

**Town Supervisor**  
Timothy Doney  
**Town Board Members**  
Kenneth Knapp  
Donna Patchen  
James Kenney  
Kathleen LaClair



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**Town Clerk**  
Megan Badour

## **TOWN BOARD WORKSHOP MEETING AGENDA**

*Wednesday, July 24, 2024 • 5:00pm • Dodge Hall, Grindstone Island*

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**1. Pledge of Allegiance**

**2. Town Board Workshop Meeting**

**A. Guests:**

**B. Town Clerk**

- i. Correspondence that needs recording
- ii. Minutes from 7/10/2024 Regular Meeting

**C. Public: Comment on Agenda Items**

**D. Workshop Discussion Items**

- i. Resolution 45: Justice Audit
- ii. Resolution 46: Route 12 Sewer West SEQR Long EAF Parts II & III Declaration
- iii. Resolution 47: Route 12 Sewer West Bond Resolution
- iv. CEO IMA
- v. Zoning Ordinance Amendment
- vi. Fireworks Permit Application: Murphy
- vii. Resignation: G. Badour
- viii. Board Meeting 8/28/2024 Depauville Free Library Reminder

**E. Public: Comment on Agenda Items**

**3. Adjournment**

**Next Board Meeting:** *Wednesday, August 14, 2024 @ 5:00pm at Cerow Recreation Park Arena*



RIVER COMMUNITY CHURCH  
INVITES YOU TO A

*Summer  
Cookout*

— SPECIAL GUESTS —

AMERICAN BASS ANGLERS

Please join us as we welcome  
this group to our town.

Friday, July 26 @ 5:30 PM  
38844 Bartlett Point Rd, Clayton



## **Pomeroy Foundation Historical Marker Dedication for Medal of Honor Recipient**

U.S. Army Private Joseph Lonsway, Clayton's only known Civil War Medal of Honor recipient, will be recognized with a William G. Pomeroy Foundation historical marker. The unveiling and dedication, with several direct descendants of Mr. Lonsway in attendance, is Friday, August 2, 2024, at 10:00 AM at St. Mary's Catholic Cemetery, Clayton, New York. Following the dedication, attendees are invited to the Thousand Islands Museum, 312 James Street, for a reception. The marker unveiling and reception are open to the public and all are encouraged to attend.

Organizations participating in the marker unveiling and dedication include the Village Mayor's Office, the Clayton Town and Village Historians Office, the Thousand Islands Museum, the Clayton American Legion Post 821, St. Mary's Catholic Church, and the Walter H. French Camp #17 Sons of Union Veterans of the Civil War. The dedication will be held rain or shine. If extreme weather, the event will be paused as needed for attendees' safety. Parking along Route 12 may be a concern so plan to carpool where possible. A few chairs will be available for dignitaries and the elderly.

The marker will permanently stand between Joseph's headstone at St. Mary's Cemetery and along Route 12 (McCarn Hill) coming in and out of Clayton Village. Clayton historian Tom LaClair, and Linda Scheler, past director of the Thousand Islands Museum, submitted the marker application in late 2023. The marker was approved in early 2024, went into production, and was received in May 2024.

According to the Pomeroy Foundation, Joseph Lonsway was awarded the Medal of Honor for ensuring the capture of a Confederate fortification in Virginia on October 16, 1864.

Joseph Lonsway was born in Clayton on March 17, 1844, and died in Clayton on January 22, 1925. He was a Private in Company D., 20th New York Volunteers Calvary, serving in Virginia. On October 16, 1864, the rebels captured a lighter belonging to the Union forces, and the officer commanding Private Lonsway's company called for volunteers to swim the Blackwater River and bring back the boat. After five of his comrades had been shot down in the attempt, Private Lonsway stepped forward and declared his intention to try the feat. With his company sending over a protective barrage of shots, and under a returning fire from the enemy's forces on the opposite bank, he swam across the 600-foot stream on his back, with only his face showing above the water, and succeeded in bringing back the lighter. Using this boat, a detachment of Union troops was sent across, after a spirited night engagement captured the rebel breastwork. Mr. Lonsway enlisted at Sackets Harbor on October 12, 1863, and mustered out at Sackets Harbor on July 31, 1865.

The Pomeroy Foundation is a private, philanthropic organization located in Syracuse, New York. As the nation's leading funder of historical roadside markers, the Pomeroy Foundation has awarded more than 2,400 grants for markers and bronze plaques in 48 states and Washington, D.C. Learn more about the Foundation at [wgpfoundation.org](http://wgpfoundation.org).

For more information, contact the Clayton Historian at [historian@townofclayton.com](mailto:historian@townofclayton.com)

# Brookfield

Brookfield Renewable Energy Group  
Erie Boulevard Hydropower, L.P.  
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Fulton, New York 13069

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July 5, 2024

## Via Electronic Filing

Acting Secretary Debbie-Anne Reese  
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)  
Updated Study Report Meeting Summary**

Dear Acting Secretary Reese:

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. 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. In accordance with 18 C.F.R. § 5.15(c)(3), Erie is filing herewith a summary of the Updated Study Report (USR) Meeting that was held on June 20, 2024.

On June 28, 2022, the Commission issued a Study Plan Determination (SPD) for the Projects. Pursuant to 18 C.F.R. § 5.15(f), Erie filed the USR for the Project on June 10, 2024. In accordance with the Commission's regulations at 18 C.F.R. § 5.15(c)(2), the USR Meeting was held within 15 days of filing the USR; the meeting was held at the Croghan Fire Hall on June 20, 2024 from 9:00 a.m. to 5:00 p.m. The Commission's regulations at 18 C.F.R. § 5.15(c)(3) require Erie to file this summary of the USR Meeting, including any proposed modifications to ongoing studies or new studies proposed by the Licensee, within 15 days of the USR Meeting.

## 1.0 Purpose and List of Participants

### 1.1 Purpose

The Commission's SPD and November 9, 2023 Study Modification Determination (SMD) directed Erie to conduct the following studies in support of relicensing the Projects (including sub studies of the Habitat Characterization and River Conditions Study):

- Water Quality Monitoring Study
- Aquatic Mesohabitat Mapping and Assessment Study
- Beaver River Fisheries Survey
- Black River Fisheries Survey
- Macroinvertebrate Survey
- Beaver River Freshwater Mussel Survey
- Black River Freshwater Mussel Survey
- 2023 and 2024 Black River Walleye Spawning Study
- American Eel Survey at the Beebee Island Project
- Desktop Downstream Fish Passage and Site Reconnaissance Study
- Recreation Study
- Controlled Flow Whitewater Boating and Access Study at the Deferiet Development
- Aesthetic Resources Study
- Cultural Resources Study – Architectural Survey
- Cultural Resources Study – Phase IA Literature and Sensitivity Review
- Beaver Lake Impacts Evaluation Study
- Existing Minimum Flow Demonstration Study at the Beaver River Project
- Level 1 Whitewater Study
- Level 2 Whitewater Study at Beaver River Project Soft Maple Development
- Level 2 Whitewater Study at Black River Project Sewalls Development

Erie has conducted studies as required in the Commission’s SPD. In accordance with 18 C.F.R. § 5.15(c)(2), the USR described Erie’s overall progress in implementing the study plan and schedule. Table 1 below provides information on study reports that have already been filed with the Commission.

**TABLE 1  
 BLACK RIVER PROJECT, BEEBEE ISLAND PROJECT, AND BEAVER RIVER  
 PROJECT STUDY REPORT FILINGS**

Study Report	Filed with Commission
<b>Aquatic Mesohabitat Assessment and Mapping Study</b>	Study Report Filed with ISR.
<b>2023 Black River Walleye Spawning Study</b>	Study Report Filed with ISR.
<b>Level 1 Whitewater Study</b>	Study Report Filed with ISR.
<b>Aesthetic Resources Study</b>	Study Report Filed with ISR and USR.
<b>Beaver River Fisheries Survey</b>	Study Report filed with the Quarter 1 Study Package.

Study Report	Filed with Commission
<b>Black River Fisheries Survey</b>	Study Report filed with the Quarter 1 Study Package.
<b>Beaver River Freshwater Mussel Survey</b>	Study Report filed with the Quarter 1 Study Package.
<b>Black River Freshwater Mussel Survey</b>	Study Report filed with the Quarter 1 Study Package.
<b>American Eel Survey at the Beebee Island Project Study</b>	Study Report filed with the Quarter 1 Study Package.
<b>Controlled Flow Whitewater Boating Study at the Deferiet Development</b>	Study Report filed with the Quarter 1 Study Package.
<b>Cultural Resources Study – Architectural Survey</b>	Study Report filed with the Quarter 1 Study Package.
<b>Water Quality Monitoring Study</b>	Study Report filed with the USR.
<b>2024 Black River Walleye Spawning Study</b>	Study Report filed with the USR.
<b>Macroinvertebrate Survey</b>	Study Report filed with the USR.
<b>Desktop Downstream Fish Passage and Site Reconnaissance Study (Interim Report)</b>	Interim Study Report filed with the USR.
<b>Recreation Study</b>	Study Report filed with the USR.
<b>Beaver Lake Impacts Evaluation Study</b>	Study Report filed with the USR.
<b>Existing Minimum Flow Demonstration Study at Beaver River</b>	Study Report filed with the USR.

During the USR Meeting, Erie presented information regarding the relicensing process for the Projects, and specific information regarding each approved study, including:

- Study status;
- Summary of study methods and results;
- Variances from the approved study plan;
- Proposed modifications to the study plans, or proposed new studies (none); and
- Scheduled activities.

A copy of the USR Meeting presentation is included as Attachment A to this USR Meeting Summary.

## 1.2 Participants

On May 24, 2024, and concurrent with the June 10, 2024 filing of the USR, resource agencies, tribes, non-governmental organizations, and other interested parties were invited to participate in the USR Meeting. A number of entities attended the USR meeting. Table 2 lists the meeting participants and their respective organization/affiliation according to sign-in sheets.

**TABLE 2  
 BLACK RIVER PROJECT, BEEBEE ISLAND PROJECT, AND BEAVER RIVER  
 PROJECT USR MEETING PARTICIPANTS**

<b>Participant</b>	<b>Organization / Affiliation</b>
Nicholas Ettema	FERC
Rebecca Brodeur	FERC
Nicole Cain	New York State Department of Environmental Conservation (NYSDEC)
Andrew Branner	NYSDEC
Megan Krokowski	Lewis County Planning and Community Development
Nichelle Swisher	Lewis County Soil and Water Conservation District
Bob Nasdor	American Whitewater (AW)
Alex Braham	AW
Edward Earl	Individual, Beaver Lake Area Resident
Mary Reed Earl	Individual, Beaver Lake Area Resident
William Mueller	Individual, Beaver Lake Area Resident
Kelsey Iffert	HDR, Inc
Scott Jones	HDR, Inc
Rob Quiggle	HDR, Inc
Nathaniel Ossit	HDR, Inc
Katherine Caley	HDR, Inc
Rachel Russo	Kleinschmidt Associates
Brooke Slag	Gomez and Sullivan Engineers, P.C. (GSE)
Steve Murphy	Erie
Ben Ewald	Erie
Patrick Storms	Erie
Mike Smith	Erie

## 2.0 Summary of USR Meeting

Steve Murphy (Erie) provided an introduction to the meeting, including meeting participants, Erie's relicensing team, the purpose of the meeting, an overview of the relicensing process, study activities conducted to date, and ILP milestones.

A copy of the USR Meeting presentation is included as Attachment A to this USR Meeting Summary.

AW noted that the way the ILP schedule is structured, not all studies will be completed when the Final License Application (FLA) is filed. In the past, on other hydropower relicensing projects, AW has been unable to provide comments on the FLA as there is not a formal comment process for the FLA. AW clarified that they will file comments even if there is not a formal process as per the ILP. Erie responded that it is common to file the FLA with a few studies ongoing—the Licensee does what they can to adhere to the ILP schedule, but unforeseen factors can cause study delay. Erie noted that stakeholders can file comments at any time.

As stated in the USR, Erie is not proposing any modifications to ongoing studies approved in the Commission's SPD or SMD. Erie noted that stakeholders or FERC may file comments on the USR Meeting summary, request modifications to ongoing studies, or request new studies on or before August 8, 2024. If requesting modifications to ongoing studies, stakeholders must follow FERC's Criteria for Modification of Approved Studies (18 C.F.R. § 5.15(d)). If requesting new studies, stakeholders must follow FERC's Criteria for New Study (18 C.F.R. § 5.15(e)).

## **2.1 Beaver River Spring Fisheries Survey**

Erie presented the status of the Beaver River Spring Fisheries Survey, summarized study methods, and described the study results.

- NYSDEC asked if minnow traps were baited with wet or dry food during the Eagle Impoundment sample dates. Erie clarified that both wet and dry food were used as bait during sampling.
- NYSDEC asked if summer suckers (*Catostomus utawana*) were identified or labeled as white suckers (*Catostomus comersonii*) as the NYSDEC manages summer suckers as an independent species, and if lengths and weights of sampled suckers be provided. Erie noted that white suckers were identified, but weights and length were not collected during field efforts as suckers are not managed as a game species and was not part of the study plan.

## **2.2 Black River Fall Fisheries Survey**

Erie presented the status of the Black River Fall Fisheries Survey, summarized study methods, and described the study results.

- The NYSDEC noted a potential mislabeled fish noting that it was identified as a Smallmouth Bass (*Micropterus dolomieu*) but thought to be a Largemouth Bass (*Micropterus salmoides*). Erie noted that they do not think the fish was mislabeled and was properly identified as a Smallmouth Bass in the report.
- The NYSDEC requested clarification related to a potential sturgeon and American eel being observed on trashracks within the Project boundary. Erie stated that there have been no sightings of sturgeon within the Black River/Beebee Island Project boundary. Erie's operators are well-trained and know to report if they had observed anything unusual.



- NYSDEC noted they think that the sturgeon and American eel sightings should have been included in this study report. Erie clarified that it was not in the study plan to document sightings of various fish in the Project area, or in the vicinity of the Project. Erie noted though that the American eel observations were included in the American Eel Survey Report and reiterated that it is unlikely the sturgeon sightings occurred at the Projects.

### **2.3 Macroinvertebrate Survey**

Erie presented the status of the Macroinvertebrate Survey, summarized study methods, and described the study results.

- AW asked if macroinvertebrates prefer higher flows in the bypassed reach. Erie responded that based on the similar BAP profiles from the impoundment, bypassed reach, and tailrace, there is little indication that the current minimum flows are not sufficient for macroinvertebrates.
- NYSDEC noted that certain multiplates were lost/irretrievable. Erie described the nuances of constructing and deploying the multiplate in high velocity areas, giving insight to the loss of multiplates in some locations. The velocities cause the multiplate to twist and turn loosening the turnbuckles.
- NYSDEC questioned the lack of ponar grabs in impoundments that were noted to have bedrock substrate and asked if a kicknet could have been utilized. Erie stated that multiplates were placed in impoundments to supplement the lack of ponar grabs. With all data collected between the water quality study and the macroinvertebrate survey the Beaver River was well-blanketed.
- NYSDEC indicated they will likely ask for additional sampling in select locations where one or no samples were collected. FERC stated that their determination will be made in October, past the field season for the year, and that NYSDEC and Erie may want to consult with each other for additional sampling to be performed in 2024. Erie reiterated they consider existing information to be sufficient, but they can discuss with NYSDEC.

### **2.4 Freshwater Mussel Survey**

Erie presented the status of the Freshwater Mussel Surveys, summarized study methods, and described the study results.

### **2.5 Water Quality Monitoring Survey**

GSE presented the status of the Water Quality Monitoring Survey, summarized study methods, and described the study results.

- AW asked for clarification on how survey sites were determined at selected locations. Erie responded that sites were determined based on multiple factors including shoreline location access, land ownership, and safety considerations.

- FERC inquired on instances of low dissolved oxygen and why these may have occurred. G&S described these results were due to lack of flow in some locations since the monitors were installed at high water and then flows lowered through the summer.
- NYSDEC requested clarification on any rejected/adjusted data. GSE responded that a Quality Assurance Quality Control (QAQC) Plan was developed based on the calibrated YSI used to collect in-situ water quality and if needed data was adjusted accordingly as per the QAQC Plan.
- AW asked for additional information on the selection of the intakes as a sample location, stating that if developments are not operating that could obscure data being collected. GSE indicated the intakes were selected as this was the water going through the project, as well as for access reasons.
- AW asked for clarification on locations of water quality profiles. HDR described that the locations were collected at the deepest part of the reservoir.
- FERC asked if flow data was included on the discrete water quality tables. GSE did not include flow data in the tables but included it in the continuous monitoring tables.
- NYSDEC asked for clarification as to why data was rejected at the Deferiet bypassed reach. GSE stated that the area was a shallow and rocky area and this resulted in a logger being lost and unsafe conditions for a replacement to be installed.
- AW asked what can be done to mitigate pH issues on the Beaver River. Erie and NYSDEC discussed how the pH issues in the Beaver River are a region-wide issue with acid rain and pollution. NYSDEC noted that the pH in the impoundments is lower than the pH in the bypassed reaches, so increased flow from the impoundments will further lower pH in the bypassed reaches. NYSDEC stated that they find it optimistic that there is improvement in pH compared to previously collected water quality data.

## **2.6 Cultural Resources Study - Architectural**

Erie presented the status of the Cultural Resources Survey, summarized study methods, and described available study results.

- AW asked if Indian tribes were consulted during the course of the study. Erie confirmed that outreach to tribes was performed as part of the study and through the relicensing. Erie initiated consultation during development of the PAD and through the ILP process. Saint Regis Mohawk Tribe indicated they were not interested in participating in this relicensing. Indian tribes are included on all distributions if they want to be engaged in the future.
- FERC stated that they offer tribes multiple ways to get involved in relicensings. FERC explained if interest is shown efforts will be made to ensure involvement into the process.

## **2.7 Recreation Study**

Erie presented the status of the Recreation Study, summarized study methods, and described the study results.

- AW asked about the location of the trail counter at the Taylorville Development. Erie clarified that it was under the penstock at the start of the Fisherman's Access trail.
- FERC asked for clarification on how the QR code worked for the user survey portion of the study. If cellphone service was available, the QR code took the user to the survey. Erie explained that by taking a picture of the QR code, the QR code could be used offline and could be accessed when there was cell phone service/internet. There were typically multiple QR codes posted at each development. Erie stated that the survey asked the users to identify the development and recreation resource being utilized.
- AW noted that the survey was not clear that multiple surveys could have been submitted. The survey allowed the users to complete the survey for one development at a time. Survey participants may not have realized they can take it again to provide feedback for another development.
- AW was concerned that whitewater was underrepresented in the recreation study and report. Erie clarified that the Level 1 Whitewater Study was filed with the ISR and that report was meant to provide high representation to the whitewater community. The Recreation Study was meant to look at all recreation in the Projects' boundary. Erie had a separate survey issued for the Level 1 Whitewater Study. There were separate QR codes posted targeted to the whitewater boaters and available to access by the start of the whitewater releases in 2022.

## **2.8 Existing Minimum Flow Demonstration Study – Beaver River**

Erie presented the status of the Existing Minimum Flow Demonstration Study, summarized study methods, and described the study results.

- NYSDEC believes additional flows in the High Falls bypassed reach may be beneficial.

## **2.9 Controlled Flow Whitewater Boating Study at the Deferiet Development**

Erie presented the status of the Controlled Flow Whitewater Boating Study at the Deferiet Development, summarized study methods, and described the study results.

- AW asked for additional information on the gate structure at Deferiet. Erie explained they operate the bladder gates and discussed what the possibility would be for lowering both bladder gates to increase whitewater opportunity. Erie reiterated they still need to maintain the 1,000 cfs baseflow through the powerhouse.

- AW noted that this stretch has not been boated before and that brought a level of safety concerns to the run. They noted plenty of challenges but a fun run and surprised at the amount of opportunity present at the high flow and was well within the intermediate skill range.
- AW noted that the study was professionally and thoroughly performed.
- AW noted that many of the boaters who participated in the study were experienced boaters, and that was possibly why results indicated the reach was appropriate for beginners or novice boaters.

## **2.10 Beaver Lake Impacts Evaluation Study**

Erie presented the status of the Beaver Lake Impacts Evaluation Study, summarized study methods, and described the study results.

- Beaver Lake residents questioned if the model used was compared with the data of the study year. Erie confirmed that the model considered the operation capacity of the Eagle Development and was compared against data collected during the study year. The Beaver Lake residents questioned if the model could be trusted since it was a simulation of conditions, not fully based on existing Project conditions or collected data. It was discussed whether Erie could remove the flashboards to validate the HEC-RAS model and collect additional information.
- Beaver Lake residents explained the history of Beaver Lake as they recall it prior to the implementation of flashboards in the 1970s. Erie responded that the Project was operated differently back then—the Licensee could drain Moshier/Eagle reservoir five feet during the summer. Today, Erie is limited to the fluctuations allowed by the current license which does not allow Erie to pull the reservoirs down so low.
- NYSDEC asked for the elevation of the constriction and Erie confirmed that the information was provided within the report. Beaver Lake residents questioned the existence of the constriction. HDR/Erie noted that the 1974 Analysis, the recent ADCP work and the cross sections that were developed from this effort confirm the presence of a constriction.
- Beaver Lake residents requested the acreage of Beaver Lake itself. Erie noted that could likely be provided.
- Beaver Lake residents discussed the effects of the Eagle flashboards as they have observed and questioned the legality of having installed the flashboards in the 1970s. Erie noted that flashboards at Eagle were installed at the request of Beaver Lake residents. Erie acknowledged that it is unclear what approval steps were taken when the Eagle flashboards were installed in the 1970s but reiterated that the Eagle flashboards were incorporated into the current license and are a licensed Project component today.

- Beaver Lake residents provided a data printout of the Erie's gage showing Beaver Lake water elevations. Beaver Lake residents implied the water level changes observed in the data printout were due to Project operations at Eagle. The period of record for the data printout was April 30, 2024 – May 17, 2024, during implementation of Erie's Low Flow Augmentation Plan.
- NYSDEC stated that Eagle development may have some gray effect on Beaver Lake, but the non-Project Stillwater Development seems to have a greater impact.
- AW suggested that the HEC-RAS be provided and made available to Beaver Lake residents.
- Beaver Lake residents want a study to compare the current operations to historical operations during the 1950s and 1960s. Erie stated that they cannot operate the Project as they did in the 1950s and 1960s, NYSDEC and other agencies would not allow that, so such a study would be fruitless.
- AW suggested that Mr. Mueller file an additional information request on the docket. NYSDEC and FERC agreed with this suggestion.

### **2.11 Black River Development Walleye Spawning Study**

Erie presented the status of the Black River Development Walleye Spawning Study, summarized study methods, and described the study results.

- NYSDEC asked for clarification on Table 5 of the report that stated two females were spent but called out in the table as hard. Erie indicated that they recall two females were hard. After the USR meeting, Erie reviewed the Black River Development Walleye Spawning Study and confirmed that two hard females were found in the downstream reach.

### **2.12 American Eel Survey at the Beebee Island Development**

Erie presented the status of the American Eel Survey, summarized study methods, and described the study results.

- NYSDEC asked for clarification on if the four eel observations were the same eel or separate eels. Erie was moderately confident that two observations were of the same eel based on size and observation location.
- FERC stated that eel access to the Beebee Island south channel comes from the downstream non-project related Glen Park Project and Dexter project, which have upstream passage installed. Erie noted that eel likely use those passage structures although they were not designed to pass eels.
- NYSDEC and Erie discussed the incidental observation of eels on the trashracks following high flow events two weeks apart at the Herrings and Kamargo Developments. Erie noted they are not aware of any other eel observations at the Black River Project or Beebee Island Project.

### **2.13 Desktop Downstream Fish Passage and Site Reconnaissance Study**

Erie presented the status of the Desktop Downstream Fish Passage and Site Reconnaissance Study, summarized study methods, and described the study results.

- NYSDEC recalled broken concrete at the Moshier Development and asked if it showed up in any design drawings. Using the photographs and drawings on screen, Erie showed the layout of the downstream fish passage route at the Moshier Development.
- AW asked why there was no fish passage at the Soft Maple Development. Erie stated that was decided as part of Settlement during the last relicensing to prevent mixing of cold and cool water fish. AW asked why Beaver River is managed as a trout fishery if no trout were caught during the survey. NYSDEC explained that it is a long process to change stream designations.
- NYSDEC asked for additional information related to the south channel pipe at the Beebee Island Project. Erie stated that there is a set of racks in front of the pipe.
- AW asked if there is an assumption that a trashrack approach velocity of less than 2 ft/s limits fish entrainment. Erie stated that it is variable as each species has a different sustained speed and burst speed, but most resident fish would have burst speed higher than 2ft/s and so would move when they feel the acceleration in front of the trashracks.
- NYSDEC asked why the Sewalls Development does not have the 1-inch clear seasonal trashrack overlay. Erie stated its due to operations issues like flow and velocity, and site configuration.

### **2.14 Discussion of Upcoming ILP Milestones**

- Erie discussed the upcoming milestones under the ILP as well as the remaining outstanding studies. The four outstanding studies are:
  - Level 2 Whitewater Study at Beaver River Project Soft Maple Development
  - Level 2 Whitewater Study at Black River Project Sewalls Development
  - Cultural Resources Study – Phase IA Literature and Sensitivity Review
  - Desktop Downstream Fish Passage and Site Reconnaissance Study
- Erie indicated the fieldwork is complete for the Level 2 Whitewater Study at Black River Project Sewalls Development. The Cultural Resources Study – Phase IA Literature and Sensitivity Review Report is nearly finalized.
- Erie noted that field efforts associated with the Level 2 Whitewater Study at the Beaver River Project Soft Maple Development and the Desktop Downstream Fish Passage and Site Reconnaissance Study are dependent on appropriate flows being available. Erie noted that they were

hoping to perform the field effort for the Level 2 on June 21, 2024 (the day after the USR meeting) but the flows on the Beaver River were not suitable. Similarly, Erie is waiting for flows on the Black River and Beaver River to match normal conditions to perform the site visit associated with the Desktop Downstream Fish Passage and Site Reconnaissance Study.

- Erie noted that they intend to file the remaining study reports within 60 days of completion of the field activities.
- FERC noted that since there are four study reports to be filed by Erie, FERC will likely issue a formal deadline and deadline for comment so that all stakeholders are working from the same schedule, and there is no confusion on when comments from stakeholders are due.


### **3.0 Conclusion**

Erie is filing this USR Meeting summary in accordance with 18 C.F.R. § 5.15(c)(3) of the Commission's regulations. Erie is not proposing any modifications to any of the studies at this time, nor is Erie proposing any new studies. After review of the USR Meeting summary, stakeholders may file disagreements with the meeting summary, request modifications to ongoing studies, or request new studies. Disagreements with the USR meeting summary and any requests to amend the study plan to include new or modified studies must be filed with the Commission on or before August 8, 2024. In requesting modifications to ongoing studies or new studies, stakeholders must follow the Commission's Criteria for Modification of Approved Study (18 C.F.R. 5.15(d)) or Criteria for New Study (18 C.F.R. 5.15(e)).

Erie will have 30 days to respond to any disagreements or requests to amend the study plan, and the Commission's Director of the Office of Energy Projects will resolve any disagreement and amend the approved study plan, as appropriate, within 30 days of the due date for Erie's response.

As always, I welcome the opportunity to further discuss the ongoing relicensing process with the Commission. If you have any questions regarding this USR Meeting Summary, please feel free to contact me at (315) 598-6130.

Sincerely,



Steven P. Murphy  
Director, US Licensing  
Brookfield Renewable

Cc: 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

Debbie-Anne Reese  
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  
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Mark Austin  
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Samantha Nyer  
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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

Patrick Rahm  
New York State Department of Environmental  
Conservation  
625 Broadway  
Albany, NY 12233

Nicole Cain  
New York State Department of Environmental  
Conservation  
625 Broadway  
Albany, NY 12233

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

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  
Pebbles 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

**Municipalities and Government Officials**

Ann Saunders  
Clerk  
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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mervin Moser  
Mayor  
Village of Castorland  
4928 State Route 410  
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**

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

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

Ms. Susan Bachor  
Historic Preservation Representative  
Delaware Tribe Historic Preservation Office  
126 University Circle  
Stroud Hall, Rm. 437  
East Stroudsburg, Pennsylvania 18301

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

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

Darren Bonaparte  
Saint Regis Mohawk Tribe  
Acting THPO  
71 Margaret Terrance Memorial Way  
Akwasasne, NY 13655

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

Dr. Joe Stahlman  
THPO Director Tribal Historic Preservation  
Office Onöhsagwë: De' Cultural Center  
82 W. Hetzel Street  
Salamanca, NY 14779

William L Fisher  
Chief  
Seneca-Cayuga Nation  
P.O. Box 453220  
23701 S. 655 RD  
Grove, OK 74344

William Tarrent  
THPO/Cultural Director  
Seneca-Cayuga Nation  
P.O. 453220  
Grove, OK 74344

Mr. Jeremy Dennis  
Junior Tribal Historic Preservation Officer  
Shinnecock Indian Nation  
P.O. Box 2338  
Southampton, New York 11968

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

Ms. Shavonne Smith  
Director, Shinnecock Environmental  
Department  
Shinnecock Indian Nation  
P.O. Box 5006  
Southampton, New York 11969

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

Roger Hill  
Chief  
Tonawanda Band of Seneca  
P.O. Box 795  
7027 Meadville Road  
Basom, NY 14013

Leo Henry  
Chief  
Tuscarora Nation of New York  
2006 Mt. Hope 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

## Town of Clayton Regular Meeting Minutes

Wednesday, July 10 2024

The Town Board of the Town of Clayton held their regular meeting at 5:00 PM, located at Cerow Recreation Park, 600 East Line Road, Clayton, NY.

The following persons attended:

Tim Doney  
James Kenney  
Kenneth Knapp

Kathleen LaClair  
Donna Patchen  
Robert Campany

Megan Badour  
Pamela McDowell  
James Jones

Steve Dorr, Sr.  
Mariah LaClair

1. Pledge of Allegiance: Supervisor Doney led the pledge of allegiance.
2. Guests: N/A
3. Town Clerk
  - A. Correspondence that Needs Recording
    - Municipal Shelter Inspection Report (see attached)
    - New York Rural Water Association Recognition (see attached)
  - B. Minutes from 6/26/2024  
Motion was made by James Kenney, seconded by Kathleen LaClair to approve the 6/26/2024 minutes. **Motion carried.**
4. Public: *Comment on Agenda Items*: N/A
5. General Discussion Items:
  - A. Bills & Transfers
    - i. Abstract #7 of 2024 in the amount of \$388,135.77  
Motion was made by Donna Patchen, seconded by Kenneth Knapp to approve Abstract #7 of 2024 in the amount of \$388,135.77. **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 Kenneth Knapp, seconded by Kathleen LaClair to approve the Supervisor's Report for June 2024. **Motion carried.**
  - C. Balance Sheets: June 2024
  - D. Resignations, Appointments & Rate Changes
    - i. Resignations & Appointments:
      - a. Retirement:  
Motion was made by Kenneth Knapp, seconded by Kathleen LaClair to regretfully accept the resignation of Kevin Patchen, congratulate him on his retirement, and to advertise for a vacant MEO position. **Motion carried.**
    - ii. Rate Changes:
      - a. Step Increase:

Motion was made to approve step increase for Brentyn Horton +.50/hour to \$24.81 effective 7/25/2024 by Kathleen LaClair, seconded by Kenneth Knapp. **Motion carried.**

- b. Motion was made to approve Head Lifeguard: Courtney Evans-Eppolito +\$1.00/hour to \$21.00 effective 7/7/2024; Lifeguard: Franchesca Cartaya +\$1.00/hour to \$19.00 effective 7/7/2024; and Lifeguard: Mackenzie Allen +\$1.00/hour to \$18.00 effective 7/7/2024, by Kenneth Knapp, seconded by Kathleen LaClair. **Motion carried.**

E. Training: N/A

F. Public Hearing for CBDG application for the Depauville Sewer District:

- Motion was made by Kenneth Knapp, seconded by Donna Patchen to open the Public Hearing for CBDG application for the Depauville Sewer District at 5:15 P.M.
  - Robert Campany: Mr. Campany spoke to the need of the CBDG application and the reasoning behind this process and what it would mean for the Depauville Sewer District.
- Motion to close public hearing for the CBDG application for the Depauville Sewer District made by Kenneth Knapp, seconded by Donna Patchen. **Motion carried.**
- Motion to allow Rob Campany, Town Engineer, to complete the CBDG application for the Depauville Sewer District made by Kenneth Knapp, seconded by James Kenney. **Motion carried.**

G. Grindstone Island Board Meeting 7/24/24 reminder: Transportation will leave the rotary park docks on Riverside Drive at 4:30 pm.

H. Appoint Kendall, Harrienger & Burrows Law for Town Attorney:

Motion was made by James Kenney, seconded by Donna Patchen to appoint Kendall, Harrienger & Burrows Law for Town Attorney. **Motion carried.**

I. Batchelor Wedding @ Harbor Hotel Firework Permit Application:

Motion was made by Kenneth Knapp, seconded by Kathleen LaClair to approve the Batchelor Wedding @ Harbor Hotel Firework Permit Application. **Motion carried.**

J. TIERS Ambulance Funds Request:

Motion was made by Donna Patchen, seconded by Kenneth Knapp to allow for the distribution of up to \$43,000 from the Clayton Ambulance District Reserve Fund to TIERS towards the purchase of new front line cardiac monitors. **Motion carried.**

K. Planning Board Zoning Ordinance Amendment Recommendation:

Motion was made by Kenneth Knapp, seconded by Donna Patchen to accept the Planning Board Zoning Ordinance Amendment recommendation, and to submit to legal for review. **Motion carried.**

L. Union Negotiations Committee:

Motion was made to form a union negotiations committee consisting of Supervisor Doney, Kenneth Knapp and Alicia Dewey by James Kenney, seconded by Donna Patchen. **Motion carried.**

6. Supervisor's Report: Highway, Consolidated Health District, Youth Commission & Antique Boat Museum: Riverwalk is almost complete at this time. Further discussions are being had with regard to the additional funds that were not yet used and what can be done for the beautification of this area.

7. Department Head Reports:

A. Highway Superintendent: Steve Dorr would like to help write up the advertisement for the vacant MEO position.

B. Buildings & Grounds: James Jones reported that the compactor was down at the transfer site this week as well as the backhoe but both should now be fully functioning. Summer Recreation program is in full swing with 50+ youth registered and at least 24 present each day. He is working on the pool schedule to ensure appropriate staffing. Wrestling show this weekend.

C. Assessor: Interim Alexander Marchenkoff: Alex reported to Supervisor Doney that the 2024 Final Assessment Roll is completed and informed him of the Assessor's office involvement in small claims court should any be filed. He also stated that any property owners seeking assistance on paperwork should contact the Jefferson County Real Property Tax office for assistance.

D. Codes/Zoning: Richard Ingerson report indicates fee collection of over \$7,700.00. (See attached)

8. Council Reports:

A. *Councilman Knapp*: Libraries & Chamber of Commerce: Thank you to the Board Members for all attending the public meetings as of late with regard to Blind Bay. Sign language classes start at the Depauville Library August 8<sup>th</sup>. Their summer recreation program has started as well as story time and the free lunch program. They are looking into alternative funding for some additional projects. Hawn Library has multiple services being provided to include the rental of fishing poles and life jackets. Please check out their Facebook page for all of their upcoming offerings.

B. *Councilwoman Patchen*: Buildings & Grounds, Cemeteries, and Purchasing & Personnel: Concurred with James Jones report.

C. *Councilman Kenney*: Safety Coordinator, Planning/Zoning, and Sewer Districts: Depauville Sewer board is looking into the need to repair the manholes.

D. *Councilwoman LaClair*: TIERS, Paynter Center and CLDC: TIERS has a new raffle for fundraising, which will include a \$5,000 vacation voucher.

9. Public: *Comment on Non-Agenda Items*: N/A

10. Executive Session:

- Motion was made by Kenneth Knapp, seconded by James Kenney to close the regular meeting at 6:11 PM. **Motion carried.**
- Motion was made by Kenneth Knapp, seconded by James Kenney to enter Executive Session at 6:11 PM in accordance with NYS POL § 105 (f), the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. **Motion carried.**
- Motion was made by Kathleen LaClair seconded by James Kenney to close Executive Session at 6:21 PM. **Motion carried.**
- Motion was made by James Kenney seconded by Kathleen LaClair to open the regular meeting at 6:21 PM. **Motion carried.**

11. Adjournment:

Motion was made by James Kenney, seconded by Kathleen LaClair to adjourn at 6:22 PM. **Motion carried.**  
Next Board Meeting: Wednesday, July 24<sup>th</sup>, 2024 @ 5:00pm at Dodge Hall, Grindstone Island.

*Megan Badour, Town Clerk*



Clayton Town Court  
401 Mary Street  
Clayton, New York 13624

Hon. Walter M. Jeram, Jr.

315.686.2427 (phone)  
315.686.3075 (fax)

31 January 2024

Via Regular and Email:  
[townsupervisor@townofclayton.com](mailto:townsupervisor@townofclayton.com)

Tim Doney, Town Supervisor  
Town of Clayton  
405 Riverside Drive  
Clayton, New York 13624

Honorable Supervisor Doney:

Pursuant to Uniform Justice Court Act §2019-a, it is the duty of every justice to present his/her records and docket, at least once a year, to the auditing board of the village or town, which shall examine said records or docket, or cause same to be examined, and enter in the minutes of its proceedings the fact that they have been duly examined. Consistent with Section 2019-a of the Uniform Justice Court Act, I hereby advise that the court's records and docket, for the Town Court for the Town of Clayton for calendar year 2023 are available to be presented for such examination. I look forward to working with you to schedule such examination in an expeditious manner.

It is my understanding that the Office of Court Administration's Internal Audit Services (IAS) unit will be corresponding with you as well in the very near future in this regard. Subsequent to the audit or examination, please forward to the IAS unit the audit report, as well as the Board's resolution noting that the records have been duly examined, and that the fines therein collected have been turned over to the proper officials of the Town as required by law. Such materials may be mailed to the following:

Internal Audit Services Unit  
Attn: Joan Casazza  
185 Jordan Road, Suite 1  
Troy, New York 12180

In the alternative, such materials may be sent via email to: [jcasazza@nycourts.gov](mailto:jcasazza@nycourts.gov) . Thank you.

Sincerely,

  
Hon. Walter M. Jeram, Jr.

cc: Hon. James P. McClusky, Supervising Judge  
Hon. David S. Gideon, Esq., District Special Counsel



New York State  
Unified Court System

Hon. Joseph A. Zayas, J.S.C.  
Chief Administrative Judge

March 6, 2024

Supervisor Timothy Doney  
Town of Clayton  
405 Riverside Drive  
PO Box 379  
Clayton, New York 13624

Dear Supervisor Doney:

Section 2019-a of the Uniform Justice Court Act requires that town justices annually provide their court records and dockets to the auditing board of the town, and that such records then be examined, and that fact be entered into the minutes of the board's proceedings.

The Unified Court System's Division of Internal Audit Services is responsible for monitoring town board compliance with Section 2019-a. Accordingly, I am requesting that you provide a copy of the audit of your local court's records for fiscal year ending in 2023 and a copy of your board resolution acknowledging that the required examination was conducted. Please email the report and resolution to [vauditcompliance@nycourts.gov](mailto:vauditcompliance@nycourts.gov) or mail to Daniel Johnson, Director of Internal Audit Services, NYS Unified Court System, 185 Jordan Road, Suite 1, Troy, NY 12180. Please respond by April 15, 2024.

If you have any questions, please contact Joan Casazza at (518) 238-4303 or at the email listed above. Thank you for your cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to be "DJ", written over a faint circular stamp.

/smw

c: Daniel Johnson, CPA  
Joan Casazza, CIA

**RESOLUTION NO. XX OF 2024  
TOWN OF CLAYTON**

**A RESOLUTION TO CERTIFY EXAMINATION AND AUDIT OF TOWN JUSTICE 2023-2024 MONTHLY  
REPORTS AND ACCOUNT BOOKS**

**DATED: July 24, 2024**

**Title:** A Resolution to Certify Examination and audit of Town Justice 2023-2024 Monthly Reports and Account Books

At a workshop meeting of the Town Board of the Town of Clayton, Jefferson County, State of New York, held at Dodge Hall, Grindstone Island, Clayton, New York, on the 24<sup>th</sup> day of July, 2024, at 5:00 P.M. prevailing time:

The meeting was called to order by Supervisor Doney and upon roll being called the following were:

**Present:** Timothy Doney, Supervisor  
Kenneth Knapp, Councilman  
Donna Patchen, Councilwoman  
James Kenney, Councilman  
Kathleen LaClair, Councilwoman

**Absent:** None

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

**WHEREAS**, pursuant to Uniform Justice Court Act §2019-a, a yearly audit is required of the Town of Clayton Justices, and

**WHEREAS**, the Town Board of the Town of Clayton wishes to comply with such auditing procedures,

**NOW THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Clayton, Jefferson County, New York, hereby certifies that they have examined the foregoing 2023-2024 account books and audited the monthly reports of the Town Justice the Honorable Walter M. Jeram, Jr.

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

Timothy Doney, Supervisor	Yes ___	No ___	Absent ___
Kenneth Knapp, Councilman	Yes ___	No ___	Absent ___
Donna Patchen, Councilwoman	Yes ___	No ___	Absent ___
James Kenney, Councilman	Yes ___	No ___	Absent ___
Kathleen LaClair, Councilwoman	Yes ___	No ___	Absent ___
Yes ___	No ___	Absent ___	Date: July 24, 2024

**Certification**

I, Megan Badour, Town Clerk of the Town of Clayton, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Clayton held on July 24, 2024 and it is on file and of record, and that said resolution has not been altered, amended or revoked and it's in full force and effect.

[SEAL]

---

**Megan Badour, Town Clerk**

**Town of Clayton**  
**Internal Audit Reports 2024**  
**Audit Report**  
**Justice Department (JERAM)**  
*Summary Report: Original Document Attached*

*Cash Receipts:*

The cash receipts journal is up-to-date and maintained in a manner that identifies the date received, payer, and the amount of fines, fees, bail, and/ or other categories of collection. Pre-numbered receipt forms are issued for all collections and duplicate receipt copies are kept for court records. Duplicate deposit slips are kept for court records.

Deposits do agree with the cash receipt amounts, and deposits are made on a timely basis. These records are up-to-date. The cash receipts journal is totaled and summarized monthly.

*Cash Disbursements:*

The cash disbursements journal is up-to-date and maintained in a manner to identify individual amounts disbursed either individually or totals referenced to abstracts or payrolls. Pre-numbered checks are used for all disbursements other than petty cash. All checks are signed by Justice Walter M. Jeram, Jr. Cancelled checks and/or images are returned with bank statements and maintained on file. The check records are up-to-date.

Receipts are kept on all funds turned over to other agencies. Generally, no other funds are disbursed directly from this office. General disbursements are distributed after approval of processed bills on the monthly abstract.

*Cash Reconciliations:*

Bank accounts are reconciled promptly after bank statements are received.

*Deposit Protection:*

Per bank policy.

*Reports to Justice Court Fund:*


Monthly reports are made timely to the Justice Court Fund. Reported amounts agree with cash receipts and disbursement books and with docket dispositions and case files. Upon information and belief, as the JCF corresponds directly with Justice Jeram, the court has not received any notices regarding late reporting.

*Reporting to Department of Motor Vehicles- TSLED Program:*

Information is reported timely to TSLED and reports are maintained and utilized by the court. The Court currently does not have any pending cases nor has received any notices regarding late monthly reporting.

*Other Concerns: None.*

*Other Comments: None.*

  
Mariah M. LaClair

# Appendix 10 – Annual Checklist for Review of Justice Court Records

**Name of Municipality:**

Town of Clayton

**Month Reviewed:**

7/1/2023

**Through**

6/30/2024

**Name of Justice:**

Walter Jeram

**Review Performed By:**

Mariah LaClair
Mariah LaClair

**Date**

7/15/24

## Annual Checklist for Review of Justice Court Records

	Yes	No
<b><u>Cash Receipts Book</u></b>		
▶ Are pre-numbered receipt forms issued for all collections?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▶ Are duplicate receipts kept for court records?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▶ Are receipts recorded up-to-date?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Last recorded receipt:</i>		
# <u>4981</u> Date <u>7/9/24</u> Amount <u>150.00</u>		
▶ Is the receipt book maintained in a manner to identify date received, payer, and the amount of fines, fees, bail and other categories of collection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▶ Are deposits identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▶ Are duplicate deposit slips kept for court records?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▶ Are deposits made within 72 hours of collection (exclusive of Sundays and holidays)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▶ Are deposits recorded up-to-date?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Last recorded deposit:</i>		
Date <u>7/8/24</u> Amount <u>570.00</u> cc./cash		
▶ Is the receipt book totaled and summarized at the end of each month?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Last Month Totaled and Summarized</i> <u>June 2024</u>		
<b><u>Cash Disbursements Book</u></b>		
▶ Are pre-numbered checks used for all disbursements other than petty cash?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▶ Are all checks signed by the Justice?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▶ Are canceled checks (or check images) returned with bank statements and kept for court records?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▶ Are checks recorded up-to-date?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Last recorded check:</i>		
# <u>1100</u> Date <u>7/2/24</u> Amount <u>2,780.00</u>		
<b><u>Bank Reconciliations</u></b>		
▶ Are bank accounts reconciled promptly after bank statements are received?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Last Bank Reconciliation for Each Bank Account:</i>		
Date Performed <u>7/15/24</u> Month Ending <u>6/30</u>		
<b><u>Additional Supporting Records</u></b>		
▶ Is a list of bail maintained?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
▶ Is a record of uncollected installment payments maintained?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# Annual Checklist for Review of Justice Court Records

**Yes    No**

## Dockets and Case Files

- ▶ Are separate dockets maintained for various classifications of cases, such as Vehicle and Traffic, Criminal, Civil and Small Claims? X    ○
- ▶ Are case files maintained for all cases? If manual, an index is an alphabetical list of cases with case numbers as a cross-reference. This will assist in locating cases since case files are filed by disposition date. If computerized, the index is maintained in the system and can be accessed at any time by name, ticket number or address. X    ○
- ▶ Do dockets for disposed cases appear to be complete? X    ○
- ▶ Do dockets for disposed cases agree with amounts reported? X    ○

## Cash Book Reconciliation

- ▶ Is the cash book reconciled to the adjusted bank balances at the end of each month? X    ○
- ▶ Does the cash book total agree with the bank reconciliation and supporting information? X    ○

*Last Cash Reconciliation:*

Date Performed 10/30/24    Month Ending June 30

## Reports to the Division of Criminal Justice Services

- ▶ Are reports made timely to the Division of Criminal Justice Services? X    ○
- ▶ Has the court received any notices regarding late reporting? ○    X  
If yes, why were the reports late and what corrective actions were taken? \_\_\_\_\_

## Reports to the Justice Court Fund

- ▶ Are reports made timely to the Justice Court Fund? X    ○
- ▶ Do reported amounts agree with docket dispositions and case files? X    ○
- ▶ Do reported amounts agree with cash receipt and disbursement books? X    ○  
Last report submitted: Month Ending 10/30    Date 7/2/24    Amount 2,780.00
- ▶ Has the court received any notices regarding late reporting? X  
If yes, why were the reports late and what corrective actions were taken? \_\_\_\_\_



# Annual Checklist for Review of Justice Court Records

**Yes    No**

**Reporting to the Department of Motor Vehicles - TSLED Program**

- ▶ Has the court received any notices regarding pending cases?  
If yes, why were the cases pending and what corrective actions were taken, if any \_\_\_\_\_

○   

Note: Cases over 60 days are eligible to be Scofflawed. TSLED sends a monthly listing of pending cases to the Court. The court should respond either manually or electronically to TSLED with the outcome of these pending cases.

- ▶ Are reports from TSLED to the court maintained and utilized?  
*Last TSLED Report Available: Date* 7/1/24

   ○

**Note:** Courts can access reports on-line from TSLED at any time.

- ▶ How many cases are shown as pending in the last TSLED report? 0
- Is the number of pending cases reasonable? 0
  - How many cases are shown as pending for more than 90 days? 0
  - What actions have been taken to dispose of these cases? \_\_\_\_\_

   ○

**Overall Evaluation**

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*Jani Sandy*    7-15-2024

**RESOLUTION No. XX 2024  
TOWN OF CLAYTON**

**SEQR NEGATIVE DECLARATION  
NYS ROUTE 12 WEST SEWER DISTRICT**

**DATED: JULY 24, 2024**

**Title: A Resolution to Adopt the SEQR as a Type I Action and adopt the Negative Declaration in Connection with the NYS Route 12 Sewer West District**

At a regular meeting of the Town Board of the Town of Clayton, Jefferson County, New York, held at Dodge Hall, Grindstone Island, Cayton, NY 13624 on the 24th day of July 2024 at 5:00 p.m., prevailing time.

The meeting was called to order by Supervisor Peterson and upon roll being called, the following were:

**PRESENT:** Timothy Doney, Town Supervisor  
Kenneth Knapp, Town Councilman  
Donna Patchen, Town Councilwoman  
James Kenney, Town Councilman  
Kathleen LaClair, Town Councilwoman

**ABSENT:** \_\_\_\_\_

**WHEREAS,** the Town Board of the Town of Clayton owns and operates several sewer districts serving the Town Residents; and

**WHEREAS,** the Town has formed a sewer district on Route 12 from the west end of the existing Route 12 Sewer District to the Village of Clayton line (the "Project"); and

**WHEREAS,** the Project is a Type 1 Action pursuant to the State Environmental Quality Review Act and the regulations promulgated therewith ("SEQR") but the Town Board has elected to conduct a Coordinated Review; and

**WHEREAS,** the engineer for the Town has prepared and submitted to the Town Board a Long Form EAF relative to construction of the sewage collection system and

**WHEREAS,** at regular meeting of this Board held on June 12<sup>th</sup>, 2024 Part I of the Long Form EAF was duly accepted for filing by this Board, this Board declared itself lead agency for the SEQR review, and directed the Town Engineer to circulate that notice together with Part I of the EAF to the other involved agencies; and

**WHEREAS,** by letters dated June 17<sup>th</sup>, 2024 Part I of the EAF was forwarded to each of the other involved agencies this board has either received the consent of the other involved agencies to serve as lead agency, or more than thirty (30) days have elapsed; and

**WHEREAS**, pursuant to 6 NYCRR part 617, this Board has reviewed Part II of the Long Form EAF to determine whether the Project will have a significant effect on the environment; and

**WHEREAS**, pursuant to Article VIII of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation, to wit: 6 NYCRR Part 617, this Board has determined that the Action will not have a significant effect on the environment, and will not cause a significant impact on the environment, and therefore, the preparation of an Environmental Impact Statement is not required.

**NOW, THEREFORE**, be it resolved by the Town Board of the Town of Clayton as follows:

1. Based upon the examination of the Long Form EAF and the criteria set forth in 6 NYCRR Part 617, this Board makes the following findings.

- A. The foregoing recitations are incorporated herein and made part hereof as if fully set forth hereafter.
- B. The proposed Action constitutes a Type 1 Action pursuant to 6 NYCRR Part 617 and this Board has conducted a coordinated review.
- C. No potentially significant adverse impacts on the environment are noted on the EAF and none are known to this Board.
- D. There will be no substantial adverse change in existing air or water quality.
- E. There will be no hazard to human health.
- F. There will be no substantial change in the use or the intensity of use on the land.
- G. There will not be created a material conflict with the community's current plans or goals as officially adopted. None of the criteria listed in 6 NYCRR section 617.11 will be present in the proposed Inspection and no similar criteria will be present which will adversely impact on the environment.

2. The notice of Determination of No significance attached hereto is hereby adopted and accepted by this Board as its Negative Declaration in connection with this inspection.

3. The Town Clerk for the Town of Clayton is hereby directed to file in the Town Clerk's office in the file readily accessible to the public the Negative Declaration attached hereto and forward a copy of the Negative Declaration to the other involved agencies.

4. All subsequent notices concerning this inspection shall note that this Board has issued a negative declaration.

A motion to adopt the foregoing resolution was made by Board Member \_\_\_\_\_ and seconded by Board Member \_\_\_\_\_ and upon a roll call vote of the Board was duly adopted as follows:

Timothy Doney, Town Supervisor	Voting _____
Kenneth Knapp, Town Councilman	Voting _____
Donna Patchen, Town Councilwoman	Voting _____
James Kenney, Town Councilman	Voting _____
Kathleen LaClair, Town Councilwoman	Voting _____

**Certification:**

I, Megan Badour, Town Clerk of the Town of Clayton, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Clayton held on July 24, 2024 and it is on file and of record, and that said resolution has not been altered, amended or revoked and it's in full force and effect.

[SEAL]

\_\_\_\_\_  
Megan Badour, Town Clerk

DRAFT

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]  
 Project : \_\_\_\_\_  
 Date : \_\_\_\_\_

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “Yes” to a numbered question, please complete all the questions that follow in that section.
- If you answer “No” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	
<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>



1. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**4. Impact on groundwater**

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

NO

YES

*If "Yes", answer questions a - h. If "No", move on to Section 5.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**5. Impact on Flooding**

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

NO

YES

*If "Yes", answer questions a - g. If "No", move on to Section 6.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**6. Impacts on Air**

The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g)  
If "Yes", answer questions a - f. If "No", move on to Section 7.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**7. Impact on Plants and Animals**

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)  
If "Yes", answer questions a - j. If "No", move on to Section 8.

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>



e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**8. Impact on Agricultural Resources**  
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)  NO  YES  
*If "Yes", answer questions a - h. If "No", move on to Section 9.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**9. Impact on Aesthetic Resources**  
 The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)  
*If "Yes", answer questions a - g. If "No", go to Section 10.*

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**10. Impact on Historic and Archeological Resources**  
 The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)  
*If "Yes", answer questions a - e. If "No", go to Section 11.*

NO       YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

**11. Impact on Open Space and Recreation**

The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan.

(See Part 1. C.2.c, E.1.c., E.2.q.)

*If "Yes", answer questions a - e. If "No", go to Section 12.*

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**12. Impact on Critical Environmental Areas**

The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d)

*If "Yes", answer questions a - c. If "No", go to Section 13.*

NO

YES

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.

NO

YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.

NO

YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**15. Impact on Noise, Odor, and Light**

The proposed action may result in an increase in noise, odors, or outdoor lighting.

NO

YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**16. Impact on Human Health**

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

NO

YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

**17. Consistency with Community Plans**

The proposed action is not consistent with adopted land use plans.  
(See Part 1. C.1, C.2. and C.3.)

NO

YES

*If "Yes", answer questions a - h. If "No", go to Section 18.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**18. Consistency with Community Character**

The proposed project is inconsistent with the existing community character.  
(See Part 1. C.2, C.3, D.2, E.3)

NO

YES

*If "Yes", answer questions a - g. If "No", proceed to Part 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**

Project : Date : 

**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:  Type 1  Unlisted

Identify portions of EAF completed for this Project:  Part 1  Part 2  Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Route 12 Sewer District West

Name of Lead Agency: Town of Clayton

Name of Responsible Officer in Lead Agency: Tim Doney

Title of Responsible Officer: Supervisor

Signature of Responsible Officer in Lead Agency:

Date: July 24, 2024

Signature of Preparer (if different from Responsible Officer) *Robert J. Campang*

Date: July 24, 2024

**For Further Information:**

Contact Person: Fourth Coast Inc

Address: 745 Graves St.

Telephone Number: 315-783-6384

E-mail: [rjc@fourthcoast.com](mailto:rjc@fourthcoast.com)

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**



**RESOLUTION No. XX of 2024  
TOWN OF CLAYTON  
BOND RESOLUTION**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OR A  
STATUTORY INSTALLMENT BOND IN AN AMOUNT NOT TO EXCEED \$3,000,000,  
THE PROCEEDS OF WHICH ARE TO BE USED FOR THE CONSTRUCTION OF A  
NEW SEWAGE COLLECTION SYSTEM TO SERVICE THE NYS ROUTE 12 SEWER  
WEST DISTRICT**

At a regular meeting of the Town Board of Clayton, Jefferson County, New York held at Dodge Hall, Grindstone Island, in said Town of Clayton on the 24<sup>th</sup> day of July, 2024 at 5:00 pm, prevailing time.

The meeting was called to order by Supervisor Doney and upon roll being called, the following were:

PRESENT: Timothy Doney, Supervisor  
James Kenney, Councilman  
Donna Patchen, Councilwoman  
Kenneth Knapp, Councilman  
Kathleen LaClair, Councilwoman

ABSENT: None

The following resolution was offered by Councilman/Councilwoman \_\_\_\_\_ who moved its adoption, seconded by Councilman/Councilwoman \_\_\_\_\_ to wit:

**BOND RESOLUTION DATED JULY 24<sup>TH</sup>, 2024**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF  
SERIAL BONDS OR A STATUTORY INSTALLMENT  
BOND IN AN AMOUNT NOT TO EXCEED \$3,500,000, THE  
PROCEEDS OF WHICH ARE TO BE USED FOR THE  
CONSTRUCTION OF A NEW SEWAGE COLLECTION  
SYSTEM TO SERVICE THE NYS ROUTE 12 SEWER WEST  
DISTRICT.**

**BE IT RESOLVED**, by the Town Board of Clayton, Jefferson County, New York, as follows:

Section 1. The Town Board of Clayton the interest of the citizens of the Town of Clayton finds that it is necessary for the construction of a new sewage collection system to be known as NYS Route 12 Sewer West District including, but not limited to new sewer mains, laterals, pump stations, and sewage plant upgrades. The estimated cost of such project as determined by St. Lawrence Engineering, DPC, the engineers hired by the Town of Clayton is \$3,500,000.

Section 2. It is hereby determined that the period of probable usefulness of the aforesaid construction is forty (40) years, pursuant to subdivision 1 of paragraph (a) of section 11.00 of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107(d)(3)(a) of the Local Finance Law.

Section 3. The Town Supervisor, is further authorized to sell all or a portion of the Bonds to the New York State Environmental Facilities Corporation (“EFC”) and/or the United States Department of Agriculture, Rural Development (“Rural Development”) in the form prescribed in one or more financing, grant, or similar agreements (the “Financing Agreements”) between the Town and the EFC and/or Rural Development; to execute and deliver on behalf of the Town one or more Financing Agreements with EFC and/or Rural Development and to execute such other documents, and take such other actions, as are necessary or appropriate to obtain financing from the EFC and/or Rural Development for all Town’s obligations under its Bond delivered to EFC and/or rural Development and the Financing Agreements. The Supervisor is further authorized to seek grant funding from such New York State or federal grant programs deemed appropriate and to deliver on behalf of the Town one or more Financing Agreements with the appropriate entities/agencies and to execute such documents, and take such other actions, as necessary or appropriate to obtain financing for all or a portion of the costs of the expenditures authorized by this Bond Resolution.

Section 4. The faith and credit of said Town of Clayton, Jefferson County, New York are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall become due and

payable. Annual tax revenue shall be made in each year sufficient to pay the principal of, and interest on, such bonds becoming due and payable in such year.

Section 5. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all other matters related thereto, prescribing whether to manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bond are to be executed in the name of the Town by the facsimile signature of its Town Supervisor), including the consolidation with other issues shall be determined by the Town Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Town Supervisor shall determine.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 7. Upon this resolution taking effect, the same be published in full in the Thousand Islands Sun, the official newspaper of said Town for such purpose, together with a notice

of the Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 8. This Resolution is subject to permissive referendum, pursuant to Section 35 of the Local Finance Law.

Section 9. This resolution shall constitute a statement of official intent for the purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein. The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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

Timothy Doney, Supervisor	Yes ___	No ___	Absent ___
James Kenney, Councilman	Yes ___	No ___	Absent ___
Donna Patchen, Councilwoman	Yes ___	No ___	Absent ___
Kenneth Knapp, Councilman	Yes ___	No ___	Absent ___
Kathleen LaClair, Councilwoman	Yes ___	No ___	Absent ___
Yes ___	No ___	Abstain ___	Absent ___

Dated: July 24, 2024

The Resolution was thereupon declared duly adopted.

**Certification:**

I, Megan Badour, Town Clerk of the Town of Clayton, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Clayton held on July 24, 2024 and it is on file and of record, and that said resolution has not been altered, amended or revoked and it's in full force and effect.

[SEAL]

\_\_\_\_\_  
**Megan Badour, Town Clerk**

# FIREWORKS DISPLAY HOLD HARMLESS AGREEMENT

Town of Clayton

Ref: NY State Penal Law, Article 405.00

Between the Town of Clayton and Young Explosives Corporation,  
(Print name of Fireworks Contractor)

Witnessed:

1. Young Explosives Corporation (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 Attached
  - b. Automobile Liability: Attached
  - c. General Liability: Attached
  - d. Umbrella Liability: Attached

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: Murphy Wedding @ Harbor Hotel Date: 8/10/2024 Time: 9:45pm

Rain Date if Applicable: N/A Time: N/A

Name of Applicant (Fireworks Contractor / Operator) (print): Jim Young-President, Young Explosives Corp.

Signature of Applicant (Fireworks Contractor / Operator): [Signature] Dated: 7/9/24

Signature of Witness: [Signature: Emily Dean] Dated: 7/9/24

Name of Applicant (Event Sponsor/Organization) (print): Alexandria Murphy

Signature of Applicant (Event Sponsor/Organization): [Signature] Dated: 7/9/2024

Signature of Witness: [Signature] Dated: 7/9/2024

### 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.

(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

July 9, 2024  
Date

  
\_\_\_\_\_  
Signature of Fireworks Operator/Contractor

July 9, 2024  
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**



Department  
of Labor

Expires: 3/31/2025  
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, 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.

A handwritten signature in black ink, appearing to read "Amy Phillips".

Amy Phillips, Director

FOR THE COMMISSIONER OF LABOR



New York State Insurance Fund

PO Box 66699, Albany, NY 12206

| nysif.com

### CERTIFICATE OF WORKERS' COMPENSATION INSURANCE (RENEWED)

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



SCAN TO VALIDATE  
AND SUBSCRIBE

<b>POLICYHOLDER</b> YOUNG EXPLOSIVES CORP P O BOX 18653 ROCHESTER NY 14618		<b>CERTIFICATE HOLDER</b> YOUNG EXPLOSIVES CORPORATION PO BOX 18653 ROCHESTER NY 14618-1461	
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<b>POLICY NUMBER</b> R 400 999-9	<b>CERTIFICATE NUMBER</b> 135554	<b>POLICY PERIOD</b> 01/01/2024 TO 01/01/2025	<b>DATE</b> 4/5/2024
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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: 406881560



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	<b>6-NY-069-24-4K-00339</b>
Chief, Federal Explosives Licensing Center (FELC)	<i>Mama Howard</i>	Expiration Date	<b>October 1, 2024</b>
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 10653  
ROCHESTER, NY 14618-0000

Licensee/Permittee Responsible Person Signature	President
<i>James R. Young</i>	
Printed Name	Position/Title
James R. Young	President
	Date
	11/4/2021

Previous Edition is Obsolete YOUNG EXPLOSIVES CORP 2165 NEW MICHIGAN ROAD CANANDAIGUA NY 14424-0000 11/04/2021 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-069-24-4K-00339

License/Permit Type: 24-IMPORTER OF EXPLOSIVES

Expiration: October 1, 2024

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

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

U.S. GOVERNMENT PRINTING OFFICE: 2011 O 540014

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

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 18553  
ROCHESTER, NY 14618-0000

Licensee/Permittee Responsible Person Signature	President
<i>James R. Young</i>	
Printed Name	Date
James R. Young	11/4/2021

Previous Edition is Obsolete YOUNG EXPLOSIVES CORP: 2165 NEW MICHIGAN ROAD, 14424-0000 NY-069-21-4K-00338 (Rev. 1, 2021) ATF Form 5400.14/5400.15 Part 1 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.	



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 of Insured 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

04/01/2023 to 04/01/2025

4. Policy provides the following benefits:

- A. Both disability and paid family leave benefits
B. Disability benefits only
C. Paid family leave benefits only

5. Policy covers:

- A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law
B. 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 3/4/2024

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.

Village of Clayton  
Summer Location  
April (2022)





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/25/2024

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).

<b>PRODUCER</b> Acisure, LLC dba Britton Gallagher & Associates 3737 Park East Dr. STE 204 Beachwood OH 44122	<b>CONTACT NAME:</b> _____ <b>PHONE (A/C No, Ext):</b> 216-658-7100 <b>E-MAIL ADDRESS:</b> _____	<b>FAX (A/C No):</b> 216-658-7101
	<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> Young Explosives Corporation P.O. Box 18653 Rochester NY 14618	<b>INSURER A :</b> Everest National Insurance Company <b>NAIC #</b> 10120	
	<b>INSURER B :</b> Axis Surplus Insurance Company <b>26620</b>	
	<b>INSURER C :</b> _____	
	<b>INSURER D :</b> _____	
	<b>INSURER E :</b> _____	
	<b>INSURER F :</b> _____	

**COVERAGES****CERTIFICATE NUMBER:** 241954058**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	S18GL00353-241	3/20/2024	3/20/2025	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 ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS NON-OWNED AUTOS	Y	Y	S18CA00054-241	3/20/2024	3/20/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	<input type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB CLAIMS-MADE DED _____ RETENTION \$ _____	Y	Y	P-001-000088058-06	3/20/2024	3/20/2025	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> 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: Saturday, August 10, 2024

Location: Barge on St. Lawrence River in front of 1000 Islands Harbor Hotel

Additional Insured: Town of Clayton, NY, its officers and employees; Village of Clayton, NY; United States Coast Guard

Group Code: Cert#24-358

**CERTIFICATE HOLDER****CANCELLATION**

Alexandria Murphy & Kenneth Norton 105 Ithan Court Kennett Square PA 19348 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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STATE OF NEW YORK - DEPARTMENT OF LABOR  
PYROTECHNICIAN CERTIFICATE OF COMPETENCE



**JERRY L BEHLAU**



CLASS: B  
NON PROXIMATE AUDIENCE ONLY

THIS CARD MUST BE CARRIED

WHEN USING PYROT CERT# PR-597  
EXPIRES 03/27

NYC & NYS CERTIFICATIONS REQUIRED IN NYC



01213 007198392 82

DMV# 679522790

EYES HAZ

HAIR GRY

HGT 6' 3 "

IF FOUND, RETURN TO:

NYSDOL - L&C UNIT

ROOM 161 BUILDING 12

STATE OFFICE CAMPUS

ALBANY NY 12240



Commanding Officer  
United States Coast Guard  
Marine Safety Unit Thousand Islands

4894 Nininger Street  
Fort Drum, NY 13602  
Phone: (315) 774-8724

16750/2024-011-TI  
July 22, 2024

Young Explosives Corporation  
ATTN: James Young  
P.O Box 18653  
Rochester, NY 14618

Dear Mr. Young,

I received your Application for Marine Event, Form CG-4423 dated July 10, 2024 in which you requested approval for the Alexandria Murphy Wedding Fireworks on August 10, 2024. 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 City 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 Unit Thousand Islands 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) 774-8724.

Please advise the Marine Events Coordinator of any changes to your event plans at least 48 hours before the planned start of the event. For any future events, your application must be received by Coast Guard MSU Thousand Islands at least 135 days in advance for new events and 60 days in advance for reoccurring events.

Sincerely,

A handwritten signature in black ink, appearing to read "C. E. Foster".

C. E. FOSTER  
Lieutenant Commander, U. S. Coast Guard  
By direction



35674



DISPLAY FIREWORKS  
PO BOX 18653  
ROCHESTER, NY 14618  
PH. 585-394-1783

**CHASE**  
JPMorgan Chase Bank, N.A.  
www.Chase.com  
50-17/223

7/10/2024

PAY TO THE ORDER OF Town of Clayton

\$ \*\*200.00

Two Hundred and 00/100\*\*\*\*\*

DOLLARS

Town of Clayton  
Attn: Town Clerk  
405 Riverside Drive  
Clayton, NY 13624

VOID AFTER 90 DAYS



SIT

*Kristin Leamu*  
AUTHORIZED SIGNATURE

MEMO

Permit fee- Alexandria Murphy 8/10/24



⑈035674⑈ ⑆022300173⑆ 000958173⑈

35674

Town of Clayton

7/10/2024

Permit fee- Alexandria Murphy 8/10/24

200.00

Cash In Bank = C L F Permit fee- Alexandria Murphy 8/10/24

200.00

Security features Details on back



New York State Education Department  
Office of Special Education  
**Educational Partnership**  
Regional Partnership Center  
CENTRAL

7/1/24

To Whom It May Concern,

I, Gaige Badour, am resigning from my position effective today due to lack of hours. I understand we can't control the weather and was thankful for the opportunity.

Regards,

Gaige L. Badour