

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
1996 CLEAN WATER/CLEAN AIR BOND ACT
ENVIRONMENTAL RESTORATION PROGRAM
STATE ASSISTANCE CONTRACT

IN RE:

Municipality Name: City of Schenectady

Site Name: 714 Broadway

Site Address: 714 Broadway, Schenectady, NY

Site Number: E447034

Contract Number: C302650

Amendment Number: 1

This CONTRACT, (Amendment No. 1) is made between the New York State Department of Environmental Conservation (Department), acting for and on behalf of the State, and the City of Schenectady (Municipality), with offices located at 105 Jay Street, Schenectady, NY 12305.

WITNESSETH

WHEREAS, the Department and the Municipality entered into a contract on February 25, 2005, (Original Contract), which was duly assigned Contract No. C302650, by the Office of the State Comptroller (State Comptroller); and

WHEREAS, there are circumstances necessitating a modification of the Original Contract and the parties desire to amend said Original Contract.

NOW THEREFORE, in consideration of the mutual covenants, promises, representations, and conditions made herein, the parties agree that the Original Contract is hereby revised as follows:

(1). Section XVII, entitled "Miscellaneous U." of the Original Contract is hereby repealed and rescinded in its entirety and is replaced with the following:

U. The term of this Contract shall start December 22, 2004. This Contract shall end on December 31, 2006. The Municipality agrees to proceed expeditiously with and to complete the Project in accordance with Work Plans approved by the Department, and any revisions thereto, and to carry out its other obligations under this Contract.

(2). This Contract and Amendment No. 1 will be effective upon approval and filing by the State Comptroller in accordance with Section 112 of the State Finance Law.

(3). Except as specifically modified herein, all terms and conditions of the Original Contract remain in full force and effect.

AMEND NEW SACS (FEB 2005)

CONTRACT NUMBER C302650

In witness whereof, the parties have signed this Contract on the date indicated opposite each signature. The signatory for the Department provides the following Agency Certification: "In addition to the acceptance of this Contract, I also certify that original copies of this signature page will be attached to all other exact copies of this Contract."

FOR MUNICIPALITY

State of New York)
) ss:
County of Schenectady)

By: [Signature]
Title: Commissioner DCS
Date: 11/1/05

On this 2nd day of November, 2005, before me, the undersigned, personally appeared Carl Olson (name) or (names) personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of which the individual(s) acted, executed the instrument.

By: [Signature]
Signature and office of the individual taking acknowledgment

L. JOHN VAN NORDEN, ESQ.
Notary Public, State of New York
No. 166
Qualified in Schenectady County
Commission Expires February 29, 2006

Date: 11/8/05

FOR DEPARTMENT

By: [Signature]
Title: **DIRECTOR OF MANAGEMENT & BUDGET**
Date: 11/28/05

Approved as to form:

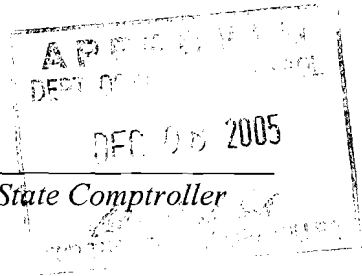
By: _____
for the Attorney General

Date: _____

Approved:

By: _____
For the State Comptroller

Date: _____



The contract is not effective until it is approved by the State Comptroller and filed in his office (Section 112, State Finance Law).