

June 12, 2017

## VILLAGE OF CHURCHVILLE

At a regularly scheduled meeting of the Village of Churchville Board of Trustees held at 7:30 p.m. on the above date at the Village Hall, 23 East Buffalo Street, the following were:

Present: Nancy L. Steedman, Mayor  
 John T. Hartman, Deputy Mayor  
 Michael H. Brown, Trustee  
 Scott A. Cullen, Trustee  
 Diane F. Pusateri, Trustee

Paul A. Robinson, Superintendent of Public Works  
 Meghan A. Lodge, Village Clerk Treasurer  
 Tim McElligott, BI/CEO/Fire Marshal  
 John B. Fitzsimmons, Village Attorney

Fred Lennon, 88 E. Buffalo St

Kari Cameron, 74 W Buffalo St  
 Patrick Fitzgerald, Attorney, Philips Lytle  
 Tim Speares, 51 W Buffalo St [arrived 7:30 p.m.]

Mayor Nancy Steedman opened the meeting at 7:30 p.m. Trustee Michael Brown led the Pledge of Allegiance to the Flag.

### Approval of Minutes

Deputy Mayor John Hartman made a motion, seconded by Trustee Michael Brown, that the minutes of the May 15, 2017 meeting be approved. Motion passed unanimously.

### Superintendent's Report

#### **Electric Department Report**

**Tree Trimming:** Tree trimming around power lines is ongoing. The areas trimmed were Baker Street, Ridgefield Drive, Sanford Road North and East Buffalo Street.

**Parnell Drive Electric Upgrades:** Work has begun on installing new underground conduit on Parnell Drive. The conduits when installed will carry new primary electric cables. The area being replaced this year is from Cloverleaf Drive to the cul-de-sac. When completed the entire phase one section of the Taylor Farms subdivision will have been replaced.

#### **DPW / Sewers Report**

**Brush Collection:** Curbside brush collection has been performed on Mondays through May. Brush will be collected on the first and third Monday every month for the remainder of the season. The next scheduled pick up is June 19<sup>th</sup>.

**Seasonal Items:** The flower boxes were planted and placed out on the week of May 22<sup>nd</sup>. Watering and fertilizer is done as needed.

June 12, 2017

**Lawns and Gardens:** All areas are being mowed weekly. Weeding and spring cleanup of the garden areas has been completed. Watering and weeding is done as needed.

**Street Sweeping:** A full round was completed the week of May 22<sup>nd</sup>.

### **Cemetery Report**

**Burials:** 2 Full burials

**Headstone Foundations:** Headstone foundations were dug and poured the week of May 22<sup>nd</sup>. A total of 13 were done.

### Clerk's Report

Meghan Lodge reported that the PPAC on the July utility bills calculated to .011461, the Clean Energy Surcharge (C.E.S.) calculated to .003208. 159,000 kilowatt hours of supplemental were purchased.

Meghan informed the board that Vicki Rowland will be taking the minutes for the C.A.B. meetings. She will be reimbursed directly by the Town of Riga.

Meghan attended a workshop on L.U.C.A. (Local Update of Census Addresses) last Tuesday. A master list of residences are being compiled for the 2020 census.

The new board room chairs will arrive tomorrow.

### BI/CEO Report

May, 2017

<u>Building Permits Issued:</u>	<u>Date</u>
42 S Main St #17-0010	5/2/2017
14 Chiswick Dr. #17-0011	5/2/2017
35 Parnell Dr. #17-0012	5/2/2017
1 North St. #17-0013	5/2/2017
2 E. Buffalo St. #17-0014	5/2/2017
32 Spotts Cir #17-0015	5/2/2017
19 Parnell Dr. #17-0016	5/2/2017
45 Spotts Cir #17-0017	5/3/2017
32 N. Main St #17-0018	5/4/2017
81 S. Main St. #17-0019	5/9/2017
31 Hutton Cir. #17-0020	5/9/2017
56 Chiswick #17-0021	5/10/2017
70 Chiswick #17-0022	5/10/2017
17 North St. #17-0023	5/16/2017
17 Hutton Cir #17-0024	5/24/2017
21 Ridgefield Dr. #17-0025	5/25/2017

<u>Building Permit Inspections:</u>	<u>Date</u>
24 Spotts Cir.	5/4/2017
26 Spotts Cir	5/4/2017
32 N. Main St. #17-0018 Pool	5/11/2017
32 Spotts Cir #17-0015	5/17/2017
17 Spotts Cir #17-0017	5/23/2017

**June 12, 2017**

32 Spotts Cir	Deck	5/30/2017
33 Spotts Cir	Deck	5/30/2017

<u>C / O Issued</u>	<u>Date</u>
None	

<u>C / C Issued:</u>	<u>Date</u>
81 E Buffalo St.	5/9/2017
18 Spotts Cir. #17-0005	5/2/2017
33 Spotts Cir. #16-0081	5/2/2017
78 Greenway Blvd. #17-0001	5/9/2017
23 Hutton Cir. #16-007	5/9/2017
67 Parnell Dr. #17- 003	5/10/2017
51 Parnell Dr. #16-0105	5/10/2017
66 Chiswick Dr. #16-0104	5/10/2017
84 S. Main #16-015 Expired	5/10/2017

<u>Fire Inspection:</u>	<u>Date</u>
Commons Pontillo's	5/26/2017

<u>Follow Up fire Inspections:</u>	<u>Date</u>
29 S Main St. Apartments	5/24/2017

<u>Meetings and Residents Plan Reviews:</u>	
42 S. Main St. Courtesy Insp.	5/2/2017
70 Baker St. Meeting w/Vargo	5/31/2017

<u>Vacant Homes &amp; Action:</u>	<u>Date</u>
None	

<u>Violations Complaints</u>	<u>Date</u>
2 E Buffalo St. Property Maintenance	5/9/2017
1 Parnell Dr. Parking	5/23/2017

Tim McElligott  
Building Inspector/ Code Enforcement

Tim McElligott presented letters from records storage of correspondence relating to the sprinkler system at 29 South Main Street. At one time there was a sprinkler system at the property but the removal of the system was authorized by the Village Board in the 1980's. Attorney Fitzsimmons stated that the Village Board might have provided relief from local law but cannot issue relief from New York State law. Tim stated that Chapter 777.4 of the New York State Uniform Fire Prevention and Building Code mandates sprinkler systems for this type of building. Attorney Fitzsimmons added that the current board is not bound by the previous board's decision. Mayor Nancy asked if a system was required at the time of the removal. Tim responded that it has always been required for that type of building. Because there is a fire escape there might some relief to the requirements of the complexity of the system, but a system would be required nonetheless. The possibility of removing units from the third floor might put the property under the threshold for the requirement to have a sprinkler system. There are several types of systems available now – some wet and some dry. Tim will write a letter and it will be reviewed by Attorney Fitzsimmons before it is released. Trustee Pusateri suggested a copy of the fire code that requires sprinklers be included with his correspondence. Tim stated that the property owner can appeal to the New York State Board of Fire Commissioners.

**June 12, 2017**

---

### Planning Board

Trustee Pusateri, as Village Board liaison to the Planning Board, attended the meeting that was held on June 7<sup>th</sup>. Copies of the resolutions approved at that meeting were presented to the Village Board.

### Zoning Board

No Report, June 21<sup>st</sup> meeting has been cancelled.

### Fire Department

Fred Lennon reported that there have been 287 calls so far in 2017. Dates were discussed for a demonstration of the new training facility at the firehouse. The date of July 24<sup>th</sup> at 7:00 p.m. was scheduled for this. Meghan will post a legal notice of the meeting.

### Historian

No Report

### Schedule of Bills

Trustee Scott Cullen made a motion, seconded by Trustee Diane Pusateri, that Schedule of Bills No. 2B in the amount of \$70,501.07 as audited by Trustee Michael Brown be approved for payment. Motion passed unanimously.

Trustee Michael Brown made a motion, seconded by Trustee Scott Cullen, that Schedule of Bills No. 3A in the amount of \$102,289.95, as audited by Trustee Michael Brown be approved for payment. Motion passed unanimously.

### Code Compliance Update

- 70 Baker Street: Andy Vargo was unable to attend this evening's meeting. He submitted a letter with an update. There have been delays because of the unusually wet spring. He reported that the County Health Department and Water Authority have authorized the plans. Leo Lynch (property owner) is installing the septic system. They are planning an addition to the eastside of the building. Tim McElligott will let Mr. Vargo know that the board would like a report at the July 17<sup>th</sup> meeting.
- 49 West Buffalo Street: The property owner was sent a letter asking her to appear this evening before the Village Board regarding her plans for remediating the code violations at the property. The property owner was not present. Photographs of the property taken earlier in the day were shown to the Village Board. Tim McElligott reported that there has been minimal effort to remediate the seven items listed in his April 12 letter. Tim Speares asked if something can be done about the property. John Fitzsimmons will work with Tim McElligott to draft a letter for Mayor Nancy to sign regarding the continued code violation findings. The property owner will have 15 days to comply. After 15 days civil action will commence. A court date will be obtained. A determination by the court will take place and any violations will be subject to civil fines if the violations are not remediated. Trustee Cullen recalled a fire at the property several years ago. Tim stated that permission from tenants to enter any personal space must be obtained, before he can inspect the interiors.

June 12, 2017

---

### Policy Review

The following policies were evaluated by the individual trustees charged with review of each policy: Drug Free Workplace; Purchasing and Procurement; Sexual Harassment; Charge Card and Fund Balance. Mayor Nancy stated that she consulted department heads Paul Robinson and Meghan Lodge on the review of the Purchasing and Procurement policy. Bollam, Sheedy and Torani also were consulted regarding the Purchasing and Procurement policy. It was the consensus of the Village Board that these aforementioned policies remain as previously adopted.

### Amend Investment Policy – Resolution No. 2017-50:

Trustee Scott Cullen made a motion, seconded by Trustee Diane Pusateri, to accept the Investment Policy as amended. Motion passed unanimously.

Changes to the Investment policy reflect the removal of the statement regarding interest earnings offering a large potential alternative revenue source; eliminating the phrase “or trust companies (not savings banks or associations)” as it is redundant language; organizing & updating the list of banks that the Village may use; remove repurchase agreements as an authorized investment instrument. Meghan will provide the updated policy for all handbooks.

### Treasurer’s Report

The Village Board will consider the treasurer’s report at the next meeting to allow enough time for the document to be reviewed.

### Release Letter of Credit – Phase 3 Villas at Churchville – Resolution No. 2017-51:

Trustee Diane Pusateri made a motion, seconded by Deputy Mayor John Hartman, that Village Clerk Treasurer Meghan Lodge authorize the release of funds in the amount of \$35,093.52 from North Coast Ventures Letter of Credit per the recommendation of John Paul Schepp of Chatfield Engineers, PC, who has performed a site inspection and finds that the work is satisfactorily complete as outlined in the Engineer’s Estimate date May 22, 2017. Motion passed unanimously.

### Action on Fixed Price TCC Units – Resolution No. 2017-52:

Trustee Michael Brown made a motion, seconded by Deputy Mayor John Hartman, that the Municipal Electric Department purchase three fixed price TCC units at a cost of \$429.58/unit (total cost of \$1,288.74). Motion passed unanimously.

### Adopt Monroe County Hazardous Mitigation Plan – Resolution No. 2017-53:

Offered by Trustee Diane Pusateri, seconded by Trustee Scott Cullen:

WHEREAS, the Village of Churchville, with the assistance from Monroe County Office of Emergency Management, has gathered information and prepared the Monroe County Hazardous Mitigation Plan; and

WHEREAS, the Monroe County Hazardous Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

June 12, 2017

---

WHEREAS, the Village of Churchville is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan via the Monroe County Website (<http://www.monroecountyhmp.com>) and during a Public Hearing on the plan at a meeting of the Monroe County Legislature on May 9 2017; and

WHEREAS, the Village of Churchville has reviewed the Plan and affirms that the Plan will be updated no less than every five years; and

NOW, THEREFORE, BE IT RESOLVED, by the Village Board that the Village of Churchville adopts the Monroe County Hazardous Mitigation Plan, and resolves to execute the actions in the Plan.

Motion passed unanimously.

Authorization for Mayor to sign GDA with DASNY for Street Lighting Upgrade – Resolution No. 2017-54:

Trustee Michael Brown made a motion, seconded by Deputy Mayor John Hartman authorizing Mayor Nancy Steedman to sign the Grant Disbursement Agreement (Project ID #6191) for the Grant Disbursement Agreement with the Dormitory Authority of the State of New York (“DASNY”) for upgrades to street lighting in the Village. Motion passed unanimously.

Attendance at the M.E.U.A. Western Regional Meeting – Resolution No. 2017 – 55:

Trustee Diane Pusateri made a motion, seconded by Trustee Scott Cullen that up to seven employees including the Board of Trustees of the Village of Churchville who wish to attend the MEUA Western Regional meeting being hosted by the Village of Wellsville on Wednesday, June 28, 2017 be authorized to attend at a registration fee of \$50/person. Motion passed unanimously.

Introduction of Proposed Local Laws

At the request of the Village Board, Attorney John Fitzsimmons drafted two local laws. Proposed Local Law 1-2017 is a local law to amend Article IX, Chapter 108 §66 of the Code of the Village of Churchville. The proposed changes to the Planned Residential District (PRD) allow for mixed residential and retail use for not only the residents of the PRD but for all Village residents. This change supports the community master plan goal to focus growth in Village as a center of the community at large. This proposed local law will be considered an unlisted action under SEQRA. A short form EAF will be drawn up for review at the July 17<sup>th</sup> Village Board Meeting.

Proposed Local Law 2-2017 is a local law to rezone the parcel at 32 East Buffalo Street from Village Center District (VCD) to Planned Residential District (PRD). This proposed local law will be a coordinated review under SEQRA by the Planning Board as lead agency.

The public hearing on the adoption of these two proposed local laws can be scheduled for the August 14<sup>th</sup> Village Board meeting.

The proposed local laws are attached to these minutes herewith.

Patrick Fitzgerald stated that they continue to implement the clean-up process and monitor 60+ borings. The plans to make the property residential requires more stringent rules for the clean-up

June 12, 2017

---

process. Al Spaziano/Atlantic Funding is still on track to obtain a certificate of compliance in full from the Department of Environmental Conservation (DEC).

Mayor Nancy asked if Mr. Fitzgerald noticed that there was much focus during tonight's board meeting on property maintenance. She asked if Mr. Fitzgerald was aware of Ram Shrivasta/ Lotus Greene's arrangement to allow a public farmers market on the property during the growing season. Mr. Fitzgerald was not aware of this and will arrange to have the lawn mowed by his client, Mr. Spaziano. Trustee Cullen will put the manager of the farmer's market in touch with Mr. Fitzgerald.

### Correspondence

The Village Board received a request from Lion's Club for assistance with the Country Fair on August 19-20. Paul Robinson stated that he and the DPW will assist with the request. Mayor Nancy asked the trustees to check on their availability for Saturday's parade.

Meghan Lodge shared a request from a resident who wishes to have the penalties waived from his sewer and electric account. He claims that timely payment was placed in the drop-box and the Village has no record of payment. He stated that this has happened before (in 2014) and he requested that penalties be waived. He would like to see the office open early or close late one day a week to assist residents in paying their bills. He is unaware that there is no charge for autopay. Meghan will inform him of this. Meghan stated that there are 170 customers on autopay with no additional fees incurred. Meghan announced receiving an email today that the Village of Churchville has been declared a "Clean Energy Community" by the State of New York and is eligible for a grant in the amount of \$100,000. The Village has three months from the date of today's email (DUE DATE: SEPTEMBER 12, 2017) to go online and submit one or more projects for funding. More information on publicly announcing the achievement is forthcoming. Mayor Nancy thanked Paul Robinson and Meghan Lodge and their departments for their work on this. Paul stated that the IEEP funds to convert cobra head street lights to LED gave Churchville an advantage.

### Deny Penalty Waiver Request – Resolution No. 2017-56:

Trustee Michael Brown made a motion, seconded by Trustee Diane Pusateri that the request to waive the aforementioned penalties be denied. Motion passed 4 in favor and one abstention.

### Other Business

Kerry Cameron stated that she is persistent to see what can be done about permitting the drop in day care at 24 South Main Street. She likened the drop in day care as an educational establishment as is the martial arts school and the dance studio. She noted that the Village is considering changing the code for PRD (Planned Residential District) and would like to see the Village Center District code loosened to accommodate the drop in day care center. Mayor Nancy reminded her that there is a process to code changes and that process does take time. Kerry Cameron thanked the board for the time to speak.

Tim Speares inquired about what happened to the clock that was contributed by the Newman foundation. Mayor Nancy replied that the clock is in storage as the inner workings no longer operate despite having been repaired by the manufacturer (Verdin) numerous times. With the work being planned in the municipal parking lot it is a goal to restore the clock to its former location.

**June 12, 2017**

---

Executive Session

At 9:02 p.m. Trustee Diane Pusateri moved, seconded by Deputy Mayor John Hartman that the meeting adjourn to executive session for the purpose of discussing possible litigation. Motion passed unanimously.

At 9:14 p.m. Deputy Mayor John Hartman moved, seconded by Trustee Michael Brown, that the executive session be adjourned. Motion passed unanimously.

Authorize Mayor to Sign the T-Mobile Lease Agreement – Resolution No. 2017-57:

Trustee Scott Cullen made a motion, seconded by Trustee Diane Pusateri to authorize Mayor Nancy Steedman to sign the T-Mobile Lease Agreement. Motion passed unanimously.

Attorney John Fitzsimmons will take the signed document and forward it to the appropriate parties.

Deputy Mayor John Hartman made a motion, seconded by Trustee Scott Cullen to adjourn the meeting at 9:14 p.m.



JUN 12 2017

VILLAGE OF  
CHURCHVILLE

**VILLAGE OF CHURCHVILLE  
LOCAL LAW NO. 1-2017**

**A LOCAL LAW TO AMEND ARTICLE IX, CHAPTER 108 §108-66  
OF THE CODE OF THE VILLAGE OF CHURCHVILLE**

Legislative Intent:

WHEREAS, The Village Board of Trustees of the Village of Churchville desires to make certain changes to §108-66 of Article IX, Chapter 108, of the Village of Churchville Code, in order to facilitate more flexible planned residential development within the Village and achieve greater flexibility in the parcels of land available for planned residential development, as well as loosening the restrictions therein upon commercial, service, and other non-residential uses, and to make said uses available for the use and benefit of residents of the Village generally; and

WHEREAS, the Village Board has consulted the community master plan of the Village of Churchville and has deemed said proposed changes consistent with the goals thereof; and

WHEREAS, the Village Board has reviewed the proposed changes under the provisions of the State Environmental Quality Review Act; and

WHEREAS, the Village Board has held a public hearing with regard to this Local Law;

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE VILLAGE OF CHURCHVILLE HEREBY ENACTS AS FOLLOWS:

1. §108-66 A of Article IX, Chapter 108, is hereby amended to read as follows:

A. Minimum Area. Under normal circumstances, the minimum area required to qualify for a Planned Residential Development District shall be four contiguous acres of land. Where the Applicant can demonstrate that the characteristics of his holdings will meet the objectives of the Article, the Planning Board may consider projects with less acreage.

2. §108-66 D (1) and (2) of Article IX, Chapter 108, are hereby amended to read as follows:

D. Permitted uses. All uses within an area designated as a PRD District are determined by the provisions of this Article and the approved plan of the project concerned.

(1) Residential uses. Residences may be of any variety or types. In developing a balanced community, the use of a variety of housing types shall be deemed most in keeping with this section. However, provision for a significant percentage of single-family, detached structures is encouraged, but such requirement shall be optional with the Planning Board and the Village Board, with due consideration given to the location of the proposed development, surrounding land uses and the best interests of the Village and the area under development.

(2) Accessory commercial, service and other nonresidential uses.

(a) A submittal requesting commercial, service and other nonresidential uses will generally be considered only where such uses are scaled to a size and type for the use and benefit of the residents of the planned residential development and, with due consideration to the location of the proposed development and surrounding land uses, and the size and type of services offered, for the use and benefit of the residents of the Village generally.

(b) If any accessory commercial, service or other nonresidential uses are requested by the developer, which are intended to service residents of the Village generally, then permission for the development of such facilities within the PRD shall be pursuant to the provisions of §§ 108-83 and 108-84 of this chapter, and shall be a special permit pursuant to the provisions of those sections.

3. §108-66 G (2) (c) is hereby deleted in its entirety.

4. **Validity, Savings and Severability.** Should any section, paragraph, sentence, clause, word, part or provision of this Local Law be declared void, invalid, or unenforceable for any reason, such declaration shall not affect the validity of any other part of this Local Law, which can be given effect without the part(s) declared void, invalid, or unenforceable.

5. **When Effective.** This Local Law shall take effect upon its filing in the Office of the Secretary of State.

RECEIVED

JUN 12 2017

VILLAGE OF  
CHURCHVILLE

VILLAGE OF CHURCHVILLE  
LOCAL LAW NO. 2-2017

A LOCAL LAW TO AMEND THE ZONING MAP  
OF THE VILLAGE OF CHURCHVILLE,  
TO RE-ZONE CERTAIN PROPERTY FROM  
VILLAGE CENTER DISTRICT TO PLANNED RESIDENTIAL DEVELOPMENT DISTRICT

Legislative Intent:

WHEREAS, The Village Board of Trustees of the Village of Churchville has received a recommendation from the Planning Board for re-zoning of a certain property known as 32 East Buffalo Street, Tax Account Number 143.10-1-37, consisting of 4.9 acres, in the Village of Churchville, more particularly described at Schedule A annexed hereto, from the presently existing zoning of Village Center District to Planned Residential Development District; and

WHEREAS, the Village Board has studied the Village of Churchville Code and has considered the materials submitted by the Planning Board and by the Applicant appearing before the Planning Board, including a sketch plan showing the site and proposed development thereof; and

WHEREAS, the Village Board has consulted the Community Master Plan of the Village of Churchville, as it applies to such property; and

WHEREAS, the Village of Churchville Planning Board is reviewing the sketch plan submitted by the Applicant intending to develop the parcel pursuant to coordinated review under the State Environmental Quality Review Act; and

WHEREAS, the Village Board finds that the re-zoning will achieve the objectives set forth at §108-65 B, and has determined the dwelling-unit percentage requirement set forth at §108-66 D(1) as it applies to the proposed development is not necessary in keeping with the best interests of the Village and the area under development, and that the proposed land use intensity and dwelling use intensity as it applies to the proposed development is appropriate, pursuant to §108-66 E; and

WHEREAS, the Village Board has held a public hearing with regard to such proposed re-zoning, and is duly considered the public comments made at such hearing, and determines that such re-zoning would benefit the Village and be in the best interests of it's citizens;

NOW, THEREFORE, THE BOARD OF TRUSTEES OF THE VILLAGE OF CHURCHVILLE HEREBY ENACTS AS FOLLOWS:

1. **Enactment of Zoning Change.** The following premises are hereby designated and re-zoned as a Planned Residential Development District, which premises shall hereafter be subject to Article IX (§ 108-65 through 108-71) of Chapter 108, Zoning, of the Code of the Village of Churchville:

**See Schedule A attached hereto and made a part hereof**

Which said re-zoning is conditioned upon final site plan approval from the Village of Churchville Planning Board, and a Certificate of Compliance from the New York State Department of Environmental Conservation, by August 14, 2018.

2. **Amendment of Zoning Map.** The Zoning Map of the Village of Churchville dated June 18, 1979, as amended, as adopted by §108-3 A, District Boundaries, is further amended so as to include those areas of the Village of Churchville described in Schedule A herein, within the **Planned Residential Development District**.

3. **Validity, Savings and Severability.** Should any section, paragraph, sentence, clause, word, part or provision of this Local Law be declared void, invalid, or unenforceable for any reason, such declaration shall not affect the validity of any other part of this Local Law, which can be given effect without the part(s) declared void, invalid, or unenforceable.

4. **When Effective.** This Local Law shall take effect upon its filing in the Office of the Secretary of State; provided, however, that this Local Law and re-zoning shall become null and void if a performance bond to cover legal and administrative costs under §108-86 is not filed with the Village Clerk, and if site plan approval is not granted by the Village of Churchville Planning Board and a Certificate of Compliance is not issued from the New York State Department of Environmental Conservation, by August 14, 2018.

**SCHEDULE "A"**

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF RIGA, COUNTY OF MONROE AND STATE OF NEW YORK, VIZ:

BEGINNING AT THE NORTH EAST CORNER OF LANDS FORMERLY OWNED BY WILLIS PIERSON, DEEDED TO HIM BY JAMESON AND RANDALL;

THENCE NORTH THIRTY-NINE AND ONE HALF ( $39 \frac{1}{2}$ ) DEGREES EAST THREE (3) CHAINS AND FIFTY-EIGHT (58) LINKS TO A ROCK;

THENCE NORTH FORTY (40) DEGREES EAST EIGHT (8) CHAINS AND SEVENTY (70) LINKS TO A STAKE;

THENCE NORTH TWELVE AND THREE-FOURTHS ( $12 \frac{3}{4}$ ) DEGREES EAST TEN (10) CHAINS AND TEN (10) LINKS TO THE SOUTH BANK OF BLACK CREEK;

THENCE DOWN SAID BLACK CREEK WITH THE MEANDERINGS THEREOF TO A POINT SOUTH FOUR AND THREE-FOURTHS ( $4 \frac{3}{4}$ ) DEGREES WEST EIGHTY-FOUR (84) LINKS AND SOUTH EIGHTY-ONE AND ONE-FOURTH ( $81 \frac{1}{4}$ ) DEGREES EAST, ONE (1) CHAIN AND NINETY-SEVEN (97) LINKS FROM THE NORTH WEST CORNER OF THE BARN EAST OF THE UNION MEETING HOUSE IN CHURCHVILLE,

THENCE SOUTH SEVENTY-SIX AND ONE HALF DEGREES ( $76 \frac{1}{2}$ ) EAST FIVE (5) CHAINS AND THIRTY (30) LINKS TO THE SOUTH WEST CORNER OF LANDS FORMERLY OWNED BY JOHN TULLER OR FULLER, NOW DECEASED;

THENCE NORTH EIGHTY-ONE AND ONE FOURTH ( $81 \frac{1}{4}$ ) DEGREES EAST, FOUR (4) CHAINS AND THIRTEEN (13) LINKS TO THE NORTH WEST CORNER OF LANDS FORMERLY OCCUPIED BY JOHN KEETS;

THENCE SOUTH THIRTEEN AND ONE FOURTH ( $13 \frac{1}{4}$ ) DEGREES EAST TWO (2) CHAINS AND NINETY-ONE (91) LINKS, TO THE CENTER OF THE STATE ROAD;

THENCE SOUTH SEVENTY-TWO (72) DEGREES WEST—ALONG THE CENTER OF SAID STATE ROAD, FOUR (4) CHAINS AND THIRTY-FOUR (34) LINKS;

THENCE NORTH EIGHTY-EIGHT AND ONE HALF ( $88 \frac{1}{2}$ ) DEGREES WEST ALONG THE SAID STATE ROAD EIGHT (8) CHAINS TO THE SOUTH EAST CORNER OF LANDS NOW OR FORMERLY OWNED BY JOHN SCOTT DEEDED TO HIM BY JAMESON AND RANDALL;

THENCE NORTH FOUR AND THREE-FOURTHS ( $4 \frac{3}{4}$ ) DEGREES EAST, FOUR (4) CHAINS AND EIGHTY-TWO (82) LINKS TO A LARGE SAWED POST;

THENCE SOUTH EIGHTY-ONE AND ONE FOURTH ( $81 \frac{1}{4}$ ) DEGREES EAST ONE (1) CHAIN AND FORTY-TWO (42) LINKS,

THENCE NORTH SIXTEEN (16) DEGREES EAST TWO (2) CHAINS AND THIRTY (30) LINKS TO THE SOUTHEAST CORNER OF THE METHODIST PARSONAGE LOT;

THENCE NORTH TWENTY (20) DEGREES EAST, THREE (3) CHAINS AND SIX (6) LINKS;

THENCE NORTH THIRTY-TWO AND ONE HALF (32 ½) DEGREES EAST FOUR (4) CHAINS TO THE PLACE OF BEGINNING.

EXCEPTING THEREFROM AS FOLLOWS:

SO MUCH THEREOF AS WAS CONVEYED BY MOSES R. DOLE AND OTHERS TO ELISHA P. DAVIS BY DEED DATED JUNE 5, 1858 AND RECORDED IN SAID CLERK'S OFFICE IN LIBER 146 OF DEEDS AT PAGE 120; ALSO SO MUCH THEREOF AS WAS CONVEYED BY GEORGE E. HARMON AND WIFE TO SARAH THOMAS, BY DEED DATED DECEMBER 1ST, 1871, AND RECORDED IN MONROE COUNTY CLERK'S OFFICE IN LIBER 275 OF DEEDS AT PAGE 419; ALSO

SO MUCH THEREOF AS WAS CONVEYED BY FRANK W. POTTER AND WIFE TO THE CHURCHVILLE LIGHT AND HEATING COMPANY BY DEED DATED JUNE 16, 1905, AND RECORDED IN MONROE COUNTY CLERK'S OFFICE IN LIBER 714 OF DEEDS AT PAGE 245; ALSO SO MUCH THEREOF AS WAS CONVEYED BY FRANK W. POTTER AND OTHERS TO BENJAMIN SMITH BY DEED DATED FEBRUARY 2, 1906 AND RECORDED IN MONROE COUNTY CLERK'S OFFICE IN LIBER 726 OF DEEDS AT PAGE 129, ALSO SO MUCH THEREOF AS WAS CONVEYED BY FRANK W. POTTER AND OTHERS TO ADA DONNON BY DEED DATED FEBRUARY 28, 1916, AND RECORDED IN MONROE COUNTY CLERK'S OFFICE IN LIBER 997 OF DEEDS AT PAGE 150, ALSO SO MUCH THEREOF AS WAS CONVEYED BY FRANK W. POTTER AND OTHERS TO HENRY F. SNYDER AND WIFE BY DEED DATED FEBRUARY 24, 1916, AND RECORDED IN SAID CLERK'S OFFICE IN LIBER 997 OF DEEDS AT PAGE 151.

ALSO

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE VILLAGE OF CHURCHVILLE, TOWN OF RIGA, COUNTY OF MONROE AND STATE OF NEW YORK BEING PART OF THE LANDS CONVEYED TO FRANK W. POTTER BY DEED FROM CHARLES H. SAGE AND WIFE RECORDED IN MONROE COUNTY CLERK'S OFFICE IN LIBER 647 OF DEEDS AT PAGE 110, AND BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT WHICH IS SEVEN (7) FEET DUE NORTH FROM THE NORTHEAST CORNER OF THE OLD STONE GAS HOUSE, SITUATED ON SAID POTTER LAND;

RUNNING THENCE WEST PARALLEL WITH THE NORTH WALL OF THE OLD STONE GAS HOUSE TWENTY (20) FEET,

THENCE NORTH AT RIGHT ANGLES, THIRTY (30) FEET;

THENCE EAST PARALLEL WITH SAID SOUTH LINE, THIRTY (30) FEET;

THENCE SOUTH AT RIGHT ANGLES THIRTY (30) FEET;

THENCE WEST AT RIGHT ANGLES TEN (10) FEET TO THE PLACE OF BEGINNING;

AND

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE VILLAGE OF CHURCHVILLE, COUNTY OF MONROE AND STATE OF NEW YORK, AND DESCRIBED AS FOLLOWS:

BEING A PART OF LOT NUMBER THIRTY-SIX (36) OF THE WEST PULTNEY TRACT DESCRIBED AND BOUNDED AS FOLLOWS.

-Attachment to 6/12/2017 minutes-

COMMENCING AT A STAKE STANDING IN THE NORTH LINE OF THE SAWMILL YARD OWNED BY GEORGE HARMON TO SAID VILLAGE OF CHURCHVILLE ONE CHAIN AND TWENTY-ONE LINKS EASTERLY FROM THE EAST BANK OF BLACK CREEK AT HIGH WATER MARK,

RUNNING THENCE WESTERLY ALONG THE NORTH LINE OF SAID SAWMILL YARD ONE CHAIN AND TWENTY ONE LINKS TO THE EAST BANK OF BLACK CREEK AT HIGH WATER MARK,

THENCE NORTHERLY UP SAID CREEK FOLLOWING THE EAST BANK ONE CHAIN AND NINETY LINKS TO A STAKE,

THENCE SOUTHERLY IN A DIRECT LINE ONE CHAIN AND SIXTY-TWO LINKS TO THE PLACE OF BEGINNING,  
AND

ALL THAT THAT TRACT OR PARCEL OF LAND, SITUATE IN THE VILLAGE OF CHURCHVILLE, COUNTY OF MONROE AND STATE OF NEW YORK, BOUNDED AND DESCRIBED AS FOLLOWS:-

BEGINNING AT A POINT IN THE CENTER LINE OF THE BUFFALO ROAD AT THE SOUTHWEST CORNER OF A PARCEL OF LAND HERETOFORE CONVEYED BY FRED MCINTOSH AND WIFE TO WALTER BROMLEY BY WARRANTY DEED DATED MARCH 31ST, 1920;

THENCE NORTHERLY ALONG THE WEST LINE OF SAID BROMLEY'S LAND, TWO HUNDRED FIFTY-ONE AND NINETY-SIX HUNDREDTHS (251.96) FEET TO THE NORTHWEST CORNER THEREOF;

THENCE EASTERLY ALONG THE NORTH LINE OF SAID BROMLEY'S LAND 142 FEET TO LANDS NOW OR FORMERLY OWNED BY HENRY F. SNYDER;

THENCE NORTHERLY ALONG THE WEST LINE OF SAID HENRY F. SNYDER'S LAND ABOUT THREE HUNDRED FIFTY-TWO AND NINETY-SIX HUNDREDTHS (352.96) FEET TO THE BANK OF THE BLACK CREEK,

THENCE SOUTHERLY ALONG THE BANK OF SAID BLACK CREEK ABOUT THREE HUNDRED EIGHTY-FOUR AND SEVEN TENTHS (384.7) FEET TO LANDS FORMERLY OWNED BY ALBERT A. TUPPER;

THENCE SOUTHERLY ALONG THE EAST LINE OF SAID TUPPER'S LAND ONE HUNDRED TWENTY-THREE AND TWO TENTHS (123.2) FEET TO THE NORTH LINE OF THE "SAW MILL" LOT,

THENCE EASTERLY ALONG THE NORTH LINE OF SAID "SAW MILL" LOT ONE HUNDRED FIFTY-FIVE AND NINE TENTHS (155.9) FEET TO THE NORTHEAST CORNER OF THE SAME;

THENCE SOUTHERLY ALONG THE EAST LINE OF SAID "SAW MILL" LOT ONE HUNDRED NINETY FIVE AND SEVEN TENTHS (195.7) FEET TO THE CENTER OF THE BUFFALO ROAD;

THENCE EASTERLY ALONG THE CENTER LINE OF SAID BUFFALO ROAD, TWENTY FOUR AND EIGHTEEN HUNDREDTHS (24.18) FEET TO THE PLACE OF BEGINNING, ACCORDING TO A MAP THEREOF MADE BY GEORGE R. NEWELL, SURVEYOR, DATED MARCH 31ST, 1920 AND FILED IN MONROE COUNTY CLERK'S OFFICE IN LIBER 44 OF MAPS AT PAGE 20.

AND

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE VILLAGE OF CHURCHVILLE, COUNTY OF MONROE AND STATE OF NEW YORK, AND BEING PART OF LOT NUMBER THIRTY SIX (36) IN THE TOWN OF RIGA, AND BOUNDED AS FOLLOWS, AS SHOWN ON A MAP MADE BY G. R. NEWELL SHOWING TWO PARCELS OF LAND OWNED BY RIVERSIDE PAPER BOX CORPORATION AND HENRY F. SNYDER RESPECTIVELY, WHICH MAP IS

DATED JUNE 23, 1921 AND WAS FILED IN MONROE COUNTY CLERK'S OFFICE ON THE 14TH DAY OF JULY, 1921 IN LIBER 47 OF MAPS AT PAGE 21 AND WAS MADE IN ANTICIPATION OF THE CONVEYANCE BY ELMER E. FAIRCHILD AND WIFE TO RIVERSIDE PAPER BOX CORPORATION DATED OCTOBER 10, 1921 AND OF THE CONVEYANCE BY ELMER E. FAIRCHILD AND WIFE TO HENRY F. SNYDER WHICH WAS MADE BY DEED DATED AND ACKNOWLEDGED OCTOBER 19, 1921

BEGINNING AT THE NORTHEASTERLY CORNER OF LANDS NOW OR FORMERLY BELONGING TO WALTER BROMLEY UNDER A DEED TO HIM FROM FRED AND KATHERINE MCINTOSH, SAID CORNER BEING THE NORTHWESTERLY CORNER OF LANDS CONVEYED TO SAID SNYDER BY PARTIES OF THE FIRST PART HEREIN AS AFORESAID;

THENCE EASTERLY ALONG SNYDER'S NORTHERLY LINE WHICH IS A PROLONGATION OF SAID BROMLEY'S NORTHERLY LINE A DISTANCE OF ONE HUNDRED TWO AND FORTY-THREE ONE-HUNDREDTHS (102.43) FEET TO THE NORTHEASTERLY CORNER OF SAID SNYDER'S LAND;

THENCE NORTHERLY ON A LINE FORMING WITH SNYDER'S NORTHERLY LINE AN ANGLE OF EIGHTY EIGHT DEGREES AND TWELVE MINUTES ( $88^{\circ} 12'$ ) IN THE NORTHWESTERLY QUADRANT, A DISTANCE OF FOUR HUNDRED ONE AND SEVENTY-ONE ONE-HUNDREDTHS (401.71) FEET TO THE SOUTHERLY BANK OF BLACK CREEK;

THENCE SOUTHWESTERLY, ALONG SAID CREEK AND FOLLOWING THE MEANDERINGS THEREOF TO THE NORTHEAST CORNER OF LANDS HERETOFORE CONVEYED TO RIVERSIDE PAPER BOX CORPORATION BY FRED AND KATHERINE MCINTOSH, SAID CORNER BEING ONE HUNDRED SIX AND SIXTY-SEVEN ONE-HUNDREDTHS (106.67) FEET DISTANT IN A STRAIGHT LINE FROM THE LAST ABOVE DESCRIBED POINT ON BLACK CREEK AND ON A LINE FORMING WITH THE ABOVE DESCRIBED EASTERLY LINE OF THE PROPERTY-HEREIN CONVEYED AN ANGLE OF SIXTY FOUR DEGREES AND FORTY TWO MINUTES ( $64^{\circ} 42'$ ) IN THE SOUTHWESTERLY QUADRANT;

THENCE SOUTHERLY ALONG THE EASTERLY LINE OF THE AFORESAID LANDS OF RIVERSIDE PAPER BOX CORPORATION WHICH FORMS WITH THE SAID STRAIGHT LINE BETWEEN THE TWO DESCRIBED POINTS ON BLACK CREEK, AN INTERIOR ANGLE OF ONE HUNDRED SIXTEEN DEGREES AND SIXTEEN MINUTES ( $116^{\circ} 16'$ ), A DISTANCE OF THREE HUNDRED FIFTY TWO AND NINETY SIX ONE-HUNDREDTHS (352.96) FEET TO THE PLACE OF BEGINNING, THE INTERIOR ANGLE AT THIS POINT FORMED BY THE FIRST AND LAST DESCRIBED LINES BEING NINETY DEGREES AND FIFTY MINUTES ( $90^{\circ} 50'$ ).

EXCEPTING FROM THE ABOVE DESCRIBED PARCELS AND TRACTS OF LAND SO MUCH THEREOF AS WAS CONVEYED BY RIVERSIDE PAPER BOX CORPORATION TO COUNTY OF MONROE BY WARRANTY DEED DATED OCTOBER 4, 1928, AND RECORDED OCTOBER 10, 1928 IN MONROE COUNTY CLERK'S OFFICE IN LIBER 1468 OF DEEDS AT PAGE 343.

THE policy to be issued under this report will insure the title to such buildings and improvements erected on the premises, which by law constitute real property.

**FOR CONVEYANCING ONLY: TOGETHER** with all the right, title and interest of the party of the first part, of in and to the land lying in the street in front of and adjoining said premises.