

Brockport Fire Department • Line of Duty Death

PROCLAMATION

By the Board of Trustees of the Village of Brockport

Whereas, the Board of Trustees of the Village of Brockport has recently been made aware the death of one of their firefighters should have been classified as a Line of Duty Death (LODD) at the time of his death, and,

Whereas, the Board has reviewed all available documentation surrounding the death of one Freeman J. Board in 1882, and,

Whereas, the Board of Trustees appointed Firefighter Board as a Charter Member of the Thomas Cornes Engine & Hose Company #3 on March 12, 1877, and,

Whereas, the Board of Trustees reissued his Certificate of Membership in June of 1881 verifying his continued membership in the fire company, and,

Whereas, it was reported in the Brockport Republic newspaper on June, 22, 1882 that Firefighter Board was “destroyed” by fire during a major fire in the Village of Brockport at the Johnston Harvester Co. on June 20, 1882, and,

Whereas, it was further confirmed by the Town of Sweden Register of Deaths that Firefighter Freeman J. Board was “Burned to Death” on that day.

Therefore, be it so resolved, the Village of Brockport Board of Trustees hereby declare Firefighter Freeman J. Board, a firefighter in the Village of Brockport Fire Department at the time of his death is hereby designated a “Line of Duty Death” in and for this department as he died in the performance of his appointed duties on June 20, 1882 while fighting a major fire at the Johnston Harvester Co. on North Main Street in this Village.

DECLARATION of COVENANTS and RESTRICTIONS

THIS COVENANT is made the ____ day of _____ 20__ by The Village of Brockport, a municipality of the State of New York and having an office for the transaction of business at 127 Main St., Brockport, NY 14420.

WHEREAS, the Brockport Landfill (Site #828038) is the subject of an Order on Consent executed by the Village of Brockport as part of the New York State Department of Environmental Conservation's ("the Department") State Superfund Program, namely that parcel of real property located at the address of 6791 East Canal Road in the Town of Sweden, County of Monroe, State of New York, being the same as (or part of) that property conveyed to The Village of Brockport by Walter G. and Lillian V. Anderson by deed dated December 28, 1950, and recorded on the 29th day of December 1950 in the Monroe County Clerk's Office in Liber 2658 and Page 521, and being more particularly described in Schedule "A", attached to this declaration and made a part hereof, and hereinafter referred to as "the Property"; and

WHEREAS, the Department approved a remedy to eliminate or mitigate all significant threats to the environment presented by the contamination disposed at the Property and such remedy requires that the Property be subject to restrictive covenants (the "Remedy");

NOW, THEREFORE, The Village of Brockport, for itself and its successors and/or assigns, covenants that:

First, the Property subject to this Declaration of Covenants and Restrictions is as shown on a map attached to this Declaration as Schedule "B" and made a part hereof.

Second, unless prior written approval by the Department, or if the Department shall no longer exist, any New York State agency or agencies subsequently created to protect the environment of the state and the health of the state's citizens, hereinafter referred to as "the Relevant Agency," is first obtained, where contamination remains at the Property subject to the provisions of the approved Site Management Plan (SMP) and any modification thereof approved in writing by the Department or Relevant Agency which is incorporated herein and made enforceable hereby, there shall be no construction, use or occupancy of the Property that results in the disturbance or excavation of the Property which threatens the integrity of the engineering controls or which results in unacceptable human exposure to contaminated soils. The SMP may be obtained from the New York State Department of Environmental Conservation, Division of Environmental Remediation, Site Control Section, 625 Broadway, Albany, NY 12233.

Third, the owner of the Property shall not disturb, remove, or otherwise interfere with the installation, use, operation, and maintenance of engineering controls required for the Remedy, which are described in the SMP, unless in each instance the owner first obtains a written waiver of such prohibition from the Department or Relevant Agency.

Fourth, the owner of the Property shall prohibit the Property from ever being used for purposes other than for its current use as a closed landfill upon which a solar farm operates, without the express written waiver of such prohibition by the Department or Relevant Agency. An express written waiver from the prohibition is required for changed uses including, but not limited to, expansion of the solar farm from its size as of the date of this deed restriction and upgrades, modifications, and alterations to the solar farm to accommodate new solar technology.

Fifth, the owner of the Property shall prohibit the use of groundwater underlying the property 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 or Relevant Agency.

Sixth, the owner of the Property shall provide a periodic report and certification at the intervals set forth in the SMP, prepared and submitted by a professional engineer or environmental professional acceptable to the Department or Relevant Agency, which will certify that the institutional and engineering controls put in place are compliant with the SMP.

Seventh, the owner of the Property shall continue, in full force and effect, any institutional and engineering controls required for the Remedy, and maintain such controls, unless the owner first obtains permission to discontinue such controls from the Department or Relevant Agency, in compliance with the approved SMP.

Eighth, this Declaration is and shall be deemed a covenant that shall run with the land and shall be binding upon all future owners of the Property and shall provide that the owner and its successors and assigns consent to enforcement by the Department or Relevant Agency of the prohibitions and restrictions that the Order on Consent requires to be recorded, and hereby covenant not to contest the authority of the Department or Relevant Agency to seek enforcement.

Ninth, any deed of conveyance of the Property, or any portion thereof, shall recite, unless the Department or Relevant Agency has consented to the termination of such covenants and restrictions, that said conveyance is subject to this Declaration of Covenants and Restrictions.

Schedule A

NORTH PARCEL

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Sweden, County of Monroe, State of New York and being part of Lots 3, 4 and 9, Section 12, Township 3 of the Triangular Tract, bounded and described as follows:

COMMENCING AT the intersection of the south line of Parcel No. 104 of lands appropriated by the People of the State of New York for the construction of Canal Road made necessary by the improvements of the Erie Barge Canal and the west line of Parcel No. 1 of lands conveyed to Village of Brockport by deed recorded in the Monroe County Clerk's Office in Liber 9141 of Deeds at Page 353;

RUNNING THENCE: S-00°-44'-03"-E, along the west line of said Village of Brockport lands and its extension southerly, a distance of 1415.20 feet to a point;

RUNNING THENCE: N-89°-15'-57"-E, a distance of 11.99 feet to the Point or Place of Beginning of the parcel herein described;

RUNNING THENCE: N-00°-22'-38"-W, a distance of 444.31 feet to a point;

RUNNING THENCE: S-87°-22'-53"-E, a distance of 137.04 feet to a point;

RUNNING THENCE: N-79°-14'-03"-E, a distance of 544.44 feet to a point;

RUNNING THENCE: S-07°-32'-56"-E, a distance of 902.29 feet to a point on the north line of lands conveyed to the County of Monroe;

RUNNING THENCE: N-65°-44'-50"-W, along the north line of said County of Monroe lands, a distance of 863.59 feet to the POINT OR PLACE OF BEGINNING, containing 10.83 Acres, be the same, more or less.

SUBJECT TO easements, rights of way and restrictions of record.

BEING AND INTENDED TO BE a portion of lands conveyed to Village of Brockport by deeds recorded in the Monroe County Clerk's Office in Liber 2658 of Deeds at Page 521, Liber 9141 of Deeds at Page 353 - Parcel No. 1 and Liber 9141 of Deeds at Page 356 - Parcel No. 1.

SOUTH PARCEL

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Sweden, County of Monroe, State of New York and being part of Lots 3, 4 and 9, Section 12, Township 3 of the Triangular Tract, bounded and described as follows:

COMMENCING AT the intersection of the south line of Parcel No. 104 of lands appropriated by the People of the State of New York for the construction of Canal Road made necessary by the improvements of the Erie Barge Canal and the west line of Parcel No. 1 of lands conveyed to Village of Brockport by deed recorded in the Monroe County Clerk's Office in Liber 9141 of Deeds at Page 353;

RUNNING THENCE: S-00°-44'-03"-E, along the west line of said Village of Brockport lands and its extension southerly, a distance of 1487.91 feet to a point;

RUNNING THENCE: N-89°-15'-57"-E, a distance of 11.69 feet to the Point or Place of Beginning of the parcel herein described; said point being also on the south line of lands conveyed to the

County of Monroe;

RUNNING THENCE: S-65°-44'-50"-E, along the south line of said County of Monroe lands, a distance of 864.79 feet to a point;

RUNNING THENCE: S-04°-27'-21"-W, a distance of 340.96 feet to a point;

RUNNING THENCE: S-80°-52'-37"-W, a distance of 190.60 feet to a point;

RUNNING THENCE: S-76°-30'-40"-W, a distance of 149.03 feet to a point of curvature;

RUNNING THENCE: Westerly, along a curve to the right having a radius of 782.67 feet, a distance of 138.66 feet to a point;

RUNNING THENCE: S-85°-40'-38"-W, a distance of 153.47 feet to a point;

RUNNING THENCE: S-81°-21'-20"-W, a distance of 134.57 feet to a point;

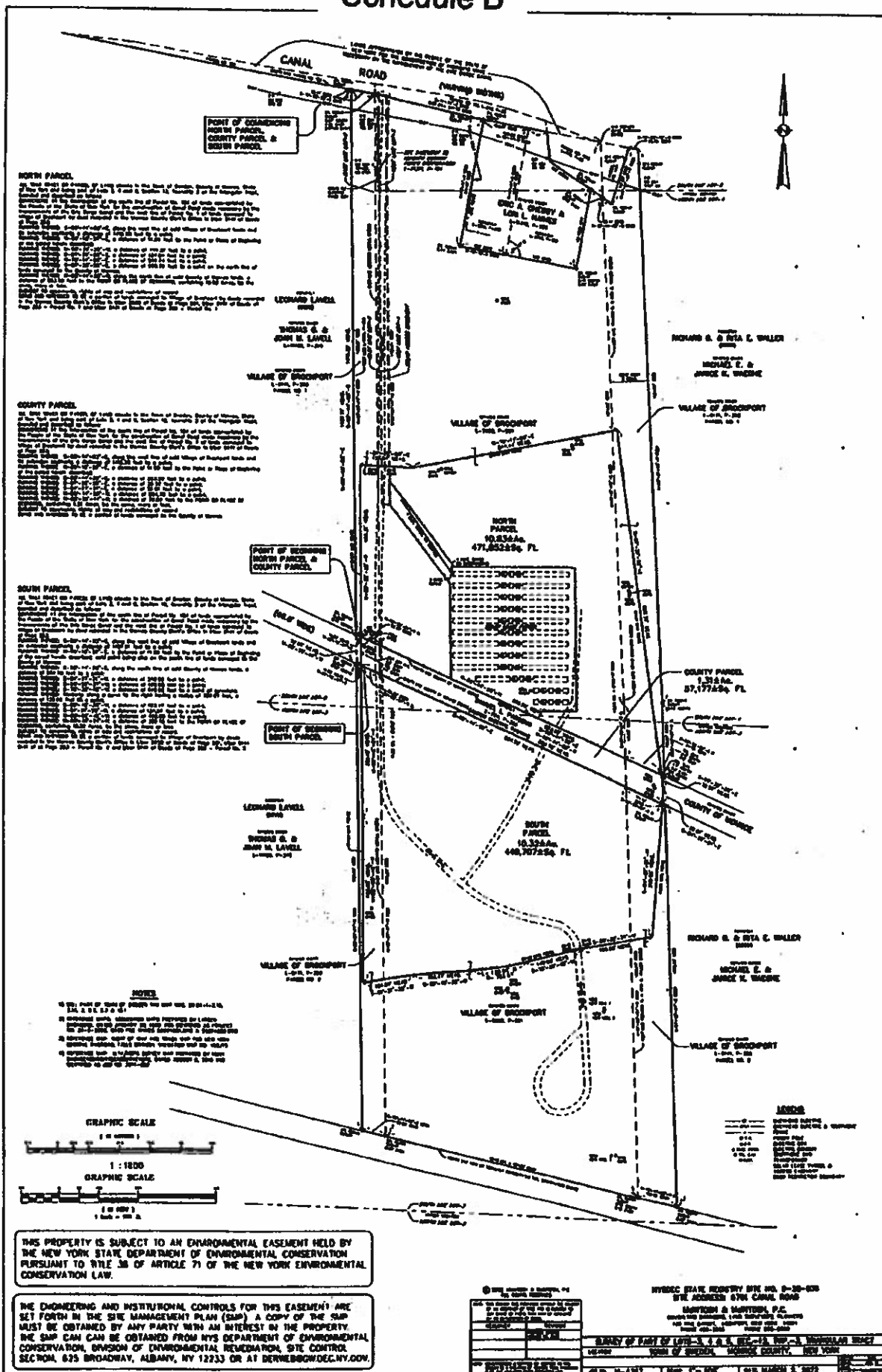
RUNNING THENCE: N-00°-08'-46"-W, a distance of 423.65 feet to a point;

RUNNING THENCE: N-00°-42'-24"-W, a distance of 389.10 feet to the POINT OR PLACE OF BEGINNING, containing 10.32 Acres, be the same, more or less.

SUBJECT TO easements, rights of way and restrictions of record.

BEING AND INTENDED TO BE a portion of lands conveyed to Village of Brockport by deeds recorded in the Monroe County Clerk's Office in Liber 2658 of Deeds at Page 521, Liber 9141 of Deeds at Page 353 - Parcel No. 2 and Liber 9141 of Deeds at Page 356 - Parcel No. 2.

Schedule B





Office of the Controller

Monroe County, New York

Adam Bello
County Executive

Jennifer Cesario
Controller

November 15, 2022

The Honorable Margaret Blackman, Mayor
Village of Brockport
127 Main Street
Brockport, NY 14420

Subject: Monroe County Sales Tax Distribution for Third Quarter 2022

Dear Ms. Blackman:

Your village's share of the Third Quarter 2022 sales tax receipts is \$491,798.87. This compares to \$563,652.24 distributed for the same quarter in 2021.

A copy of this letter has been sent to your Village Treasurer. The payment for this quarter representing your village's distribution has been made via ACH transfer.

Please note, if the New York State Taxation and Finance Department, through its auditing process, uncovers any discrepancies with this quarter's reported amount, the figures may be adjusted thereby affecting future quarterly reporting periods.

If you have any questions, feel free to contact me at (585) 753-1157.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Cesario".

Jennifer Cesario
Controller

xc: Village Treasurer, Village of Brockport

VILLAGE OF BROCKPORT RESOLUTION

I, Erica Linden, Village Clerk of the Village of Brockport, 49 State Street, Brockport, NY 14420, do hereby certify that the following resolution was adopted at a meeting of the Village Board held on November 21, 2022, and is incorporated in the original minutes of said meeting, and that said resolution has not been altered, amended, or revoked and is in full force and effect.

WHEREAS, the Village of Brockport wishes to increase long-lived canopy cover within its urban forest with healthy trees; and

WHEREAS, there are areas in the Village that are categorized as disadvantaged communities and/or Environmental Justice areas by the NYS DEC that would benefit from additional tree planting to replace lost ash trees;

NOW, THEREFORE, BE IT RESOLVED that the Village Board of the Village of Brockport hereby does approve and endorse Brockport's application for Tree Planting in Disadvantaged Communities after Ash Loss, in an amount not to exceed \$30,000. No matching funds are required.