

Rotterdam Town Board Meeting

November 14, 2018

5:30 p.m.

AGENDA REVIEW

EXECUTIVE SESSION

MISCELLANEOUS

7:00 p.m.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

SUPERVISOR'S REPORT:

- ❖ **Christmas Tree Lighting Ceremony – Wednesday, November 28, 2018:** Please join us at 6:00 p.m. at Town Hall and visit our website at www.rotterdamny.org for additional information.
- ❖ **National Pearl Harbor Remembrance Day Service - Friday, December 7, 2018:** Please join us at 1:00 p.m. at Town Hall and visit our website at www.rotterdamny.org for additional information.

PROCLAMATION/PRESENTATIONS

PUBLIC HEARINGS:

- 1) To amend Chapter 270, "Zoning", Section 270-5, "Definitions" for the term "Hospital".

To amend Chapter 270, "Zoning", Section 270-56, "Special uses" to include "Hospitals" and "Care homes", as defined under Section 270-5, "Definitions" as a special use in the "(B-1) Retail Business District".

To amend Chapter 270, "Zoning", Section 270-64, "Permitted uses" to include "Hospitals" and "Care homes", as defined under Section 270-5, "Definitions" as a permitted use in the "(B-2) General Business District".

To remove Chapter 270, "Zoning", Section 270-28(C), "Special uses".
- 2) To amend Chapter 72, "Alcoholic Beverages", to include Section 72-3, "Penalties for offense".

- 3) To amend Chapter 265, "Property Maintenance", Section 265-4, "Duty to maintain property" to include "(k)", a prohibition on unregistered and inoperable motor vehicles being stored in open sight on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

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 MOTIONS AND RESOLUTIONS:

Motion No.

- 29.18** Motion to enter executive session to discuss discipline of employee number 08082018.
- 30.18** Motion to enter executive session and invite Mickey Maher regarding grievance of employee 11142018.
- 31.18** Motion to reenter executive session for grievance of employee number 11142018.

Res. No.

- 311.18** Adopt the meeting minutes from the October 22, 2018, October 24, 2018 and November 5, 2018 Town Board meetings.
- 312.18** Adopt the 2019 Town of Rotterdam Preliminary Budget as the 2019 Town of Rotterdam Final Annual Budget.
- 313.18** Adopt Local Law No. Ten (10) of the Year 2018 for the following purpose:

To amend the Code of the Town of Rotterdam §266-52, entitled "Schedule XII: No Parking at Any Time" to prohibit parking on the north side of Cardiff Road extending west from the driveway located at 2002 Cardiff Road, to the fire hydrant located at 2004 Cardiff Road and ten (10) feet on either side of the driveway located at 2007 Cardiff Road.

Public Hearing was called for at the Town Board meeting of October 10, 2018.
Public Hearing was held at the Town Board meeting of October 24, 2018.

314.18 Authorize the Supervisor to enter into an agreement with KB Group of NY, Inc., doing business as PRIME AE Group of NY, located at 100 Great Oaks Boulevard, Suite 114, Albany, New York 12203, for professional services for identifying confined spaces at the Wastewater Treatment Plant, in an amount not to exceed eight thousand seven hundred and 00/100 dollars (\$8,700.00).

315.18 Authorize the Supervisor to enter into an agreement with KB Group of NY, Inc., doing business as PRIME AE Group of NY, located at 100 Great Oaks Boulevard, Suite 114, Albany, New York 12203, for professional services related to drainage improvements in Rotterdam Junction and the Lock Street area, in an amount not to exceed thirty two thousand five hundred and 00/100 dollars (\$32,500.00).

316.18 Call for bids to be opened on Wednesday, November 28, 2018, at 10:00 a.m., at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York 12306 for “Managed Information Technology Services” for an annual contract.

317.18 Award bid opened on Wednesday November 7, 2018, for the purchase of Sodium Hexametaphosphate to be used by the Town of Rotterdam for the year 2019 to Coyne Chemical, 3015 State Road, Croydon, PA 19021.

318.18 Establish water rents and contract assessments for the year 2018 for the water districts of the Town of Rotterdam.

319.18 Accept Town Clerk’s report for the month of October 2018.

320.18 Authorize budget transfers by the Town Comptroller to various accounts for 2018.

RESOLUTIONS ADDED BY MOTION

COMMITTEE REPORTS

MISCELLANEOUS

EXECUTIVE SESSION:

- Grievance of employee 08082018
- Grievance of employee 11142018

ADJOURNMENT

STEVEN A. TOMMASONE, Supervisor

MOTION 29.18

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

SECTION 1: I make a motion to enter into executive session to discuss the discipline of employee number 08082018.

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

MOTION 30.18

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

SECTION 1: I make a motion that we enter executive session and invite (uh, ah) Mickey Maher who is our (uh) Assistant Project Manager and Building Inspector, regarding grievance of employee 11142018.

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

MOTION 31.18

THEREFORE, UPON MOTION OF Councilmember SIGNORE, seconded by Councilmember MILLER-HERRERA,

SECTION 1: Motion to reenter executive session for grievance of employee number 11142018.

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

RESOLUTION NO. 311.18

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

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 October 22, 2018, October 24, 2018 and November 5, 2018 town board meetings, as attached, to reflect a complete and accurate record of the proceedings of the meetings on the above referenced dates.

SECTION 2. This resolution shall become effective November 14, 2018.

DATED: November 14, 2018

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

RESOLUTION NO. 312.18

WHEREAS, The Town Board of the Town of Rotterdam requires the public be provided an opportunity to express views on the 2019 Preliminary Budget; and

WHEREAS, The Town Board of the Town of Rotterdam accepted, by resolution, the 2019 Tentative Budget, with modifications, as the 2019 Preliminary Budget on October 24, 2018; and

WHEREAS, The 2019 Preliminary Budget has be made available for public inspection in both the office to the town clerk and through the Town of Rotterdam website, www.rotterdamny.org; and

WHEREAS, Pursuant to New York State Town Law Section 108, the public hearing was held on November 5, 2018, where comments by the public both in favor and against the 2019 Preliminary Budget, as compiled, and both for and against specific items contained in that budget were heard by the Town Board;
NOW

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam hereby adopts the 2019 Town of Rotterdam Preliminary Budget as the 2019 Town of Rotterdam Final Budget, in accordance with New York State Town Law Section 109, Subpart 2. The 2019 Final Budget, including all special districts, is hereby adopted in the amount of twenty five million, two hundred sixty thousand, three hundred forty five dollars and 00/100 cents (\$25,260,345.00), as the Annual Budget of the Town of Rotterdam for the fiscal year 2019.

SECTION 2. This resolution shall become effective November 14, 2018.

DATED: November 14, 2018

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

RESOLUTION NO. 313.18

WHEREAS, a public hearing was called for by the Town Board of the Town of Rotterdam on October 10, 2018; and

WHEREAS, pursuant to notice duly published in the official newspaper of the Town of Rotterdam, the Town Board of the Town of Rotterdam held a public hearing on the 24th day of October 2018 at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York, at 7:00 p.m.; and

WHEREAS, said public hearing was conducted on October 24, 2018, at the John F. Kirvin Government Center, 1100 Sunrise Boulevard, Rotterdam, New York, upon adoption of a **Proposed Local Law of the Year 2018**, for the following purpose:

To amend the Code of the Town of Rotterdam §266-52, entitled “Schedule XII: No Parking at Any Time” to prohibit parking on the north side of Cardiff Road extending west from the driveway located at 2002 Cardiff Road, to the fire hydrant located at 2004 Cardiff Road and ten (10) feet on either side of the driveway located at 2007 Cardiff Road.

WHEREAS, all persons were duly heard both in the affirmative and negative thereon; **NOW**

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

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF ROTTERDAM

LOCAL LAW NO. TEN (10) OF THE YEAR 2018

SECTION 1. Proposed Local Law of the Year 2018 of the Town of Rotterdam to amend the Code of the Town of Rotterdam §266-52, entitled “Schedule XII: No Parking at Any Time” to prohibit parking on the north side of Cardiff Road extending west from the driveway located at 2002 Cardiff Road, to the fire hydrant located at 2004 Cardiff Road and ten (10) feet on either side of the driveway located at 2007 Cardiff Road and is hereby adopted in the form annexed hereto as Local Law No. Ten (10) of the Year 2018.

SECTION 2. Local Law No. Ten (10) of 2018 of the Town of Rotterdam shall be, and the Town Clerk is hereby directed to file such local law in the Office of the New York State Department of State in compliance with all applicable legal requirements.

SECTION 3. This resolution shall become effective November 14, 2018.

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

DATED: November 14, 2018

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

RESOLUTION NO. 314.18

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Supervisor of the Town of Rotterdam is hereby authorized to enter into an agreement with KB Group of NY, Inc., doing business as PRIME AE Group of NY, located at 100 Great Oaks Boulevard, Suite 114, Albany, New York 12203, for professional services for identifying confined spaces at the Wastewater Treatment Plant, in an amount not to exceed eight thousand seven hundred and 00/100 dollars (\$8,700.00).

SECTION 2. This resolution shall become effective November 14, 2018.

DATED: November 14, 2018

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

RESOLUTION NO. 315.18

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Supervisor of the Town of Rotterdam is hereby authorized to enter into an agreement with KB Group of NY, Inc., doing business as PRIME AE Group of NY, located at 100 Great Oaks Boulevard, Suite 114, Albany, New York 12203, for professional services related to drainage improvements in Rotterdam Junction and the Lock Street area, in an amount not to exceed thirty two thousand five hundred and 00/100 dollars (\$32,500.00).

SECTION 2. This resolution shall become effective November 14, 2018.

DATED: November 14, 2018

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

RESOLUTION NO. 316.18

WHEREAS, the Town of Rotterdam seeks to reduce managed information technology service costs by seeking bids to perform work for the Town of Rotterdam; and

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. 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 Wednesday, the 29th day of November 2018, at 10:00 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 purchase by the said Town of Rotterdam of the following:

MANAGED INFORMATION TECHNOLOGY SERVICES

All 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, during the hours of 8:30 a.m. and 4:30 p.m.

**ALL BID PROPOSALS MUST BE RECEIVED BY THE TOWN CLERK
PRIOR TO 10:00 A.M., WEDNESDAY, NOVEMBER 29, 2018**

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: November 14, 2018

Daily Gazette: Please publish once on November 17, 2018

Post

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

RESOLUTION NO. 317.18

WHEREAS, pursuant to notice duly published according to Section One Hundred Three of the General Municipal Law of the State of New York the Town Clerk of the Town of Rotterdam on Wednesday, November 7, 2018 publicly opened and read all bid proposals received for the purchase by the Town of Rotterdam Public Works Department of the following:

Sodium Hexametaphosphate to be used by the Town of Rotterdam for 2018-2019

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town Board of the Town of Rotterdam does hereby accept and award the bid for the purchase of Sodium Hexametaphosphate to be used by the Town of Rotterdam for 2018-2019 to Coyne Chemical, 3015 State Road, Croydon, PA 19021.

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

SECTION 3. This resolution shall become effective November 14, 2018.

DATED: November 14, 2018

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

RESOLUTION NO. 318.18

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

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. That water rents and contract assessments for the year 2018 for the water districts of the Town of Rotterdam hereinafter set forth, be and they hereby are established and that the Receiver of Taxes and Assessments and she is hereby directed to receive and collect from the several persons named on the water rent roll, the several sums mentioned in the last column thereof opposite their respective name on or after June 1 through June 30, 2018. All charges unpaid by July 31, 2018 will be placed on Town Tax Rolls with additional penalties and collected in the same manner as other Town taxes:

	<u>2017</u>	<u>2018</u>
<u>WATER DISTRICT NO. THREE (3)</u>		
Primary Units	\$13,050.00	\$13,050.00
Commercial and Meters	<u>\$1,540.00</u>	<u>\$1,540.00</u>
Water District No. Three (3) TOTAL	\$14,590.00	\$14,590.00
 <u>WATER DISTRICT NO. FIVE (5)</u>		
Primary Units	\$890,475.00	\$901,200.00
Commercial and Meters	<u>128,175.00</u>	<u>\$106,050.00</u>
WATER DISTRICT NO. FIVE (5) TOTAL	\$1,018,650.00	\$1,007,250.00
 WATER DISTRICT NO. THREE (3) TOTAL	 \$14,590.00	 \$14,590.00
WATER DISTRICT NO. FIVE (5) TOTAL	<u>\$1,018,650.00</u>	<u>\$1,007,250.00</u>
GRAND TOTAL:	\$1,033,240.00	\$1,021,840.00

SECTION 2. This resolution shall become effective November 14, 2018.

DATED: November 14, 2018

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

RESOLUTION NO. 319.18

THEREFORE, UPON MOTION OF Councilmember MILLER-HERRERA, seconded by
Councilmember GUIDARELLI,

BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

SECTION 1. The Town’s Clerk report for the month of October 2018 has been placed on file and the Town Clerk’s check in the amount of four thousand eight hundred sixty five and 47/100 dollars (\$4,865.47) has been submitted to the Supervisor for deposit.

SECTION 2. This resolution shall become effective November 14, 2018.

DATED: November 14, 2018

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		

RESOLUTION NO. 320.18

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

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 2018 and are hereby audited and approved:

Fund	Account Number	Account Title	Amount
General	A3120 4322	FROM: SEPTIC CLEANING	-200.00
General	A3120 4327	INTO: REFUSE COLLECTION	200.00
General	A3120 4154	FROM: PROFESSIONAL SERVICES	-230.00
General	A3120 4327	INTO: REFUSE COLLECTION	230.00
		Net Change	0.00

SECTION 2. This resolution shall become effective November 14, 2018.

DATED: November 14, 2018

NAME	AYES	NOES	ABSTAIN
Christou	X		
Guidarelli	X		
Miller-Herrera	X		
Signore	X		
Tommasone	X		