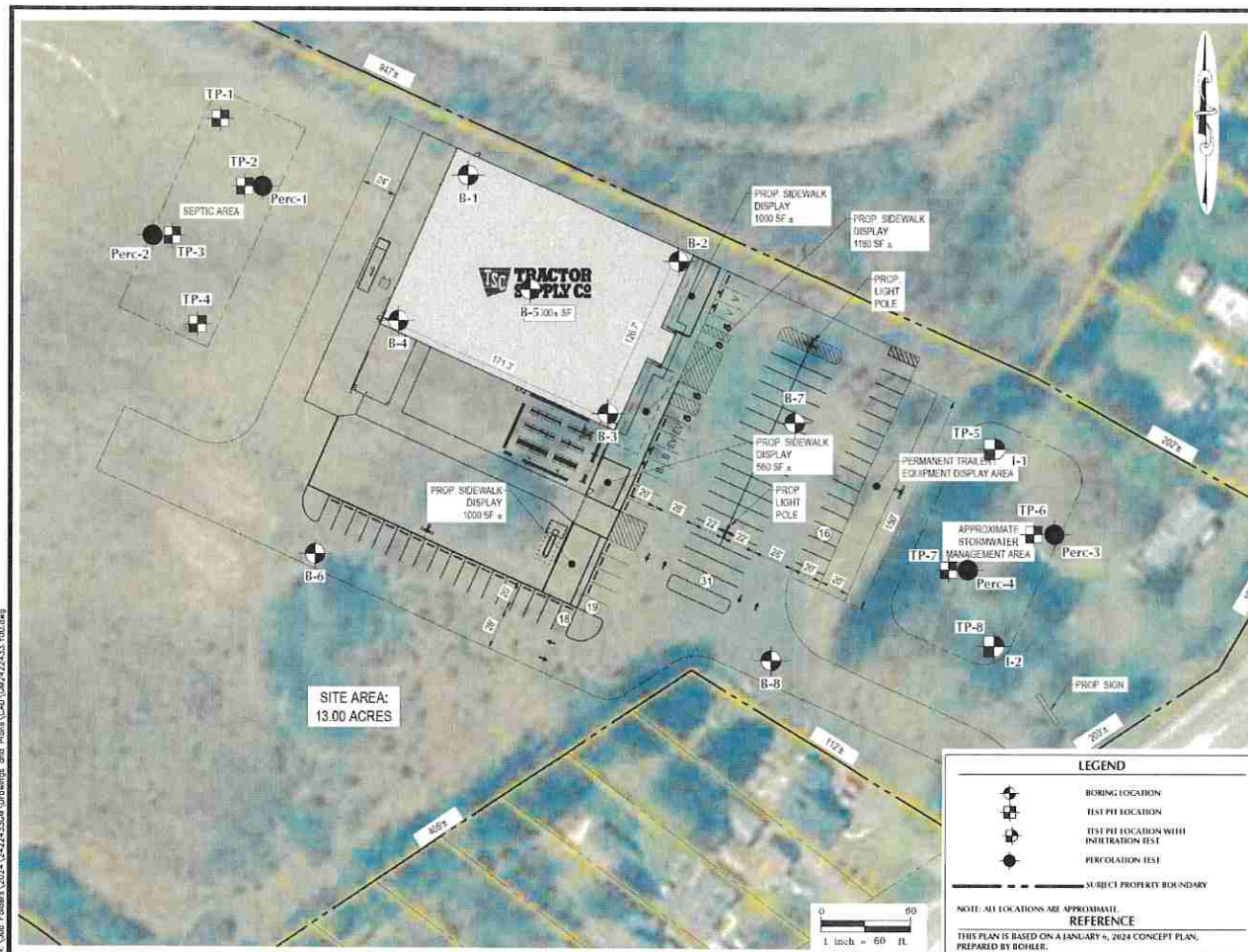
The geotechnical engineer warrants that the findings, recommendations, specifications, or professional advice contained herein have been promulgated after being prepared in accordance with generally accepted professional engineering practice in the fields of foundation engineering, soil mechanics, and engineering geology. No other warranties, express or implied, are made.



FIGURE 1

Test Location Plan

N:\Jobs Folder\2024\24243304 Drawings and Plans\CAD\GM242433.Y00.dwg



LEGEND

- BORING LOCATION
- TEST PIT LOCATION
- TEST PIT LOCATION WITH INFILTRATION TEST
- PERCOLATION TEST
- SUBJECT PROPERTY BOUNDARY

NOTE: ALL LOCATIONS ARE APPROXIMATE.

REFERENCE

THIS PLAN IS BASED ON A JANUARY 6, 2024 CONCEPT PLAN, PREPARED BY BOHLE.



WHITESTONE

500 CANAL VIEW BOULEVARD, SUITE 700, ROCHESTER, NY 14623
585.252.6879 WHITESTONEASSOC.COM

DRAWING TITLE: TEST LOCATION PLAN	
CLIENT: PRIMAX PROPERTIES, LLC	
PROJECT: PROPOSED TRACTOR SUPPLY STORE 778 DUNESBURG ROAD ROTTENDAM, SCHOENHARDY COUNTY, NEW YORK	
PROJECT #: GM242433.Y00	
DESIGNED BY: MB	DATE: 11/19/22
CHECKED BY: MB	SCALE: 1" = 60'
SHEET: 1	

APPENDIX A

Records of Subsurface Exploration



RECORD OF SUBSURFACE EXPLORATION

Boring No.: B-1

Page 1 of 1

Project: Proposed Tractor Supply Company Store		WAI Project No.: GM2422433.Y00	
Location: 778 Duanesburg Road, Rotterdam, Schenectady County, New York		Client: Primax Properties, LLC	
Surface Elevation: ± NS feet Above NAVD88	Date Started: 10/30/2024	Water Depth Elevation (feet bgs) (ft NAVD88)	Cave-In Depth Elevation (feet bgs) (ft NAVD88)
Termination Depth: 15.8 feet bgs	Date Completed: 10/30/2024	During: 12.0 --	At Completion: -- --
Proposed Location: Building	Logged By: ZH	At Completion: -- --	At Completion: -- --
Drill / Test Method: HSA / SPT	Contractor: SB	24 Hours: -- --	24 Hours: -- --
	Equipment: Diedrich D-50		

SAMPLE INFORMATION						DEPTH	STRATA	DESCRIPTION OF MATERIALS (Classification)	REMARKS
Depth (feet)	No	Type	Blows Per 6"	Rec. (in.)	N	(feet)			
						0.0	TS	3" Topsoil	
0 - 2	S-1	X	5 - 8 - 13 - 15	20	21		KAME MORAINE	Gray, Medium Dense, Silty Sand with Gravel (SM)	
2 - 4	S-2	X	14 - 16 - 15 - 13	14	31			As Above Dense (SM)	
						5.0		As Above, Gray-Brown (SM)	
5 - 7	S-3	X	7 - 13 - 26 - 30	12	39		GLACIAL TILL	Gray-Brown, Very Dense, Silty Sand with Gravel (SM)	
7 - 9	S-4	X	31 - 31 - 28 - 24	1	59			As Above, Gray, Dense (SM)	
10 - 12	S-5	X	49 - 21 - 23 - 26	14	44			As Above (SM)	
15 - 15.8	S-6	X	20 - 50/4"	10	-				Cobbles & Boulders
						15.0		Boring Log B-1 Terminated at Depth of 15.8 feet below ground surface.	
						20.0			
						25.0			



RECORD OF SUBSURFACE EXPLORATION

Boring No.: B-2

Page 1 of 1

Project: Proposed Tractor Supply Company Store		WAI Project No.: GM2422433.Y00	
Location: 778 Duanesburg Road, Rotterdam, Schenectady County, New York		Client: Primax Properties, LLC	
Surface Elevation: ± NS feet Above NAVD88	Date Started: 10/30/2024	Water Depth Elevation (feet bgs) (ft NAVD88)	Cave-In Depth Elevation (feet bgs) (ft NAVD88)
Termination Depth: 11.5 feet bgs	Date Completed: 10/30/2024	During: -- --	At Completion: -- --
Proposed Location: Building	Logged By: ZH	24 Hours: -- --	At Completion: -- --
Drill / Test Method: HSA / SPT	Contractor: SB		
	Equipment: Diedrich D-50		

SAMPLE INFORMATION						DEPTH	STRATA	DESCRIPTION OF MATERIALS (Classification)	REMARKS
Depth (feet)	No	Type	Blows Per 6"	Rec. (in.)	N	(feet)			
						0.0	TS	5" Topsoil	
0 - 2	S-1	X	6 - 8 - 19 - 20	21	27		KAME MORAINE	Gray-Brown, Medium Dense, Silty Sand with Gravel (SM)	
2 - 4	S-2	X	25 - 16 - 12 - 9	15	28			As Above, Brown (SM)	
5 - 7	S-3	X	4 - 5 - 5 - 7	20	10			As Above, Gray-Brown, Loose to Medium Dense (SM)	
7 - 8.8	S-4	X	15 - 22 - 55 - 50/3"	6	77		GLACIAL TILL	Gray-Brown, Very Dense, Silty Sand with Gravel (SM)	Cobbles & Boulders
10 - 11.3	S-5	X	26 - 32 - 50/3"	14	64			As Above, Gray (SM)	
								Boring Log B-2 Terminated upon Auger Refusal at Depth of 11.5 fbg	
						15.0			
						20.0			
						25.0			

NOTES: bgs = below ground surface, msl = mean sea level, NA = Not Applicable, NE = Not Encountered, NS = Not Surveyed, P = Perched



RECORD OF SUBSURFACE EXPLORATION

Boring No.: B-3

Page 1 of 1

Project: Proposed Tractor Supply Company Store		WAI Project No.: GM2422433.Y00	
Location: 778 Duanesburg Road, Rotterdam, Schenectady County, New York		Client: Primax Properties, LLC	
Surface Elevation: ± NS feet Above NAVD88	Date Started: 10/30/2024	Water Depth Elevation (feet bgs) (ft NAVD88)	Cave-In Depth Elevation (feet bgs) (ft NAVD88)
Termination Depth: 13.5 feet bgs	Date Completed: 10/30/2024	During: -- --	At Completion: -- --
Proposed Location: Building	Logged By: ZH	At Completion: -- --	24 Hours: -- --
Drill / Test Method: HSA / SPT	Contractor: SB	24 Hours: -- --	
	Equipment: Diedrich D-50		

SAMPLE INFORMATION						DEPTH	STRATA	DESCRIPTION OF MATERIALS (Classification)	REMARKS
Depth (feet)	No	Type	Blows Per 6"	Rec. (in.)	N	(feet)			
						0.0			
							TS	8" Topsoil	
0 - 2	S-1		1 - 2 - 1 - 2	15	3		SUBSOIL	7" Subsoil, Roots	
								Brown, Very Loose, Poorly Graded Sand with Silt (SP-SM)	
2 - 4	S-2		4 - 4 - 5 - 6	24	9		ALLUVIAL DEPOSIT	As Above, Loose (SP-SM)	
						5.0			
5 - 7	S-3		4 - 8 - 8 - 13	22	16		KAME MORAINE	Gray-Brown, Medium Dense, Silty Sand with Gravel (SM)	
						7.0			
7 - 8.1	S-4		18 - 26 - 50/2"	9	52		GLACIAL TILL	Gray-Brown, Very Dense, Silty Sand with Gravel (SM)	Cobbles & Boulders
						10.0			
10 - 10.6	S-5		39 - 50/2"	7	-		BEDROCK	Weathered Bedrock	
						15.0			
						20.0			
						25.0			
								Boring Log B-3 Terminated upon Auger Refusal at Depth of 13.5 fbg.	



RECORD OF SUBSURFACE EXPLORATION

Boring No.: B-4

Page 1 of 2

Project: Proposed Tractor Supply Company Store		WAI Project No.: GM2422433.Y00	
Location: 778 Duanesburg Road, Rotterdam, Schenectady County, New York		Client: Primax Properties, LLC	
Surface Elevation: ± NS feet Above NAVD88	Date Started: 10/30/2024	Water Depth Elevation (feet bgs) (ft NAVD88)	Cave-In Depth Elevation (feet bgs) (ft NAVD88)
Termination Depth: 12.0 feet bgs	Date Completed: 10/30/2024	During: 2.5 -- ▽	At Completion: -- -- ▽
Proposed Location: Building	Logged By: ZH	24 Hours: -- -- ▽	At Completion: -- -- ▽
Drill / Test Method: HSA / SPT	Contractor: SB		
	Equipment: Diedrich D-50		

SAMPLE INFORMATION						DEPTH	STRATA	DESCRIPTION OF MATERIALS (Classification)	REMARKS
Depth (feet)	No	Type	Blows Per 6"	Rec. (in.)	N	(feet)			
0 - 2	S-1	X	2 - 4 - 4 - 5	17	8	0.0	TS	8" Topsoil	
							SUBSOIL	6" Subsoil, Roots	
								Brown, Loose, Silty Sand (SM)	
2 - 4	S-2	X	4 - 4 - 5 - 10	19	9			As Above (SM)	
							ALLUVIAL DEPOSIT		
						5.0			
5 - 7	S-3	X	10 - 10 - 15 - 20	24	25			Gray, Very Stiff, Clayey Silt (ML)	
						7.0			
7 - 9	S-4	X	18 - 27 - 27 - 22	15	54			Gray, Very Dense, Silty Sand with Gravel (SM)	
							GLACIAL TILL		
						10.0			
10 - 10.7	S-5	X	14 - 50/3"	6	-	10.5			
							BEDROCK	Weathered Bedrock	
								Boring Log B-4 Terminated upon Auger Refusal at Depth of 12.0 fbg.	
						15.0			
						20.0			
						25.0			



RECORD OF SUBSURFACE EXPLORATION

Boring No.: **B-5**Page **1** of **1**

Project: Proposed Tractor Supply Company Store		WAI Project No.: GM2422433.Y00	
Location: 778 Duanesburg Road, Rotterdam, Schenectady County, New York		Client: Primax Properties, LLC	
Surface Elevation: ± NS feet Above NAVD88	Date Started: 10/30/2024	Water Depth Elevation (feet bgs) (ft NAVD88)	Cave-In Depth Elevation (feet bgs) (ft NAVD88)
Termination Depth: 12.0 feet bgs	Date Completed: 10/30/2024	During: -- --	At Completion: -- --
Proposed Location: Building	Logged By: ZH	24 Hours: -- --	At Completion: -- --
Drill / Test Method: HSA / SPT	Contractor: SB		
	Equipment: Diedrich D-50		

SAMPLE INFORMATION						DEPTH	STRATA	DESCRIPTION OF MATERIALS (Classification)	REMARKS
Depth (feet)	No	Type	Blows Per 6"	Rec. (in.)	N	(feet)			
0 - 2	S-1	X	2 - 6 - 9 - 9	16	15	0.0	TS	4" Topsoil	
							KAME MORAINE	Brown, Medium Dense, Silty Sand with Gravel (SM) As Above, Gray-Brown (SM)	
2 - 4	S-2	X	12 - 12 - 12 - 18	17	24				
						5.0	GLACIAL TILL	Gray-Brown, Very Dense, Silty Sand with Gravel (SM)	
5 - 6.4	S-3	X	8 - 39 - 50/5"	17	78	6.5			Cobbles & Boulders
							WEATHERED BEDROCK	Weathered Bedrock	
10 - 10.3	S-4	X	50/3"	2	-	10.0			
						15.0			
						20.0			
						25.0			
								Boring Log B-5 Terminated upon Auger Refusal at Depth of 12.0 fbgs.	

RECORD OF SUBSURFACE EXPLORATION

Boring No.: **B-6**

Page **1** of **1**

Project: Proposed Tractor Supply Company Store		WAI Project No.: GM2422433.Y00	
Location: 778 Duanesburg Road, Rotterdam, Schenectady County, New York		Client: Primax Properties, LLC	
Surface Elevation: ± <u>NS</u> feet Above NAVD88	Date Started: <u>10/30/2024</u>	Water Depth Elevation (feet bgs) (ft NAVD88)	Cave-In Depth Elevation (feet bgs) (ft NAVD88)
Termination Depth: <u>4.0</u> feet bgs	Date Completed: <u>10/30/2024</u>	During: -- -- ▾	At Completion: -- -- ▾
Proposed Location: <u>Parking</u>	Logged By: <u>ZH</u>	24 Hours: -- -- ▾	At Completion: -- -- ▾
Drill / Test Method: <u>HSA / SPT</u>	Contractor: <u>SB</u>	24 Hours: -- -- ▾	
	Equipment: <u>Diedrich D-50</u>		

SAMPLE INFORMATION						DEPTH	STRATA	DESCRIPTION OF MATERIALS (Classification)	REMARKS
Depth (feet)	No	Type	Blows Per 6"	Rec. (in.)	N	(feet)			
0 - 2	S-1	X	2 - 2 - 6 - 8	15	8	0.0	TS	8" Topsoil	
							SUBSOIL	16" Subsoil, Roots	
2 - 4	S-2	X	4 - 8 - 10 - 14	5	18		KAME MORaine	Brown, Medium Dense, Silty Sand with Gravel (SM)	Cobbles
						5.0			
						10.0			
						15.0			
						20.0			
						25.0			
								Boring Log B-6 Terminated at Depth of 4.0 feet below ground surface.	

RECORD OF SUBSURFACE EXPLORATION

Boring No.: **B-7**

Page **1** of **1**

Project: Proposed Tractor Supply Company Store		WAI Project No.: GM2422433.Y00	
Location: 778 Duaneburg Road, Rotterdam, Schenectady County, New York		Client: Primax Properties, LLC	
Surface Elevation: ± NS feet Above NAVD88	Date Started: 10/30/2024	Water Depth Elevation (feet bgs) (ft NAVD88)	Cave-In Depth Elevation (feet bgs) (ft NAVD88)
Termination Depth: 4.0 feet bgs	Date Completed: 10/30/2024	During: -- --	At Completion: -- --
Proposed Location: Parking	Logged By: ZH	24 Hours: -- --	24 Hours: -- --
Drill / Test Method: HSA / SPT	Contractor: SB		
	Equipment: Diedrich D-50		

SAMPLE INFORMATION						DEPTH	STRATA	DESCRIPTION OF MATERIALS (Classification)	REMARKS
Depth (feet)	No	Type	Blows Per 6"	Rec. (in.)	N	(feet)			
						0.0			
0 - 2	S-1	X	1 - 2 - 3 - 2	20	5		TS	10" Topsoil	
							SUBSOIL	14" Subsoil, Roots	
2 - 4	S-2	X	2 - 3 - 2 - 2	15	5		ALLUVIAL DEPOSIT	Brown, Loose, Silty Sand (SM)	
						5.0			Boring Log B-7 Terminated at Depth of 4.0 feet below ground surface.
						10.0			
						15.0			
						20.0			
						25.0			



RECORD OF SUBSURFACE EXPLORATION

Boring No.: B-8

Page 1 of 1

Project: Proposed Tractor Supply Company Store		WAI Project No.: GM2422433.Y00	
Location: 778 Duaneburg Road, Rotterdam, Schenectady County, New York		Client: Primax Properties, LLC	
Surface Elevation: ± NS feet Above NAVD88	Date Started: 10/30/2024	Water Depth Elevation (feet bgs) (ft NAVD88)	Cave-In Depth Elevation (feet bgs) (ft NAVD88)
Termination Depth: 4.0 feet bgs	Date Completed: 10/30/2024	During: -- --	At Completion: -- --
Proposed Location: Parking	Logged By: ZH	24 Hours: -- --	At Completion: -- --
Drill / Test Method: HSA / SPT	Contractor: SB		
	Equipment: Diedrich D-50		

SAMPLE INFORMATION						DEPTH	STRATA	DESCRIPTION OF MATERIALS (Classification)	REMARKS
Depth (feet)	No	Type	Blows Per 6"	Rec. (in.)	N	(feet)			
0 - 2	S-1	X	1 - 2 - 1 - 2	15	3	0.0	TS	9" Topsoil	
							SUBSOIL	15" Subsoil, Roots	
2 - 4	S-2	X	4 - 4 - 4 - 5	4	8		ALLUVIAL DEPOSIT	Brown, Loose, Silty Sand (SM)	
						5.0			Boring Log B-8 Terminated at Depth of 4.0 feet below ground surface.
						10.0			
						15.0			
						20.0			
						25.0			

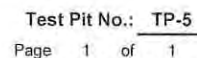


RECORD OF SUBSURFACE EXPLORATION

Test Pit No.: TP-2
Page 1 of 1

Project: Proposed Tractor Supply Company Store			WAI Project No.: GM2422433.Y00				
Location: 778 Duanesburg Road, Rotterdam, Schenectady County, New York			Client: Primax Properties LLC				
Surface Elevation: ± NS feet NAVD88		Date Started: 10/28/2024		Water Depth Elevation (feet bgs) (ft NAVD88)		Cave-In Depth Elevation (feet bgs) (ft NAVD88)	
Termination Depth: 6.0 feet bgs		Date Completed: 10/28/2024		During: -- --		At Completion: -- --	
Proposed Location: Septic Area		Logged By: RK		24 Hours: -- --		At Completion: -- --	
Excavating Method: Mini Excavator		Contractor: SD					
Test Method: Visual Observation		Rig Type: Komatsu PC40					

SAMPLE INFORMATION			DEPTH	STRATA	DESCRIPTION OF MATERIALS (Classification)	REMARKS
Depth (ft.)	Number	Type	(feet)			
			0.0			
				TOPSOIL	12" Topsoil	
				ALLUVIAL DEPOSIT	Brown, Silty Sand (SM)	
			3.3			
				KAME MORAINE	Gray, Sandy Silt with Gravel, Cobbles (ML)	Percolation Test @ 4.5 fbg
			5.0			
					Test Pit TP-2 Terminated at Depth of 6.0 feet below ground surface.	
			10.0			
			15.0			

[illegible]



RECORD OF SUBSURFACE EXPLORATION

Test Pit No.: TP-6

Page 1 of 1

Project: Proposed Tractor Supply Company Store			WAI Project No.: GM2422433.Y00		
Location: 778 Duaneburg Road, Rotterdam, Schenectady County, New York			Client: Primax Properties LLC		
Surface Elevation: ± NS feet NAVD88		Date Started: 10/28/2024		Water Depth Elevation (feet bgs) (ft NAVD88)	
Termination Depth: 8.0 feet bgs		Date Completed: 10/28/2024		Cave-In Depth Elevation (feet bgs) (ft NAVD88)	
Proposed Location: SWM Area		Logged By: RK		During: -- --	
Excavating Method: Mini Excavator		Contractor: SD		At Completion: -- --	
Test Method: Visual Observation		Rig Type: Komatsu PC40		24 Hours: -- --	
At Completion: -- --					

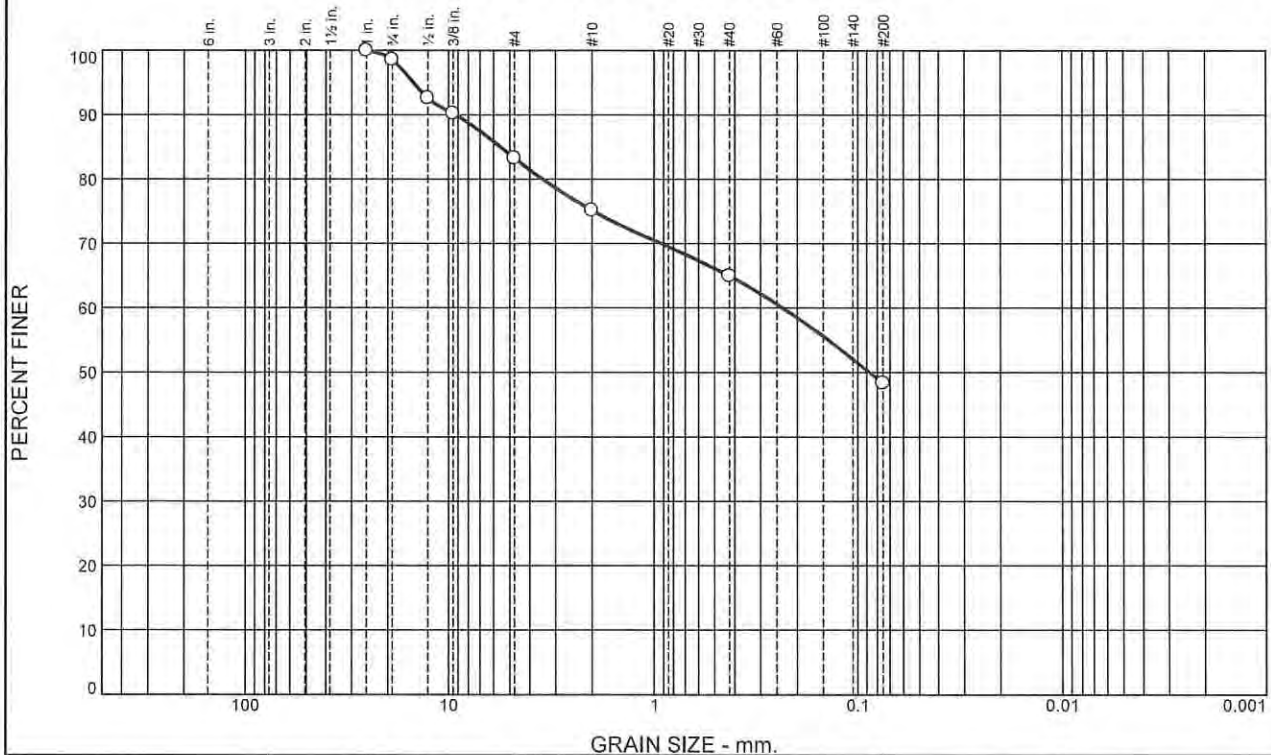
SAMPLE INFORMATION			DEPTH	STRATA	DESCRIPTION OF MATERIALS (Classification)	REMARKS
Depth (ft.)	Number	Type	(feet)			
			0.0			
				TOPSOIL	6" Topsoil	
				SUBSOIL	18" Subsoil, Roots	
4.5	S-1	Grab	5.0	ALLUVIAL DEPOSIT	Brown, Poorly Graded Sand with Silt and Gravel (SP-SM)	Percolation Test at 4 fbg
7	S-2	Grab				
			10.0			
			15.0			
					Test Pit TP-6 Terminated at Depth of 8.0 feet Below Ground Surface.	

NOTES: bgs = below ground surface, msl = mean sea level, NA = Not Applicable, NE = Not Encountered, NS = Not Surveyed, P = Perched

APPENDIX B

Laboratory Test Results

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	1.4	15.3	8.1	10.2	16.6	48.4	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
1"	100.0		
3/4"	98.6		
1/2"	92.6		
3/8"	90.2		
#4	83.3		
#10	75.2		
#40	65.0		
#200	48.4		

* (no specification provided)

Material Description

Silty Sand with Gravel

PL= NP

Atterberg Limits

LL= NV

PI= NV

Coefficients

D₉₀= 9.2335

D₈₅= 5.5504

D₆₀= 0.2343

D₅₀= 0.0872

D₃₀=

D₁₅=

D₁₀=

C_u=

C_c=

Classification

USCS= SM

AASHTO= A-4(0)

Remarks

Moisture Content: 9.1%

Location: B-1
Sample Number: S-3

Depth: 5' - 7'

Date: 11/14/24



WHITESTONE

Client: Primax Properties, LLC

Project: Proposed Tractor Supply Company Store
778 Duaneburg Road, Rotterdam, Schenectady County, NY

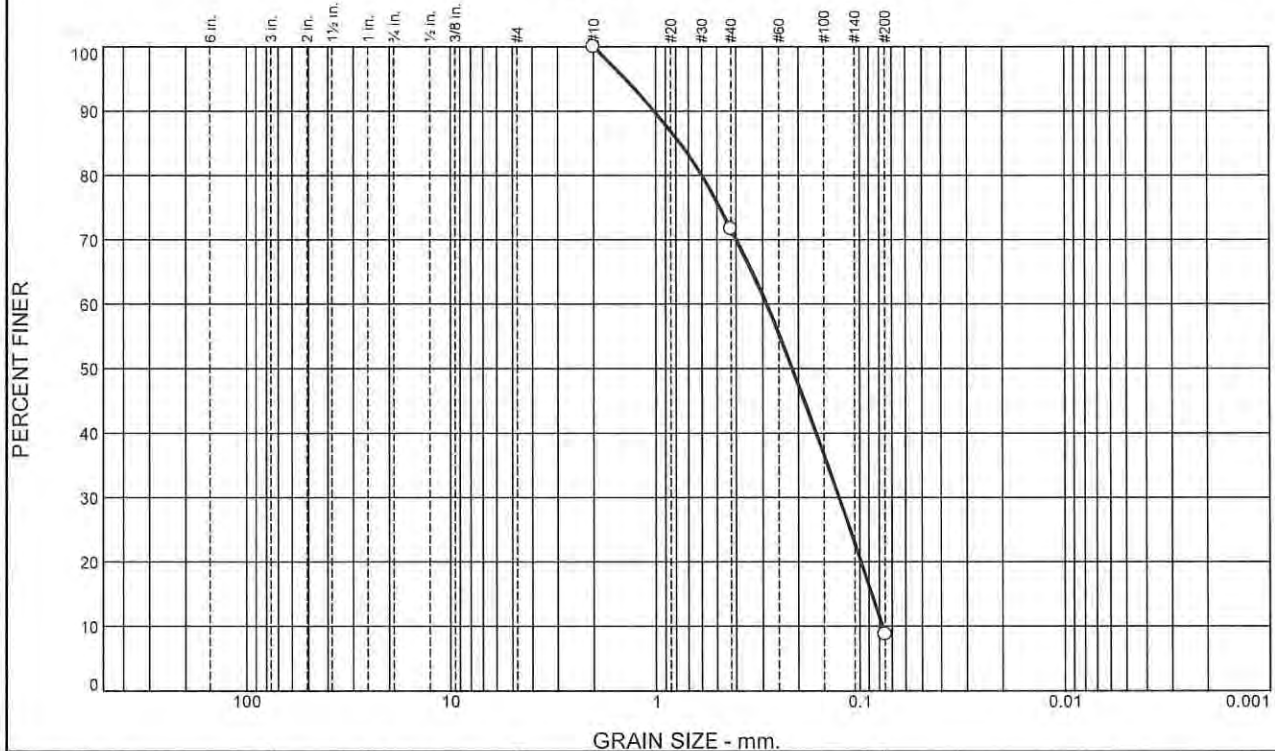
Project No: GM2422433.Y00

Figure S-1

Tested By: MM

Checked By: RWM

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	0.0	0.0	0.0	28.3	62.9	8.8	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
#10	100.0		
#40	71.7		
#200	8.8		

* (no specification provided)

Material Description

Poorly Graded Sand with Silt

Atterberg Limits

PL= NP

LL= NV

PI= NV

Coefficients

D₉₀= 1.0186

D₈₅= 0.7667

D₆₀= 0.2868

D₅₀= 0.2141

D₃₀= 0.1265

D₁₅= 0.0873

D₁₀= 0.0773

C_u= 3.71

C_c= 0.72

Classification

USCS= SP-SM

AASHTO= A-3

Remarks

Moisture Content: 5.3%

Location: B-3
Sample Number: S-2

Depth: 2' - 4'

Date: 11/14/24



Client: Primax Properties, LLC

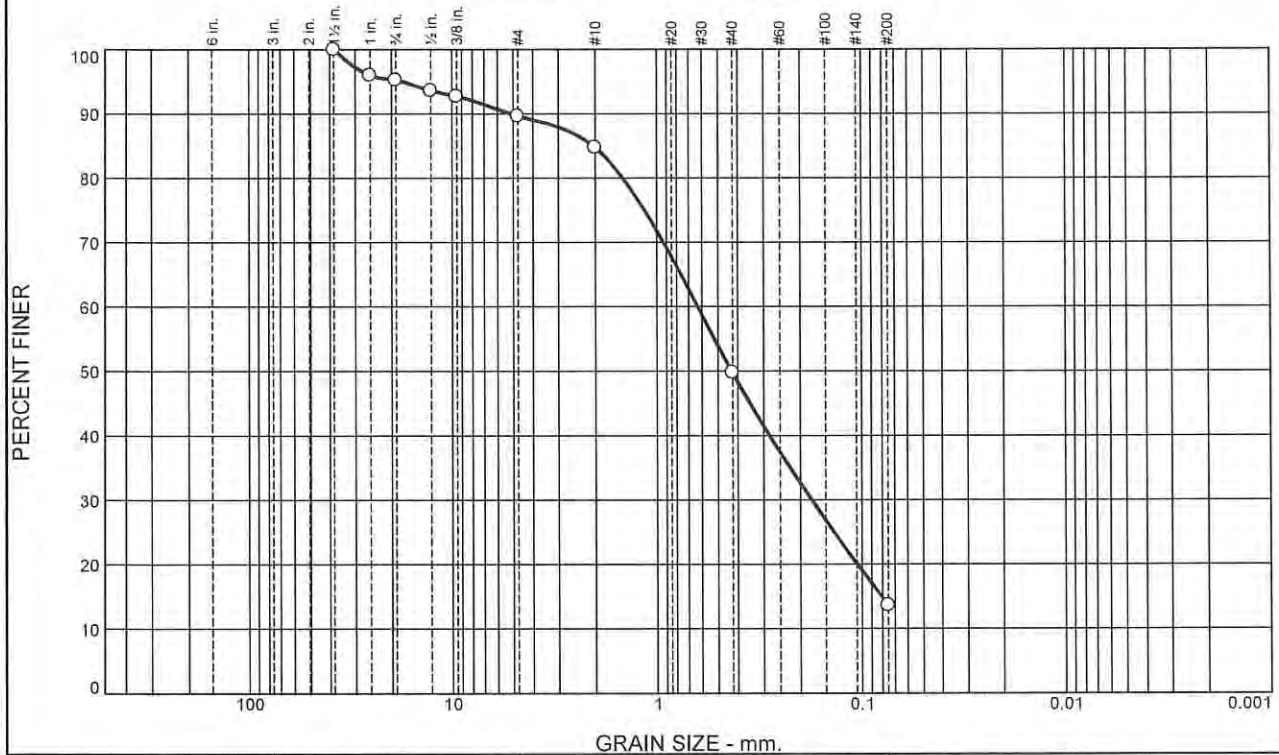
Project: Proposed Tractor Supply Company Store
778 Duaneburg Road, Rotterdam, Schenectady County, NY

Project No: GM2422433.Y00

Figure S-2

Tested By: MM Checked By: RVM

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	4.8	5.5	4.9	35.0	36.2	13.6	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
1.5"	100.0		
1"	96.0		
3/4"	95.2		
1/2"	93.6		
3/8"	92.7		
#4	89.7		
#10	84.8		
#40	49.8		
#200	13.6		

* (no specification provided)

Material Description

Silty Sand

PL= NP

Atterberg Limits

LL= NV

PI= NV

Coefficients

D₉₀= 5.1698

D₈₅= 2.0417

D₆₀= 0.6292

D₅₀= 0.4285

D₃₀= 0.1756

D₁₅= 0.0807

D₁₀=

C_u=

C_c=

Classification

USCS= SM

AASHTO= A-1-b

Remarks

Moisture Content: 5.5%

Location: TP-5
Sample Number: S-1

Depth: 4.5'

Date: 11/25/24



WHITESTONE

Client: Primax Properties, LLC

Project: Proposed Tractor Supply Company Store
778 Duanesbury Road, Rotterdam, Schenectady County, NY

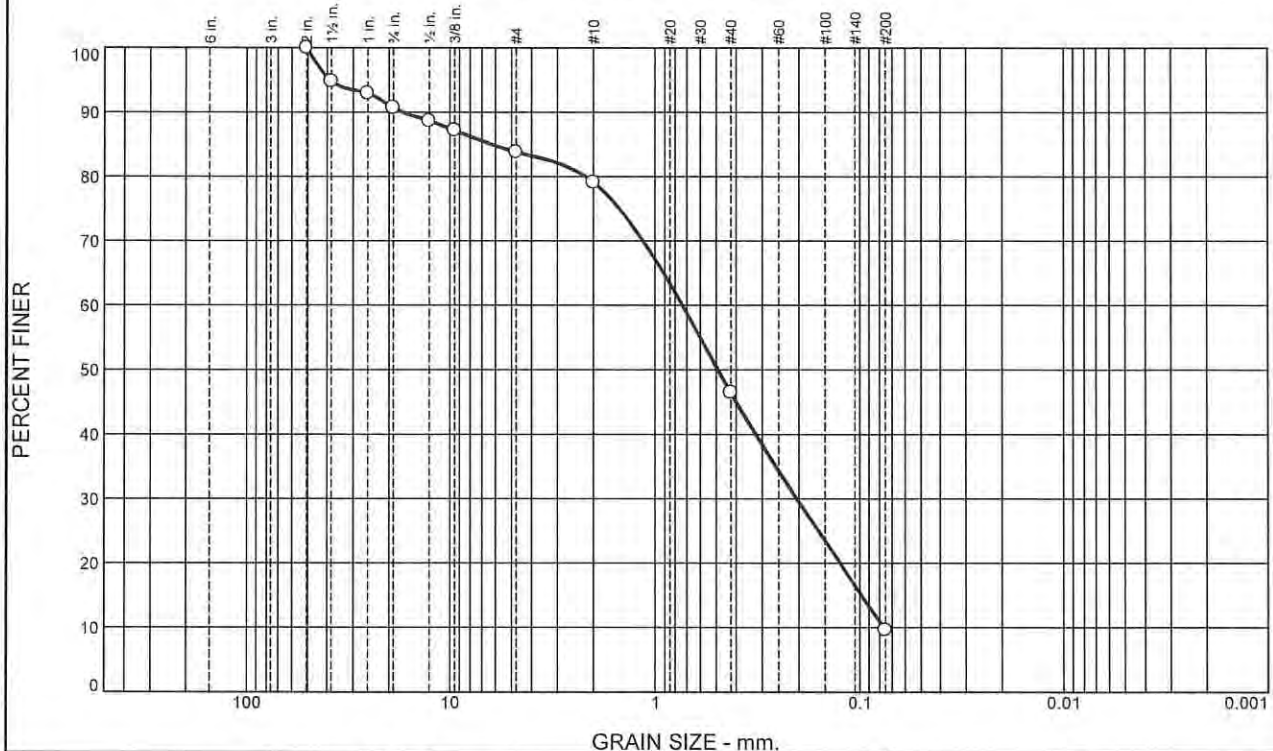
Project No: GM2422433.Y00

Figure S-3

Tested By: MM

Checked By: RWM

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	9.3	6.9	4.7	32.6	36.9	9.6	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
2"	100.0		
1.5"	94.8		
1"	92.9		
3/4"	90.7		
1/2"	88.7		
3/8"	87.2		
#4	83.8		
#10	79.1		
#40	46.5		
#200	9.6		

* (no specification provided)

Material Description

Poorly Graded Sand with Silt and Gravel

PL= NP

Atterberg Limits

LL= NV

PI= NV

Coefficients

D₉₀= 17.0898

D₈₅= 6.2719

D₆₀= 0.7352

D₅₀= 0.4903

D₃₀= 0.2045

D₁₅= 0.0982

D₁₀= 0.0764

C_u= 9.63

C_c= 0.74

Classification

USCS= SP-SM

AASHTO= A-1-b

Remarks

Moisture Content: 6.1%

Location: TP-6

Sample Number: S-1

Depth: 4.5'

Date: 11/25/24



WHITESTONE

Client: Primax Properties, LLC

Project: Proposed Tractor Supply Company Store
778 Duanebury Road, Rotterdam, Schenectady County, NY

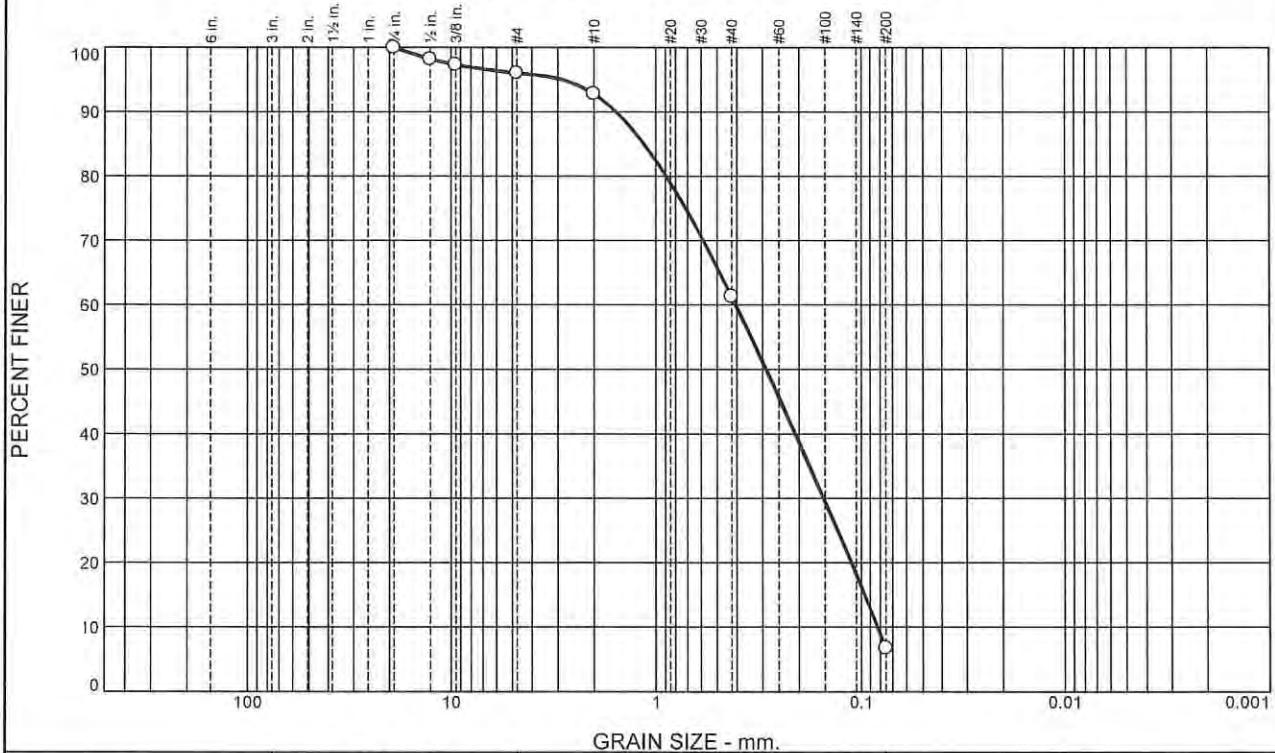
Project No: GM2422433.Y00

Figure S-4

Tested By: MM

Checked By: RWM

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	0.0	4.0	3.2	31.5	54.5	6.8	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
3/4"	100.0		
1/2"	98.2		
3/8"	97.3		
#4	96.0		
#10	92.8		
#40	61.3		
#200	6.8		

* (no specification provided)

Material Description

Poorly Graded Sand with Silt

PL= NP

Atterberg Limits

LL= NV

PI= NV

Coefficients

D₉₀= 1.5635

D₈₅= 1.1429

D₆₀= 0.4055

D₅₀= 0.2883

D₃₀= 0.1522

D₁₅= 0.0962

D₁₀= 0.0827

C_u= 4.90

C_c= 0.69

Classification

USCS= SP-SM

AASHTO= A-3

Remarks

Moisture Content: 3.8%

Location: TP-7
Sample Number: S-1

Depth: 4'

Date: 11/25/24



Client: Primax Properties, LLC

Project: Proposed Tractor Supply Company Store
778 Duanebury Road, Rotterdam, Schenectady County, NY

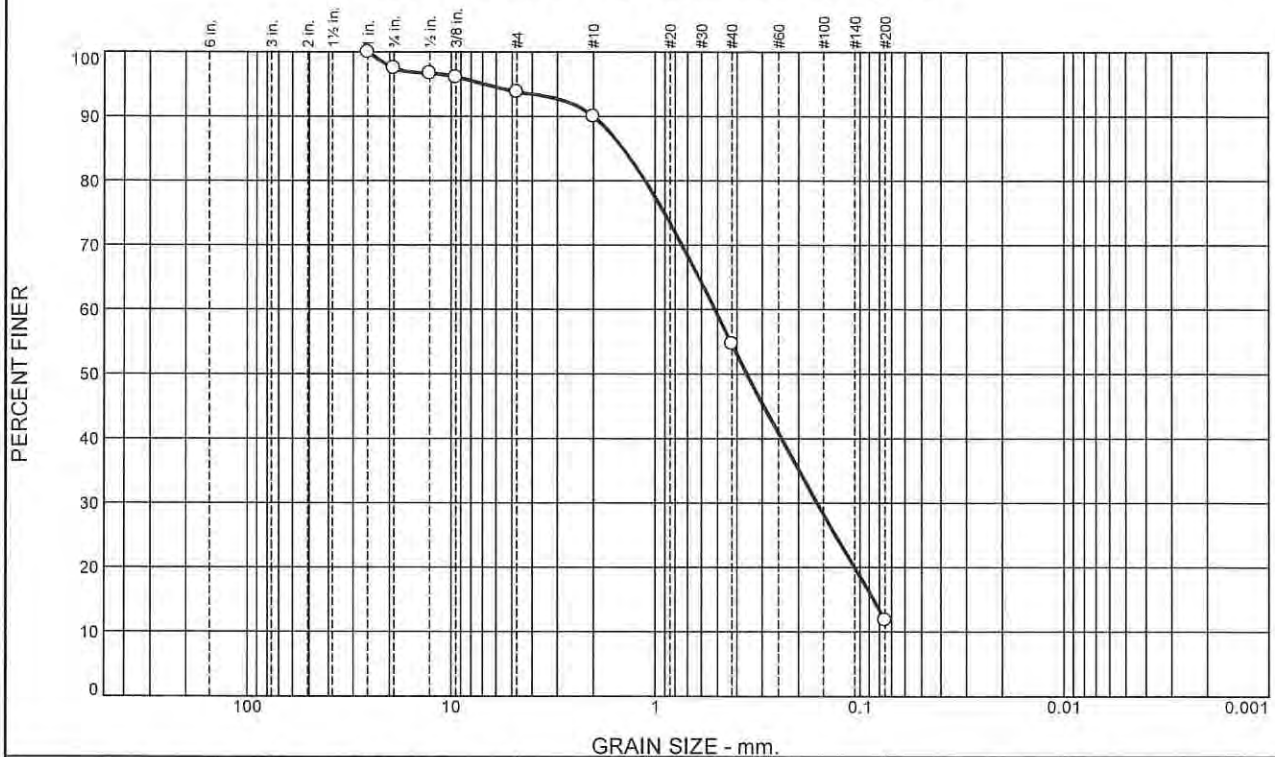
Project No: GM2422433.Y00

Figure S-5

Tested By: MM

Checked By: RWM

Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	2.5	3.7	3.8	35.3	42.9	11.8	

SIEVE SIZE	PERCENT FINER	SPEC.* PERCENT	PASS? (X=NO)
1"	100.0		
3/4"	97.5		
1/2"	96.7		
3/8"	96.1		
#4	93.8		
#10	90.0		
#40	54.7		
#200	11.8		

* (no specification provided)

Material Description

Poorly Graded Sand with Silt

PL= NP

Atterberg Limits

LL= NV

PI= NV

Coefficients

D₉₀= 1.9987

D₈₅= 1.4241

D₆₀= 0.5150

D₅₀= 0.3561

D₃₀= 0.1610

D₁₅= 0.0858

D₁₀=

C_u=

C_c=

Classification

USCS= SP-SM

AASHTO= A-2-4(0)

Remarks

Moisture Content: 11.5%

Location: TP-8
Sample Number: S-1

Depth: 5'

Date: 11/25/24



WHITESTONE

Client: Primax Properties, LLC

Project: Proposed Tractor Supply Company Store
778 Duanebury Road, Rotterdam, Schenectady County, NY

Project No: GM2422433.Y00

Figure S-6

Tested By: MM

Checked By: RVM

APPENDIX C

Supplemental Information (USCS, Terms & Symbols)



UNIFIED SOIL CLASSIFICATION SYSTEM

SOIL CLASSIFICATION CHART

MAJOR DIVISIONS			LETTER SYMBOL	TYPICAL DESCRIPTIONS	
COARSE GRAINED SOILS	GRAVEL AND GRAVELLY SOILS	CLEAN GRAVELS (LITTLE OR NO FINES)	GW	WELL-GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES	
	MORE THAN 50% OF COARSE FRACTION <u>RETAINED</u> ON NO. 4 SIEVE	GRAVELS WITH FINES (APPRECIABLE AMOUNT OF FINES)	GP	POORLY-GRADED GRAVELS, GRAVEL-SAND MIXTURES, LITTLE OR NO FINES	
		CLEAN SAND (LITTLE OR NO FINES)	GM	SILTY GRAVELS, GRAVEL-SAND-SILT MIXTURES	
	MORE THAN 50% OF MATERIAL IS LARGER THAN NO. 200 SIEVE SIZE	SAND AND SANDY SOILS	CLEAN SAND (LITTLE OR NO FINES)	GC	CLAYEY GRAVELS, GRAVEL-SAND-CLAY MIXTURES
MORE THAN 50% OF COARSE FRACTION <u>PASSING</u> NO. 4 SIEVE		SANDS WITH FINES (APPRECIABLE AMOUNT OF FINES)	SW	WELL-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES	
			SP	POORLY-GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES	
FINE GRAINED SOILS		SILTS AND CLAYS	LIQUID LIMITS <u>LESS</u> THAN 50	SM	SILTY SANDS, SAND-SILT MIXTURES
	SC			CLAYEY SANDS, SAND-CLAY MIXTURES	
	MORE THAN 50% OF MATERIAL IS SMALLER THAN NO. 200 SIEVE SIZE	SILTS AND CLAYS	LIQUID LIMITS <u>GREATER</u> THAN 50	ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY
				CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
SILTS AND CLAYS		LIQUID LIMITS <u>GREATER</u> THAN 50	OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY	
			MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SAND OR SILTY SOILS	
HIGHLY ORGANIC SOILS			CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS	
			OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS	
			PT	PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS	

NOTE: DUAL SYMBOLS ARE USED TO INDICATE BORDERLINE SOIL CLASSIFICATIONS FOR SAMPLES WITH 5% TO 12% FINES

GRADATION*

% FINER BY WEIGHT

TRACE..... 1% TO 10%
LITTLE..... 10% TO 20%
SOME..... 20% TO 35%
AND..... 35% TO 50%

COMPACTNESS*

Sand and/or Gravel

RELATIVE DENSITY

LOOSE..... 0% TO 40%
MEDIUM DENSE..... 40% TO 70%
DENSE..... 70% TO 90%
VERY DENSE..... 90% TO 100%

CONSISTENCY*

Clay and/or Silt

RANGE OF SHEARING STRENGTH IN POUNDS PER SQUARE FOOT

VERY SOFT..... LESS THAN 250
SOFT..... 250 TO 500
MEDIUM..... 500 TO 1000
STIFF..... 1000 TO 2000
VERY STIFF..... 2000 TO 4000
HARD..... GREATER THAN 4000

* VALUES ARE FROM LABORATORY OR FIELD TEST DATA, WHERE APPLICABLE. WHEN NO TESTING WAS PERFORMED, VALUES ARE ESTIMATED.

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Office Locations:

NEW JERSEY

PENNSYLVANIA

MASSACHUSETTS

CONNECTICUT

FLORIDA

NEW HAMPSHIRE

NEW YORK

July 9, 2025

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GEOTECHNICAL TERMS AND SYMBOLS

SAMPLE IDENTIFICATION

The Unified Soil Classification System is used to identify the soil unless otherwise noted.

SOIL PROPERTY SYMBOLS

- N: Standard Penetration Value: Blows per ft. of a 140 lb. hammer falling 30" on a 2" O.D. split-spoon.
 Qu: Unconfined compressive strength, TSF.
 Qp: Penetrometer value, unconfined compressive strength, TSF.
 Mc: Moisture content, %.
 LL: Liquid limit, %.
 PI: Plasticity index, %.
 δd : Natural dry density, PCF.
 ∇ : Apparent groundwater level at time noted after completion of boring.

DRILLING AND SAMPLING SYMBOLS

- NE: Not Encountered (Groundwater was not encountered).
 SS: Split-Spoon - 1 3/8" I.D., 2" O.D., except where noted.
 ST: Shelby Tube - 3" O.D., except where noted.
 AU: Auger Sample.
 OB: Diamond Bit.
 CB: Carbide Bit
 WS: Washed Sample.

RELATIVE DENSITY AND CONSISTENCY CLASSIFICATION

<u>Term (Non-Cohesive Soils)</u>	<u>Standard Penetration Resistance</u>
Very Loose	0-4
Loose	4-10
Medium Dense	10-30
Dense	30-50
Very Dense	Over 50

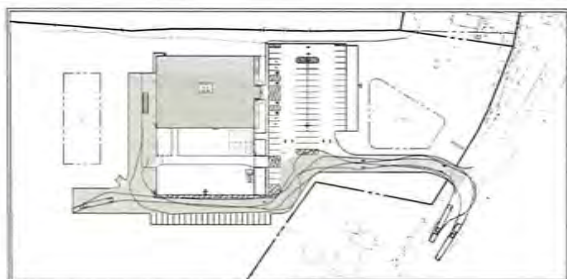
<u>Term (Cohesive Soils)</u>	<u>Qu (TSF)</u>
Very Soft	0 - 0.25
Soft	0.25 - 0.50
Firm (Medium)	0.50 - 1.00
Stiff	1.00 - 2.00
Very Stiff	2.00 - 4.00
Hard	4.00+

PARTICLE SIZE

Boulders	8 in.+	Coarse Sand	5mm-0.6mm	Silt	0.074mm-0.005mm
Cobbles	8 in.-3 in.	Medium Sand	0.6mm-0.2mm	Clay	-0.005mm
Gravel	3 in.-5mm	Fine Sand	0.2mm-0.074mm		

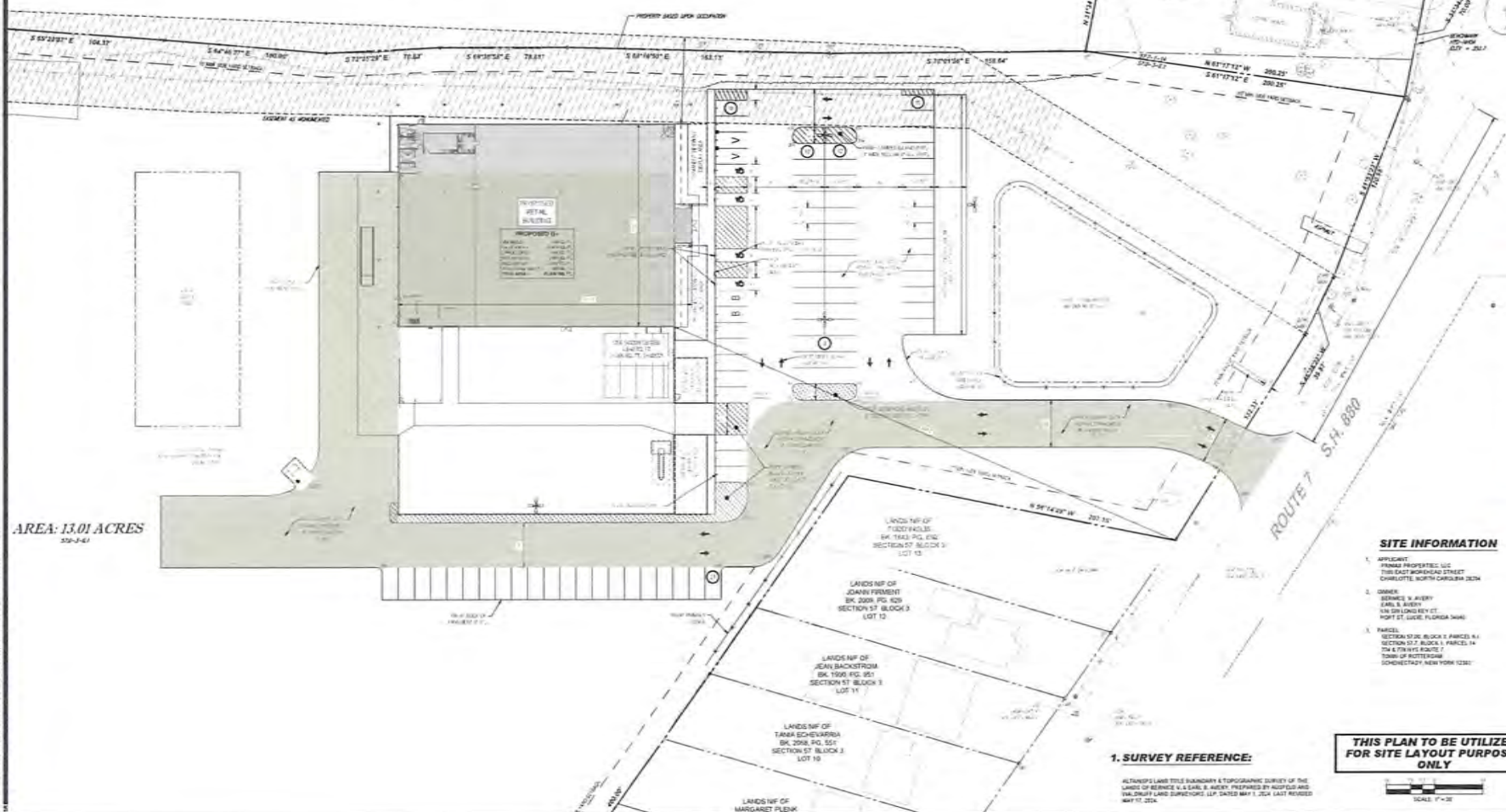
L:\Geotechnical Forms and References\Reports\USCSTRMSSYM - ROCHESTER .docx

Office Locations:



TRUCK TURN

ZONING TABLE			
BULK REQUIREMENTS (B-2)			
ITEM	REQUIRED	EXISTING	PROPOSED
MAX LOT AREA	1.00 AC	1.00 AC	1.00 AC
MAX LOT FRONTAGE	100 FT	100 FT	100 FT
MAX LOT DEPTH	100 FT	100 FT	100 FT
MAX LOT WIDTH	100 FT	100 FT	100 FT
MAX LOT AREA	1.00 AC	1.00 AC	1.00 AC
MAX LOT FRONTAGE	100 FT	100 FT	100 FT
MAX LOT DEPTH	100 FT	100 FT	100 FT
MAX LOT WIDTH	100 FT	100 FT	100 FT
MAX LOT AREA	1.00 AC	1.00 AC	1.00 AC
MAX LOT FRONTAGE	100 FT	100 FT	100 FT
MAX LOT DEPTH	100 FT	100 FT	100 FT
MAX LOT WIDTH	100 FT	100 FT	100 FT
MAX LOT AREA	1.00 AC	1.00 AC	1.00 AC
MAX LOT FRONTAGE	100 FT	100 FT	100 FT
MAX LOT DEPTH	100 FT	100 FT	100 FT
MAX LOT WIDTH	100 FT	100 FT	100 FT



AREA: 13.01 ACRES
352-3-41

SITE INFORMATION

1. APPLICANT: PRIMA PROPERTIES, LLC
175 EAST WILKINSON STREET
CHARLOTTE, NORTH CAROLINA 28204
2. OWNER: PRIMA PROPERTIES, LLC
175 EAST WILKINSON STREET
CHARLOTTE, NORTH CAROLINA 28204
3. PARCEL: SECTION 17, BLOCK 1, PARCEL 14
SECTION 17, BLOCK 1, PARCEL 14
TOWN OF ROTTENHAM
SOMERSETT COUNTY, NEW YORK 12021

1. SURVEY REFERENCE:

ALTAIR LAND TITLE SURVEY & TOPOGRAPHIC SURVEY OF THE
LANDS OF PRIMA PROPERTIES, LLC, PREPARED BY ALTAIR AND
THE SURVEY LAND SURVEYOR L.P., DATED MAY 1, 2024. LAST REVISED
MAY 17, 2024.

THIS PLAN TO BE UTILIZED FOR SITE LAYOUT PURPOSES ONLY



BOHLER
SITE CIVIL AND CONSTRUCTION ENGINEERING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
PERMITTING SERVICES
175 COMPUTER DRIVE WEST
ALBANY, NY 12205
Phone: (518) 434-8800
Fax: (518) 434-7900
www.BohlerEngineering.com

REVISIONS		
REV	DATE	COMMENT
1	05/01/24	PER DOT SUBMITTAL

811
Before you dig, call before you dig.
ALWAYS CALL 811
It's fast. It's free. It's the way.

PRELIMINARY

PROJECT: PRIMA PROPERTIES, LLC
DRAWN BY: J. BOHLER
CHECKED BY: J. BOHLER
DATE: 05/01/24
SCALE: AS SHOWN

PROJECT: PRIMA PROPERTIES, LLC
FOR: PRIMA PROPERTIES, LLC
PROPOSED DEVELOPMENT
SECTION 17, BLOCK 1, PARCEL 14
SECTION 17, BLOCK 1, PARCEL 14
TOWN OF ROTTENHAM
SOMERSETT COUNTY, NEW YORK 12021

BOHLER
175 COMPUTER DRIVE WEST
ALBANY, NY 12205
Phone: (518) 434-8800
Fax: (518) 434-7900
www.BohlerEngineering.com

SHEET TITLE:
SITE PLAN
SHEET NUMBER:
C-301
REVISION: 1 - 05/01/24

RESOLUTION NO. 249.25

TO ENACT LOCAL LAW NO. 5 OF 2025; TO AMEND CHAPTER 270, ZONING, OF THE TOWN CODE, RELATING TO A CHANGE OF ZONE REQUEST ON A ±14.02 ACRE PARCEL FROM AGRICULTURAL (A-1) TO GENERAL BUSINESS (B-2) LOCATED AT 774 AND 778 DUANESBURG ROAD

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby enacts Introductory Local Law No. 5 of 2025.

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 July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: June 30, 2025

TO: Mollie Collins, Town Supervisor

FROM: Peter Comenzo, Senior Planner *PC*

TITLE OF REQUEST: Make a decision on a Change of Zone from Agricultural (A-1) to General Business (B-2).

TOWN BOARD MEETING: July 9, 2025

Background Information: Primax Properties, LLC (Contract Vendee)
c/o Adam Sellner
1100 East Morehead Street
Charlotte, NC 28204

Change of Zone request on ±14.02 acres from Agricultural (A-1) to General Business (B-2) to facilitate the construction a ±22,000 square foot retail business. Property is known as 774 Duanesburg Road (Tax Map No. 57.7-1-14) and 778 Duanesburg Road (Tax Map No. 57-3-6.1)

Evaluation/Analysis: Project was referred to the Planning Commission on June 12, 2024 for a Report and Recommendation. Planning Commission issued a Positive Recommendation at the June 18, 2024 meeting. Public Hearing was held on August 14, 2024 and the hearing was closed.

Recommendation(s): Town Board should Make a decision on the proposed Change of Zone from A-1 to B-2.

Attachment/Document(s): Application Materials
Public Hearing materials submitted to the Board

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



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

5 _____ of the year 20 25 _____

Local Law Title: To amend Chapter 270, Zoning, of the town code, relating to a change of zone request on a
±14.02-acre parcel from Agricultural (A-1) to General Business (B-2) located at 774 and 778
Duanesburg Road

Be it enacted by the Town Board _____ of the
(Name of Legislative Body)

☐ County ☐ City ☒ Town ☐ Village
(Select one)

of Rotterdam _____ as follows on the attached pages:
(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ of the year 20 ____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Local Law Filing

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto ascribed as local law number 5 of 2025 of the (County)(City)(Town)(Village) of Rotterdam was duly passed by the Town Board on July 9, 2025 in accordance with the applicable provisions of law.

(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on _____ 20____ in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20____ in accordance with the applicable provisions of law.

(Name of Legislative Body)

(Elective Chief Executive Officer*)

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

Local Law Filing

5. ~~(City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, ascribed as local law number _____ of 20____ of the City of _____ having submitted to referendum pursuant to the provisions of Section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the ~~(special)(general)~~ election held on _____ 20____ became operative.

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

I hereby certify that the local law annexed thereto, ascribed as local law number _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____ pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in the paragraph _____ above.

(Seal)

Clerk of the county legislative body, City, Town or Village Clerk or
officer designated by local legislative body

(Date)



TOWN OF ROTTERDAM CHANGE OF ZONE APPLICATION

Application Fee \$1,000

Existing Zone Classification: A-1 Agricultural Zone

Proposed Zone Classification: B-2 General Business Zone

**PART II
GENERAL INFORMATION**

Legal Owner's Name: Bernice V. & Earl B. Avery
Mailing Address: 774 Duanesburg Road
City: Rotterdam State: NY Zip: 12306
Daytime Phone: _____ 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: Adam Sellner - Primax Properties, LLC

Mailing Address: 1100 East Morehead St
City: Charlotte State: NC Zip: 28204
Daytime Phone: 704-954-7224 E-mail: asellner@primaxproperties.com

Project/Proposal Site Area: (Acres or sq. ft.) 14.02 acres
Assessor Tax Parcel No.(s) of Site: 57-3-6.1 & 57.7-1-14
Adjacent Parcels Owned or Controlled and Tax Map Parcel No: (Acres or sq. ft.) _____

Street Address of Proposed Site (if any): 774-778 Duanesburg Road, Rotterdam, NY

Describe Existing Use(s) on Proposed Site: (commercial vacant, residential, buildings, well, sewer drainfield, etc.)

Lot 57-3-6.1 is vacant containing one existing vacant dwelling;

while Lot 57.7-1-14 contains a single family home

School District: Schalmont

Fire District: FD600 - Fire District 6

Water Supply: CW500 Water District 5

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 located approximately $\pm 2,660$ feet east from the Becker Road and Duanesburg Road intersection, and ± 800 feet west of where Duanesburg Road crosses over I-90

Name of Public Road(s) Providing Access: Duanesburg Road (NYS Route 7)

Width of Property Fronting on the Existing Public Road in Linear Feet: 381 ft

Does the Proposal Have Access to an Arterial or Planned Arterial? ☒ Yes ☐ No

Name(s) of Arterial Road(s): Duanesburg Road

A legal description of the proposed site must be attached: ☒ Yes ☐ No

A copy of the assessor's map of the proposed site must be attached: ☒ Yes ☐ No

A copy of the most current deed(s) of the proposed site must be attached: ☒ 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? _____

What factors support this rezone? (This may be provided on a separate sheet of paper if necessary)

The subject parcel is adjacent to the existing B-2 General Business zone and would be a continuation of that zone to fit in. This parcel is within the New York State Route 7 Gateway, and a change of zone would help support the development in line with the goals of the comprehensive plan.

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 (X) Public System () Private Community System
() Other, please describe _____

Proposed Means of Sewage Disposal:

() Public Sewer () Dry Sewer () Community System (X)
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: [Signature]
Address: 323 CLINTON ST
SCHENECTADY NY 12305

Date: 5/16/24
Phone: 518 346 1595
Zip: 12305

Signed: [Signature]
Address: 17 Computer Drive West
Albany, NY 12205

Date: 05/17/24
Phone: 518-438-9900
Zip: 12205

PLEASE AFFIX SURVEYOR/ARCHITECT/ENGINEER SEAL HERE

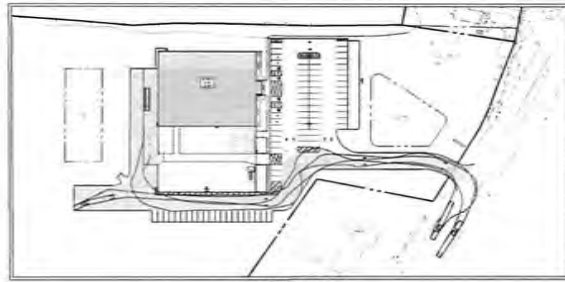






**774-778 DUANESBURG ROAD (NYS ROUTE 7)
TOWN OF ROTTERDAM
SCHENECTADY COUNTY, NEW YORK**

PREPARED BY
BOHLER //
17 COMPUTER DRIVE WEST
ALBANY, NY 12205
Phone: (518) 438-9900
Fax: (518) 438-0900
www.bohlerengineering.com



TRUCK TURN

ZONING TABLE			
BULK REQUIREMENTS (B-2)			
ITEM	REQUIRED	EXISTING	PROPOSED
MAX LOT AREA	1.400	1.400	1.400
MIN LOT AREA	0.100	0.100	0.100
MAX LOT WIDTH	20.00	20.00	20.00
MIN LOT WIDTH	10.00	10.00	10.00
MAX LOT DEPTH	100.00	100.00	100.00
MIN LOT DEPTH	20.00	20.00	20.00
MAX LOT FRONT SETBACK	10.00	10.00	10.00
MIN LOT FRONT SETBACK	5.00	5.00	5.00
MAX LOT SIDE SETBACK	10.00	10.00	10.00
MIN LOT SIDE SETBACK	5.00	5.00	5.00
MAX LOT REAR SETBACK	10.00	10.00	10.00
MIN LOT REAR SETBACK	5.00	5.00	5.00
MAX LOT FRONT YIELD	100.00	100.00	100.00
MIN LOT FRONT YIELD	50.00	50.00	50.00
MAX LOT SIDE YIELD	100.00	100.00	100.00
MIN LOT SIDE YIELD	50.00	50.00	50.00
MAX LOT REAR YIELD	100.00	100.00	100.00
MIN LOT REAR YIELD	50.00	50.00	50.00
MAX LOT FRONT TURN	100.00	100.00	100.00
MIN LOT FRONT TURN	50.00	50.00	50.00
MAX LOT SIDE TURN	100.00	100.00	100.00
MIN LOT SIDE TURN	50.00	50.00	50.00
MAX LOT REAR TURN	100.00	100.00	100.00
MIN LOT REAR TURN	50.00	50.00	50.00

AREA: 13.01 ACRES
800-2-41

SITE INFORMATION

- APPLICANT: PRIMAX PROPERTIES, LLC
THE EAST WINDHAM STREET
CHARLOTTE, NORTH CAROLINA 28204
- OWNER: JENNIFER M. AVERY
3401 E. AVENUE
PORT ST. LOUIS, FLORIDA 32680
- PARCEL: SECTION 37.00, BLOCK 3, PARCEL 8.1
SECTION 37.00, BLOCK 3, PARCEL 14
774 & 776 NYS ROUTE 7
TOWN OF NOTTERDAM
Schenectady County, New York 12301

1. SURVEY REFERENCE:

ALTAIR'S LAND TITLE BOUNDARY & TOPOGRAPHIC SURVEY OF THE
LANDS OF BRENDA L. & GAIL S. AVERY, PROVIDED BY NOTTERDAM
VALLEYVIEW LAND SURVEYORS, L.P., DATED MAY 1, 2024, LAST REVISED
MAY 15, 2024.

THIS PLAN TO BE UTILIZED
FOR SITE LAYOUT PURPOSES
ONLY



BOHLER
LAND SURVEYING
SITE CIVIL AND CONSULTING ENGINEERING
LANDSCAPE ARCHITECTURE
PERMITTING SERVICES
TRANSPORTATION SERVICES

REVISIONS		
REV	DATE	COMMENT
1	8/20/24	PER DOT SUBMITTAL



ALWAYS CALL 811
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PRELIMINARY

PROJECT: SITE DEVELOPMENT PLANS
FOR PRIMAX PROPERTIES, LLC
PROPOSED DEVELOPMENT

SEC 37.00 (BLK 3) PARCEL 8.1
SEC 37.00 (BLK 3) PARCEL 14
774 & 776 NYS ROUTE 7
TOWN OF NOTTERDAM
Schenectady County, New York 12301

BOHLER

17 COMPUTER DRIVE WEST
ALBANY, NY 12206
Phone: (518) 435-4900
Fax: (518) 435-0001
www.BohlerEngineering.com

SHEET TITLE: SITE PLAN
SHEET NUMBER: C-301
REVISION: 1 - 8/20/24

ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING

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

For Use By SCDEDP

Received

Case No.

Returned

7-16-24
13-18-24
8-21-24

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

Municipality:

Town of Rotterdam

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

(tel.) 386-2225
(fax) 382-8000
Schenectady County

ACTION: ☒ Zoning Code/Law Amendment
☒ Zoning Map Amendment
☐ Subdivision Review
☐ Site Plan Review

☐ Special Permit
☐ Use Variance
☐ Area Variance
☐ Other (specify) _____

JUL 16 2024

Economic Development
and Planning Dept.

PUBLIC HEARING OR MEETING DATE: August 14, 2024

SUBJECT: Bernice & Earl Avery – 774 & 778 Duanesburg Road. Change of Zone from Agricultural (A-1) to General Business (B-2) for the construction of a ±22,000 square foot retail store on a combined ±14.02-acre parcel. Engineer: Bohler Engineering.

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

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
 - ☐ the boundary of any city, village or town;
 - ☐ the boundary of any existing or proposed County or State park or other recreation area;
 - ☐ the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
 - ☐ the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - ☐ the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
 - ☐ the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

Name: Peter Comenzo

Title: Senior Planner

Address: 1100 Sunrise Boulevard, Schenectady, NY 12306

E-mail: pcomenzo@rotterdamny.org

Phone: 518-355-7575 Ext 338

Signature

Date: 7 11 24



PLANNING & ZONING COORDINATION REFERRAL

Case No. R-18-24

Applicant Bernice & Earl Avery

Referring Officer Peter Comenzo

Municipality Rotterdam

Considerations: Regarding a 14 acre parcel containing a single family residence, requesting a change in zone from Agriculture (A-1) to General Business (B-2) to permit the construction of a 22,000 SF retail store. Individual septic and municipal water proposed. Access proposed to Duanesburg Road (SR 7).

RECOMMENDATION

Receipt of zoning referral is acknowledged on August 14, 2024. Please be advised that the undersigned Commissioner of Economic Development and Planning of the County of Schenectady (having under the Schenectady County Charter the powers and duties of a County Planning Board) has reviewed the proposed action stated on the opposite side of this form and makes the following recommendations:

- ☐ *Approve of the proposal.
- ☒ **Defer to local consideration (No significant county-wide or inter-community impact)**
- ☐ **Modify/Conditionally Approve.** Conditions:

☐ **Advisory Note:**

☐ **Disapprove.** Reason:

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

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

8/16/24
Date

[Signature]
Ray Gillen, Commissioner
Economic Development and Planning

RESOLUTION NO. 250.25

**DECLARING THE INTENT OF THE TOWN OF ROTTERDAM TOWN BOARD TO
ACT AS LEAD AGENCY FOR THE TOWN OF ROTTERDAM CURRY ROAD WATER
MAIN REPLACEMENT PROJECT**

WHEREAS, the Town of Rotterdam is proposing the Town of Rotterdam Curry Road Water Main Replacement Project (Project) located in the Town of Rotterdam, Schenectady County, New York; and

WHEREAS, the Project has been classified as an “Unlisted Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.2(al); and

WHEREAS, it is the intent of the Town of Rotterdam Town Board to assume the role of “Lead Agency” for purposes of conducting a SEQRA assessment of the Project; and

WHEREAS, Part I of a Full Environmental Assessment Form (FEAF) has been completed, reviewed by the Town of Rotterdam Town Board, and will be circulated to all Involved and Interested Agencies for purposes of establishing the Town of Rotterdam Town Board as “Lead Agency” in accordance with 6 NYCRR Part 617.6(b); NOW

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town of Rotterdam Town Supervisor hereby is authorized to sign Part I of the FEAF (page 13).

SECTION 2. The Town of Rotterdam Town Board will send said Part I of the Full Environmental Assessment Form and associated site figure to the attached list of “Interested/Involved Agencies” under cover of a “Notice of Intent to Establish Lead Agency” letter for purposes of establishing Lead Agency status under SEQRA.

SECTION 3. The Town of Rotterdam Town Supervisor, together with the Town of Rotterdam Attorney and B&L, are hereby authorized to take all actions, serve all notices, and complete all documents required to give full force and effect to this determination.

SECTION 4. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: July 2, 2025

TO: Mollie Collins, Town Supervisor

FROM: Peter Comenzo, Senior Planner *PC*

TITLE OF REQUEST: Declare Lead Agency for the Curry Road Water Main Replacement Project

TOWN BOARD MEETING: July 9, 2025

Background Information: The Curry Road Water Main Replacement project will consist of the open cut replacement of 2,000 LF of the Town's existing 20-inch diameter cast iron water main with new 24-inch diameter water main piping and appurtenances, including isolation valves, four (4) hydrant assemblies, and service connections, on Curry Road between Altamont Avenue and Marlette Street. It is anticipated that a portion of the new water main will cross the Town's existing storm sewer culvert that carries Cowhorn Creek.

Evaluation/Analysis: Over the past five (5) years, the Town has responded to numerous water main breaks on the existing 20-inch Curry Road water main between Altamont Avenue and Marlette Street. These breaks have created issues with reliability in this part of the Town's water distribution system. The Town estimates they have spent over \$1,000,000 in repairs on this water main and will continue to spend money on its maintenance as the water main continues to age past its useful life.

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

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

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

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

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Town of Rotterdam Curry Road Water Main Replacement Project		
Project Location (describe, and attach a general location map): Town of Rotterdam, New York		
Brief Description of Proposed Action (include purpose or need): The Town of Rotterdam owns and operates Water District No. 5 (PWSID NY4600069), which consists of a five (5) well municipal field, five (5) water storage tanks and a potable water distribution system network. The Town's well field has suited the Town well since it was originally constructed in the mid-1950s. With current development and requests from neighboring municipalities to purchase more water, and the overall condition and age of the system, the Town's water system needs upgrades. Over the past five (5) years, the Town has responded to numerous water main breaks on the existing 20-inch Curry Road water main between Altamont Avenue and Marlette Street. These breaks have created issues with reliability in this part of the Town's water distribution system. The Town estimates they have spent over \$1,000,000 in repairs on this water main and will continue to spend money on its maintenance as the water main continues to age past its useful life. The Curry Road Water Main Replacement project will consist of the open cut replacement of 2,000 LF of the Town's existing 20-Inch diameter cast iron water main with new 24-inch diameter water main piping and appurtenances, including isolation valves, four (4) hydrant assemblies, and service connections, on Curry Road between Altamont Avenue and Marlette Street. It is anticipated that a portion of the new water main will cross the Town's existing storm sewer culvert that carries Cowhorn Creek.		
Name of Applicant/Sponsor: Mollie A. Collins, Town of Rotterdam, Town Supervisor		Telephone: (518) 355-7575 ext.393 E-Mail: mcollins@rotterdamny.org
Address: 1100 Sunrise Blvd		
City/PO: Rotterdam	State: New York	Zip Code: 12306
Project Contact (if not same as sponsor; give name and title/role): Tessa M. Pemrick, Environmental Scientist, Barton & Loguidice		Telephone: (518) 218-1801 E-Mail: tpemrick@bartonandloguidice.com
Address: 10 Airline Drive, Suite 200		
City/PO: Albany	State: New York	Zip Code: 12205
Property Owner (if not same as sponsor): The project is located within the state-owned road right-of-way. The Town will seek the appropriate approvals and permits from NYSDOT during design.		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Town of Rotterdam (project sponsor)	Summer 2025
b. City, Town or Village ☐ Yes ☒ No Planning Board or Commission		
c. City, Town or ☐ Yes ☒ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☒ No		
e. County agencies ☒ Yes ☐ No	Schenectady County Environmental Health Division	Summer 2026
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☒ Yes ☐ No	NYSDOT (permit), NYSDOH (approval)	Summer 2026
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): 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): Schenectady County Farmland Protection Plan, Town of Rotterdam Comprehensive Plan	

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	☒ Yes ☐ No
<u>B-1 Retail Business, B-2 General Business, R-2 Two-Family Residential, R-3 Multiple-Family, PRD Planned Residential Development</u>	
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? If Yes,	☐ Yes ☒ No
i. What is the proposed new zoning for the site? _____	
C.4. Existing community services.	
a. In what school district is the project site located?	<u>Mohonasen School District</u>
b. What police or other public protection forces serve the project site?	<u>Rotterdam Police Department, Schenectady County Sheriff, New York State Police</u>
c. Which fire protection and emergency medical services serve the project site?	<u>Rotterdam Fire Department</u>
d. What parks serve the project site?	<u>Poutre Park, Carman Park, Fort Hunter Park</u>

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)? <u>Municipal water system improvements</u>	
b. a. Total acreage of the site of the proposed action?	<u>1</u> acres
b. Total acreage to be physically disturbed?	<u>0.8</u> acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	<u>0</u> acres (Entire project area is located within the NYSDOT Road ROW)
c. Is the proposed action an expansion of an existing project or use?	☐ Yes ☒ No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision?	☐ Yes ☒ No
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases?	☐ Yes ☒ No
i. If No, anticipated period of construction: <u>5</u> months	
ii. If Yes:	
• Total number of phases anticipated _____	
• Anticipated commencement date of phase 1 (including demolition) _____ month _____ year	
• Anticipated completion date of final phase _____ month _____ year	
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	

f. Does the project include new residential uses? ☐ Yes ☒ No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

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

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

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☒ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____ • Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____	
iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? ☐ Yes ☐ No	
ix. Summarize site reclamation goals and plan: _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☒ Yes ☐ No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): <u>Cowhorn Creek (NYSDEC Water Index No. 240-25)</u>	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
The replacement water main will cross the closed culvert section of Cowhorn Creek within the project area, however, no impacts to this resource will occur. Horizontal directional drilling (HDD) or open cut trench installation methods will be used to install water main beneath the culverted stream.

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: _____
Temporarily disturbed areas would be restored to their original grades and stabilized.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____	☐ Yes ☐ No ☐ Yes ☐ No
If Yes: _____ • Describe extensions or capacity expansions proposed to serve this project: _____	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?	☐ Yes ☐ No
If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?	☐ Yes ☒ No
If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____ • If to surface waters, identify receiving water bodies or wetlands: _____ • Will stormwater runoff flow to adjacent properties? _____	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?	☐ Yes ☐ No ☐ Yes ☐ No
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?	☒ Yes ☐ No
If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) Heavy equipment during construction _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?	☐ Yes ☒ No
If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: Typically 7am-5pm, nighttime • Monday - Friday: <u>work may also be required.</u> • Saturday: <u>N/A</u> • Sunday: <u>N/A</u> • Holidays: <u>N/A</u> </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: <u>Continuous use of water system</u> • Saturday: <u>Continuous use of water system</u> • Sunday: <u>Continuous use of water system</u> • Holidays: <u>Continuous use of water system</u> </td> </tr> </table>		i. During Construction: Typically 7am-5pm, nighttime • Monday - Friday: <u>work may also be required.</u> • Saturday: <u>N/A</u> • Sunday: <u>N/A</u> • Holidays: <u>N/A</u>	ii. During Operations: • Monday - Friday: <u>Continuous use of water system</u> • Saturday: <u>Continuous use of water system</u> • Sunday: <u>Continuous use of water system</u> • Holidays: <u>Continuous use of water system</u>
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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: Ambient noise levels will be temporarily elevated from approximately 5 months, during construction. Construction will take place during the daytime hours between 7am-5pm. Additionally, nighttime work hours may be required by DOT due to heavy traffic during the daytime hours.	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☒ Yes ☐ No Describe: A small amount of tree clearing may be required to facilitate construction.	
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: Temporary lighting may be used during construction for nighttime work.	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☒ No Describe:	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☒ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☒ No If Yes: i. Product(s) to be stored ii. Volume(s) per unit time (e.g., month, year) iii. Generally, describe the proposed storage facilities:	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s):	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: tons per (unit of time) • Operation : tons per (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: • Operation: iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: • Operation:	

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

☒ Urban ☒ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☒ Other (specify): Mowed/Maintained Lawn

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	0.7	0.7	0
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0	0	0
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.1	0.1	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: <u>Maintained/Mowed Lawn</u>	0.2	0.2	0

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:
John Bigsbee School, Fisher Church, Fisher Cemetery, Draper Middle School, Community Care Rotterdam, Eddy SenoirCare PACE

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): 2403675, 2108055
☒ Yes -- Environmental Site Remediation database Provide DEC ID number(s): 447031
☐ Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: N/A
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): 447031
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):
Spill Incidents Database: Spill number 2403675 involved minor releases of antifreeze and transmission fluid caused by a car accident. Spill number 2108055 involved a 10 gal release of gasoline caused by an equipment failure at a gas station. Both sites have been closed out by the NYSDEC.
Environmental Site Remediation Database: V00649/447031 (KEM Cleaners) - no further action required at this time.

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? _____ >6.5 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:	
Colonie loamy fine sand, 0 to 3 percent slopes (CoA)	65.6 %
Elnora loamy fine sand (En)	34.4 %
	_____ %
d. What is the average depth to the water table on the project site? Average: _____ >6.5 feet	
e. Drainage status of project site soils:	
☒ Well Drained:	65.6 % of site
☒ Moderately Well Drained:	34.4 % of site
☐ Poorly Drained	_____ % of site
f. Approximate proportion of proposed action site with slopes:	
☒ 0-10%:	100 % of site
☐ 10-15%:	_____ % of site
☐ 15% or greater:	_____ % of site
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No	
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?	☒ Yes ☐ No
ii. Do any wetlands or other waterbodies adjoin the project site?	☐ Yes ☒ No
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	☒ Yes ☐ No
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name <u>Cowhorn Creek (NYSDEC Water Index No. 240-25)</u> Classification <u>C/C</u>	
• Lakes or Ponds: Name <u>None</u> Classification _____	
• Wetlands: Name <u>None</u> Approximate Size _____	
• Wetland No. (if regulated by DEC) <u>None</u>	
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: _____	
<u>Cowhorn Creek - biological impacts on the stream from industrial/urban runoff</u>	
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: <u>The project area overlies the Schenectady-Niskayuna Sole Source Aquifer</u>	

m. Identify the predominant wildlife species that occupy or use the project site:		
gray squirrel	eastern cottontail	Numerous bird species
white-tailed deer	raccoon	
opossum	striped skunk	
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): _____		
Northern Long-eared Bat (<i>Myotis septentrionalis</i> - federally endangered), Karner Blue Butterfly (<i>Lycaeides melissa samuelis</i> - federally endangered), Monarch Butterfly (<i>Danaus plexippus</i> - proposed federally 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: _____		
Cowhorn Creek may be used for fishing, however, no impacts to this stream will result.		
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: _____		



Involved Agencies

Audrey Burneson
Guy Tedesco
New York State Department of Transportation, Region 1
50 Wolf Road, Suite 1s50
Albany, NY 12232
Audrey.burneson@dot.ny.gov
gaetano.tedesco@dot.ny.gov
Cc: chad.corbett@dot.ny.gov

Schenectady County Environmental Health Division
New York State Department of Health
107 Nott Terrace, Suite 300,
Schenectady, NY 12308

William Grady, Assistant Engineer
Bureau of Water Supply Protection
New York State Department of Health
Corning Tower, Room 1135
Empire State Plaza
Albany, NY 12237
William.Grady@health.ny.gov
cc: Jordan Bensen: Jordan.Bensen@health.ny.gov

Interested Agencies

NYS Office of Parks, Recreation and Historic Preservation
State Historic Preservation Office
P.O. Box 189
Waterford, NY 12188
(Submit SEQR documents to SHPO via CRIS)

Other Agencies

Jason Denno, P.E.
Barton & Loguidice, D.P.C.
10 Airline Drive, Suite 200
Albany, NY 12205
idenno@bartonandloguidice.com

RESOLUTION NO. 251.25

**REQUESTING BIDS FOR TOWN OF ROTTERDAM KIWANIS
INTERNATIONAL WATER PARK WATERFRONT ACCESS IMPROVEMENTS
PROJECT**

WHEREAS, the Town of Rotterdam is advancing improvements to the Kiwanis International Water Park Waterfront Access area; and

WHEREAS, the Town intends to procure construction services for said improvements in compliance with New York State General Municipal Law and the requirements of the New York State Department of State (DOS) and Article 15-A of the Executive Law pertaining to Minority and Women-Owned Business Enterprise (MWBE) participation; and

WHEREAS, the Town desires to solicit sealed bids and ensure all applicable DOS and MWBE protocols are integrated in the bid invitation and contractor procurement;
NOW

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Bid Authorization

The Town Board of the Town of Rotterdam hereby authorizes the Town Supervisor to issue a bid invitation for the Kiwanis International Water Park Waterfront Access Improvements Project, subject to the prior review and approval by the New York State Department of State (DOS).

SECTION 2. Public Notice

The Town Clerk shall cause the following notice to be published in the *Daily Gazette* on Saturday, July 12, 2025, and the Supervisor shall ensure the bid is posted on the Empire State Purchasing Group via BidNet (<http://www.bidnetdirect.com/townofrotterdam>) at least five (5) days before bid opening:

**TOWN OF ROTTERDAM
NOTICE TO BIDDERS**

PLEASE TAKE NOTICE that sealed bids will be received by the Town Clerk of the Town of Rotterdam until 2:00 P.M., Tuesday, August 19, 2025, at which time they will be opened in person. The Town will post the official bid report to the Empire State Purchasing Group on BidNet when it is available. All bid submissions and reports will be available for public inspection at the Town Clerk's Office, 1100 Sunrise Boulevard, Rotterdam, NY.

PROJECT TITLE:
KIWANIS INTERNATIONAL WATER PARK WATERFRONT ACCESS
IMPROVEMENTS

Bid Documents:

Digital copies may be obtained from the Empire State Purchasing Group on BidNet at <http://www.bidnetdirect.com/townofrotterdam>. 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 vendors who obtain documents directly from BidNet will receive official updates or addenda.

MWBE Participation:

Bidders must demonstrate good faith efforts to meet applicable MWBE participation goals as defined by NYS Executive Law Article 15-A. Documentation of outreach to NYS-certified MWBEs and compliance efforts must accompany all bid submissions.

Bid Requirements:

All bids shall comply with NYS General Municipal Law public procurement procedures. The Town reserves the right to accept or reject any or all bids or any specific part thereof.

Delivery of Bids:

All bid proposals must be submitted through BidNet or delivered to the Town Clerk's Office prior to the deadline. All handling costs (mailing, delivery, reproduction) shall be the responsibility of the bidder.

SECTION 3. Procurement Compliance

The Town Supervisor shall ensure that the procurement process complies with General Municipal Law, including competitive bidding procedures, and shall certify such compliance to the New York State Department of State.

Documentation of good faith MWBE outreach efforts shall be retained, including directory searches, direct solicitations, advertisements, and participation records.

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

DATED: July 9, 2025

BidNet: Please publish on July 12, 2025

Daily Gazette: Please publish once on July 12, 2025

Town Clerk Post

SECTION 4. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: June 30, 2025

TO: Mollie Collins, Town Supervisor

FROM: Peter Comenzo – Senior Planner

TITLE OF REQUEST: Call for Bids on Kiwanis International Water Park Waterfront Access Improvements Project

TOWN BOARD MEETING: July 9, 2025

Background Information: The Town of Rotterdam is in receipt of a \$225,000 grant from the Local Waterfront Improvement Grant for the Design and Construction of Kiwanis Park Waterfront Access Improvements.

Evaluation/Analysis: Grant funds are being administered by the Department of State and need to meet their requirements. Town Board to authorize release of bid documents for construction of improvements to Kiwanis Park. Town Supervisor authorized to execute all documents in support action.

Recommendation(s): Adopt a resolution authorizing execution of all documents necessary to facilitate the administration of the Construction of Kiwanis International Park Waterfront Access Improvements

Attachment/Document(s): Bid documents for the Construction of Kiwanis International Park Waterfront Access Improvements

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisor's Office

**REQUESTING BIDS FOR TOWN OF ROTTERDAM KIWANIS
INTERNATIONAL WATER PARK WATERFRONT ACCESS
IMPROVEMENTS PROJECT**

Hard copy bidding documents and drawings are available for viewing at the Town Clerks Office during regular business hours. The complete package is almost 500 pages. A hard copy will be available at the July 9th Agenda meeting on the dais.

If approved at the July 9th meeting, documents will also be available on Bidnet July 12th.

(<http://www.bidnetdirect.com/townofrotterdam>)

RESOLUTION NO. 252.25

**TO AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE THE MEMORANDUM
OF AGREEMENT BETWEEN THE TOWN OF ROTTERDAM AND THE CIVIL
SERVICE EMPLOYEES' ASSOCIATION (CSEA) TO SETTLE PUBLIC
EMPLOYMENT RELATIONS BOARD (PERB) CASE NUMBER U-38064**

THEREFORE, UPON MOTION OF Councilmember _____,

seconded by Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes The Supervisor to execute the memorandum of agreement between the Town of Rotterdam and the Civil Service Employees' Association to settle Public Employment Relations Board (PERB) Case Number U-38064.

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: July 3, 2025

TO: Town Board

FROM: Mollie A. Collins

TITLE OF REQUEST: Authorize the supervisor to execute the Memorandum of Agreement between the Town of Rotterdam and the Civil Service Employees' Association (CSEA) to settle Public Employment Relations Board (PERB) Case Number U-38064

TOWN BOARD MEETING: July 9, 2025

Background Information: On August 12, 2021 the CSEA filed an improper practice charge against the Town relating to brush grinding work.

Evaluation/Analysis: This matter was referred to the Public Employment Relations Board (PERB) and their decision was issued in February 2025. Negotiations between the Town and CSEA resulted in this Memorandum of Agreement.

Recommendation(s): Authorize the supervisor to execute the Memorandum of Agreement between the Town of Rotterdam and the Civil Service Employee's Association to settle Public Employment Relations Board Case Number U-38064.

Attachment/Document(s): N/A

Compliance with Purchasing Policy: N/A

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

LEGISLATION WILL BE PREPARED BY: Supervisors Office

RESOLUTION NO. 253.25

**TO ADOPT THE FACTUAL FINDINGS CONTAINED IN THE REPORT OF
PERSONNEL MATTER 07092025**

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 factual findings contained in the report on personnel matter 07092925.

SECTION 2. This resolution shall become effective July 9, 2025.

DATED: July 9, 2025

NAME	AYES	NOES	ABSTAIN
Dodson			
Mastroianni			
Gallucci			
Schlag			
Collins			