

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 #30-2026 OF THE TOWN BOARD, TOWN OF NEWFANE, NY

### INCREASE AND IMPROVEMENT OF FACILITIES OF CONSOLIDATED SEWER 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: May 27, 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 27th day of May, 2026.

PRESENT:

Hon. John Syracuse, Supervisor  
Paul Conrad, Councilman  
Robert C. Horanburg, Councilman  
Jessica Reinhardt, Councilwoman  
Peter P. Robinson, Councilman

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In the Matter

of the

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

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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 Consolidated Sewer District No. 1, in the Town (herein referred to as the “District”), has caused Wendel, engineers duly licensed by the State of New York (the “Engineer”) to prepare a map, plan and report for the increase and improvement of facilities of the District; and

WHEREAS, the Town Board now proposes to proceed with the Phase I improvements, as described in the report prepared by the Engineer, dated August 2025 and revised

January 2026, including upgrades and improvements to the Wastewater Treatment Plant, installation of a UV disinfection system and improvements to Pump Station 13, including relining of the Pump Station 13 discharge forcemain, and other ancillary or related work required in connection therewith; which map, plan and report have been filed with the Town Board; and

WHEREAS, the maximum cost of such Phase I improvements is estimated to be \$3,690,532; and

WHEREAS, grant funds are expected to be received in connection with the increase and improvement of facilities of the District, and any such grant funds received are authorized to be used to pay a part of the cost of such project, or to pay debt service related thereto; 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 May 14, 2026 at 5:45 P.M. (Prevailing Time) at the Town Hall Board Room, 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 May 14, 2026 at 5:45 P.M. (Prevailing Time) at the Town Hall Board Room, 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

WHEREAS, pursuant to applicable provisions of the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6

N.Y.C.R.R., Regulations Part 617, the Town Board has given due consideration to the impact the proposed project described herein may have on the environment and has determined that said project is a Type II project for purposes of SEQRA and no further review is required;

Now, therefore, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of \$3,690,532; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer heretofore retained by the Town Board shall prepare plans and specifications and make a careful estimate of the expense for 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 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 by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same; 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: May 27, 2026  
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_____
Councilman Paul Conrad	voting_____
Councilman Robert C. Horanburg	voting_____
Councilwoman Jessica Reinhardt	voting_____
Councilman Peter P. Robinson	voting_____

The Resolution and Order was declared adopted.