
ORDER CALLING A PUBLIC HEARING TO CONSIDER
A PETITION FOR THE CREATION OF THE **NEWBURY
WOODS DRAINAGE DISTRICT** IN THE TOWN OF
CLAY, ONONDAGA COUNTY, NEW YORK AND FOR
THE CONSTRUCTION AND ACQUISITION OF A
DRAINAGE SYSTEM THEREIN

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 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	Supervisor
	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

The following resolution was moved, seconded and passed, to wit:

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 DRAINAGE DISTRICT** in said Town of Clay, to be bounded and described 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.

WHEREAS, the construction proposed consists of approximately **5,202 linear feet of 8 to 24 inch diameter storm sewers and appurtenances to serve the 35 single-family residential lots within the Newbury Woods Subdivision in the Town of Clay**; and

WHEREAS, the said proposed drainage system creation shall be designated and known as "**NEWBURY WOODS DRAINAGE DISTRICT**"; and

WHEREAS, the developer has proposed to construct a drainage system to be located within "**NEWBURY WOODS DRAINAGE DISTRICT**", at its own cost and expense at an estimated cost of **\$150,000.00** and to transfer all rights, title and interest in said drainage system to the aforesaid drainage district creation without capital cost to the Town of Clay for operation and maintenance. Said drainage system shall be designated and known as "**NEWBURY WOODS DRAINAGE DISTRICT, CONTRACT NO. 1.**" Stormwater from the site will be conveyed via swales, roadside gutters and storm sewers to a proposed on-site stormwater management facility and ultimately to Mud Creek; and

WHEREAS, the Town of Clay will assess an annual charge for operation and maintenance to the Newbury Woods Drainage District, Contract No. 1. In 2010, this charge is \$79.00, per lot; and it is

ORDERED, that at a meeting of the Clay Town Board a public hearing shall be held at the Clay Town Hall located at 4401 State Route 31, Clay, New York on the **19th** day of **July 2010** commencing at **7:38 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; and 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 the 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 vote, which resulted as follows:

Damian M. Ulatowski	Voting	Yes
Robert L. Edick	Voting	Yes
Clarence A. Rycraft	Voting	Yes
Naomi R. Bray	Voting	Yes
William C. Weaver	Voting	Yes
Joseph A. Bick	Voting	Yes
Bruce N. Johnson	Voting	Yes
The Resolution was thereupon duly adopted.		

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**