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TOWN OF NEWFANE

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Newfane, New York 14108
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RESOLUTION #46 -2026 OF THE TOWN BOARD, TOWN OF NEWFANE, NY

INCREASE AND IMPROVEMENT OF FACILITIES OF WATER DISTRICT NO. 1, IN THE TOWN OF NEWFANE, IN THE COUNTY OF NIAGARA, NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN LAW

**Attached Resolution prepared by Hawkins Delafield & Wood LLP
Robert P Smith, Partner**

Signed and Dated: July 22, 2026

At a meeting of the Town Board of the Town of Newfane, in the County of Niagara, New York, held at the Town Hall, 2737 Main Street, Newfane, New York, on the 22nd day of July, 2026.

PRESENT:

Hon. John Syracuse, Supervisor
Richard Coleman, Councilperson
Susan Neidlinger, Councilperson
Robert Horanburg, Councilperson
Peter Robinson, Councilperson

In the Matter

of the

Increase and Improvement of Facilities of Water District
No 1, in the Town of Newfane, in the County of Niagara,
New York, pursuant to Section 202-b of the Town Law

Offered by: _____

Seconded by: _____

RESOLUTION AND
ORDER AFTER PUBLIC
HEARING

WHEREAS, the Town Board of the Town of Newfane (herein called the "Town"), in the County of Niagara, New York, on behalf of the Town of Newfane Consolidated Water District (herein referred to as the "District"), has caused Wendel, a firm of engineers duly licensed by the State of New York (the "Engineer"), to prepare a map, plan and report (the "Report"), which report is on file in the office of the Town Clerk, for the increase and improvement of facilities of the District, consisting of consisting of (i) the replacement of approximately 2,600 linear feet of waterline along West Lake Road, including installation of new fire hydrants and transfer of existing services, and (ii) the installation of approximately 700 linear feet of high-density

polyethylene (HDPE) lining inside the existing waterline along Ewings Road, including new isolation valves; all of the foregoing to include engineering and other ancillary or related work in connection therewith, as further described in the Report (the "Project"); and

WHEREAS, the Engineer has estimated that the cost of such increase and improvement of facilities shall be \$1,400,000 and said map, plan and report have been filed with the Town Board; and

WHEREAS, the Town expects that all or part of the cost of the project may be financed through the State of New York Environmental Facilities Corporation pursuant to the Water Infrastructure Improvement Act (WIIA), and/or any other source of funding; and such grants and/or other funds are hereby authorized to be applied toward the cost of said Project or redemption of the Town's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of such facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on July 22, 2026 at 6:45 P.M. (Prevailing Time) at the Town Hall, 2737 Main Street, Newfane, New York; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on July 22, 2026 at 6:45 P.M. (Prevailing Time) at the Town Hall, 2737 Main Street, Newfane, New York, with considerable discussion on the matter having been had and all persons desiring to be heard

having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

Now, therefore, be it

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated total cost of \$1,400,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense of said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$1,400,000 bonds of the Town, and the cost of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid from charges collected through water metering or other means and/or the assessment, levy and collection of assessments upon the several lots and parcels of land within the District; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Niagara County within ten (10) days after adoption thereof.

DATED: July 22, 2026

(SEAL)

TOWN BOARD OF THE TOWN OF NEWFANE

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

Supervisor John Syracuse	voting_____
Councilperson Paul Conrad	voting_____
Councilperson Robert C. Horanburg	voting_____
Councilperson Jessica Reinhardt	voting_____
Councilperson Peter Robinson	voting_____

The Resolution and Order were declared adopted.

CERTIFICATE

I, DONNA LAKES, Town Clerk of the Town of Newfane, in the County of Niagara, State of New York, HEREBY CERTIFY that the foregoing annexed resolution of the Town Board of said Town adopted at a meeting duly called and held on July 22, 2026, has been compared by me with the original resolution as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
corporate seal of said Town of Newfane this 22nd
day of July, 2026.

(SEAL)

Donna Lakes, Town Clerk
Town of Newfane