

SUPERVISOR
716-778-8531

TOWN CLERK
716-778-8822
FAX 716-638-4183

ASSESSOR
716-778-8827

TAX COLLECTOR
716-778-6052

BUILDING
INSPECTOR
716-778-5947

WATER/SEWER
716-778-8132



TOWN OF NEWFANE

2737 Main Street
Newfane, New York 14108

Tel. (716) 778-8531
Fax (716) 638-4261

JUSTICE COURT
2896 Transit Road
Newfane, New York
14108
716-778-9292

HIGHWAY
716-778-8844

WATER/SEWER
MAINTENANCE
716-778-8587

6176 McKee Street
Newfane, New York
14108

TDD 1-800-662-1220

RESOLUTION #32-2026

RESOLUTION TO AUTHORIZE A TEMPORARY LICENSE TO CROSS TOWN PROPERTY FOR EROSION-ABATEMENT WORK

WHEREAS, Mamie Winter is the owner of record of real property located at 1537 Crescent Heights, Olcott, New York (SBL 5.19-1-10) (the “Winter Property”), and she, together with her husband, Robert Winter (collectively, the “Licensees”), have requested permission to enter upon and cross certain real property owned by the Town of Newfane (SBL 5.19-1-11) (the “Town Property”) in order to perform shoreline hardening and related work to abate erosion affecting their property; and

WHEREAS, the Town Board, pursuant to Town Law § 64, is vested with authority to manage, control, and regulate the use of real property owned by the Town; and

WHEREAS, the access requested is temporary in nature, and the Town Board has determined that the grant of a revocable license, rather than an easement or other conveyance of an interest in real property, is the appropriate instrument and is in the best interest of the Town; and

WHEREAS, because the instrument authorized hereby is a revocable license and not a conveyance, lease, or other disposition of an interest in real property, this Resolution is not subject to a permissive referendum; and

WHEREAS, the Town Board wishes to condition any such license upon the Licensees’ provision of satisfactory proof of insurance, restoration of the Town Property, and indemnification of the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the grant of a temporary, revocable license to Robert Winter and Mamie Winter, together with their contractors and agents, permitting entry upon and crossing of the Town Property solely for the purpose of performing hardening and related work reasonably necessary to abate erosion, subject to the conditions set forth below; and

BE IT FURTHER RESOLVED, that the license shall be subject to the following conditions: (a) prior to any entry upon or commencement of work on the Town Property, the Licensees shall furnish the Town with a certificate of insurance naming the Town of Newfane as an additional insured, in coverage types and amounts acceptable to the Town; (b) the Licensees shall, at their sole expense, restore the Town Property to its condition existing prior to entry; (c) the Licensees shall indemnify, defend, and hold harmless the Town of Newfane, its officers, employees, and agents from and against any and all claims, damages, or liabilities arising out of or in connection with the licensed activities; (d) the license shall be revocable by the Town at will and shall confer no permanent or possessory interest in the Town Property; and (e) the access granted shall be limited to the scope, area, and duration reasonably necessary to perform the erosion-abatement work; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized and directed to execute a temporary license agreement, together with any other documents reasonably necessary to effectuate the intent of this Resolution, each in a form approved by the Attorney for the Town.

By Order of the Town Board
Town of Newfane, Niagara County, New York
Adopted this ____ day of _____, 2026

Town Board Member	Vote	
Supervisor John Syracuse	☐ Aye	☐ Nay
Councilman Paul Conrad	☐ Aye	☐ Nay
Councilman Robert Horanburg	☐ Aye	☐ Nay
Councilwoman Jessica Reinhardt	☐ Aye	☐ Nay
Councilman Peter Robinson	☐ Aye	☐ Nay