

NOTICE OF RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN

Pursuant to New York Town Law § 64, the Town Board of the Town of Arcadia, County of Wayne, State of New York, on July 14, 2026, duly adopted the following resolution authorizing the conveyance of real property:

ABSTRACT OF RESOLUTION

Resolution Title: “A RESOLUTION AUTHORIZING THE SALE OF SURPLUS REAL PROPERTY TO GREENE PROPERTY MANAGEMENT LLC”

Date of Adoption: July 14, 2026

Purpose and Effect:

The Town Board of the Town of Arcadia has authorized the conveyance of two real property parcels owned by the Town to Greene Property Management LLC for the total purchase price of \$25,000.00.

The real property to be conveyed is more particularly described as follows:

Two parcels with no street addresses, in the vicinity of 305 and 307 West Shore Boulevard, containing a total area of approximately 4.55 acres, Tax ID # 67111-20-948144 and # 67111-20-899154, as set forth in the Resolution.

The conveyance is subject to the following material terms and conditions:

1. **Consideration:** The Town shall receive payment in the amount of twenty-five thousand dollars (\$25,000.00) from Greene Property Management LLC.
2. **Deed Type:** The conveyance shall be by warranty deed in form approved by the Town Attorney.
3. **Closing Date:** The closing of the conveyance shall occur on or before December 31, 2026, or such other date as mutually agreed by the parties that is after the expiration of the permissive referendum period or upon approval a majority of qualified electors in a referendum on petition.
4. **Special Conditions:** None.
5. **Authorization of Officers:** The Town Supervisor and Town Clerk are hereby authorized and directed to execute and deliver all documents necessary to effectuate the conveyance, including but not limited to the deed, closing documents, and any ancillary agreements.

The resolution was duly adopted by a unanimous vote of the Town Board.

**PERMISSIVE REFERENDUM
THIS RESOLUTION IS SUBJECT TO A PERMISSIVE REFERENDUM.**

Pursuant to New York Town Law § 64, the resolution authorizing the conveyance of real property is subject to a permissive referendum. This means that a referendum on the resolution may be required if a petition protesting the resolution is filed with the Town Clerk within thirty (30) days after the publication and posting of this notice.

Petition Requirements:

A petition protesting the resolution must be signed by at least five percent (5%) of the total vote cast for governor in the Town in the last general election held for the election of state officers, qualified electors of the Town who voted in the last gubernatorial election, but which shall be no less than 100 such electors.

The petition must be filed with the Town Clerk within thirty (30) days of the publication and posting of this notice.

If a valid petition is filed, a referendum on the resolution will be held. If no valid petition is filed within the thirty (30) day period, the resolution will take effect, and the conveyance may proceed.

NOTICE POSTING AND PUBLICATION INFORMATION

This Notice has been posted in the following locations:

1. Town Hall Signboard, 201 Frey Street, Newark.
2. Town Clerk's Office, 201 Frey Street, Newark.

3. Additional Posting Locations:

- Town of Arcadia Website townofarcadiany.gov

Publication:

This Notice has been published in Times of Wayne County, a newspaper having general circulation in the Town, on July 19, 2026.

Date of Posting: July 16, 2026

AVAILABILITY OF FULL RESOLUTION

A complete copy of the subject resolution, including all exhibits and attachments, is available for public inspection at the Town Clerk's Office, 201 Frey Street, Newark, during regular business hours.

Copies of the resolution may be obtained upon request and payment of the statutory copying fee.

CONTACT INFORMATION

For questions regarding this Notice, the resolution, or the permissive referendum process, please contact:

Terresa Vastbinder, Town Clerk
Town of Arcadia
201 Frey St.
Newark, NY 14513
315-331-1222
townclerk@townofarcadiany.gov

DATED: July 16, 2026

BY ORDER OF THE TOWN BOARD OF THE TOWN OF ARCADIA

Terresa Vastbinder, Town Clerk, Town of Arcadia, County of Wayne

RECORD AND RETURN TO:

Boylan Code LLP
ATTENTION: David P. Saracino, Esq.
110 High Street
Newark, NY 14513

WARRANTY DEED WITH LIEN COVENANT

THIS INDENTURE, made the 28th day of June, 2018

BETWEEN PERFECTION FOODS, INC., a New York domestic corporation, with a mailing address at 691 Pelis Road, Newark, New York 14513; Grantor,

AND

TOWN OF ARCADIA, a public corporation as defined in Section 66 of the General Construction Law of the State of New York, with offices at Town of Arcadia, Municipal Building, 100 East Miller Street, Newark, New York 14513; Grantee,

WITNESSETH, that Grantor, in consideration of ONE AND NO/100 DOLLAR (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, do hereby grant and release unto Grantee, its successor(s) and assign(s) forever,

ALL THAT TRACT OR PARCEL OF LAND, as shown in Schedule "A" attached hereto and made apart hereof.

This conveyance is made and accepted subject to all public utility easements, easements, covenants and restrictions of record affecting said premises, if any.

The premises herein conveyed do not constitute all or substantially all of Grantor's corporate assets.

BEING and hereby intending to convey two parcels situated within the premises conveyed to Grantor by Warranty Deed dated March 28, 1972 and recorded on March 29, 1972 in the Wayne County Clerk's Office in Liber 647 of Deeds, page 310.

Tax Account No.:

Tax Mailing Address:

Property Address:

67111-20-948144 and 67111-20-899154
Town of Arcadia, Municipal Building, 100 East
Miller Street, Newark, New York 1513
2.51 Acres of Vacant Land, 2.04 Acres of Vacant
Land, West Shore Boulevard, Town of Arcadia,
New York

TOGETHER WITH the appurtenances and all the estate and rights of the Grantor in and to the premises.

TO HAVE AND TO HOLD the premises granted to the Grantee, the heirs, successors or assigns of the Grantee forever.

AND the Grantor, in compliance with Section 13 of the Lien Law, covenants that the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

AND the Grantor covenants as follows: that the Grantor is seized of the said premises in fee simple, and has good right to convey the same; that the Grantee shall quietly enjoy the said premises; that the said premises are free from encumbrances, except as aforesaid; that the Grantor will execute or procure any further necessary assurance of the title to said premises; and that the Grantor will forever warrant the title to said premises.

The words "Grantor" and "Grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first above written.

PERFECTION FOODS, INC.

By: Martha Wemett
Name: Martha Wemett
Title: Secretary

NEW YORK
STATE OF MONROE)
COUNTY OF WAYNE) ss.:

On the 28th day of June in the year 2018 before me, the undersigned, personally appeared Martha Wemett, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

David P. Saracino
Notary Public

DAVID P. SARACINO
Notary Public in the State of New York
WAYNE COUNTY, NY
Commission Expires November 30, 2021

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Village of Newark and Town of Arcadia, County of Wayne and State of New York, bounded and described as follows: Beginning at an iron pipe marking the point of intersection of the north line of the New York State Barge Canal lands with the south line of West Shore Boulevard, and running thence from said point of beginning the following courses and distances along the south line of West Shore Boulevard: S 84° 06' 00" E, a distance of 209.79 feet to a concrete monument, and S 83° 59' 00" E, a distance of 361.68 feet to an angle point, and S 84° 09' 10" E, a distance of 796.24 feet to an iron pin marking a corner of other lands owned by the New York State Barge Canal; thence the following courses and distances along said New York State Barge Canal lands: S 16° 45' 20" W, a distance of 294.98 feet to a concrete monument, and N 71° 39' 00" W, a distance of 1,343.76 feet to the point and place of beginning, comprising an area of 4.538 acres, according to a survey map prepared by Greene Land Surveying, PLLC dated June 14, 2018 (Job No. 18-4507), which survey map is intended to be filed in the Wayne County Clerk's Office on even date herewith.

A RESOLUTION AUTHORIZING THE SALE OF SURPLUS REAL PROPERTY TO GREENE PROPERTY MANAGEMENT LLC.

At a regular meeting of the Town Board of the Town of Arcadia, New York, held at the Town Hall in Newark, New York, in said Town, on the 14th day of July, 2026 at 7:00 p.m.

PRESENT: Dawn L. Piscioti, Supervisor
Michael J. Diamond, Councilperson
David Greco, Councilperson
Richard D. VanLaeken, Councilperson

ABSENT: Joseph Gerbig, Councilman

The following Resolution was offered by Councilperson VanLaeken, who moved its adoption, seconded by Councilperson Greco, to wit:

WHEREAS, the Town of Arcadia is the owner of certain real property located in the Village of Newark, New York, containing a total area of approximately 4.55 acres, Tax ID # 67111-20-948144 and # 67111-20-899154 (collectively as the “Parcels”); and

WHEREAS, the Town Board having previously declared the Parcels as surplus property no longer serving the public purpose; and

WHEREAS, the Town has been approached by Judith A. Greene, the owner of Greene Property Management, LLC, (“Greene”) with an offer to purchase the above Parcels for the combined amount of \$25,000.00; and

WHEREAS, Wayne County property records show that the combined assessed value of the Parcels is approximately \$33,000.00; and

WHEREAS, the Town Board believes that the proposed purchase price is fair and adequate and that the sale of the Parcels to Greene would be in the best interest of the public as the sale of Parcels would return the Parcels to the tax rolls; and

WHEREAS, the Town Board having held a duly noticed public hearing in accordance with the law and all interested parties were provided an opportunity to comment of the proposed sale of the Parcels; and

WHEREAS, such sale of the Parcels, if approved by the Town Board, would be subject to permissive referendum;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Arcadia, New York, as follows:

Section 1. The Town Board has reviewed and discussed the proposed terms of sale for the Parcels and hereby determines that it would be in the best interest of the Town to proceed with the proposed sale of the Parcels to Greene.

Section 2. The Town Board hereby determines that the proposed consideration offered for the Parcels above represents fair and adequate consideration.

Section 3. The Town Board hereby approves the proposed sale of the Parcels to Greene for the total purchase price of twenty-five thousand dollars (\$25,000.00), subject to the terms and conditions set forth in this resolution and in a Purchase and Sale Agreement (the “Agreement”) to be executed between the Town and Greene.

Section 4. The Town Supervisor is authorized and directed to execute and deliver, on behalf of the Town the Agreement in such form as may be approved by the Town Attorney, and the Town Supervisor is authorized to take such further actions as may be deemed necessary or appropriate to complete the sale of the Parcels to Greene.

Section 5. Pursuant to Section 64 (2) and Section 90 of the Town Law, this Resolution is adopted subject to a permissive referendum, and the Town Clerk is hereby directed to post and publish notice of the adoption of this resolution within ten (10) days of its adoption in accordance with the requirements of Town Law Section 90, which notice shall set forth the date of adoption

thereof, and shall specify that this Resolution was adopted subject to a permissive referendum. The notice shall be posted in at least three (3) conspicuous places in the Town and published in the official newspaper of the Town, or if there is no official newspaper, in a newspaper having general circulation in the Town.

Section 6. This Resolution shall not take effect until thirty (30) days after its adoption, and shall not take effect at all if, within thirty (30) days after its adoption, there is filed with the Town Clerk a petition signed and acknowledged by qualified electors of the Town in the number and manner required by Section 91 of the Town Law, protesting against this Resolution and requesting that it be submitted to the qualified electors of the Town for their approval or disapproval. If such a petition is timely filed, this Resolution shall not take effect unless and until it is approved by the affirmative vote of a majority of the qualified electors of the Town voting on a proposition submitted at a referendum held in accordance with Sections 90 and 91 of the Town Law.

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

Dawn L. Pisciotti	VOTING	Aye
Michael J. Diamond	VOTING	Aye
Joseph W. Gerbig	VOTING	Absent
David Greco	VOTING	Aye
Richard D. VanLaeken	VOTING	Aye

The Resolution was thereupon declared duly adopted on July 14, 2026.