

Town Supervisor

Lance Peterson

Town Board Members

Kenneth Knapp

Donna J. Patchen

James Kenney

Kathleen LaClair

Town Clerk

Megan Badour

**Town of Clayton**

405 Riverside Drive

Clayton, New York 13624

Telephone: (315) 686-3512

Fax: (315) 686-2651

www.townofclayton.com

TOWN BOARD WORKSHOP MEETING AGENDA

Wednesday, January 26, 2022 • 5:00pm

1. Pledge of Allegiance**2. Town Clerk**

- A. *Correspondence* that Needs Recording
- B. *Minutes* from 01/12/2022 Annual Meeting & 01/12/2022 Regular Meeting
- C. Town Clerk 2021 Annual Report

3. Public: Comment on Agenda Items**4. Guests:**

- A. Legislator Cantwell
- B. Thousand Islands Performing Arts Fund (TIPAF)
- C. Clayton Chamber of Commerce
- D. Youth Commission
- E. Depauville Library
- F. Clayton Local Development Corp. (CLDC)
- G. Historian, Tom LaClair

5. Workshop Discussion Items:

- A. Introduction of LL#1 2022 Tax Cap Override 2021 Repeal / Set Public Hearing
- B. RFP Town-Wide Reassessment Project Award
- C. Grindstone Boat Launch Upgrades Rebid Update
- D. Town Attorney Transition
- E. Banking Authorized Signers Update
- F. Employment Agreement Renewals
- G. Fireworks Permit Application / Request to Use Attenuator: Clayton Harbor Hotel 2/3-2/5/2022
- H. Reappointment of Lori Arnot, Zoning Board New Term Expiring 12/31/26
- I. Joint Town/Village Meeting Scheduled for 3/28/2022 @5pm Village Office

6. Adjournment

Next Meeting: Wednesday, February 9, 2022 @ 5pm



Town of Clayton Transfer Station

Dear Friends,

We hope this letter finds you and your families safe and warm this winter. We're happy to report that 2021 was a record year. Over *40 million* pounds of clothing were donated to our clothing sheds - that's over 200,000 pounds of clothing collected every business day!

Every clothing shed is an important part of the big picture. Here are some numbers to show you the impact your own shed made in 2021...

- 16,921 pounds of clothing were donated to your shed in 2021
- This was enough to clothe an estimated 3,117 people all over the world
- Based on this volume of clothing, your organization received \$677

Thank you so much for partnering with us on this. We truly appreciate all the support you continue to give to the clothing shed program!

Sincerely,
The Team at
St. Pauly Textile, Inc.

NEW YORK STATE BOARD ON ELECTRIC
GENERATION SITING AND THE ENVIRONMENT

CASE 19-F-0201 - Application of EDF Renewables Development, Inc.
for a Certificate of Environmental
Compatibility and Public Need Pursuant to
Article 10 for Tracy Solar Energy Center
Project, Towns of Orleans and Clayton,
Jefferson County.

NOTICE OF CLOSURE OF THE PROCEEDING

(Issued January 18, 2022)

By letter dated January 25, 2021, Tracy Solar Energy
Center, LLC notified the New York State Board on Electric
Generation Siting and the Environment (Siting Board) and the
Secretary to the Siting Board that it will no longer pursue a
Public Service Law Article 10 Certificate of Environmental
Compatibility and Public Need. Accordingly, this proceeding is
now closed for all purposes.

(SIGNED)

MICHELLE L. PHILLIPS
Secretary



Town of Clayton
Megan Badour
405 Riverside D
Clayton, NY 13624

Dear Megan,

Did you know you could be paid cash for your solar land lease?

SolaREIT is an innovative American solar investment company that recognizes the value of your solar land lease and is willing to pay cash for it today. As a small, landowner-focused company with operations right here in New York, we're committed to helping you maximize the value of your solar land lease.

We want to make a lump sum payment to you in as little as 30 days.

Here are a few of the top reasons why landowners, like you, are deciding to sell their solar-committed lease to SolaREIT.

Your Benefits:

- **Your land will stay with your family.** Whether we pre-pay 10 years, 20 years, or the full-term of your lease, we never take title of the property – so you and your family will still retain ownership of your land.
- **Premier, competitive pricing.** Investment in the solar industry is at historic levels. This is a smart time to take advantage of the current high value of your lease.
- **We'll issue your check in as little as 30 days.** Your time is precious, and we are not going to make you wait. Our streamlined approach will put money in your pocket as quickly as possible.
- **No pressure.** Call us today at (929) 220-2292 to start the conversation so we can help you understand the options available to you.

**We want to pay cash for
your solar land lease
before 1/31/2022**

SolaREIT is buying a limited amount of solar land leases in New York.

Call us now at (929) 220-2292 or visit **CashForSolarLandNewYork.com** now to make sure you take advantage of this unique opportunity.

Call, email, or visit us today at [CashForSolarLandNewYork.com](https://www.CashForSolarLandNewYork.com).

With a few details about your property and solar project, our team can provide you with options so that you can make an informed decision that is best for you. No pressure, just options.

Thank you for your time and interest.

Randy Valverde

Manager, SolaREIT
Randy@solareit.com
(929) 220-2292
www.SolaREIT.com



PO Box 238
Clayton, NY 13624

Non-Profit Org.
U.S. Postage
PAID
Permit No. 12
Clayton, NY 13624

The 2022 Calendar of Treks & Events has arrived!



Coming June 2022

Visit our Office for a special exhibit of
Camilla Smith photographs!

Details to follow.

More information at:

www.tilandtrust.org 315-686-5345



1*5 *****SCH 5-DIGIT 13617

**SUPERVISOR LANCE PETERSON
TOWN OF CLAYTON
405 RIVERSIDE DR
CLAYTON, NY 13624-1024**

Save the Date!

Thousand Islands Land Trust 2022 Treks & Events

Thurs, 1/20	Toddies on the Trail
Weds, 1/26	Wild Wednesday: Winter Storytime
Fri, 2/18	Stars & S'mores
Weds, 2/23	Wild Wednesday: Animal Storytime
Sat, 3/26	Winter Wander Trek
Weds, 3/30	Wild Wednesday: Maple Sugaring
Tues, 4/19	Common Tern Grid Installation
Weds, 4/27	Wild Wednesday: Birds of a Feather
Sat, 4/30	9th Annual "For the Trees" Arbor Day
Sat, 5/14	Warbler Walk
Sat, 5/21	Spring Stewardship Day
Weds, 5/25	Wild Wednesday: Signs of Spring
Sat, 6/18	5th Annual Mutt Strut
Tues, 6/21	Summer Walking Meditation <small>with Kripalu Yoga</small>
Fri, 7/8	Summer Yoga <small>with River Yoga</small>
Sat, 7/16	Annual Loon Census
Tues, 7/19	Chippewa Bay Kayak <small>with RiverDay Adventure Inn</small>
Weds, 8/2	"Ichthyologist for a Day" KidsTrek
Tues, 8/9	Moonlight Kayak <small>with IRLC</small>
Fri, 8/12	"Harmony with the Land" KidsCamp
Tues, 8/23	Common Tern Grid Removal
Thurs, 8/25	Annual Birkhead Lecture
Fri, Sept 9	Zenda Family Movie Night
Weds, Sept 21	Fall Walking Meditation <small>with Kripalu Yoga</small>
Sat, Sept 24	Fall Stewardship Day
Fri, Oct 14	Fall Foliage Hike
Sat, Oct 22	Fall Yoga <small>with River Yoga</small>
Fri, Nov 11	Veterans Day Hike
Sat, Dec 10	Ice Hike

Events

Friday, March 4
**Winter Gathering
Fundraiser**

Friday, June 10
**Zenda Community
Picnic & Volunteer
Recognition**

Saturday, July 16
**Summer Gathering
Fundraiser**

Saturday, July 30
**Rivergate Trestle
Restoration Grand
Opening**

Thursday, Aug. 18
**Major Donor
Appreciation Event**



Live. Learn. Conserve.

Printed on 100% Recycled Paper

BARCLAY DAMON^{LLP}

Joseph W. Russell
Partner

January 12, 2022

Town of Clayton
405 Riverside Drive
Clayton, NY 13624

Re: Client Transition

I am pleased to announce that effective February 1, 2022, I will be opening my own law firm called **Joseph W. Russell, P.C.**. My separation from Barclay Damon LLP is amicable and both firms anticipate retaining a strong business relationship and providing continuing sources of referral to each other. My address and contact information will be as follows:

120 Washington Street
Suite 500
Watertown, NY 13601
jrussell@jwrusselllaw.com
Telephone: (315) 965-1717

Under applicable law, the choice whether to have your files remain under my control at my new firm, stay with Barclay Damon or go to you directly or to another law firm is yours and yours alone. Given that I have been your principal point of contact, I am happy to advise that we have worked out a simple transition plan from Barclay Damon to my new firm. Namely, that I will retain physical control of your physical and electronic files unless you direct otherwise. If you are in agreement that I should retain your files, you need do nothing further.

If, on the other hand, you wish to do something otherwise with your file, please let me know by email, facsimile or regular mail and we will make the appropriate arrangements.

I look forward to working with you in the future at my new firm.

Very truly yours,



Joseph W. Russell

JWR

CORPORATE OFFICE
P.O. Box 476
SYRACUSE, NY 13211
P: 315-455-5292
WWW.ERIEMATERIALS.COM



ALBANY
AUBURN
BINGHAMTON
ELMIRA
SCRANTON
SYRACUSE
UTICA
WATERTOWN
WILLIAMSPORT

IMPORTANT UPDATE

PRICE INCREASE ANNOUNCEMENT

January 2022

Residential Asphalt Roofing: All major roofing manufacturers have announced a price increase for shingles and accessories of 6% to 8% on or around February 1.

In order to give you some time to plan we will not pass on the increase until March 1. At that time, economy laminate shingle prices will increase \$6.00 to \$9.00 sq.

Other notable recent or upcoming price increases:

Carlisle & Versico Commercial Roofing	1/1/22, 2/1/22	10%+ each increase
Trex Decking and Railing	1/1/22	5% to 12%
Fairway Railing	1/1/22	15%
Everlast Siding	1/1/22	10%
Mastic Metal	1/1/22	35%
James Hardie Fiber Cement Siding	1/1/22	4% to 10%
Cultured Stone & Versetta Stone	1/1/22	15%
Tando Stone	1/7/22	7%
Mastic Vinyl & Injection Mold	2/1/22	10% to 12%
Paradigm Windows	2/1/22	10%
Andersen Windows	2/11/22	7% to 10%
ThermaTru Doors	2/28/22	16% to 18%

These are the manufacturers that have announced. Unfortunately we expect others to follow soon.

For updated pricing information please remember to reference the Erie Materials Market Update in the Resources section of our website. www.eriamaterials.com/documents/marketupdate

Thank you for the continued support of Erie Materials.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robt. S. Neumann", followed by a horizontal line.

Robert S. Neumann
CEO

A handwritten signature in black ink, appearing to read "Chris M. Neumann", written in a cursive style.

Christopher M. Neumann
President

Gerald W. DeLosh

geralddelesh@yahoo.com (315) 778-8736

01/ 17/2022

Town of Clayton

405 Riverside Dr. PO Box 379

Clayton, NY 13624

RE: Sheriff Candidate

Dear Boards Members,

I am writing this letter to inform you that I am running for Jefferson County Sheriff.

My goals if elected will be to concentrate on the Opioid Epidemic plaguing our County. I will also work on getting the DARE program back in our schools. A service that teaches our young ones about making the right choices in life and the dangers of substance abuse. I will streamline the Pistol Permit Process. I have had the pleasure of being a part of the investigative measures in the past to obtaining a pistol permit, so I am aware of what needs to happen to speed this process up.

I am looking forward to attending one of your board meetings and take any of your questions or concerns.

Sincerely,

Gerald W. DeLosh

A handwritten signature in black ink, appearing to read 'Gerald W. DeLosh', with a stylized, cursive script.

Town of Clayton Annual Meeting Minutes

Wednesday, January 12, 2022

The Town Board of the Town of Clayton held their Annual Meeting at 5:00 PM at the third floor of the Clayton Opera House, located at 405 Riverside Drive, Clayton, NY, with the following persons present:

Lance Peterson
Kenneth Knapp
Pam McDowell

Donna Patchen
Kathy LaClair
Alicia Dewey

James Jones
James Kenney
Megan Badour

1. Pledge of Allegiance: The Supervisor opened the meeting at 5:00 PM and led the Assembly in the Pledge of Allegiance.

2. Supervisor:

Administrative Appointments:

- Association of Towns Delegate: will be discussed at 1/26/22 Town Board Meeting
- Deputy Supervisor: Kenneth Knapp
- External Auditor: Bill Dealing, CPA: AUD, Stackel & Navarra: Single Audit/AUP
- Clerk to Supervisor: Alicia Dewey
- Historian: Thomas LaClair

Board Appointments:

- Heritage Heights Sewer Board: Tom Turgeon; Dennis Baldwin; Christopher Matthews
- Depauville Sewer Board: Keitha Haas; Larry Girard; Bob Haver; Lynn Schnauber; TBD
- Consolidated Health Board: Mayor Norma Zimmer; Supervisor Lance Peterson; Dr. Stephen Grybowski; Keitha Haas
- Consolidated Health Board Officer: Dr. Stephen Grybowski
- Clayton Youth Commission:
 - Town: Sara Matthews; Nicci Hudson; Melissa Storandt; Eric Lashomb; Darin Barton; Kenny Garnsey
 - Village: Scott Johnson; Emily Males; Meredith Fox; Rachel Constantino; Jay Kittle; Chelsea Eppolito
- Clayton Local Development Corporation: Jamie Ganter (Chairman); Jamie Ganter (Vice-Chairman); John Cooper (Treasurer); Kylie Peck (Secretary); Christine Powers; Dennis Weller; TBD Ex Officio Members: Doug Rogers; Norma Zimmer; Kathy LaClair
- Depauville Library: Tresa Forkey (President); Jan Larrow (Vice-President); Colleen Schimpf (Secretary); Gail Egeressy (Treasurer); Doreen Hanson; Phil Pond; Keitha Haas

Other Appointments:

- Registrar: Megan Badour, Town Clerk
- Records Management Officer: Megan Badour
- Records Access Officer: Megan Badour
- Budget Officer: Lance Peterson
- Zoning Officer: Richard Ingerson
- Building Codes Officer: Richard Ingerson

- Assessor: Kimberli Johnston
- Town Constable: TBD
- Depauville Sewer Operator: William Sherman

Town Board Committees: (per Town Law 63, 13)

- Lance Peterson, Sr.: Highway, Consolidated Health, and ABM
- Donna Patchen: Buildings & Grounds, Cemetery, and Personnel
- James Kenney: Safety Coordinator, Planning & Zoning, and Sewer Districts
- Kathy LaClair: TIERS, Paynter Center, Youth Commission and CLDC
- Kenneth Knapp: Libraries and Chamber of Commerce

Town Clerk:

- Appoint Deputy Clerk/ Deputy Registrar: Mariah LaClair

Highway Superintendent:

- Appoint Deputy Highway Superintendent: Raymond Robinson

Town Facility Rates:

- Transfer Site
 - As adopted in 2020.
- Cerow Recreation Park
 - Event Rates: \$600.00 base price, plus \$1 per attendee per day
 - Event Room Rental: Full Room \$40/hour or \$300 Full Day or Half-Room \$20/hour or \$150 Full Day
 - Pavilion Rental: \$50/day with Proof of Insurance
 - Ice rates for 2021-2022:
 - \$90/hr contract
 - \$100/hr Old Timers
 - \$120/hr Community non-contract
 - \$200/hr Outside non-contract
 - \$3/day Public Skate admission
 - \$5/session Skate-n-Shoot
 - Ice rates for 2022-2023:
 - \$95/hr contract
 - \$105/hr Old Timers
 - \$125/hr Community non-contract
 - \$200/hr Outside non-contract
 - \$3/day Public Skate admission
 - \$5/session Skate-n-Shoot
- Pool:
 - \$3/day Daily admission
 - Season membership: \$75 – family; \$50 – adult; \$40 – student
 - Pool event rental \$70/hour (under 30ppl); \$100/hour (30-60ppl)
- Advertising:
 - Arena Wall Sign: \$250/season
 - Ice Board Signage: \$250/season

- In-Ice Signage: \$250/season
- Zamboni Advertising \$300/side/season (3 sides)

Motion was made by Donna Patchen, seconded by Kenneth Knapp to approve appointments and rates.

Motion carried.

Annual Resolutions:

1. Adopt the Official Undertaking of Municipal Officers Resolution.
2. Resolution to adopt Robert's Rules of Order as Town Meeting Rules.
3. Resolution to reaffirm "Rules for Public Participation at Town of Clayton Board Meetings" adopted by Resolution on October 31, 2008 and revised June 9, 2010.
4. Resolution to reaffirm "Resolution Regarding Rules for Public Hearings Conducted by the Town Board Town of Clayton", adopted December 9, 2009 and revised April 14, 2010.
5. Resolution to establish two regular meetings per month for Town Board—2nd and 4th Wednesdays of the month at 5PM.
6. Resolution establishing that the second meeting in July will be held on Grindstone Island and the second meeting in August will be held in Depauville.
7. Resolution to designate the Thousand Island's Sun as the official Town newspaper.
8. Acknowledge and set the salaries of the elected officials: Supervisor \$33,000; Councilpersons \$4,000; Town Clerk \$28,500; Highway Superintendent \$55,500; Town Justices \$12,400.
9. Acknowledge that no formal action needs to be taken at the organizational meeting to further approve salaries for employees. In accordance with the established policies within the employee handbook, and as per the terms of any applicable bargaining unit the salaries for 2022 have been provided for within the 2022 budget. The Town Board has approved 2022 salaries by its action to approve the final budget on November 10, 2021.
10. Resolution that any "new hire" or "rehire" must be reflected in Board minutes.
11. Resolution to pay certain contractors or service providers by voucher:
 - a. Jay Slate: \$13.50/hour for seasonal Highway Laborer on Grindstone Island
12. Set official Town Hall hours for regular business:
 - a. Zoning Enforcement/Code Enforcement Office: 7am-3:30pm Monday-Friday
 - b. Assessment Office: 8:30am-4:30pm Monday-Friday
 - c. Town Clerk's Office: 8:00am-11:30 am, 12:30-5 pm Monday-Friday; 5:30-8 pm Tuesday and Thursday; 8-12 pm Saturday

d. Supervisor's Office: 9am-4pm Monday-Friday

13. Approve payment of \$1,200 membership dues for the Association of Towns for the year 2022.
14. Resolution to set mileage rate for 2022 at the established IRS and Federal Rate. IRS Rate for 2022 is \$.585 per mile.
15. Resolution to adopt Community Bank; Watertown Savings Municipal Bank; and Citizens Bank of Cape Vincent as Town Banks.
16. Resolution that no bills incurred by the Town of Clayton are valid without a voucher and that all vouchers that are to be paid must be delivered to the Town no less than five (5) business days prior to the regular Board meeting, unless otherwise approved by the Town Supervisor and that bills will be paid once per month, except in December for the year-end meeting.
17. Resolution authorizing Town Supervisor to sign checks or in absence, his Deputy.
18. Authorize the Town Superintendent of Highways to make highway purchases in an amount not to exceed \$10,000 without prior approval of the Town Board as per Highway law.
19. Authorize the Supervisor to execute contracts for insurance Renewals for the year 2022.
20. Resolution for Supervisor to sign agreement with Village for the Hawn Memorial Library for \$9,000 for 2022.
21. Resolution for Supervisor to sign contract with the Paynter Center for \$10,000 for Senior Services for 2022.
22. Resolution for Supervisor to sign a Town of Clayton Ambulance District agreement with TIERS for \$128,200 contract for expenses related to Emergency Services in the Town of Clayton and \$42,800 reserved for capital.
23. Resolution for Supervisor to sign contract with TI Museum for \$2,500 for expenses related to housing the Town Historian for 2022.
24. Resolution recognizing the current agreement with the CLDC regarding a 2022 contribution of \$15,000, at the discretion of the Town Board, for expenses related to economic development in the Town of Clayton.
25. Resolution to appoint Rob Campany, PE, as Town Engineer per agreement (see attached).
26. Resolution to appoint Joseph Russell, Barclay Damon, LLP, as Town attorney at the rate of \$200 per hour.
27. Resolution to adopt the Comprehensive Financial Policy, embodying all Town financial policies into one document.

28. Adoption of the Employee Handbook v. 2020-03, inclusive of all policies within.
29. Resolution for a Zoning & Planning Fee schedule for the Town, adopted January 5, 2005, revised by motion on October 10, 2013 and November 8, 2017, and as revised and presented on January 13, 2021.
30. Resolution for a Code Enforcement Fee Schedule, adopted March 26, 2008, revised by motion on October 8, 2008 and November 8, 2017, and as revised and presented on January 13, 2021.
31. Resolution to adopt Town Clerk's Fee Schedule, adopted December 30, 2015.
32. Resolution to comply with requirements of NYS Environmental Quality Review Act.
33. Resolution that any employee of Town wanting to travel to schools, seminars, etc., who expect reimbursement must get Board permission.
34. Resolution affirming the Town Board's support for Resolution #23 of 2003 related to simplifying and enhancing the zoning and planning processes within the Town and Village of Clayton.
35. Resolution authorizing Petty Cash Funds (in accordance with Town Law Section 64, Subdivision 1(a) and the Town of Clayton Comprehensive Financial Policy) as follows:
- a. Town Clerk: \$200.00 Custodian: Megan Badour, Town Clerk
 - b. Tax Collector: \$200.00 Custodian: Megan Badour, Tax Collector
 - c. Transfer Site: \$50.00 Custodian: James Jones, Recreation Supervisor
 - d. Recreation Park: \$50.00 Custodian: James Jones, Recreation Supervisor
36. Approval of \$20 fee for dishonored checks, as authorized by Section 85 of General Municipal Law (Section 5-328 of the General Obligations Law sets the maximum fee at \$20.00).
37. Resolution for the Town of Clayton Tax Collector to keep up to \$5.00 over payment of town taxes submitted and to pool said money and use to compensate for under payment amounts tendered.
38. A resolution of the Town of Clayton Board regarding Town contributions to Employee Health Reimbursement Arrangements and Flexible Spending Accounts.

Motion was made by James Kenney, seconded by Donna Patchen to approve Resolutions 1-38 for the year 2022. **Motion carried.**

Pending Litigation: Jan 2022

A. Status of pending General Litigation:

a. N/A

B. Status of Tax Assessment Review Actions

- a. O'Donnell v. Town of Clayton*
- b. Sheen v. Town of Clayton*
- c. Deedy v. Town of Clayton*

10. Adjournment:

Motion was made by Kenneth Knapp, seconded by Donna Patchen to adjourn meeting at 5:14 PM.

Motion carried.

Next Meeting: Wednesday January 26, 2022 @ 5 pm

Megan Badour, Town Clerk

Town of Clayton Regular Meeting Minutes

Wednesday, January 12, 2022

The Town Board of the Town of Clayton held their regular meeting at 5:15 PM, at the third floor of the Clayton Opera House, located at 405 Riverside Dr., Clayton, NY.

The following persons attended:

Lance Peterson
Kathy LaClair
Donna Patchen

Kenneth Knapp
James Kenney
Pamela McDowell

Megan Badour
Allen Heberling

James Jones
Alicia Dewey

1. Pledge of Allegiance: Held at the beginning of the Annual Meeting at 5:00 PM

2. Guests: N/A

3. Town Clerk:

Correspondence:

- Annual Association of Towns Registration packet (see attached, however the meeting will now be virtual.)
- DEC Permits (see attached)

Minutes from 12/31/2021 Workshop Meeting to be approved. Motion made by Kenneth Knapp, seconded by Donna Patchen with the time of the meeting being corrected to 7 am. **Motion carried.**
(James Kenney and Kathy LaClair abstained.)

4. Public: N/A

5. General Discussion Items:

A. Bills and Transfers:

i. Abstract #1 of 2022

Motion was made by Donna Patchen, seconded by Kenneth Knapp, to approve Abstract #1, in the amount of \$572,931.35. **Motion carried.**

ii. Transfers: FSA

Motion was made by Kenneth Knapp, seconded by Kathy LaClair, to transfer \$13,750.00 into the FSA checking account as per the 2022 budget. **Motion carried.**

iii. Budget Amendment: N/A

iv. New Accounts/Special Entries: N/A

B. Supervisor's Report & Bank Reconciliations:

Motion was made by Kenneth Knapp, seconded by Donna Patchen to approved this for December 2021. **Motion carried.**

C. Balance Sheets: N/A

D. Resignations and Appointments:

i. Resignations: N/A

ii. Positions/Appointments: N/A

E. Rate Changes:

Motion was made by Kathy LaClair, seconded by Kenneth Knapp to approve the new bargaining rates per the new union contract (see attached). **Motion carried.**

F. Training: N/A

G. Senior Exemption Resolution:

Motion was made by Donna Patchen, seconded by Kathy LaClair to approve the Senior Exemption Resolution for 2022. **Motion carried.** Peterson-aye; Kenney-aye; Patchen-aye; Knapp-aye; LaClair-aye. **Passed.**

H. KN-95 Mask Update:

Staff report that citizens are requesting and obtaining the masks provided by Jefferson County as needed from TIERS, the Depauville Library and the Town Hall.

I. School Choice Proclamation:

At this time the Town Board will not take action on this request.

6. Supervisor's Report:

Current concern is with regard to the discussion and follow up needed in regards to the dissolution of the Village Court. Kenneth Knapp will be assisting with this committee.

7. Department Head Reports:

A. Highway Superintendent: Steve Dorr- Crew is working on maintaining equipment. Winter supplies are in good standing.

B. Buildings & Grounds: James Jones- Depauville Library and the Opera House both had heating concerns this week, but both appear to be resolved.

C. Assessor: Kimberli Johnston- (see attached)

D. Codes/Zoning: Richard Ingerson-N/A

8. Council Reports

- Councilwoman LaClair N/A
- Councilwoman Patchen: N/A
- Councilman Knapp: N/A
- Councilman Kenney: N/A

9. Public: N/A

10. Adjournment:

Motion was made by Donna Patchen, seconded by Kenneth Knapp to adjourn at 5:48 PM.

Motion carried.

Next Meeting: Wednesday, January 26, 2022 at 5:00PM.

2021 TOWN CLERK REPORT

TOWN FEES COLLECTED

TAX PENALTIES COLLECTED	\$81.39
1 JUNKYARD LICENSE	\$25.00
CONSERVATION LICENSES ISSUED	\$3,061.00
34 MARRIAGE LICENSES ISSUED	\$1,360.00
328 DOG LICENSES ISSUED	\$5,405.00
BIRTHS, DEATHS, MARRIAGE CERTIFIED TRANSCRIPTS	\$1,900.00
OTHER SALES (Including assessments, dog impound, fire inspection)	<u>\$36.07</u>
	\$11,868.46

FEES PAID OUT

CONSERVATION FEES PAID OUT	\$2,925.12
UNSPAYED/UNNEUTERED PROGRAM FEES PAID OUT	\$427.00
MARRIAGE LICENSES PAID OUT	\$765.00
TAX PENALTIES PAID TO SUPERVISOR	\$81.39

TOTAL CASH RECEIVED AND PAID OUT **\$11,868.46**

TOWN CLERK PETTY CASH FUND \$200.00

MEGAN BADOUR, TOWN CLERK

Supervisor Lance Peterson _____

Councilman Kenneth Knapp _____

Councilwoman Donna Patchen _____

Councilwoman Kathleen LaClair _____

Councilman James Kenney _____

LOCAL LAW FILING

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET
ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town of Clayton
Local Law No. 1 of the year 2022

A local law to repeal Local Law #4 of 2021 as the same relates to an override of the tax levy limit established in General Municipal Law §3-c

Section 1. Legislative Intent. It is the intent of this Local Law to repeal Local Law #4 of 2021 of the Town of Clayton relative to the adoption of a budget for the fiscal year commencing January 1, 2022 that permits a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority. The Town Board of the Town of Clayton previously adopted a local law pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body. Since that time, the Town Board has found that the override of the tax levy limit is no longer necessary. It is the purpose of this local law to repeal Local Law #4 of 2021.

Section 3. Enactment. The Town Board of the Town of Clayton, County of Jefferson, hereby repeals Local Law #4 of 2021 in its entirety.

Section 4. Severability. If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.) I hereby certify that the local law annexed hereto, designated as local law No. 1 of 2022 of the Town of Clayton was passed by the Town Board on February 9, 2022, in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective

Chief Executive Officer*.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ and was deemed duly adopted (Elective Chief Executive Officer*) on _____ 20____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 20 of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____ (Elective Chief Executive Officer*)

Such local law was submitted to the people by reason of a (mandatory)(permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(special)(annual) election held on 20____, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the of the (County)(City)(Town)(Village) of _____ was duly passed by _____ on _____ 20____, and was (approved)(not approved) (Name of Legislative Body) (repassed after disapproval) by the _____ on _____ 20____. Such local (Elective Chief Executive Officer)

law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____

20____, in accordance with the applicable provisions of law.

Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 20____ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general)election held on _____ 20____, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November ____, 20____, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the town of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Megan Badour, Town Clerk, Town of Clayton

(seal)

Date: February 9, 2022

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

Signature

Joseph W. Russell, Town Attorney

Town of Clayton

Date: February 9, 2022

GAR Associates LLC
Proposal
Town-Wide Reassessment Project
Project
Town of Clayton
January 17, 2022

GAR Associates LLC
Real Estate Appraisers and Consultants

David M. Barnett, MAI/SRA
President/Member
dbarnett@garappraisal.com

5500 Main Street Suite 347
Williamsville, NY 114221

632 Plank Road Suite 203
Clifton Park, NY 12065

Fax: 716-691-7700
Phone: 716-691-7100 x 3201



GAR Associates LLC
EST. 1961

January 12, 2022

Mrs. Megan Badour
Town Clerk
Town Offices
405 Riverside Drive
Clayton, NY 13624

RE: Proposal – Town-Wide Reassessment Project

Dear Mrs. Badour:

GAR Associates respectfully submits a proposal for professional services in response to the Town of Clayton RFP for a Town-Wide Reassessment Project.

GAR has been performing successful revaluations across New York State since the 1970's. 100% of GAR completed GAR projects have been certified by New York State at 100% full market value. Several of our clients are returning clients or maintain working relationships with GAR after the completion of a project.

We maintain a FULL-TIME PERMANENT staff of 25 individuals, most with NYS appraisal licenses and or designated Appraisal Institute members.

GAR has extensive experience in waterfront properties including mansions and unique properties.

The enclosed proposal is valid for 30 days and is fully negotiable.

If you have any immediate questions, please do not hesitate to contact us.

Sincerely,

GAR Associates LLC

David M. Barnett, MAI/SRA
President/Member

enclosure

CORPORATE OFFICE:

5500 MAIN STREET SUITE 347 WILLIAMSVILLE, NEW YORK 14221 TEL. 716-691-7100 FAX. 716-691-7770
TOLL FREE: 1.800.836.0382

CAPITAL REGION OFFICE:

632 PLANK ROAD SUITE 203 CLIFTON PARK, NEW YORK 12065 TEL. 518.579.3770 FAX. 518.579.3773
TOLL FREE: 1.800.836.0382

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Executive Summary

GAR Associates, Inc. is a real estate appraisal and consulting firm with over 61 years of experience.

GAR is active in property mass reassessment services and in the residential and commercial fee appraisal practice. We also provide feasibility studies, expert testimony and other consulting services relating to real estate.

Our appraisers, most of whom hold state certifications, have the highest professional qualifications. We combine a broad-range of experience with specialized knowledge of the real estate market, reflecting over one hundred fifty years of accumulated experience. We have extensive experience in data collection, modeling and valuation of real estate in New York. GAR has a long history of providing reassessment support services to municipal clients ranging from small to large Towns and Cities.

Section 3 of this proposal provides more in-depth information regarding our extensive experience.

Our proposal is based on the scope of services as required in the RFP dated October 2021.

A summary of fees for our services for items requested in the Scope of work section of RFP are summarized below – See Section 6 for further detail:

Our proposal assumes that the contract is signed on or before February 1, 2022, and for the commencement of the project to start within 30 days of the signing of the contract. It is our experience that when timing of the project is delayed or extended significantly beyond the original anticipated length, the pricing structure changes materially. If there is delay in commencement of the project beyond a reasonable period, GAR reserves the right to increase fees.

We believe that the vast resources a company like GAR can provide coupled with our in-depth knowledge of the real estate industry including RSPV4 experience, modeling, valuation and consulting makes us uniquely qualified to assist the Town of Clayton with its' reassessment project.

We have wide-ranging experience in reassessment and valuation projects including scratch collection, sales verification, modeling, land table creation, experience working with local and State agencies, experience presenting the complex mass assessment process to non-informed or non-technical audiences such as taxpayers and press. Our Public Education campaigns, which have been developed over the years, are customized to our clients' needs and the needs of their constituents. Our size provides access to a depth of resources across a broad spectrum of real estate disciplines.

2

Scope of the Project

This proposal was prepared in response to the request for proposal (RFP) issued by the Town of Clayton to provide reassessment services as per the criteria set out in the RFP and the pre-proposal information from the Town.

The scope included in our response to the RFP is defined as follows:

The Contractor shall:

A. Training:

1. Provide BAR training – up to 4 hrs.
2. Provide training to assessor and or assessment staff as needed

B. Staffing:

1. Provide staffing in accordance with ORPTS standards.

C. Mailing

1. Commercial I & E Mailers
2. Residential Data Mailers
3. Cover Letter for the Assessment Notices
4. Assessment Notices

The Contractor is responsible for preparing notices for mailing and will complete the mailing including printing notices and cover letters, envelopes, stuffing and postage.

D. Public Information:

According to the RFP the Town is requesting a public relations campaign. GAR has provided our standard campaign and some optional services for the Town's consideration.

See Work Plan Section for services GAR will provide under the fixed price.

E. Data Verification of all parcels (Residential, Commercial, Farm and Vacant Land)

F. Digital Sketches and photographs on all improved parcels

G. Valuation:

Contractor is responsible for 100% valuation of all parcels. Includes but is not limited to:

- Update land tables – research land, verification of sales for determined appropriate time period.

- Aid in developing comparable sales documents including:

Setup, Modeling, Production of Comp and Cost documents to use for field review.

(See Section 4 –Work Plan for detailed procedures).

Contractor is NOT responsible for any unique and or highly complex parcels. In the event any parcels are identified before or after the contract is signed GAR and the Town will negotiate a fair and reasonable price to complete.

H. Field Review:

Contractor will conduct 100 % of the field review activities for all residential, commercial, utility (land and buildings) parcels in roll sections 1, 6 and 8.

I. Data Entry:

Contractor is responsible for all data entry activities resulting from data verification field review activities.

J. Informal Review Hearing Process:

The Contractor is responsible for the informal review process.

(See Section 4 –Work Plan for detailed procedures).

K. Impact Analysis:

Contractor will run the RPSv4 impact analysis which is typically part of the Assessment Disclosure Notice application. The reports generated illustrate tax shifts, increases, and decreases in assessed value and tax impacts.

L. Small Claims and Article 7 Support is optional. See pricing grid for details.

Statement of Qualifications and Experience

Introduction to GAR Associates

Your partner in providing Municipal Mass Assessments

GAR Associates (GAR) was founded in 1961. We have a long history of providing full assessment services throughout New York State. In the early 1970's NYS established standard procedures and systems on the State's first Reassessment effort. Walter R. Allen, a former principal at GAR, worked with New York State to establish those procedures and practices. Since that time GAR has worked closely with all the stakeholders in the real property assessment arena to enhance the assessment process.

With over 59 years of experience our goals are very clear. We are in the mass-assessment business full time, providing our clients with professional and reliable services. We are proud to serve communities throughout New York State and we will continue to provide the best mass appraisal services available.

Consulting Philosophy

At GAR we value service and quality. Our philosophy is formed around the concepts of teamwork, partnership, service and quality, both in the coordination of our efforts within our company and in interactions with our clients. We believe we provide the best mass-appraisal services backed by solid practices and methodology. We have varied experience in commercial and residential markets. The strength, qualifications and diversity of our staff, most of whom hold NYS licenses and certifications, is the foundation that gives GAR the edge in valuing all classes of real estate.

We strive to form partnerships with our clients. Effective communication is a top priority at GAR. We know that the best project results can only be deemed successful if clearly presented in terms that our clients and their constituents can understand. We consider timeliness as essential to a successful project. We deliver quality, time deliverable products as promised. We offer our clients superior service and quality, including state of the art technical applications. Our library of information and assessment material can be made available to our clients and property owners. Clients are informed of the progression of the assessment work through various means; newsletters, articles, e-mails and web based applications. We can provide knowledgeable presenters to attend municipal Town and departmental meetings and hold education classes for both the clients and property owners.

Precise assessment is what sets GAR apart for the rest. We document all aspects of the Reassessment or annual assessment project. Our property cards can include land data, improvement data and pictures, maps, sketches and any other elements to defend values.

Included in this proposal are sample reports, sale and pictures of sale properties, data mailers and other documents.

Our appraisers not only have their own education and experience as a foundation, but also draw upon the collective knowledge of the entire team. To ensure the highest level of quality and standards, we provide continuous education and training for our staff.

Experience and Training

Our staff has the highest professional qualifications, including MAI, SRA designations and NYS appraisal licenses. Many are experienced with valuations in litigation procedures and are qualified to testify as an expert witness in the courts. We combine a broad-range of experience with specialized knowledge in a wide range of different property types of the real estate industry we serve. In addition, GAR staff has extensive experience working with NYS RPSv4 systems.

Standards and Proven Methodology

We utilize industry standard methodology to determine values. We are highly skilled in incorporating various approaches (cost, market, income) in our valuation models. We abide by and exceed the standards set in New York State and those set by our industry.

Customer and Public Service

Our courteous and professional staff is experienced at handling all types of inquiries from municipalities, taxpayers, financial institutions and realtors. Our records are available for inspection to our clients and property owners.

Services we offer:

Mass Reassessment

GAR offers full Reassessment services from start to finish. We are highly experienced in helping municipalities and counties through all the phases of a total or partial reassessment including but not limited to: meeting with government authority to explain need and expectations, meeting with civic organizations and the public before announcement notices are issued, providing expert testimony, educating and training of staff, boards and public.

Keeping up with the rapidly changing values can be an overwhelming task for the governing authorities, GAR can help. Our expert staff can, among other tasks, help collect data, run ratios, cost studies, update schedules and property cards. We also provide digital photography and electronic sketching and integrate it to the municipality RPSV4 program. We can also assist with training.

Consulting Services

Because of our vast experience and expertise we are regularly called to assist municipalities, other professionals and colleagues to find solutions for their assessment and appraisal needs. Services we provide include but are not limited to:

- ❖ Training and consulting to assessors and staff.
- ❖ Innovative public information and taxpayer training programs.
- ❖ Expert testimony in litigation and court cases.
- ❖ Automating assessment office.
- ❖ Market and feasibility studies
- ❖ Educational and training on and off-site as needed by expert and experienced professionals.
- ❖ Public Relations.
- ❖ Seminars and workshops.
- ❖ On-line assessment Systems.
- ❖ Technical Support, i.e. modeling, testing, valuation.

Website Design and Enhancements

Taxpayers are relying more and more on the Internet as their first source of information. Many expect to have their tax property information available to them on-line and accessible at their convenience 24 hours a day, 7 days a week. In addition to providing a service often requested by the taxpayers, it allows for cost savings since the municipal staff will spend less time answering questions or accessing records for the taxpayers.

Work Plan

GAR has developed procedures, tools and processes that allow us to be efficient and cost effective. An important part of any project is the assumption that we employed in developing our bid, the project team and the proposed time table. The following is a summary of our work plan based upon information contained in the request for proposal and subsequent correspondence. The ultimate cost of the project may be impacted if any of our assumptions are incomplete and/or incorrect. We reserve the right to modify our costs if there are material changes to the information provided in the RFP.

A. Public Relation Plan:

GAR has included our standard campaign.

Included in our fixed price is the following Public Relations Services:

1. Consultation on website content for the project
2. Cover letters for:
 - a. Commercial I & E Statements
 - b. Residential Data Mailers
 - c. Assessment Notices
3. Consultation on Press Releases and Media Information
4. Attendance at any public meetings held by the assessor for the property owners specifically surrounding the project.
5. Web Videos (2) and or PodCasts detailing information regarding the project.
6. Brochure: GAR can create a customized brochure including frequently ask questions that can be made available in public places such as Town Hall, Library or Senior Center. This can also be uploaded to the Town website. This brochure is very useful for Town Council members and the Supervisor to have on hand in the event a property owner has any general questions about the project.

Option:

On-Line Web Based property database – PROS

This system provides a transparent public access to real property information such as property inventory, sales, and assessments. GAR recommends if a similar site is not currently available the Town consider implementing as part of the project.

Details can be provided at the company interview and/or as part of contract negotiations.

Project Updates

Regularly

Scheduled: Project Status Updates– Assessors and Designated officials

GAR will hold regularly scheduled meetings with Assessor, NYORPTS and other designated officers regarding status of project. Agenda, action items and minutes will be provided to all.

Project status reports will be provided to assessor throughout each phase of the project (data, Field Review) etc.

Quarterly: Project Status Updates – Town Board

If requested GAR can provide the Town Council with routine project updates (report to be submitted).

B. Data Management and Security

The success of any Reassessment Project is dependent on reliable data. Our projects are planned to provide for the efficient collection, storage, maintenance, and security of the project's data. We recommend that any office space provided by the municipality be secured nightly. This space may house all preliminary data and equipment and will remain confidential until released to the public. Only authorized staff will be allowed access to this office.

This proposal is based on GAR continuing to have remote access to the Town's RPS file. Computer and data procedures will be established and approved by the Town assessor and other designated parties (Town's Computer Services Department, etc.). Passwords will be appropriately maintained, lists of authorized staff able to access assessment files and systems will be updated as needed and distributed accordingly. Staff assigned to project will be provided with identification badges to wear. Routine edits and audits will be run and reviewed by the project manager.

Computer file control maintenance will be clearly documented. Only designated and authorized staff will update RPS records and apply file changes. The integrity of the valuation file and corresponding analytical file is very serious process. A formal meeting will be held prior to applying the preliminary values so all parties clearly understand the process and understand which parties are responsible for the various phases of the process. GAR has extensive experience and success working with the NYS ORPTS Regional office in coordinating this process.

GAR will work with the Town's local live file.

C. Commercial Income and Expense Mailer & Residential Data Mailer

GAR has included in our fixed price the mailing of a commercial income and expense mailer and a Residential Data Mailer. Samples are included in the exhibits of this proposal. GAR will produce the notice, mail, and receive phone calls in conjunction with processing returned data for utilization in the valuation process.

D. Data Verification Overview:

Due to the unique properties located in Clayton and the barriers with on-site inspections, GAR has perfected the use of aerial imagery and other resources to capture property inventory data without "trespassing" on properties. The new updated digital photographs will greatly assist in this process.

- a. Review of Existing Property Inventory utilizing Aerial Imagery, Existing PRC's and other resources
- b. Update and changes to RPSV4
- c. Create new digital sketch of each improved parcel
- d. Verify all land dimensions (vacant and improved)
- e. New digital photographs

E. Valuation Process Overview

GAR takes a TEAM approach to the valuation of real property. The Town Assessor and GAR valuation expert will work closely in developing the valuation model. NYSORPTS staff and local real estate professionals (if necessary) can be part of this process if requested by the Assessor. GAR has been highly successful in coordinating a cooperative effort between multiple resources to achieve the best quality results.

For all property types, research is performed to gather as many real estate resources available. This data is assembled and organized into a system, typically a database, to track trends and provide the project team with a valuable resource tool. Multiple listing data, along with county and regional sales data becomes part of the process.

First, sales data is researched. GAR may need to gather additional sales neighboring communities to satisfy this requirement. Data is verified and compared to the field data for accuracy. Commercial and vacant land sales undergo an extensive research process to determine motivations, concessions, etc. Sales brochures are created and maintained throughout the project that will encompass not only Town-wide sales, but, where necessary, also regional sales. Sales verification is an integral part of the valuation process and training can be provided to the Assessor if this effort is to be continued annually.

Subsequently residential neighborhood codes and commercial valuation districts will be updated as needed. Upon final approval of neighborhoods by Assessor, new or updated codes will be applied to the live RPSV4 file by the Town.

Commercial sales, along with various other data gathered in the research process, are verified, organized and trained experienced appraisers review and analyze the results. Preliminary base rates (VFF files) are developed and then presented for review. Upon approval of base rates, the commercial valuation model will be prepared and valuation production will begin.

Testing of values will adhere to IAAO standards.

F. Field Review

GAR will be responsible for 100% of the field review for all residential, commercial and vacant land type properties in roll sections 1, 6 (land and buildings) and 8.

G. UTILITIES AND HIGHLY COMPLEX PROPERTIES (UHCP)

In the event any UHCP parcels are identified after a contract is signed, additional fees may be applied in the valuation of these parcels.

G. Informal Review Process

GAR's approach to the informal review hearing process is consistent with our philosophy throughout the entire project: **create the best equitable assessment possible and encourage taxpayers to be part of the process. We believe this philosophy builds confidence in the reassessment process and the local government leadership as a whole. By educating property owners and providing the proper instructions on how to challenge their assessments, taxpayers are less frustrated, more confident and experience a greater sense of responsibility to the effort.**

Due to the pandemic, the seasonal nature of many of the Town's property owners allowing a more convenient method of filing an informal review, and in an effort to save costs, GAR has included in the fixed price proposal a mail-in/email only informal review process for property owners. In the event a property owner insists on an in-person or telephone appointment, GAR will accommodate. Property Owners will also have the ability to appear before the Boar of Assessment Review in the event they cannot file an informal review.

For commercial property owners, we recommend at a minimum, telephone appointments, since commercial property types may require more extensive discussions between property owners and the informal review officer as well as additional time needed to review any supporting documentation which may require more detailed explanations from the property owners.

GAR will provide **experienced and knowledgeable** personnel to staff a phone bank to help answer taxpayers' questions/concerns and schedule commercial property informal review appointments for informal hearings. Telephone personnel is very important, GAR operators are well screened and trained to handle delicate and sensitive issues in a calm and comforting manner. A phone bank supervisor will be available at all times. To avoid any financial impact to the taxpayers a toll-free number will be provided. GAR will provide an on-line appointment scheduler to allow commercial property taxpayers the convenience of scheduling their informal hearing appointments.

GAR will provide experienced informal reviews officers capable of communicating effectively with property owners and work with them in a non-adversarial environment. Typically we try to use the same staff used in valuation and field review. In our experience we have found by keeping the taxpayers well informed, there is more cooperation resulting in a positive impact on the overall assessment project.

GAR will staff a phone bank with experienced personnel to answer taxpayer questions, book any necessary informal review appointments.

H. Quality Control Program

Public acceptance of assessments depends in large measure on a perception that the taxes are fair. A perception of fairness is reinforced when data is accurate, valuations appear accurate and uniform, and all taxpayers are treated without prejudice or favoritism. Quality assurance has to do with the practices, procedures, and systems that achieve these conditions.

Our quality control process involves planning, continuous review of work and adjustments/modifications as needed. GAR believes that our organizational culture, which stresses excellence, will ensure quality work.

Our quality assurance program includes the following elements:

Staff selection and training	Security procedures
Standards of performance	Ratio studies
Documented procedures	Effective communications
Data maintenance programs	Data edits
Data Verification	
Defensible/Supportable valuations	

I. Annual Consulting – Optional

In the event the Town wishes to maintain 100% full value assessments on an annual basis, GAR offers a variety of services to assist in the process.

Some of the Services Include:

- ~ Statistical Analysis – Identify Inequities
- ~ Review Commercial VFF Base Rates and offer recommended changes based on new market and income data
- ~ Update Models/PIDS
- ~ Trend Analysis and Implementation/Application
- ~ Valuation Document Generation
- ~ Valuation Reviews
- ~ Informal Review Assistance

Programs can be designed to fit the needs of the department and budgets. See Cost grid for estimated cost of services. Typically, GAR offers an “up to” amount and will only invoice for services actually rendered as authorized.

5 PROJECT TIMETABLE –SUBJECT TO ASSESSOR APPROVAL

PROJECT TASKS	Responsibility		START DATE	FINISH DATE
	GAR	Town/ NYSORPTS		
Project Timetable	X	X	January 27, 2022	July 1, 2023
Public Information Program (ON GOING)	X	X	January 2022	July 1, 2023
Commercial Income and Expense Mailer	X		April 2022	April 2022
Sales Validation, Verification, and Data Creation	X		Spring 2022	May 1, 2023
Data Verification	X		March 2022	July 2022
Digital Photographs	X		Spring 2022	Spring 2022
Residential Data Mailer	X		June 2022	June 2022
Valuation File Editing	X		July 2022	July 2022
Valuation Testing	X		July 2022	August 2022
Valuation Production	X		August 2022	September 2022
Field Review of Values	X		September 2022	December 2022
Assessors Value Review with Contractor Commercial Parcels		X	November 2022	December 2022
Update Values To RPSV4 File	X		January 2023	January 2023
Assessors Recalculation of Exemptions		X	January 2023	January 2023
Property Owner Assessment Notice Production and Analysis	X	X	February 2023	February 2023
Assessment Notice Mailing	X	X	March 1, 2023	March 1, 2023
Informal Reviews(including field related activities)	X		March 2023	March 2023
Value Change Notice Production – Including Changes from Informal Reviews		X	No later than May 10, 2023	May 10, 2023
Prepare Tentative and File Assessment Roll		X	May 1, 2023	May 1, 2023
Project Deliverables to Assessor	X		July 1 2023	July 1 2023
Submit application for Appropriate State Aid Reimbursement		X	Fall 2023	Fall 2023
Project Completion (Final Roll Filed)	X	X	July 1, 2023	July 1 2023

Notes: Depending on when the contract is signed, dates may fluctuate.

6

Compensation and Payment terms:

Total Fixed Price: **\$ 295,000**

Price includes:

- ~ 742 unique parcels (located on the islands)
- ~ digital photographs which will require capturing the waterfront properties from a boat

Total Fixed Price without 742 unique parcels (located on the islands) **\$ 225,000**

- ~ **assumes Town is responsible for all aspects of the reassessment for the 742 unique parcels (data verification, digital photographs, valuation, information reviews, data entry and management)**

Per Diem Charges:

Small Claims	\$500- \$750/report
.....	\$150/hr Court
Certiorari Report Presentation.....	\$125-250/hr
Certiorari Report Testimony.....	\$125-250/hr

Payment terms:

GAR understands the budgetary limitations faced by many municipalities. We have developed various payment plans to best fit the budgetary obligations of our clients. Options can be provided during the company interview.

Billings will be scheduled monthly and annual amounts coordinated with services rendered and project phases: data verification/collection, valuation, field review and informal hearing phase

All invoices are due 30 days from billing date. Past due invoices will be charged a 1% charge per month.

Standard Payment Schedule Examples:

2022:	\$200,000
2023:	\$ 95,000
Total:	\$295,000

7. ORGANIZATIONAL STRUCTURE FOR PROJECT MANAGEMENT

Position	Staff	Certification (See Legend)	Expected time	Previous project Experience
Director	David Barnett, MAI/SRA	*	As Required	See Staff profiles
Manager	Ryan Burns	*	As Required	See Staff profiles
Project Coordinator	Sheri Casabella	S	As Required	
Residential Valuation Coordinator	Ryan Burns	*	As Required	" " "
Commercial Valuation Coordinator	Jeff Hennard	*	As Required	" " "
Valuation Consultants	Ronald Rubino, MAI Bruce Roe, MAI	* *	As Needed	
Qualified Field Reviewers	Ryan Burns – Res Chris Thompson Chad Hanel – Res Jeffrey Hennard – Comm David Barnett – Res & Comm Others as required	* S * * * *	As Required	" " "
Taxpayer Inquiry Specialist	F. Cindy Baire David Barnett Sheri Casabella Kerianne Squadrito Susan C. Otis, FIAO, Former Assessor	S *,S S S @	As Required	" " "
Data Management Supervisor	Astav Najib	#	As Required	" " "
Public Information Officer and Office Coordinator	F. Cindy Baire Sheri Casabella	S S	As Required	" " "

Certifications -Legend

* - NYS Licensed - more than 5 yrs experience.

- Extensive RSVP4 Experience

s - Extensive experience - Client Relations and Taxpayer Interaction.

@ - NYS Certified Assessor.

8 Clients and Testimonials

Below is a small sample list of our clients:

Municipality:	Contacts:
City of Lockport	Ms. Tracy Farrell, IAO Assessor Revaluation including data – 8,000 parcels
Town of Clarence	Mr. Albert Weber – Assessor - 716-741-8941 Revaluation including data and annual –12,500 Parcels
Town of Lancaster	Mrs. Rebecca Baker – Assessor 716-683-1311 Revaluation and commercial permit processing 18,000 parcels
Town of Lockport	Ms. Jill Lederhouse – Assessor 716-439-9526 Revaluation including data and annual – 8,000 Parcels
Town of Malta	Ms. Rae-Lyn Dussault – Assessor 518- 99-2584 Revaluation and Annual - 6,000 parcels
Town of Mamaroneck	Mrs. Pamela Valenza – Assessor (914) 381-7820 Revaluation including data collection – 8,000 parcels
Town of Moreau	Ms. Leah Cronin – Assessor- 518-793-0496 Revaluation including data – 6,000 Parcels
Town of Salina	Ms. Denise Trudell, IAO – Assessor Commercial Revaluation and Consulting

TESTIMONIALS

“I would highly recommend GAR and Associates to any assessor even considering doing a revaluation project. Their knowledge & experience of the entire process utilizing the NYS Assessors’ software program (V4) is a huge bonus. They get the job done on time, on budget and on point!”

**Ms. Teri Ross, IAO (Past President NYSAA)
Town of Queensbury, Warren County NYS**

“From working on Commercial Building Permits data collection, Article 7 Appraisals or the complexity of a town-wide Re-evaluation project in a 44,000 parcel municipality, the Team at GAR appraisal always delivers. Their level of professionalism, quality of work and delivery of results in a timely manner is unmatched. They communicate very well with us so we know where we are on projects, are willing to take on difficult or complex projects and is a company you can trust will get the job done well. My experience with them in the Town of Clayton has always been excellent, and I would recommend them to anyone needing valuation assistance.”

**Mr. David Marrano, SCA Former Town of Amherst and Current City of
Tonawanda, Erie County NYS**

“I have worked with GAR Associates on a town wide revaluation and 3 town wide revaluations over the last 15 years. During that time frame I have found their level of professionalism and competence to be outstanding. The data collection, valuation, and public relations aspects of a reval project are all handled with great attention to detail. They work with the Assessor throughout the project and are very proactive dealing with the Municipal politicians. In addition I’ve used GAR’s commercial department for certioraris and am very pleased with the results. Highly Recommended!”

**Mr. Kevin Okerland, Retired Assessor City of Jamestown, Town of Busti,
Carroll, Charlotte, Cherry Creek, Chautauqua, Ellicott, Gerry, Harmony,
Kiantone, North Harmony, Chautauqua County, NYS**

“We have had the pleasure of a long and valued relationship with GAR Associates. They have provided the Town with a breadth of services from total reassessment projects, specialized collection and valuation services to expert valuation work for litigation. The services provided by GAR have always been well organized, professional and timely.”

**Mr. Brian Sullivan, Deputy Commission of Taxation and Finance, City of
Buffalo, Erie County, NYS**

"I am so happy and impressed with "all things GAR": professionalism, communication with all involved – to include the public, friendliness, timeliness, accuracy, attention to detail, knowledge, flexibility, and efficiency. I never felt that any question or concern was not heard or addressed, even those that exceeded the scope of work. "

Mrs. Rebecca Baker, Assessor Town of Lancaster, Erie County NYS

"Wayne County has a contract with GAR for Informal Opinions of Value for Complex Commercial/Industrial properties. The experience has been wonderful. GAR is very professional. Once the IVO is requested it is a matter of 3-4 weeks before the IVO is completed and electronically delivered. The staff does a great job and are ready to help. We have worked specifically with Bruce Roe and he is a wealth of information with years of experience. Several of the IVO's have been used to compare the current AV to market value in Article 7 filings in an attempt to limit the years of settlement. Nothing but the best!"

Ms. Karen Ambroz, RPTD Wayne County NYS

"GAR Associates has helped us perform a re-valuation for the Town of North Tonawanda. They have also helped the Town in many preliminary appraisals and full appraisals in order for us to proceed to court with the Article 7's. I would highly recommend GAR Associates for many reasons, but mainly for their proficiency."

Ms. Barbara Klenke, Assessor City of North Tonawanda, Erie County NYS

"Our municipality has been doing annual updates and revals with GAR for over 19 years. Working with GAR is amazing, from the beginning to the end!! They're on time with scheduling, open and easy communication, and their technology makes it easy to transfer information. Their staff is knowledgeable, flexible and available. Always enjoy our discussions regarding issues and resolutions."

Ms. Jill Lederhouse, Assessor Town of Lockport, Niagara County NYS

"I've been working with GAR since 2006. What they give me is confidence. I know the work product is accurate, defendable, and above all else – fair."

Ms. Rae-Lyn Dussault, Assessor Town of Malta, Saratoga County NYS

9. Insurance Certificates



GARASSO-01

JNOWAK

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/17/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 1009544

Lawley, LLC
361 Delaware Avenue
Buffalo, NY 14202

CONTACT NAME: Laura Sargent

PHONE (A/C, No, Ext): (716) 849-4318 4318

FAX (A/C, No): (716) 849-8291

E-MAIL ADDRESS: lsargent@lawleyinsurance.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Tri-State Insurance Company of Minnesota

31003

INSURER B: Acadia Insurance Co

31325

INSURER C: Hartford Fire Insurance Co

19682

INSURER D: Evanston Insurance Company

35378

INSURER E: Beazley Insurance Company, Inc

37540

INSURER F:

INSURED

GAR Associates, LLC
5500 Main St. Suite 347
Williamsville, NY 14221

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:	X		ADV5330804	1/1/2022	1/1/2023	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMPIOP AGG \$ 4,000,000 EMPLOYEE BENEFIT \$ 2,000,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			ADV5330804	1/1/2022	1/1/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			CUA5330942	1/1/2022	1/1/2023	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		01WECAB9W9P	10/1/2021	10/1/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000
D	Professional Liabili			MKLV1PEO001028	1/1/2022	1/1/2023	Each Claim 2,000,000
E	Cyber Liability Plus			V21273210401	1/1/2022	1/1/2023	Each Claim 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Re: 5500 Main Street, Suite 347 Williamsville NY 14221

5500 Williamsville Center, LLC is additional insured with regards to General Liability when required by written contract or agreement to the extent provided by the General Liability Ultra Plus Endorsement # CG 04 93.

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

ACO

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10 Staff Profiles

F. Cindy Baire - Partner

Cindy is a Partner in GAR Associates and heads its Government division. This includes providing consulting and reassessment services to governmental entities. Cindy has 33 years of experience managing reassessment projects. Her experience includes project management, project coordinator, public relations and education liaison/instructor, and an informal hearing officer. She is intricately involved in each reassessment project and works directly with the project manager in planning, scheduling, reporting, quality control and liaison between client and staff members. She has developed standard operating manuals as well as policy forms; designed reporting and experience systems; for the entire spectrum of mass reassessment field. She has developed innovative public relations plans that include education sessions, client relations, special media request, property owner interface, and other interactions with the client, board members, media and property owners.

Cindy is a member of the NYS Assessors Association (NYSAA) and International Association of Assessing Officers (IAAO). She is asked regularly to lecture on reassessment projects and is a frequent speaker at professional meetings.

Ms. Baire is a graduate of St. Bonaventure University

David M. Barnett, MAI/SRA– Project Director – President/Member

*David is President and manager of the government division. He has over 18 years of collecting and valuing both commercial and residential type properties. David is a NYS Certified General Real Estate Appraiser. He is a designated member of the Appraisal Institute (MAI) and holds the SRA designation as well. His experience includes project management, data collection and verification; valuation of vacant land, residential and commercial type properties; development of models, VFF's and trends; statistical analysis, neighborhood and vacant land delineation; sales verification; informal hearing process; presentations to boards, clients and taxpayers; project management; regulatory filing; and litigation support. **David has extensive experience with RPSV4 and statistical programs.***

His work with our government clients includes the review and implementation of procedures, analysis of information in order to assist in establishing valuation factors and models for commercial and residential improved properties and vacant land properties. He regularly conducts workshops to educate clients, taxpayers and other professional about the reassessment process.

David is a member of the NYS Assessors Association (NYSAA), the International Association of Assessing Officers (IAAO) and the Appraisal Institute

David graduated from the New York State University at Fredonia.

Jeffery Hennard – Senior Commercial Real Estate Appraiser

Jeff Hennard is a NYS Certified General Appraiser and has extensive experience in all types of commercial and agricultural real estate. Jeff's primary responsibilities are in the area of commercial real estate. In particular, he provides a wide spectrum of consulting services to government agencies relating to commercial real estate. His present responsibilities include collection, analysis, sales verification, modeling, documentation, valuation and compliance, informal hearing process.

Jeff has 20 years experience and routinely performs commercial fee appraisals. He is also a graduate of the University of New York at Buffalo.

Ryan Burns – NYS Licensed and Certified Appraiser – Project Manager

Ryan is a project manager supervisor with over 8 years of extensive experience in valuation, quality control of data for all types of real estate. His primary responsibilities are in the area of data collection and verification, valuation and report processing and quality control.

Ryan has developed extensive expertise in utilizing aerial imagery such as Pictometry to augment the data collection and verification processes. His high level of accuracy and skill levels greatly assist our data collection team in accurately detailing property data elements.

Sheri Casabella – Project Coordinator – Taxpayer Specialist

Sheri has over 12 years of experience working with the GAR Team in assisting our project managers with coordinating all activities associated with our projects. Her dedication to provide the highest quality taxpayer care and customer service delivery has greatly contributed to the success of our organization. Her patience and helpful approach to tax payer inquiries goes above and beyond expectations. Sheri works close with all team members to ensure the success of each and every project. Sheri's primary responsibility is scheduling, coordination, project monitoring and compliance and most importantly customer (taxpayer) assistance.

Other names and qualifications of local appraisers will be supplied prior to commencement of project.

**GAR ASSOCIATES LLC
APPRAISAL QUALIFICATIONS OF:
DAVID M. BARNETT**



PRESENT OCCUPATION:

Mr. Barnett is a member and President of the Government Division and has been a full-time real estate appraiser and consultant with GAR Associates LLC since 2003, with offices at 632 Plank Rd, Clifton Park, New York. Mr. Barnett divides his time between multi-family housing, government projects (valuation and revaluation) and commercial real estate appraisals.

EDUCATION:

State University of New York at Fredonia
Bachelor of Science in Business Administration
Management Information Systems

APPRAISAL COURSES/SEMINARS ATTENDED AND SUCCESSFULLY COMPLETED:

Mr. Barnett has attended numerous courses and seminars, most of which were provided through the Appraisal Institute, pertaining to many aspects of real estate and business valuation, and consulting between 2003 and the present. The courses included the required curriculum of both the Appraisal Institute and New York State required for the New York State General Appraiser Certification.

Continuing education courses have included standards of professional appraisal practice and business practice & ethics on a routine basis. Some of the seminar topics included business practice, discounted cash flow analysis, forecasting revenues and operating expenses related to income property valuation, green building architecture and standards, and numerous others.

CERTIFICATIONS:

New York State Certified General Real Estate Appraiser - Certificate No. 46-50315

SUPERVISORY APPRAISER:

Mr. Barnett is approved as a qualified supervisory appraiser by the New York State Department of State.

MEMBERSHIP AFFILIATION:

MAI and SRA Awarded by the Appraisal Institute

PROFESSIONAL TERRITORY COVERED:

Mr. Barnett has appraised property throughout New York State, including the Counties of Albany, Chautauqua, Chemung, Columbia, Erie, Essex, Genesee, Monroe, Nassau, Niagara, Oneida, Orange, Rensselaer, Saratoga, Schenectady, Suffolk, Ulster, Warren, Washington, Wayne, and lastly, Chittenango County in Vermont.

PROPERTY TYPES APPRAISED:

Appraisal work includes a wide range of vacant land, improved commercial, office, retail, industrial, mixed-use, single and multi-family residential property types. Also performs various duties including data collection, sales verification, analysis, valuation modeling and senior management tasks related to mass appraisal projects. For the past 8 years, Mr. Barnett has managed all Assessment and Government Services projects and serves as lead valuation analyst for all property types.

**GAR ASSOCIATES LLC
APPRAISAL QUALIFICATIONS OF:
DAVID M. BARNETT
(continued)**

PARTICIPATED IN MARKET ANALYSIS and APPRAISAL PROJECTS FOR:

HUD Lenders
Private Developers/Owners
Government Agencies
Tax Credit Syndicators

WORK EFFORTS – MULTIPLE FAMILY HOUSING:

GAR Associates Market Analysis division has grown out of an increased need for market studies and consulting for newly developed housing projects. On an annual basis, GAR Associates completes between 70 and 100 market studies and appraisals in conjunction with a wide variety of multiple family housing including:

- Proposed developments using Low-Income Housing Tax Credits.
- Market studies in conjunction with proposed market rate housing projects.
- Senior specific as well as family developments.
- Market studies required under the HUD MAP guidelines.
- Market analysis and market studies required in order to support HUD Section 236 Decoupling efforts.
- Real estate appraisals for all types of multi-family and residential housing.

CLIENTS:

Clients include a variety of lending institutions, mortgage brokers, municipalities, government agencies, attorneys and private users.

MASS APPRAISAL PROJECTS COMPLETED:

Town of Bethlehem, Albany Co., NY
Town of Ellicottville, Cattaraugus Co., NY
Town of French Creek, Chautauqua Co., NY
City of Jamestown, Chautauqua Co., NY
Town of Mina, Chautauqua Co., NY
Town of Sherman, Chautauqua Co., NY
Town of Gallatin, Columbia Co., NY
City of Hudson, Columbia Co., NY
Town of Stuyvesant, Columbia Co., NY
Town of Alden, Erie Co., NY
Town of Amherst, Erie Co., NY
Town of Clarence, Erie Co., NY
Town of North Elba, Essex Co., NY (Commercial Project)
City of Johnstown, Fulton Co., NY
City of Batavia, Genesee Co., NY
Town of Florida, Montgomery Co., NY
City of Lockport, Niagara Co., NY
Town of Lockport, Niagara Co., NY
Town of Cicero, Onondaga Co., NY
Town of East Greenbush, Rensselaer Co., NY
Town of Hoosick, Rensselaer Co., NY
Town of Sand Lake, Rensselaer Co., NY
Town of Schodack, Rensselaer Co., NY
City of Troy, Rensselaer Co., NY
Town of Malta, Saratoga Co., NY

MASS APPRAISAL PROJECTS COMPLETED:

(continued)

Town of Moreau, Saratoga Co., NY
Town of Stillwater, Saratoga Co., NY
Town of Waterford, Saratoga Co., NY
Town of Niskayuna, Schenectady Co., NY
Town of Rotterdam, Schenectady Co., NY
Town of Covert, Seneca Co., NY
Town of Bath, Steuben Co., NY
City of Corning, Steuben Co., NY
Town of Forestburgh, Sullivan Co., NY
City of Kingston, Ulster Co., NY
Town of Saugerties, Ulster Co., NY (Commercial Project)
Town of Mamaroneck, Westchester Co., NY

**GAR ASSOCIATES LLC
APPRAISAL QUALIFICATIONS OF:
DAVID M. BARNETT
(continued)**

WORK EFFORTS – MULTIPLE FAMILY HOUSING:

Recent work efforts undertaken pertaining to a variety of multiple family and senior specific housing projects are outlined below:

<u>Location:</u>	<u>Type of Project</u>	<u>Report Type</u>
New Windsor, Orange Co., NY Appraisal	Tax Credit Senior	Market Study/
Wallkill, Orange Co., NY Appraisal	Tax Credit Family/Special Needs	Market Study/
Troy, Rensselaer Co., NY Appraisal	HUD 236/Tax Credit Senior	Market Study/
Newark, Wayne Co., NY	Market Study Special Needs	Market Study
Cohoes, Albany Co., NY Appraisal	Tax Credit Family/HUD Section 8	Market Study/
Glenmont, Albany Co., NY	Tax Credit Senior	Market Study
Watervliet, Albany Co., NY	HUD 236	Rent Comp Study
Woodstock, Ulster Co., NY	Tax Credit Family/ Tax Credit Senior	Market Study
Hempstead, Nassau Co., NY	Tax Credit Senior	Market Study
Hudson Falls, Washington Co., NY	Tax Credit Senior	Market Study
Troy, Rensselaer Co., NY	Market Value	Appraisal
Colonie, Albany Co., NY	Impact Analysis	Market Study
Halfmoon, Saratoga Co., NY	Tax Credit Senior	Market Study
New Hartford, Oneida Co., NY	Market Value	Appraisal
Hoosick, Rensselaer Co., NY	Market Support	Market Study
Essex, Chittenango Co., VT	Tax Credit Family	Appraisal
Warwick, Orange Co., NY	Tax Credit Senior	Market Study
Buffalo, Erie Co., NY	Tax Credit Family	Appraisal
Clifton Park, Saratoga Co., NY	Tax Credit Family/Market Rate	Appraisal



Professionals Providing Real Estate Solutions

This certifies that

David M. Barnett

has been admitted to membership as an

SRA Member

in the Appraisal Institute and is
entitled to all the rights and privileges of membership
subject only to the limiting conditions set forth from time to time
in the Bylaws and Regulations of the Appraisal Institute.

In Witness Whereof, the Board of Directors of the Appraisal Institute has
authorized this certificate to be signed in its behalf by the President, and the
Corporate Seal to be hereunto affixed on this **16th** day of **March 2020**.

James L. Stewart

President

This certificate is the property of the Appraisal Institute and
must be returned to the Chief Executive Officer upon termination of membership.



Professionals Providing Real Estate Solutions

This certifies that

David M. Barnett

has been admitted to membership as an

MAI Member

in the Appraisal Institute and is
entitled to all the rights and privileges of membership
subject only to the limiting conditions set forth from time to time
in the Bylaws and Regulations of the Appraisal Institute.

In Witness Whereof, the Board of Directors of the Appraisal Institute has
authorized this certificate to be signed in its behalf by the President, and the
Corporate Seal to be hereunto affixed on this **14th** day of **June 2021**.

Rodman Schley

President

This certificate is the property of the Appraisal Institute and
must be returned to the Chief Executive Officer upon termination of membership.

UNIQUE ID NUMBER
46000050315

State of New York
Department of State
DIVISION OF LICENSING SERVICES

FOR OFFICE USE ONLY
Control
No. 1525488

PURSUANT TO THE PROVISIONS OF ARTICLE 6E OF THE
EXECUTIVE LAW AS IT RELATES TO R.E. APPRAISERS.

EFFECTIVE DATE

MO.	DAY	YR.
08	26	20

BARNETT DAVID M
C/O GAR ASSOCIATES LLC
632 PLANK RD STE 203
CLIFTON PARK, NY 10665

EXPIRATION DATE

MO.	DAY	YR.
08	25	22

HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A
R.E. GENERAL APPRAISER

In Witness Whereof, The Department of State has caused
its official seal to be hereunto affixed.

ROSSANA ROSADO
SECRETARY OF STATE

**GAR ASSOCIATES LLC
APPRAISAL QUALIFICATIONS OF:
RYAN C. BURNS**

PRESENT OCCUPATION:

Mr. Burns is a project manager and has been a full-time real estate appraiser and consultant with GAR Associates since 2012, with offices at 632 Plank Rd, Clifton Park, New York. Mr. Burns spends the majority of his time between government projects (valuation and revaluation). For the past 3 years, Mr. Burns has managed aspects of Assessment and Government Services projects and serves as lead valuation analyst for residential property types and main point of contact between client and GAR for residential data and valuation issues. Various duties performed and managed include data collection, sales verification, analysis, valuation modeling and management tasks related to mass appraisal projects.

EDUCATION:

State University of New York at Oswego
Bachelor of Science in Business Administration

APPRAISAL COURSES/SEMINARS ATTENDED AND SUCCESSFULLY COMPLETED:

Mr. Burns has attended numerous courses and seminars pertaining to many aspects of real estate and business valuation, and consulting between 2013 and the present. The courses included the required curriculum of both the Appraisal Institute and New York State required for the New York State Appraiser Certification.

Continuing education courses have included standards of professional appraisal practice and business practice & ethics on a routine basis. Some of the seminar topics included business practice, discounted cash flow analysis, agricultural assessment, forecasting revenues and operating expenses related to income property valuation, fair housing practices, building construction, and numerous others.

Mr. Burns has started the coursework and required experience hours towards gaining his New York State Certified General appraisal license.

CERTIFICATIONS:

New York State Certified Real Estate Appraiser - Certificate No. 45-51410

PROFESSIONAL TERRITORY COVERED:

Mr. Burns has appraised property throughout New York State, including the Counties of Albany, Schenectady, Saratoga, Rensselaer, Fulton, Montgomery, Columbia, Erie, Niagara, Genesee, Oneida, Seneca, Steuben, Sullivan, Westchester, and Ulster.

PROPERTY TYPES APPRAISED:

Appraisal work includes a wide range of vacant land, single, and multi-family residential property types.

GAR ASSOCIATES LLC
APPRAISAL QUALIFICATIONS OF:
RYAN C. BURNS
(continued)

MASS APPRAISAL PROJECTS COMPLETED:

Town of Bethlehem, Albany Co., NY
Town of Amherst, Erie Co., NY
Town of Alden, Erie Co., NY
City of Johnstown, Fulton Co., NY
City of Batavia, Genesee Co., NY
Town of Florida, Montgomery Co., NY
City of Lockport, Niagara Co., NY
Town of Lockport, Niagara Co., NY
Town of Cambria, Niagara Co., NY
Town of Hoosick, Rensselaer Co., NY
Town of Malta, Saratoga Co., NY
City of Mechanicville, Saratoga Co., NY
Town of Waterford, Saratoga Co., NY
Town of Covert, Seneca Co., NY
Town of Bath, Steuben Co., NY
City of Corning, Steuben Co., NY
Town of Forestburgh, Sullivan Co., NY
Town of Mamaroneck, Westchester Co., NY

UNIQUE ID NUMBER 45000051410	<i>State of New York</i> <i>Department of State</i> DIVISION OF LICENSING SERVICES	FOR OFFICE USE ONLY Control No. 1525814
PURSUANT TO THE PROVISIONS OF ARTICLE 6E OF THE EXECUTIVE LAW AS IT RELATES TO R. E. APPRAISERS.		EFFECTIVE DATE MO. DAY YR. 08 08 20
<div style="border: 1px solid black; padding: 5px; display: inline-block;">BURNS RYAN C C/O GAR ASSOCIATES LLC 632 PLANK RD STE 203 CLIFTON PARK, NY 12065</div>		EXPIRATION DATE MO. DAY YR. 08 07 22
HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A R. E. RESIDENTIAL APPRAISER		
<small>In Witness Whereof, The Department of State has caused its official seal to be hereunto affixed.</small> ROSSANA ROSADO SECRETARY OF STATE		
<small>DOS-1028 (Rev. 3/01)</small>		

GAR ASSOCIATES LLC
APPRAISAL QUALIFICATIONS OF JEFFREY E. HENNARD

PRESENT OCCUPATION:

Mr. Hennard is a full-time associate appraiser and consultant with GAR Associates LLC at 5500 Main Street, Suite 347, Williamsville, New York. Mr. Hennard's focus is on mass appraisal application for commercial properties throughout Western and Upstate New York for a variety of municipal clients. Appraisal work also includes specific assignments in the commercial and industrial markets of Western New York.

EDUCATION:

State University of New York at Buffalo
Bachelor of Science - Business Administration
Major Course of Study in Management
Minors in Finance and Human Resources

CERTIFICATION:

New York State Certified General Real Estate Appraiser - Certificate No. 46-47191

SUPERVISORY APPRAISER:

Mr. Hennard is approved as a qualified supervisory appraiser by the New York State Department of State.

PAST EXPERIENCE:

Worked with town offices regarding zoning ordinances, researched public records, and negotiated land leases throughout New York State, New Jersey, and parts of Pennsylvania for a national telecommunications company.

PROFESSIONAL TERRITORY COVERED:

Mr. Hennard has appraised property throughout the Western and Upstate New York regions, including the Counties of Erie, Niagara, Cattaraugus, Chautauqua, Allegany, Genesee, Wyoming, Monroe, Orleans, Oneida, Ontario, Oswego, Onondaga, Livingston, Rensselaer, Steuben, Albany, Columbia and Westchester. Consulting work, research and analysis has been performed in the areas of Onondaga, Rensselaer, Saratoga and Ulster Counties.

PROPERTY TYPES APPRAISED:

Appraisal work includes a range of vacant land, improved commercial, office, retail, industrial, mixed-use, single and multiple-family residential, and subdivision property types. Also performs various duties including data collection, sales verification, analysis, valuation modeling, and supervisory tasks related to commercial mass appraisal projects.

CLIENTS:

Clients include various municipalities, lending institutions, mortgage brokers, school districts, not-for-profit organizations, attorneys and private users.

GAR ASSOCIATES LLC
APPRAISAL QUALIFICATIONS OF JEFFREY E. HENNARD
Page 2

APPRAISAL COURSES/SEMINARS ATTENDED AND SUCCESSFULLY COMPLETED:

Mr. Hennard has attended numerous courses and seminars, most of which were provided through the Appraisal Institute, pertaining to many aspects of real estate and business valuation, and consulting between 2004 and the present. The courses included the required curriculum of both the Appraisal Institute and New York State required for the New York State General Appraiser Certification.

Continuing education courses have included standards of professional appraisal practice and business practice & ethics on a routine basis. Some of the seminar topics included business practice, timber valuation, valuation of wireless communication towers, discounted cash flow analysis, forecasting revenues and operating expenses related to income property valuation, green building architecture and standards, and numerous others.

APPRAISAL COURSES/SEMINARS TAUGHT:

Mr. Hennard has provided instruction for continuing education classes for appraisers and assessors regarding mass valuation of commercial properties, and the valuation of condominiums for assessment purposes.

PREPARED AND PARTICIPATED IN APPRAISALS FOR:

Attorneys and Private Individuals	Greater Buffalo Savings Bank
Insurance Companies	Gurney, Becker and Bourne
ABN-AMRO Apartment Lending	HSBC Bank
Town of Amherst	Integra Realty Resources
Aurora Venture Properties, LLC	City of Jamestown
The Bank of Castile	Jamestown Savings Bank
The City of Batavia	JPMorgan Chase Bank
Bayview Financial Trading	Key Bank
Beacon Education Management	City of Lackawanna
Bryant and Stratton	Town of Lancaster
Buffalo Urban Renewal	Town of Lockport
Canisius College	Legg Mason Real Estate
Charter One Bank, F.S.B.	M&T Bank
Chase Manhattan Bank, N.A.	Town of Mamaroneck
Chautauqua County	Nabisco
Child and Family Services, Buffalo	National City Bank of Pennsylvania
Citibank (New York State)	Town of Scriba
Town of Cheektowaga	Snyder Funding, Inc.
Town of Cicero	Sun Life Assurance Company of Canada
Town of Clarence	Sweet Home Central School
Town of Clarkson	Toyota Motor Credit Corporation
City of Corning	City of Troy
First International Bank	Valley National Bank
First Niagara Bank	Village of Fredonia
Fleet National Bank	Washington Mutual Bank
Fleet Small Business Services	Western Regional Off-Track Betting
	Wyoming County Bank

UNIQUE ID NUMBER:

45000047171

State of New York
Department of State
DIVISION OF LICENSING SERVICES

FOR OFFICE USE ONLY
Control
No. 1541662

PURSUANT TO THE PROVISIONS OF ARTICLE 15-B, SECTION 1101,
EXECUTIVE LAW AS IT RELATES TO REAL ESTATE APPRAISERS.

HENRIARD JEFFREY E
C/O GAR ASSOCIATES
5500 MAIN ST
STE 247
WILLIAMSVILLE, NY 12221-2226

EFFECTIVE DATE
MO. DAY YR.
03 13 21

EXPIRATION DATE
MO. DAY YR.
03 12 23

HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A
R.E. GENERAL APPRAISER

In Witness Whereof, The Department of State has caused
its official seal to be hereunto affixed.

ROSASANA ROSADO
SECRETARY OF STATE

GAR ASSOCIATES LLC
APPRAISAL QUALIFICATIONS OF RONALD J. RUBINO, MAI



PRESENT OCCUPATION:

Mr. Rubino is a member and President of the Commercial Division and is a full-time real estate appraiser and consultant with GAR Associates LLC. He specializes in a wide variety of valuation and consulting assignments throughout mainly New York State. Mr. Rubino is qualified as an expert with extensive experience in tax certiorari and other valuation proceedings in multiple courts.

EDUCATION:

State University of New York at Buffalo
Bachelor of Science - Business Administration
Concentrations in Accounting and Finance

Williamsville South High School

PROFESSIONAL EXAMS COMPLETED:

Appraisal Institute's Comprehensive Exam - February 1991, Toronto, Ontario

New York State's Department of Transportation General Real Estate Appraisers Examination -1989, Buffalo, New York.

New York State General Certification Exam - 1991, Buffalo, New York

PROFESSIONAL DESIGNATION:

MAI Awarded by the Appraisal Institute

CERTIFICATIONS:

New York State Certified General Real Estate Appraiser - Certificate No. 46-4421

EXPERT WITNESS

Mr. Rubino testified numerous times since the early 1990s as an expert witness throughout the New York State Supreme Court system, and Erie County Surrogates Court. Mr. Rubino has also prepared litigation appraisals for the United States Department of Justice and New York State Court of Claims and has also appeared before the City of Buffalo's Assessment Review Board.

APPRAISAL INSTITUTE PAST PRESIDENT

Mr. Rubino served as president of the Appraisal Institute's Western New York - Ontario Chapter in 1995, 2000 and 2002.

APPROVED INSTRUCTOR

Mr. Rubino is an approved seminar instructor with both the Appraisal Institute and the New York State Department of States Appraisal Division. Mr. Rubino has conducted seminars and lectures for the Appraisal Institute, Erie County Bar Association, the University of Buffalo Law School, the University of Buffalo School of Architecture and Planning, the International Association of Assessing Officers (IAAO), New York State Assessor's Association (NYSAA), Erie County Assessor's Association (ECAA), and the New York State Association of Certified County Directors of Real Property Tax Services (CCD).

GAR ASSOCIATES LLC
APPRAISAL QUALIFICATIONS OF RONALD J. RUBINO, MAI
Page 2

APPRAISAL COURSES AND SEMINARS ATTENDED:

Mr. Rubino has attended numerous courses and seminars, most of which were provided through the Appraisal Institute, pertaining to many aspects of real estate and business valuation, and consulting between 1986 and the present. The courses included the required curriculum of both the Appraisal Institute and New York State required for the MAI designation and New York State general certification.

Continuing education courses have included standards of professional appraisal practice and business practice & ethics on a routine basis. Some of the seminar topics included business practice, valuation of detrimental conditions, timber valuation, easements/ encroachments, discounted cash flow analysis, income property valuation, comprehensive appraisal examination workshop, Marshall & Swift Cost Valuation and numerous others.

CLIENTS:

Clients include a variety of banks, credit unions, other lending institutions, mortgage brokers, municipalities, assessors, government agencies, U.S. Department of Justice, the U.S. General Services Administration, the New York State Department of Transportation (Buffalo & Rochester regions), developers, attorneys and private users.

Some municipal clients include the cities of Buffalo, Rochester, Niagara Falls, Albany, Saratoga, North Tonawanda, Lockport, Dunkirk, Jamestown, Olean and Batavia.

Other regional and state clients include the New York State Department of Transportation, New York State Office of Parks Recreation and Historic Preservation, NYS DEC, Niagara Frontier Transportation Authority (NFTA), Erie County, Monroe County, Albany County and Chautauqua County.

Utility companies serviced include National Fuel, NYSEG, National Grid, Niagara Mohawk, Erie County Water Authority and Verizon.

TYPES OF VALUE APPRAISED:

Market, going-concern, business, insurable, liquidation, use, assessment and go-dark.

INTENDED USES OF APPRAISAL AND CONSULTING SERVICES:

Financing, acquisition, disposition, liquidation, tax assessment, estate, divorce, partnership, mass valuation, condemnation, market rent and impact studies from adverse conditions.

GAR ASSOCIATES LLC
APPRAISAL QUALIFICATIONS OF RONALD J. RUBINO, MAI
Page 3

PROPERTY TYPES APPRAISED:

Retail:

Regional malls, power centers, "big box" retail stores, supermarkets, "net lease" and national chain pharmacies

Restaurant:

Fast food, family, national chain, drive-in, ground lease

Office/Banks:

Downtown high-rise, suburban Class A, post offices, branch banks and bank headquarters

Medical Office:

Suburban Class A, single-user, multi-tenant

Vehicle-Related:

Auto Dealerships, auto service, car washes

Industrial:

Industrial and light industrial, food processing, research and development, mining, cement and heavy manufacturing including Bethlehem Steel, Republic Steel, Dunkirk Steel and American Axle

Warehouses:

Single-user and multi-tenant including mega warehouses, cold storage and truck terminals.

Air Cargo:

Including Buffalo-Niagara International Airport and Rochester International Airport

Hotel:

Downtown, suburban, airport, new construction

Apartments:

Conventional, low-income, Rent Studies

Condominiums:

Residential, office, industrial and retail

Other:

Mobile home parks, campgrounds, nursing homes, senior housing, athletic fields, churches, convents, cinemas, schools, libraries, veterinary clinics, day care centers, gas stations, tennis centers, ice rinks (including Pepsi Center), bowling alleys, golf courses, country clubs, ski resorts, race tracks, parking garages, parking lots, lumber yards, marinas, airports, amusement parks, vacant residential, vacant multi-family, vacant commercial, vacant agricultural, vacant industrial, residential subdivisions, commercial subdivisions, industrial subdivisions, grain elevators, farms, horse farms, orchards, muckland and vineyards

Waterfront:

Improved and vacant land on lakes Erie, Ontario, Chautauqua, Canandaigua, Keuka, Niagara River, Genesee River, Oswego River, St. Lawrence River, and Hudson River.

Contaminated Properties:

Including Bethlehem Steel, LTV Steel, Hanna Furnace, Chenengo Steel, Tift Nature Preserve, Love Canal, and Cherry Farm sites

GAR ASSOCIATES LLC
APPRAISAL QUALIFICATIONS OF RONALD J. RUBINO, MAI
Page 4

IMPACT STUDIES:

Impact studies and analyses have been prepared analyzing potential diminution in value and stigma associated with an adverse environmental condition or non-conforming property use. Some of the studies included the following:

- Proposed "big box" retail on a residential neighborhood
- Landfill on a residential neighborhood
- Mining and gravel pit on a residential neighborhood
- Railroad on a residential neighborhood
- Wind farm on a residential and rural neighborhood
- Gas station on a residential neighborhood
- Industrial on a waterfront residential neighborhood
- Great Lakes coal conveyor for power plant on residential neighborhood

TERRITORIES APPRAISED IN:

Mr. Rubino has prepared appraisal and consulting services across all of New York State including the Western New York, Finger Lakes, Central, Southern-Tier, Northern, Mohawk Valley, Capital District, Hudson Valley and Downstate Regions of New York State along with western Pennsylvania and northeastern Ohio. Some of these regions include the cities of Buffalo, Niagara Falls, Lockport, Albion, Medina, Lackawanna, Rochester, Syracuse, Utica, Gloversville, Johnstown, Little Falls, Cobleskill, Herkimer, Mohawk, Albany, Schenectady, Glens Falls, Queensbury, Lake George, Saratoga, Ticonderoga, Watertown, Fort Drum, Messina, Malone, Ogdensburg, Plattsburgh, Dunkirk, Jamestown, Lockport, Warsaw, Batavia, Cortland, Ithaca, Elmira, Binghamton, Poughkeepsie, Newburgh, Westchester, Mamaroneck, Erie Pennsylvania, Pittsburgh Pennsylvania, Cleveland Ohio and Akron Ohio.



MEMBERSHIP CERTIFICATE

This Certifies That

Ronald Rubino

has been admitted to membership as an

MAI Member 9349

in the Appraisal Institute and is
entitled to all the rights and privileges of membership
subject only to the limiting conditions set forth from time to time
in the Bylaws and Regulations of the Appraisal Institute.

In Witness Whereof, the Board of Directors of the Appraisal Institute has
authorized this certificate to be signed in its behalf by the President, and the
Corporate Seal to be hereunto affixed on this 9th day of April, 1992.

Patricia J Marshall
PRESIDENT



THIS CERTIFICATE IS THE PROPERTY OF THE APPRAISAL INSTITUTE AND MUST BE RETURNED TO THE INSTITUTE UPON TERMINATION OF MEMBERSHIP.
THE MAI DESIGNATION WAS CONFERRED BY THE AIREE AUTHORITY OF REAL ESTATE APPRAISERS AND IS SUBJECT TO THE AIREE CONSTITUTION

UNIQUE ID NUMBER

460000004421

State of New York
Department of State

DIVISION OF LICENSING SERVICES

FOR OFFICE USE ONLY

Control

No. 1522106

PURSUANT TO THE PROVISIONS OF ARTICLE 6E OF THE
EXECUTIVE LAW AS IT RELATES TO R.E. APPRAISERS.

RUBINO RONALD J
C/O GAR ASSOCIATES LLC
5500 MAIN ST
STE 347
WILLIAMSVILLE, NY 14221

HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A
R.E. GENERAL APPRAISER

EFFECTIVE DATE
MO. DAY YR.
03 01 20

EXPIRATION DATE
MO. DAY YR.
02 28 22

In Witness Whereof, The Department of State has caused
its official seal to be hereunto affixed.

ROSSANA ROSADO
SECRETARY OF STATE

**QUALIFICATIONS OF:
BRUCE C. ROE, MAI**



Mr. Roe is a well known appraiser and counselor and has over 40 years of experience. He is known for his competency in handling difficult and unusual assignments. His specialty fields include net lease investment properties, golf courses, hotels/resorts, recreational properties, health care properties - including hospitals, skilled nursing and ALF's, marinas, self storage and special purpose.

He holds the MAI designation from the Appraisal Institute and held the CRE designation from the American Society of Real Estate Counselors and the SRPA designation from the Society of Real Estate Appraisers for many years. Over the years he has held various offices and positions within these organizations.

He maintains a firm tradition of serving the community and participates on committees and boards for a variety of local and charitable organizations.

Mr. Roe was educated at Syracuse University and graduated in 1967 with a Bachelor of Arts; Economics major.

He is New York State Certified Real Estate General Appraiser #46000046994.

Experience

- | | |
|--------------|--|
| 2012-Present | <i>President</i>
Bruce C. Roe, Real Estate Consultant
Penn Yan, NY
Senior Appraiser and Contractor - GAR Associates LLC |
| 2002-2011 | <i>Executive Vice President</i>
Roe Minor Realty Consultants Inc.
Fort Lauderdale, FL |
| 1995-2001 | <i>President</i>
Roe Research, Inc.
Fort Lauderdale, FL |
| 1988-1995 | <i>President</i>
Roe, Westberry & Associates
Fort Lauderdale, FL |
| 1971-1988 | <i>Vice President</i>
Slack, Slack & Roe, Inc.
Miami, FL |
| 1967-1971 | Intelligence Officer
U.S. Navy |

Qualified as expert witness in:

Broward, Dade, Monroe,
Palm Beach and Okeechobee Counties, Florida
Federal Bankruptcy Court in Florida, New York, New Jersey,
California and South Carolina

**QUALIFICATIONS OF:
BRUCE C ROE, MAI**

Professional Memberships & Affiliations

Member of Appraisal Institute (MAI) No. 5565

South Florida Chapter: President -1990; Vice President-1989; 2nd VP-1988; Treasurer-1987; Secretary-1986; Board of Directors 1985-1991

Past Member, American Society of Real Estate Counselors (CRE)
No. 1045, 1989-2001; Chairman, South Florida Chapter 1989

Society of Real Estate Appraisers (SRPA)
National Vice Governor, District #29-1985
National Chairman-Young Advisory Council-1984
Miami Chapter #71: Past President-1981-1982; Vice President-1980-1981; Secretary-1979-1980; Treasurer-1978-1979; Board of Directors (1977-1985)

Approved Instructor
Florida DRE-FREAB #154232 & FREC #15422
Appraisal Institute-Continuing Education Credit

City of Fort Lauderdale Unsafe Structures and Housing Appeals
Board-1976-1988

State-Certified General REA No. 46000046994 (NY)

Florida Association of Realtors-Board of Directors 1989

Community Involvement

City of Ft. Lauderdale – Youth Athletics

Fort Lauderdale Country Club – President

Penn Yan Lions Club – President - 2013

Am. Legion Boys' State - Yates County Chairman 2011-2012

Current Address

*2401 COUNTRY ESTATES RD
PENN YAN, NEW YORK 14527*

315-536-7979 Home

315-759-9137 Cell

Broe@garappraisal.com



MEMBERSHIP CERTIFICATE

This Certifies That

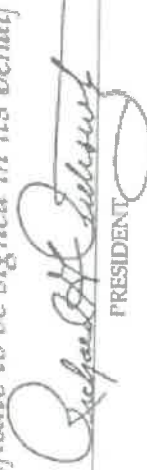
Bruce C. Roe

*was admitted to membership in the American Institute
of Real Estate Appraisers as an MAI Member (5565)
on the 15th day of November, 1976 and by virtue
of the unification of the American Institute of Real Estate Appraisers
and the Society of Real Estate Appraisers has become an*

MAI Member

*in the Appraisal Institute and is entitled to all the rights and
privileges of membership subject only to the limiting
conditions set forth from time to time in the Bylaws and
Regulations of the Appraisal Institute.*

*In Witness Whereof, the Board of Directors of the Appraisal Institute has
authorized this certificate to be signed in its behalf by the President.*


PRESIDENT



THIS CERTIFICATE IS THE PROPERTY OF THE APPRAISAL INSTITUTE AND MUST BE RETURNED TO THE SECRETARY UPON TERMINATION OF MEMBERSHIP.

UNIQUE ID NUMBER

46000046994

State of New York
Department of State

DIVISION OF LICENSING SERVICES

FOR OFFICE USE ONLY

Control No. 1526458

EFFECTIVE DATE

MO. DAY YR.
08 28 20

PURSUANT TO THE PROVISIONS OF ARTICLE 6E OF THE
EXECUTIVE LAW AS IT RELATES TO R. E. APPRAISERS.

ROE BRUCE C
C/O BRUCE C ROE REAL ESTATE CO
2401 COUNTRY ESTATES RD
PENN YAN, NY 14527

EXPIRATION DATE

MO. DAY YR.
08 27 20

HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A
R. E. GENERAL APPRAISER

In Witness Whereof, The Department of State has caused
its official seal to be hereunto affixed.

ROSSANA ROSADO
SECRETARY OF STATE

11 – Town of Clayton Exhibits

Non-Collusive Bidding Certification

Authorization to Bid

Form of Proposal

TOWN OF CLAYTON, NEW YORK

NON-COLLUSIVE BIDDING CERTIFICATION

(Required by Section 103-d of the New York State
General Municipal Law)

By submission of this Bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid, each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

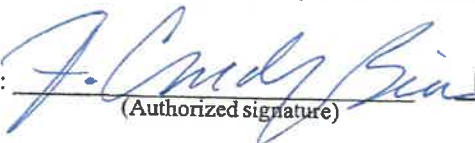
1. The prices in this bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other bidder, with any competitor or with any potential competitor;
2. Unless otherwise required by law, the prices which have been quoted in this bid have not been knowingly disclosed by the bidder and will not knowingly be disclosed by the bidder prior to the opening of bids or proposals for this project, directly or indirectly, to any other bidder or to any competitor or to any potential competitor;
3. No attempt has been made or will be made by the bidder to induce any other person, partnership or corporation to submit or not to submit a bid for the purpose of restricting competition;
4. The person signing this bid or proposal certifies that he has fully informed himself regarding the accuracy of the statements contained in this certification, and under penalties of perjury, affirms the truth thereof, such penalties being applicable to the bidder as well as to the person signing on its behalf; and
5. That attached hereto (if corporate bidder) is a certified copy of resolution authorizing the execution of this certificate by the signatory of this bid, or proposal, in behalf of the corporate bidder.

Town-Wide Reassessment Project 2022-2023

January 17, 2022

(Name of bid/date of bid opening)

By:



(Authorized signature)

F. Cindy Baire, Member

(Individual's name & title)

GAR Associates LLC

(Company name and address and phone number)

5500 Main Street Suite 347, Williamsville, New York 14221 716-691-7100

Date Signed: January 12, 2022

AUTHORIZATION TO BID

RESOLVED, that F. Cindy Baire
(Name of Individual)

be authorized to sign and submit the bid or proposal of


GAR Associates LLC
(Name of Corporation)

for the supply of fuel and to include in such bid or proposal the certificate of non-collusion required by Section 103-d of the General Municipal Law as the act and deed of such corporation, and for any inaccuracies or misstatements in such certificate this corporate bidder shall be liable under the penalties of perjury.

The foregoing is a true and correct copy of the resolution adopted by

GAR Associates LLC
(Name of Corporation)

at a meeting of this board of directors held on the 12 day of January, 2022.


Secretary

(CORPORATE SEAL)

FORM OF PROPOSAL
Town of Clayton
RFP Town-Wide Reassessment Project 2022-2023

The Undersigned GAR Associates LLC
(Contractor)
5500 Main Street, Suite 347 Williamsville, New York 14221
Address Zip Code

Hereby certifies that he/she has examined and fully comprehends the requirements prepared by the *Town of Clayton for the RFP Town-Wide Reassessment Project 2022-2023*. To furnish all services, as listed below:

Fixed Fee for Scope of Services §3 (a-o):

\$ \$225,000

Fixed Per Parcel Fee for Scope of Services §3 (p) Unique and Highly Complex Parcels (herein identified as 742 Island Parcels listed in Appendix A):

\$ \$70,000

Fixed Fee for Scope of Services §3 (q) Small Claims and Article 7 support:

\$ Small Claims: \$500-\$750/per report \$150/hr Court Time

Article 7: Report Preparation and Court Testimony: \$\$125-\$250/hr

If the Proposer does not choose to provide rates for all categories, insert "No Bid".

GAR Associates LLC
Name of Proposer


Signature

81-0825346
Federal Employer ID #

F. Cindy Baire
Printed Name of Signer

Title Member

Street 5500 Main Street, Suite 347

Phone 716-691-7100

City/State Williamsville, NY


Fax 716-691-7770

email cbaire@garappraisal.com

12 – Sample documents

- i. Residential Data Mailer
- ii. Commercial Comparable Printouts
- iii. Commercial Income and Expense Mailing
- v. Press Releases
- w. Cover Letter for Assessment Notices

City of Lockport
Assessment Equity Improvement Project 2022
Tracy A. Farrell, IAO
Assessor

 **GAR Associates LLC**
Real Estate Appraisers and Consultants
Contractor for the City of Lockport

Owner Name and Mailing Address:

City of Lkpt Housing Authority
301 Michigan St
Lockport NY, 14094

Property Address:

290900 108.08-1-14.11
21 Craine St
Lockport NY 14094

May 6, 2020

Dear Property Owner,

As part of the Assessment Equity Improvement Project in the City of Lockport, the assessor, in conjunction with GAR Associates, is requesting your assistance in providing property inventory information.

The goal of the project is to maintain fair and equitable property assessments. A critical element of this effort is to ensure the accuracy of the inventory data for each property, which will assist in producing a correct full value assessment. From time to time, a review of the commercial parcel property inventory is performed.

GAR will review commercial properties in order to verify property inventory data. Please take some time to complete the survey on the back of this page. We are requesting information relating to rent rates, occupancy, use, apartment units and mix, expenses, etc. as they relate to your specific property. Please provide your response by Friday, May 29, 2020.

In addition, any information that relates to inventory or current use is welcomed to help ensure the accuracy of the data. This may include: building survey or site plan, rent roll or leases, operating expenses, recent appraisal, etc. **Any information provided, with the exception of inventory data, will be kept confidential.**

Thank you in advance for your cooperation in regards to this very important process. If you have any questions regarding this survey, please contact me at:
1-716-691-7100 ext 3039.

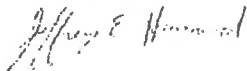
Please return the survey to:

GAR Associates LLC
P.O. Box # 378
Clifton Park, NY 12065

or Fax to:
1-855-319-8451

or Scan and Email to:
COLockport2022@garappraisal.com

Respectfully,



Jeffrey E. Hennard
Certified General Appraiser

SEE REVERSE SIDE FOR COMMERCIAL SURVEY

COMMERCIAL/INDUSTRIAL PROPERTY SURVEY

108.08-1-14.11

Property Address _____

Owner Name _____

Owner Phone Number _____

Property Type (Please circle one)Retail
Industrial
Hotel/Motel
RestaurantOffice
Auto
Gas/Service
ApartmentsPlaza
Bar/Tavern
Mixed-Use (commercial/apt)
Other _____**Tenant/Lease Information (Please include all space: occupied and vacant)**

	Floor Location	Business Type/ Use	Occupied/ Rented Area	Annual Rent (Total or Per Sq.ft.)	Who Pays What?
Example	1st Floor	Owner Occ., Retail or Vacant Office	900 sf	\$9,000 or \$10/sf	Tenant - electric and gas LandLord - water, taxes, insurance

Apartment Information

	Unit Types	No. of Units	Monthly Rent Range	Tenant Paid Expenses
Example	1 BR	8	2@\$400; 2@\$450; 4@\$500	gas, electric, parking

Owners Expense Information

Expense Item	Annual Expense
Real Estate Tax	
Building Insurance	
Maintenance/ Repairs	
Gas	
Electric	
Water	
Other	

Other Information

Actual Year Built: _____

Recent Improvements: _____

Required Repairs/Upgrades: _____

Associated Tax Parcels: _____

Press Release

Date: February 2020

**Town of Lancaster Assessor
Announces Mailing of New Assessment Values**

As part of the Reassessment Update Project, New Preliminary Full Value Assessments will be mailed to all Property Owners in the Town of Lancaster.

Town Assessor, Rebecca Baker, announces beginning March 2, 2020, Assessment Disclosure Notices will be mailed to all property owners within the Town. Instructions will be included with each notice indicating the procedure for disputing your new value estimate, how to obtain forms and where to get information. Mrs. Baker reminds property owners to focus on the full market value estimate. If you do not agree with this estimate **AND** can offer proof for a change, you can follow the process of filing a complaint.

Information regarding property assessments, inventory data, sale information and how to submit an informal review of your new preliminary assessed value will be available online beginning March 3rd on the Town's website (www.lancasterny.gov)

IMPORTANT NOTICE
Town of Lancaster - Department of Assessment

2020 NEW FULL VALUE ASSESSMENT

MARCH 2, 2020

Dear Property Owner:

The Town of Lancaster has completed a town-wide reassessment update project to restore property assessment equity to all parcels located within the Town of Lancaster, the Village of Lancaster and the Village of Depew (Lancaster portion) .

Why you are
receiving this
Notice

NYS Real Property Tax Law requires municipalities conducting town-wide reassessment projects to send an Assessment Disclosure Notice (attached) indicating your new preliminary full value property assessment, including a **HYPOTHETICAL** Tax Impact Illustration (what your tax liability would have been last year with the new assessment).

What you need
to know

A Reassessment Project does not generate more tax revenue for the town; it simply redistributes the tax burden fairly. NYS Real Property Tax Law section 305 states that all properties must be assessed uniformly. Assessing properties at 100% full market value is the best way to ensure property assessment equity and reflects the current value of your property.

Keep in mind, the assessor does not determine taxes; this is the responsibility of each taxing jurisdiction. Assessments are merely the vehicle to determine the share of the property taxes owed.

What you need
to do

- If you agree with your new Full Value Assessment, you do not need to do anything.
- If you are unsure if the value reflects fair market value, go to the Town of Lancaster website www.lancasterny.gov and select the assessor's page. Research property sales within your neighborhood.
- If you disagree with your new Full Value Assessment, you may file an informal review application – see instructions on the assessor's webpage. ***Please note, all informal review submissions **MUST** be received by **March 31, 2020** for consideration.
- For questions and more information you may call: **1-866-910-1776** until **March 20, 2020**.

When will the
new
assessments
take effect

The new full value assessments will be final July 1, 2020 and will be applied to the school tax bills in September 2020 and the Town/County bill in January 2021. Assessments will be applied to Village taxes in July 2021.

REMEMBER:

FOCUS ON YOUR NEW FULL VALUE ASSESSMENT – NOT THE TAX ILLUSTRATION

Sincerely,
Rebecca Baker, Assessor
Town of Lancaster

Improved Sale Comparable

Office

Assessment:

Assessment Notes:

ValuationDistrict:

RPS Property Class: 464

Improved Sale Comparable

Benevolent Assoc.



Address: 2063 Shadagee Road
Municipality: Eden **County:** Erie **State:** NY
Location: Southwest corner of Shadagee Road and Southwestern Boulevard, with the majority of the site in the Town of Eden and a small corner in the Town of Evans.
SBL Number: 207.00-1-1.1 & 207.07-2-37 (now 207.00-1-1.12)

Sale Date:	2/27/2014	Marketing Time:	8-10 Months
Sale Price:	\$352,000		
Liber/Page:	11261 / 301		
Seller:	Glenn T. Lista		
Seller Address:	99 Nottingham Terrace, Buffalo, New York		
Buyer:	Wesleyan Church of Hamburg		
Buyer Address:	4999 McKinley Parkway, Hamburg, New York		

Verification: Assessor's office, Buyer's Representative, Deed, 5217

Property Use:	Benevolent Assoc.		
Building Area:	33,960 Sq Ft	Price per SF:	\$10.37
Year Built:	1955	Units:	
Zoning:	Hamlet Residenital District	Price per Unit:	
Land Area:	289,734 SF (6.65 Acres) 908 Front Feet	Land-Building Ratio:	8.53

Description: The subject is a benevolent property that includes three buildings. The church is a one-story, brick structure containing 12,852 sf. There is also a 2-story, brick, school building with 15,900 sf and a 1-story convent building with 5,208 sf. The buildings were reportedly built between 1951 and 1956 (per assessors records). There is adequate on-site parking. It was known at the time of purchase

Improved Sale Comparable**Benevolent Assoc.**

that the convent was in need of roof repairs.

Remarks:

Originally operated as St. Vincent Roman Catholic Church. Currently operated by the Wesleyan Church of Hamburg as their South Creek Campus. Minor cosmetic updates were done following the purchase to suit the buyer's tastes, and it was decided to replace rather than repair the convent roof. The only building not initially utilized by the buyer was the convent, which is slated for likely expansion of their church offices.

Sale Comments:

This is an arm's length transaction. Previously transferred in April 2013 for \$199,000 but Mr. Lista was apparently unaware at the time of his purchase that the Catholic Church (from whom he purchased the property) had a 50 year deed restriction on the property regarding certain redevelopment uses. This prompted his listing and sale to the buyer of this comp. Several members of the buyer's board are developers, and the buyer also had an appraisal done for purchase negotiations.

Internal Notes:

Buyer: 716 649-6335

Assessor: 716 992-9135

9/2/2015 Updated comp. Left mess on general mailbox VM at church. No # found for Glenn Lista. JEH

9/3/2015 Spoke briefly with Liz in the Wesleyan Church business office. She started there just after the purchase, so did not have a lot of specifics but confirmed arm's length and some renovations after. Spoke to Sue Pratt in the assessor's office. She confirmed sale and Lista's previous purchase. JEH
9/15/2015 Pastor Jim called back from the Wesleyan Church and verified more details. JEH

Assessment:**Assessment Notes:****Valuation District:****RPS Property Class:**

Improved Sale Comparable**Used Car Sales**

Address: 11625 Broadway
Municipality: Alden **County:** Erie **State:** NY
Location:
SBL Number: 118.10-4-2

Sale Date: 2/21/2014 **Marketing Time:**
Sale Price: \$31,050
Liber/Page: 11260 / 7931
Seller: Gas Rite Inc.
Seller Address:
Buyer: 11619 Broadway Street Inc
Buyer Address:

Verification: Assessor's Records

Property Use: Used Car Sales
Building Area: 900 Sq Ft **Price per SF:** \$34.50
Year Built: 1990 **Units:** 0
Zoning: **Price per Unit:**
Land Area: 24,394 SF (0.56 Acres) 93 Front Feet **Land-Building Ratio:**
Description:

Improved Sale Comparable
Used Car Sales

Remarks:

Sale Comments:

Internal Notes:

Assessment: \$78,400

Assessment Notes: LAV and TAV are at 100%.

ValuationDistrict: 0

RPS Property Class: 433

Improved Sale Comparable

Apartment



Address: 156 Robert Drive & 193 Mead Street
Municipality: North Tonawanda **County:** Niagara **State:** NY
Location: This property is located in the Erie Canal district.
SBL Number: 185.11-1-65; 182-57-1-40

Sale Date:	4/16/2012	Marketing Time:	1 day
Sale Price:	\$2,300,000		
Liber/Page:	2012 / 7409		
Seller:	Nunzio Castelli / Frank Sclafani / Joseph Sclafani		
Seller Address:	211 Dimatteo Drive, North Tonawanda, New York 14120		
Buyer:	Ken-Ton Property Group, LLC		
Buyer Address:	3250 Delaware Avenue, Buffalo, New York		

Verification: MLS, Loopnet, Assessor's Records

Property Use:	Apartment		
Building Area:	54,516 Sq Ft	Price per SF:	\$42.19
Year Built:	1972	Units:	53
Zoning:		Price per Unit:	\$43,396.23
Land Area:	81,370 SF (1.87 Acres) 160 Front Feet	Land-Building Ratio:	1.49

Description: The purchase included two separate properties containing a total of 53 apartments that included 16, one-bedroom units, 36, 2-bedroom units and 1, four-bedroom unit.

Parcel #1, located at "193 Mead Street," contains three buildings. Bldgs #1 & #2 were constructed in 1972 and each consists of a three-story, 12,768 sq.ft., apartment building. Bldg #2 was

Improved Sale Comparable**Apartment**

constructed in 1975 and consists of a three-story, 6,300 sq.ft., apartment building. These buildings contain a total of 28 units. Paved parking is available on-site. Parcel #2, located at "156 Robert Drive," contains a three-story, 22,680 sq.ft., 25- unit apartment building that was constructed in 1978.

Remarks:

As of 2/2009, this project is 95%occupied and has a new roof and other updates. (Source: LoopNet)

As of 12/2007, unit mix/ rents are: (Source MLS - 156 Robert and 193 Mead only)

* 16, 1-bedroom units @ \$500/ month

* 36, 2-bedroom units @ \$550/month

FINANCIAL SUMMARY: (Source: LoopNet-11/08)

* NOI: \$273,000

Financial Summary:

* Gross Income: \$330,000, EGIM: 6.9:1

* Annual Operating Expenses: \$24,000

* Net Operating Income: \$247,000

Sale Comments:

Previously listed for \$3,900,000 as of November 2008 (Jim Rojek Real Estate.com), for \$4,240,000 as of May 2008 (Re/Max), and for \$4,100,000 as of 12/2007. This listing includes three tax parcels that could be sold together or separately: "156 Robert Street" (SBL No. 185.11-1-65); "193 Mead Street" (SBL No. 182-57-1-40); "6367 Robinson Road" (SBL No. 138.00-1-60).

Internal Notes:

Appraised by Ron Rubino and Walter Allen. See GAR File #50049-A

Listed with Jim Rojek Real Estate.com. CONTACT: Jim Rojek @ 716-433-9238 (agent); 716-691-0787 (office); 716-471-9381 (voicemail).

LoopNet Property ID #15421409; #15980258 (11/08); #16112070 (2/09) (MLS = LoopNet)

MLS #299041 (12/07); #3108929 (5/08)

NOTES:

1/8/08 - A. Weekley updated JMR's listing.

5/7/08- ADW updated listing.

11/28/08: KB updated listing.

7/2/09: KB updated listing.

* Photo From Secondary Source*

Assessment: \$2,008,277

Assessment Notes:

ValuationDistrict: 4

RPS Property Class: 411

**TOWN OF CLAYTON
GRINDSTONE BOAT LAUNCH UPGRADES REBID
CONTRACT 1**

ADVERTISEMENT FOR BIDS

Sealed Bids for the construction of the Town of Clayton's Grindstone Boat Launch Upgrades located on Upper Landing Road on Grindstone Island, Contract No. 1, will be received by Town of Clayton, at the office of the 405 Riverside Drive, Clayton New York, 13624 until 2:00 p.m. local time on February 8, 2022, at which time the bids received will be publicly opened, as allowed under current COVID-19 rules, and read. The proposed project will include reconstruction of the concrete bulkheads to elevation 250', concrete ramp, approach pad, related dredging work, modifications to concrete fixed dock, and miscellaneous work.

Bid will be received for Contract No. 1 – General Contractor

The Issuing Office for the Bidding Documents is: Fourth Coast Inc., 745 Graves Street, Clayton, NY 13624; Contact plans@fourthcoast.com. Prospective Bidders may examine the Bidding Documents at the Issuing Office on Mondays through Fridays between the hours of 8:00-5:00 and may obtain copies of the Bidding Documents from the Issuing Office as described below.

Bidding Documents also may be examined at Northern New York Builder's Exchange, Inc., 22074 Fabco Road, Watertown, NY 13601 or Syracuse Builders' Exchange 6543 Ridings Road, Syracuse, NY 13204; online at Northern New York Builder's Exchange – www.nnybe.com Or Syracuse Builder's Exchange – www.syrabex.com ; the office of the Town of Clayton, 405 Riverside Drive, on Mondays through Fridays between the hours of 8:30-4:30. Examination of bidding documents will be according to current approved procedures relating to COVID-19

Bidding Documents may be obtained from the Issuing Office during the hours indicated above. Bidding Documents are available electronically (as portable document format (PDF) files) by emailing plans@fourthcoast.com . Alternatively, printed Bidding Documents may be obtained from the Issuing Office either via in-person pick-up or via mail, upon Issuing Office's receipt of payment for the Bidding Documents. The non-refundable cost of printed Bidding Documents is \$100 per set, payable to Fourth Coast Inc. plus a non-refundable shipping charge. Upon Issuing Office's receipt of payment, printed Bidding Documents will be sent via the prospective Bidder's delivery method of choice; the shipping charge will depend on the shipping method chosen. The date that the Bidding Documents are transmitted by the Issuing Office will be considered the prospective Bidder's date of receipt of the Bidding Documents. Partial sets of Bidding Documents will not be available from the Issuing Office. Neither Owner nor Engineer will be responsible for full or partial sets of Bidding Documents, including Addenda if any, obtained from sources other than the Issuing Office.

Bid security shall be furnished in accordance with the Instructions to Bidders.

Owner: **Town of Clayton**

By: **Megan Badour**

Title: **Town Clerk**

Date: **January 17, 2022**

BARCLAY DAMON LLP

Joseph W. Russell
Partner

January 12, 2022

Town of Clayton
405 Riverside Drive
Clayton, NY 13624

Re: Client Transition

I am pleased to announce that effective February 1, 2022, I will be opening my own law firm called **Joseph W. Russell, P.C.** My separation from Barclay Damon LLP is amicable and both firms anticipate retaining a strong business relationship and providing continuing sources of referral to each other. My address and contact information will be as follows:

120 Washington Street
Suite 500
Watertown, NY 13601
jrussell@jwrusselllaw.com
Telephone: (315) 965-1717

Under applicable law, the choice whether to have your files remain under my control at my new firm, stay with Barclay Damon or go to you directly or to another law firm is yours and yours alone. Given that I have been your principal point of contact, I am happy to advise that we have worked out a simple transition plan from Barclay Damon to my new firm. Namely, that I will retain physical control of your physical and electronic files unless you direct otherwise. If you are in agreement that I should retain your files, you need do nothing further.

If, on the other hand, you wish to do something otherwise with your file, please let me know by email, facsimile or regular mail and we will make the appropriate arrangements.

I look forward to working with you in the future at my new firm.

Very truly yours,



Joseph W. Russell

JWR

APPLICATION FOR FIREWORKS DISPLAY PERMIT

Town of Clayton

Ref: NY State Penal Law, Article 405.00

FEE: \$200

Request for fee waiver (Not-for-Profit ONLY) ☐ YES

Application Date: 11/15/2021

(A) TO BE COMPLETED BY THE EVENT SPONSOR/ORGANIZATION:

Event Sponsor/Organization: 1000 Islands Harbor Hotel

Address: 200 Riverside Dr. Clayton, NY 13624

Phone: 315-686-1100 Contact Person: Ann Marie Angus

TO BE COMPLETED BY THE FIREWORKS SHOW CONTRACTOR:

Company Name: Young Explosives Corp.

Address: P.O. Box 18653 Rochester, NY 14618

Phone: 585-394-1783 Contact Person: Jim Young

NYS Dept. of Labor Explosives Licence# D-2316 Expires: 2/28/22

Operator - Name of the certified pyrotechnician who will be in charge of the display

Name	Certificate #	Expires
<u>John Eisenschmid</u>	<u>PR-208</u>	<u>01/2025</u>

Authorized Assistants: Names of the individuals who are authorized by the operator to work on the show, identified either by their certificate number and expiration date, if they are certified, or by their age and phone number, if they are not certified.

Name	Certificate# / Age	Expires / Phone
<u>Jerry Behlau</u>	<u>over age of 18 yrs.</u>	<u>PR-597 07/24</u>

(Continue on a separate sheet, if necessary).

- (B) Display Date/Time: 2/3, 4, 5/2022 Expected Duration: 10-12 mins
9:00pm
- (C) Display Location: Fixed wave attenuator off River Drive
- (D) If display location is water-based, do you have authorization from the US Coast Guard for the activity?
Yes No If so, attached authorization to this application. Note, your application will not be approved for water-based discharge without USCG approval on file.
- (D) Display Content: approx. 120 misc. 1.3G and 1.4G shells,
ground cakes. largest 4".

- (E) How will fireworks be stored prior to display: with Young Explosives at all times
- (F) Rain Date for display: N/A
- (G) If rained out how will fireworks be stored: _____
- (H) For outdoor displays not before a proximate audience, attach a diagram of the area where the display will take place, showing location where the fireworks will be discharged from, the location of, and distance to: all the buildings, highways, lines of communications, location of the audience, trees, overhead obstructions or other structures or devices that could be affected by the display or fallout from it.
- (I) Proof of Insurance or Bond (Minimum One Million Dollars). The policy must provide coverage for damages to any people or property resulting from the fireworks display, as well cover the Town of Clayton, its officers, and employees from any liability related to this fireworks display. Please attach a copy of the policy certificate or other proof of insurance or Bond.
- (J) I attest that the information contained in this permit application is accurate, true and complete to the best of my knowledge, and I understand that false statements made in this permit application are subject to the applicable versions of the NYS Penal Law.


Signature of Event Sponsor/Organization

11/15/2021
Date


Signature of Fireworks Operator/Contractor

1/4/2022
Date

Required Documents Attached:

Event Sponsor/Organization: Proof of Insurance (\$1 MIL Liability Minimum) & Copy of Contract Between Sponsor and Contractor

Fireworks Contractor/Operator: Proof of Insurance (\$1 MIL Liability Minimum), Proof of NYS DOL Explosives License & Site Plan for display.

ALL FIREWORKS PERMITS MUST BE REVIEWED BY THE LOCAL FIRE DEPARTMENT WITH JURISDICTION AND THE TOWN OF CLAYTON CODE ENFORCEMENT OFFICER PRIOR TO APPROVAL BY THE TOWN BOARD.

FOR TOWN USE ONLY:

This application is approved with a favorable recommendation to the Town Board:

Code Enforcement Officer

Fire Department Chief

TOWN BOARD APPROVED ON: _____

APPLICANT NOTIFIED ON: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/5/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Britton Gallagher One Cleveland Center, Floor 30 1375 East 9th Street Cleveland OH 44114	CONTACT NAME:	FAX (A/C, No): 216-658-7101
	PHONE (A/C, No, Ext): 216-658-7100	
INSURED Young Explosives Corporation P.O. Box 18653 Rochester NY 14618	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Everest National Insurance Company	NAIC # 10120
	INSURER B: Axis Surplus Insurance Company	26620
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 1608669183

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y	Y	SI8GL00353-211	3/20/2021	3/20/2022	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	SI8CA00054-211	3/20/2021	3/20/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	Y	Y	P-001-000088056-03	3/20/2021	3/20/2022	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below Y/N <input type="checkbox"/> N/A						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
Date (s): Thursday February 3, 2022, Friday February 4, 2022 & Saturday February 5, 2022
Location: on the fixed wave attenuator off River Drive
Additional Insured: Hart Hotels Inc.; Clayton Harbor Hotel, LLC; Village of Clayton; Town of Clayton it's officers and employees.

CERTIFICATE HOLDER

CANCELLATION

Hart Hotels Inc
200 Riverside Drive
Clayton NY 13624

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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HARTHOT-01

CRKENNEDY

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/29/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # BR-1009544

Lawley, LLC
361 Delaware Avenue
Buffalo, NY 14202

CONTACT

NAME:

PHONE (A/C, No, Ext): (716) 849-8618

FAX (A/C, No): (716) 849-8291

E-MAIL ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A : Fireman's Fund Insurance Co

21873

INSURED

Clayton Harbor H0tel LLC dba 1000 Islands Harbor Hotel
609 Dingens Street
Buffalo, NY 14206-2400

INSURER B :

INSURER C :

INSURER D :

INSURER E :

INSURER F :

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WYD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X	USC025933210	4/28/2021	4/28/2022	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> Liquor: \$1M/\$1M					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
						MED EXP (Any one person) \$ 10,000
						PERSONAL & ADV INJURY \$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ 2,000,000
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC					PRODUCTS - COMP/OP AGG \$ 2,000,000
	OTHER:					EBL AGGREGATE O \$ 2,000,000
	AUTOMOBILE LIABILITY					COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY					PROPERTY DAMAGE (Per accident) \$
						\$
	UMBRELLA LIAB					EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE					AGGREGATE \$
	<input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A					E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below					E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Town of Clayton is included as Additional Insured per written agreement

CERTIFICATE HOLDER

Town of Clayton
405 Riverside Drive
Clayton, NY 13624

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

YOUNG EXPLOSIVES CORPORATION

Fireworks Exhibition Agreement

This agreement made this 7 day of November, 20 21 by and between Young Explosives Corporation of Rochester, NY, hereafter designated Young, and

Hart Hotels

200 Riverdale Drive

Clayton, NY 13624

hereafter designated the customer, providing for the sale of and an exhibition of fireworks to be located at

Fixed wave attenuator off River Drive

on the date of Thursday February 3, 20 22 in a location to be designated by the customer and approved by Young.

The parties hereto mutually agree, one with the other, as follows:

1. Guaranteed Exhibition of Fireworks

Young agrees to furnish an exhibition of fireworks substantially in accordance with the program submitted and that it shall be of first quality and properly made. Young shall supply a sufficient number of technicians to execute the display in a safe and artistic manner. Young guarantees that the display will be performed to any specifications outlined in this contract or in any approved addendums.

2. Spectator Control

The customer agrees to furnish sufficient protection, by either barricades, rope lines, or other dividers, at all points from the discharge area to prevent and keep spectators from entering the area and agrees to furnish ample police protection to Young's property and for the assembly, firing and dismantling of the exhibition without interference from the public. The customer shall defend, indemnify and hold Young harmless for any liability because of the customer's negligent breach of this Section 2.

3. Permits

The customer agrees to procure and pay for all necessary permits and licenses which may be required by the municipal authorities. Young will apply for and obtain necessary permits and licenses on behalf of the customer if noted on page 2 of the contract or if notified by written notice from the customer. In that event, customer will pay in advance to Young the amount needed to pay for the permits and licenses. Permit and licensing fees are non-refundable unless refunded by the licensing authority. Customer assumes the responsibility for seeking a refund when applicable.

4. Insurance

- a) Young agrees to procure liability insurance for \$ 2,000,000.00 coverage and zero deductibility on behalf of the customer. The insurance cost is included in the payable sum shown on this agreement.
- b) Young will provide Workers' Compensation and Disability for the fireworks technicians.

5. Postponement or Cancellation

- a) Young agrees that in the event of rain or inclement weather, a reasonable postponement may be made with **no extra charge**.
- b) If the customer cancels the exhibition, Young reserves the right to bill the customer for travel expenses incurred, labor performed, and for the cost of the insurance.
- c) If the customer cancels the exhibition before Young's technicians have been dispatched to the site, there will be **no charge**. However, customer is responsible for the actual expenses incurred by Young for special work and for nonrefundable fees outlined in this contract. Young may retain from any deposit or invoice the customer the amount necessary to reimburse it for expenses incurred on behalf of the customer when applicable.

6. Terms of Payment

- a) Check box that applies: ☒ Young requires no down payment. ☐ Young requires a down payment of \$ _____, due by Day of Show 20 22. If the exhibition is canceled the deposit will be refunded, less the expenses for which Young is entitled to reimbursement under Paragraph 5 above.
- b) The customer agrees to pay Young, or his agent, the total sum of One thousand five hundred Dollars for an exhibition of fireworks, which will include fireworks, insurance and technicians and expenses incurred by Young, forthwith at the end of said exhibition.
- c) In the event of customer's failure to pay when due all sums due Young under this contract, Young shall be entitled to collect from customer its reasonable cost of collection, including interest and reasonable attorney's fees.

7. Counterpart Execution; Electronic Signatures

This Agreement may be executed in any number of counterparts with the same effect as if all the Parties had signed the same document. All counterparts shall be construed together and shall constitute one agreement. Facsimile and electronic signatures shall be deemed original signatures for all purposes of this Agreement.

Total sum 1,500.00 Dollars

Young Explosives Corp.
Display Fireworks

(800) 747-1781
(585) 394-1783
(585) 396-2663 Fax
P.O. Box 18653
Rochester, NY 14618

YoungExplosives.com

E-Mail: fireworks@youngexplosives.com

The parties sign below:

Young Explosives Corp.

James R. Young

(Print Name)

Customer Signature

HonMarie Angus
(Print Customer Name)

President

Title

General Manager
Title

8. Headings

Section and other headings contained in this Agreement are for reference purposes only and are not intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any provision hereof.

9. Entire Agreement

This Agreement for the fireworks Display constitutes the entire agreement between the Parties with respect to the subject matter here, of and there are no other understandings, whether oral or written, regarding the subject matter hereof.

Customer Contact Name(s)

Ann Marie Angus

Send Invoice to:

☒ Address on front OR ☐ Name/Address below

Additional Contact Name/Information

Telephone (with Area Code)

Work: 315-686-1100 ext. 7001

Fax:

Home:

Cell:

Email: amangus@harthotels.com

Work:

Fax:

Home:

Cell:

Email:

Insurance Information: Please list all parties to be listed as additional insured. Young will extend coverage to the entities listed below as additional insured. Customer is responsible for providing all information needed for full insurance coverage.

Hart Hotels, Inc.; Clayton Harbor Hotel, LLC; Village of Clayton; Town of Clayton and it's officers adn employees

Customer Requests

Time of show:

9:00

☐ AM

☒ PM

List special requests, such as ground pieces, shells, finale, quantity or time requirements. List any other special requests such as salutes at certain times (i.e., if the show is a surprise for someone), etc.

Thursday & Friday sleeping accomadations for two people in exchange for extra

fireworks. YEC will provide information for the Town of Clayton's permit.

Customer will submit signed application to the Town Clerk as soon as possible

to allow time for the permit to get to YEC in the US Mail.

**This contract qualifies for the
10% in ADDITIONAL
FIREWORKS**

if contract signed and received in the YEC office
on or before November 19, 2021.

E-mailed contracts to be received by Friday,
November 19, 2021.

Send both page 1 and page 2 of the contract.
(Not valid for Dec 31, July 2 or 4, 2022)

Permits

☒ Customer to apply for the Permit(s) and provide Young with a copy 14 days prior to event

☐ Young to apply for the Permit(s) on your behalf:

Customer to pay the amount of \$ _____. Includes permit cost and fees. (Permit costs subject to change by the municipality)

☐ ADD the above permit costs to the show price on the front of the contract.

☐ INCLUDE the above permit costs in the show price on the front of the contract.

YOUNG EXPLOSIVES CORPORATION

Fireworks Exhibition Agreement

This agreement made this 7 day of Novmeber, 20 21 by and between Young Explosives Corporation of Rochester, NY, hereafter designated Young, and

Hart Hotels

200 Riverdale Drive

Clayton, NY 13624

hereafter designated the customer, providing for the sale of and an exhibition of fireworks to be located at

Fixed wave attenuator off River Drive

on the date of Friday February 4, 20 22 in a location to be designated by the customer and approved by Young.

The parties hereto mutually agree, one with the other, as follows:

1. Guaranteed Exhibition of Fireworks

Young agrees to furnish an exhibition of fireworks substantially in accordance with the program submitted and that it shall be of first quality and properly made. Young shall supply a sufficient number of technicians to execute the display in a safe and artistic manner. Young guarantees that the display will be performed to any specifications outlined in this contract or in any approved addendums.

2. Spectator Control

The customer agrees to furnish sufficient protection, by either barricades, rope lines, or other dividers, at all points from the discharge area to prevent and keep spectators from entering the area and agrees to furnish ample police protection to Young's property and for the assembly, firing and dismantling of the exhibition without interference from the public. The customer shall defend, indemnify and hold Young harmless for any liability because of the customer's negligent breach of this Section 2.

3. Permits

The customer agrees to procure and pay for all necessary permits and licenses which may be required by the municipal authorities. Young will apply for and obtain necessary permits and licenses on behalf of the customer if noted on page 2 of the contract or if notified by written notice from the customer. In that event, customer will pay in advance to Young the amount needed to pay for the permits and licenses. Permit and licensing fees are non-refundable unless refunded by the licensing authority. Customer assumes the responsibility for seeking a refund when applicable.

4. Insurance

a) Young agrees to procure liability insurance for \$ 2,000,000.00 coverage and zero deductibility on behalf of the customer. The insurance cost is included in the payable sum shown on this agreement.

b) Young will provide Workers' Compensation and Disability for the fireworks technicians.

5. Postponement or Cancellation

a) Young agrees that in the event of rain or inclement weather, a reasonable postponement may be made with **no extra charge**.

b) If the customer cancels the exhibition, Young reserves the right to bill the customer for travel expenses incurred, labor performed, and for the cost of the insurance.

c) If the customer cancels the exhibition before Young's technicians have been dispatched to the site, there will be **no charge**. However, customer is responsible for the actual expenses incurred by Young for special work and for nonrefundable fees outlined in this contract. Young may retain from any deposit or invoice the customer the amount necessary to reimburse it for expenses incurred on behalf of the customer when applicable.

6. Terms of Payment

a) Check box that applies: ☒ Young requires no down payment. ☐ Young requires a down payment of \$ _____, due by Day of Show 20 22. If the exhibition is canceled the deposit will be refunded, less the expenses for which Young is entitled to reimbursement under Paragraph 5 above.

b) The customer agrees to pay Young, or his agent, the total sum of One thousand five hundred Dollars for an exhibition of fireworks, which will include fireworks, insurance and technicians and expenses incurred by Young, forthwith at the end of said exhibition.

c) In the event of customer's failure to pay when due all sums due Young under this contract, Young shall be entitled to collect from customer its reasonable cost of collection, including interest and reasonable attorney's fees.

7. Counterpart Execution; Electronic Signatures

This Agreement may be executed in any number of counterparts with the same effect as if all the Parties had signed the same document. All counterparts shall be construed together and shall constitute one agreement. Facsimile and electronic signatures shall be deemed original signatures for all purposes of this Agreement.

Total sum 1,500.00 Dollars

Young Explosives Corp.
Display Fireworks

(800) 747-1781
(585) 394-1783
(585) 396-2663 Fax
P.O. Box 18653
Rochester, NY 14618

YoungExplosives.com

E-Mail: fireworks@youngexplosives.com

The parties sign below:

Young Explosives Corp.

James R. Young

(Print Name)

Customer Signature

(Print Customer Name)

President

Title

Title

8. Headings

Section and other headings contained in this Agreement are for reference purposes only and are not intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any provision hereof.

9. Entire Agreement

This Agreement for the fireworks Display constitutes the entire agreement between the Parties with respect to the subject matter here, of and there are no other understandings, whether oral or written, regarding the subject matter hereof.

Customer Contact Name(s)

Ann Marie Angus

Send Invoice to:

☒ Address on front OR ☐ Name/Address below

Additional Contact Name/Information

Telephone (with Area Code)

Work: 315-686-1100

Fax:

Home:

Cell:

Email: amangus@harthotels.com

Work:

Fax:

Home:

Cell:

Email:

Insurance Information: Please list all parties to be listed as additional insured. Young will extend coverage to the entities listed below as additional insured. Customer is responsible for providing all information needed for full insurance coverage.

Hart Hotels, Inc.; Clayton Harbor Hotels, LLC; Village of Clayton; Town of Clayton and it's officers adn employees

Customer Requests

Time of show:

9:00

☐ AM

☒ PM

List special requests, such as ground pieces, shells, finale, quantity or time requirements. List any other special requests such as salutes at certain times (i.e., if the show is a surprise for someone), etc.

Thursday & Friday sleeping accomadations for ywo people in exchange for extra fireworks. YEC will provide information for the Town of Clayton's permit.

Customer will submit signed application to the Town Clerk as soon as possible to allow time for the permit to get to YEC in the US Mail.

**This contract qualifies for the
10% in ADDITIONAL
FIREWORKS**

if contract signed and received in the YEC office
on or before November 19, 2021.

E-mailed contracts to be received by Friday,
November 19, 2021.

Send both page 1 and page 2 of the contract.
(Not valid for Dec 31, July 2 or 4, 2022)

Permits

☒ Customer to apply for the Permit(s) and provide Young with a copy 14 days prior to event

☐ Young to apply for the Permit(s) on your behalf:

Customer to pay the amount of \$ _____. Includes permit cost and fees. (Permit costs subject to change by the municipality)

☐ ADD the above permit costs to the show price on the front of the contract.

☐ INCLUDE the above permit costs in the show price on the front of the contract.

YOUNG EXPLOSIVES CORPORATION

Fireworks Exhibition Agreement

This agreement made this 7 day of Novmeber, 20 21 by and between Young Explosives Corporation of Rochester, NY, hereafter designated **Young**, and

Hart Hotels

200 Riverdale Drive

Clayton, NY 13624

hereafter designated the **customer**, providing for the sale of and an exhibition of fireworks to be located at

Fixed wave attenuator off River Drive

on the date of Saturday February 5, 20 22 in a location to be designated by the customer and approved by Young.

The parties hereto mutually agree, one with the other, as follows:

1. Guaranteed Exhibition of Fireworks

Young agrees to furnish an exhibition of fireworks substantially in accordance with the program submitted and that it shall be of first quality and properly made. Young shall supply a sufficient number of technicians to execute the display in a safe and artistic manner. Young guarantees that the display will be performed to any specifications outlined in this contract or in any approved addendums.

2. Spectator Control

The customer agrees to furnish sufficient protection, by either barricades, rope lines, or other dividers, at all points from the discharge area to prevent and keep spectators from entering the area and agrees to furnish ample police protection to Young's property and for the assembly, firing and dismantling of the exhibition without interference from the public. The customer shall defend, indemnify and hold Young harmless for any liability because of the customer's negligent breach of this Section 2.

3. Permits

The customer agrees to procure and pay for all necessary permits and licenses which may be required by the municipal authorities. Young will apply for and obtain necessary permits and licenses on behalf of the customer if noted on page 2 of the contract or if notified by written notice from the customer. In that event, customer will pay in advance to Young the amount needed to pay for the permits and licenses. Permit and licensing fees are non-refundable unless refunded by the licensing authority. Customer assumes the responsibility for seeking a refund when applicable.

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b) Young will provide Workers' Compensation and Disability for the fireworks technicians.

5. Postponement or Cancellation

a) Young agrees that in the event of rain or inclement weather, a reasonable postponement may be made with **no extra charge**.

b) If the customer cancels the exhibition, Young reserves the right to bill the customer for travel expenses incurred, labor performed, and for the cost of the insurance.

c) If the customer cancels the exhibition before Young's technicians have been dispatched to the site, there will be **no charge**. However, customer is responsible for the actual expenses incurred by Young for special work and for nonrefundable fees outlined in this contract. Young may retain from any deposit or invoice the customer the amount necessary to reimburse it for expenses incurred on behalf of the customer when applicable.

6. Terms of Payment

a) Check box that applies: ☒ Young requires no down payment. ☐ Young requires a down payment of \$ _____, due by Day of Show 20 22. If the exhibition is canceled the deposit will be refunded, less the expenses for which Young is entitled to reimbursement under Paragraph 5 above.

b) The customer agrees to pay Young, or his agent, the total sum of One thousand five hundred Dollars for an exhibition of fireworks, which will include fireworks, insurance and technicians and expenses incurred by Young, forthwith at the end of said exhibition.

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This Agreement may be executed in any number of counterparts with the same effect as if all the Parties had signed the same document. All counterparts shall be construed together and shall constitute one agreement. Facsimile and electronic signatures shall be deemed original signatures for all purposes of this Agreement.

Total sum 1,500.00 Dollars

Young Explosives Corp.
Display Fireworks

(800) 747-1781
(585) 394-1783
(585) 396-2663 Fax
P.O. Box 18653
Rochester, NY 14618
YoungExplosives.com

E-Mail: fireworks@youngexplosives.com

The parties sign below:

Young Explosives Corp.

James R. Young

(Print Name)

Customer Signature

(Print Customer Name)

President

Title

Title

8. Headings

Section and other headings contained in this Agreement are for reference purposes only and are not intended to describe, interpret, define or limit the scope, extent or intent of this Agreement or any provision hereof.

9. Entire Agreement

This Agreement for the fireworks Display constitutes the entire agreement between the Parties with respect to the subject matter here, of and there are no other understandings, whether oral or written, regarding the subject matter hereof.

Customer Contact Name(s)

Ann Marie Angus

Send Invoice to:

☒ Address on front OR ☐ Name/Address below

Additional Contact Name/Information

Telephone (with Area Code)

Work: 315-686-1100

Fax:

Home:

Cell:

Email: amangus@harthotels.com

Work:

Fax:

Home:

Cell:

Email:

Insurance Information: Please list all parties to be listed as additional insured. Young will extend coverage to the entities listed below as additional insured. Customer is responsible for providing all information needed for full insurance coverage.

Hart Hotels, Inc.; Clayton Harbor Hotels, LLC; Village of Clayton; Town of Clayton and it's officers adn employees

Customer Requests

Time of show:

9:00

☐ AM

☒ PM

List special requests, such as ground pieces, shells, finale, quantity or time requirements. List any other special requests such as salutes at certain times (i.e., if the show is a surprise for someone), etc.

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10% in ADDITIONAL
FIREWORKS**

**if contract signed and received in the YEC office
on or before November 19, 2021.**

**E-mailed contracts to be received by Friday,
November 19, 2021.**

**Send both page 1 and page 2 of the contract.
(Not valid for Dec 31, July 2 or 4, 2022)**

Permits

☒ Customer to apply for the Permit(s) and provide Young with a copy 14 days prior to event

☐ Young to apply for the Permit(s) on your behalf:

Customer to pay the amount of \$ _____. Includes permit cost and fees. (Permit costs subject to change by the municipality)

☐ ADD the above permit costs to the show price on the front of the contract.

☐ INCLUDE the above permit costs in the show price on the front of the contract.

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To	ATF - Chief, FELC 244 Needy Road Martinsburg, WV 25405-9431	License/Permit Number	6-NY-069-21-4K-00338
Chief, Federal Explosives Licensing Center (FELC)		Expiration Date	October 1, 2024

Name
YOUNG EXPLOSIVES CORP

Premises Address (Changes? Notify the FELC at least 10 days before the move.)
**2165 NEW MICHIGAN ROAD
CANANDAIGUA, NY 14424-0000**

Type of License or Permit
21-MANUFACTURER OF EXPLOSIVES

Purchasing Certification Statement
The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

**YOUNG EXPLOSIVES CORP
PO BOX 10653
ROCHESTER, NY 14618-0000**

Licensee/Permittee Responsible Person Signature
James R. Young

President
Position/Title
11/4/2021

Printed Name
Date
Previous Edition is Obsolete
YOUNG EXPLOSIVES CORP: 2165 NEW MICHIGAN ROAD: 14424-0000: 6-NY-069-21-4K-00338: October 1, 2024: 21-MANUFACTURER OF EXPLOSIVES

ATF Form 5400.14/5400.15 Part I
Revised September 2011

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431
Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov
ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card
License/Permit Name: **YOUNG EXPLOSIVES CORP**
Business Name:
License/Permit Number: **6-NY-069-21-4K-00338**
License/Permit Type: **21-MANUFACTURER OF EXPLOSIVES**
Expiration: **October 1, 2024**
Please Note: Not Valid for the Sale or Other Disposition of Explosives.

STATE OF NEW YORK
DEPARTMENT OF LABOR



DIVISION OF
SAFETY AND HEALTH

LICENSE TO DEAL IN OR MANUFACTURE EXPLOSIVES

Expires: 2/28/2022

Young Explosives Corporation
PO Box 18653
Rochester, NY 14618

**THIS LICENSE MUST BE
POSTED IN YOUR PLACE
OF BUSINESS**

James R. Young

License No D-2316

is hereby licensed to deal in or manufacture explosives in compliance with the requirements of the Labor Law and Industrial Code Rules. Any change in the conditions under which this license is granted may cause it to be revoked.

Eileen M. Franko, Acting Director FOR
THE COMMISSIONER OF LABOR

Every person selling, delivering or giving away any explosives must keep at the principal place of business within the state, a record of each transaction, including:

- 1) the NAME or TYPE and QUANTITY of explosives SOLD, DELIVERED or GIVEN. Note: No license is needed to purchase smokeless powder, or black powder in quantities not exceeding five pounds for use in firing antique firearms or artifacts or replicas thereof. However, dealers MUST post all such transactions on the "Dealer-Manufacturer Report of Explosives Transactions".
- 2) the DATE OF EACH SALE, DELIVERY or GIFT.
- 3) the NAME, LICENSE NUMBER, and BUSINESS ADDRESS of the purchaser, donee, or person to whom the explosives were delivered and the firm, if any, represented by such person.
- 4) the NAME, ADDRESS, and LICENSE NUMBER of the person TAKING THE EXPLOSIVES AWAY from the seller or donor.

SH-862 (5-98)



Clayton (near 1000 Island/Hart Hotel)

On the new Fixed-wave Attenuator structure (approx. 300 ft long)

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF
Correspondence To
ATF - Chief, FELC
244 Needy Road
Martinsburg, WV 25405-9431

License/Permit
Number

6-NY-069-24-4K-00339

Chief, Federal Explosives Licensing Center (FELC)

Expiration
Date

October 1, 2024

Name
YOUNG EXPLOSIVES CORP

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

2165 NEW MICHIGAN ROAD
CANANDAIGUA, NY 14424-0000

Type of License or Permit

24-IMPORTER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

YOUNG EXPLOSIVES CORP
PO BOX 18653
ROCHESTER, NY 14618-0000

Licensee/Permittee Responsible Person Signature

James R. Young

Printed Name

President

Position/Title

11/4/2021

Date

Previous Edition is Obsolete

YOUNG EXPLOSIVES CORP 2165 NEW MICHIGAN ROAD 14424-0000 6-NY-069-24-4K-00339 October 1, 2024-24-IMPORTER OF EXPLOSIVES

ATF Form 5400.14/5400.15 Part I
Revised September 2011

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

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Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

Cut Here ✂

(Continued on reverse side)

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: YOUNG EXPLOSIVES CORP

Business Name:

License/Permit Number: 6-NY-069-24-4K-00339

License/Permit Type: 24-IMPORTER OF EXPLOSIVES

Expiration: October 1, 2024

Please Note: Not Valid for the Sale or Other Disposition of Explosives.