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TOWN OF NEWFANE

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RESOLUTION #36-2026 OF THE TOWN BOARD, TOWN OF NEWFANE, NY

AUTHORIZING AN AGREEMENT WITH THE TOWN OF NEWFANE HISTORICAL SOCIETY, INC. FOR THE WEST CREEK ROAD HISTORICAL GROUNDS COMFORT STATION AND KIOSK PROJECT

WHEREAS, the Town of Newfane Historical Society, Inc. (the “Society”), a New York not-for-profit corporation, owns the real property located at 2685 West Creek Road, Newfane, New York (Tax Map SBL No. 38.00-2-13; 38.00-2-14; and 38.00-2-52) and commonly known as the West Creek Road Historical Grounds (the “Premises”), and operates and maintains the Premises as a historic site for the benefit of the public; and

WHEREAS, pursuant to New York Arts and Cultural Affairs Law Section 57.07(2), the Town is authorized to contract with the trustees of a historical association for the support and maintenance of historic edifices situated within the Town for public use, under such terms and conditions as may be stated in such contract; and

WHEREAS, the Town of Newfane (the “Town”) desires to fund the construction of a comfort station and kiosk at the Premises, including general construction, electrical, and plumbing work (the “Project”), to serve members of the public visiting the Premises; and

WHEREAS, a Project Funding and Public Use Agreement (the “Agreement”) has been presented to the Town Board, under which the Town will fund the Project and, in consideration therefor, the Society will covenant to maintain the Premises and the Project improvements for public use for a term of ten (10) years, maintain the Project improvements in good repair at its sole cost, maintain liability insurance naming the Town as an additional insured, and grant the Town and its contractors access to the Premises to perform the Project; and

WHEREAS, the Town Board has determined that the value of the consideration to be received by the Town under the Agreement is at least equal to the value of the funding to be provided by

the Town, and that the Agreement serves the public purposes of preserving and promoting local history and providing facilities for the visiting public;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Newfane hereby approves the Agreement in substantially the form presented to the Town Board; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute the Agreement on behalf of the Town, in final form approved by the Town Attorney, upon delivery by the Society of a certified resolution of its board of trustees authorizing the execution of the Agreement.

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