

Town of Rotterdam

“A nice place to live”

“A nice place to do business”

Office of the Town Clerk

Diane M. Marco, Town Clerk
Paula Diamante, Deputy Town Clerk
Tammy Whelan, 2nd Deputy Town Clerk

Town Hall
J.F. Kirvin Government Center
1100 Sunrise Boulevard
Rotterdam, New York 12306
Telephone: (518) 355-7575 ext 352
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www.rotterdamny.org

March 23, 2017

Resolution Numbers: 103.17-109.17 for the year 2017 were duly adopted at the Town Board Meeting that was held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306, on Wednesday, March 22, 2017. The Town Board agenda meeting started at 5:41pm a motion was made by Christou and seconded by Larmour to adjourn at 6:09pm The Town Board meeting began at 7:00pm and a motion was made by Christou and seconded by Villano to adjourn at 7:31pm.

All Councilmembers were present


Diane M. Marco, Town Clerk

Cc: Steven Tommasone, Supervisor
Evan Christou, Deputy Supervisor
Samantha Miller-Herrera, Councilmember
Rick Larmour, Councilmember
Joseph Villano, Councilmember
Katherine A. McGuirl, Esq., Town Attorney

Rotterdam Town Board Meeting

March 22, 2017

5:30 p.m.

AGENDA REVIEW

EXECUTIVE SESSION

MISCELLANEOUS

7:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SUPERVISOR'S REPORT

PROCLAMATION/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 and the public. Each speaker shall be afforded a maximum of four (4) minutes to address the Town Board and public.

ORDERS

INTRODUCTION OF RESOLUTIONS AND MOTIONS:

Res. No.

103.17 Appoint Michael Colarossi of Rotterdam, New York 12306, to the position of Laborer in the Water and Sewer Maintenance Department, full time, probationary, with full employee benefits, at an hourly rate of \$19.7183, effective March 27, 2017.

104.17 Refer to Planning Commission for report and recommendation thereon a proposed Local Law of the Year 2017 for the following purpose:

To allow for a Change of Zone request from Anthony Fazzone & Scott Emerle of 1536 Union Street, Schenectady, New York 12306 (Owners), for property located at 647 Mariaville Road, Rotterdam, New York 12306, which is known as Tax Map No. 48.17-1-1.11. The applicant is requesting a Change of Zone of four (4) acres of the 4.94 acres from Agricultural (A-1) to General Business (B-2) for the construction of self-storage units.

105.17 Call for bids to be opened on Friday, April 7, 2017, at 10:00 a.m., for water and sewer materials (plastic pipe, ductile pipe, bell clamps, stainless repair clamps, ford lead repair fittings, copper tubing, compression quick couplings, and curb box shutoffs) for the Town of Rotterdam Water and Sewer Maintenance Department for the year 2017.

106.17 Call for bids to be opened on Friday, April 7, 2017, at 10:15 a.m., for Sodium Hexametaphosphate, to be used by the Town of Rotterdam Water Department for the year 2017.

107.17 Authorize the Beebe Law Firm to enter into a stipulation of settlement on behalf of the Town of Rotterdam, in the matter of Ernest Rau v. Town of Rotterdam, et al., Index Numbers 2012-1530, 2015-1979 and 2016-1734, Article 7 Real Property Tax Certiorari proceedings for the tax years 2012, 2015 and 2016.

108.17 Authorize the Beebe Law Firm to enter into a stipulation of settlement on behalf of the Town of Rotterdam, in the matter of Aladin Properties LLC. v. Town of Rotterdam, et al., Index Numbers 2011-1361, 2012-1297, 2013-1373, 2014-1333, 2015-1583, and 2016-1510, Article 7 Real Property Tax Certiorari proceedings for the tax years 2011, 2012, 2013, 2014, 2015, and 2016.

109.17 Authorize budget transfers by the Town Comptroller to various accounts for 2017.

COMMITTEE REPORTS

MISCELLANEOUS

EXECUTIVE SESSION

ADJOURNMENT

STEVEN A. TOMMASONE, Supervisor

RESOLUTION NO. 103.17

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 22, 2017 at 7:00 p.m., the following resolution was duly adopted:

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

Councilmember **LARMOUR**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Michael Colarossi of Rotterdam, New York 12306, is hereby appointed to the position of Laborer in the Water and Sewer Maintenance Department, full time, probationary, with full employee benefits, with an hourly rate of \$19.7183, effective March 27, 2017.

SECTION 2. This resolution shall become effective March 22, 2017.

DATED: March 22, 2017

NAME	AYES	NOES	ABSTAIN
Christou	X		
Larmour	X		
Miller-Herrera	X		
Villano	X		
Tommasone	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 22, 2017 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 March 23, 2017.



Diane M. Marco, Town Clerk

RESOLUTION NO. 104.17

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 22, 2017 at 7:00 p.m., the following resolution was duly adopted:

WHEREAS, in accordance with § 270-174 of the Rotterdam Town Code, the Town Board must, before public hearing on this matter, refer the matter to the Planning Board of the Town of Rotterdam for report and recommendation thereon; **NOW**

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam refers to the Planning Board of the Town of Rotterdam for report and recommendation thereon proposed Local Law of the Year 2017 under consideration by the Town Board as follows:

To allow for a Change of Zone request from Anthony Fazzino & Scott Emerle of 1536 Union Street, Schenectady, New York 12306 (Owners), for property located at 647 Mariaville Road, Rotterdam, New York 12306, which is known as Tax Map No. 48.17-1-1.11. The applicant is requesting a Change of Zone of four (4) acres of the 4.94 acres from Agricultural (A-1) to General Business (B-2) for the construction of self-storage units.

SECTION 2. This resolution shall become effective March 22, 2017.

DATED: March 22, 2017

NAME	AYES	NOES	ABSTAIN
Christou	X		
Larmour	X		
Miller-Herrera	X		
Villano	X		
Tommasone	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 22, 2017 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 March 23, 2017.



Diane M. Marco, Town Clerk

RESOLUTION NO. 105.17

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 22, 2017 at 7:00 p.m., the following resolution was duly adopted:

THEREFORE, UPON MOTION OF Councilmember **VILLANO**, seconded by Councilmember **LARMOUR**,

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 at least five (5) days before the date of reception of bid proposals:

**TOWN OF ROTTERDAM
NOTICE TO BIDDERS**

PLEASE TAKE NOTICE: That the Town Board of the Town of Rotterdam, on Friday, the 7th day of April, 2017, at 10:00 a.m., at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York, 12306 will publicly open and read all sealed bids or proposals received pursuant to this notice for the following:

**WATER AND SEWER MATERIALS
(Plastic Pipe, Ductile Pipe, Bell Clamps,
Stainless Repair Clamps, Ford Lead Repair Fittings, Copper Tubing,
Compression Quick Couplings, Curb Box Shutoffs)**

All sealed bid proposals must be submitted on official proposal forms provided by the Town of Rotterdam. Information concerning the foregoing Notice to Bidders, Detailed Specifications and Official Bid Proposal Forms may be obtained at the Office of the Town Clerk at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Town of Rotterdam, New York, 12306, during the hours of 8:30 a.m. and 4:30 p.m.

**ALL SEALED BID PROPOSALS MUST BE RECEIVED BY THE TOWN CLERK
PRIOR TO 10:00 A.M., FRIDAY, APRIL 7, 2017**

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: March 22, 2017

Daily Gazette: Please publish once on March 25, 2017

Town Clerk

Post

NAME	AYES	NOES	ABSTAIN
Christou	X		
Larmour	X		
Miller-Herrera	X		
Villano	X		
Tommasone	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 22, 2017 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 March 23, 2017.



 Diane M. Marco, Town Clerk

RESOLUTION NO. 106.17

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 22, 2017 at 7:00 p.m., the following resolution was duly adopted:

THEREFORE, UPON MOTION OF Councilmember LARMOUR, seconded by Councilmember VILLANO,

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 at least five (5) days before the date of reception of bid proposals:

**TOWN OF ROTTERDAM
NOTICE TO BIDDERS**

PLEASE TAKE NOTICE: That the Town Clerk of the Town of Rotterdam, on Friday, the 7th day of April 2017, at 10:15 a.m., at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York, will publicly open and read all sealed bids or proposals received pursuant to this notice for the following:

SODIUM HEXAMETAPHOSPHATE

All sealed bid proposals must be submitted on official proposal forms provided by the Town of Rotterdam. Information concerning the foregoing Notice to Bidders, Detailed Specifications and Official Bid Proposal Forms may be obtained at the Office of the Town Clerk at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Town of Rotterdam, New York, 12306, during the hours of 8:30 a.m. and 4:30 p.m.

**ALL SEALED BID PROPOSALS MUST BE RECEIVED BY THE TOWN CLERK
PRIOR TO 10:15 A.M., FRIDAY, APRIL 7, 2017**

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: March 22, 2017

Daily Gazette: Please publish once on March 25, 2017

Post

NAME	AYES	NOES	ABSTAIN
Christou	X		
Larmour	X		
Miller-Herrera	X		
Villano	X		
Tommasone	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 22, 2017 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 March 23, 2017.



 Diane M. Marco, Town Clerk

RESOLUTION NO. 107.17

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 22, 2017 at 7:00 p.m., the following resolution was duly adopted:

WHEREAS, the Town of Rotterdam has litigated this Article 7, Real Property Tax Certiorari proceeding with Ernest Rau, regarding real property taxes upon premises located at 64 Duanesburg Road, Tax Map No. 48.18-8-23 for the 2012, 2015 and 2016 tax rolls; and

WHEREAS, the Town's Attorney, the Attorney for the Petitioner and Assessor have conferenced this matter and agreed to a reduction of assessed value for the above referenced years, from one hundred sixty three thousand five hundred (\$163,500.00) to one hundred twenty thousand and 00/100 dollars (\$120,000.00) for 64 Duanesburg Road, Tap Map No. 48.18-8-23; and

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

THEREFORE, UPON MOTION of Councilmember **CHRISTOU**, seconded by
Councilmember **VILLANO**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Authorize the Beebe Law Firm to enter into a stipulation of settlement on behalf of the Town of Rotterdam, in the matter of Ernest Rau v. Town of Rotterdam, et al., Index Numbers 2012-1530, 2015-1979 and 2016-1734, Article 7 Real Property Tax Certiorari proceedings for the tax years 2012, 2015 and 2016.

SECTION 2. This resolution shall become effective March 22, 2017.

DATED: March 22, 2017

NAME	AYES	NOES	ABSTAIN
Christou	X		
Larmour	X		
Miller-Herrera	X		
Villano	X		
Tommasone	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 22, 2017 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 March 23, 2017.



Diane M. Marco, Town Clerk

RESOLUTION NO. 108.17

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 22, 2017 at 7:00 p.m., the following resolution was duly adopted:

WHEREAS, the Town of Rotterdam has litigated this Article 7, Real Property Tax Certiorari proceeding with Aladin Properties LLC, regarding real property taxes upon premises located at 90 West Campbell Road, Tax Map No. 38.18-2-5.31 for the 2011, 2012, 2013, 2014, 2015 and 2016 tax rolls; and

WHEREAS, the Town's Attorney, the Attorney for the Petitioner and Assessor have conferred this matter and agreed to a reduction of assessed value for the 2017-2018 assessment year, from one million five hundred thirty thousand and 00/100 dollars (\$1,530,000.00) to one million one hundred ninety thousand and 00/100 dollars (\$1,190,000.00) for 90 West Campbell Road, Tap Map No. 38.18-2-5.31; and

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

THEREFORE, UPON MOTION of Councilmember **VILLANO**, seconded by Councilmember **CHRISTOU**,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. Authorize the Beebe Law Firm to enter into a stipulation of settlement on behalf of the Town of Rotterdam, in the matter of Aladin Properties LLC. v. Town of Rotterdam, et al., Index Numbers 2011-1361, 2012-1297, 2013-1373, 2014-1333, 2015-1583, and 2016-1510, Article 7 Real Property Tax Certiorari proceedings for the tax years 2011, 2012, 2013, 2014, 2015, and 2016.

SECTION 2. This resolution shall become effective March 22, 2017.

DATED: March 22, 2017

NAME	AYES	NOES	ABSTAIN
Christou	X		
Larmour	X		
Miller-Herrera	X		
Villano	X		
Tommasone	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 22, 2017 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.

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Diane M. Marco, Town Clerk

RESOLUTION NO. 109.17

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

Councilmember **LARMOUR**,

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 are transfers to the various accounts for 2017 and are hereby audited and approved:

2017 Budget Transfers

Fund	Account Number		Title	Amount
General	A9060	800008	FROM: A Fund Medical Insurance	71,200.00
General	A1680	4807	INTO: CIS Support & Upgrade	71,200.00
			Net Change	0.00

SECTION 2. This resolution shall become effective March 22, 2017.

DATED: March 22, 2017

NAME	AYES	NOES	ABSTAIN
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Diane M. Marco, Town Clerk