

# Town of Rotterdam

“A nice place to live”

“A nice place to do business”

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## 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](http://www.rotterdamny.org)

**May 4, 2017**

**Resolution Number: 136.17** for the year 2017 was duly adopted at the **SPECIAL** Town Board Meeting that was held at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306, on Wednesday, May 3, 2017. The Town Board **SPECIAL** meeting began at 5:40 pm and a motion was made by Christou and seconded by Miller-Herrera to adjourn at 6:25 pm. All members voted yes to adjourn.

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

Special

**Rotterdam Town Board Meeting**

**May 3, 2017**

**5:30 p.m.**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**SUPERVISOR'S REPORT**

**PROCLAMATION/PRESENTATIONS**

**PUBLIC HEARING**

**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:**

**136.17** Authorize the Supervisor to sign the negotiated employment memorandum of agreement and collective bargaining agreement between the Town of Rotterdam and the Rotterdam Patrolmen's Benevolent Association, Inc., for a five (5) year period, commencing January 1, 2016 through and including December 31, 2020.

**COMMITTEE REPORTS**

**MISCELLANEOUS**

**EXECUTIVE SESSION**

**ADJOURNMENT**

**STEVEN A. TOMMASONE, Supervisor**

# TOWN OF ROTTERDAM

Steven Tommasone, Supervisor  
Evan Christou, Deputy Supervisor  
Rick Larmour, Councilmember  
Samantha Miller-Herrera, Councilmember  
Joseph Villano, Councilmember



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

**COPY**

April 28, 2017

## Request for a Special Meeting of the Rotterdam Town Board

Pursuant to Section 62 (2) of Town Law of the State of New York, I respectfully request there be a special meeting of the Town Board. I request the meeting be held at Town Hall on Wednesday, May 3, 2017 at 5:30 p.m.

Very truly yours,

Evan Christou  
Deputy Supervisor

Samantha Miller-Herrera  
Councilmember

TOWN CLERK'S OFFICE

1 MAY 2017 10:00 AM

# **TOWN OF ROTTERDAM PUBLIC NOTICE**

**A Special Town Board Meeting** will be held on  
**Wednesday, May 3, 2017 at 5:30pm**  
at the John F. Kirvin Government Center  
1100 Sunrise Blvd Rotterdam, NY 12306

**BY ORDER OF THE TOWN BOARD**  
Diane M. Marco, Town Clerk



**RESOLUTION NO. 136.17**

At the **SPECIAL** 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, May 3, 2017 at 5:30 p.m., the following resolution was duly adopted:

**Whereas**, Rotterdam Patrolmen's Benevolent Association, Inc., previously entered into a collective bargaining agreement on January 1, 2011; and

**Whereas**, the 2011 Collective Bargaining Agreement, III, entitled "Association Recognition", Section 2, details the agreement began on January 1, 2011 and continued through December 31, 2015 or until a new agreement is reached; and

**Whereas**, the Town of Rotterdam and Rotterdam Patrolmen's Benevolent Association, Inc. have engaged in productive, continuous negotiations and through this process have reached a new agreement regarding the terms and conditions of employment, in the form of a written amendment to be incorporated into the existing collective bargaining agreement; and

**Whereas**, upon ratification on April 28, 2017, by the Rotterdam Patrolmen's Benevolent Association membership of the Rotterdam unit, the Town of Rotterdam now seeks to finalize this agreement; **NOW**

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

**BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:**

**SECTION 1.** The Supervisor is hereby authorized to execute a memorandum of agreement with the Rotterdam Patrolmen's Benevolent Association, Inc., for a five (5) year period commencing January 1, 2016 through and December 31, 2020.

**SECTION 2.** The Supervisor is hereby authorized to execute a collective bargaining agreement with Rotterdam Patrolmen's Benevolent Association, Inc. for a five (5) year period commencing January 1, 2016 through and December 31, 2020.

**SECTION 3.** This resolution shall become effective May 3, 2017.

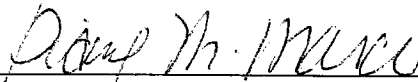
**DATED:** May 3, 2017

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
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 May 3, 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 **SPECIAL** meeting.

**IN WITNESS WHEREOF**, I have hereunto set my hand and the seal of the Town of Rotterdam this May 4, 2016.

  
\_\_\_\_\_  
Diane M. Marco, Town Clerk

**MEMORANDUM OF AGREEMENT**

**BY AND BETWEEN**

**THE TOWN OF ROTTERDAM**

**AND**

**THE ROTTERDAM PATROLMEN'S  
BENEVOLENT ASSOCIATION, INC.**

The Town of Rotterdam ("Town") and the Rotterdam Patrolmen's Benevolent Association, Inc. ("PBA") are parties to a Collective Bargaining Agreement with a stated term of January 1, 2011 through December 31, 2015 ("Collective Bargaining Agreement"). Subject to ratification by the PBA and approval by the Town Board, the parties hereby agree to modify the Collective Bargaining Agreement as follows:

1. The term of this Agreement shall be January 1, 2016 through December 31, 2020.
2. ARTICLE XV, Section 1 shall be modified to reflect salary increases as follows:
  - A. Effective January 1, 2016: 2%
  - B. Effective January 1, 2017: 2%
  - C. Effective January 1, 2018: 2%
  - D. Effective January 1, 2019: 2%
  - E. Effective January 1, 2020: 2%

All salary increases shall be fully retroactive to January 1, 2016 for all calculation purposes. However, the increases effective January 1, 2016 and January 1, 2017 shall not apply to the "Patrolman 6<sup>th</sup>" salary.

3. Effective June 1, 2017, the "Patrolman 6<sup>th</sup>" salary shall be reduced to \$41,000.00 for anyone hired on or after June 1, 2017.

4. Modify ARTICLE XVIII, Section 2, Medical-Dental, by changing the current paragraph E to paragraph F and adding a new paragraph E as follows:



Each EMPLOYEE hired on or after January 1, 2017 shall contribute fifteen percent (15%) of his/her annual medical and dental insurance premium costs while he/she is an EMPLOYEE and upon retirement.

Paragraph D shall be modified by changing "June 13, 2013" to "June 13, 2013 and before January 1, 2017."

5. Effective January 1, 2018, Article XV, Section 2, Subpart A shall be deleted and replaced with the following:

EMPLOYEES shall be entitled to longevity pay as follows:

EMPLOYEES with 4-10 years of service           \$225 per year of service

EMPLOYEES with 11-19 years of service       \$250 per year of service

EMPLOYEES with 20+ years of service       \$275 per year of service

The longevity amount shall be capped at the twenty-five (25) years of service level for those with twenty-six (26) years of service and above.

6. Effective January 1, 2018, ARTICLE X, Section 1, Vacation Leave shall be amended by deleting paragraph E.

7. ARTICLE XVIII, General Municipal Law, Section 207-c, paragraph H, Miscellaneous shall be amended by adding a new paragraph 3 as follows:

(3) A MEMBER shall continue to accrue all leave time provided to active MEMBERS while he/she is on leave pursuant to GML 207-c. However, a MEMBER who is on GML 207-c leave and unable to perform full duty for a period of time in excess of ninety (90) consecutive days shall cease accruing sick, personal and vacation time until such time as he/she returns to full duty or is assigned to light duty. Notwithstanding the foregoing, for the entire period of time that a MEMBER is on GML 207-c leave, he/she shall retain and be entitled to health insurance (including a prescription drug plan), medical benefits, dental benefits, vision benefits and all other benefits provided under ARTICLE XVIII pursuant to the same terms and conditions as if he/she were on active duty.

8. ARTICLE XXIX, Grievance Procedure shall be modified as follows:

Delete the language of the current Section 4 and replace it with the following:

A. The failure to process any GRIEVANCE in accordance with the time limit heretofore stated for any step shall constitute a

contractual bar to processing a claimed GRIEVANCE and it shall be deemed waived and abandoned.

- B. A GRIEVANCE deemed waived or abandoned pursuant to paragraph A above shall not be a binding precedent to the granting or denial of any other GRIEVANCE.
- C. Failure of the designated employer representative to respond to a GRIEVANCE in the manner prescribed within the time limited stated, at any step, shall entitle the grievant to proceed to the next step. However, such failure to respond shall not start the time running within which the grievant must proceed to the next step.

9. Effective July 1, 2017, EMPLOYEES and their dependents and Retirees and their dependents shall be offered a voluntary vision plan through Empire Blue View Vision (BVV B3) with benefits as reflected in the Summary Plan Description which is annexed hereto, made a part hereof and incorporated herein by reference as **Exhibit "A"**. (A copy of the document which is attached hereto as **Exhibit "A"** will be attached to the Collective Bargaining Agreement as **APPENDIX "B"**). The EMPLOYER shall pay fifty percent (50%) of the vision premium and the EMPLOYEE shall pay fifty percent (50%) of the vision premium. Retirees shall pay one hundred percent (100%) of the vision premium.

10. Except as modified herein, all language and terms of the Collective Bargaining Agreement and any other agreements between the parties shall continue unchanged and are incorporated herein by reference.

Agreed to this 26<sup>th</sup> day of April, 2017.

**ROTTERDAM PATROLMEN'S  
BENEVOLENT ASSOCIATION, INC.**

**TOWN OF ROTTERDAM**

By: Michael E. Caffarella  
Michael Caffarella,  
President

By: Steven Tommasone  
Steven Tommasone,  
Town Supervisor

**EXHIBIT "A"**

April 1, 2017 to June 30, 2017 Effective Date  
 Voluntary Vision Plan Comparison

Town of Rotterdam - Empire Options



Carrier	Size 5-50 Option 1		Size 5-50 Option 2		Size 5-50 Option 3	
	Empire BVV B2		Empire BVV B3		Empire BVV B4	
Plan Name	In Network	Out of Network Allowance / Reimbursement	In Network	Out of Network Allowance / Reimbursement	In Network	Out of Network Allowance / Reimbursement
<b>Benefits</b>						
<b>Frequency of Services</b>						
Exams	12 Months		12 Months		12 Months	
Lenses	12 Months		12 Months		12 Months	
Frames	24 Months		24 Months		24 Months	
Contact Lenses	12 Months		12 Months		12 Months	
<b>Overview of Benefits</b>						
Exam Copay	\$10	\$42	\$10	\$42	\$20	\$42
Frames	\$100 Allowance, then 20% off balance	\$45	\$130 Allowance, then 20% off balance	\$45	\$130 Allowance, then 20% off balance	\$45
<b>Lenses</b>						
Single Vision	\$20	\$40	\$20	\$40	\$20	\$40
Lined Bifocal	\$20	\$60	\$20	\$60	\$20	\$60
Lined Trifocal	\$20	\$80	\$20	\$80	\$20	\$80
<b>Contact Lens Copay</b>						
Medically Necessary	Covered in Full	\$210	Covered in Full	\$210	Covered in Full	\$210
Elective	\$100 Allowance, Conventional: 15% off balance over	\$92	\$130 Allowance, Conventional: 15% off balance over	\$92	\$130 Allowance, Conventional: 15% off balance over	\$92
<b>Dependent/Student Age</b>	26/26		26/26		26/26	
<b>Participation Requirement</b>	5 Enrolled		5 Enrolled		5 Enrolled	
<b>Network</b>	Blue View		Blue View		Blue View	
<b>Vision Monthly Rates</b>	<b>Count</b>					
Employee	1	\$5.84	\$6.84	\$6.26		
Employee/Spouse	1	\$11.68	\$13.28	\$12.52		
Employee/Child(ren)	1	\$9.46	\$10.76	\$10.14		
Family	1	\$16.64	\$18.92	\$17.84		
<b>Estimated Monthly Premium</b>						
<b>Estimated Annual Premium</b>						

<b>Underwriting Notes</b>	12 Month RG	12 Month RG	12 Month RG
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