

Town Supervisor
Lance Peterson
Town Board Members
Kenneth Knapp
Donna J. Patchen
James Kenney
Kathleen LaClair



Town of Clayton
405 Riverside Drive
Clayton, New York 13624
Telephone: (315) 686-3512
Fax: (315) 686-2651
www.townofclayton.com

Town Clerk
Megan Badour

TOWN BOARD WORKSHOP MEETING AGENDA

Wednesday, June 28, 2023 • 5:00pm • Cerow Recreation Park Arena

1. Pledge of Allegiance

2. Town Board Workshop Meeting

A. Guests:

B. Town Clerk

- i. Correspondence that needs recording
- ii. Minutes from 6/14/2023 Regular Meeting

C. Public: Comment on Agenda Items

D. Workshop Discussion Items

- i. LWRP Resolution
- ii. 2022 AUP Acknowledgement
- iii. Poker Run Fireworks Permit
- iv. Chamber July 3rd Fireworks Permit
- v. Equipment Sale Update
- vi. Jefferson County Snow & Ice Agreement Status
- vii. Reminder Planning Board Meeting on Solar 7/6/23 @7pm
- viii. Joint Town/Village Board meeting rescheduled to 9/27/23 @5pm Cerow Rec Park
- ix. NYSAA Nomination

E. Public: Comment on Agenda Items

3. Adjournment

Next Board Meeting: *Wednesday, July 12, 2023 @ 5:00pm at Cerow Recreation Park Arena*



MORTON SALT

June 14, 2023

New York OGS
Bid Participant

From: Morton Salt, Inc.

RE: New York State Buy American Salt Act

Dear Customer,

As you may know, the State of New York recently passed the New York state buy American salt act (the "Act"). The Act was passed to benefit salt companies with mines located in the United States. Despite our ownership of multiple domestic mines, Morton does not support a law that enables the State to manipulate competitive markets in a manner that singularly benefits the owners of the salt mines in New York.

The Act authorizes governmental purchasers of road salt in the State to pay up to 10% more for salt made in the United States than salt made in other countries like Canada. Morton does not believe that paying a premium for commoditized rock salt is in the best interest of the participants on the State bid. This translates into you, the customer, having to pay a higher price.

Morton supplies road salt to the State from its salt mine in Chile. An unequal playing field, including the inability to compete effectively that with a 10% preference awarded to local salt producers, may cause salt producers like Morton to choose not to bring salt into the State. This would lead to you, the customer, receiving even higher pricing due to the lack of competition.

Our company has the most comprehensive salt production and distribution network in the United States, and we have done business with the State for decades. It is unrealistic to believe one or two domestic salt producers can reliably service the entire State, and this certainly could not be achieved in a cost-effective manner that protects local budgets and taxpayers.

We encourage you to not participate on the State contract, and to instead facilitate your own road salt bid. By doing so, you will be able to take advantage of competitive pricing and continue to pay the lowest price without sacrificing supply reliability.

Sincerely,
Morton Salt

Brookfield

Brookfield Renewable
Erie Boulevard Hydropower, L.P.
33 West 1st Street South
Fulton, New York 13069

Tel 315.593.3118
Fax 315.598.4831
www.brookfieldrenewable.com

June 12, 2023

Via Electronic Filing

The Honorable Kimberly D. Bose
Secretary
Federal Energy Regulatory Commission
888 First Street, N.E.
Washington, D.C. 20426

**SUBJECT: Beaver River Hydroelectric Project (FERC No. 2645)
Black River Hydroelectric Project (FERC No. 2569)
Beebee Island Hydroelectric Project (FERC No. 2538)
Initial Study Report**

Dear Secretary Bose:

Erie Boulevard Hydropower, L.P. (Erie), a Brookfield Renewable company, is the Licensee, owner, and operator of the Black River Project (P-2569), Beebee Island Project (P-2538), and Beaver River Project (P-2645), collectively referred to as the “Projects”. The Projects were relicensed by the Federal Energy Regulatory Commission (FERC or Commission) in 1996 and these licenses expire in 2026. The Black River Project and Beebee Island Project are located along the Black River in Jefferson County, New York. The Beaver River Project is located along the Beaver River in Herkimer County and Lewis County, NY. In support of preparing an application for new licenses for the Projects, Erie has elected to use the Integrated Licensing Process (ILP), as defined in 18 Code of Federal Regulations (C.F.R.) Part 5 of the Commission’s regulations. Erie filed a Pre-Application Document (PAD) and associated Notices of Intent (NOIs) with the Commission on July 30, 2021 to initiate the ILP.

Erie has been conducting studies as required in the Commission’s June 28, 2022 Study Plan Determination for the Project. The ISR describes Erie’s overall progress in implementing the study plan and schedule, summarizes available data, and describes any variances from the study plan and schedule approved by the Commission. While fieldwork, data processing, and laboratory analyses are ongoing for several studies, Erie is filing four individual study reports as appendices to the ISR. These reports include the:

- Aquatic Mesohabitat Assessment and Mapping Study Report
- Black River Development Walleye Spawning Study Report
- Level 1 Whitewater Study Report
- Aesthetic Resources Study Report

A copy of the public information within the ISR may be obtained electronically through FERC's eLibrary system at <https://elibrary.ferc.gov/idmws/search/fercgensearch.asp> under any of the Projects' docket numbers (P-2645, P-2569, and P-2538). The ISR provides an anticipated schedule for the remaining individual study reports as well as upcoming ILP milestones.

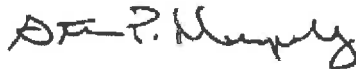
The Commission's regulations at 18 C.F.R. § 5.15(c)(2) require Erie to hold an ISR Meeting with interested parties and FERC staff within 15 days of filing the ISR. Accordingly, Erie will hold an ISR Meeting from 9 AM to 4 PM on June 27, 2023, at the Croghan Fire Hall located at 6680 Fire Hall Street in Croghan NY, 13327. A meeting agenda is provided in Appendix A of the ISR.

To allow for adequate planning, Erie respectfully requests that those planning on attending the ISR Meeting or site visits to RSVP by emailing Kelsey Iffert with HDR at Kelsey.Iffert@hdrinc.com on or before June 20, 2023.

Pursuant to 18 C.F.R. § 5.15(c)(3), Erie will file an ISR Meeting Summary with the Commission within 15 days of the ISR Meeting (on or before July 10, 2023). Within 30 days of the filing of the ISR Meeting Summary (on or before August 9, 2023), stakeholders may file a disagreement with the summary and/or any proposals to modify ongoing studies or for new studies with the Commission.

Erie looks forward to working with the Commission, agencies, Indian tribes, local governments, and members of the public to timely develop a license application and supporting documents that fully meet regulatory requirements during the relicensing phase of the Projects. If you have questions or require additional information, please feel free to contact me at (315) 598-6130.

Sincerely,



Steven P. Murphy
Director, Licensing
Brookfield Renewable

Enclosures

cc: Attached Distribution List

**Black River Hydroelectric Project (FERC No. FERC 2569)
Beebee Island Hydroelectric Project (FERC No. 2538)
Beaver River Hydroelectric Project (FERC No. 2645)
Distribution List**

Federal Agencies

Bureau of Indian Affairs
Office of Trust Responsibilities
1849 C St. NW
Room 4600
Washington, DC 20240

Kimberly Bose
Secretary
Federal Energy Regulatory Commission
888 First Street NE
Washington, DC 20426

John Spain
Regional Engineer
Federal Energy Regulatory Commission
Division of Dam Safety and Inspections
New York Regional Office
19 West 34th Street
Suite 400
New York, NY 10001-3006

Mark Austin
Environmental Scientist
U.S. Environmental Protection Agency,
Region 2
290 Broadway
New York, NY 10007-1866

John Wiley
Fish & Wildlife Biologist
U.S. Fish & Wildlife Service
New York Field Office, Region 5
3817 Luker Road
Cortland, NY 13045

Ian Drew
Field Office Supervisor
U.S. Fish and Wildlife Service
New York Field Office, Region 5
3817 Luker Road
Cortland, NY 13045

Arianna Ramirez
U.S. Fish and Wildlife Service
New York Field Office, Region 5
3817 Luker Road
Cortland, NY 13045

State Agencies

Matthew Maraglio
Coastal Review Specialist
New York Department of State
NYS Coastal Management Program
Consistency Review Unit
99 Washington Avenue
One Commerce Plaza, Suite 1010
Albany, NY 12231

Kristen Cady-Poulin
Environmental Analyst
New York State Department of Environmental
Conservation
Division of Environmental Permits
625 Broadway
Albany, NY 12233

Jessica Hart
New York State Department of Environmental
Conservation
Region 6
317 Washington Street
Watertown, NY 13601

Chris Hogan
New York State Department of Environmental
Conservation
625 Broadway
Albany, NY 12233-1500

Jana Lantry
Aquatic Biologist 2, Region 6 Fisheries
Manager
New York State Department of Environmental
Conservation
Division of Fish and Wildlife
317 Washington Street
5th Floor
Watertown, NY 13601

Dick McDonald
New York State Department of Environmental
Conservation
Region 6
317 Washington Street
Watertown, NY 13601

**Black River Hydroelectric Project (FERC No. FERC 2569)
Beebee Island Hydroelectric Project (FERC No. 2538)
Beaver River Hydroelectric Project (FERC No. 2645)
Distribution List**

Kara E. Paulsen, Esq.
New York State Department of Environmental
Conservation
Office of General Counsel
625 Broadway
14th Floor
Albany, NY 12233-1500

Terry Tyoe
Regional Permit Administrator
New York State Department of Environmental
Conservation
Region 6
317 Washington Street
Watertown, NY 13601

Kenneth Bibbins
Regional Director
New York State Department of Transportation
Region 7
317 Washington Street
Watertown, NY 13601

Daniel Mackay
Deputy Commissioner
New York State Office of Parks, Recreation &
Historic Preservation
Peebles Island Resource Center
PO Box 189
Waterford, NY 12188

NYS Adirondack Park Agency
PO Box 99
1133 NYS Route 86
Ray Brook, NY 12977

Jennifer Harvill
Community and Regional Projects Director
NYS Tug Hill Commission
Dulles State Office Building
317 Washington St.
Watertown, NY 13601

Katie Malinowski
Executive Director
NYS Tug Hill Commission
Dulles State Office Building
317 Washington St.
Watertown, NY 13601

NYS Tug Hill Commission
River Area Council of Governments
317 Washington St.
Watertown, NY 13601

NYS Tug Hill Commission
Dulles State Office Building
317 Washington St.
Watertown, NY 13601

Samantha Nyer
Physical Scientist, Environmental Reviews
U.S. Environmental Protection Agency,
Region 2
Strategic Programs, Office of the Regional
Administrator

Municipalities and Government Officials

Ann Saunders
Clerk
City of Watertown
245 Washington Street
Watertown, NY 13601

Jeffrey Smith
Mayor
City of Watertown
245 Washington Street
Watertown, NY 13601

Fort Drum
Public Affairs
10000 10th Mountain Division Drive
Watertown, NY 13602

Vincent J. Bono
Chairman
Herkimer County
109 Mary Street
Suite 1310
Herkimer, NY 13350

Herkimer County Chamber of Commerce
420 East German Street
Suite 1, Box 7
Herkimer, NY 13350

**Black River Hydroelectric Project (FERC No. FERC 2569)
Beebe Island Hydroelectric Project (FERC No. 2538)
Beaver River Hydroelectric Project (FERC No. 2645)
Distribution List**

John J. Piseck, Jr.
Executive Director
Herkimer County Industrial Development
Agency
420 East German Street
Suite 101A
Herkimer, NY 13350

Herkimer County Soil and Water Conservation
District
5653 State Route 5
Herkimer, NY 13350

Hudson River-Black River Regulating District
317 Washington Street
Suite 612
Watertown, NY 13601

Robert F. Hagemann, III
County Administrator
Jefferson County
195 Arsenal Street
2nd Floor
Watertown, NY 13601

Gizelle Meeks
County Clerk
Jefferson County
175 Arsenal Street
1st Floor
Watertown, NY 13601

Jefferson County Economic Development
800 Starbucks Avenue
Suite 800
Watertown, NY 13601

Jefferson County NY Chamber of Commerce
175 Arsenal Street
Watertown, NY 13601

Jefferson County NYS Soil and Water
Conservation District
25451 State Route 12
Watertown, NY 13601

Jake Moser
Clerk
Lewis County
7660 N. State Street
Lowville, NY 13367

Lewis County
Department of Planning
7660 N. State Street
Lowville, NY 13367

Lewis County Chamber of Commerce
7551 South State Street
Lowville, NY 13367

Brittany Davis
Executive Director
Lewis County NY Economic Development
PO Box 106
Lowville, NY 13367

Nichelle Swisher
District Manager
Lewis County Soil and Water Conservation
District
5274 Outer Stowe St.
Suite #1
Lowville, NY 13367

David Kellogg
Supervisor
Town of Adams
3 South Main Street
Adams, NY 13605

MaryLou Knapp
Town Clerk
Town of Adams
3 South Main Street
Adams, NY 13605

Richard Lane
Supervisor
Town of Brownville
16431 Star School House Road
Dexter, NY 13634

June McCartin
Town Clerk
Town of Brownville
16431 Star School House Road
Dexter, NY 13634

Brian Peck
Supervisor
Town of Champion
10 N. Board Street
Carthage, NY 13619

**Black River Hydroelectric Project (FERC No. FERC 2569)
Beebee Island Hydroelectric Project (FERC No. 2538)
Beaver River Hydroelectric Project (FERC No. 2645)
Distribution List**

Lance Peterson, Sr.
Supervisor
Town of Clayton
405 Riverside Dr.
Clayton, NY 13624

Megan E. Simpson
Town Clerk
Town of Croghan
9882 State Rt 126, Ste. A
Castorland, NY 13620

Scott Doyle
Supervisor
Town of Denmark
3707 Roberts Road
Carthage, NY 13619

Prudence Greene
Clerk
Town of Denmark
3707 Roberts Road
Carthage, NY 13619

Ronald Taylor
Town Supervisor
Town of LeRay
8650 Leray Street
Evans Mills, NY 13637

Melissa Verne
Clerk
Town of LeRay
8650 Leray Street
Evans Mills, NY 13637

Peter Keys
Supervisor
Town of New Bremen
8420 State Rte. 812
Lowville, NY 13367

Scott Allen
Supervisor
Town of Pamela
25859 State Route 37
Watertown, NY 13601

Gary Eddy
Supervisor
Town of Rutland
28411 NYS Route 126
Black River, NY 13612

Joel Bartlett
Supervisor
Town of Watertown
22867 County Route 67
Watertown, NY 13601

Jeffery Hoch
Supervisor
Town of Watson
6971 Number Four Road
Lowville, NY 13367

Bonnie Baker
Supervisor
Town of Webb
PO Box 157
Old Forge, NY 13420

Paul Smith
Town Supervisor
Town of Wilna
414 State Street
Carthage, NY 13619

Francis Dishaw
Mayor
Village of Black River
107 Jefferson Place
Black River, NY 13612

Michael Astafan
Village Board President
Village of Carthage
120 South Mechanic Street
Carthage, NY 13619

Robin Grunert
Village Clerk
Village of Castorland
PO Box 104
Castorland, NY 13620

**Black River Hydroelectric Project (FERC No. FERC 2569)
Beebee Island Hydroelectric Project (FERC No. 2538)
Beaver River Hydroelectric Project (FERC No. 2645)
Distribution List**

Mervin Moser
Mayor
Village of Castorland
4928 State Route 410
Castorland, NY 13620

Helen Pais
Village Clerk
Village of Deferiet
PO Box 206
Deferiet, NY 13628

Janet Zando
Mayor
Village of Deferiet
PO Box 206
Deferiet, NY 13628

Scott Burto
Mayor
Village of West Carthage
61 High Street
Carthage, NY 13619

Tiffany Queary
Village Clerk
Village of West Carthage
61 High Street
West Carthage, NY 13619

Native American Tribes

Clint Halftown
Nation Representative
Cayuga Nation of New York
2540 State Route 89
P.O. Box 803
Seneca Falls, NY 13148

Deborah Dotson
President
Delaware Nation
P.O. Box 825
Anadarko, OK 73005

Carissa Speck
Director
Delaware Nation
Cultural Resources/106 Archives, Library and
Museum
P.O. Box 825
Anadarko, OK 73005

Brad KillsCrow
Delaware Tribe
Chief
5100 Tuxedo Boulevard
Bartlesville, OK 74006

Mohawk Nation Council of Chiefs
PO Box 366
Roosevelt, NY 13683

Ray Halbritter
Nation Representative
Oneida Indian Nation
2037 Dream Catcher Plaza
Oneida, NY 13421

Chief
Onondaga Nation of New York
P.O. Box 319-B
Nedrow, NY 13120

Saint Regis Mohawk Tribe
Tribal Council
71 Margaret Terrance Memorial Way
Akwesasne, NY 13655

Rickey Armstrong, Sr.
President
Seneca Nation of Indians
90 Ohi:yo' Way
Allegany Territory
Salamanca, NY 14779

Seneca-Cayuga Nation
23701 S. 655 Road
Grove, OK 74344

Seneca-Cayuga Nation
P.O. 453220
Grove, OK 74344

Council of Trustees
Shinnecock Indian Nation
Tribal Office
PO Box 5006
Southampton, NY 11969

Black River Hydroelectric Project (FERC No. FERC 2569)
Beebee Island Hydroelectric Project (FERC No. 2538)
Beaver River Hydroelectric Project (FERC No. 2645)
Distribution List

Bonney Hartley
Tribal Historic Preservation Manager
Stockbridge-Munsee Community Band of
Mohican Indians
86 Spring Street
Williamstown, MA 01267

Roger Hill
Chief
Tonawanda Band of Seneca
7027 Meadville Road
Basom, NY 14013

Tom Johnathan
Chief
Tuscarora Nation of New York
5226 Walmore Road
Lewistown, NY 14092

Harry Wallace
Chief
Unkechaug Indian Nation
207 Poospatuck Lane
Mastic, NY 11950

Non-governmental Organizations

Adirondack River Outfitters
PO Box 649
Old Forge, NY 13420

Bob Nasdor
NE Stewardship Director
American Whitewater
365 Boston Post Road
Suite 250
Sudbury, MA 01776

Mike Judd
Executive Director
Beaver Camp
8884 Buck Point Road
Lowville, NY 13367

William Mueller
Beaver Lake Shoreowner
7575 Cascade Avenue
Lowville, NY 13367

BOB Rafting
124 William Street
Dexter, NY 13634

William Wellman
Trout Unlimited
7 Helen Street
Plattsburg, NY 12901

Whitewater Challengers
18013 State Route 12F
Dexter, NY 13634

Edward Earl
27 Utica Street
Clinton, NY 13326



**Environmental
Facilities Corporation**

Register Now for a Virtual Q&A Session with the Community Assistance Teams on Friday, June 30

EFC's Community Assistance Teams are hosting a virtual O&A session from 11 a.m. to noon on Friday, June 30. We invite small, rural, and disadvantaged communities to join us and connect with program experts who can help address your community's water infrastructure needs.

EFC will be joined by partners from the Departments of Environmental Conservation, State, Health, and Homes and Community Renewal. Staff members from each agency will be available to answer program questions that you may have. [Please register in advance.](#)

These virtual sessions are being held monthly. The Community Assistance Teams initiative was launched under the leadership of Governor Kathy Hochul to connect communities to state and federal funding for water infrastructure. Communities can also request a meeting in person or virtually at efc.ny.gov/cat.

Please email efc.dl.communityassistance@efc.ny.gov for questions about the Community Assistance Teams initiative or the virtual event.

REGISTER

NYS Environmental Facilities Corporation | 625 Broadway, Albany, NY 12207

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From: **Spectrum.Government.Affairs** <Spectrum.Government.Affairs@charter.com>

Date: Thursday, June 22, 2023

Subject: [EXTERNAL] Charter Communications Policy Update: June 2023

To:

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NEWS & UPDATES | JUN 21, 2023



Camille Joseph, Group Vice President
State Government Affairs, Northeast Region

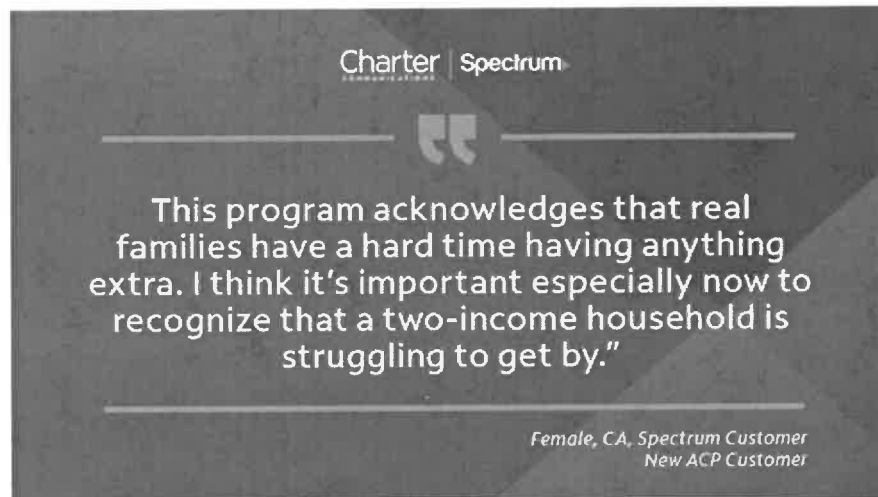
JUNE 2023

Help Millions of Americans Get and Stay Connected

Even before COVID-19, there was bipartisan consensus around the policies needed to finally close the digital divide: (1) Expand high-quality internet networks to reach unserved rural areas; and (2) Help low-income families obtain the service, devices, and skills needed to get online. Private companies and public officials should be proud of the difference they've already helped make – individual lives changed, rural towns given new opportunities to compete, and entire communities reaping the rewards.

As we look to 2024, significant funding will become available to deploy broadband to reach more unserved Americans. But unfortunately, ACP funding is expected to be exhausted around the same time, **putting connectivity for nearly 18 million families in need at risk**. There are

many reasons for Congress to reauthorize and extend this program, but the impact on individuals is one of the most compelling.



We urge Congress to re-fund the program to:

1. Empower millions of families in need to maintain the connectivity helping to improve their economic, educational, and health outcomes.
2. Make broadband deployment programs, like BEAD, more efficient.
3. Ensure ACP remains as a model of public-private partnership, leveraging the best business expertise driven by consumer choice.
4. Build on recent progress, enabling even more Americans to get connected.

[Read more...](#)



Delivering the Fastest Internet and Wi-Fi in the Nation

Our highest priority is providing our customers with quality connectivity products and services and **Spectrum Internet® delivers the fastest internet and Wi-Fi in the nation** according to analysis by Ookla® of Speedtest Intelligence® data. [1]



SPECTRUM INTERNET
DELIVERS THE
FASTEST SPEEDS
IN THE NATION



SPECTRUM ADVANCED WIFI
DELIVERS THE
FASTEST SPEEDS
IN THE NATION

Today, Spectrum's established and robust network offers Gigabit-speed connections with starting speeds of 300 Mbps across our entire footprint – all with no modem fees, no data caps, and no contracts.

And we're just getting started – Charter recently initiated a network evolution project that **will deliver symmetrical and multi-gigabit-speeds across its entire footprint**, which it expects to be substantially completed by the end of 2025.

[1] Based on analysis by Ookla® of Speedtest Intelligence® data nationally aggregated median download speeds for Q1 2023. Ookla trademarks used under license and reprinted with permission.

[Read more...](#)



Charitable Investments for the Arts in the Communities We Serve

At Charter, we value the opportunity to give back to the communities we serve. And by supporting local arts programs through charitable donations

and sponsorships, Charter helps strengthen programs that play a vital role in the cultural and economic fabric of those communities.

Over the years, Charter has partnered with Ovation TV, America's premier arts network, to award **60 grants totaling \$600,000** toward arts education in the areas we operate. This year alone, we're presenting **\$100,000 to 10 incredible local organizations** through the Stand for the Arts program:

- **Central Music Academy**, Lexington, KY
- **Donkey Mill Art Center**, Hōlualoa, HI
- **Duluth Arts Institute**, Duluth, MN
- **Durango Arts Center**, Durango, CO
- **Greater Dallas Youth Orchestra**, Dallas, TX
- **Ifetayo Cultural Arts Academy**, Brooklyn, NY
- **Latino Theater Company**, Los Angeles, CA
- **Madison Youth Arts Center**, Madison, WI
- **Park Playhouse / Playhouse Stage Company**, Cohoes, NY
- **Prodigy Arts Program**, Tampa, FL

Last year, we partnered with AXS TV to launch the Band Together for Music Education initiative to **uplift local music education groups with \$50,000 in grants** to improve music education in communities served by Charter. **Each of these five great organizations were given \$10,000:**

- **Heart of LA – HOLA**, Los Angeles, CA
- **Eastmoor Academy**, Columbus, OH
- **Dr. Billy E. Dade Middle School**, Dallas, TX
- **Prine Elementary**, Bradenton, FL
- **Rochdale Early Advantage Charter School (REACS)**, Jamaica, NY

Charter continues to support initiatives that enrich communities — all while promoting cultural diversity and creativity and contributing to the well-being of the communities where our employees and customers live and work.

Through our support of the arts, we are bolstering the great work that many organizations are doing in these spaces.

[Read more...](#)



|LIST:ADDRESS|
|LIST:DESCRIPTION|
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From: **Tokio Marine HCC - Public Risk Group** <publicriskmanagement@tmhcc.com>

Date: Friday, June 23, 2023

Subject: Federal Safe Streets and Roads Grant Program Now Open

To: townclerk@townofclayton.com



TOKIO MARINE
HCC

Local Government Bulletin

June 2023

Federal "Safe Streets and Roads for All" Grant Opportunity

The U.S. Department of Transportation (DOT) has opened the process to apply for grants to fund local projects that improve roadway safety.

Cities, towns and counties are eligible to apply.

Applications must be submitted by 5 p.m. EDT on Monday, July 10, 2023.

Safe Streets and Roads for All was created to help communities plan and carry out projects that help reduce the number of deaths and serious injuries on streets and roads.

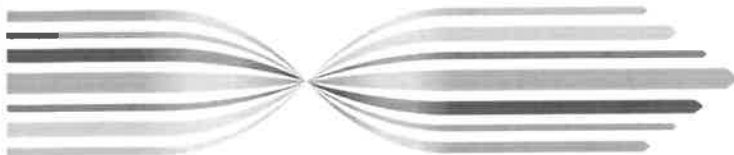
This includes funding targeted toward known high-crash areas, which can be identified using an interactive tool created by the DOT.

Locally driven solutions can include everything from improving sidewalks and adding high-visibility crosswalks, to reconfiguring intersections.

Safe Streets and Roads for All Notice of Funding Opportunity

Risk Management Questions?

Contact your Tokio Marine HCC - Public Risk Group Risk Control Representative.



[TMHCC - Public Risk Group](#) | [Contact Us](#)

Town of Clayton Regular Meeting Minutes

Wednesday, June 14, 2023

The Town Board of the Town of Clayton held their regular meeting at 5:00 PM, at the Cerow Rec Park Arena, 600 Eastline Rd. Clayton, NY 13624

The following persons attended:

Lance Peterson	Kenneth Knapp	Megan Badour	James Kenney
Donna Patchen	Pamela McDowell	Steve Dorr, Sr.	Francis Doheny
Mary Zovistoski	John Yost	John Forkey	Kevin Forkey

1. Pledge of Allegiance: Supervisor Peterson opened the meeting with the Pledge of Allegiance

2. Guests: N/A

3. Town Clerk:

A. Correspondence:

1. Draft NYS State Solid Waste Management Plan (see attached)
2. Staples Commercial More Account (see attached)
3. Jefferson County Department of Planning (see attached)
4. ATIS Elevator Inspections (see attached)
5. Application for Subdivision – Hall (see attached)
6. Charter Communications (see attached)

B. Minutes:

1. Minutes from 5/24/2023 Regular Meeting to be approved. Motion made by Donna Patchen, seconded by Kenneth Knapp. **Motion carried.**

4. Public: No comment on agenda items.

5. General Discussion Items:

A. Bills and Transfers:

i. Abstract #6 of 2023

Motion was made by Kenneth Knapp, seconded by James Kenney, to approve Abstract #6, in the amount of \$288,169.87. **Motion carried.**

ii. Transfers: N/A

iii. Budget Amendment: N/A

iv. New Accounts/Special Entries: N/A

B. Supervisor's Report & Bank Reconciliations:

Motion was made by James Kenney, seconded by Donna Patchen to approve this for May 2023.

Motion carried.

C. Balance Sheets: May 2023

D. Resignations; Appointments & Rate Changes:

i. Resignations: N/A

ii. Positions/Appointments:

Motion was made to hire Lifeguard, Bailey Drake, 1st year, \$15.00/hr. effective 6/24/2023 by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**

iii. Rate Changes: N/A

E. Training:

Annual Training Due reminder to those yet to take it.

F. Solar Projects:

Announcement was made that on July 6, 2023 @ 7:00 pm Legal Council will be present at the Planning Board Meeting to discuss the regional solar projects. Board members and the public are encouraged to attend to become informed of the local impact.

G. Sale of Equipment:

Motion was made by Kenneth Knapp, seconded by James Kenney to pursue the auctioning of a 2010 Chevy pick-up truck; a 2008 GMC pick-up truck; and a 2006 Chevy pick-up truck. **Motion carried.**

H. Grindstone Board Meeting 7/26/23:

Motion made by Kenneth Knapp, seconded by Donna Patchen to approve the July 26, 2023 Board Meeting to take place at Dodge Hall on Grindstone @ 5:00 pm. **Motion carried.** Boat transportation to the meeting will be provided and will leave the Village of Clayton Riverside Drive dock at 4:30 PM. Any persons requiring special accommodations to attend said meeting should notify the Town Clerk three (3) business days prior to the meeting.

I. Lease Agreement:

Motion made by James Kenney, seconded by Kenneth Knapp to approve the lease of the Village space for court justice for the term of 5 years. **Motion carried.** (See attached)

6. Supervisor's Report: N/A

7. Department Head Reports:

A. Highway Superintendent: Steve Dorr- Crew has completed work on Grindstone. The septic at the schoolhouse, docks and ramp are complete. Additional work to finish up at the docks upon delivery of materials. Work will commence on Black Creek Road next week.

B. Buildings & Grounds: James Jones- Compactor has been repaired and is functioning well. Food & Wine Show this past weekend was a large success. A filter has been added to the chiller for the brine at the arena. At the docks 3 of the 5 employees are now focusing their efforts there. A sailboat did damage at the docks but it was minimal and repaired with no significant cost. At the town offices, it appears that a faulty sump pump has been the cause of the odor, as this has been repaired, the problem has been alleviated. The pool will open June 25, all staff have been hired and are working on paperwork requirements.

C. Assessor: Alexander Marchenkoff- N/A

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

8. Council Reports

- Councilman Knapp: Story hour has been continuing at the library. There will be a new tin roof completed at the Depauville Library. Food & Wine Show was a success.
- Councilwoman Patchen: Please refer to Buildings & Grounds Report above.
- Councilman Kenney: Reminder of the July 6th Planning Board Meeting to discuss Solar.
- Councilwoman LaClair: Absent

9. Public:

Mary Zovistoski- Ms. Zovistoski presented the Board with a request of a letter of support from the Town in assisting in the completion of a project through Clayton Rotary in collaboration with their Conference

which will be hosted in Clayton in May 2024. The request is specifically for assistance with the completion of the project itself as well as to assist with continuing maintenance for sustainability. The Rotary is proposing additions to the Recreation Park Trail to support Literacy, Nutrition and Fitness. This would include book stations, planting of fruit trees and fitness stations all along this trail which also borders school property making it even more accessible to the desired populations.

John Forkey- Mr. Forkey spoke to the Board with regard to the proposed Solar Project. He expressed that this is the landowner's property, not town property. Additionally, he indicated that this proposal is approximately 9 miles from downtown Clayton. Additionally, he has concern for the cost of the legal fees the town may be incurring.

10. Adjournment:

Motion was made by Kenney Knapp, seconded by Donna Patchen to adjourn at 5:49 PM. **Motion carried.**

Next Meeting: Wednesday, June 28, 2023 at 5:00PM.

RESOLUTION # _____

RESOLUTION SUPPORTING VILLAGE OF CLAYTON EPF 2023 LWRP GRANT APPLICATION

At a regular meeting of the Town Board of the Town of Clayton, Jefferson County, New York, held at _____ in said Town, on the ___th day of _____, 2023.

The following resolution was offered by _____ who moved its adoption, seconded by _____, to wit:

WHEREAS the Joint Town and Village of Clayton Local Waterfront Revitalization Plan was approved in 2013 and needs to be updated,

WHEREAS, the Village of Clayton intends to submit an application for the 2023 CFA NYS Environmental Protection Fund's Local Waterfront Revitalization Program Grant to update the existing LWRP; and

WHEREAS, the 2023 EPF LWRP funding program will reimburse 75% of the cost of the LWPR update

WHEREAS, the Village of Clayton will act as lead municipality for the project

WHEREAS. the Town of Clayton will participate in the process to update the Joint LWRP and share the local match with the Village of Clayton,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Clayton that the Village of Clayton supports the submittal of the 2023 EPF LWRP funding application by the Village of Clayton to update the Joint Town and Village LWRP.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

The resolution was thereupon declared duly adopted.

Dated: _____

(S E A L)

- (F) Rain Date for display: n/a
- (G) If rained out how will fireworks be stored: returned to NNYDF Magazine
- (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.

ALEXANDRA
BUDUSON

Digitally signed by ALEXANDRA
BUDUSON
Date: 2023.03.24 14:25:30 -04'00'

Signature of Event Sponsor/Organization

Date

Allan J LaValley

Digitally signed by Allan LaValley
Date: 2023-03-21

03/21/2023

Signature of Fireworks Operator/Contractor

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: _____

(E) How will fireworks be stored prior to display: Northern NY Display fireworks storage magazine delivered day of event

(F) Rain Date for display: n/a

(G) If rained out how will fireworks be stored: returned to NNYDF Magazine

(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

Signature of Fireworks Operator/Contractor

Date
6/17/2023
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: _____

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
United States Coast Guard
Sector Buffalo

1 Fuhmann Blvd
Buffalo, NY 14203
Phone: (716) 843-9301
Fax: (716) 843-9519
Email: D09-SMB-SECBuffalo-
WWM@uscg.mil

16750/2023-123

June 7, 2023

1000 Islands Charity Corp
ATTN: Robert Cantwell
PO Box 56
Clayton, NY 13624
From CG-4423

Dear Mr. Cantwell,

I received your Application for Marine Event, Form CG-4423 dated March 21, 2023, in which you requested approval for the 1000 Islands Charity Poker Run Fireworks. Fireworks occurring on or adjacent to navigable waterways do not require regatta or marine parade permits. However, based on an evaluation of your application, your event poses extra or unusual hazards with regard to the handling and discharging of class 1.3G explosives (Title 49 Code of Federal Regulations (CFR) parts 171-180, and 33 CFR parts 126 and 160).

The port and waterways operations necessary to conduct the event appropriately permitted by the Town of Clayton, NY, are hereby approved subject to the following conditions:

1. You shall coordinate with local public safety authorities to provide a vessel or other appropriate means to keep unauthorized vessels clear of the fallout area.
2. You shall provide clear and safe passage for non-event vessels or shall not block the navigable channel.

USCG Marine Safety Detachment Massena is dedicated to the safe and secure use of our waterways and the protection of harbors and waterfront facilities. If you have any further questions concerning this event, please contact the Marine Events Coordinator at (315) 769-5483

Please advise the Marine Events Coordinator of any changes to your event plans at least 48 hours before the planned start of the event.

Sincerely,

A handwritten signature in blue ink that reads "Jeff Bybee".

Jeff B. Bybee
Commander, U. S. Coast Guard
By direction

FIREWORKS DISPLAY HOLD HARMLESS AGREEMENT

Town of Clayton

Ref: NY State Penal Law, Article 405.00

Between the Town of Clayton and Allan LaValley - Majestic Fireworks/ Northern NY Display Fireworks
(Print name of Fireworks Contractor)

Witnessed:

1. Allan LaValley (Contractor) agrees to release, indemnify, and hold harmless the Town of Clayton, its officers and employees, from and against any loss, damage of liability, including attorney's fees and expenses, incurred by the latter and their respective employees, agents, or other representatives arising out of or in any manner relating to the manufacture, installation, firing and disassembly of any pyrotechnic equipment or device and / or the supervision and presentation thereof:

2. The applicant (Contractor) has furnished the Certificate of Insurance with limits of liability described below:

- a. Workers Compensation / Employers Liability Unlimited
- b. Automobile Liability: 1,000,000
- c. General Liability: 1,000,000
- d. Umbrella Liability: 4,000,000

A true copy of the Certificate of Insurance is attached indicating the Municipality and applicable associations, recreations, or committees formed by the Municipality to organize the "event" named as additional insured on all liability policies.

Event Name: 1000 ISLANDS CHARITY POKER RUN Date: 7/15/23 Time: 10pm

Rain Date if Applicable: N/A Time: _____

Name of Applicant (Fireworks Contractor / Operator) (print): Allan LaValley

Signature of Applicant (Fireworks Contractor / Operator): Allan LaValley Digitally signed by Allan Lavalley Date: 2023.3.21 Dated: 03/21/2023

Signature of Witness: _____ Dated: _____

Name of Applicant (Event Sponsor/Organization) (print): Alex Buduson / 1000 ISLANDS CHARITY POKER RUN

Signature of Applicant (Event Sponsor/Organization): ALEXANDRA BUDUSON Digitally signed by ALEXANDRA BUDUSON Date: 2023.03.24 14:24:07 -04'00' Dated: _____

Signature of Witness: _____ Dated: _____

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 Alcohol, Tobacco & Firearms (ATF) License & Site Plan for display.



MAJESTIC FIREWORKS, INC./

Northern NY Display Fireworks

17 Sullivan Rd, Potsdam, NY 13676 / 29 College St, Clinton, NY 13323

Weddings, Graduations, Birthday Parties, Town Events,
Firemen Events, Company Events

Contact: AL LAVALLEY

Phone: 315-244-0235

This agreement is entered on the date of 3/13/23 by and between *MAJESTIC FIREWORKS INC. / NNYDF* Therein after called the party of the first part, and 1000 Islands Charity Poker Run, 230 James St, Clayton, NY 13624 hereinafter known as the part of the second part.

Now, therefore, the parties hereto, intending to be legally bound, agree to do as follows:

The party of the first part is to furnish a display of fireworks, to the party of the second part on the date of **July 15, 2023 @ 10:00pm** in the city/village/ or town of Clayton state of NY in a location to be designated by the party of the second part, and approved by the party of the first

SHOOT SITE: on barge off shore of the Harbor Inn Clayton, NY 13624

The party of the first part agrees to all freight and express charges for transportation of fireworks.

The party of the second agrees to supply sand if requested by Majestic Fireworks, Inc.

The party of the first part agrees to help apply for all permits needed, the party of second is responsible for any acknowledgement, inquiries, and cost of said permit, if so applies.

The party of the second part is responsible for clean up of debris fall out if requested by the property owners.
MAJESTIC FIREWORKS, INC IS NOT RESPONSIBLE FOR CLEAN UP

The party of the second agrees that SITE OF SHOOT is a drive to site, if needed –MUST BE MOWED OR PLOWED

The party of the first and second part agree in the event of a postponement of the celebration because of inclement weather the Fireworks display will be held on a rain date set by the party of the second part. If a Rain date is used a fee of 10% of the event will be charged to the second party. RAIN DATE TBD

The part of the first part will provide NYS a certificate of insurance evidencing General Liability and Workers Compensation for the fireworks displays. All individuals/entities listed on the certificate of insurance will be deemed and additional insured per this contract.

All personnel for MAJESTIC FIREWORKS, INC. are ATF CLEARED and NYS CERTIFIED PYROTECHNICIANS

The party of second part will keep public back 400 feet in all directions from fireworks display to protect spectators and motor vehicles. Failure to secure specified area by party of second part shall release the party of the first part of any claims.

The party of second part agrees to pay the party of the first part in case of complete cancellation the amount of 50% of said contract amount; or 75% within 48 hours cancellation of display. Once MAJESTIC FIREWORKS, INC. is on site, the party of the second part agrees to pay the party of the first part 100% of the amount of show.

In witness whereof, the parties have hereunto set their signature on the day and year written above

AMOUNT DUE FOR DISPLAY: \$3,000

BY: 
CUSTOMER SIGNATURE

Please make checks payable to: "Allan LaValley / NNYDF" 
MAJESTIC FIREWORKS, INC

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-089-33-5G-00660
Chief, Federal Explosives Licensing Center (FELC)	<i>Mama Howard</i>	Expiration Date	July 1, 2025
Name	NORTHERN NEW YORK DISPLAY FIREWORKS		

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

**17 SULLIVAN RD
POTSDAM, NY 13676-**

Type of License or Permit

39-USER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferee 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.)

**LAVALLEY, ALLAN J
NORTHERN NEW YORK DISPLAY FIREWORKS
17 SULLIVAN RD
POTSDAM, NY 13676-**

Licensee/Permittee Responsible Person Signature

Position Title

Printed Name

Date

ATF Form 5400.14/5400.15 Part I
Revised September 2011

Previous Edition is Obsolete LAVALLEY, ALLAN J 17 SULLIVAN RD POTSDAM, NY 13676-0000 July 1, 2015 39-USER OF EXPLOSIVES

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 ✕

STATE OF NEW YORK - DEPARTMENT OF LABOR
PYROTECHNICIAN CERTIFICATE OF COMPETENCE

N.Y.S.



ALLAN J LAVALLEY

CLASS: B
NON PROXIMATE AUDIENCE ONLY

THIS CARD MUST BE CARRIED
WHEN USING PYROT CERT# PR-151
EXPIRES 11/24

NYC & NYS CERTIFICATIONS REQUIRED IN NYC

STATE OF NEW YORK - DEPARTMENT OF LABOR
EXPLOSIVES LICENSE - OWN & POSSESS

N.Y.S.



ALLAN J. LAVALLEY
NORTHERN NEW YORK DISPLAY FIRE

THIS CARD MUST BE CARRIED TO
PURCHASE, OWN, POSSESS OR
TRANSPORT EXPLOSIVES

UCF# 4-40426-S
EXPIRES 05/23

NOT VALID IN NEW YORK CITY



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

3/26/2023

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: PHONE (A/C, No, Ext): 216-658-7100	FAX (A/C, No): 216-658-7101
	E-MAIL ADDRESS:	
INSURED Majestic Fireworks Corporation Majestic Fireworks Inc. 29 College Street Clinton NY 13323	INSURER(S) AFFORDING COVERAGE	
	INSURER A : NY State Fund - Liverpool	
	INSURER B : Everest National Insurance Company	
	INSURER C : Everest National Insurance Company	
	INSURER D :	
	INSURER E :	
INSURER F :		NAIC # 10120

COVERAGES

CERTIFICATE NUMBER: 1496276407

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 INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
C	GENERAL LIABILITY <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"/> PRO-JECT <input type="checkbox"/> LOC	Y	Y	S18ML001177-221	8/1/2022	8/1/2023	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 \$
B	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 UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$	Y	Y	S18ML001177-221	8/1/2022	8/1/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ EACH OCCURRENCE \$ AGGREGATE \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	S1383756-2	4/10/2022	4/10/2023	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ Unlimited E.L. DISEASE - EA EMPLOYEE \$ Unlimited E.L. DISEASE - POLICY LIMIT \$ Unlimited

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Additional Insured extension of coverage is provided by above referenced General Liability policy where required by written agreement.
 Date of Display: 7/15/2023
 Additional Insured: 1000 Islands Charity Poker Run, 230 James St, Clayton NY 13624
 Village of Clayton 425 Mary St, Clayton, NY 13624
 Town of Clayton, 517 Riverside Drive, Clayton, NY 13624
 Clayton Chamber of Commerce 517 Riverside Dr Clayton 13624

CERTIFICATE HOLDER**CANCELLATION**

1000 Islands Charity Poker Run
 230 James St
 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

© 1988-2010 ACORD CORPORATION. All rights reserved.

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: 5-30-23

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

Event Sponsor/Organization: Clayton Chamber of Commerce

Address: 517 Riverside Dr. Clayton NY 13024

Phone: 315-686-3771 Contact Person: Tricia Bannister

TO BE COMPLETED BY THE FIREWORKS SHOW CONTRACTOR:

Company Name: Young Explosives Corporation

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

Phone: (585) 394-1783 Contact Person: James Young

NYS Dept. of Labor Explosives Licence# D-2316 Expires: 03/31/2024

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

Name	Certificate #	Expires
<u>James Young</u>	<u>PR-77</u>	<u>10/2024</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>Brian Young</u>	<u>Over age of 18</u>	<u>(585) 394-1783</u>
<u>David Simon</u>	<u>PR-701</u>	<u>04/2026</u>

(Continue on a separate sheet, if necessary).

(B) Display Date/Time: _____ **Expected Duration:** 15-20 min

(C) Display Location: Barge on river

(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: Approximately 350 miscellaneous 1.3G and 1.4G shells with the largest shell size of 5" (350' fallout radius)

(E) How will fireworks be stored prior to display: Fireworks arrive/depart with Young Explosives Crew

(F) Rain Date for display: N/A

(G) If rained out how will fireworks be stored: Fireworks arrive/depart with Young Explosives Crew

(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

5-30-23
Date


Signature of Fireworks Operator/Contractor

June 9, 2023
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: _____

SH-862 (3/22)
DIVISION OF SAFETY HEALTH
LICENSE AND CERTIFICATE UNIT
STATE OFFICE CAMPUS, BLDG. 1
ALBANY, NY 12226

WE ARE YOUR DOL



Expires: 3/31/2024
THIS LICENSE MUST BE
POSTED IN YOUR PLACE
OF BUSINESS

License No. D-2316

LICENSE TO DEAL IN OR MANUFACTURE EXPLOSIVES

Young Explosives Corporation
PO Box 18653
Rochester, NY 14618
James R. Young

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.

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, and quantity is 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, donor, 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.


Amy Phillips, Director

FOR THE COMMISSIONER OF LABOR

CERTIFICATE OF WORKERS' COMPENSATION INSURANCE (RENEWED)

***** 160900107
YOUNG EXPLOSIVES CORP
P O BOX 18653
ROCHESTER NY 14618



SCAN TO VALIDATE
AND SUBSCRIBE

POLICYHOLDER YOUNG EXPLOSIVES CORP P O BOX 18653 ROCHESTER NY 14618		CERTIFICATE HOLDER YOUNG EXPLOSIVES CORPORATION PO BOX 18653 ROCHESTER NY 14618-1461	
POLICY NUMBER R 400 999-9	CERTIFICATE NUMBER 663648	POLICY PERIOD 01/01/2023 TO 01/01/2024	DATE 1/3/2023

THIS IS TO CERTIFY THAT THE POLICYHOLDER NAMED ABOVE IS INSURED WITH THE NEW YORK STATE INSURANCE FUND UNDER POLICY NO. 400 999-9, COVERING THE ENTIRE OBLIGATION OF THIS POLICYHOLDER FOR WORKERS' COMPENSATION UNDER THE NEW YORK WORKERS' COMPENSATION LAW WITH RESPECT TO ALL OPERATIONS IN THE STATE OF NEW YORK, EXCEPT AS INDICATED BELOW, AND, WITH RESPECT TO OPERATIONS OUTSIDE OF NEW YORK, TO THE POLICYHOLDER'S REGULAR NEW YORK STATE EMPLOYEES ONLY.

IF YOU WISH TO RECEIVE NOTIFICATIONS REGARDING SAID POLICY, INCLUDING ANY NOTIFICATION OF CANCELLATIONS, OR TO VALIDATE THIS CERTIFICATE, VISIT OUR WEBSITE AT [HTTPS://WWW.NYSIF.COM/CERT/CERTVAL.ASP](https://www.nysif.com/cert/certval.asp). THE NEW YORK STATE INSURANCE FUND IS NOT LIABLE IN THE EVENT OF FAILURE TO GIVE SUCH NOTIFICATIONS.

THIS POLICY DOES NOT COVER CLAIMS OR SUITS THAT ARISE FROM BODILY INJURY SUFFERED BY THE OFFICERS OF THE INSURED CORPORATION.

PRESIDENT
JAMES YOUNG
1 OF 1 EXECUTIVE OFFICER OF
YOUNG EXPLOSIVES CORP

THE POLICY INCLUDES A WAIVER OF SUBROGATION ENDORSEMENT UNDER WHICH NYSIF AGREES TO WAIVE ITS RIGHT OF SUBROGATION TO BRING AN ACTION AGAINST THE CERTIFICATE HOLDER TO RECOVER AMOUNTS WE PAID IN WORKERS' COMPENSATION AND/OR MEDICAL BENEFITS TO OR ON BEHALF OF AN EMPLOYEE OF OUR INSURED IN THE EVENT THAT, PRIOR TO THE DATE OF THE ACCIDENT, THE CERTIFICATE HOLDER HAS ENTERED INTO A WRITTEN CONTRACT WITH OUR INSURED THAT REQUIRES THAT SUCH RIGHT OF SUBROGATION BE WAIVED.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS NOR INSURANCE COVERAGE UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICY.

BY CAUSING THIS CERTIFICATE TO BE ISSUED TO THE CERTIFICATE HOLDER, THE POLICYHOLDER UNDERTAKES TO PROVIDE THE CERTIFICATE HOLDER 5 CALENDAR DAYS' NOTICE OF ANY CANCELLATION OF THE POLICY.

NEW YORK STATE INSURANCE FUND

DIRECTOR, INSURANCE FUND UNDERWRITING

VALIDATION NUMBER: 657185515



CERTIFICATE OF INSURANCE COVERAGE
DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

1a. Legal Name & Address of Insured (use street address only)
YOUNG EXPLOSIVES CORP.
2165 NEW MICHIGAN ROAD
CANANDAIGUA, NY 14424

1b. Business Telephone Number of Insured
(585) 394-1783

Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)

1c. Federal Employer Identification Number or Social Security Number
160900107

2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)

YOUNG EXPLOSIVES CORPORATION
P.O. BOX 18653
ROCHESTER, NY 14618

3a. Name of Insurance Carrier

New York State Insurance Fund (NYSIF)

3b. Policy Number of Entity Listed in Box "1a"

DBL 6163 63 - 9

3c. Policy effective period

04/01/2022 to 04/01/2024

4. Policy provides the following benefits:

- Both disability and paid family leave benefits
Disability benefits only
Paid family leave benefits only

5. Policy covers:

- All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law
Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 3/29/2023

By Kristin Markwica

(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number (866) 697-4332

Name and Title Kristin Markwica, Head of Disability Insurance Unit

IMPORTANT: If Box 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, DB Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)

State of New York
Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed

By

(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number

Name and Title

Please Note: Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.

Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in box "3" on this form is certifying that it is insuring the business referenced in box "1a" for disability and/or paid family leave benefits under the New York State Disability and Paid Family Leave Benefits Law. The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Worker's Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Disability and/or Paid Family Leave Benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or paid family leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of NYS Disability and/or Paid Family Leave Benefits Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Disability and Paid Family Leave Benefits Law.

DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits, and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.

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)
Mama Howard

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 11853
ROCHESTER, NY 14618-0000**

Licensee/Permittee Responsible Person Signature:
James R. Young
Printed Name: **James R. Young**

Position/Title: **President**
Date: **11/4/2021**

Previous Edition is Obsolete: **YOUNG EXPLOSIVES CORP 2165 NEW MICHIGAN ROAD 14424-0000 NY 14424-0000 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)

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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.

Federal Explosives License/Permit
(18 U.S.C. Chapter 40)

20250101-10 20250101 10 20250101 10 20250101 10 20250101 10

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)
Mama Howard
Name: YOUNG EXPLOSIVES CORP
Expiration Date: **October 1, 2024**

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 11553
ROCHESTER, NY 14618-0000

Licensee/Permittee Responsible Person Signature: *James R. Young*
Printed Name: **James R. Young**
Position/Title: **President**
Date: **11/4/2021**

Previous Edition is Obsolete: YOUNG EXPLOSIVES CORP 2165 NEW MICHIGAN ROAD 14424-0000 NY 14424-0000 October 1, 2024-01-01
ATF Form 5400.14/5400.15 Part I Revised September 2011

Federal Explosives License (FEL) Customer Service Information
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 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.

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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.

(Continued on reverse side)



village of Clayton
Summer Location
April (2022)



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/4/2023

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: PHONE (A/C, No. Ext.) 216-658-7100 E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE NAIC #	
INSURED Young Explosives Corporation P.O. Box 18653 Rochester NY 14618		FAX (A/C No): 216-658-7101 INSURER A : Everest National Insurance Company 10120 INSURER B : Axis Surplus Insurance Company 26620 INSURER C : INSURER D : INSURER E : INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** 456709567 **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 WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:	Y Y	S18GL00353-231	3/20/2023	3/20/2024	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	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	S18CA00054-231	3/20/2023	3/20/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB CLAIMS-MADE DED RETENTION \$	Y Y	P-001-000088056-05	3/20/2023	3/20/2024	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	N/A			PER STATUTE OTH-ER 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: Monday, July 3, 2023
 Location: On barge in river
 Additional Insured: Clayton Chamber of Commerce; Village of Clayton, NY; Town of Clayton, it's officers and employees
 Group Code: Cert#23-277

CERTIFICATE HOLDER**CANCELLATION**

Clayton Chamber of Commerce
 517 Riverside Drive
 Clayton NY 13624
 United States

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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