



TOWN OF ROTTERDAM

DIANE M. MARCO
Town Clerk

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

March 10, 2023

Certified Resolutions: #112-#127 for the year 2023 was duly adopted at the Town Board Meeting held at J.F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, NY 12306 that was held Wednesday, March 8, 2023 at 7:00 p.m. The Town Board Agenda review meeting began at approximately 6:32 p.m. Agenda review was adjourned at approximately 6:42 p.m. All agreed to adjourn agenda review. The Town Board Meeting started at approximately 7:00 p.m. was adjourned at approximately 8:02 p.m. by Councilmember Dodson and seconded by Councilmember Christou. All agreed to adjourn the Town Board Meeting.

All Councilmembers were present

Diane 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 Zoom conference call. Members of the public may listen to the board meeting by dialing 1 (929) 205-6099 (followed by the pound symbol) or by logging into Zoom.com, then enter the conference ID NO. 867 0373 0307. Video of the town board meeting will be posted on the Town of Rotterdam website (www.rotterdamny.org) the following Friday after the meeting.

**MEETING OF THE
ROTTERDAM TOWN BOARD**

March 8, 2023

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 HEAR

- For the enactment of an Introductory Local Law of 2023, relating to the amendment of Chapter 225, Taxation, of the Town Code of the Town of Rotterdam. **PUBLIC HEARING CLOSED**

PUBLIC COMMENT – PRIVILEGE OF THE FLOOR:

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

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

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

INTRODUCTION OF MOTIONS, ORDERS AND RESOLUTIONS

RESOLUTIONS

- 112.23** To appoint Maria Dimeo-Ascolese to the position of Court Clerk 1.
- 113.23** To appoint Megan Neuhaus to the position of Court Clerk 1.
- 114.23** Authorize the Supervisor to negotiate and execute a Memorandum of Understanding (MOU) with the County of Schenectady.
- 115.23** To enact Introductory Local Law No. 4 of 2023; To amend chapter 225 entitled Taxation.
- 116.23** Authorize the Supervisor to forward a commitment letter to National Grid to convert streetlights to LED.
- 117.23** Authorize the Supervisor to forward two easement offer letters for the implementation of the Lock Street Stormwater Improvement Project.
- 118.23** To accept revenue for Town Clerk's office for February 2023.
- 119.23** To amend Resolution 296.21 relating to the use of ARPA funds.
- 120.23** A second supplemental bond resolution for the Sewer District No. 7 Extension No. 2 project.
- 121.23** Authorize the Supervisor to negotiate and execute an amendment to an engineering consultant agreement with Labella.
- 122.23** Authorize Change Order No. 2 with WM. J. Keller & Sons for dewatering of the Sewer District No. 7 Extension No. 2 project.
- 123.23** Authorize an agreement with Prime AE for professional engineering services related to a leak detection survey for the Rotterdam Junction Water Districts No. 3 & 4.
- 124.23** Authorize an agreement with Prime AE for professional engineering services related to a water system evaluation for the Rotterdam Junction Water Districts No. 3 & 4.
- 125.23** To establish and appoint various members to the Town of Rotterdam Energy Advisory Committee.
- 126.23** To accept Town Board meeting minutes of February 22, 2023.
- 127.23** To approve the Hardship Application of Buekendaal Temple Association, Cyprus Shriners, Schenectady Shrine Club, and Notre Dame Bishop Gibbons School (Hereinafter "the Organizations") sufficient to warrant the conducting of Bingo and/or Games of Chance within the Town of Rotterdam.

LIAISON REPORTS

MISCELLANEOUS

EXECUTIVE SESSION

ADJOURNMENT

Mollie A. Collins, Supervisor

RESOLUTION NO. 112.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirwin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

TO APPOINT MARIA DIMEO-ASCOLESE TO THE POSITION OF COURT CLERK 1

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Maria Dimeo-Ascolese of Rotterdam, New York 12303, is hereby appointed and promoted to the position of Court Clerk 1, full time, with full employee benefits, at an annual salary of forty-eight thousand one hundred seventy-four and 78/100 (\$48,174.78) dollars, commencing March 13, 2023.

SECTION 2. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk’s office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 113.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

TO APPOINT MEGAN NEUHAUS TO THE POSITION OF COURT CLERK 1

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Megan Neuhaus, of Rotterdam, New York 12306, is hereby appointed and promoted to the position of Court Clerk 1, full time, with full employee benefits, at an annual salary of forty-eight thousand one hundred seventy-four and 78/100 (\$48,174.78) dollars, commencing March 13, 2023.

SECTION 2. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 114.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

AUTHORIZE THE SUPERVISOR TO NEGOTIATE AND EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE COUNTY OF SCHENECTADY

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute a memorandum of understanding (MOU) with the County of Schenectady, for the distribution of funds awarded to support local law enforcement agencies with expenditures related to the implementation of NYS discovery and bail reforms.

SECTION 2. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk’s office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 115.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

**TO ENACT INTRODUCTORY LOCAL LAW NO.4 OF 2023; TO AMEND CHAPTER 225
ENTITLED TAXATION**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby enacts Introductory Local Law No. 4 of 2023.

SECTION 2. The Town Clerk is directed, following consultation with the Attorney to the Town, to file said Local Law in final form with the New York State Department of State.

SECTION 3. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk’s office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 116.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

AUTHORIZE THE SUPERVISOR TO FORWARD A COMMITMENT LETTER TO NATIONAL GRID TO CONVERT STREETLIGHTS TO LED

WHEREAS, The Town has contacted National Grid to look at opportunities to reduce the outdoor streetlighting costs; and

WHEREAS, National Grid has offered an opportunity to enhance the lighting quality of streetlights and achieve energy savings cost as a result of converting the High Intensity Discharge bulbs (HID) to Light-emitting Diode (LED) as part of the Outdoor Lighting Conversion Program, at an upfront cost of \$45,765.94 and an estimated payback incentive of \$85,700.00 once completed. The conversion is expected to achieve an annual estimated utility cost savings in the amount of \$54,432.00; NOW

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 forward a commitment letter to National Grid indicating the Town’s desire to convert the current High Intensity Discharge bulbs to (HID) Light-emitting Diode (LED) as part of the Outdoor Lighting Conversion Program.

SECTION 2. This resolution shall become effective on March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 117.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

AUTHORIZE THE SUPERVISOR TO FORWARD TWO EASEMENT OFFER LETTERS FOR THE IMPLEMENTATION OF THE LOCK STREET STORMWATER IMPROVEMENT PROJECT

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 authorizes the Supervisor to forward an easement offer letter to the property owner of 6 Lock Street, Rotterdam Junction, New York 12150, for an offer amount not to exceed five thousand three hundred and 00/100 (\$5,300.00) dollars.

SECTION 2. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to forward an easement offer letter to the property owner of 1261 Main Street, Rotterdam Junction, New York 12150, for an offer amount not to exceed six thousand two hundred ninety and 00/100 (\$6,290.00) dollars.

SECTION 3. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 118.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

TO ACCEPT REVENUE FOR TOWN CLERK’S OFFICE FOR FEBRUARY 2023

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

SECTION 1. The Town Clerk’s report for the month of February 2023, has been placed on file and the Town Clerk’s check in the amount of four thousand eight hundred thirty-five dollars and 04/100 (\$4,835.04) has been submitted to the supervisor for deposit.

SECTION 2. This resolution shall become effective March 8, 2023

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk’s office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 119.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

TO AMEND RESOLUTION 296.21 RELATING TO THE USE OF ARPA FUNDS

WHEREAS, by Resolution No. 59.23 adopted on January 11, 2023, the Town Board voted in favor of amending Section 1 of Resolution 296.21 to read in its entirety as follows:

"SECTION 1. The Town Board of the Town of Rotterdam, upon recommendation from the Director of Finance, does hereby accept the American Rescue Plan Act (ARPA) funds (into line A 4989 4989 00 (Fed Aid)) for use in support of 2021 expenses outside the initial budget with expenditures designated toward the purchase of 210 Phillips Road (\$260,000.00) and 212 Phillips Road (\$215,000.00) for the future use as Town parkland (total of \$475,000.00 paid from line A7110 4153 (Parks Improvements))."

WHEREAS, the Town Board of the Town of Rotterdam desires to authorize designation of \$415,000.00 of funds received pursuant to the American Rescue Plan Act (ARPA) to help fund the continued improvements to Sewer District 7 Extension 2; and

WHEREAS, the Town of Rotterdam has also received two proposals from Prime AE Group of New York, Inc. to conduct leak detection work and valve/hydrant(s) assessment, lead service/pipe inventory, redundant source evaluation, and consolidation review for Water Districts 3 and 4 for a total cost of \$136,700.00; and

WHEREAS, the Town Board of the Town of Rotterdam desires to authorize designation of \$136,700.00 of funds received pursuant to the American Rescue Plan Act (ARPA) to complete the proposed work for Water Districts 3 and 4;

WHEREAS, in light of the need to fund these important improvement projects in the Town of Rotterdam, the Town Board determines it to be appropriate to amend Resolution 296.21 accordingly;
NOW

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

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

"SECTION 1. The Town Board of the Town of Rotterdam, upon recommendation from the Director of Finance, does hereby accept the American Rescue Plan Act (ARPA) funds (into line A 4989 4989 00 (Fed Aid)) for use in support of 2021 expenses outside the initial budget with expenditures designated toward the purchase of 210 Phillips Road (\$260,000.00) and 212 Phillips Road (\$215,000.00) for the future use as Town parkland (total of \$475,000.00 paid from line A7110 4153 (Parks Improvements), and to fund the improvements to Sewer District 7 Extension 2 (\$415,000.00 paid from Capital Project - H131 (Carmen Rd Sewer SD7 Ext 2), and to fund the leak detection work, valve/hydrant(s) assessment, lead service/pipe inventory, redundant source evaluation, and consolidation review for Water Districts 3 and 4 paid from line W38310 4850 (Water District 3, Engineering Consultant).

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 2023 are hereby audited and approved:

Fund	Account No.	Title	Amount
General	A 909	FROM: Fund Balance	-\$415,000.00
General	A 909	FROM: Fund Balance	-\$136,700.00
H131 Carman Rd SD7 Ext 2		INTO: Capital Project	+\$415,000.00
Water Dist. 3	SW3 909	INTO: Fund Balance	+\$136,700.00

SECTION 3. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk

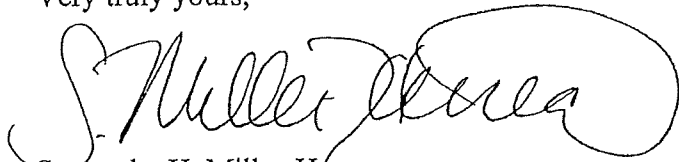


January 11, 2023

On December 1, 2021, resolution No. 296.21 was voted on and passed. On the advice of Counsel, I abstained due to a potential conflict of interest, deriving from my relationship to the seller's realtor for the Phillips Rd property. As this resolution amends a resolution I previously abstained on, I will again abstain.

While this amendment relates to the Viaport project and not the project subject to the potential conflict, Phillips Rd, I believe avoiding the appearance of conflict is important. Therefore, based on this administration's practice, I request that this letter be made a part of the official meeting record and minutes.

Very truly yours,

A handwritten signature in black ink, appearing to read "S. Miller-Herrera", written in a cursive style. The signature is enclosed within a large, hand-drawn oval.

Samantha H. Miller-Herrera
Town Council Person

RESOLUTION NO. 120.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

**A SECOND SUPPLEMENTAL BOND RESOLUTION FOR THE SEWER DISTRICT NO. 7
EXTENSION NO. 2 PROJECT**

WHEREAS, on September 13, 2019 the Town Board adopted a bond resolution entitled:

A RESOLUTION AUTHORIZING THE CONSTRUCTION AND INSTALLATION OF A CAPITAL PROJECT FOR SEWER DISTRICT NO. 7, AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,132,000 OF THE TOWN OF ROTTERDAM, SCHENECTADY COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE TOWN SUPERVISOR.

(the "Bond Resolution"); and

WHEREAS, on that date the Town Board adopted the Bond Resolution (1) the maximum estimated cost of the undertaking of the Project was estimated to equal an amount not to exceed \$2,578,000 and (2) the Town determined pursuant to the State Environmental Quality Review Act ("SEQR") that the undertaking of the construction and installation of a capital project for Sewer District No. 7 constitutes an "Unlisted Action" (as said quoted term is defined in the Regulations) under SEQR and that the undertaking of such capital project for the Sewer District No. 7 will not have a significant adverse impact on the environment and, accordingly, the Town has issued a negative declaration with respect to the undertaking of the capital project; and

WHEREAS, on December 1, 2021 the Town Board adopted a supplemental bond resolution entitled:

SUPPLEMENTAL BOND RESOLUTION SEWER DISTRICT
NO. 7 EXTENSION NO. 2 PROJECT

(the "Supplemental Bond Resolution"); and

WHEREAS, on that date the Town Board adopted the Supplemental Bond Resolution modifying the Bond resolution by (1) increasing the maximum estimated cost of the undertaking of the Project to equal an amount not to exceed \$3,111,000 and (2) modifying the SEQRA provision contained in the Bond Resolution; and

WHEREAS, since the date of the Supplemental Bond Resolution, the Town Board has received additional information and revised cost estimates which indicate that the maximum estimated cost of the Project will be an amount not to exceed \$3,526,000; and

WHEREAS, the Town Board desires to amend the Bond Resolution for the purpose of modifying the SEQRA provision contained in the Bond Resolution to confirm the Town board complied with the requirements of SEQRA by separate resolution; and

WHEREAS, Section 32.00 of the New York Local Finance Law requires, among other things, that any bond resolution adopted by the finance board of a municipality contain a statement of the maximum estimated cost of the object or purpose for which obligations are being authorized and the plan for the financing of such maximum estimated cost; and

WHEREAS, the Town Board desires to amend the Bond Resolution for the purpose of (A) increasing the maximum estimated cost of the Project, and (B) modifying the SEQRA provision contained in the Bond Resolution; NOW

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Section 1 of the Bond resolution is hereby amended as follows:

SECTION 1. The Town is hereby authorized to undertake the construction and installation of a capital project for Sewer District No. 7, as described as follows: the extension of the current Sewer District No. 7 south along Catman Road in the Town of Rotterdam, New York, such extension to include the construction of additional sewer mains and wastewater collection systems, together with necessary site work and the acquisition and installation of equipment, machinery and apparatus, and the acquisition of any related land and rights of way for the foregoing purpose. The maximum cost of said purpose will not exceed \$3,526,000.

SECTION 2. Section 12 of the Bond Resolution is amended to read as follows:

By separate resolution, the Town Board has complied with the provisions of the State Environmental Quality Review Act ("SEQRA") with respect to the Project by issuing a negative declaration determining that the Project will not have a significant adverse impact on the environment.

SECTION 3. The Bond Resolution adopted by the Town Board on September 13, 2019, as amended by the Supplemental Bond Resolution and this second Supplemental Bond Resolution, shall otherwise remain in full force and effect in accordance with its terms, and is hereby ratified and confirmed;

SECTION 4. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1)(A) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

(B)The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York State.

SECTION 5. This resolution shall take effect immediately upon its adoption and is not subject to permissive referendum pursuant to Section 35.00b.(2) of the Local Finance Law.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 121.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

AUTHORIZE THE SUPERVISOR TO NEGOTIATE AND EXECUTE AN AMENDMENT TO AN ENGINEERING CONSULTANT AGREEMENT WITH LABELLA

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an amendment to a professional engineering agreement with LaBella, located at 4 British American Boulevard Latham, NY 12110, for additional scope of services relating to the dewatering of the Sewer District No. 7, Extension 2 (Carmen Road project), for a lump sum not to exceed eighty-seven thousand eight hundred fifty-five and 00/100 (\$87,855.00) dollars.

SECTION 2. This resolution shall become effective March 8 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk’s office

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 122.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

AUTHORIZE CHANGE ORDER NO. 2 WITH WM. J. KELLER & SONS FOR DEWATERING OF THE SEWER DISTRICT NO. 7 EXTENSION NO. 2 PROJECT

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute Change Order No. 2 with WM. J. Keller & Sons, located at 1435 Route 9, Castleton, New York 12033, for the purposes of dewatering high ground water for the Sewer District No. 7, Extension No. 2 Carman Road project, for an increase in the amount of two hundred ninety six thousand seven hundred nineteen and 00/100 (\$296,719.00) dollars, for a total contract amount not to exceed two million nine hundred fourteen thousand twenty seven and 00/100 (\$2,914,027.00) dollars.

SECTION 2. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office.

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.



Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 123.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

AUTHORIZE AN AGREEMENT WITH PRIME AE FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO A LEAK DETECTION SURVEY FOR THE ROTTERDAM JUNCTION WATER DISTRICTS NO. 3 & 4

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with Prime AE, located at 100 Great Oaks Boulevard, Suite 114 Albany, New York 12203, for Professional Engineering Services related to a Leak Detection Survey for the Rotterdam Junction Water Districts No. 3 & 4, for a lump sum fee not to exceed forty-five thousand five hundred and 00/100 (\$45,500.00) dollars.

SECTION 2. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.



Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 124.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

AUTHORIZE AN AGREEMENT WITH PRIME AE FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO A WATER SYSTEM EVALUATION FOR THE ROTTERDAM JUNCTION WATER DISTRICTS NO. 3 & 4

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to negotiate and execute an agreement with Prime AE, located at 100 Great Oaks Boulevard, Suite 114 Albany, New York 12203, for Professional Engineering Services related to a Water System Evaluation for the Rotterdam Junction Water Districts No. 3 & 4, for a lump sum fee not to exceed ninety-one thousand two hundred and 00/100 (\$91,200.00) dollars.

SECTION 2. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.



Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 125.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

TO ESTABLISH AND APPOINT VARIOUS MEMBERS TO THE TOWN OF ROTTERDAM ENERGY ADVISORY COMMITTEE

WHEREAS, Town Law Section 64 vests the Town Board with the authority to appoint advisory committees; and

WHEREAS, the Town of Rotterdam (hereinafter “the Town” or “Town”) has enacted a moratorium on Solar Panel installations within the Town in order to review and amend its current local laws regulating such installations; and

WHEREAS, the Town Board wishes to establish the advisory committee and appoint the members of the advisory committee to serve in an advisory capacity to the Town Board and as volunteers who shall serve without compensation and make no official decisions on behalf of the Town; and

WHEREAS, the advisory committee shall be named the Town of Rotterdam Energy Advisory Committee; and

WHEREAS, the Town of Rotterdam Energy Advisory Committee shall be comprised of ten (10) members, to serve a term of approximately two (2) years; and

WHEREAS, the members shall be appointed by the Town Board and the Town Supervisor shall designate one individual as the Chairperson of the Town of Rotterdam Energy Advisory Committee; NOW

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby establishes the Town of Rotterdam Energy Advisory Committee and upon recommendation of the Town Supervisor hereby appoints Patricia Matelitz, as its first Chairperson.

SECTION 2. The Town Board hereby appoints Kimberly Ricker Scannell, Bruce Bonacquist, Patricia Matelitz, Dave Bills, Renee Mertens, Del Pierce, Stephan Mesick, Calvin Rugg, Dan Brudos and JD Clairmont, are hereby appointed as members of the Town of Rotterdam Energy Advisory Committee for a two (2) year term, commencing March 8, 2023 through March 8, 2025.

SECTION 3. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.



Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 126.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

TO ACCEPT TOWN BOARD MEETING MINUTES OF FEBRUARY 22, 2023

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby adopts the minutes of the February 22, 2023 town board meeting as attached.

SECTION 2. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.



Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 127.23

At the regularly scheduled public meeting of the Town Board of the Town of Rotterdam, held at the John F. Kirvin Government Center 1100 Sunrise Blvd. Rotterdam, New York on Wednesday, March 8, 2023, at 7:00 p.m., the following resolution was duly adopted:

TO APPROVE THE HARDSHIP APPLICATION OF BUEKENDAAL TEMPLE ASSOCIATION, CYPRUS SHRINERS, SCHENECTADY SHRINE CLUB, AND NOTRE DAME BISHOP GIBBONS SCHOOL (HEREINAFTER “THE ORGANIZATIONS”) SUFFICIENT TO WARRANT THE CONDUCTING OF BINGO AND/OR GAMES OF CHANCE WITHIN THE TOWN OF ROTTERDAM

WHEREAS, on January 11, 2023 the Town Board of the Town of Rotterdam held a public hearing to consider whether a hardship or necessity exists sufficient to warrant the conducting of Bingo or other games of chance within the territorial limits of the Town of Rotterdam by organizations not domiciled within the Town of Rotterdam; and

WHEREAS, the Public Hearing was closed on January 25, 2023; and

WHEREAS, Town employees have reviewed the evidence submitted by the organizations relative to the hardship application; and

WHEREAS, the New York State gaming commission has reviewed the evidence submitted by the organizations relative to the hardship application; NOW

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam does hereby find that the organizations have established that a hardship or necessity sufficient, to warrant the conducting of Bingo or other games of chance within the territorial limits of the Town of Rotterdam by organizations not domiciled within the Town of Rotterdam.

SECTION 2. The Town Board of the Town of Rotterdam hereby grants the Organizations a hardship determination, which the Organizations may take to the New York State Gaming Commission.

SECTION 3. This resolution shall become effective March 8, 2023.

DATED: March 8, 2023

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

I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on March 8, 2023, and that the foregoing resolution is a true and correct transcript of the original resolution and of the whole thereof and that said resolution is on file in the Town Clerk's office

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

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Town of Rotterdam this March 10, 2023.



Diane M. Marco

Diane M. Marco, Town Clerk