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RESOLUTION #38-2026 OF THE TOWN BOARD, TOWN OF NEWFANE, NY

RESOLUTION TO AUTHORIZE EXECUTION OF THE REVISED PROJECT FUNDING AND PUBLIC USE AGREEMENT WITH THE TOWN OF NEWFANE HISTORICAL SOCIETY, INC. FOR THE COMFORT STATION AND KIOSK PROJECT AT COUNTRY VILLAGE

WHEREAS, by Resolution #36-2026, adopted June 11, 2026, the Town Board approved a Project Funding and Public Use Agreement (the “Agreement”) with the Town of Newfane Historical Society, Inc. (the “Society”), providing for the Town to fund the construction of a comfort station and kiosk at the Society’s real property 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), for use by the visiting public, in substantially the form then presented to the Town Board, and authorized the Town Supervisor to execute the Agreement in final form approved by the Town Attorney; and

WHEREAS, that approval was made pursuant to Section 57.07(2) of the New York Arts and Cultural Affairs Law, which authorizes the Town 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, following adoption of that resolution, the Society requested certain revisions to the Agreement, and the Agreement has been revised in final form to, among other things, (i) identify the Premises by the name “Country Village”; (ii) provide that the aggregate funding to be provided by the Town for the Project shall not exceed \$120,000.00; and (iii) require the Society to maintain commercial general liability insurance naming the Town of Newfane as an additional insured from the commencement of construction of the Project through the end of the ten (10) year public use covenant term; and

WHEREAS, the Town Board has reviewed the Agreement as so revised, a copy of which has been presented to the Town Board, and wishes to confirm its approval of the Agreement in such final form; and

WHEREAS, the Town Board reaffirms its determination 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 and confirms the Project Funding and Public Use Agreement, as revised in final form and presented to the Town Board; and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to execute the Agreement, as so revised, on behalf of the Town, upon delivery by the Society of a copy of the 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