

**RESOLUTION NO. 42 OF 2015**  
**RESOLUTION AND FINAL ORDER AUTHORIZING AN EXTENSION TO THE TOWN**  
**OF CLAYTON ROUTE 12 SEWER DISTRICT**  
**BY THE TOWN BOARD OF THE TOWN OF CLAYTON**  
**JUNE 10, 2015**

**Title:** Resolution and Final Order Authorizing an Extension to the Town of Clayton Route 12 Sewer District by the Town Board of the Town of Clayton.

At a regular meeting of the Town Board of the Town of Clayton, held at the Town Offices, 405 Riverside Drive, Clayton, New York, 13624, on June 10, 2015, there were:

**PRESENT:** Justin A. Taylor, Supervisor  
Lance Peterson, Councilman  
Robert W. Cantwell III, Councilman  
Christopher D. Matthews, Councilman  
Mary Zovistoski, Councilwoman

**WHEREAS**, at a regular meeting of this Board held at the Town offices on the 13<sup>th</sup> day of May, 2015, an Order of this Board was duly adopted and entered into the minutes of the proceedings reciting in general terms the filing with the Town Clerk of the Town of Clayton of a map, plan and report prepared by Aubertine & Currier, Engineers and Land Surveying, P.C., for a proposed extension to the Town of Clayton Route 12 Sewer District to service a 4 lot residential subdivision owned by Rivershore Development, Inc., and Blind Bay Associates, LLC, and further reciting the filing with the Town Clerk of the Town of Clayton of a petition pursuant to Article 12 of the Town Law requesting the establishment of the extension of the Town of Clayton Route 12 Sewer District, reciting the boundaries of the proposed extension, the improvements proposed, the maximum amount proposed to be expended for the improvement, and specifying that a public hearing shall be held to hear all persons interested in the proposed extension to the Town of Clayton Route 12 Sewer District at 6:00 p.m. on June 10<sup>th</sup>, 2015, and

**WHEREAS**, a copy of the aforementioned Order of this Board was duly and regularly published in the official newspaper for the Town of Clayton, and certified copies thereof were posted on the official sign board of the Town of Clayton, as required by Article 12 of the Town Law, and

**WHEREAS**, a public hearing was duly held pursuant to the aforesaid Order at the Town offices, 405 Riverside Drive, Clayton, New York on June 10<sup>th</sup>, 2015, at 6:00 p.m., and

**NOW, THEREFORE**, upon a motion duly made, and seconded, it is hereby:

**FOUND AND DETERMINED**, that the petition duly filed with the Town Clerk for the Town of Clayton requesting the extension of the Town of Clayton Route 12 Sewer District, describing the boundaries thereof, and the construction of the improvements therein, is signed, and acknowledged or proven as required by law and is otherwise sufficient; and it is

**FOUND AND DETERMINED** that all of the property and property owners within the proposed district extension are benefited thereby; and it is

**FOUND AND DETERMINED** that all of the property and property owners benefited by the proposed extension to the Town of Clayton Route 12 Sewer district are included within the limits of the proposed extension boundaries, and it is

**FOUND AND DETERMINED** that the petition requesting the extension of the Town of Clayton Route 12 Sewer District has been signed and acknowledged or proven by the owners of taxable real property situate in the proposed district owning at least one-half of the assessed valuation of all of the taxable real property of the proposed district extension, and in fact has been signed and acknowledged or proven by owners owning in the aggregate not less than 100% of the assessed valuation of all the taxable real property of the proposed district extension as shown upon the latest and completed assessment role for the Town of Clayton; and it is

**FOUND AND DETERMINED** that the petition has been signed and acknowledged or proven by resident owners owning taxable real property aggregating at least one-half of the assessed valuation of all of the taxable real property of the proposed district extension owned by resident owners according to the latest completed assessment role for the Town of Clayton, and in fact has been signed, acknowledged and proven by not less than 100% of resident owners owning taxable real property within the proposed district extension according to the latest completed assessment roll; and it is further

**FOUND, ORDERED AND DETERMINED** that the establishment of the Town of Clayton Route 12 Sewer District Extension and the construction of the improvements therein as defined in the petition and the map, plan and report filed with the Town Clerk is in the public interest, and it is therefore

**ORDERED** that the Town of Clayton Route 12 Sewer District Extension, as described in the map, plan and report prepared by Aubertine & Currier, Engineers and Land Surveying, P.C., is hereby approved, and the boundaries thereof shall as defined in the petition and the map, plan and report filed with the Town Clerk and as described at Schedule "A" attached hereto; and it is further

**ORDERED**, that the Town Clerk of the Town of Clayton shall cause a certified copy of this Order of the Town Board to be duly recorded in the Office of the Clerk of the County of Jefferson, within ten (10) days after its adoption, and shall file a certified copy thereof with the Department of Audit and Control within ten (10) days following its adoption.

A motion to adopt the foregoing Resolution and Order was made by Councilmember Lance Peterson, and seconded by Councilmember Robert W. Cantwell III, and upon a roll call vote of the Board was duly adopted as follows:

Justin A. Taylor, Supervisor	Yes <u>X</u>	No <u>_</u>
Lance Peterson, Councilman	Yes <u>X</u>	No <u>_</u>
Robert W. Cantwell III, Councilman	Yes <u>X</u>	No <u>_</u>
Christopher D. Matthews, Councilman	Yes <u>X</u>	No <u>_</u>
Mary Zovistoski, Councilwoman	Yes <u>X</u>	No <u>_</u>

Yes 5 No 0 Abstain 0 Absent 0

Dated: June 10, 2015

**Certification**

I, Kathleen E. LaClair, Town Clerk of the Town of Clayton, do hereby certify that the above resolution was adopted at a regular meeting of the Town Board of the Town of Clayton held on June 10, 2015 and it's on file and of record, and that said resolution had not been altered, amended or revoked and it's in full force and effect.

**(SEAL)**

\_\_\_\_\_  
**Kathleen E. LaClair, Town Clerk**

## **SCHEDULE "A"**

### **Town of Clayton NYS Route 12 Sewer District Extension**

ALL THAT TRACT or parcel of land situate in the Town of Clayton, Jefferson County, New York, and further described as follows:

BEGINNING at the intersection of the northeasterly property line of Tax Map Parcel 13.13-01-09 and easterly shoreline of the St. Lawrence River;

THENCE in a generally southeasterly direction along the northeasterly property of Tax Map Parcel 13.13-01-09 to the intersection of said property line and the border of the Town of Clayton on the west and Town of Orleans on the east;

THENCE in a generally southerly direction approximately 930' along the border of the Town of Clayton on the west and Town of Orleans on the east to a point, said point being the intersection said border and the easterly shoreline of the St. Lawrence River;

THENCE in a generally westerly, northerly, northwesterly and easterly direction along the easterly shoreline of the St. Lawrence River to the Point of Beginning;

CONTAINING approximately 7.3 acres of land.

IT BEING THE INTENT to describe the Town of Clayton NYS Route 12 Sewer District Extension.

SUBJECT TO any rights or restrictions of record which may exist.