

The Town of Rotterdam Town Board Meeting will be held in person; however, the public may access the meeting electronically via conference call. Members of the public may listen to the board meeting by dialing 1 (929) 205-6099, then enter the conference ID NO. 867 0373 0307, followed by the pound symbol. Video of the town board meeting will be posted on the Town of Rotterdam website (www.rotterdamny.org) the following Friday after the meeting.

MEETING OF THE
ROTTERDAM TOWN BOARD
FEBRUARY 9, 2022
7:00 pm
AGENDA REVIEW 6:30 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SUPERVISOR'S REMARKS: Supervisor Mollie A. Collins

EXECUTIVE SESSION

PROCLAMATIONS/PRESENTATIONS

PUBLIC HEARING

- Proposed Local Law No. 1 - A 12 month moratorium on multiple family dwelling applications

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR:

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

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

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

INTRODUCTION OF MOTIONS, ORDERS AND RESOLUTIONS

MOTIONS

RESOLUTIONS

- 77.22** A RESOLUTION CALLING FOR PUBLIC HEARING TO AMEND CHAPTER 266.46 OF THE CODE OF THE TOWN OF ROTTERDAM
- 78.22** A RESOLUTION CALLING FOR PUBLIC HEARING TO AMEND CHAPTER 266.52 OF THE CODE OF THE TOWN OF ROTTERDAM
- 79.22** A RESOLUTION TO AUTHORIZE AGREEMENT CONTRACT WITH COLLAR CITY AUCTIONS
- 80.22** TO AMEND THE PROPOSED PLAN OF DISSOLUTION OF THE PLOTTERKILL FIRE PROTECTION DISTRICT AND APPROVE THE PROPOSED PLAN OF DISSOLUTION, AS AMENDED, AS THE FINAL PLAN OF DISSOLUTION
- 81.22** TO ACCEPT REVENUE FOR TOWN CLERK'S OFFICE FOR JANUARY 2022
- 82.22** TO ACCEPT TOWN BOARD MEETING MINUTES
- 83.22** TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW NO. 2 OF 2022 TO AMEND CHAPTER 60, RESIDENCY REQUIREMENTS, OF THE TOWN CODE OF THE TOWN OF ROTTERDAM AND SCHEDULING A PUBLIC HEARING THEREON

COMMITTEE REPORTS

MISCELLANEOUS

ADJOURNMENT

Mollie A. Collins, Supervisor

RESOLUTION NO. 49.22

At the Organizational public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Saturday, January 1, 2022, at 1:00 p.m., the following resolution was duly adopted:

TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW NO. 1 OF 2022 TO ESTABLISH A 12-MONTH MORATORIUM ON LAND USE APPLICATIONS FOR MULTIPLE FAMILY DWELLINGS AND SCHEDULING A PUBLIC HEARING THEREON.

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board recognizes the introduction of Introductory Local Law No. 1 of 2022 to establish a twelve (12) month moratorium on land use applications for multiple family dwellings.

SECTION 2. The Town Board hereby determines that the proposed enactment of Local Law No. 1 of 2022 is a Type II action under the State Environmental Quality Review Act pursuant to 6 NYCRR § 617.5 (c) (36), and therefore no further SEQRA review is required.

SECTION 3. The Town Board hereby refers Introductory Local Law No. 1 of 2022 to the Planning Commission of the Town of Rotterdam for report and recommendation thereon.

SECTION 4. The Town Board hereby authorizes and directs the Senior Planner to refer Introductory Local Law No. 1 of 2022 to the Schenectady County Department of Economic Development & Planning pursuant to N.Y. General Municipal Law 239-m and to circulate such other notices as may be required by law.

SECTION 5. The Town Clerk of the Town of Rotterdam is hereby directed to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided for hereby the following notice:

TOWN OF ROTTERDAM NOTICE OF HEARING

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00 p.m. on the 9th day of February 2022 for the following purpose:

For the enactment of Introductory Local Law No. 1 of 2022 relating to the establishment of a 12-month moratorium on land use applications for multiple family dwellings.

BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK

DATED: January 1, 2022

Daily Gazette: Please publish once on January 8, 2022

Town Clerk

Post

SECTION 6. This resolution shall become effective January 1, 2022.

DATED: January 1, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam at the Organizational Meeting on January 1, 2022, and that the foregoing is a true and correct transcript of the original resolution and of the whole thereof and that said original resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 7, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

At the Organizational public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Saturday, January 1, 2022, at 1:00 p.m., the following motion passed:

MOTION NO. 7.22 PASSED

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. I would like to make a motion to fill the dates in I believe its February 9, according to our meeting schedule and addition to that I would like to make the fee \$250.00.

SECTION 2. This motion shall become effective January 1, 2022.

DATED: January 1, 2022 PASSED

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing motion passed by the Town Board of the Town of Rotterdam at the Organizational Meeting on January 1, 2022 and that the foregoing is a true and correct transcript of the original motion and of the whole thereof and that said original motion is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 7, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk



Town of Rotterdam
Office of the Planning Commission

Thomas P. Yuille, Chairman
Peter J. Comenzo, Senior Planner

Telephone (518) 355-7575
Facsimile (518) 355-2725

Resolution Number PC 7-2022

Moved by Member Collins seconded by Member Flansburg

**Resolution Adopting a Report and Recommendation on Proposed
Introductory Local Law 1 of 2022 to Establish a
12-Month Moratorium on Land Use Applications for Multiple Family Dwellings**

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") is currently considering Introductory Local Law No. 1 of 2022, a local law to establish a 12-month moratorium on land use applications for multiple family dwellings;

WHEREAS, the Town Board referred the proposed local law to the Planning Commission on January 1, 2022 for a report and recommendation thereon; and

WHEREAS, the Planning Commission reviewed the proposed local law at its regularly scheduled meeting held on February 1, 2022; and

WHEREAS, the Planning Commission has deliberated on the proposed local law;

NOW, THEREFORE, upon motion of Member Collins, seconded by Member Flansburg,

BE IT RESOLVED, by the Planning Commission of the Town of Rotterdam as follows:

1. The Planning Commission hereby adopts the following as its report on the proposed local law:

The proposed local law would establish a 12-month moratorium on the acceptance, review, continued review, holding of a hearing, or decision, on any application seeking approval to construct multiple family dwelling units. Accordingly, if adopted, no applications falling within the scope of the moratorium could move forward in the review process, whether currently pending or newly received, until the moratorium expires (12 months after it becomes effective).

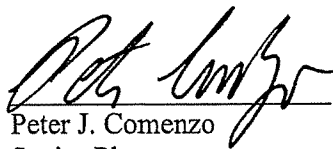
The proposed local law expressly exempts from its scope the issuance of site development and/or building permits for multiple family dwelling projects for which all required municipal approvals (e.g., change of zone, site plan) have already been obtained. Accordingly, by its terms, the proposed local law would not affect a developer's ability to construct a previously approved project.

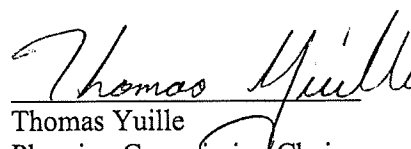
The proposed local law would provide for a process that would allow the Town Board to waive the applicability of the moratorium with respect to a particular proposal where the moratorium imposed an extraordinary hardship on the applicant and the waiver from the moratorium would not adversely affect the health, safety and general welfare of the Town of Rotterdam. The proposed moratorium spells out the process for an applicant to seek, and the Town Board to consider, a waiver in any given case. This waiver process would permit a project applicant seeking approval for multiple family dwelling units during the 12-month term of the moratorium to proceed through the normal land use review process, notwithstanding the moratorium, where the Town Board determines, in its legislative discretion, to allow it to do so.

2. The Planning Commission hereby adopts a **positive recommendation** on the proposed local for the following reasons and with the following suggestions:

- The Planning Commission recognizes the importance of examining whether and how the Town's Zoning should be modified to address multiple family dwelling developments, including with respect to design standards, particularly in light of the number of existing apartments currently in Town and the additional ones proposed and/or under construction, in relation and in comparison to nearby and comparable municipalities.
- The Planning Commission views the proposed 12-month moratorium period as a reasonable amount of time in light of the status of the development of the Comprehensive Plan update that is currently in progress.
- The Planning Commission recommends that the Town Board modify the moratorium, however, so as to strictly apply it to land use applications seeking change of zone to R-3 and site plan applications for multiple family developments within R-3 zoning districts.

<u>Member</u>	<u>Aye</u>	<u>Nay</u>
John Denny III	X	
Wayne Calder	X	
Mark D'Alessandro (ABSENT)		
Clark Collins	X	
Joseph Signore	X	
Lynn Flansburg	X	
Thomas Yuille	X	


Peter J. Comenzo
Senior Planner


Thomas Yuille
Planning Commission Chairman

**Comments of the Comprehensive Plan Advisory Committee
in Response to Town Board Resolution 200.21
January 31, 2022**

In Town Board Resolution 200.21, the Town Board referred to the Comprehensive Plan Advisory Committee “the issue of adding additional multiple family dwelling units outside existing R-3 Multiple Family District, as well as this application [referring to the Change of Zone Application for 2625 Curry Road seeking rezoning to R-3 to facilitate development of 208 apartments], . . . for additional comment.” This document, once approved by the Committee, constitutes the Committee’s response to such referral.

1. The Role of the Comprehensive Plan Advisory Committee on this Matter

The Comprehensive Plan Advisory Committee was formed to undertake the task of developing of new proposed comprehensive plan update under Town Law § 272-a. Throughout the process, which has now spanned multiple years and about fifteen meetings, the Committee has understood that its role was to examine planning from a comprehensive perspective, not to opine on specific zoning matters or specific applications.

However, the Committee also understands that the Town Board, which formed this Committee, has specifically and formally asked for the Committee’s comment on two particular items: (1) the issue of adding additional multiple-family dwelling units in Town outside of existing R-3 zoning districts, and (2) the specific application for multiple family dwelling units for property located at 2625 Curry Road.

Given that the Town Board has requested its comment on these two issues, the Committee has prepared this document to respectfully provide its input. This input should be considered for what it is: merely advisory comment on the issues presented.

2. Addition of Multiple Family Dwelling Units Outside Existing R-3 Zoning Districts

The Committee provides the following comments on the issue of adding additional multiple family dwelling units outside existing R-3 Zoning Districts:

The Town’s current comprehensive plan was adopted in 2001, with periodic, area-specific updates made since then. Reflective of the Town’s current comprehensive plan is the Town’s current zoning map. The Town’s current comprehensive plan recognizes a need for diverse housing options and the Town’s current zoning map reflects that there are a number of specific properties zoned R-3 distributed somewhat sporadically throughout the Town.

In some respect, this sporadic distribution of R-3 zoning on specific properties in various parts of the Town may be a function of the fact that many R-3 zoned properties arise from the Change of Zone process, whereby a developer seeks R-3 zoning for a specific property in order to develop multiple family dwelling units. In this respect, there is (and

has been) little or no vacant land zoned R-3 for multiple family development. Without areas already zoned for multiple family development, developers are left to use the Change of Zone process to facilitate their projects.

The Committee believes that the current comprehensive plan adopted in 2001 recognizes the Town's responsibility to facilitate a variety of housing options, including single family residential and multiple family residential, whether owner-occupied or non-owner occupied. A number of factors may weigh on any given person's decision to own or rent, and if owning, what style of home to own, including among others, stage of life, family size, and income and available resources. Demand appears to continue to be present for multiple family units, given that applications for Changes of Zone seeking R-3 zoning continue to be submitted.

The assessor's office has provided information to the Committee that shows that there are currently approximately 10,574 single-family residential units in Town, as compared to approximately 2,332 multiple family dwelling units (not including two-family and three-family residential units, and appearing to not include owner occupied multiple family dwelling units). This reflects of an approximate "rental apartment" to "single family home" ratio of 20%, or 1 rental apartment unit for every 5 single family homes.

The ratio of 1 rental apartment for every 5 single family homes may seem, to some, to be the appropriate mix. To others, it may seem too high or it may seem too low. However, the demand for multiple family residential appears to remain. If desired, the existing ratio can be maintained, even with adding additional apartment units, by also encouraging and providing for the addition of new single-family homes.

The Committee believes that the Town—whether it seeks to maintain the existing ratio or seeks to cause a change in that ratio—should give consideration to proactively designating specific areas in Town where it deems multiple-family development to be appropriate, rather than reactively considering the issue in response to specific Change of Zone applications for particular properties. By designating areas for multiple family development, the Town will have proactively considered the appropriateness of various areas for multiple family development, which may lead to more uniformity and consistency in land use development patterns. Proactively addressing this issue also gives developers and residents (prospective and current) an opportunity to understand more clearly whether and where multiple family development may occur.

3. The 2625 Curry Road Application

On the specific application for a Change of Zone of property located at 2625 Curry Road, the Committee offers the following comments:

The existing comprehensive plan adopted in 2001 seems to provide for zoning of that area that is generally consistent with the current zoning of that area. There have been a number of changes that have occurred in that area since 2001, however, including the construction of the traffic circle at the intersection of Hamburg Street, Carman Road, and Curry Road, as well as the traffic, safety and utility improvements more recently made along the Hamburg Street corridor.

The existing comprehensive plan adopted in 2001 recognizes the need to preserve a residential buffer along Knox Drive and Eugene Drive. The existing comprehensive plan does not distinguish between single-family, two-family, and multiple family residential with respect to what constitutes an appropriate residential “buffer” for those streets/neighborhoods.

The question of whether 2625 Curry Road should be rezoned to R-3 to facilitate multiple family development should consider appropriate land use considerations. One consideration is traffic flow and control. During the afternoon commuting hour, traffic exiting I-890 and entering Curry Road headed westbound often backs up significantly from the traffic circle located at the intersection of Curry Road, Hamburg Street, and Carman Road. At times, the traffic backs up during such period all the way to the I-890 off-ramp. On the other hand, at other times besides the afternoon commuting hour, the traffic in that area seems to flow freely without significant back-ups. In considering whether a Change of Zone is appropriate for that area, the Town should consider the existing traffic conditions and whether the proposed Change of Zone would complement or exacerbate existing traffic conditions in that area. In addition, the Town should also consider whether the surrounding area has developed in a manner consistent with the needs of multiple family dwelling community, such as by having a variety of compatible and conveniently located uses nearby that are accessible by walking, biking, or are otherwise easily accessible to the residents of the apartment community.

At a meeting held by the Comprehensive Plan Advisory Committee on January 31, 2022, motion made by Member Tingley to adopt the foregoing as the comments of the Comprehensive Plan Advisory Committee, seconded by Campoli, approved by a vote of 5-0, with 2 absences.

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(select one.)

of Rotterdam

Introductory Local Law No. 1 of the year 2022

**A LOCAL LAW TO ESTABLISH A 12-MONTH MORATORIUM ON LAND USE
APPLICATIONS FOR MULTIPLE FAMILY DWELLINGS**

Be it enacted by the Town Board of the Town of Rotterdam as follows:

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF ROTTERDAM

INTRODUCTORY LOCAL LAW NO. 1 OF THE YEAR 2022

A LOCAL LAW TO ESTABLISH A 12-MONTH MORATORIUM ON LAND USE APPLICATIONS FOR MULTIPLE FAMILY DWELLINGS

SECTION 1 - TITLE

This local law shall be referred to as “A Local Law to Establish a 12-Month Moratorium on Land Use Applications for Multiple Family Dwellings”.

SECTION 2 - PURPOSE

The Town of Rotterdam is currently engaged in a process to update its current Comprehensive Plan, which was adopted in 2001. The process to update the current Comprehensive Plan began in 2019, when a Comprehensive Plan Advisory Committee was established and a planning consultant was engaged. Since that time, the Comprehensive Plan Advisory Committee, with the assistance of the planning consultant and Town of Rotterdam staff, has worked on collecting data and input from a number of sources, including from the public, developing a draft vision, goals, and recommendations. As the process was underway, the COVID-19 pandemic arose. With the onset of the COVID-19 pandemic, the Comprehensive Plan Advisory Committee continued working on the update, albeit in a different format, having shifted from in-person meetings, forums, and stakeholder interviews to virtual and socially distanced formats. Notwithstanding this continued effort, the onset of the COVID-19 pandemic delayed the Comprehensive Plan Advisory Committee’s progress on updating the 2001 Comprehensive Plan for consideration by the Town Board. Most recently, the Comprehensive Plan Advisory Committee authorized the draft Comprehensive Plan Update for release to the public for purposes of the Committee holding a public hearing in early 2022.

As the process to update the Comprehensive Plan was unfolding but not yet completed, the Town witnessed increased pressure from developers seeking approval to construct apartment communities. Under the Town’s current zoning, multiple family dwellings are permitted in the R-3 Multiple Family zoning district. However, all or nearly all properties that are zoned R-3 in the Town are

either already improved with apartment communities, or have already received necessary land use approvals to construct apartment communities.

This has led to several requests by developers seeking to build new apartment communities to change the zoning for specific properties to R-3 to permit multiple family dwellings. These requests take the form of Change of Zone applications, which if approved, then result in additional land use applications, such as site plan applications, in furtherance of developing the apartment communities.

Development of apartment communities through Change of Zone applications on a property-by-property basis can lead to piecemeal development of apartment communities throughout the Town. Although there may be areas that are appropriate for multiple family dwellings in Town, using the Change of Zone process to site multiple family dwellings poses the risk of siting an apartment community in an area where it is not consistent with the surrounding neighborhood, in conflict with the character of the immediate area, and in locations where existing infrastructure and roadways are not sufficient for the proposed use.

In light of the current status of the Comprehensive Plan update process, the lack of available vacant property currently zoned R-3 for development of new apartment communities, and the increasing pressure for changes of zone to permit multiple family dwellings, the Town Board finds it to be prudent to impose a temporary moratorium on accepting, processing, and deciding land use applications for multiple family dwellings in order to provide the Town Board with time to consider whether and where apartment communities should be sited in Town and, if and as appropriate, to take appropriate legislative action in that regard.

SECTION 3 – AUTHORITY

This local law is enacted by the Town Board of the Town of Rotterdam pursuant to the N.Y. Municipal Home Rule Law.

SECTION 4 – MORATORIUM

- A. For a period of twelve (12) months following the effective date of this local law, unless earlier repealed by the Town Board, no person shall file, and no Board, body, officer, or employee of the Town of Rotterdam shall consider,

entertain, or accept for review, continue to review, hold a hearing upon, make any decision or determination upon, or issue any approval upon, any application or proposal for any multiple family dwelling. This moratorium shall apply to all such applications or proposals, whether pending or received prior to or after the effective date of this local law. This moratorium shall apply, without limitation, to all Change of Zone applications seeking a change of zoning to R-3 Multiple Family District, all Planned Residential Development applications seeking approval for multiple family dwellings or garden apartments, and all site plan applications seeking approval for multiple family dwelling(s). Any statutory or locally-enacted time periods for processing and making decisions on all aspects of the aforesaid applications are hereby suspended and stayed while this local law is in effect.

- B. This moratorium shall not apply to the issuance of site development and/or building permits for multiple family dwelling projects for which all required municipal approvals have been issued prior to the effective date of this local law, or to any Certificate of Occupancy for any such multiple family dwelling project, or to any Certificate of Occupancy for any construction pursuant to building permits issued prior to the effective date of this local law.

SECTION 5 – WAIVER

The Town Board of the Town of Rotterdam shall have the power to waive, in whole or in part, or modify the application of, any provision of this local law upon a determination, in its absolute legislative discretion, after public hearing and notice, that this local law would impose extraordinary hardship upon the party seeking such waiver and that a waiver from this local law will not adversely affect the health, safety, and general welfare of the Town of Rotterdam. Any request for a waiver, along with an application fee of \$250.00, shall be filed in writing with the Town of Rotterdam Department of Public Works, which shall forward such written request to the Town Board. Upon receipt of any such written request for a waiver, the Town Board shall promptly refer such written request to the Planning Commission. The Planning Commission shall issue a recommendation on the waiver within sixty (60) days of the Planning Commission's receipt of such request. The Town Board shall hold a public hearing within thirty (30) days after the receipt of the Planning Commission's recommendation, upon five (5) days' notice published in the official newspaper of the Town. At such public hearing, the party requesting the waiver and any other parties wishing to present evidence with regard to the

waiver request shall have a reasonable opportunity to be heard. The Town Board shall render a decision on such waiver request within sixty (60) days of the close of the public hearing. If the Town Board determines that the party making the waiver request will suffer an unnecessary hardship if this local law is strictly applied to the particular property, then the Town Board shall waive the application of this local law to the minimum extent necessary to provide the requesting party relief from the strict application of this local law.

SECTION 6 - VIOLATIONS

Except to the extent that a waiver is granted by the Town Board pursuant to Section 5, above, any action while this local law is in effect by any Board, body, official, or employee of the Town of Rotterdam to consider, entertain, or accept for review, continue to review, hold a hearing upon, make any decision or determination upon, or issue any approval upon any application or proposal for any multiple family dwelling shall constitute a violation of this local law, and such action shall be deemed ultra vires and shall be null and void. This local law may be enforced through an action seeking declaratory, injunctive, and/or equitable relief in a court of competent jurisdiction.

SECTION 7 - SUPERSESSION

To the extent this local law is inconsistent with any state or local statute or regulation, it is the intent of this local law to supersede such statute or regulation, including without limitation the following: (i) Town Law § 274-a with respect to procedures and timeframes for processing applications for site plan review; (ii) Town of Rotterdam Code, Chapter 270, Article XIII, with respect to procedures and timeframes for processing applications for Planned Residential Development districts for garden apartments or multiple family dwellings; (iii) Town of Rotterdam Code, Chapter 270, Article XVII, with respect to procedures and timeframes for processing applications for site plan review; (iv) Town of Rotterdam Code, Chapter 270, Article XIX, with respect to procedures and timeframes for processing applications for special use permit review that involves multiple family dwelling(s); (v) Town Law §§ 267, 267-a, and 267-b, with respect to procedures and timeframes for processing applications for use variances, waivers or other relief from the Town of Rotterdam Code with respect to multiple family dwelling proposals; and (vi) Town of Rotterdam Code, Chapter 270, § 270-177, with respect to procedures and timeframes for processing applications for use variances, waivers or other relief from the Town of Rotterdam Code with respect to multiple family dwelling proposals.

SECTION 8 - SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 9 – EFFECTIVE DATE

This Local Law shall become effective upon filing with the New York Secretary of State.

(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, designated as Local Law No. ____ of 2022 of the (County)(City)(Town)(Village) of Rotterdam was duly passed by the Town Board of the Town of Rotterdam on _____, 2022 in accordance with the applicable provisions of law.

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, designated as local law No. _____ 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 _____ and was deemed duly adopted on _____ 20____ in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ 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 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, designated as local law No. _____ 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.

* 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.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been 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 hereto, designated as local law No. _____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 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 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 paragraph 1, above.

Diane Marco, Town of Rotterdam Town Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(select one)

of Rotterdam

Introductory Local Law No. 1 of the year 2022 (version 2)

**A LOCAL LAW TO ESTABLISH A 12-MONTH MORATORIUM ON LAND USE
APPLICATIONS FOR MULTIPLE FAMILY DWELLINGS**

Be it enacted by the Town Board of the Town of Rotterdam as follows:

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF ROTTERDAM

INTRODUCTORY LOCAL LAW NO. 1 OF THE YEAR 2022 (version 2)

A LOCAL LAW TO ESTABLISH A 12-MONTH MORATORIUM ON LAND USE APPLICATIONS FOR MULTIPLE FAMILY DWELLINGS

SECTION 1 - TITLE

This local law shall be referred to as “A Local Law to Establish a 12-Month Moratorium on Land Use Applications for Multiple Family Dwellings”.

SECTION 2 - PURPOSE

The Town of Rotterdam is currently engaged in a process to update its current Comprehensive Plan, which was adopted in 2001. The process to update the current Comprehensive Plan began in 2019, when a Comprehensive Plan Advisory Committee was established and a planning consultant was engaged. Since that time, the Comprehensive Plan Advisory Committee, with the assistance of the planning consultant and Town of Rotterdam staff, has worked on collecting data and input from a number of sources, including from the public, developing a draft vision, goals, and recommendations. As the process was underway, the COVID-19 pandemic arose. With the onset of the COVID-19 pandemic, the Comprehensive Plan Advisory Committee continued working on the update, albeit in a different format, having shifted from in-person meetings, forums, and stakeholder interviews to virtual and socially distanced formats. Notwithstanding this continued effort, the onset of the COVID-19 pandemic delayed the Comprehensive Plan Advisory Committee’s progress on updating the 2001 Comprehensive Plan for consideration by the Town Board. Most recently, the Comprehensive Plan Advisory Committee authorized the draft Comprehensive Plan Update for release to the public for purposes of the Committee holding a public hearing in early 2022.

As the process to update the Comprehensive Plan was unfolding but not yet completed, the Town witnessed increased pressure from developers seeking approval to construct apartment communities. Under the Town’s current zoning, multiple family dwellings are permitted in the R-3 Multiple Family zoning district. However, all or nearly all properties that are zoned R-3 in the Town are

either already improved with apartment communities, or have already received necessary land use approvals to construct apartment communities.

This has led to several requests by developers seeking to build new apartment communities to change the zoning for specific properties to R-3 to permit multiple family dwellings. These requests take the form of Change of Zone applications, which if approved, then result in additional land use applications, such as site plan applications, in furtherance of developing the apartment communities.

Development of apartment communities through Change of Zone applications on a property-by-property basis can lead to piecemeal development of apartment communities throughout the Town. Although there may be areas that are appropriate for multiple family dwellings in Town, using the Change of Zone process to site multiple family dwellings poses the risk of siting an apartment community in an area where it is not consistent with the surrounding neighborhood, in conflict with the character of the immediate area, and in locations where existing infrastructure and roadways are not sufficient for the proposed use.

In light of the current status of the Comprehensive Plan update process, the lack of available vacant property currently zoned R-3 for development of new apartment communities, and the increasing pressure for changes of zone to permit multiple family dwellings, the Town Board finds it to be prudent to impose a temporary moratorium on accepting, processing, and deciding land use applications for multiple family dwellings in order to provide the Town Board with time to consider whether and where apartment communities should be sited in Town and, if and as appropriate, to take appropriate legislative action in that regard.

SECTION 3 – AUTHORITY

This local law is enacted by the Town Board of the Town of Rotterdam pursuant to the N.Y. Municipal Home Rule Law.

SECTION 4 – MORATORIUM

- A. For a period of twelve (12) months following the effective date of this local law, unless earlier repealed by the Town Board, no person shall file, and no Board, body, officer, or employee of the Town of Rotterdam shall consider,

entertain, or accept for review, continue to review, hold a hearing upon, make any decision or determination upon, or issue any approval upon, any application for a or proposal for any multiple family dwelling Change of Zone to R-3 Multiple Family District or any application for site plan approval for multiple family dwelling(s) in an R-3 Multiple Family District. This moratorium shall apply to all such applications or proposals, whether pending or received prior to or after the effective date of this local law. This moratorium shall apply, without limitation, to all Change of Zone applications seeking a change of zoning to R-3 Multiple Family District, all Planned Residential Development applications seeking approval for multiple family dwellings or garden apartments, and all site plan applications seeking approval for multiple family dwelling(s). Any statutory or locally-enacted time periods for processing and making decisions on all aspects of the aforesaid applications are hereby suspended and stayed while this local law is in effect.

- B. This moratorium shall not apply to the issuance of site development and/or building permits for multiple family dwelling projects for which all required municipal zoning approvals (whether conditional or final) have been issued prior to the effective date of this local law, or to any Certificate of Occupancy for any such multiple family dwelling project, or to any Certificate of Occupancy for any construction pursuant to building permits issued prior to the effective date of this local law.

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SECTION 5 – WAIVER

The Town Board of the Town of Rotterdam shall have the power to waive, in whole or in part, or modify the application of, any provision of this local law upon a determination, in its absolute legislative discretion, after public hearing and notice, that this local law would impose extraordinary hardship upon the party seeking such waiver and that a waiver from this local law will not adversely affect the health, safety, and general welfare of the Town of Rotterdam. Any request for a waiver, along with an application fee of \$250.00, shall be filed in writing with the Town of Rotterdam Department of Public Works, which shall forward such written request to the Town Board. Upon receipt of any such written request for a waiver, the Town Board shall promptly refer such written request to the Planning Commission. The Planning Commission shall issue a recommendation on the waiver within sixty (60) days of the Planning Commission's receipt of such request. The Town Board shall

hold a public hearing within thirty (30) days after the receipt of the Planning Commission's recommendation, upon five (5) days' notice published in the official newspaper of the Town. At such public hearing, the party requesting the waiver and any other parties wishing to present evidence with regard to the waiver request shall have a reasonable opportunity to be heard. The Town Board shall render a decision on such waiver request within sixty (60) days of the close of the public hearing. If the Town Board determines that the party making the waiver request will suffer an unnecessary hardship if this local law is strictly applied to the particular property, then the Town Board shall waive the application of this local law to the minimum extent necessary to provide the requesting party relief from the strict application of this local law.

SECTION 6 - VIOLATIONS

Except to the extent that a waiver is granted by the Town Board pursuant to Section 5, above, any action while this local law is in effect by any Board, body, official, or employee of the Town of Rotterdam to consider, entertain, or accept for review, continue to review, hold a hearing upon, make any decision or determination upon, or issue any approval upon any application or proposal for any multiple family dwelling shall constitute a violation of this local law, and such action shall be deemed ultra vires and shall be null and void. This local law may be enforced through an action seeking declaratory, injunctive, and/or equitable relief in a court of competent jurisdiction.

SECTION 7 - SUPERSESSION

To the extent this local law is inconsistent with any state or local statute or regulation, it is the intent of this local law to supersede such statute or regulation, including without limitation the following: (i) Town Law § 274-a with respect to procedures and timeframes for processing applications for site plan review; (ii) Town of Rotterdam Code, Chapter 270, Article XIII, with respect to procedures and timeframes for processing applications for Planned Residential Development districts for garden apartments or multiple family dwellings; (iii) Town of Rotterdam Code, Chapter 270, Article XVII, with respect to procedures and timeframes for processing applications for site plan review; (iv) Town of Rotterdam Code, Chapter 270, Article XIX, with respect to procedures and timeframes for processing applications for special use permit review that involves multiple family dwelling(s); (v) Town Law §§ 267, 267-a, and 267-b, with respect to procedures and timeframes for processing applications for use variances, waivers or other relief from the Town of Rotterdam Code with respect

to multiple family dwelling proposals; and (vi) Town of Rotterdam Code, Chapter 270, § 270-177, with respect to procedures and timeframes for processing applications for use variances, waivers or other relief from the Town of Rotterdam Code with respect to multiple family dwelling proposals.

SECTION 8 - SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 9 – EFFECTIVE DATE

This Local Law shall become effective upon filing with the New York Secretary of State.

(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, designated as Local Law No. ____ of 2022 of the (County)(City)(Town)(Village) of Rotterdam was duly passed by the Town Board of the Town of Rotterdam on _____, 2022 in accordance with the applicable provisions of law.

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, designated as local law No. _____ 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 _____ and was deemed duly adopted 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, designated as local law No. _____ 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, designated as local law No. _____ 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 ____.

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(Elective Chief Executive Officer*)

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* 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.

5. (City local law concerning Charter revision proposed by petition.) —

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been 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 hereto, designated as local law No. _____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 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 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 paragraph 1, above.

Diane Marco, Town of Rotterdam Town Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐ County ☐ City ☒ Town ☐ Village
(select one:)

of Rotterdam

Introductory Local Law No. 1 of the year 2022 (version 2)

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TOWN OF ROTTERDAM

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SECTION 1 - TITLE

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SECTION 2 - PURPOSE

The Town of Rotterdam is currently engaged in a process to update its current Comprehensive Plan, which was adopted in 2001. The process to update the current Comprehensive Plan began in 2019, when a Comprehensive Plan Advisory Committee was established and a planning consultant was engaged. Since that time, the Comprehensive Plan Advisory Committee, with the assistance of the planning consultant and Town of Rotterdam staff, has worked on collecting data and input from a number of sources, including from the public, developing a draft vision, goals, and recommendations. As the process was underway, the COVID-19 pandemic arose. With the onset of the COVID-19 pandemic, the Comprehensive Plan Advisory Committee continued working on the update, albeit in a different format, having shifted from in-person meetings, forums, and stakeholder interviews to virtual and socially distanced formats. Notwithstanding this continued effort, the onset of the COVID-19 pandemic delayed the Comprehensive Plan Advisory Committee’s progress on updating the 2001 Comprehensive Plan for consideration by the Town Board. Most recently, the Comprehensive Plan Advisory Committee authorized the draft Comprehensive Plan Update for release to the public for purposes of the Committee holding a public hearing in early 2022.

As the process to update the Comprehensive Plan was unfolding but not yet completed, the Town witnessed increased pressure from developers seeking approval to construct apartment communities. Under the Town’s current zoning, multiple family dwellings are permitted in the R-3 Multiple Family zoning district. However, all or nearly all properties that are zoned R-3 in the Town are

either already improved with apartment communities, or have already received necessary land use approvals to construct apartment communities.

This has led to several requests by developers seeking to build new apartment communities to change the zoning for specific properties to R-3 to permit multiple family dwellings. These requests take the form of Change of Zone applications, which if approved, then result in additional land use applications, such as site plan applications, in furtherance of developing the apartment communities.

Development of apartment communities through Change of Zone applications on a property-by-property basis can lead to piecemeal development of apartment communities throughout the Town. Although there may be areas that are appropriate for multiple family dwellings in Town, using the Change of Zone process to site multiple family dwellings poses the risk of siting an apartment community in an area where it is not consistent with the surrounding neighborhood, in conflict with the character of the immediate area, and in locations where existing infrastructure and roadways are not sufficient for the proposed use.

In light of the current status of the Comprehensive Plan update process, the lack of available vacant property currently zoned R-3 for development of new apartment communities, and the increasing pressure for changes of zone to permit multiple family dwellings, the Town Board finds it to be prudent to impose a temporary moratorium on accepting, processing, and deciding land use applications for multiple family dwellings in order to provide the Town Board with time to consider whether and where apartment communities should be sited in Town and, if and as appropriate, to take appropriate legislative action in that regard.

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entertain, or accept for review, continue to review, hold a hearing upon, make any decision or determination upon, or issue any approval upon, any application for a Change of Zone to R-3 Multiple Family District or any application for site plan approval for multiple family dwelling(s) in an R-3 Multiple Family District. This moratorium shall apply to all such applications or proposals, whether pending or received prior to or after the effective date of this local law. Any statutory or locally-enacted time periods for processing and making decisions on all aspects of the aforesaid applications are hereby suspended and stayed while this local law is in effect.

- B. This moratorium shall not apply to the issuance of site development and/or building permits for multiple family dwelling projects for which all required municipal zoning approvals (whether conditional or final) have been issued prior to the effective date of this local law, or to any Certificate of Occupancy for any such multiple family dwelling project, or to any Certificate of Occupancy for any construction pursuant to building permits issued prior to the effective date of this local law.

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The Town Board of the Town of Rotterdam shall have the power to waive, in whole or in part, or modify the application of, any provision of this local law upon a determination, in its absolute legislative discretion, after public hearing and notice, that this local law would impose extraordinary hardship upon the party seeking such waiver and that a waiver from this local law will not adversely affect the health, safety, and general welfare of the Town of Rotterdam. Any request for a waiver, along with an application fee of \$250.00, shall be filed in writing with the Town of Rotterdam Department of Public Works, which shall forward such written request to the Town Board. Upon receipt of any such written request for a waiver, the Town Board shall promptly refer such written request to the Planning Commission. The Planning Commission shall issue a recommendation on the waiver within sixty (60) days of the Planning Commission's receipt of such request. The Town Board shall hold a public hearing within thirty (30) days after the receipt of the Planning Commission's recommendation, upon five (5) days' notice published in the official newspaper of the Town. At such public hearing, the party requesting the waiver and any other parties wishing to present evidence with regard to the waiver request shall have a reasonable opportunity to be heard. The Town Board shall render a decision on such waiver request within sixty (60) days of the close

of the public hearing. If the Town Board determines that the party making the waiver request will suffer an unnecessary hardship if this local law is strictly applied to the particular property, then the Town Board shall waive the application of this local law to the minimum extent necessary to provide the requesting party relief from the strict application of this local law.

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SECTION 8 - SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

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(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, designated as Local Law No. ___ of 2022 of the (County)(City)(Town)(Village) of Rotterdam was duly passed by the Town Board of the Town of Rotterdam on _____, 2022 in accordance with the applicable provisions of law.

2. ~~(Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)~~

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* 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.

5. ~~(City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been 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 hereto, designated as local law No. _____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 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 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 paragraph 1, above.

Diane Marco, Town of Rotterdam Town Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____

RESOLUTION NO. 77.22

**A RESOLUTION CALLING FOR PUBLIC HEARING TO AMEND CHAPTER 266 OF
THE CODE OF THE TOWN OF ROTTERDAM**

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

By Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

The Town Clerk of the Town of Rotterdam is hereby directed to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided by the following notice:

**TOWN OF ROTTERDAM
NOTICE OF HEARING**

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00p.m. on the 23rd day of February 2022 for the following purpose:

To amend section 266.46, entitled "Schedule VI: Stop Intersections" of the Code of the Town of Rotterdam, as attached.

**BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK**

DATED:

Daily Gazette: Please publish once on February 12, 2022

Town Clerk

Post

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: January 25, 2022 Legislative

TO: Review Board

FROM: Deputy Chief William Male

TITLE OF REQUEST: Recommend adding stop signs to regulate traffic traveling on Puritan Drive @ Bayberry Road.

TOWN BOARD MEETING: February 9, 2022

February 9, 2022:	Call for public hearing.
February 23, 2022:	Hold public hearing.
February 23, 2022:	Adopt local law.

Background Information: Survey completed

Evaluation/Analysis: N/A

Recommendation(s): Recommend adding a stop sign to both directions of travel on Puritan Drive @ Bayberry Road. The stop signs will be placed on Puritan Drive.

Attachment/Document(s): Attached traffic survey completed by Sergeant D. Reilly

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): 266-13 and 266-46 of the Rotterdam Town Code

LEGISLATION WILL BE PREPARED BY: RPD



ROTTERDAM POLICE DEPARTMENT UNIFORM DIVISION TRAFFIC SURVEY



ATTN: Chief Brown, Deputy Chief Male, Lieutenant Collins, Lieutenant Girard
LOCATION: Puritan Drive
DATE: 09/29/2021

REQUEST

Received a complaint from town residents regarding the intersection of Puritan Drive at Bayberry Road. The intersection is a four-way intersection with stop sign positioned only on Bayberry Road. There are no stop signs positioned on Puritan Drive and the neighbors would like them due to the intersection being highly traveled via foot as well as vehicles and people not stopping for the current stop sign.

SURVEYS

A visual traffic survey was completed as well as a digital survey from July 25, 2021 through September 28, 2021.

CONCLUSION

After review of the above-mentioned intersection and considering the guidelines set forth in the Manual of Uniform Traffic Control, I do feel a stop sign being placed on Puritan Drive at Bayberry Road will have an impact on traffic control. The digital survey concluded 1963 cars traveled north on Puritan Drive and 3068 cars traveling south on Puritan Drive. The average speed for the vehicles was 23 MPH. This intersection is highly traveled during the school year and there is a high amount of foot traffic in the evening.

I reviewed the last five years of accident reports for both Puritan Drive and Bayberry Road and there has been one reported accident in this intersection area. Photos of the accident were provided to me which show a vehicle on the front lawn of one of the residences as a result of a drive not coming to a complete stop at the stop sign (attached is accident report # 8MR2067Qsx3R).

While conducting surveillance of the intersection I observed overgrown bushes on the corner of 30 Bayberry Road which were in violations of town code 270-12 "Visibility at intersection." Said bushes were blocking the view of vehicles on Puritan Drive south bound while stopped on Bayberry Road (photos provided). The owner of the property, [REDACTED], was advised and the bushes will be removed.

I feel the placement of stop signs on Puritan Drive will aide in the overall safety of the community.



ROTTERDAM POLICE DEPARTMENT UNIFORM DIVISION TRAFFIC SURVEY



M.U.T.C Section 2B.05

1. Street entering a through highway or street;
2. Unsignalized intersection in a signalized area;

Respectfully Submitted,

Sgt. Derek J. Reilly

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes
B-18308-19
8MR2067QSX3R

AMENDED REPORT

1 Accident Date Day Year Day of Week Military Time 12 22 2017 Friday 18:40		No. of Vehicles 2		No. Injured No. Killed 0 0		Police Photos 0 0	
VEHICLE				VEHICLE 2			
2 VEHICLE 1- Driver License ID Number Driver Name - exactly as printed on license Address (Include Number and Street) Apt. No.				VEHICLE 2- Driver License ID Number Driver Name - exactly as printed on license Address (Include Number and Street) Apt. No.			
3 City or Town SCHENECTADY State NY Zip Code				City or Town SCHENECTADY State NY Zip Code			
3 Date of Birth Month Day Year Sex M Unlicensed No. of Occupants 02 Public Property Damaged D				Date of Birth Month Day Year Sex M Unlicensed No. of Occupants 01 Public Property Damaged D			
4 Name - exactly as printed on registration Sex M Date of Birth Month Day Year				Name - exactly as printed on registration Sex M Date of Birth Month Day Year			
4 Address (Include Number and Street) Apt. No. Haz. Released				Address (Include Number and Street) Apt. No. Haz. Released			
5 City or Town SCHENECTADY State NY Zip Code				City or Town SCHENECTADY State NY Zip Code			
1 Plate Number State of Reg. Vehicle Year & Make Vehicle Type Ins. Code				Plate Number State of Reg. Vehicle Year & Make Vehicle Type Ins. Code			
Ticket/Arrest Number(s) IR2067QSZ03, R206QSZ5W				Ticket/Arrest Number(s)			
6 Violation Section(s) 1143, 1172A				Violation Section(s)			
7 Check if involved vehicle is: V more than 95 inches wide; E more than 34 feet long; eight permit; H operated with an overweight permit; C operated with an overdimension permit.				Check if involved vehicle is: V more than 95 inches wide; E more than 34 feet long; eight permit; H operated with an overweight permit; C operated with an overdimension permit.			
L Box 1 - Point of Impact E Box 2 - Most Damage Enter up to three more damage codes Vehicle By: BOBARS Towed To: BOBARS VEHICLE DAMAGE CODING: 1-13 SEE DIAGRAM ON RIGHT. 14. UNDERCARRIAGE 15. TRAILER 16. OVERTURNED				L Box 1 - Point of Impact E Box 2 - Most Damage Enter up to three more damage codes Vehicle By: Towed To: See the last page of the MV-104A for the accident diagram.			
Reference Marker Coordinates (if available) Latitude/Northing 14736240 Longitude/Easting 584858				Place Where Accident Occurred: County SCHENECTADY City D Village D Town of ROTTERDAM Road on which accident occurred BAYBERRY RD at 1) intersecting street PURITAN DR or 2) ON Os of feet mres- OE OW (Milepost, Nearest intersecting Route Number or Street Name)			

Accident Description/Officer's notes

V-1, NY Reg. HVT5195 was being operated by Joseph Burke. V-2, NY Reg. 60690JN was being operated by William Navaretta. Burke stated he was heading west bound on Bayberry Rd and did not come to a complete stop for the stop sign at the intersection of Puritan Drive. Burke stated he thought he had enough time to cross the intersection to clear it safely. Navaretta stated V-1 did not stop for the stop sign and pulled out in front of him. V-1

A	8	9	10	11	12	13	14	15	16	17	BY					
L A	1	1	4	1	22	M	07	12	6							
L B	1	3	4	1	20	M	-	-	-							
L C	2	1	4	1	63	M										
N- V																
O E																
E																
D	Officer's Rank and Signature Print Name In Full		PATROLMAN JORDAN NOYES		Badge/ID No. 112		NCIC No. 04654		Precinct/Post Troop/Zone		Station/Beat Sector		Reviewing Officer REILLY, DEREK		Date/Time Reviewed 112/23/2017 01:04	

Local Codes

B-18308-19

8MR2067Q3X5R

POLICE ACCIDENT REPORT

MV-104A (6/04)

AMENDED REPORT

1	Accident Date Month 12 Day 22 Year 2017		Day of Week Friday	Military Time 18:40	Vehicles 2	No. Injured 1	No. Killed 0	Accident Reconstructed D D D	Left Scene D D D	Police Photos Yes No	19								
2	VEHICLE					☐ VEHICLE ☐ BICYCLIST ☐ PEDESTRIAN ☐ OTHER PEDESTRIAN						20							
3	VEHICLE - Driver License ID Number Driver Name - exactly as printed on license Address (Include Number and Street) City or Town State Zip Code					VEHICLE - Driver License ID Number Driver Name - exactly as printed on license Address (Include Number and Street) City or Town State Zip Code						21							
4	Date of Birth Month Day Year Sex Unlicensed No. of Occupants Public Property Damaged Name - exactly as printed on registration Address (Include Number and Street) City or Town State Zip Code					Date of Birth Month Day Year Sex Unlicensed No. of Occupants Public Property Damaged Name - exactly as printed on registration Address (Include Number and Street) City or Town State Zip Code						22							
5	Plate Number State of Reg. Vehicle Year & Make Vehicle Type Ins. Code Ticket/Arrest Number(s)					Plate Number State of Reg. Vehicle Year & Make Vehicle Type Ins. Code Ticket/Arrest Number(s)						23							
6	Violation Section(s)					Violation Section(s)						24							
7	Check if involved vehicle is: ☐ more than 95 inches wide; ☐ more than 34 feet long; ☐ operated with an overweight permit; ☐ operated with an overdimension permit; VEHICLE DAMAGE CODES Box 1 - Point of Impact Box 2 - Most Damage Enter up to three more damage codes Vehicle By: Towed To:					Check if involved vehicle is: ☐ more than 95 inches wide; ☐ more than 34 feet long; ☐ operated with an overweight permit; ☐ operated with an overdimension permit; VEHICLE DAMAGE CODES Box 1 - Point of Impact Box 2 - Most Damage Enter up to three more damage codes Vehicle By: Towed To:					Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles. R.....End..... Left/Right Angle L.....Id-1pc (same direction) L.....Id-2pc (opposite direction) 51 ACCIDENT DIAGRAM		25						
8	Reference Marker Coordinates (if available) Latitude/Northing Longitude/Easting					Place Where Accident Occurred: County SCHENECTADY Road on which accident occurred at 1) intersecting street or 2)					9. Cost of repairs to any one vehicle will be more than \$1000. D Unknown/Unable to determine D Yes ☐ No		26						
9	Accident Description/Officer's notes had damage all along the passenger side. V-2 had damage to the plow and possibly the truck frame. Burke complained of right shoulder pain and was going to go to the hospital for an evaluation. V-1 was pushed onto the front lawn of 31 Bayberry Rd causing damage to the bushes on the corner. Owner notified. PROPERTY DAMAGED BY VEHICLE #01- TREE/BUSHES WILLIAM P FERRIS III BAYBERRY RD ROTTERDAM, NY 12306					ONOS of (Milepost, Nearest intersecting Route Number or Street Name)					28		29						
10	8 9 10 11 12 13 14 16 16 17 BY											30							
11	Officer's Rank and Signature Print Name in Full JORDAN NOYES											Badge/ID No. 1112		NCIC No. 104654		Precinct/Post Troop/Zone Station/Beat Sector Reviewing Officer REILLY, DEREK		Date/Time Reviewed 12/23/2017 01:04	

POLICE ACCIDENT REPORT

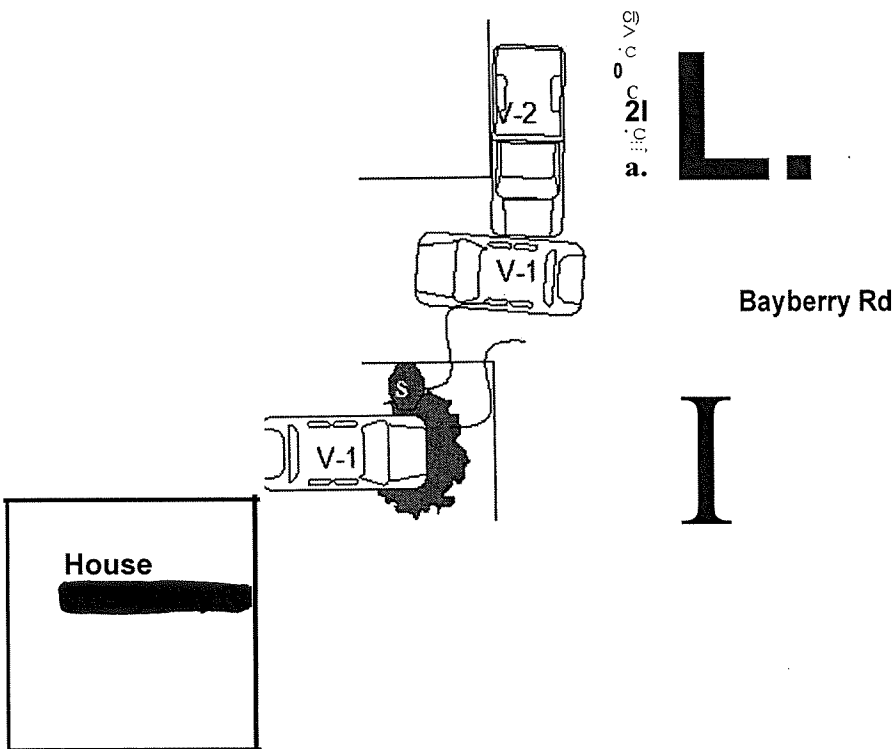
Local Codes
B-18308-19
8MR2067Q5X3R

MV-104A (6/04)

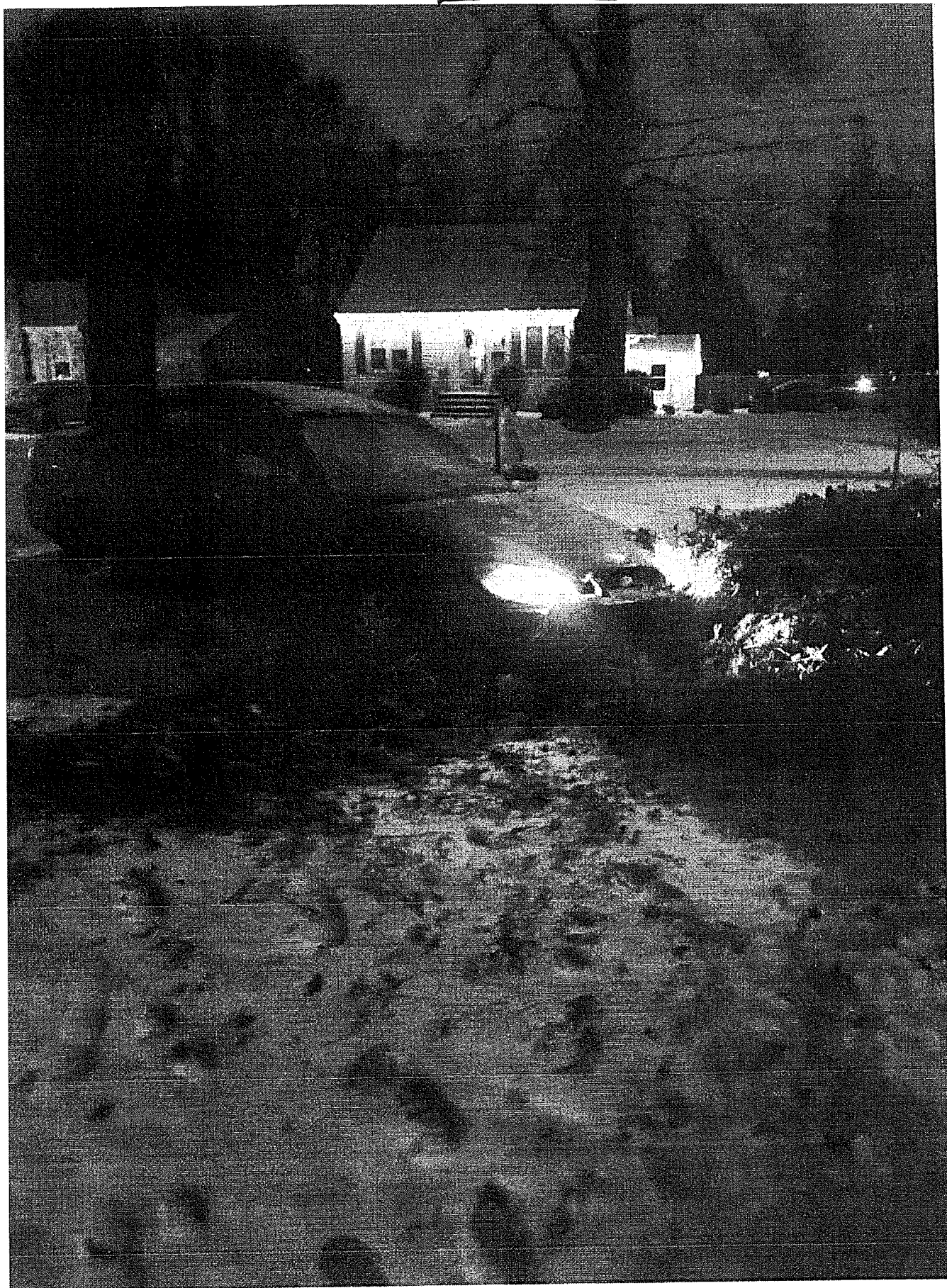
AMENDED REPORT

Accident Date			Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Nt _In_vi:sgt a! c e -	Left Scene	Police Photos
Month	Day	Year								
12	22	2017	Friday	18:40	2	1	0	Accident <u>Reconstructed</u>	<u>D</u>	<u>D</u>
									Yes	No

¢

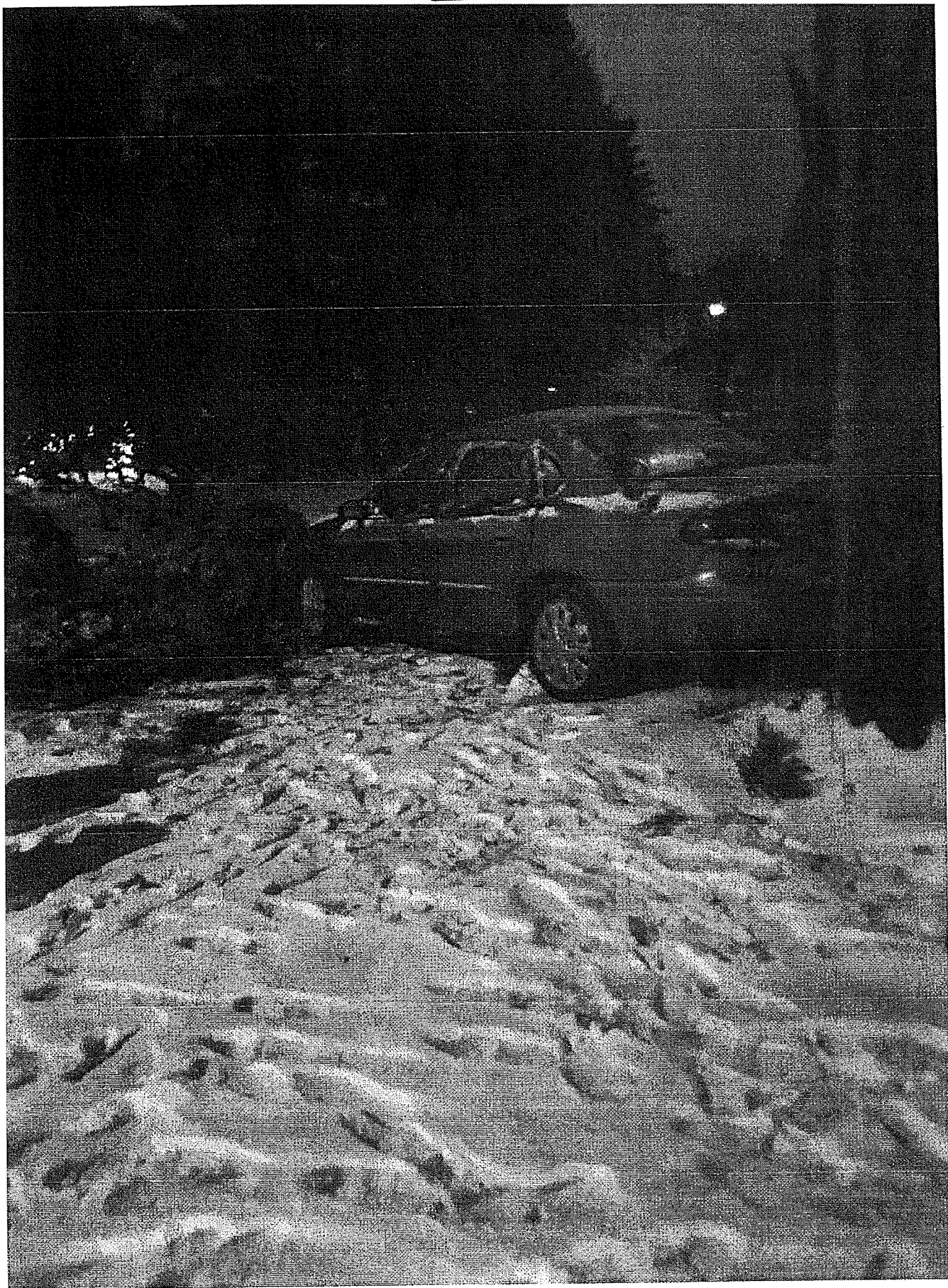


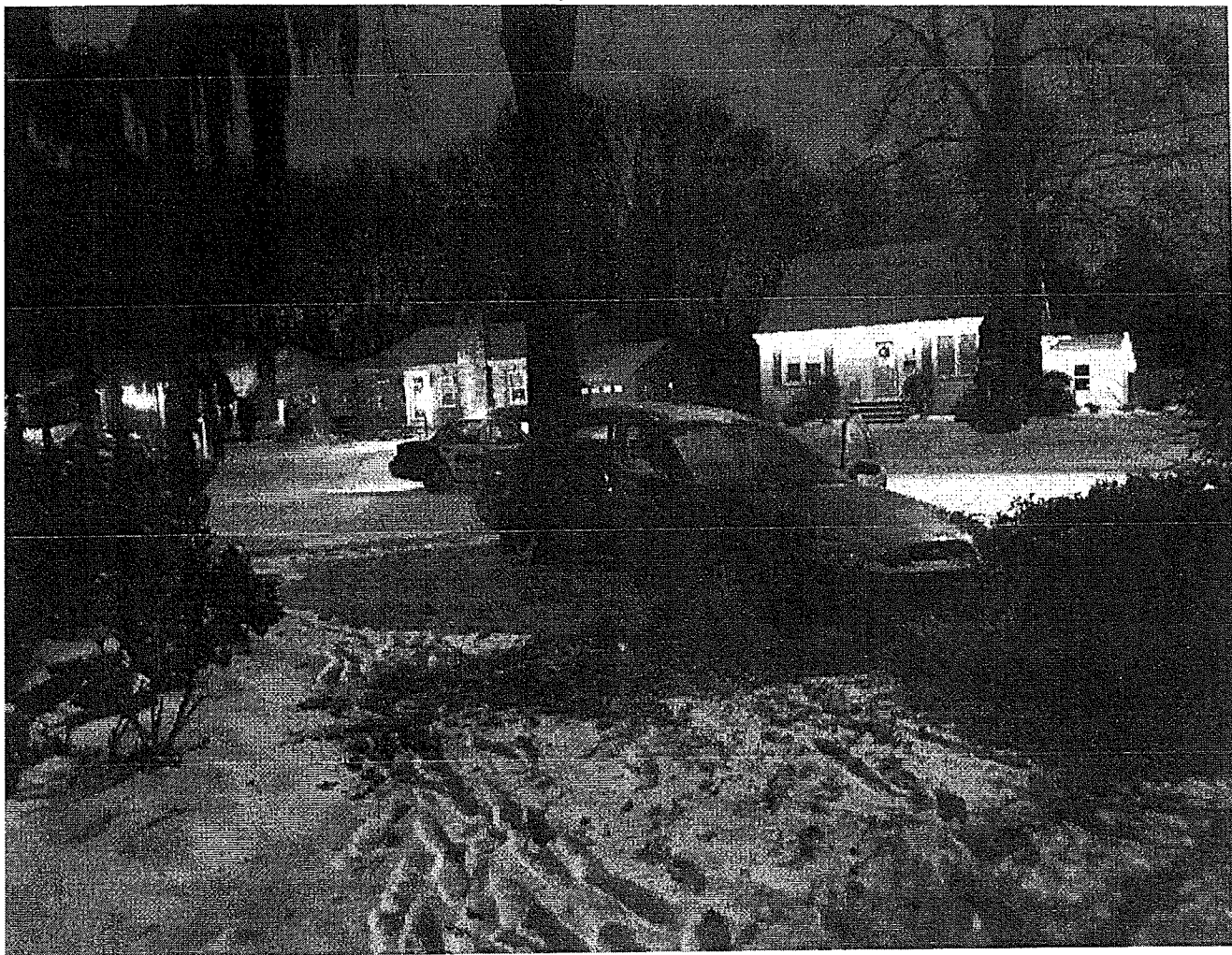
7/16/2021

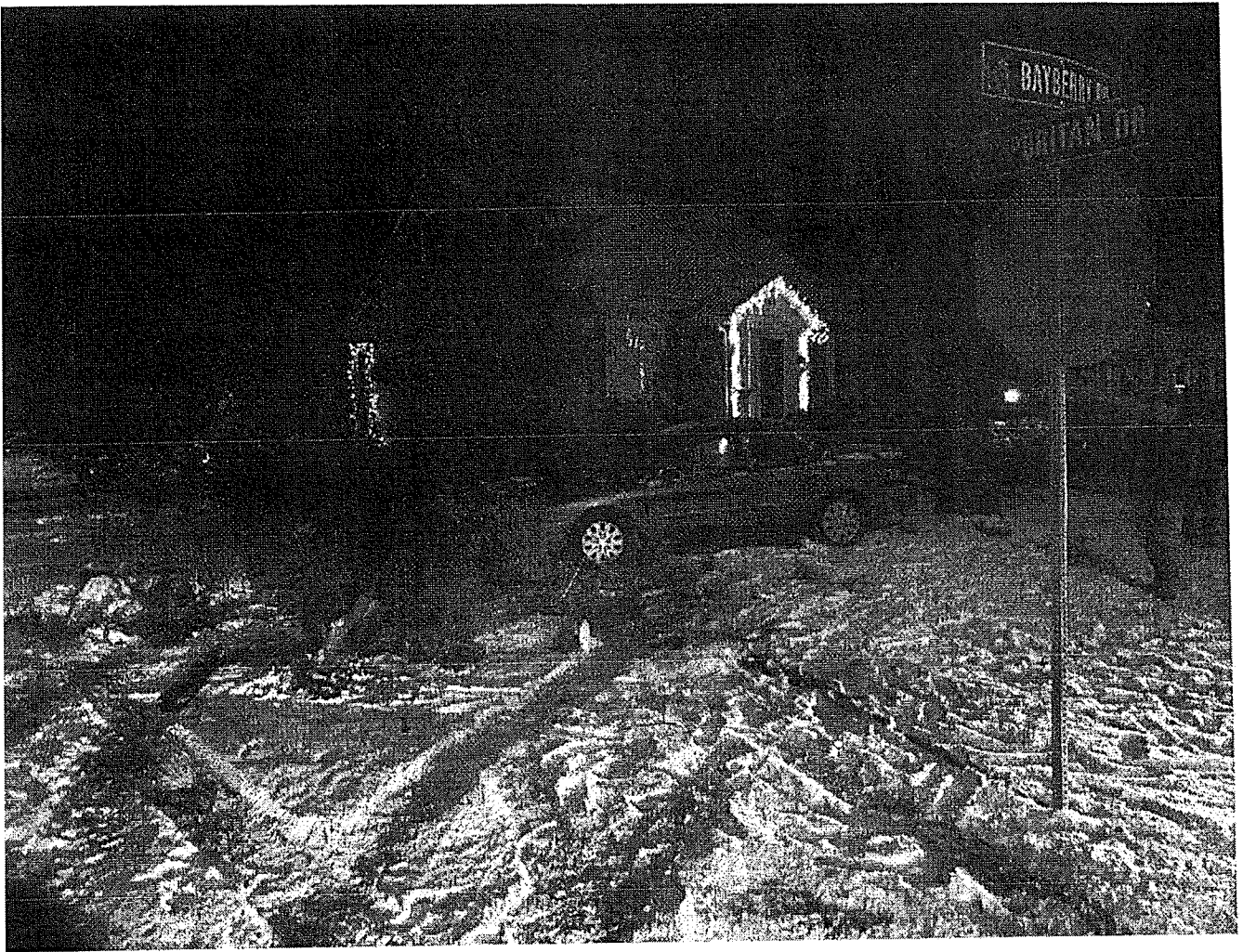


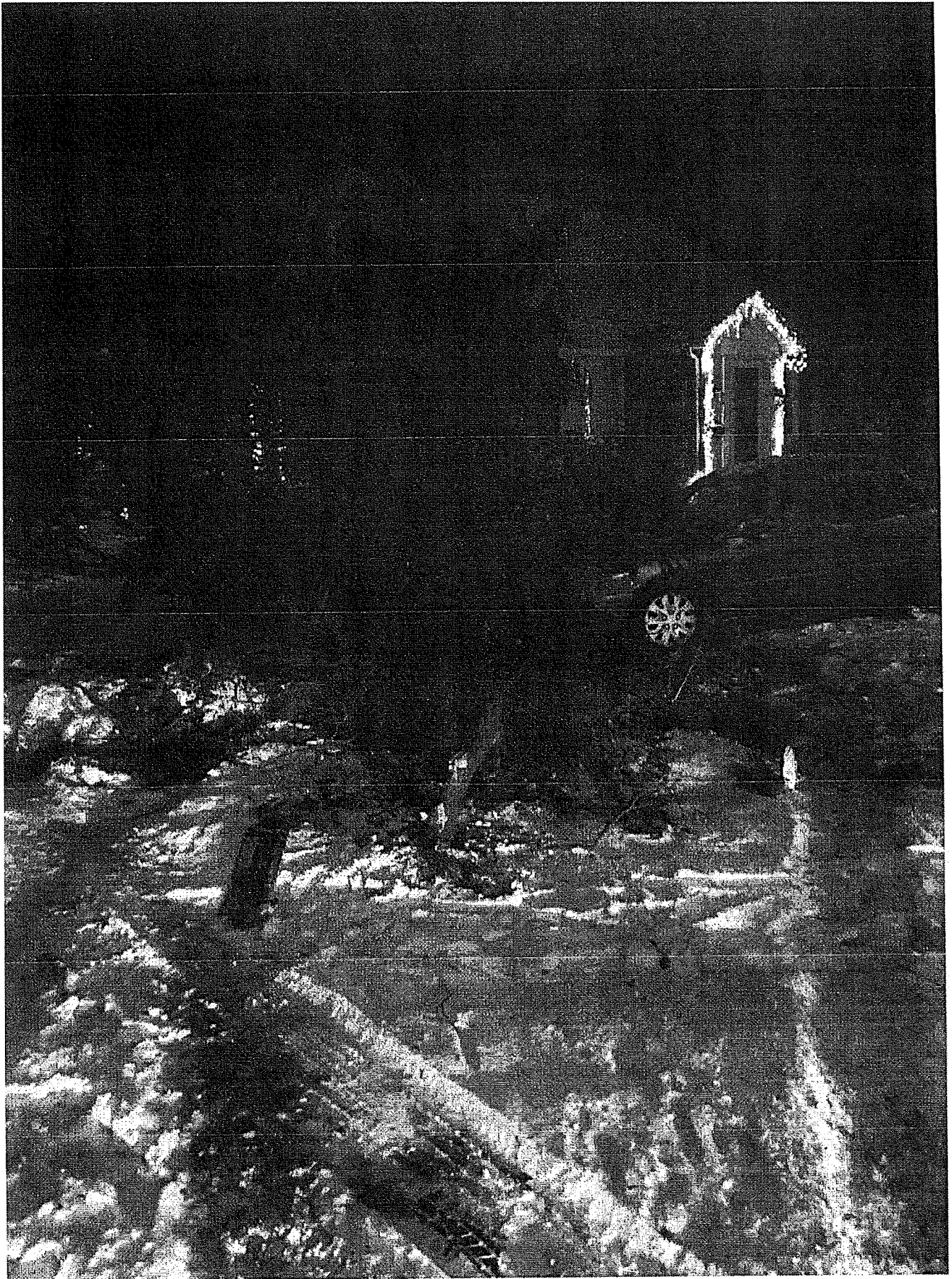
7/16/2021

[REDACTED]





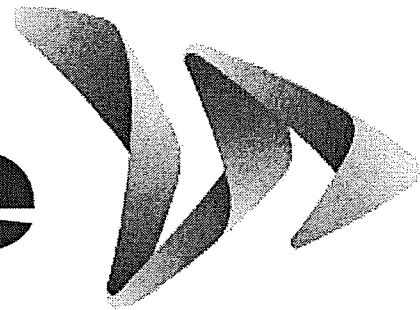








Etan Cite

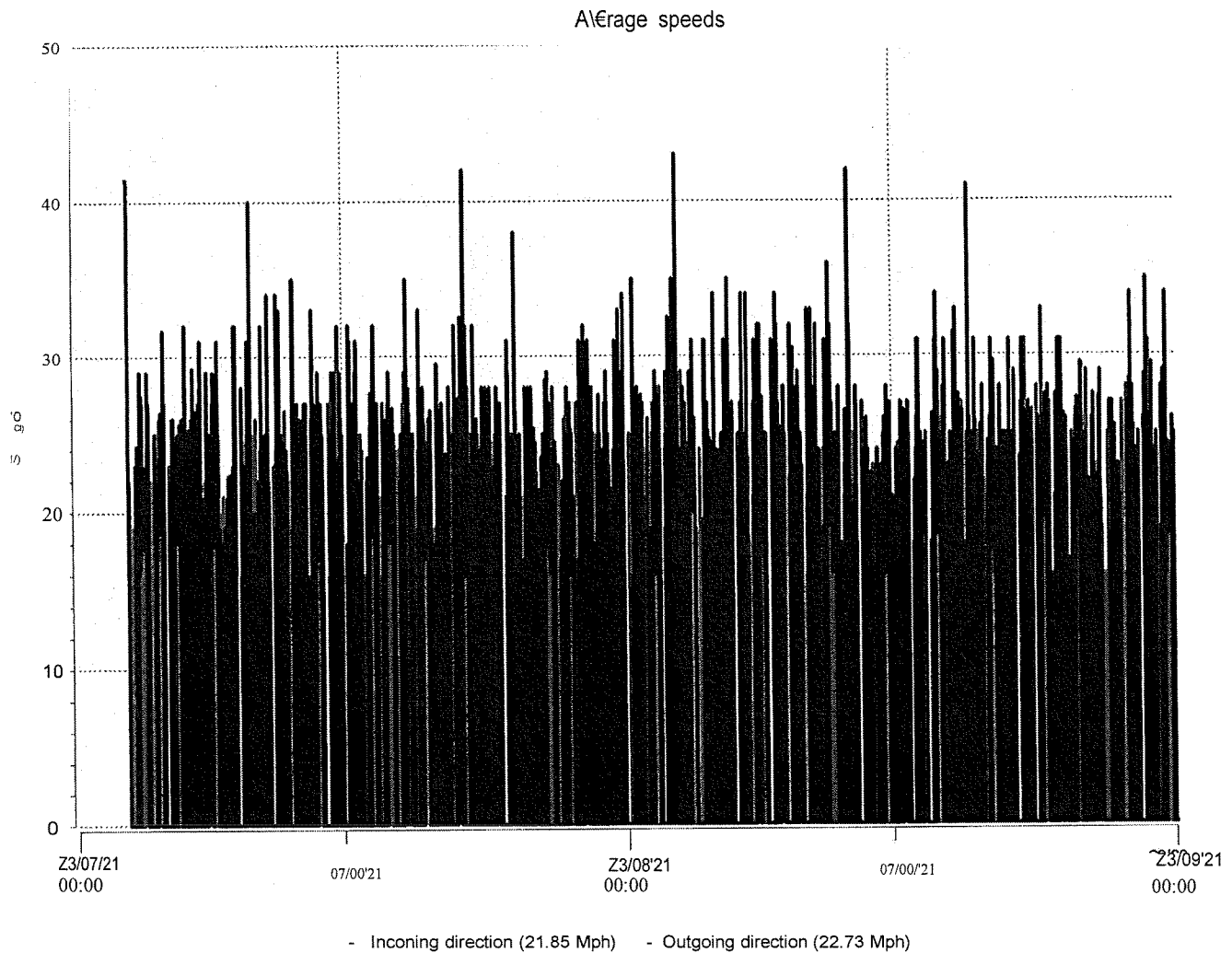


DETECTOR INFORMER SECURISER

Start date: Sunday, July 25, 2021 8:30 PM
End date: Tuesday, September 28, 2021 6:30 PM

Location:

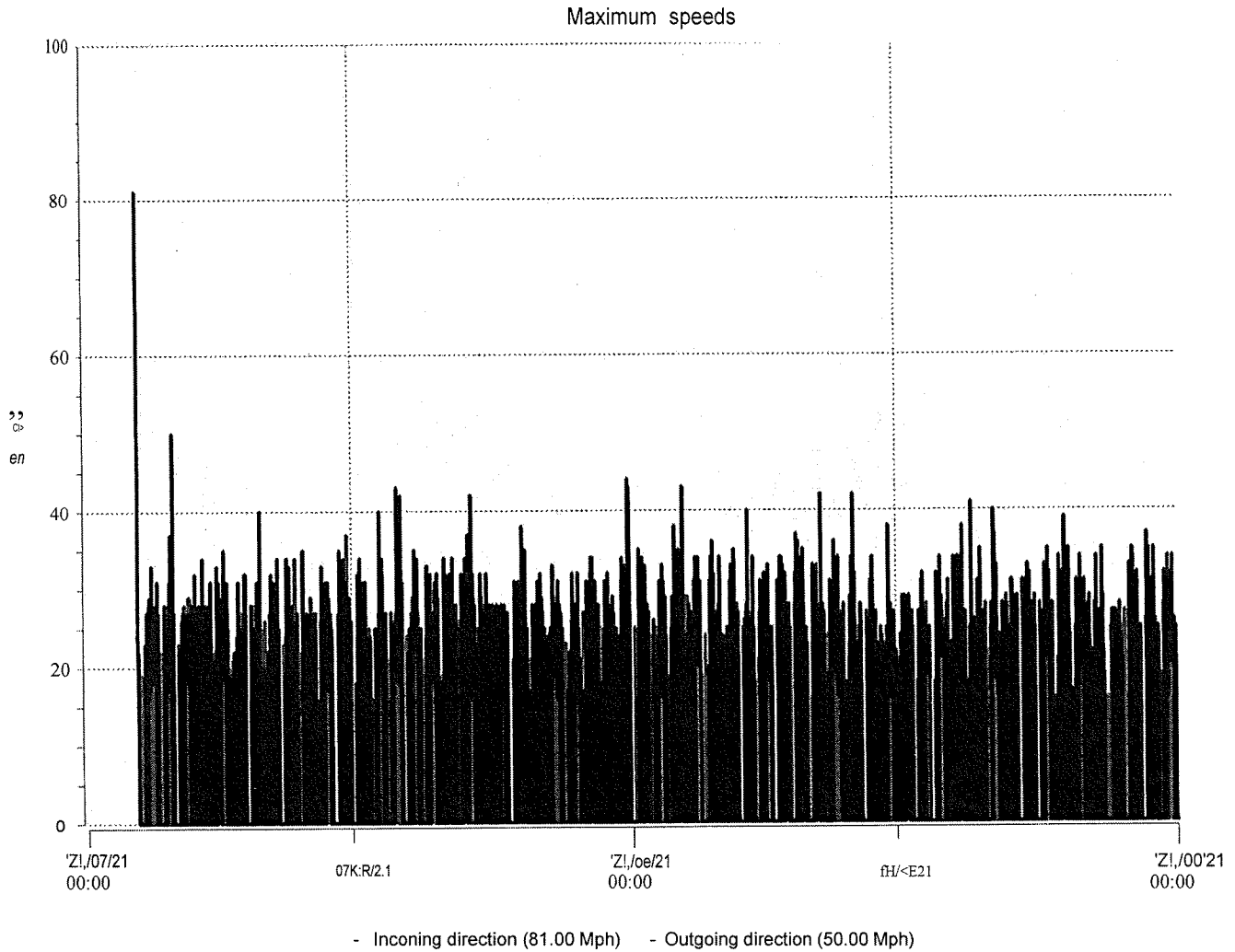
Comments:



Start date: Sunday, July 25, 2021 8:30 PM
End date: Tuesday, September 28, 2021 6:30 PM

Location:

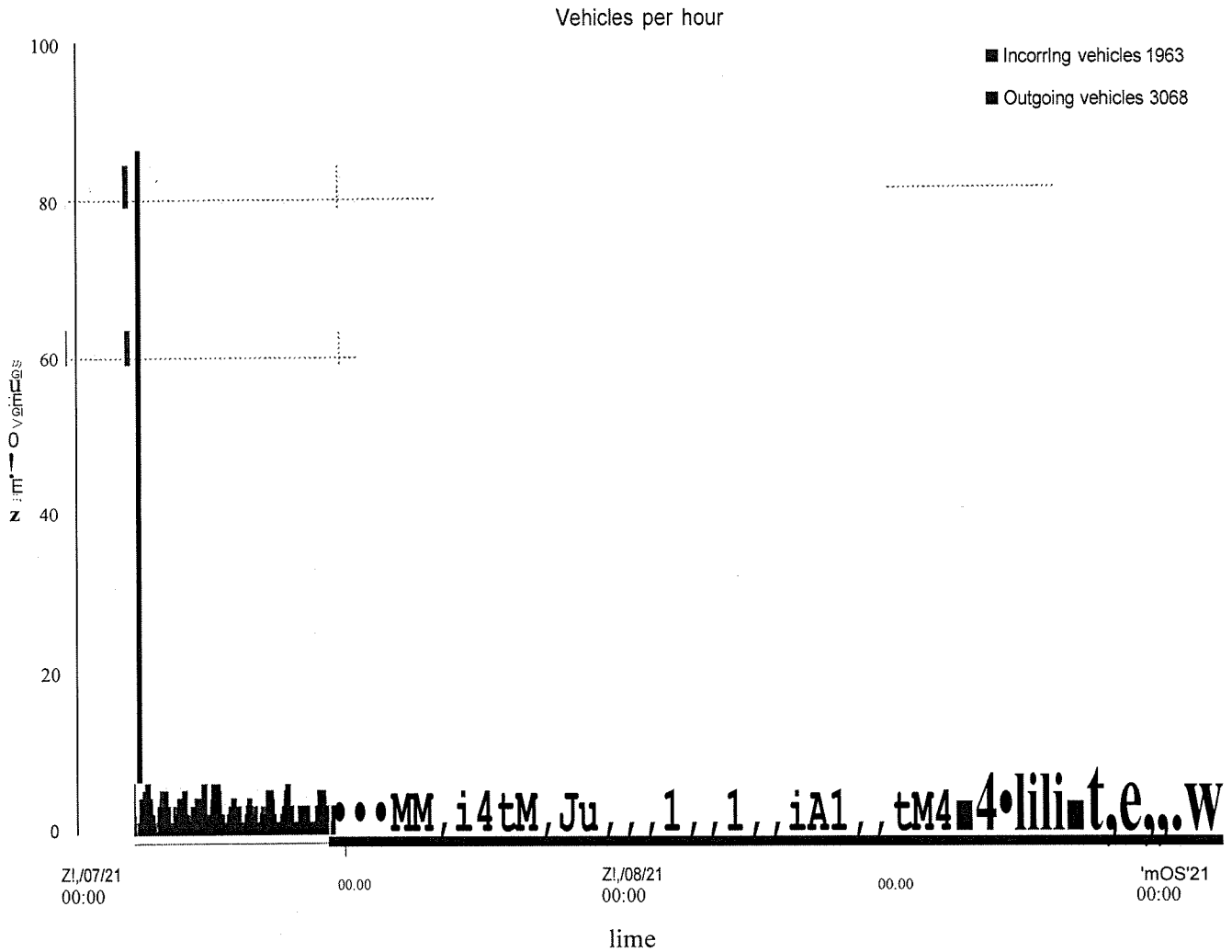
Comments:



Start date: Sunday, July 25, 2021 8:30 PM
End date: Tuesday, September 28, 2021 6:30 PM

Location:

Comments:

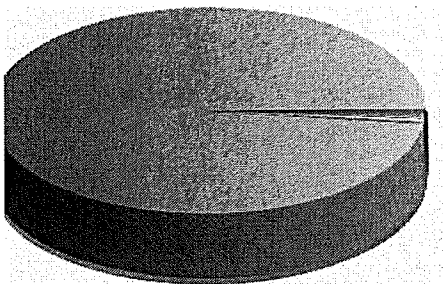


Start date: Sunday, July 25, 2021 8:30 PM
End date: Tuesday, September 28, 2021 6:30 PM

Location:

Comments:

Incoming vehicles



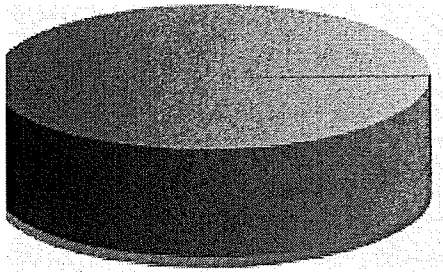
O	<= 40Mph:	1,917 - {97.66 %}
-	41- 45Mph:	8 - {0,41 %}
0	46 - 50 Mph:	8 - {0,41 %}
-	51- 55Mph:	8 - {0,41 %}
-	56 60Mph:	7 - {0,36 %}
-	61- 65Mph:	5 - {0,25 %}
-	66- 70Mph:	3 - {0,15 %}
-	71 - 75 Mph(et +):	7- {0,36 %}

Start date: Sunday, July 25, 2021 8:30 PM
End date: Tuesday, September 28, 2021 6:30 PM

Location:

Comments:

Outgoing vehicles.



Q ≤ 40 Mph: 3,058 - (99.67 %)

■ 41- 45 Mph: 9 - (0.29 %)

0 46- 50Mph: 1- (0.03 %)

III 51- 55 Mph : 0 - (0.00 %)

■ 56- 60 Mph: 0 - (0.00 %)

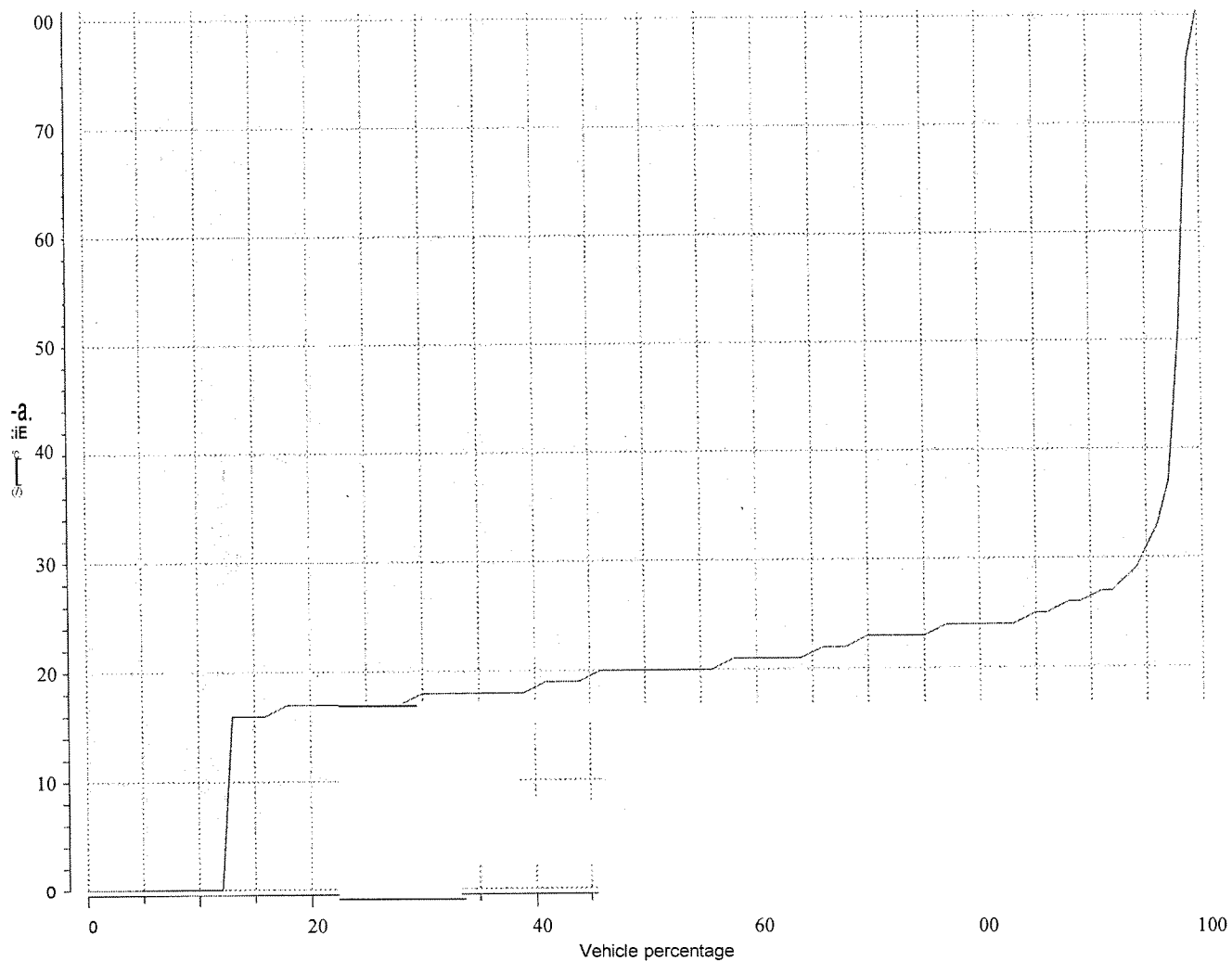
■ 61- 65Mph: 0 - (0.00 %)

■ 66- 70 Moh: 0 - (0.00 %)

Start date: Sunday, July 25, 2021 8:30 PM
End date: Tuesday, September 28, 2021 6:30 PM

Location:

Comments:



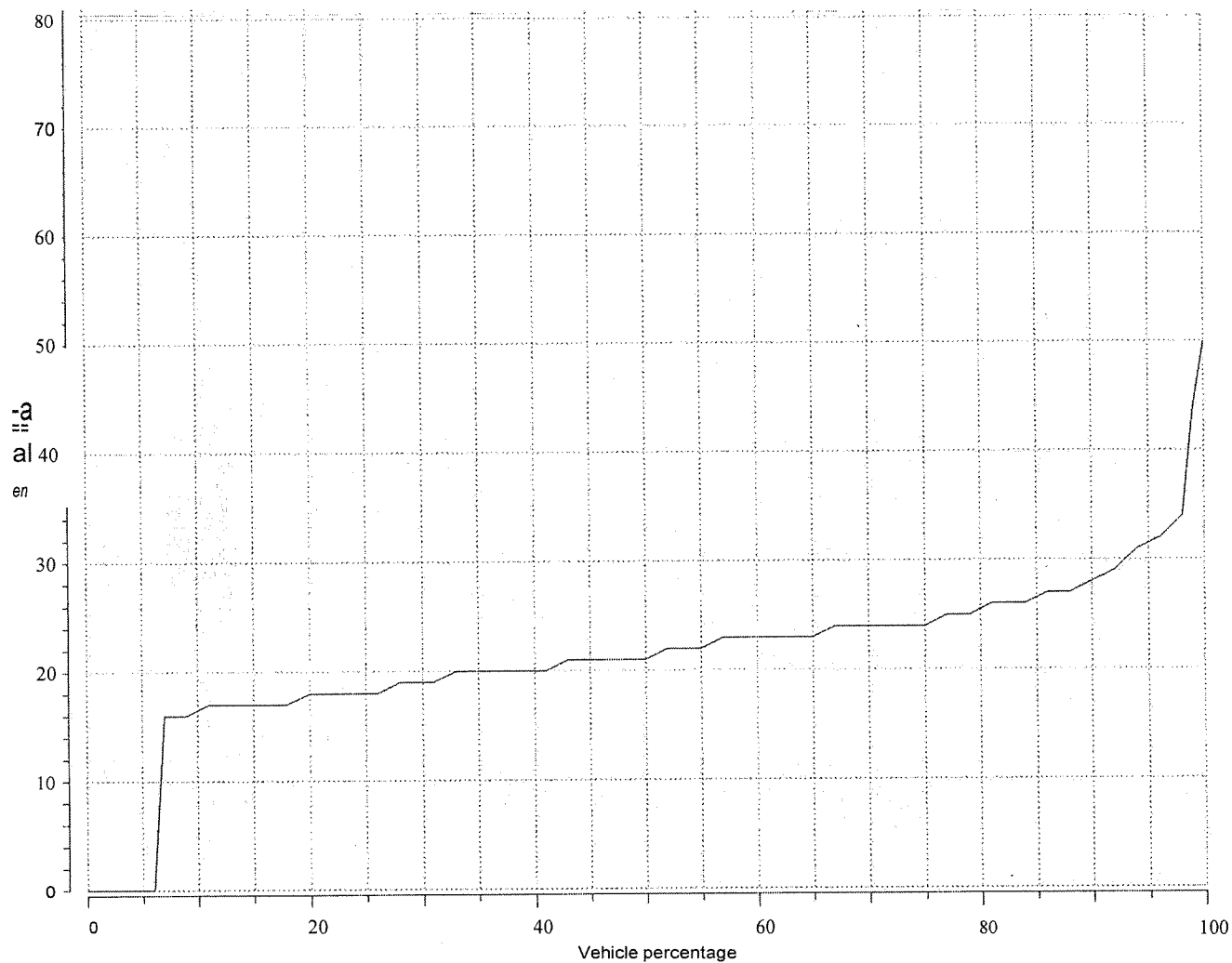
Speed percentiles (incoming)

V30: 18.00Mph V50: 20.00Mph V85: 25.00Mph

Start date: Sunday, July 25, 2021 8:30 PM
End date: Tuesday, September 28, 2021 6:30 PM

Location:

Comments:



Speed percentile(outgoing)

V30: 19.00Mph VS0: 21.00Mph VBS: 26.00Mph

Start date: Sunday, July 25, 2021 8:30 PM
End date: Tuesday, September 28, 2021 6:30 PM

Location:

Comments:

RESOLUTION NO. 78.22

**A RESOLUTION CALLING FOR PUBLIC HEARING TO AMEND CHAPTER 266 OF
THE CODE OF THE TOWN OF ROTTERDAM**

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

By Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

The Town Clerk of the Town of Rotterdam is hereby directed to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided by the following notice:

**TOWN OF ROTTERDAM
NOTICE OF HEARING**

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00p.m. on the 23rd day of February 2022 for the following purpose:

To amend section 266.52, entitled "Schedule XII: No Parking at Any Time" of the Code of the Town of Rotterdam, as attached.

**BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK**

DATED:

Daily Gazette: Please publish once on February 12, 2022

Town Clerk

Post

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: January 25, 2022
TO: Legislative Review Board
FROM: Deputy Chief William Male

TITLE OF REQUEST: Recommend adopting a local law adding "No Parking" signs on the east side of Lawn Avenue between Lilac Street and Tulip Street as well as "No parking here to corner" signs 30 feet from the intersections of Lawn Avenue and Lilac Street and Lawn Avenue and Aster Street.

TOWN BOARD MEETING: February 9, 2022

February 9, 2022: Call for public hearing
February 23, 2022: Hold public hearing
February 23, 2022: Adopt the local law

Background Information: Received a complaint for vehicles parked in the roadway at the above mentioned location creating an unsafe condition.

Evaluation/Analysis: A visual traffic survey was completed on September 11, 2021 recommending a no parking zone.

Recommendation(s): Recommend adding "No Parking" signs on the east side of Lawn Avenue between Lilac Street and Tulip Street as well as "No parking here to corner" signs 30 feet from the intersections of Lawn Avenue and Lilac Street and Lawn Avenue and Aster Street.

Attachment/Document(s): Traffic Survey is attached.

Compliance with Purchasing Policy: N/A

Effect(s) on Existing Law(s): Amend 266-20 and 266-52 of the town code

LEGISLATION WILL BE PREPARED BY: RPD



**ROTTERDAM POLICE DEPARTMENT
UNIFORM DIVISION
TRAFFIC SURVEY**



ATTN: Chief Brown, Deputy Chief Male, Lieutenant Collins, Lieutenant Girard
LOCATION: Lawn Avenue
DATE: 09/27/2021

REQUEST

Amend the Code of the Town of Rotterdam Chapter 266, "Vehicles and Traffic", Section 52, "No Parking at any time" for a portion of Lawn Avenue as a result of parking in the area of the Rotterdam Pop Warner Field. As a result of a previously amended "No Parking at any time" for the area of Fern Avenue and surrounding streets, vehicles are now parking on both sides of Lawn Avenue. As a result, the residents of Lawn Avenue have called to complain they cannot safely enter and exit their driveways. Additionally, this prevents emergency vehicles as well as passenger vehicles from safely traveling the roadways.

SURVEY

A visual traffic survey was completed on 09/11/2021 and I took photos of vehicles parked on both sides of the street to illustrate the problem.

CONCLUSION

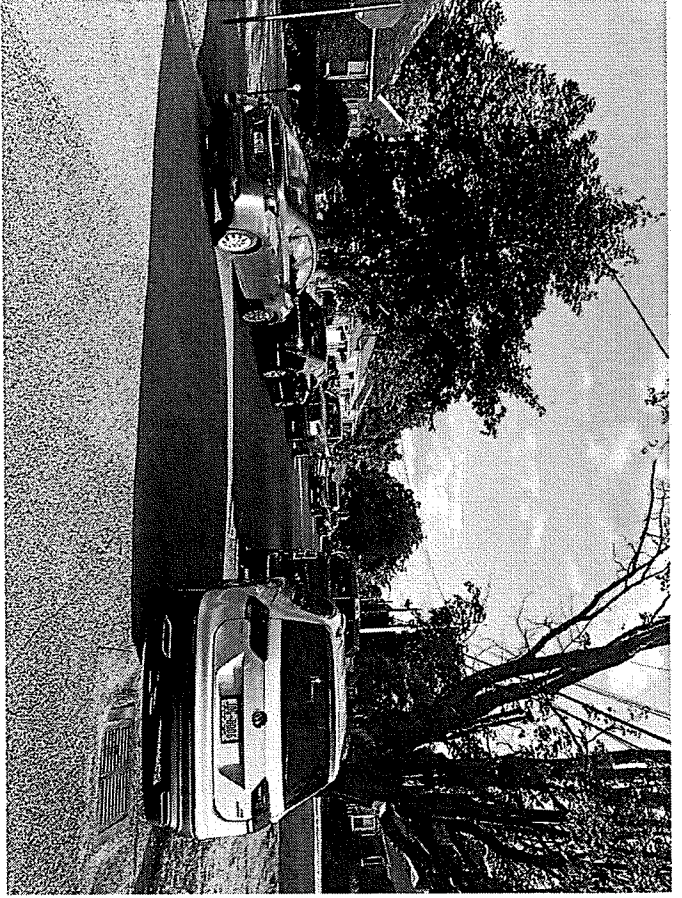
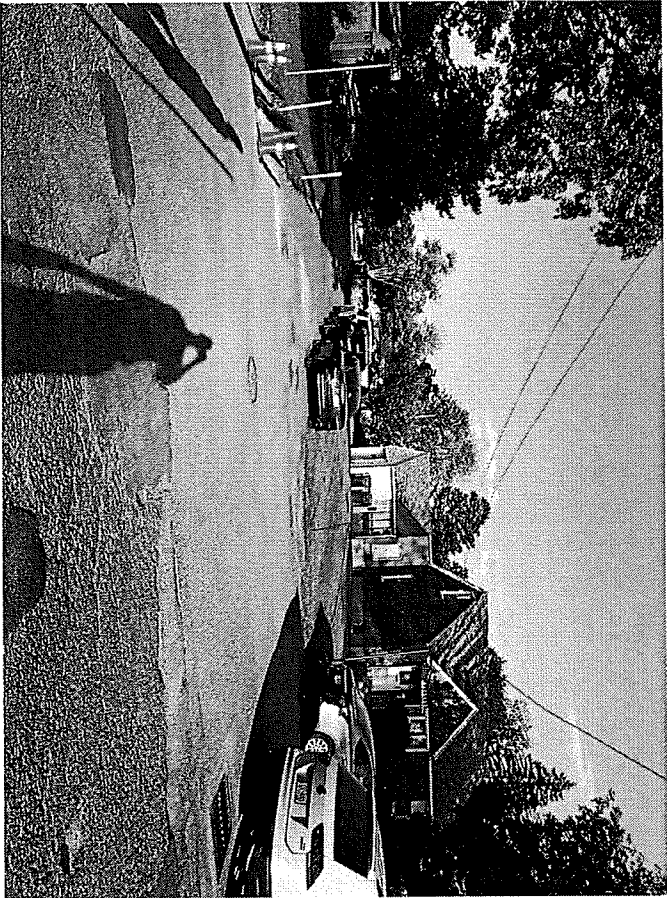
After traveling the roadways, speaking with several residence, and having witnessed vehicles parked in the area in question for an event at the Pop Warner Field, I am requesting an amendment to the Code of the Town of Rotterdam Chapter 266, "Vehicles and Traffic", Section 52, "No Parking at any time" for the following streets:

East side of Lawn Avenue, between Lilac Street and Tulip Street

Lawn Avenue "No parking here to corner" Lilac Street, Aster Street,

In conclusion, I believe by limiting parking to one side of the street on Lawn Avenue which is in close proximity to the entrance of the Pop Warner Field, it will allow for vehicles to travel safely in the area. This will also allow the residence to safely enter and exit their driveways.

Respectfully Submitted,
Sgt. Derek J. Reilly
Traffic Sergeant, Rotterdam Police Department





RESOLUTION NO. 79.22

**A RESOLUTION TO AUTHORIZE CONTRACT AGREEMENT WITH COLLAR CITY
AUCTIONS**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Supervisor is hereby authorized to sign a contract with Collar City Auctions, Realty & Management, Inc., located at 9423 Western Turnpike, Delanson, New York 12053, for auctioneer and related services for a three (3) year period commencing February 9, 2022 through December 31, 2024, to auction all equipment and materials declared obsolete by the Rotterdam Town Board.

SECTION 2. This resolution shall become effective February 9, 2022.

DATED: February 9, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: February 1, 2022

TO: Supervisor, Mollie A. Collins

FROM: Larry LaMora, Highway Superintendent

TITLE OF LEGISLATIVE REQUEST: Auction services to be awarded to Collar City Auctions, Reality & Management, Inc., for auctioneer and related services for a (3) year period, to auction all equipment and materials declared obsolete by Rotterdam Town Board.

TO BE PLACED ON TOWN BOARD AGENDA OF: February 9, 2022

TO BE PLACED ON TOWN BOARD MEETING OF: February 9, 2022

Background Information: Collar City Auctions have been doing the auctions for obsolete Equipment since 2018.

Evaluation/Analysis: Collar City Auctions has provided the prior service with the great respect understanding of our needs.

Recommendation(s): To have the Town Board authorize the agreement with Collar City

Attachment/Documents(s): Agreement with Collar City Auctions attached

Compliance with Purchasing Policy:

Effect(s) on Existing Law(s):

LEGISLATION WAS PREPARED BY: Highway Department

ONLINE AUCTION CONTRACT – AGREEMENT FOR SALE OF GOVERNMENT ASSETS BY ONLINE AUCTION

This Agreement made on February 9, 2022, between Town of Rotterdam NY, 11 Sunset Blvd, Rotterdam, NY 12306 called “Seller”, and Collar City Auctions Realty & Management, Inc., 9423 Western Turnpike, Delanson, NY 12053, hereafter called “Auctioneer”:

- 1.) TERM: The terms and prices of this contract shall remain in effect for three (3) years after the agreement is executed, based on the needs of the Seller and may be extended by mutual agreement in two (2) year increments with proper agreement and approval. It is understood by the parties that this Agreement is exclusive.
- 2.) SERVICES:
 - a.) The Auctioneer hereby agrees to use professional skills, knowledge, and experience to the best advantage of both parties in preparing for and conducting the sale. All auction items will be sold “As-is, Where-is”, subject to terms that shall be mutually agreed upon. The Auction is to be held online at www.collarcityauctions.com, beginning and closing on mutually agreed dates and times.
 - b.) It is agreed that all listed merchandise be sold to the highest bidder(s), “as-is”, “where-is”, without warranty or guarantee expressed, implied or otherwise.
 - c.) Purchasers will be required to pay a 13% buyer’s premium for vehicles and equipment sold within two (2) years of the manufacture date, a 15% buyer’s premium for vehicles and equipment within three (3) years of the manufacture date, or a 18% buyer’s premium for all older equipment to be added to the successful high bid prices, which will constitute the Auctioneer’s compensation for these services. Commission charged to the Seller (10%). Auctioneer shall also collect and retain a 4% administrative fee that shall be paid by the purchaser in addition to bid(s) price(s). The 4% fee shall be forgiven when cash payment is received by the Purchaser(s).
 - d.) The Auctioneer will conduct auction(s) with **no expense charge to the Seller**, the Auctioneer takes photos and descriptions of the merchandise, and relieves the Seller from any obligation to provide this information to Auctioneer. The Auctioneer reserves the right to combine low-value merchandise into larger online auction lots as necessary, based on past experience with such items.
 - e.) The Auctioneer will mail a check to the Seller for all proceeds collected within twenty (20) business days after the auction along with a detailed accounting of all Lots sold and/or unsold. Report shall contain the Lot number and High bid received. In the event of a bidder(s) refusal or failure to pay for their invoiced item(s), the Auctioneer will offer the unsold merchandise to the backup bidder, and the reneging bidder will be banned from all future auctions. If the backup bidder does not take the merchandise for the backup bid price, then the merchandise will revert back to possession of the seller, after a reasonable time has been allowed for the backup bidder to get their payment to the Auctioneer. At the request of the Seller, any unsold merchandise can be re-listed in a future online auction at no cost to the Seller and under the terms contained herein.

3. SELLER OBLIGATIONS:

- a. The Seller agrees to provide Titles, Keys and all other Proof of Ownership or Authorization to Sell Forms to the Auctioneer and/or Customers who provide proof and a paid invoice from Collar City Auctions Realty & Management, Inc., Collar City staff shall release the purchased items once the Auctioneer has received full payment for the goods provided by the Seller to be sold at absolute auction to the highest bidder(s).
- b. The Seller agrees to provide merchantable title (with no liens or encumbrances) for motor vehicles.
- c. The Seller agrees not to sell listed merchandise before the term of the online auction is complete, under any circumstances.

4. ASSIGNMENT: The Auctioneer agrees that the Auctioneer shall not assign, transfer, convey, subcontract or otherwise dispose of this contract or the Auctioneer's responsibility to perform under this contract or the Auctioneer's right, title or interest in and/or to the same, nor any part thereof, nor to any monies which are or will become due and payable to the Auctioneer thereunder, nor the power to execute such contract to any other person, company or corporation without the prior express written consent of the Seller.

5. INDEPENDENT CONTRACTOR: The Parties agree that the Auctioneer is engaged as an independent contractor to the Seller. Nothing contained in this Agreement will be construed to create the relationship of employer and employee, principal and agent, partnership, joint venture, or any other fiduciary relationship. The Auctioneer is not, shall not, and has no authority to act as an agent or representative of the Seller. The Auctioneer shall make no claim for, nor shall be entitled to, Workers' Compensation coverage, medical and unemployment benefits, Social Security or retirement membership benefits from the Village. The Auctioneer further agrees that the Seller shall not be liable for any payroll deductions, including but not limited to, U.S. Social Security taxes, Federal and/or State withholding taxes. The Seller agrees to accept exclusive liability for complying with all applicable state and federal laws governing self-employed individuals including obligations such as payment of quarterly taxes, social security, disability and other contributions based on the fees paid to the Auctioneer under this Agreement. Auctioneer agrees to indemnify and hold the Seller harmless to the extent that they become obligated to pay any of the above taxes or incurs any similar liabilities.

6. STATUTORY COMPLIANCE: In acceptance of this Agreement, the Auctioneer covenants and agrees to comply in all respects with all Federal, State, and County laws, rules, regulations and ordinances which pertain hereto and to the performance hereof, including but not limited to those regarding services for municipalities including but not limited to Workers' Compensation and Employers' Liability Insurance, hours of employment, wages and human rights.

7. LICENSES AND PERMITS: The Auctioneer hereby agrees that the Auctioneer will obtain at his own expense those licenses or permits for the work performed under this contract that are applicable to the Auctioneer, if any are necessary related to online auction services, prior to the commencement of work.

8. APPROPRIATIONS: It is understood by and between the parties hereto that this Agreement shall be deemed executory only to the extent of the monies appropriated and available for the purpose of this

Agreement and no liability on account thereof shall be incurred by the Seller beyond monies appropriated and available for the purpose thereof. In no instance will the Seller be obligated to make payments that are not appropriated and budgeted. Notwithstanding anything contained herein to the contrary, no default shall be deemed to occur in the event no funds or insufficient funds are appropriated and budgeted by the Seller or are otherwise unavailable to the Seller for payment.

9. CONTRACT MODIFICATIONS: This agreement represents the entire and integrated agreement between the Seller and the Auctioneer and supersedes all prior negotiations, representations or agreements either written or oral. This Agreement may be amended only by written instrument signed by both the Seller and the Auctioneer.

10. SEVERABILITY: If any term or provision of this Agreement shall be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby, and every other term and provision of this Agreement shall be valid and enforced to the fullest extent permitted by law.

11. CONFLICT: In the event of any conflict between this Agreement and any other document the terms of this Agreement shall prevail.

12. WAIVER: A failure or delay in exercising any right, power or privilege in respect of this Agreement will not be presumed to operate as a waiver, and a single or partial exercise of any right, power or privilege will not be presumed to preclude any subsequent or further exercise of that right, power or privilege or the exercise of any other right, power or privilege.

13. APPLICABLE LAW: This Agreement shall be governed by the laws of the State of New York.

14. NON-DISCRIMINATION: In accordance with Article 15 of the Executive Law (also known as the Human Rights Law), and all other State and Federal statutory and constitutional non-discrimination provisions, the Auctioneer agrees that neither it nor its County-approved sub-Auctioneers shall, by reason of age, race, creed, color, national origin, sexual orientation, military status, sex, disability, predisposing genetic characteristics, familial status, marital status or domestic violence victim status, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation in terms, conditions or privileges of employment or make any inquiry into prospective employment which expresses, indirectly or directly any limitation specification or discrimination based on the foregoing characteristics.

Seller's Authorizing Signature

Town of Rotterdam NY

Printed Name and Agency Title

Mollie A. Collins Supervisor

Auctioneer's Signature
Auctioneer's Email: randyp@collarcityauctions.com

Randy Passonno, President

Auctioneer's Printed Name
(Cell: 518-365-6379) (Office: 518-895-8150)

RESOLUTION NO. 80.22

**AMENDING THE PROPOSED PLAN OF DISSOLUTION OF THE PLOTTERKILL
FIRE PROTECTION DISTRICT AND APPROVING THE PROPOSED PLAN OF
DISSOLUTION, AS AMENDED, AS THE FINAL PLAN OF DISSOLUTION**

WHEREAS, by Order 1-2021, the Town Board of the Town of Rotterdam approved the formation of the Plotterkill Fire District to provide fire protection in an area coterminous with the area served by the existing Plotterkill Fire Protection District; and

WHEREAS, in light of the formation of the Plotterkill Fire District, on October 27, 2021, the Town Board of the Town of Rotterdam commenced proceedings to dissolve the Plotterkill Fire Protection District (FP 100) by endorsing a proposed plan of dissolution therefor; and

WHEREAS, on December 8, 2021, the Town Board of the Town of Rotterdam held a duly noticed public hearing concerning the proposed plan of dissolution; and

WHEREAS, after public hearing, the Town Board of the Town of Rotterdam is authorized to amend and/or approve, as amended or otherwise, a final plan of dissolution pursuant to General Municipal Law § 776;

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The proposed plan of dissolution of the Plotterkill Fire Protection District is hereby amended to read as is reflected in the "Governing Body Initiated Amended Plan of Dissolution of the Plotterkill Fire Protection District (FP 100) in the Town of Rotterdam Pursuant to General Municipal Law Article 17-A", dated February 9, 2022 (hereinafter, the "Amended Plan of Dissolution").

SECTION 2. The Town Board hereby approves the Amended Plan of Dissolution as the final plan of dissolution of the Plotterkill Fire Protection District.

SECTION 3. The Town Board hereby approves the dissolution of the Plotterkill Fire Protection District pursuant to the Amended Plan of Dissolution.

SECTION 4. The Town Clerk of the Town of Rotterdam is hereby directed to cause a copy of the Amended Plan of Dissolution, along with a descriptive summary thereof, to be displayed and readily accessible in a public place within the entity and to cause same to be displayed on the Town website pursuant to General Municipal Law §776 within five (5) days of the date hereof.

SECTION 5. The Town Clerk of the Town of Rotterdam is hereby directed to cause notice to be given in the same manner as notice for a proposed dissolution plan pursuant to General Municipal Law §787(2), in substantially the following form and in compliance with the requirements of General Municipal Law § 787(2):

PUBLIC NOTICE

PLEASE TAKE NOTICE, that all claims against the Town of Rotterdam Plotterkill Fire Protection District (FP 100), excluding any of its outstanding securities, if any, shall be filed with the Town of Rotterdam, 1100 Sunrise Boulevard, Rotterdam, NY 12306, no earlier than May 15, 2022 and no later than August 14, 2022, and any and all claims not so filed shall be forever barred. At the expiration of such period, the Town Board of the Town of Rotterdam shall adjudicate claims so filed, and any resident of the Town of Rotterdam Plotterkill Fire Protection District at the time of the effective date of dissolution may appear and defend against any claim so filed, or the Town Board of the Town of Rotterdam may in its discretion appoint some person for that purpose.

SECTION 6. All records, books and papers of the Town of Rotterdam Plotterkill Fire Protection District (PF 100), to the extent not already so deposited, shall be deposited with the Town Clerk of the Town of Rotterdam pursuant to General Municipal Law § 788(2).

SECTION 7. The Town Clerk of the Town of Rotterdam is hereby authorized and directed to make such other and further filings, recordings, and notifications of the proceedings of the dissolution of the Plotterkill Fire Protection District as may be required pursuant to law.

SECTION 8. This resolution shall become effective February 9, 2022.

DATED: February 9, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

**GOVERNING BODY INITIATED
AMENDED PLAN OF DISSOLUTION
OF THE
PLOTTERKILL FIRE PROTECTION DISTRICT (FP 100)
IN THE TOWN OF ROTTERDAM
PURSUANT TO
GENERAL MUNICIPAL LAW ARTICLE 17-A**

Prepared by:
Town Board
Town of Rotterdam
Amended February 9, 2022

INTRODUCTION

The Plotterkill Fire Protection District (FP 100) ("Protection District") in the Town of Rotterdam ("Town") was established by resolution of the Town Board to provide a means to collect tax revenue to provide for fire protection and emergency services to the persons and properties within the Protection District. The Town Board of the Town has always been and continues to be the "governing body" of the Protection District.

The fire protection and emergency services for all times relevant hereto have been provided to the Protection District by the Plotterkill Volunteer Fire Company, Incorporated ("Department") by means of fire protection contracts negotiated between the Department and the Town pursuant to Town Law §184.

By Resolutions dated September 8, 2021 by the Town of Rotterdam and September 14, 2021 by the Town of Princetown, the Plotterkill Fire District ("Fire District") was formed by the Towns. According to New York State law, fire protection districts and fire districts are mutually exclusive taxing jurisdictions. As a result, the fire protection district(s) in the Town that exist in the areas now included within the Fire District need to be dissolved in order to formally and finally effect the "transfer of function" of fire protection to the Fire District.

The tax ID Code "FP 100" for the Protection District appears on the final assessment rolls of the Schenectady County Real Property Tax Services and is comprised of all of the taxable properties in the Protection District. Since the formation of the Protection District, the annual levy of taxes for fire protection upon the taxable parcels in the Protection District was a budget item in the Town tax levy. Upon the formation of the Fire District, the annual levy of fire protection taxes for the area is no longer be the responsibility of the Town and going forward, will be the responsibility of the Board of Fire Commissioners of the newly-formed Fire District

The Board of Fire Commissioners for the Fire District took office effective October 2, 2021. The first tax levy for Fire District is for 2022. With the transition to Fire District, the Protection District is no longer needed. Therefore, the Town brings forth the within Governing Body Initiated Dissolution Plan to dissolve the Protection District to comply with the legal mandates in compliance with General Municipal Law Article 17-A.

**GOVERNING BODY INITIATED DISSOLUTION PLAN
PURSUANT TO
GENERAL MUNICIPAL LAW SECTION 774**

- (A) The name of entity to be dissolved is the Plotterkill Fire Protection District (FP 100), referred to herein as the "Protection District".
- (B) The territorial boundaries of the Protection District exist as designated by the Town Board of the Town of Rotterdam. The boundaries are generally described as follows: Those parcels within the Town of Rotterdam listed on the attached Schedule "A".

A map showing the areas comprising the Protection District is available for inspection the office of the Town Clerk.

- (C) The type of entity is a fire protection district as described in Town Law §184.
- (D) If uncontested, the cost of the dissolution is estimated to be less than \$1000.00.
- (E) No public employees will be affected by the dissolution.
- (F) The Protection District does not own any physical assets. The Protection District does not have any long-term liabilities or indebtedness. The Protection District does not own cash assets.
- (G) The Protection District has no actual or contingent liabilities or indebtedness as of the date of the Dissolution Plan. The Protection District does not anticipate incurring any liabilities before dissolution apart from those costs reasonably and necessarily incurred in bringing about the dissolution; which costs are expected to be less than \$1000.00. The Protection District does not have any bonded indebtedness and does not intend to incur any obligations prior to dissolution.
- (H) The Protection District has not entered into any agreements with any other municipal entities..
- (I) The residents and businesses of the area included within the Protection District were provided fire protection and emergency services through December 31, 2021 pursuant to the contract between the Town and the Department.
- (J) The terms for disposition of assets and liabilities are as follows:
 - (1) There are no assets to be disposed of.
 - (2) There are no liabilities or indebtedness. It is expressly provided that there shall beno further tax levies made by the Protection District.

- (K) No rule or regulation of the Protection District or Town is expected to be necessary or remain in effect after the dissolution occurs.
- (L) The effective date of the dissolution is December 31, 2021.
- (M) The statutorily required Public Hearing on the dissolution plan was conducted on the 8th day of December, 2021 commencing at 6:00 PM at the Town of Rotterdam Town Hall located at 1100 Sunrise Boulevard, Rotterdam, New York 12306.
- (N) Miscellaneous Matters
 - (1) Prior to and upon dissolution, that the Fire District will undertake such actions as may be reasonable and prudent to provide for the continued provision of fire protection to the area formerly known as the Protection District.
 - (2) Fire protection continued to be provided in the Protection District through December 31, 2021 under the terms of the pre-existing contract for services with the Plotterkill Volunteer Fire Company, Incorporated but under the auspices of Fire District.
 - (3) The Rotterdam Town Clerk on behalf of the Town Board of the Town of Rotterdam shall cause this Plan of Dissolution to be publicized pursuant to General Municipal Law §776(4).
 - (4) The Rotterdam Town Clerk shall cause notice to given, in the same manner as notice for a proposed dissolution plan pursuant to General Municipal Law §775, requiring all claims against the Protection District, excluding any of its outstanding securities, if any, to be filed within a time fixed in the notice, but not less than three months or more than six months, and all claims not so filed shall be forever barred. At the expiration of such time the Town Board shall adjudicate claims so filed, and any resident of the Protection District at the time of the effective date of the dissolution may appear and defend against any claim so filed, or the Town Board may in its discretion appoint some person for that purpose.
 - (5) All records, books and papers of the Protection District, if any, shall be deposited with the Town Clerk pursuant to General Municipal Law § 788.

DESCRIPTIVE SUMMARY OF PLAN OF DISSOLUTION

The Plotterkill Fire Protection District (FP 100) Plan of Dissolution provides for the dissolution of the Protection District effective December 31, 2021. The provision of fire protection and emergency services will be unaffected and will continue to be provided to the area comprising the Protection District by the Plotterkill Volunteer Fire Company, Incorporated under the auspices of the Board of Fire Commissioners of the newly created Plotterkill Fire District ("Fire District"). All tax revenue collected by the Protection District pursuant to the 2021 tax levy that is unexpended, if any, will be remitted to Fire District as additional payment for services provided through December 31, 2021. The Protection District does not possess any cash assets or own any property. The Protection District has no employees. As the Board of Fire Commissioners of Fire District has been established and the Fire District is functional, the Fire District is the authority having jurisdiction over the Fire Department and will be obligated to provide for the provision of fire protection and emergency services to those properties within the (former) Protection District that are now deemed to be included and incorporated within the boundaries of the Fire District.

SCHEDULE A

SBL Printkey	Parcel Location Address
19.-3-5	2342 Pattersonville-Rynex Corners R
19.-3-6	2290 Pattersonville-Rynex Corners R
19.-3-7.1	2190 Pattersonville-Rynex Corners R
19.-3-7.2	Pattersonville-Rynex Corners Rd
19.-3-8	143 Crawford Rd
19.-3-9	211 Crawford Rd
19.-3-10	257 Crawford Rd
19.-3-11.11	Sandborn Rd
19.-3-11.12	378 Sandborn Rd
19.-3-12	Crawford Rd
19.-3-12.1	Crawford Rd
19.-3-13	Crawford Rd
19.-3-14	695 Crawford Rd
19.-3-16.1	717 Crawford Rd
19.-3-16.1/1	717 Crawford Rd
19.-3-16.2	Crawford Rd
19.-3-17	813 Crawford Rd
19.-3-18	Crawford Rd
19.-3-18.1	Crawford Rd
27.-2-1	Pattersonville-Rynex Corners Rd
27.-2-2.2	519 Crawford Rd
27.-2-2.3	Crawford Rd
27.-2-2.4	477 Crawford Rd
27.-2-2.4/1	Crawford Rd
27.-2-2.4/3	Crawford Rd
27.-2-2.12	Crawford Rd
27.-2-2.14	278 Crawford Rd
27.-2-2.112	Crawford Rd
27.-2-3	622 Crawford Rd
27.-2-4	664 Crawford Rd
27.-2-5	784 Crawford Rd
27.-2-6	864 Crawford Rd
27.-2-7.1	Crawford Rd
27.-2-7.2	Crawford Rd
27.-2-8.1	Crawford Rd
27.-2-8.2	1216 Crawford Rd
27.-2-9.1	Crawford Rd
27.-2-10.1	Crawford Rd
27.-2-11	Crawford Rd
27.-2-12.3	1141 Upper Gregg Rd
27.-2-12.6	1276 Upper Gregg Rd
27.-2-12.14	Upper Gregg Rd
27.-2-12.51	Upper Gregg Rd
27.-2-13.1	1085 Upper Gregg Rd

SBL Printkey	Parcel Location Address
27.-2-14.12	1049 Upper Gregg Rd
27.-2-14.21	941 Upper Gregg Rd
27.-2-15.1	875 Upper Gregg Rd
27.-2-15.2	757 Upper Gregg Rd
27.-2-16.3	923 Upper Gregg Rd
27.-2-16.11	935 Upper Gregg Rd
27.-2-16.11/1	935 Upper Gregg Rd
27.-2-16.11/2	935 Upper Gregg Rd
27.-2-17	Upper Gregg Rd
27.-2-18	461 Upper Gregg Rd
27.-2-19.1	Upper Gregg Rd
27.-2-19.2	221 Upper Gregg Rd
27.-2-20	1286 Pattersonville-Rynex Corners R
27.-2-21	Pattersonville-Rynex Corners Rd
27.-2-22	1650 Crawford Rd
28.-1-1	1718 Crawford Rd
28.-1-2	Crawford Rd
28.-1-4	1986 Crawford Rd
28.-1-5	2436 Crawford Rd
28.-1-6.11	2490 Crawford Rd
28.-1-6.12	Crawford Rd
28.-1-8.1	Crawford Rd
28.-1-8.2	Crawford Rd
28.-1-9	3001 Lower Gregg Rd
28.-1-10.3	2768 Lower Gregg Rd
28.-1-10.24	Lower Gregg Rd
28.-1-10.121	E Gregg Rd
28.-1-10.211	2929 Lower Gregg Rd
28.-1-10.221	Lower Gregg Rd
28.-1-11	2809 Lower Gregg Rd
28.-1-12	2831 Lower Gregg Rd
28.-1-13.11	2781 Lower Gregg Rd
28.-1-14	Lower Gregg Rd
28.-1-15	Upper Gregg Rd
28.-1-16	2059 Upper Gregg Rd
28.-1-17	2015 Upper Gregg Rd
28.-1-18	1939 Upper Gregg Rd
28.-1-19.1	1617 Upper Gregg Rd
28.-1-19.21	Upper Gregg Rd
28.-1-20	183 E Gregg Rd
28.-1-21	E Gregg Rd
28.-1-22	E Gregg Rd
28.-2-1	298 E Gregg Rd
28.-2-2.1	208 E Gregg Rd

SBL Printkey	Parcel Location Address
28.-2-2.2	248 E Gregg Rd
28.-2-3	162 E Gregg Rd
28.-2-4.1	282 E Gregg Rd
28.-2-8.4	1902 Upper Gregg Rd
28.-2-8.51	2528 Lower Gregg Rd
28.-2-9	Upper Gregg Rd.
28.-2-10.1	1524 Upper Gregg Rd
28.-2-10.2	1580 Upper Gregg Rd
28.-2-11.1	1990 Upper Gregg Rd
28.-2-11.2	2058 Upper Gregg Rd
28.-2-12	Upper Gregg Rd
28.-2-13	2338 Lower Gregg Rd
28.-2-14.111	2368 Lower Gregg Rd
28.-2-15.1	2614 Lower Gregg Rd
28.-2-16	2728 Lower Gregg Rd
36.-3-1.21	738 Upper Gregg Rd
36.-3-1.111	780 Upper Gregg Rd
36.-3-2.1	600 Upper Gregg Rd
36.-3-3	Upper Gregg Rd
36.-3-4	602 Pattersonville-Rynex Corners Rd
36.-3-5.2	502 Pattersonville-Rynex Corners Rd
36.-3-6.1	392 Pattersonville-Rynex Corners Rd
36.-3-7	174 Pattersonville-Rynex Corners Rd
36.-3-8	4816 Mariaville Rd
36.-3-9	4736 Mariaville Rd
36.-3-10	4632 Mariaville Rd
36.-3-11	4460 Mariaville Rd
36.-3-12	132 Pattersonville-Rynex Corners Rd
36.-3-13	4138 Mariaville Rd
36.-3-14	Mariaville Rd
36.-3-15	Mariaville Rd
36.-3-16	Mariaville Rd
36.-3-17	3938 Mariaville Rd
36.-3-19.1	3522 Mariaville Rd
36.-3-20	3682 Mariaville Rd
36.-3-21	Mariaville Rd
36.-3-22	3650 Mariaville Rd
36.-3-23	3626 Mariaville Rd
36.-3-24	3592 Mariaville Rd
36.-3-25.2	4006 Mariaville Rd
36.-3-25.5	Mariaville Rd
36.-3-25.12	3929 Mariaville Rd
36.-3-25.31	3953 Mariaville Rd
36.-3-25.32	Mariaville Rd

SBL Printkey	Parcel Location Address
36.-3-25.71	3749 Mariaville Rd
36.-3-25.72	3683 Mariaville Rd
36.-3-25.131	4023 Mariaville Rd
36.-3-25.132	4045 Mariaville Rd
36.-3-25.142	3667 Mariaville Rd
36.00-3-25.621	3809 Mariaville Rd
36.-3-26	4075 Mariaville Rd
36.-3-27.2	4299 Mariaville Rd
36.-3-27.12	4385 Mariaville Rd
36.-3-27.111	4121 Mariaville Rd
36.-3-27.112	Mariaville Rd
36.-3-28.1	4717 Mariaville Rd
36.-3-28.21	4575 Mariaville Rd
36.-3-28.22	4605 Mariaville Rd
36.-3-28.23	Mariaville Rd
36.-3-29	4809 Mariaville Rd
36.-3-30	Mariaville Rd
36.-3-31	3964 Putnam Rd
36.-3-32.1	3810 Putnam Rd
36.-3-33.111	3705 Putnam Rd
36.-3-35	3606 Putnam Rd
36.-3-36	3528 Putnam Rd
36.-3-37	3486 Putnam Rd
36.-3-38	3440 Putnam Rd
36.-3-39	Putnam Rd
36.-3-40	3390 Putnam Rd
36.-3-41.1	Putnam Rd
36.00-3-41.21	Putnam Rd
36.00-3-41.22	Putnam Rd
36.-3-43	3172 Putnam Rd
36.-3-45	2962 Putnam Rd
36.-3-46	2888 Putnam Rd
36.-3-47.1	Putnam Rd
36.-3-47.2	3171 Putnam Rd
36.-3-48	159 Currybush Connection
36.-3-49	Putnam Rd
36.-3-50.1	448 Currybush Connection
36.-3-50.2	Putnam Rd
36.-3-50.3	310 Currybush Connection
36.-3-51	Putnam Rd
36.-3-52	Pattersonville-Rynex Corners Rd
37.-2-1.1	3389 Mariaville Rd
37.-2-2.2	3313 Mariaville Rd
37.-2-2.3	3275 Mariaville Rd

SBL Printkey	Parcel Location Address
37.-2-3	Putnam Rd
37.-2-4	2676 Putnam Rd
37.-2-5	2605 Putnam Rd
37.-2-6	2563 Putnam Rd
37.-2-7	Putnam Rd
37.-2-8.2	2475 Putnam Rd
37.-2-8.11	2309 Putnam Rd
37.-2-9.1	2191 Putnam Rd
37.-2-9.2	2145 Putnam Rd
37.-2-15	2412 Putnam Rd
37.-2-16	2462 Putnam Rd
37.-2-17.1	2441 Putnam Rd
37.-2-17.2	Putnam Rd
37.-2-18.11	2439 Putnam Rd
37.-4-16	Putnam Rd
38.-1-2.31/1	Town Wide
46.-4-1.1	363 Currybush Connection
46.-4-2.3	Currybush Rd
46.-4-2.12	Currybush Rd
46.-4-2.21	631 Currybush Connection
46.-4-2.111	Currybush Rd
46.-4-3	2854 Currybush Rd
46.-4-4	2736 Currybush Rd
46.-4-5.4	2676 Currybush Rd
46.-4-5.11	2296 Currybush Rd
46.-4-5.12	2735 Currybush Rd
46.-4-5.22	2660 Currybush Rd
46.-4-5.211	2714 Currybush Rd
46.-4-6	Currybush Rd
46.-4-7	Currybush Rd
46.-4-8	2980 Currybush Rd
46.-4-9	2886 Currybush Rd
46.-4-10	2680 Currybush Rd
47.-1-1.1	Currybush Rd
47.-1-2.1	1926 Currybush Rd
47.-1-3.2	1611 Currybush Rd
47.-1-3.3	1872 Currybush Rd
47.-1-3.11	1779 Currybush Rd
47.-1-3.12	2015 Currybush Rd
555.-48-1./1	Schalmont
555.-48-2./1	Schalmont
555.-48-3./1	Schalmont
555.-48-16./1	Schalmont
555.-48-17./1	Schalmont

SBL Printkey	Parcel Location Address
555.-48-20./1	Town Wide
628.000-9999-132.350/101	Elec Trans
628.000-9999-132.350/102	Elec Trans
628.000-9999-132.350/103	Elec Trans
628.000-9999-132.350/104	Elec Trans
628.000-9999-132.350/105	Elec Trans
628.000-9999-132.350/106	Elec Trans
628.000-9999-132.350/107	Elec Trans
628.000-9999-132.350/108	Elec Trans
628.000-9999-132.350/109	Elec Trans
628.000-9999-132.350/110	Elec Trans
628.000-9999-132.350/111	Elec Trans
628.000-9999-132.350/113	Elec Trans
628.000-9999-132.350/114	Elec Trans
628.000-9999-132.350/115	Elec Trans
628.000-9999-132.350/116	Elec Trans
628.000-9999-132.350/117	Elec Trans
628.000-9999-132.350/118	Elec Trans
628.000-9999-132.350/119	Elec Trans
628.000-9999-132.350/121	Elec Trans
628.000-9999-132.350/122	Elec Trans
628.000-9999-132.350/123	Elec Trans
628.000-9999-132.350/124	Elec Trans
628.000-9999-132.350/125	Elec Trans
628.000-9999-132.350/186	Town Wide
628.000-9999-132.350/201	Town Wide
628.000-9999-132.350/203	Town Wide
628.000-9999-132.350/204	Town Wide
628.000-9999-132.350/205	Town Wide
628.000-9999-132.350/206	Town Wide
628.000-9999-132.350/208	Town Wide
628.000-9999-132.350/209	Town Wide
628.000-9999-132.350/210	Town Wide
628.000-9999-132.350/211	Town Wide
628.000-9999-132.350/212	Town Wide
628.000-9999-132.350/286	Town Wide
628.000-9999-701.000/186	Schalmont
628.000-9999-810.800/200	Town Wide

RESOLUTION NO. 81.22

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

THEREFORE, UPON MOTION OF Councilmember _____, seconded by

Councilmember _____,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The town clerk's report for the month of January 2022, has been placed on file and the town clerk's check in the amount of six thousand nine hundred fifty nine and 43/100 dollars (\$6,959.43) has been submitted to the supervisor for deposit.

SECTION 2. This resolution shall become effective February 9, 2022.

DATED: February 9, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: **February 1, 2022**

TO: Mollie A. Collins, Supervisor

FROM: Diane M. Marco, Town Clerk

TITLE OF LEGISLATIVE REQUEST: Revenue received for **January 2022, \$6,959.43** in the Town Clerks office.

TO BE PLACED ON TOWN BOARD AGENDA OF: **February 9, 2022**

TO BE PLACED ON TOWN BOARD MEETING OF: **February 9, 2022**

Background Information: Attached

Evaluation/Analysis: Increase revenue for the Town.

Recommendation(s): To place on the Town Board Agenda and Town Board meeting of **February 9, 2022**

Attachment/Documents(s): Attached

Compliance with Purchasing Policy: N/A

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

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

Account Description	Fee Description	Account#	Qty	Local Share
Conservation	Conservation	A1255	5	8.43
			Sub-Total:	\$8.43
Dog Licensing	Exempt Dog	A2544	1	0.00
Dog Licensing	Female, Spayed	A2544	61	854.00
Dog Licensing	Female, Unspayed	A2544	9	153.00
Dog Licensing	Male, Neutered	A2544	68	952.00
Dog Licensing	Male, Unneutered	A2544	14	238.00
Dog Licensing	Replacement Tags	A2544	1	3.00
			Sub-Total:	\$2,200.00
Ez pass	Ez Pass	A1255	1	25.00
			Sub-Total:	\$25.00
GENERAL LIC.	Waste Hauler Permit		48	3,600.00
			Sub-Total:	\$3,600.00
Late Fees	Late Fee -Dog Renewal	A1550	9	90.00
			Sub-Total:	\$90.00
Marriage Lic.	MARRIAGE LICENSE FEE	A1255	4	70.00
			Sub-Total:	\$70.00
MISC. FEES	Certified Copies	A1255	134	1,340.00
			Sub-Total:	\$1,340.00
PERMIT FEES	Garage Sale	A2590	2	10.00
			Sub-Total:	\$10.00
Senior Discount	Senior Discount	A2544	44	-434.00
			Sub-Total:	-\$434.00
Town Portion	Games Chance Permits		5	50.00
			Sub-Total:	\$50.00
			Total Local Shares Remitted:	\$6,959.43
Amount paid to:	NYS Ag. & Markets for spay/neuter program			198.00
Amount paid to:	NYS Environmental Conservation			448.57
Amount paid to:	State Comptroller for Games of Chance			75.00
Amount paid to:	State Health Dept. For Marriage Licenses			90.00
Total State, County & Local Revenues:		\$7,771.00	Total Non-Local Revenues:	\$811.57

To the Supervisor:

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

Mollie A. Collins

Supervisor

1/31/2022

Date

Diane M. Marco

Town Clerk

1/31/2022

Date

Monthly Worksheet of Daily Work
January 2022

DATE	AMOUNT DEPOSITED	DEC LICENSE SALES	DEC PORTION	TOWN PORTION	DOG AMOUNT PAID	STATE AG MKTS PORTION	TOWN PORTION	MARRIAGE FEE PAID	STATE DOH PORTION	TOWN PORTION	BINGO/ GAMES CHANCE	STATE GAMES CHANCE	TOWN PORTION	EZ PASS
1/3/2022	\$500.00	\$380.00	\$375.82	\$4.18	\$90.00	\$6.00	\$84.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1/4/2022	\$180.00	\$0.00	\$0.00	\$0.00	\$170.00	\$16.00	\$154.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1/5/2022	\$167.00	\$0.00	\$0.00	\$0.00	\$57.00	\$12.00	\$45.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1/6/2022	\$310.00	\$25.00	\$23.62	\$1.38	\$135.00	\$14.00	\$121.00	\$40.00	\$22.50	\$17.50	\$0.00	\$0.00	\$0.00	\$0.00
1/7/2022	\$76.00	\$0.00	\$0.00	\$0.00	\$76.00	\$9.00	\$67.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1/10/2022	\$3,060.00	\$0.00	\$0.00	\$0.00	\$150.00	\$14.00	\$136.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1/11/2022	\$960.00	\$25.00	\$23.62	\$1.38	\$50.00	\$4.00	\$46.00	\$0.00	\$0.00	\$0.00	\$25.00	\$15.00	\$10.00	\$0.00
1/12/2022	\$65.00	\$0.00	\$0.00	\$0.00	\$40.00	\$4.00	\$36.00	\$0.00	\$0.00	\$0.00	\$25.00	\$15.00	\$10.00	\$0.00
1/13/2022	\$245.00	\$0.00	\$0.00	\$0.00	\$10.00	\$2.00	\$8.00	\$0.00	\$0.00	\$0.00	\$25.00	\$15.00	\$10.00	\$0.00
1/14/2022	\$180.00	\$0.00	\$0.00	\$0.00	\$90.00	\$11.00	\$79.00	\$40.00	\$22.50	\$17.50	\$0.00	\$0.00	\$0.00	\$0.00
1/18/2022	\$330.00	\$0.00	\$0.00	\$0.00	\$200.00	\$21.00	\$179.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1/19/2022	\$105.00	\$0.00	\$0.00	\$0.00	\$70.00	\$7.00	\$63.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$25.00
1/20/2022	\$130.00	\$0.00	\$0.00	\$0.00	\$95.00	\$8.00	\$87.00	\$0.00	\$0.00	\$0.00	\$25.00	\$15.00	\$10.00	\$0.00
1/21/2022	\$239.00	\$0.00	\$0.00	\$0.00	\$129.00	\$12.00	\$117.00	\$40.00	\$22.50	\$17.50	\$0.00	\$0.00	\$0.00	\$0.00
1/24/2022	\$185.00	\$0.00	\$0.00	\$0.00	\$30.00	\$2.00	\$28.00	\$0.00	\$0.00	\$0.00	\$25.00	\$15.00	\$10.00	\$0.00
1/25/2022	\$250.00	\$5.00	\$4.72	\$0.28	\$175.00	\$13.00	\$162.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1/26/2022	\$127.00	\$0.00	\$0.00	\$0.00	\$67.00	\$9.00	\$58.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1/27/2022	\$295.00	\$0.00	\$0.00	\$0.00	\$75.00	\$8.00	\$67.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1/28/2022	\$100.00	\$0.00	\$0.00	\$0.00	\$50.00	\$6.00	\$44.00	\$40.00	\$22.50	\$17.50	\$0.00	\$0.00	\$0.00	\$0.00
1/31/2022	\$267.00	\$22.00	\$20.79	\$1.21	\$205.00	\$20.00	\$185.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
1/31/2022 Audited dm	\$7,771.00	\$457.00	\$448.57	\$8.43	\$1,964.00	\$198.00	\$1,766.00	\$160.00	\$90.00	\$70.00	\$125.00	\$75.00	\$50.00	\$25.00

RESOLUTION NO. 82.22

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 January 12, 2022 and January 26, 2022 town board meetings as attached, for the meetings on these dates.

SECTION 2. This resolution shall become effective February 9, 2022.

DATED: February 9, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

TOWN OF ROTTERDAM

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



LEGISLATIVE REQUEST FORM

DATE: February 1, 2022

TO: Mollie A. Collins, Supervisor

FROM: Diane M. Marco, Town Clerk

TITLE OF LEGISLATIVE REQUEST: To adopt meeting minutes from the January 12, 2022 and January 26, 2022 Town Board Meetings.

TO BE PLACED ON TOWN BOARD AGENDA OF: February 9, 2022

TO BE PLACED ON TOWN BOARD MEETING OF: February 9, 2022

Background Information: Attached. To adopt the meeting minutes from the **January 12, 2022 and January 26, 2022 Town Board Meetings.**

Evaluation/Analysis: N/A

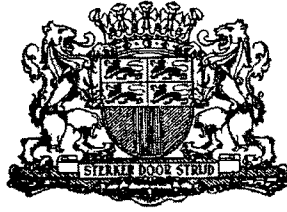
Recommendation(s): To place on Town Board agenda and Town Board meeting of **February 9, 2022.**

Attachment/Document(s): Attached

Compliance with Purchasing Policy: N/A

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

LEGISLATION WAS PREPARED BY: Town Clerk Diane M. Marco



TOWN OF ROTTERDAM

DIANE M. MARCO

Town Clerk

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

Telephone: 518-355-7575 Ext. 352 • Fax: 518-355-7837 • Website: www.rotterdamny.org

Email * dmarco@rotterdamny.org

January 14, 2022

Certified Resolutions: #54-65.22 for the year 2021 were duly adopted at the Town Board regular Scheduled Meeting held at J.F. Kirvin Government Center, 1100 Sunrise Blvd, that was held Wednesday January 12, 2022. Agenda Review started at approximately 6:39 p.m. and Motion 9.22 was made to amend Resolution 58.22 by Christou and seconded by Miller-Herrera. Agenda review ended at approximately 7:03 p.m. with a motion by Dodson and seconded by Christou. All agreed. Motion 10.22 was made by Dodson and seconded by Christou at approximately 7:04 p.m. to enter into executive session to discuss employment history of employee 621. All agreed to go into executive session. Execution session ended with a motion by Christou and seconded by Mastroianni at approximately 7:39 p.m. All agreed to exit executive session. Without objections were done for Resolutions #54.22, #56.22, #57.22 and #60.22.

The Town Board regular scheduled meeting started at approximately 7:40 p.m. and a motion was made to adjourn by Christou and seconded by Miller-Herrera at 9:19 p.m. All agreed to adjourn.

All Councilmembers were present

Diane M. Marco

Diane M. Marco, Town Clerk

MEETING OF THE
ROTTERDAM TOWN BOARD
JANUARY 12, 2022
7:00 pm
AGENDA REVIEW 6:30 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SUPERVISOR'S REMARKS: Supervisor Mollie A. Collins

EXECUTIVE SESSION

- Personnel matter, employee 621

PROCLAMATIONS/PRESENTATIONS:

PUBLIC HEARINGS:

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 and the public, 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 and public.

INTRODUCTION OF MOTIONS, ORDERS AND RESOLUTIONS

MOTIONS AND WITHOUT OBJECTIONS

9.22 Motion made in agenda review to amend resolution 58.22 to add Matt Lupi, Dana Osta and Phillis Horvath

10.22 Motion made to enter into executive session to discuss employment history personnel matter, employee 621

Without objections resolution #54.22 will change to appoint members to the ethics board

Without objections Resolutions #56.22 and #57.22 were switched around from the final agenda

Without objections Resolution #60.22 we will take out of order

RESOLUTIONS

54.22 A resolution to appoint members to the Ethics Board

55.22 A resolution to authorize a Change Order #1 for Wellfield Chlorination with Brunswick Electric, Inc.

56.22 A resolution to authorize Change Order #1 for Wellfield Chlorination with AMZ Construction Inc.

57.22 A resolution to authorize release of retainage to AMZ Construction Inc.

58.22 A resolution to amend Resolution No. 21 of the year 2022.

59.22 A resolution to amend Resolution No 324 of the year 2021.

60.22 A resolution to appoint police officers.

61.22 A resolution authorizing execution of a contract for Labor Relations Attorney and Consultants.

62.22 A resolution accepting the Town Board of the Town of Rotterdam meeting minutes for the December 8, 2021 meeting.

63.22 A resolution to accept revenue for Town Clerk's Office for December 2021.

64.22 A resolution to make budgetary transfers for the 2022 final budget.

65.22 A resolution to enter into an agreement with Paul C. Sebesta to Financial Consulting Services.

COMMITTEE REPORTS

MISCELLANEOUS:

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 Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following motion was made in agenda review and adopted:

MOTION NO. 9.22

THEREFORE, UPON MOTION OF Councilmember **CHRISTOU**, seconded by Councilmember **MILLER-HERRERA**, **NOW**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. I would like to make a motion to amend resolution 58.22 to add Matt Lupi, Assistant Director of Public works for \$3500.00, Dana Osta, Social Media Administrator for \$2000.00 and Phyllis Horvath for \$19.00 per hour Clerk part time on an as needed basis.

SECTION 2. This motion shall become effective January 12, 2022

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing motion was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing motion is a true and correct transcript of the original motion and of the whole thereof and that said motion is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following motion was duly adopted:

MOTION NO. 10.22

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. I would like to make a motion to enter executive session to discuss employment history of 621.

SECTION 2. This motion shall become effective January 12, 2022

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing motion was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing motion is a true and correct transcript of the original motion and of the whole thereof and that said motion is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 54.22

TO AMEND RESOLUTION NO. 16.22 TO APPOINT MEMBERS TO THE ETHICS BOARD

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The following individuals of Rotterdam, New York are appointed to the Town of Rotterdam Ethics Board:

Megan Griffin
Steve Grandstaff
Yvonne Cleveland

SECTION 2. This resolution shall become effective January 12, 2022.

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 55.22

A RESOLUTION TO AUTHORIZE A CHANGE ORDER #1 FOR WELLFIELD CHLORINATION WITH BRUNSWICK ELECTRIC, INC.

THEREFORE, UPON MOTION OF Councilmember DODSON, seconded by

Councilmember **CHRISTOU**, NOW

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute Change Order No. 1 with Brunswick Electric, Inc, 290 Hoosick Street, Troy, New York 12180, for an increase in the amount of three thousand one hundred thirty five and 68/100 dollars (\$3,135.68), for the Wellfield Chlorination Building.

SECTION 2. This resolution shall become effective January 12, 2022.

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 56.22

A RESOLUTION TO AUTHORIZE CHANGE ORDER #1 FOR WELLFIELD CHLORINATION

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute Change Order No. 1 with AMZ Construction Services, Inc., 1234 Main Street, Rotterdam Junction, New York 12150, in the amount of zero dollar (\$0) for the Wellfield Chlorination Building.

SECTION 2. This resolution shall become effective January 12, 2022.

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 57.22

A RESOLUTION TO AUTHORIZE RELEASE OF RETAINAGE

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

Councilmember **DODSON**, NOW

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to release retainage to AMZ Construction Services, Inc., 1234 Main Street, Rotterdam Junction, New York 12150, in the amount of eighty-three thousand five hundred sixty-eight and 96/100 dollars (\$83,568.96), for the Wellfield Chlorination Building project.

SECTION 2. This resolution shall become effective January 12, 2022.

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 58.22

TO AMEND RESOLUTION NO. 21 OF THE YEAR 2022

THEREFORE, UPON MOTION OF Councilmember **CHRISTOU**, seconded by Councilmember **MILLER-HERRERA**, **NOW**

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby amends Resolution 21 of the year 2022 to increase the hourly pay for Donna Larsen from \$17 per hour to \$19.5 per hour, and to impose a not-to-exceed amount of \$10,000.00.

SECTION 2. The Town Board of the Town of Rotterdam hereby amends Resolution 21 of the year 2022 to add to the list Matt Lupi as Assistant Director to Public works for \$3500.00, Dana Osta, Social Media Administrator for \$2000.00 and Phyllis Horvath Part-time Clerk for \$19.00 per hour on an as needed basis.

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

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 59.22

TO AMEND RESOLUTION NO. 324.21, DECLARE EQUIPMENT OBSOLETE

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Resolution 324.21 declaring certain equipment obsolete adopted on December 29, 2021 is hereby amended to remove the following items, which are still in good working order and needed for use at the Rotterdam Senior Center.

Industrial Dishwasher
Large Double Door Food Cooler
Convection Oven
Industrial Sink
Large Industrial Slop Sink
Large Silver Serving Cart
Commercial Range w/Griddle
Ice Machine
Large Freezer

SECTION 2. The above mentioned items, deemed to still be in good working order and needed for use at the Rotterdam Senior Center shall be excluded from the previous resolution.

SECTION 3. This resolution shall become effective January 12, 2022.

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 60.22

A RESOLUTION TO APPOINT POLICE OFFICERS

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Noah A. Keith and Austin J. McCrum of Rotterdam, New York are hereby appointed to the position of police officer, full time, probationary with full employee benefits at a salary of forty-four thousand three hundred eighty-two and 98/100 (\$44,382.98).

SECTION 2. This resolution shall be effective January 24, 2022.

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 61.22

**AUTHORIZING THE SUPERVISOR TO NEGOTIATE AND EXECUTE A CONTRACT
WITH ROEMER, WALLENS, GOLD, & MINEAUX, LLP AS LABOR RELATIONS
ATTORNEY AND CONSULTANTS**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Supervisor is hereby authorized to negotiate and execute a contract with Roemer, Wallens, Gold & Mineaux as Labor Relations Attorney and Consultants to represent the Town of Rotterdam for the period of January 1, 2022 through December 31, 2023.

SECTION 2. This resolution shall become effective January 12, 2022.

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 62.22

ACCEPTING TOWN BOARD MEETING MINUTES

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby adopts the minutes of the December 8, 2021 town board meeting as attached, for the meeting on said date.

SECTION 2. This resolution shall become effective January 12, 2022.

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 63.22

TO ACCEPT REVENUE FOR TOWN CLERK'S OFFICE FOR DECEMBER 2021

THEREFORE, UPON MOTION OF Councilmember CHRISTOU, seconded by

Councilmember MASTROIANNI, NOW

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The town clerk's report for the month of December 2021 has been placed on file and the town clerk's check in the amount of two thousand nine hundred sixty-five and 44/100 dollars (\$2,965.44) has been submitted to the supervisor for deposit.

SECTION 2. This resolution shall become effective January 12, 2022.

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 64.22

TO MAKE BUDGETARY TRANSFERS FOR THE 2022 FINAL BUDGET

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Transfer of \$20,000.00 from A3620-105016 into A1490-150011.

SECTION 2. This resolution shall become effective January 12, 2022.

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 12, 2022, at 7:00 p.m., the following resolution was duly adopted:

RESOLUTION NO. 65.22

TO ENTER INTO A CONTRACT WITH PAUL C. SEBESTA FOR FINANCIAL CONSULTING SERVICES

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor of the Town of Rotterdam to negotiate and execute a contract between the Town of Rotterdam and Paul C. Sebesta of Niskayuna, New York for financial consulting services at a rate of \$100.00 per hour, not to exceed \$38,500.00 commencing January 13, 2022.

SECTION 2. This resolution shall become effective January 12, 2022.

DATED: January 12, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 12, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 14, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk



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

January 28, 2022

Certified Resolutions: #66.22-#76.22 for the year 2022 were duly adopted at the Town Board regular Scheduled Meeting held at J.F. Kirvin Government Center, 1100 Sunrise Blvd, that was held Wednesday January 26, 2022. Agenda Review started at approximately 6:30 p.m. and **Motion 11.22** was made at the agenda review to amend Resolution 68.22 by Christou and seconded by Miller-Herrera. **Motion failed.** Agenda review adjourned at approximately 6:57 p.m. with a motion by Christou and seconded by Dodson. All agreed to adjourn the agenda review.

The Town Board regular scheduled meeting started at approximately 7:00 p.m. and a motion was made to adjourn by Dodson and seconded by Christou at 7:25 p.m. All agreed to adjourn the Town Board Meeting.

All Councilmembers were present

Diane M. Marco

Diane M. Marco, Town Clerk

The Town of Rotterdam Town Board Meeting will be held in person; however, the public may access the meeting electronically via conference call. Members of the public may listen to the board meeting by dialing 1 (929) 205-6099, then enter the conference ID NO. 867 0373 0307, followed by the pound symbol. Video of the town board meeting will be posted on the Town of Rotterdam website (www.rotterdamny.org) the following Friday after the meeting.

MEETING OF THE
ROTTERDAM TOWN BOARD
JANUARY 26, 2022
7:00 pm
AGENDA REVIEW 6:30 PM

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SUPERVISOR'S REMARKS: Supervisor Mollie A. Collins

EXECUTIVE SESSION

PROCLAMATIONS/PRESENTATIONS

PUBLIC HEARINGS

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 sheet 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 and the public, 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 and public.

INTRODUCTION OF MOTIONS, ORDERS AND RESOLUTIONS

Motion No.

11.22 Motion made to amend resolution 68.22

RESOLUTIONS

- 66.22** A resolution to terminate the appointed position, Director of Finance
- 67.22** A resolution to terminate the appointed position, Director of Public Works
- 68.22** A resolution to terminate the position of Paralegal/Governmental Liaison
- 69.22** A resolution to amend resolution No. 20.22 to appoint Jeffrey Nuzzaco as a member of the Town of Rotterdam Board of Assessment Review.
- 70.22** A resolution to amend resolution No. 21.22 of the year 2022
- 71.22** A resolution to award the bid for Sodium Hexametaphosphate
- 72.22** A resolution requesting bids for Rotterdam Junction Stormwater Improvements
- 73.22** A resolution requesting bids for the 6th Well-Water System Improvements
- 74.22** A resolution to appoint stormwater manager for construction stormwater inspections
- 75.22** A resolution to approve budget transfers to the 2021 and 2022 Budget
- 76.22** A resolution accepting Town Board Meeting minutes

COMMITTEE REPORTS

MISCELLANEOUS

ADJOURNMENT

MOLLIE A. COLLINS, Supervisor

MOTION 11-22 FAILED

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following Motion **Failed**.

THEREFORE, UPON MOTION OF Councilmember **CHRISTOU**, seconded by Councilmember **MILLER-HERRERA**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. I would like to make a motion to amend resolution 68.22 to read the termination date of the position of paralegal and or/government liaison, to become effective February 4, 2022.

SECTION 2. This motion shall become effective January 26, 2022

DATED: January 26, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing motion failed by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing motion is a true and correct transcript of the original motion and of the whole thereof and that said motion is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco
Diane M. Marco, Town Clerk



RESOLUTION NO. 66.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

TERMINATION OF APPOINTED POSITION, DIRECTOR OF FINANCE

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 recognizes the Supervisor's termination of the position of Director of Finance, effective as of January 1, 2022.

SECTION 2. This resolution shall become effective January 1, 2022.

DATED: January 26, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 67.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

TERMINATION OF APPOINTED POSITION, DIRECTOR OF PUBLIC WORKS

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 approves the termination of the appointment of the Director of Public Works, effective January 1, 2022.

SECTION 2. This resolution shall become effective January 1, 2022.

DATED: January 26, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco
Diane M. Marco, Town Clerk



RESOLUTION NO. 68.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

TERMINATION OF PARALEGAL/GOVERNMENTAL LIAISON

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 terminates the position of paralegal and/or governmental liaison, effective immediately.

SECTION 2. This resolution shall become effective January 26, 2022.

DATED: January 26, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



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RESOLUTION NO. 69.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AMEND RESOLUTION NO. 20.22 TO APPOINT JEFFREY NUZZACO AS A MEMBER OF THE TOWN OF ROTTERDAM BOARD OF ASSESSMENT REVIEW.

WHEREAS, Jeffrey Nuzzaco of Rotterdam, New York was appointed as a member of the Town of Rotterdam Board of Assessment Review by Resolution 20.22 for a five (5) year term commencing on January 1, 2022 through September 30, 2026; and

WHEREAS, Mr. Nuzzaco's appointment was intended to fill a vacancy of an unexpired term that expires September 30, 2024; and

WHEREAS, the correct term for Nuzzaco's appointment should be January 1, 2022 through September 30, 2024;

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Section 1 of Resolution 20.22 is hereby amended to read as follows: "Effective January 1, 2022, Jeffrey Nuzzaco of Rotterdam, New York, is hereby appointed to the Town of Rotterdam Board of Assessment Review to fill the remaining unexpired term of Peter Korunkiewicz, which shall expire September 30, 2024.

SECTION 2. This resolution shall become effective January 26, 2022.

DATED: January 26, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 70.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AMEND RESOLUTION NO. 21.22 OF THE YEAR 2022

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby amends Section 1 of Resolution 21 of the year 2022 to read as follows:

ADA Compliance Officer/Safety Officer

James Keith Annual Stipend \$ 3,000

Grant Coordinator

Peter Comenzo Annual Stipend \$ 3,500

Clerk- Part Time

Donna Larsen Hourly Rate \$ 19.50

Traffic Liaison

Edward H. Scholz, Jr. Hourly Rate \$ 29.86

(Maximum of \$12,500.00 for the year 2022)

School Traffic Officer

Floyd Rorick Hourly Rate \$ 15.00

(Maximum of 4 hours daily)

DPW Advisor-Part-Time

Michael Maher Hourly Rate \$38.50

COVID Compliance

Megan Griffin Annual Stipend \$2,500

Administrative Records Specialist – Part Time

Lynn Fiorillo Hourly Rate \$19.50

Public Works Advisor – Part Time

Michael T. Maher Hourly Rate \$38.50

(Maximum of 17.5 hours per week)

Assistant Director to Public Works

Matt Lupi Annual Stipend \$3,500

Social Media

Dana Osta Annual Stipend \$2,000

Clerk- Part Time

Phyllis Horvath Hourly Rate \$19.00

Storm Water Officer

Ryan Coulter Annual Stipend \$3,500

Storm Water Manager – Part-Time

Mary Barrie Hourly Rate \$25.00

Senior Payroll Audit Clerk

Carol Connelly Hourly Rate \$35.00

(Not to exceed 12 hours per week)

Laborer – Part Time

Randall Tallman Hourly Rate \$15.00

(Not to exceed 11 hours)

SECTION 2. This resolution shall become effective January 26, 2022.

DATED: January 26, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 71.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

AWARD THE BID FOR SODIUM HEXAMETAPHOSPHATE

WHEREAS, Pursuant to notice duly published according to Section One Hundred Three of the General Municipal Law of the State of New York, the Town of Rotterdam on Monday, February 8, 2021 posted an official report of all bid submissions received to the Empire State Purchasing Group on BidNet (<http://bidnetdirect.com/townofrotterdam>). Additionally, the official bid report and all bids were made available in the Office of the Town Clerk for public inspection upon request, for the purchase by the Town of Rotterdam of the following:

Sodium Hexametaphosphate

THEREFORE, UPON MOTION OF Councilmember **CHRISTOU**, 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 Sodium Hexametaphosphate for the Town of Rotterdam to Carus Corporation, P.O Box 599, 315 5th Street Peru, IL 61354

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

SECTION 3. This resolution shall become effective January 26, 2022

DATED: January 26, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 72.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

A RESOLUTION REQUESTING BIDS FOR ROTTERDAM JUNCTION STORMWATER IMPROVEMENTS

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

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

**TOWN OF ROTTERDAM
NOTICE TO BIDDERS**

PLEASE TAKE NOTICE: That all bids received by the Town Board of the Town of Rotterdam, by Friday, the 25th day of February, 2022, at 11:00 a.m., will be electronically opened at that time. The town board will subsequently post an official report to the Empire State Purchasing Group on BidNet (<http://www.bidnetdirect.com/townofrotterdam>) by the close of business the same day, of all bid submissions received pursuant to this notice. Additionally, the official bid report and all bids shall be available in the office of the town clerk for public inspection during regular business hours, for the purchase by the Town of Rotterdam of the following:

ROTTERDAM JUNCTION STORMWATER IMPROVEMENTS

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

**ALL BID PROPOSALS MUST BE ELECTRONICALLY SUBMITTED
PRIOR TO 11:00 A.M., FRIDAY FEBRUARY 25, 2022**

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

**BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO TOWN CLERK**

DATED: January 26, 2022

BidNet: Please publish on January 28, 2022

Daily Gazette: Please publish once on January 29, 2022

Town Clerk Post

SECTION 2. This resolution shall become effective January 26, 2022.

DATED: January 26, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco
Diane M. Marco, Town Clerk



RESOLUTION NO. 73.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

A RESOLUTION REQUESTING BIDS FOR THE 6TH WELL-WATER SYSTEM IMPROVEMENTS

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

Councilmember **MASTROIANNI**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

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

TOWN OF ROTTERDAM NOTICE TO BIDDERS

PLEASE TAKE NOTICE: That all bids received by the Town Board of the Town of Rotterdam, by Thursday, the 25th day of February, 2022, at 11:00 a.m., will be electronically opened at that time. The town board will subsequently post an official report to the Empire State Purchasing Group on BidNet (<http://www.bidnetdirect.com/townofrotterdam>) by the close of business the same day, of all bid submissions received pursuant to this notice. Additionally, the official bid report and all bids shall be available in the office of the town clerk for public inspection during regular business hours, for the purchase by the Town of Rotterdam of the following:

6TH WELL-WATER SYSTEM IMPROVEMENTS

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

**ALL BID PROPOSALS MUST BE ELECTRONICALLY SUBMITTED
PRIOR TO 11:00 A.M., FRIDAY, FEBRUARY 25, 2022**

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

**BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO TOWN CLERK**

DATED: January 26, 2022

BidNet: Please publish on January 28, 2022

Daily Gazette: Please publish once on January 29, 2022

Town Clerk Post

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to call for bids for the 6th Well Water System Improvements project.

SECTION 2. This resolution shall become effective January 26, 2022.

DATED: January 26, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco
Diane M. Marco, Town Clerk



RESOLUTION NO. 74.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

**A RESOLUTION TO APPOINT STORMWATER MANAGER FOR CONSTRUCTION
STORMWATER INSPECTIONS**

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 appoint Mary Barrie to the position of Stormwater Manager on an as-needed basis, at an hourly rate of \$25.00 per hour.

SECTION 2. This resolution shall become effective January 1, 2022.

DATED: January 26, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 75.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO APPROVE BUDGET TRANSFERS TO THE 2021 AND 2022 BUDGET

THEREFORE, UPON MOTION OF Councilmember DODSON,

seconded by Councilmember **MASTROIANNI,**

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 2021 are hereby audited and approved:

From A1220 4100 Supervisors Office Supplies	Amount \$ 10.00
To A1220 2000 Supervisors Office Equipment	Amount \$ 10.00
From A6772 2005 Equipment	Amount \$ 4,929.47
To A1490 2000 Office Equipment	Amount \$ 4,929.47
From A1490 4300 DPW Conferences	Amount \$ 423.57
To A1490 4100 DPW Office Supplies	Amount \$ 41.37
To A1440 4810 Town Planning/Maps	Amount \$ 382.20
From A1440 123082 Town Engineer	Amount \$40,000.00
From A1620 4106 Buildings Fire Alarm	Amount \$ 8,016.35
To A1440 4850 Engineering Consultant	Amount \$48,016.35
From A1620 4601 Preventive Maintenance Supply	Amount \$ 5,336.27
To A1490 4200 DPW Telephone	Amount \$ 1,683.08
To A1490 4400 DPW Repair/MCH Contract	Amount \$ 1,853.24
To A1490 4801 DPW Software & Supply	Amount \$ 1,799.95
From A3310 4602 Personal Protection Equipment	Amount \$ 651.66
To A3310 4200 Traffic Telephone	Amount \$ 90.27
To A3310 4500 Traffic Control Electric	Amount \$ 561.39
From A3620 4901 Building Insp. Building Demolition	Amount \$ 2,184.92
To A3620 4305 Safety Inspection Auto Repair	Amount \$ 2,184.92
From A3620 4901 Building Insp. Building Demolition	Amount \$ 1,058.11
To A3620 4602 Safety Supplies	Amount \$ 1,058.11

From A3620 4901 Building Insp. Building Demolition	Amount \$12,232.00
To A3620 4905 Safety Insp. Health Emergency	Amount \$12,232.00
From A6772 2005 Equipment	Amount \$18,236.38
To A6772 4904 Maintenance & Supplies	Amount \$18,236.38
From A6772 2005 Equipment	Amount \$ 6,875.63
From A6772 4000 Seniors Outreach Programs	Amount \$ 5,000.00
From A6772 4100 Office Supplies	Amount \$ 1,004.93
To A6772 4902 HVAC & Fire Alarms Maintenance	Amount \$12,880.56
From A6772 4104 Elevator Maintenance	Amount \$ 2,764.09
To A6772 4200 Telephone Services	Amount \$ 2,764.09
From A7110 2000 Parks Mower/Table/Equipment	Amount \$ 3,024.25
To A7110 4145 Parks Machinery Repair	Amount \$ 3,024.25
From A7110 184521 Sr. Recreation Leader (Prep)	Amount \$ 576.75
To A7110 4152 Parks Dumpster Rental	Amount \$ 576.75
From A7110 182021 Recreation Specialist Rap	Amount \$10,000.00
From A7110 185021 Recreation Specialist Prep	Amount \$10,500.00
From A7110 184521 Sr. Recreation Leader (Prep)	Amount \$ 2,128.14
To A7110 4904 Parks Maintenance & Supply	Amount \$22,628.14
From A8020 4100 Planning Office Supplies	Amount \$ 350.00
From A8020 4161 Plan Admin Assistance	Amount \$ 500.00
From A8020 4300 Planning Conferences	Amount \$ 408.00
To A8020 4356 Planning & Zoning Attorney	Amount \$ 1,258.00
From A8020 4300 Planning Conferences	Amount \$ 120.00
To A8020 4421 Zone and Plan Book	Amount \$ 120.00
From A1620 4902 Buildings HVAC Maintenance	Amount \$12,976.08
From A3620 4901 Bldg Insp Building Demolition	Amount \$19,000.00
From A8020 4501 Grant Services	Amount \$20,000.00
From A6772 4131 Brass Rail Food & Supplies	Amount \$40,000.00
To A8020 4522 Planning Studies	Amount \$91,976.08
From A8189 4323 Leachate Disposal	Amount \$20,000.00
From A8189 2000 Equipment	Amount \$ 87.15
To A8189 4904 Maintenance & Supplies	Amount \$20,087.15
From S28110 2000 Equipment	Amount \$ 1,441.80

To	S28110 4300 S2 Conferences/Training	Amount \$	371.79
To	S28110 4800 S2 Data Process	Amount \$	808.99
To	S28120 4856 SS2 Easements Rite of Way	Amount \$	12.26
To	S28130 4319 SS2 Uniforms & Cleaning	Amount \$	248.76
From	S28120 2000 SS2 Equipment	Amount	\$64,294.97
To	S28110 4854 S2 Engineering Services	Amount	\$51,901.69
To	S28120 4857 SS2 Auto Equipment & Supply	Amount \$	6,597.71
To	S28130 4165 SS2 Insurance	Amount \$	5,795.57
From	S28130 4863 SS2 Chemicals	Amount	\$14,236.00
From	S28130 4868 SS2 NYS Pollutant Fee	Amount \$	443.70
To	S28130 4869 SS2 Analysis H2O & Sludge	Amount	\$14,679.70
From	S28130 4867 Polymer	Amount \$	7,000.00
From	S28130 4866 SS2 Plant Equipment Repair & Maint.	Amount \$	6,196.00
From	S28130 2000 Equipment	Amount	\$35,000.00
From	S28130 2002 Pumps & Filters	Amount	\$40,000.00
From	S28120 4859 SS2 Sewer Line Repairs	Amount	\$38,943.35
To	S28130 4870 SS2 Sludge Remove/Disposal	Amount	\$127,139.35
From	W38320 4880 W3 Equipment Maint. & Repair	Amount \$	1,133.51
To	W38320 4165 W3 Insurance	Amount \$	144.51
To	W38330 4869 W3 Water Analysis	Amount \$	989.00
From	W38340 2000 Equipment	Amount \$	4,324.54
To	W38340 4856 W3 Easements BM Conrail	Amount \$	6.87
To	W38340 4875 W3 Pipes & Fittings	Amount \$	4,317.67
From	W58310 2000 Equipment	Amount \$	4,020.90
To	W58310 4800 W5 Data Process Support	Amount \$	3,898.23
To	W58310 4855 W5 Paying Agent Fees	Amount \$	31.67
From	W58320 2000	Amount	\$30,508.32
To	W58320 4166 W5 General Liability Insurance	Amount \$	3,978.21
To	W58320 4205 W5 Internet Service	Amount \$	246.88
To	W58320 4862 W5 Print & Public Notices	Amount \$	105.00
To	W58320 4881 W5 Test Drinking Water	Amount \$	5,654.24
To	W58320 4904 W5 Building/Grounds Maint. Power	Amount \$	5,345.56
To	W58320 4907 Outside Contracts City-Schenectady	Amount	\$15,178.43
From	W58340 2000 W5 Equipment	Amount	\$21,144.45
To	W58340 4010 W5 Easements	Amount \$	1,771.72
To	W58340 4305 W5 Auto Equipment Supply	Amount \$	4,594.99
To	W58340 4887 W5 Water Equipment Maint. Supply	Amount \$	9,276.78
To	W58340 4904 W5555 Bldg Ground Maint. Supply	Amount \$	9,500.96

SECTION 2. Pursuant to Section 36 of the General Municipal Law of the State of New York and Sections 102, 112 and 113 of Town Law of the State of New York, regarding the Uniform System of Accounts, the following transfers to the various accounts for 2022 are hereby audited and approved:

From A1220 4100 Supervisor Office Supplies
To A1010 4100 Office Supplies

Amount \$ 100.00
Amount \$ 100.00

SECTION 3. This resolution shall become effective January 26, 2022.

DATED: January 26, 2022

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

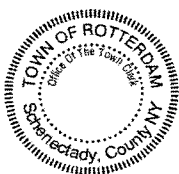
I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION 76.22

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, January 26, 2022, at 7:00 p.m., the following resolution was duly adopted:

A RESOLUTION ACCEPTING TOWN BOARD MEETING MINUTES

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

Councilmember **MASTROIANNI**,

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 January 1, 2022 Town Board Organizational meeting as attached, for the meeting on this date.

SECTION 2. This resolution shall become effective January 26, 2022.

DATED: January 26, 2022

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on January 26, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this January 28, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 83.22

TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW NO. 2 OF 2022 TO AMEND CHAPTER 60, RESIDENCY REQUIREMENTS, OF THE TOWN CODE OF THE TOWN OF ROTTERDAM AND SCHEDULING A PUBLIC HEARING THEREON.

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board recognizes the introduction of Introductory Local Law No. 2 of 2022 to amend Chapter 60, Residency Requirements, of the Town Code of the Town of Rotterdam.

SECTION 2. The Town Clerk of the Town of Rotterdam is hereby directed to publish in the official newspaper of the Town of Rotterdam not less than ten (10) days prior to the date designated for the public hearing provided for hereby the following notice:

**TOWN OF ROTTERDAM
NOTICE OF HEARING**

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam will hold a public hearing at the John F. Kirvin Government Center, Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York 12306 at 7:00 p.m. on the 23rd day of February, 2022 for the following purpose:

For the enactment of Introductory Local Law No. 2 of 2022 relating to amending Chapter 60, Residency Requirements, of the Town Code of the Town of Rotterdam.

**BY ORDER OF THE ROTTERDAM TOWN BOARD
DIANE M. MARCO, TOWN CLERK**

DATED: February 9, 2022

Daily Gazette: Please publish once on February 12, 2022

Town Clerk

Post

SECTION 3. This resolution shall become effective February 9, 2022.

DATED: February 9, 2022

NAME	AYES	NOES	ABSTAIN
Christou			
Miller-Herrera			
Dodson			
Mastroianni			
Collins			

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

☐County ☐City ☒Town ☐Village
(select one:)

of Rotterdam

Introductory Local Law No. 2 of the year 2022

**A LOCAL LAW TO AMEND CHAPTER 60, RESIDENCY REQUIREMENTS, OF THE
TOWN CODE OF THE TOWN OF ROTTERDAM**

Be it enacted by the Town Board of the Town of Rotterdam as follows:

See attached.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

TOWN OF ROTTERDAM

INTRODUCTORY LOCAL LAW NO. 2 OF THE YEAR 2022

A LOCAL LAW TO AMEND CHAPTER 60, RESIDENCY REQUIREMENTS, OF THE TOWN CODE OF THE TOWN OF ROTTERDAM

SECTION 1 – TITLE

This local law shall be referred to as “A Local Law to Amend Chapter 60, Residency Requirements, of the Town Code of the Town of Rotterdam”.

SECTION 2 – PURPOSE

The purpose of this local law is to clarify and ensure the effectiveness of the residency requirements for employees and town officers in the Town of Rotterdam.

SECTION 3 – AUTHORITY

This local law is enacted by the Town Board of the Town of Rotterdam pursuant to the N.Y. Municipal Home Rule Law.

SECTION 4 – AMENDMENT

Chapter 60, Residency Requirements, is hereby amended to read in its entirety as follows:

Chapter 60. Residency Requirements

Article I. General Provisions

§ 60-1. Employees.

Any person hired and employed by the Town of Rotterdam must, during the period of his or her employment with Town,

maintain his or her residence or dwelling within the boundaries and corporate limits of Schenectady County or an adjoining county.

§ 60-2. Exemptions.

The provisions of this article shall not apply to elected officials, all other officials or employees whose residency requirements are established by law, or to employees during a leave of absence duly granted.

§ 60-3. Failure to comply.

Failure of any employee to comply with any of the provisions of this article shall constitute misconduct and shall be cause for removal in the manner provided by law.

Article II. Town Comptroller

§ 60-4. Requirements for Town Comptroller.

Any person holding the office of Town Comptroller need not be a resident nor an elector of the Town of Rotterdam; provided, however, that such person shall reside in Schenectady County or in an adjoining county. This section shall supersede N.Y. Town Law § 23 and N.Y. Public Officers Law § 3.

Article III. Town Engineer

§ 60-5. Requirements for Town Engineer.

Any person holding the office of Town Engineer need not be a resident nor an elector of the Town of Rotterdam; provided, however, that such person shall reside in Schenectady County or in an adjoining county. This section shall supersede N.Y. Town Law § 23 and N.Y. Public Officers Law § 3.

Article IV. Town Assessor

§ 60-6. Requirements for Town Assessor.

Any person holding the office of Town Assessor need not be a resident nor an elector of the Town of Rotterdam; provided, however, that such person shall reside in the State of New York. This section shall supersede N.Y. Town Law § 23 and N.Y. Public Officers Law § 3.

Article V. Town Attorney

§ 60-7. Requirements for Town Attorney.

Any person holding the office of Town Attorney need not be a resident nor an elector of the Town of Rotterdam; provided, however, that such person shall reside in the State of New York. This section shall supersede N.Y. Town Law § 23 and N.Y. Public Officers Law § 3.

SECTION 5 – SUPERSESSION

To the extent this local law is inconsistent with any state or local statute or regulation, it is the intent of this local law to supersede such statute or regulation, including without limitation the following: (i) N.Y. Town Law § 23; and (ii) N.Y. Public Officers Law § 3.

SECTION 6 – SEVERABILITY

If any word, phrase, sentence, part, section, subsection, or other portion of this Law or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 7 – EFFECTIVE DATE

This Local Law shall become effective upon filing with the New York Secretary of State.

(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, designated as Local Law No. ____ of 2022 of the (County)(City)(Town)(Village) of Rotterdam was duly passed by the Town Board of the Town of Rotterdam on _____, 2022 in accordance with the applicable provisions of law.

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, designated as local law No. _____ 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 _____ and was deemed duly adopted on _____ 20____ in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ 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 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, designated as local law No. _____ 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.

* 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.

5. ~~(City local law concerning Charter revision proposed by petition.)~~

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the City of _____ having been 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 hereto, designated as local law No. _____ of 20____ of the County of _____, State of New York, having been submitted to the electors at the General Election of _____ 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 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 paragraph 1, above.

Diane Marco, Town of Rotterdam Town Clerk
Clerk of the county legislative body, City, Town or Village
Clerk or officer designated by local legislative body

(Seal)

Date: _____