

TOWN OF CLARKSON
TOWN BOARD MEETING
June 11, 2013

The Town Board of the Town of Clarkson held their regular meeting on Tuesday, June 11, 2013 at the Clarkson Town Hall, 3710 Lake Road, Clarkson, NY at 6:00 PM.

PRESENT:

Paul Kimball	Supervisor
Allan Hoy	Councilperson
Christa Filipowicz	Councilperson
Patrick Didas	Councilperson
Scott Tantalo	Councilperson
Sharon Mattison	Town Clerk
Robert Viscardi	Highway Supt.
Richard Olson	Attorney for the Town

ALSO:

Kristin Coon	Ass't to Supervisor
Christopher Lyon	Assessor
Chad Fabry	Building Insp/Code Enf.

**excused

Supervisor Kimball opened the meeting, and Sharon Mattison, Town Clerk led all those present in the Pledge of Allegiance. A moment of silence was observed for those serving in the military.

OPEN FORUM

Brockport Ambulance President, Dave Rice appeared with several members of the Brockport Volunteer Ambulance Corp. Dave provided the Board with information related to their proposal to provide primary ambulance services to the Town of Clarkson. Dave updated the Board on the impact of Lakeside's closing, their future business and staffing plan in addition to call statistics. President Rice will appear again on July 23rd.

PROPOSED DISASTER RECOVERY PLAN

Dan Garrett of Advanced Technical Solutions gave a presentation on Disaster Recovery and Business Continuity Solutions. He presented two different proposals, one for approximately \$16,000 and the second for \$13,000. The Board requested that Dan provide them with a copy of ATS "Service Level Agreement" explaining their IT support pricing schedule before the June 25th Town Board meeting.

LETTERS OF CREDIT

K. Coon stated that Chatfield Engineers will update the Board when their investigation is complete.

VETERANS MEMORIAL PARK EASEMENT

PRESENT: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Tantalo

ABSENT: None

Introduced by Councilperson Hoy

Seconded by Councilperson Tantalo

**TOWN OF CLARKSON, MONROE COUNTY
RESOLUTION AUTHORIZING SUPERVISOR TO SIGN ENVIRONMENTAL
EASEMENT FOR PROPERTY LOCATED AT 8264 RIDGE ROAD WEST**

WHEREAS, The Town purchased property located at 8264 Ridge Road West from the County of Monroe in 2008; and

WHEREAS, the property had previously been used as a service station; and

WHEREAS, the Town entered into a State Assistance Contract under the

Environmental Restoration Program from the New York State Department of Environmental Conservation and retained Lu Engineers to supervise the evaluation and remediation of the property; and

WHEREAS, the remediation of the property has been complete per the submitted plan and Lu Engineers has submitted a Site Management Plan to the Town Board and has prepared an Environmental Easement for signature; and

WHEREAS, the Town Board has reviewed the Site Management Plan and the Environmental Easement with particular attention being paid to the restrictions on future development of the site and future monitoring of the site;

NOW, THEREFORE, BE IT RESOLVED:

SECTION 1. That the Supervisor is hereby authorized to sign the attached Environmental Easement relating to property located at 8264 Ridge Road West, Town of Clarkson;

SECTION 2. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilperson Hoy, Filipowicz, Didas and Tantalo

NAYS: None

Discussion: Attorney Olson stated that the easement has been submitted to the DEC for their approval.

RESOLUTION AUTHORIZING LAWN MOWING IN ACCORDANCE WITH LOCAL LAW #2-2009; 8470 RIDGE ROAD

PRESENT: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas, Tantalo

ABSENT: None

Introduced by: Councilperson Didas

Seconded by: Councilperson Filipowicz

RESOLUTION REQUIRING CUTTING OF GRASS

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **8470 Ridge Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

NOW, THEREFORE, BE IT RESOLVED:

Section 1. That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

Section 2. That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Tantalo

NAYS: none

06.11.13

MOTION TO APPROVE REQUEST FOR FIREWORKS DISPLAY

PRESENT: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Tantalo

ABSENT: None

Motion by Councilperson Didas
Seconded by Councilperson Tantalo

To approve a fireworks display by Young Explosives Corp. to be held at the Clarkson Good Neighbor Day Festival at Hafner Park, 3645 Lake Road, Clarkson, NY. A Certificate of Liability Insurance for Young Explosives Corp. was provided. The Town of Clarkson is aware of Article 405 regarding firework permits.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Tantalo

NAYS: None

PROPOSED LOCAL LAW #4-2013; TRANSFER STATION

Attorney Olson reviewed the current Transfer Station guidelines that are distributed to residents and made recommendations for several changes. In addition, he suggested that authority for revoking permits be granted to the Highway Superintendent. Residents would have 15 days to file an appeal with the Town Board who then has two weeks to make a decision. If the Town Board decides to overrule the Highway Superintendent and want to give the permit back they can. They would then prorate whatever the length of time was that the permit was revoked. Residents would be allowed to purchase a new permit the following year. Superintendent Kimball reminded those present that the Transfer Station is not for commercial waste. It is for waste generated within the Town by the applicant. A lengthy discussion took place regarding the best way to handle construction materials as well as other chargeable items. Highway Superintendent, Bob Viscardi, mentioned that we could use a log at the Transfer Station similar to what they utilize on Junk Days. Supervisor Kimball suggested we try this for 30 days and then re-evaluate. Bob Viscardi will talk to the Transfer Station attendants about keeping this log. Additional conversation ensued regarding financial gains or losses of the Transfer Station.

TOWN OF CLARKSON , MONROE COUNTY RESOLUTION AUTHORIZING SUPERVISOR TO SIGN PAYMENT REQUEST FORM FOR RIDGEWOOD PARK

PRESENT: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Tantalo

ABSENT: None

Introduced by: Councilperson Hoy
Seconded by: Councilperson Tantalo

WHEREAS, The Town was awarded a \$298,125.00 grant from New York State for Acquisition and Development of Ridgewood Park; and

WHEREAS, the project is now complete; and

WHEREAS, it is necessary for the Supervisor to request a final payment from New York State.

06.11.13**NOW, THEREFORE, BE IT RESOLVED:**

SECTION 1. That the Supervisor is hereby authorized to sign the final payment request form and cause the same to be submitted.

SECTION 2. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Tantaló

NAYS None

AUTHORIZE COMPUTER PURCHASE

Motion by Councilperson Didas

Seconded by Councilperson Filipowicz

To authorize purchase of a new computer as quoted by Spectrum Computing Solutions, Ken Haslip. The total cost for the new computer is \$975.00. The new computer will be utilized by the Town Clerk.

MOTION APPOINTING CONSERVATION BOARD MEMBER

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To appoint Delanda Delucia of 7939 Ridge Road West, Clarkson NY as a member of the Conservation Board, beginning immediately and ending December 31, 2015.

Unanimously carried

MOTION APPOINTING ZONING BOARD OF APPEALS MEMBER

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To appoint Leslie Zink of 101 Pesh Home Trail, Clarkson NY as a member of the Zoning Board of Appeals, beginning immediately and ending December 31, 2014.

Unanimously carried

MOTION APPOINTING PLANNING BOARD MEMBER

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To appoint William Rowe of 32 Crescent Drive, Clarkson NY as a member of the Planning Board, beginning immediately and ending December 31, 2014.

Unanimously carried

RESOLUTION TOWN OF CLARKSON UNIFORM NOTICE OF CLAIM

PRESENT: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Tantaló

ABSENT: None

Introduced by Councilperson Hoy

Seconded by Councilperson Didas

WHEREAS, General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town's agent; and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate;

06.11.13

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkson, County of Monroe hereby designates the Secretary of State as the agent for the service of a notice of claim upon the Town, with any such notice of claim served upon the Secretary of State to be mailed to the Town of Clarkson, Attn: Town Clerk or Town Supervisor, 3710 Lake Road, PO Box 858, Clarkson, New York 14430.

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013, with a copy of same to be retained as a matter of record and filed with the Town Supervisor and Town Attorney.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Tantalo

NAYS: None

BUILDING INSPECTOR REPORTS

C. Fabry had nothing to report.

ASSESSOR REPORTS

C. Lyon stated that the Board of Assessment Review looked at 15 properties, lowered 9 a total of \$224,300. The final tax roll will be out July 1, 2013. Chris is currently working with K. Coon and Bob Fox, CPA making sure the shared water district properties are correctly accounted for.

HIGHWAY SUPT. REPORTS

Superintendent Viscardi reported the first County work began last week. Highway staff has also been handling sewer problems on Sherwood Drive and Valley View. He added that his new pickup came in last week at a cost of \$20,000. Supervisor Kimball stated that a replacement schedule should be established for highway vehicles.

MINUTES

Motion by Councilperson Didas

Seconded by Councilperson Filipowicz

To approve May 28, 2013 minutes.

Unanimously carried

AUDIT—6-1-2013

Motion by Councilperson Hoy

Seconded by Councilperson Tantalo

To authorize payment of audit 6-1-2013 to include the following:

Vouchers 20130507-20130543; Total \$27,544.41; Gen. \$19,876.59; Hwy. \$4,548.92;

SL \$3,088.90; SS \$30.00

For distribution checks from 25231 - 25263

Unanimously carried

EXECUTIVE SESSION

Motion by Councilperson Filipowicz

Seconded by Councilperson Hoy

To enter executive session at 7:55 P.M. to discuss a personnel matter.

Unanimously carried

RETURN TO REGULAR SESSION

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To return to regular session at 8:20 P.M.

Unanimously carried

06.11.13

REQUEST MERIT INCREASE DEPUTY TOWN CLERK

Motion by Councilperson Didas

Seconded by Councilperson Hoy

To approve a merit increase for Deputy Town Clerk, Katharine Kemp, to step 6, \$13.36 per hour.

Unanimously carried

MOTION TO ADJOURN

Motion to adjourn at 8:25 P.M. by Councilperson Tantalo

Seconded by Councilperson Filipowicz

Unanimously carried

Respectfully submitted,

Sharon S. Mattison

Town Clerk

APPROVED 07-09-2013

County: Monroe Site No: E828143 State Assistance Contract : C303810

ENVIRONMENTAL EASEMENT GRANTED PURSUANT TO ARTICLE 71, TITLE 36
OF THE NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

THIS INDENTURE made this 25th day of June, 2013 between Owner(s) Town of Clarkson, having an office at 3710 Lake Road, County of Monroe, State of New York (the "Grantor"), and The People of the State of New York (the "Grantee."), acting through their Commissioner of the Department of Environmental Conservation (the "Commissioner", or "NYSDEC" or "Department" as the context requires) with its headquarters located at 625 Broadway, Albany, New York 12233,

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to encourage the remediation of abandoned and likely contaminated properties ("sites") that threaten the health and vitality of the communities they burden while at the same time ensuring the protection of public health and the environment; and

WHEREAS, the Legislature of the State of New York has declared that it is in the public interest to establish within the Department a statutory environmental remediation program that includes the use of Environmental Easements as an enforceable means of ensuring the performance of operation, maintenance, and/or monitoring requirements and the restriction of future uses of the land, when an environmental remediation project leaves residual contamination at levels that have been determined to be safe for a specific use, but not all uses, or which includes engineered structures that must be maintained or protected against damage to perform properly and be effective, or which requires groundwater use or soil management restrictions; and

WHEREAS, the Legislature of the State of New York has declared that Environmental Easement shall mean an interest in real property, created under and subject to the provisions of Article 71, Title 36 of the New York State Environmental Conservation Law ("ECL") which contains a use restriction and/or a prohibition on the use of land in a manner inconsistent with engineering controls which are intended to ensure the long term effectiveness of a site remedial program or eliminate potential exposure pathways to hazardous waste or petroleum; and

WHEREAS, Grantor, is the owner of real property located at the address of 8264 Ridge Road West in the Town of Clarkson, County of Monroe and State of New York, known and designated on the tax map of the County Clerk of Monroe as tax map parcel numbers: Section 054.14 Block 1 Lot 21, being the same as that property conveyed to Grantor by deed dated February 12, 2008 and recorded in the Monroe County Clerk's Office in Liber and Page 10598, 77. The property subject to this Environmental Easement (the "Controlled Property") comprises approximately 0.71 +/- acres, and is hereinafter more fully described in the Land Title Survey dated April 7, 2009 and revised on [date] prepared by Daniel MacDonald, L.S., which will be attached to the Site Management Plan. The Controlled Property description is set forth in and attached hereto as Schedule A; and

WHEREAS, the Department accepts this Environmental Easement in order to ensure the protection of public health and the environment and to achieve the requirements for remediation established for the Controlled Property until such time as this Environmental Easement is

[10/12]

County: Monroe Site No: E828143 State Assistance Contract : C303810

extinguished pursuant to ECL Article 71, Title 36; and

NOW THEREFORE, in consideration of the mutual covenants contained herein and the terms and conditions of State Assistance Contract Number: C303810, Grantor conveys to Grantee a permanent Environmental Easement pursuant to ECL Article 71, Title 36 in, on, over, under, and upon the Controlled Property as more fully described herein ("Environmental Easement")

1. Purposes. Grantor and Grantee acknowledge that the Purposes of this Environmental Easement are: to convey to Grantee real property rights and interests that will run with the land in perpetuity in order to provide an effective and enforceable means of encouraging the reuse and redevelopment of this Controlled Property at a level that has been determined to be safe for a specific use while ensuring the performance of operation, maintenance, and/or monitoring requirements; and to ensure the restriction of future uses of the land that are inconsistent with the above-stated purpose.

2. Institutional and Engineering Controls. The controls and requirements listed in the Department approved Site Management Plan ("SMP") including any and all Department approved amendments to the SMP are incorporated into and made part of this Environmental Easement. These controls and requirements apply to the use of the Controlled Property, run with the land, are binding on the Grantor and the Grantor's successors and assigns, and are enforceable in law or equity against any owner of the Controlled Property, any lessees and any person using the Controlled Property.

A. (1) The Controlled Property may be used for:

Commercial as described in 6 NYCRR Part 375-1.8(g)(2)(iii) and Industrial as described in 6 NYCRR Part 375-1.8(g)(2)(iv) .

(2) All Engineering Controls must be operated and maintained as specified in the Site Management Plan (SMP);

(3) All Engineering Controls must be inspected at a frequency and in a manner defined in the SMP;

(4) The use of groundwater underlying the property is prohibited without necessary water quality treatment as determined by the NYSDOH or the Monroe County Department of Health to render it safe for use as drinking water or for industrial purposes, and the user must first notify and obtain written approval to do so from the Department;

(5) Groundwater and other environmental or public health monitoring must be performed as defined in the SMP;

(6) Data and information pertinent to Site Management of the Controlled Property must be reported at the frequency and in a manner defined in the SMP;

(7) All future activities on the property that will disturb remaining contaminated material must be conducted in accordance with the SMP;

[10/12]

County: Monroe Site No: E828143 State Assistance Contract : C303810

(8) Monitoring to assess the performance and effectiveness of the remedy must be performed as defined in the SMP;

(9) Operation, maintenance, monitoring, inspection, and reporting of any mechanical or physical components of the remedy shall be performed as defined in the SMP;

(10) Access to the site must be provided to agents, employees or other representatives of the State of New York with reasonable prior notice to the property owner to assure compliance with the restrictions identified by this Environmental Easement.

B. The Controlled Property shall not be used for Residential or Restricted Residential purposes as defined in 6NYCRR 375-1.8(g)(2)(i) and (ii), and the above-stated engineering controls may not be discontinued without an amendment or extinguishment of this Environmental Easement.

C. The SMP describes obligations that the Grantor assumes on behalf of Grantor, its successors and assigns. The Grantor's assumption of the obligations contained in the SMP which may include sampling, monitoring, and/or operating a treatment system, and providing certified reports to the NYSDEC, is and remains a fundamental element of the Department's determination that the Controlled Property is safe for a specific use, but not all uses. The SMP may be modified in accordance with the Department's statutory and regulatory authority. The Grantor and all successors and assigns, assume the burden of complying with the SMP and obtaining an up-to-date version of the SMP from:

Site Control Section
 Division of Environmental Remediation
 NYSDEC
 625 Broadway
 Albany, New York 12233
 Phone: (518) 402-9553

D. Grantor must provide all persons who acquire any interest in the Controlled Property a true and complete copy of the SMP that the Department approves for the Controlled Property and all Department-approved amendments to that SMP.

E. Grantor covenants and agrees that until such time as the Environmental Easement is extinguished in accordance with the requirements of ECL Article 71, Title 36 of the ECL, the property deed and all subsequent instruments of conveyance relating to the Controlled Property shall state in at least fifteen-point bold-faced type:

This property is subject to an Environmental Easement held by the New York State Department of Environmental Conservation pursuant to Title 36 of Article 71 of the Environmental Conservation

[10/12]

Environmental Easement Page 3

Law.

F. Grantor covenants and agrees that this Environmental Easement shall be incorporated in full or by reference in any leases, licenses, or other instruments granting a right to use the Controlled Property.

G. Grantor covenants and agrees that it shall, at such time as NYSDEC may require, submit to NYSDEC a written statement by an expert the NYSDEC may find acceptable certifying under penalty of perjury, in such form and manner as the Department may require, that:

(1) the inspection of the site to confirm the effectiveness of the institutional and engineering controls required by the remedial program was performed under the direction of the individual set forth at 6 NYCRR Part 375-1.8(h)(3).

(2) the institutional controls and/or engineering controls employed at such site:

- (i) are in-place;
- (ii) are unchanged from the previous certification, or that any identified changes to the controls employed were approved by the NYSDEC and that all controls are in the Department-approved format; and

(iii) that nothing has occurred that would impair the ability of such control to protect the public health and environment;

(3) the owner will continue to allow access to such real property to evaluate the continued maintenance of such controls;

(4) nothing has occurred that would constitute a violation or failure to comply with any site management plan for such controls;

(5) the report and all attachments were prepared under the direction of, and reviewed by, the party making the certification;

(6) to the best of his/her knowledge and belief, the work and conclusions described in this certification are in accordance with the requirements of the site remedial program, and generally accepted engineering practices; and

(7) the information presented is accurate and complete.

3. Right to Enter and Inspect. Grantee, its agents, employees, or other representatives of the State may enter and inspect the Controlled Property in a reasonable manner and at reasonable times to assure compliance with the above-stated restrictions.

4. Reserved Grantor's Rights. Grantor reserves for itself, its assigns, representatives, and successors in interest with respect to the Property, all rights as fee owner of the Property, including:

A. Use of the Controlled Property for all purposes not inconsistent with, or limited by the terms of this Environmental Easement;

B. The right to give, sell, assign, or otherwise transfer part or all of the underlying fee interest to the Controlled Property, subject and subordinate to this Environmental Easement;

5. Enforcement

[10/12]

7. Recordation. Grantor shall record this instrument, within thirty (30) days of execution of this instrument by the Commissioner or her/his authorized representative in the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

8. Amendment. Any amendment to this Environmental Easement may only be executed by the Commissioner of the New York State Department of Environmental Conservation or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

9. Extinguishment. This Environmental Easement may be extinguished only by a release by the Commissioner of the New York State Department of Environmental Conservation, or the Commissioner's Designee, and filed with the office of the recording officer for the county or counties where the Property is situated in the manner prescribed by Article 9 of the Real Property Law.

10. Joint Obligation. If there are two or more parties identified as Grantor herein, the obligations imposed by this instrument upon them shall be joint and several.

IN WITNESS WHEREOF, Grantor has caused this instrument to be signed in its name.

Town of Clarkson:

By: Paul M Kimball

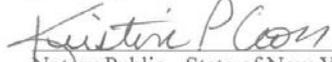
Print Name: Paul M. Kimball

Title: Supervisor Date: 6-25-13

Grantor's Acknowledgment

STATE OF NEW YORK)
) ss:
 COUNTY OF *Monroe*)

On the 25th day of June, in the year 2013, before me, the undersigned, personally appeared Paul M. Kimball personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) 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 upon behalf of which the individual(s) acted, executed the instrument.


 Notary Public - State of New York

KRISTIN P. COON
 Notary Public, State of New York
 Monroe County, #01CO6201679
 My Commission Expires Mar. 2, 2017

THIS ENVIRONMENTAL EASEMENT IS HEREBY ACCEPTED BY THE PEOPLE OF THE STATE OF NEW YORK, Acting By and Through the Department of Environmental Conservation as Designee of the Commissioner,

By: _____
Robert W. Schick, Director
Division of Environmental Remediation

Grantee's Acknowledgment

STATE OF NEW YORK)
) ss:
COUNTY OF ALBANY)

On the _____ day of _____, in the year 20__ , before me, the undersigned, personally appeared Robert Schick, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/ executed the same in his/her/ capacity as Designee of the Commissioner of the State of New York Department of Environmental Conservation, and that by his/her/ signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public - State of New York

SCHEDULE "A" PROPERTY DESCRIPTION

SCHEDULE "A"

PARCEL DESCRIPTION:

ALSO "ENVIRONMENTAL EASEMENT DESCRIPTION" FOR DEC SITE #E828143
 ALL THAT TRACT OR PARCEL OF PROPERTY SITUATE IN PART OF TOWN LOT 19, SECTION 5,
 TOWNSHIP 4, TOWN OF CLARKSON, COUNTY OF MONROE, STATE OF NEW YORK AND BEING MORE
 PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT ON THE NORTHERLY HIGHWAY BOUNDS OF LITTLE RIDGE ROAD, STATE
 HIGHWAY 257, ALSO KNOWN AS NEW YORK STATE ROUTE 104, WHERE IT INTERSECTS THE
 DIVISION LINE BETWEEN THE PROPERTY OF N/F RANDALL L. DANGLER & DONNA J. DANGLER ON
 THE WEST AND THE PROPERTY OF THE TOWN OF CLARKSON ON THE EAST AND HAVING
 COORDINATES OF N 1,178,276.932 AND E 1,324,289.749; THENCE
 1) NORTH 22°59'28" EAST ALONG THE LAST MENTIONED DIVISION LINE A DISTANCE OF 322.47 FEET
 TO A POINT ON THE DIVISION LINE BETWEEN THE PROPERTY OF N/F JEAN M. EVANS & GALE
 PATRICK EVANS ON THE NORTH AND THE PROPERTY OF N/F TOWN OF CLARKSON ON THE SOUTH;
 THENCE
 2) SOUTH 69°55'23" EAST ALONG THE LAST MENTIONED DIVISION LINE A DISTANCE OF 86.14 FEET
 TO A POINT ON THE DIVISION LINE BETWEEN THE PROPERTY OF N/F RONALD A. BEARDSLEE &
 CHERYL M. BEARDSLEE ON THE EAST AND THE PROPERTY OF N/F TOWN OF CLARKSON ON THE
 WEST; THENCE
 3) SOUTH 25°30'41" WEST ALONG THE LAST MENTIONED DIVISION LINE A DISTANCE OF 223.50 FEET
 TO A POINT ON THE DIVISION LINE BETWEEN THE PROPERTY OF N/F RONALD A. BEARDSLEE &
 CHERYL M. BEARDSLEE ON THE NORTH AND THE PROPERTY OF N/F TOWN OF CLARKSON ON THE
 SOUTH; THENCE
 4) SOUTH 68°43'58" EAST A DISTANCE ALONG THE LAST MENTIONED DIVISION LINE A DISTANCE OF
 50.17 FEET TO A POINT ON THE DIVISION LINE BETWEEN THE PROPERTY OF N/F RONALD A.
 BEARDSLEE & CHERYL M. BEARDSLEE ON THE EAST AND THE PROPERTY OF N/F TOWN OF
 CLARKSON ON THE WEST; THENCE
 5) SOUTH 14°57'22" WEST ALONG THE LAST MENTIONED DIVISION LINE A DISTANCE OF 85.25 FEET
 TO A POINT ON THE NORTHERLY HIGHWAY BOUNDS OF LITTLE RIDGE ROAD, STATE HIGHWAY
 257, ALSO KNOWN AS NEW YORK STATE ROUTE 104; THENCE
 6) NORTH 75°30'32" WEST ALONG THE LAST MENTIONED HIGHWAY BOUNDS A DISTANCE OF 139.80
 FEET TO THE POINT OF BEGINNING.
 CONTAINING 30,366.85± SQUARE FEET OR 0.697± ACRES OF LAND MORE OR LESS.