



TOWN OF ROTTERDAM

DIANE M. MARCO
Town Clerk

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

December 30, 2022

Certified Resolutions: #354.22-#361.22 for the year 2022 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, December 28, 2022 at 7:00 p.m. The Town Board Agenda review started at approximately 6:34 p.m. The agenda review was adjourned at approximately 6:45 p.m. All agreed to adjourn the agenda review meeting. The Town Board meeting began at approximately 7:00 p.m. the Town Board Meeting was adjourned at approximately 7:31 p.m. by Councilmember Christou and seconded by Councilmember Mastroianni. All agreed to adjourn the Town Board Meeting.

Councilmember Miller-Herrera was absent

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 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**

December 28, 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

- For the potential enactment of Introductory Local Law No. 9 of 2022 to amend Chapter 270 of the Town Code of the Town of Rotterdam, Zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible and adopting regulations for such uses.

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

354.22 To Accept Town Board Meeting Minutes.

355.22 To Authorize an Agreement with Ausfeld and Waldruff Land Surveyors LLP for the design of a crosswalk at the Curry Road and Fayette Drive intersection.

356.22 To authorize an agreement with Ausfeld and Waldruff Land Surveyors LLP for the design of a new parking lot at the Rotterdam Senior Center.

357.22 To amend Resolution 349.22 of the year 2022.

358.22 To authorize contracts for 2023 insurance coverage.

359.22 To recognize the introduction of Introductory Local Law No. 11 of 2022 and scheduling a public hearing thereon.

360.22 To adopt a negative declaration under SEQRA for the proposed enactment of Introductory Local Law No. 9 of 2022.

361.22 To enact Introductory Local Law No. 9 of 2022; To amend chapter 270 of the town code of the Town of Rotterdam, zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible.

LIAISON REPORTS

MISCELLANEOUS

EXECUTIVE SESSION

ADJOURNMENT

Mollie A. Collins, Supervisor

RESOLUTION NO. 354.22

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, December 28, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO ACCEPT TOWN BOARD MEETING MINUTES

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 adopts the minutes of the December 14, 2022 Town Board meeting as attached.

SECTION 2. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

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

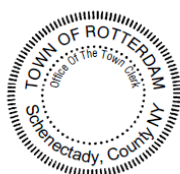
I, Diane M. Marco, Town Clerk of the Town of Rotterdam, Schenectady County, New York, **DO HEREBY CERTIFY** that the foregoing resolution was approved by the Town Board of the Town of Rotterdam on December 28, 2022, and that the foregoing resolution is a true and correct transcript of the original resolution 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 December 30, 2022.

Diane M. Marco

Diane M. Marco, Town Clerk



RESOLUTION NO. 355.22

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, December 28, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE AN AGREEMENT WITH AUSFELD AND WALDRUFF LAND SURVEYORS LLP FOR THE DESIGN OF A CROSSWALK AT THE CURRY ROAD AND FAYETTE DRIVE INTERSECTION

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 negotiate and execute an agreement with Ausfeld and Waldruff Land Surveyors LLP located at 323 Clinton Street, Schenectady, New York 12305, for the purposes of providing a field survey and base mapping for the design of a crosswalk at the Curry Road and Fayette Drive intersection. in the amount not to exceed one thousand nine hundred and 00/100 (\$1,900.00)

SECTION 2. This resolution shall become effective December 28, 2022.

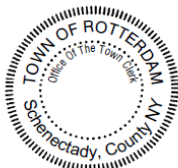
DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera (Absent)			
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 December 28, 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 December 30, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 356.22

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, December 28, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE AN AGREEMENT WITH AUSFELD AND WALDRUFF LAND SURVEYORS LLP FOR THE DESIGN OF A NEW PARKING LOT AT THE ROTTERDAM SENIOR CENTER

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 authorizes the Supervisor to negotiate and execute an agreement with Ausfeld and Waldruff Land Surveyors LLP located at 323 Clinton Street, Schenectady, New York 12305, for the purposes of providing a field survey and base mapping for the design of new parking lot at the Rotterdam Senior Center in the amount not to exceed three thousand four hundred and 00/100 (\$3,400.00).

SECTION 2. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera (Absent)			
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 December 28, 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 December 30, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 357.22

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, December 28, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AMEND RESOLUTION 349.22 OF THE YEAR 2022

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 349.22 is hereby amended to read in its entirety as follows: The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute healthcare insurance contracts for the year 2023 with Capital District Physician Health Plan, Inc. (CDPHP), MVP Health Services Corp. (MVP); and for the years 2023 and 2024 with Delta Dental for employee healthcare coverage.

SECTION 2. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera (Absent)			
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 December 28, 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 December 30, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 358.22

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, December 28, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO AUTHORIZE CONTRACTS FOR 2023 INSURANCE COVERAGE

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 authorizes the Supervisor to negotiate and execute agreements for insurance coverage for the year 2023 consistent with the proposal dated 12/22/2022 from USI Ins. Services LLC, and The Travelers Companies, Inc. and its affiliates.

SECTION 2. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera (Absent)			
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 December 28, 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 December 30, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 359.22

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, December 28, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO RECOGNIZE THE INTRODUCTION OF INTRODUCTORY LOCAL LAW NO. 11 OF 2022 AND SCHEDULING A PUBLIC HEARING THEREON

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board recognizes the introduction of Introductory Local Law No. 11 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 11th day of January, 2023 for the following purpose:

For the enactment of Introductory Local Law No. 11 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: December 28, 2022

Daily Gazette: Please publish once on December 30, 2022

Town Clerk

Post

SECTION 3. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera (Absent)			
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 December 28, 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 December 30, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 360.22

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, December 28, 2022, at 7:00 p.m., the following resolution was duly adopted:

TO ADOPT A NEGATIVE DECLARATION UNDER SEQRA FOR THE PROPOSED ENACTMENT OF INTRODUCTORY LOCAL LAW NO. 9 OF 2022

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board hereby accepts and adopts Part 2 of the Full Environmental Assessment Form in connection with the proposed enactment of Introductory Local Law No. 9 of 2022 as prepared by the Attorney for the Town.

SECTION 2. The Town Board has given due consideration to the potential environmental impacts associated with the proposed enactment of Introductory Local Law No. 9 of 2022, and hereby concludes that the proposed enactment of Introductory Local Law No. 9 of 2022 will not have any significant adverse impacts on the environment.

SECTION 3. The Town Board hereby accepts, adopts, and authorizes the Supervisor to execute Part 3 of the Full Environmental Assessment Form as prepared by the Attorney for the Town and adopts a Negative Declaration under the State Environmental Quality Review Act in connection with the proposed enactment of Introductory Local Law No. 9 of 2022.

SECTION 4. The Town Board hereby authorizes and directs the Senior Planner to circulate, file and publish any notices, documents, forms, and other materials, and to take such other and further action as may be reasonably necessary, to comply with the State Environmental Quality Review Act and regulations promulgated thereunder.

SECTION 5. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera (Absent)			
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 December 28, 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 December 30, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk

RESOLUTION NO. 361.22

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, December 28, 2022, at 7:00 p.m., the following resolution was duly adopted:

**TO ENACT INTRODUCTORY LOCAL LAW NO. 9 OF 2022;
TO AMEND CHAPTER 270 OF THE TOWN CODE OF THE TOWN OF
ROTTERDAM, ZONING, RELATING TO DESIGNATING ZONING DISTRICTS IN
WHICH ADULT-USE CANNABIS RETAIL DISPENSARIES AND ADULT-USE
CANNABIS ON-SITE CONSUMPTION FACILITIES SHALL BE PERMISSIBLE**

WHEREAS, on October 26, 2022, the Town Board of the Town of Rotterdam adopted Resolution No. 301.22 to recognize the introduction of Introductory Local Law No. 9 of 2022 (To amend Chapter 270 of the Town Code of the Town of Rotterdam, Zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible); to determine that the proposed enactment thereof is a Type I action under the State Environmental Quality Review Act pursuant to 6 NYCRR § 617.4 (b) (2), that there are no other involved agencies (as that term is defined under the SEQRA regulations) other than the Town Board, and therefore establishes itself as lead agency for purposes of conducting the SEQRA review; and to commence the referral, public hearing, and enactment process in connection with such proposed local law; and

WHEREAS, on November 1, 2022, the Planning Commission of the Town of Rotterdam issued a positive report and recommendation on the proposed local law, and on November 9, 2022, the Schenectady County Department of Economic Development and Planning issued a recommendation on the proposed local law in which it deferred to local consideration; and

WHEREAS, on December 14, 2022 and December 28, 2022, the Town Board of the Town of Rotterdam held a duly noticed public hearing on the proposed local law; NOW

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 enacts Introductory Local Law No. 9 of 2022, To amend chapter 270 of the town code of the Town of Rotterdam, zoning, relating to designating zoning districts in which adult-use cannabis retail dispensaries and adult-use cannabis on-site consumption facilities shall be permissible.

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

SECTION 3. The Senior Planner is hereby directed, following consultation with the Attorney for the Town, to file a report of final action with the Schenectady County Department of Economic Development and Planning in connection with the enactment of said Local Law.

SECTION 4. This resolution shall become effective December 28, 2022.

DATED: December 28, 2022

NAME	AYES	NOES	ABSTAIN
Christou	X		
Miller-Herrera (Absent)			
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 December 28, 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 December 30, 2022.



Diane M. Marco

Diane M. Marco, Town Clerk