

**Rotterdam Town Board Meeting**

**July 14, 2021**

**6:30 p.m.**

**AGENDA REVIEW**

**EXECUTIVE SESSION**

**MISCELLANEOUS**

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**SUPERVISOR'S REPORT**

**PROCLAMATION/PRESENTATIONS**

- Chief of Police Michael S. Brown:
  - 2021 Professional Staff Development Plan for the Rotterdam Police Department
  - Promotion of Lieutenant William Male to Deputy Chief of Police
  - Promotion of Segreant Patrick F. Ferry to Lieutenant 2<sup>nd</sup>

**PUBLIC HEARINGS:**

1)To amend sections 225-2 (A)(1) and 225-7 (C), of the code of the Town of Rotterdam, Records Public Access to

**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.

**INTRODUCTION OF MOTIONS, ORDERS AND RESOLUTIONS:**

**Motion No.**

**Resolution No.**

A RESOLUTION to promote Lieutenant William J. Male to the position of Deputy Chief of Police

A RESOLUTION to promote Sergeant Patrick F. Farry to the position of Lieutenant **2nd**

A RESOLUTION to appoint [REDACTED] for the position of Clerk

A RESOLUTION to amend Resolution No. 181.21 summer highway employees A RESOLUTION to refer to Planning Commission for Report and Recommendation for Change of Zone

A RESOLUTION to refer to Planning Commission for Report and Recommendation for Change of Zone

A RESOLUTION to adopt Local Law No. Five (5) of the year 2021

A RESOLUTION to declare lead agency

A RESOLUTION to grant a permanent easement

A RESOLUTION to authorize the Supervisor to enter into an agreement with Barton & Loguidice

A RESOLUTION to authorize Supervisor to amend an agreement with Barton & Loguidice

A RESOLUTION to authorize Supervisor to enter into an agreement with KB Group of NY

A RESOLUTION to authorize Supervisor to enter into an agreement with KB Group of NY

A RESOLUTION to accept the Revenue for the town clerk's office for June 2021

A RESOLUTION to adopt the Town Board Meeting minutes for June 9 and June 23, 2021

**COMMITTEE REPORTS**

**MISCELLANEOUS**

**EXECUTIVE SESSION**

**ADJOURNMENT**

**STEVEN A. TOMMASONE, Supervisor**

**APPOINT WILLIAM J. MALE AS THE DEPUTY CHIEF OF POLICE**

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by Councilmember, \_\_\_\_\_,

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

**SECTION 1.** The Town Board of the Town of Rotterdam hereby appoints and promotes William J. Male to the position of Deputy Chief, full time, probationary, with full employee benefits, at an annual salary of one hundred thirty-two thousand three hundred thirty-one and 03/100 dollars (\$132,331.03)

**SECTION 2.** This resolution shall become effective retroactive to July 10, 2021

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
Guidarelli			
Miller-Herrera			
Signore			
Tommasone			

DRAFT

**APPOINT PATRICK F. FARRY AS LIEUTENANT 2nd**

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by Councilmember, \_\_\_\_\_,

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

**SECTION 1.** The Town Board of the Town of Rotterdam hereby appoints and promotes Patrick F. Farry to the position of Lieutenant 2nd, full time, probationary, with full employee benefits, at an annual salary of one hundred nine thousand five hundred seventy-three and 26/100 dollars (\$109,573.26), commencing July 15, 2021.

**SECTION 2.** This resolution shall become effective July 14, 2021

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
Guidarelli			
Miller-Herrera			
Signore			
Tommasone			

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**APPOINT A CLERK**

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by Councilmember, \_\_\_\_\_,

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

**SECTION 1.** \_\_\_\_\_ of Rotterdam, New York, is hereby appointed to the position of Clerk for the Town of Rotterdam full time, probationary, with full employee benefits, at an annual salary of thirty-seven thousand one hundred sixty-five and 90/100 dollars (\$37,165.90), commencing July 19, 2021.

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
Guidarelli			
Miller-Herrera			
Signore			
Tommasone			

DRAFT

**AMEND RESOLUTION NO. 182.21**

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by Councilmember, \_\_\_\_\_,

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

**SECTION 1.** The Town Board hereby amends Resolution No. 182 of the year 2021 to state the following:

**“APPOINT SEASONAL LABORERS**

**SECTION 1.** The following individuals are hereby appointed and reappointed to various seasonal, summer positions at the Town of Rotterdam Highway Department at indicated hourly rates of pay, on an as needed basis, with no employee benefits, through September 3, 2021.

**Highway Department**

Kyle Vanblarcom	Laborer	\$ 12.50
Felipmarvin Smith	Laborer	\$ 12.50
Michael Palleschi	Laborer	\$ 12.50
Nathan Gandrow	Laborer	\$ 12.50

**SECTION 2.** These appointments are contingent upon completion of a DCJS background check and compliance with the New York State Correction Law Article 23-A.

**SECTION 3.** The Town Board of the Town of Rotterdam hereby agrees to reimburse the costs incurred from the DCJS background check for the individuals referenced above once the full term of employment is completed.”

**SECTION 4.** This resolution shall become effective retroactive to June 10, 2021.”

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
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Tommasone			

**REFER TO THE PLANNING COMMISSION A CHANGE OF ZONE  
FOR 3184 CARMAN ROAD**

**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 \_\_\_\_\_,

seconded by Councilmember \_\_\_\_\_,

**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 2021 under consideration by the Town Board as follows:

To allow for a Change of Zone request located at located at 3184 Carman Road, known as Tax Map No. 71.06-4-17, on approximately +-48,965 square feet of an +-81,439 square foot parcel from A-1 Agricultural to B-1 Retail Business. The applicant is requesting to construct a 50' X 72' storage building and combine portion with 1223 Ft. Hunter Road, Tax Map No. 71.6-4-16.112 (Caribbean Pools).

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
Guidarelli			
Miller-Herrera			
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Tommasone			

**REFER TO THE PLANNING COMMISSION A CHANGE OF ZONE FOR 2625 CURRY ROAD**

**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 \_\_\_\_\_,  
seconded by Councilmember \_\_\_\_\_,

**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 2021 under consideration by the Town Board as follows:

To allow for a Change of Zone request located at located at located at 2625 Curry Road, known as Tax Map No. 71.7-1-9, on approximately +-10.7 acres of a +-12 acre parcel from R-1 One-Family Residential and I-1 Light Industrial to R-3 Multi-Family Residential. The applicant is proposing to construct 208 Apartments.

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

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**ADOPT LOCAL LAW NO. 5 OF 2021**

**WHEREAS**, a public hearing was called for by the Town Board of the Town of Rotterdam on June 9, 2021; 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 23rd day of June 2021 at the Rotterdam Senior Center, 2639 Hamburg Street, Rotterdam, New York, at 5:30 p.m. and via electronic means pursuant to the COVID executive orders related to the ongoing pandemic; and

**WHEREAS**, said public hearing was conducted on June 23, 2021, at the Town of Rotterdam Senior Center, 2639 Hamburg Street, Rotterdam, New York, upon adoption of a **Proposed Local Law of the Year 2021**, for the following purpose:

- 1) To repeal Chapter 270-151.1, "Political Signs" from the Code of the Town of Rotterdam

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

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_,

seconded by Councilmember \_\_\_\_\_,

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

**LOCAL LAW NO. FIVE (5) OF THE YEAR 2021**

**SECTION 1.** Proposed Local Law of the Year 2021 of the Town of Rotterdam to repeal Chapter 270-151.1, "Political Signs" from the Code of the Town of Rotterdam.

**SECTION 2.** Local Law No. Five (5) of 2021 of the Town of Rotterdam shall be adopted, 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 local law shall take effect upon filing with the Secretary of State of the State of New York, as required by Section 27 of the Municipal Home Rule Law.

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

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
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Miller-Herrera			
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Tommasone			

**DECLARE LEAD AGENCY TO CONVEY AN EASEMENT O NATIONAL GRID**

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by Councilmember, \_\_\_\_\_,

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

**SECTION 1.** The Town Board of the Town of Rotterdam hereby declares the town board as “lead agency” under NYCRR Part 617 (SEQR) in relation to a permanent easement with Nation Grid.

**SECTION 2.** The Town Board of the Town of Rotterdam hereby authorizes the town planner to prepare, file, publish, and distribute all documents as necessary to comply with NYCRR Part 617 (State Environmental Quality Review).

**SECTION 3.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
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**CONVEY AN EASEMENT TO NATIONAL GRID**

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by Councilmember, \_\_\_\_\_,

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

**SECTION 1.** The Town Board of the Town of Rotterdam hereby authorizes the Supervisor to execute all document related to granting a permanent easement to National Grid in support of the Amsterdam-Rotterdam 3 & 4 Line Pole Replacement Project, in a manner acceptable to the Town Attorney and the Town of Rotterdam.

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
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**PLACEHOLDER FOR AN AGREEMENT WITH **BARTON & LOGUIDICE****

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by  
Councilmember, \_\_\_\_\_,

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

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
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Tommasone			

DRAFT

**PLACE HOLDER FOR SEQR DETERMINATION AND AN  
AGREEMENT WITH **BARTON & LOGUIDICE****

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by  
Councilmember, \_\_\_\_\_,

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

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
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DRAFT

**AMEND AN AGREEMENT WITH BARTON & LOGUIDICE**

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by Councilmember, \_\_\_\_\_,

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

**SECTION 1.** The Town Supervisor is hereby authorized to enter into an amended agreement with Barton & Loguidice, P.C., located at 10 Airline Drive, Suite 200, Albany, New York 12205, as attached.

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

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**AUTHORIZE A CONTRACT WITH KB GROUP OF NY FOR WATER DISTRICT NO. 5  
INFRASTRUCTURE IMPROVEMENTS**

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by  
Councilmember, \_\_\_\_\_,

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

**SECTION 1.** Authorize the Supervisor to negotiate and execute an agreement with KB Group of NY, Inc., 100 Great Oaks Boulevard, Suite 114, Albany, NY 12203, for services related to Water District No. 5 Infrastructure Improvements.

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
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Tommasone			

DRAFT

**AUTHORIZE A CONTRACT WITH KB GROUP OF NY FOR AMENDING THE WATER  
WITHDRAWAL PERMIT**

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by  
Councilmember, \_\_\_\_\_,

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

**SECTION 1.** Authorize the Supervisor to negotiate and execute an agreement with KB Group of NY, Inc., 100 Great Oaks Boulevard, Suite 114, Albany, NY 12203, for Water Withdrawal Permit Modification Amendment No. 3: Construction Phase Engineering Services, in an amount not to exceed sixty nine thousand nine hundred and 00/100 dollars (\$69,900.00).

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
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**TOWN CLERKS REVENUE**

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by Councilmember, \_\_\_\_\_,

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

**SECTION 1.** The town’s clerk report for the month of June 2021 has been placed on file and the town clerk’s check in the amount of five thousand two hundred seventy three-eight and 36/100 dollars (\$5,238.36) has been submitted to the supervisor for deposit.

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
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**ADOPT TOWN BOARD MEETING MINUTES**

**THEREFORE, UPON MOTION OF** Councilmember \_\_\_\_\_, seconded by Councilmember, \_\_\_\_\_,

**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 June 9, 2021 and June 23, 2021 town board meetings, as attached, to reflect complete and accurate records of the proceedings of the meetings on the above referenced dates.

**SECTION 2.** This resolution shall become effective July 14, 2021.

**DATED:** July 14, 2021

<b>NAME</b>	<b>AYES</b>	<b>NOES</b>	<b>ABSTAIN</b>
Christou			
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DRAFT