
**ORDER CALLING A PUBLIC HEARING TO CONSIDER
A PETITION FOR THE CREATION OF THE NEWBURY
WOODS LIGHTING DISTRICT IN THE TOWN OF CLAY,
COUNTY OF ONONDAGA, NEW YORK**

At a Regular Meeting of the Town Board of the Town of Clay, County of Onondaga, State of New York, held at the Town Hall of the Town of Clay, located at 4401 New York State Route 31, Clay, New York, on the **21st** day of **June 2010** at **7:30 P.M.**, local time.

The meeting was called to order by Supervisor Damian M. Ulatowski, and upon the roll being called the following Town Board members were:

PRESENT:	Damian M. Ulatowski	Councilman
	Robert L. Edick	Councilman
	Clarence A. Rycraft	Councilman
	Naomi R. Bray	Councilwoman
	William C. Weaver	Councilman
	Joseph A. Bick	Councilman
	Bruce N. Johnson	Councilman

ABSENT: None

WHEREAS, a written Petition dated **June 14th, 2010**, in due form and containing the required signatures has been presented to the Town Board and filed with the Town Clerk of the Town of Clay, Onondaga County, New York, for the creation of the **NEWBURY WOODS LIGHTING DISTRICT** in said Town of Clay, pursuant to Article 12 of the Town Law; and

WHEREAS, the improvement proposed is to provide lighting to 35 residential lots within the Newbury Woods Subdivision in the Town of Clay and to create a lighting system within the proposed creation of the **NEWBURY WOODS LIGHTING DISTRICT**, wholly within the Town of Clay, County of Onondaga, State of New York, and wholly outside of any incorporated city or village;

WHEREAS, the maximum amount proposed to be expended for said improvement, including the acquisition of whatever lands and rights-of-ways that may be deemed necessary as stated in said Petition is without capital cost to the Town of Clay. The actual cost of lighting will be estimated and established by National Grid in the future when the exact number of lights are determined at the time the residents of the Newbury Woods Subdivision request service to the Town of Clay, but for the basis of this petition the estimated unit cost is based upon the \$70.10 per lot cost charged by the Town of Clay in 2010 for areas served by underground electric facilities. This cost may change in the future; and

WHEREAS, it is proposed that the cost of said improvement shall be assessed by the Town Board in proportion as nearly as may be to the benefit of each lot or parcel that will derive therefrom; and

WHEREAS, the proposed lighting district creation shall be designated and known as “**NEWBURY WOODS LIGHTING DISTRICT**”; and

WHEREAS, such Petition purports to comply with all the provisions of law in reference thereto, to be in due form, and to be executed and acknowledged by the required number of persons; and

WHEREAS, the boundaries of the proposed district creation are as follows: **ALL THAT TRACT OR PARCEL OF LAND**, situate in the Town of Clay, County of Onondaga and State of New York, being part of Military Lot Nos. 37 & 38 in said Town, being lands conveyed to Group One Development, LLC by deed recorded in the Onondaga County Clerk's Office in Book 4783 of Deeds at page 895, bounded and described as follows: **BEGINNING** at the southeasterly corner of lands conveyed to Onondaga County for highway purposes for Henry Clay Boulevard, C.R. No. 121 (Seventh North Extension), according to R.O.W. Map No. 45 on file with the Onondaga County Department of Transportation, said point being a southwesterly corner of said lands conveyed to Group One Development, LLC, and being a point in the northerly boundary of lands conveyed to Vincent Lombardi, et al, by deed recorded in Book 2549 of Deeds at page 1149 in the Onondaga County Clerk's Office; running thence the following courses and distances around the perimeter of said lands conveyed to Group One Development, LLC: 1) N 01° 33' 21" E along the easterly boundary of said Henry Clay Boulevard, 60.00 feet; 2) S 87° 58' 00" E, 266.75 feet; 3) N 02° 02' 00" E, 200.00 feet; 4) S 87° 58' 00" E, 153.08 feet; 5) N 04° 01' 00" E, 536.03 feet; 6) N 87° 44' 40" W, 78.86 feet; 7) N 02° 20' 00" E, 300.00 feet; 8) N 87° 44' 40" W, 355.25 feet to said easterly boundary of Henry Clay Boulevard; 9) N 03° 14' 31" E along said easterly boundary of Henry Clay Boulevard, 75.01 feet; 10) S 87° 44' 40" E, 137.35 feet; 11) N 02° 35' 20" E, 88.00 feet; 12) S 87° 44' 40" E, 215.25 feet; 13) N 02° 35' 20" E, 264.32 feet; 14) S 88° 13' 00" E, 213.64 feet; 15) S 86° 53' 00" E, 665.92 feet; 16) S 03° 36' 42" W, 650.67 feet; 17) S 88° 09' 51" E, 920.37 feet; 18) S 02° 14' 19" W, 437.39 feet; 19) N 88° 19' 42" W, 919.26 feet; 20) S 03° 05' 20" W, 1033.86 feet; 21) N 87° 54' 27" W, 111.62 feet; 22) N 00° 20' 02" W, 162.89 feet; 23) N 87° 58' 00" W, 100.00 feet; 24) N 63° 46' 00" W, 339.00 feet; 25) N 43° 46' 00" W, 294.50 feet; 26) N 13° 53' 00" W, 109.50 feet; 27) N 87° 58' 00" W, 436.25 feet to the point of beginning. **CONTAINING** 47.13 acres of land, more or less.

NOW, THEREFORE, it is hereby

ORDERED, that a meeting of the Town Board of said Town of Clay, shall be held at the Clay New Town Hall located at 4401 New York State Route 31, Clay, New York, on the **19th** day of **July 2010**, commencing at **7:44 P.M.**, local time, to consider the said Petition and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation to said Petition as may be required by law or proper in the premises, it is further

ORDERED, that the Town Clerk is hereby authorized and directed to cause notice of such Public Hearing to be published and posted in manner prescribed by Section 193 of the Town Law of the State of New York.

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

Damian M. Ulatowski	Voting	Yes
Clarence A. Rycraft	Voting	Yes
Naomi R. Bray	Voting	Yes
Robert L. Edick	Voting	Yes
William C. Weaver	Voting	Yes
Joseph A. Bick	Voting	Yes
Bruce N. Johnson	Voting	Yes

The resolution was thereupon duly adopted.
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STATE OF NEW YORK)
) SS:
 COUNTY OF ONONDAGA)

I, the undersigned Clerk of the Town of Clay, County of Onondaga, New York, **DO HEREBY CERTIFY:**

That the preceding Resolution was duly adopted by the Town Board of the Town of Clay at a Regular Meeting of said Town Board duly called and held on **June 21st, 2010**, that said Resolution was entered in the Minutes of the said Meeting; that I have compared the foregoing copy with the original thereof now on file in my office and that the same is a true and correct copy of said original and of the whole of said original.

I FURTHER CERTIFY, that all members of said Town Board had due notice of said Meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Clay this **6th** day of **July 2010**.

(S E A L)

JILL HAGEMAN-CLARK, TOWN CLERK OF THE TOWN OF CLAY, COUNTY OF ONONDAGA, NEW YORK