

THE FOLLOWING RESOLUTION AUTHORIZING THE  
PAVING OF 6.0 MILES OF THE TOWN'S TRAILWAYS WAS OFFERED BY  
COUNCILPERSON \_\_\_\_\_, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILPERSON \_\_\_\_\_.

WHEREAS, the portion of the Town of Newstead-Village of Akron Bike Path (hereinafter "the Bike Path") located in the Town of Newstead is in need of repair and partial repaving, and

WHEREAS, the Town Board of the Town of Newstead in consultation with the Highway Superintendent has determined that the Town of Newstead Highway Department will be responsible for the repairs of the Bike Path and will also assist in the hauling of the materials necessary to perform the repairs and repaving; and

WHEREAS, the Highway Superintendent will secure the necessary materials and assistance to repave approximately 6.0 miles of the Bike Path with 1" overlay asphalt and 10 foot wide tack coat,

WHEREAS, the Highway Superintendent has advised that the necessary materials are available under the Erie County Bid as are the paving companies (total cost estimate is \$130,000), and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD, AS FOLLOWS:

1. The Town Board does hereby authorize the Highway Superintendent to take necessary action and to purchase the materials necessary to repair sections of the Bike Path and to repave approximately 6.0 miles of the Bike Path with 1" overlay asphalt with 10-foot-wide tack coat.
2. This Resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board held on May 23, 2022 the results of which were as follows:

Councilman Dugan \_\_\_\_\_  
Councilman Burke \_\_\_\_\_  
Councilman Jendrowski \_\_\_\_\_  
Councilwoman Pope \_\_\_\_\_  
Supervisor Cummings \_\_\_\_\_

RESOLUTION IN SUPPORT OF ANNEXATION OF  
35 LEWIS ROAD IN THE TOWN OF NEWSTEAD  
TO THE VILLAGE OF AKRON

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILPERSON \_\_\_\_\_, WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCILPERSON \_\_\_\_\_

WHEREAS, the Vet's Club of Akron, New York, Inc. owns a parcel of land assessed under SBL number 33.00-2-26, which lies wholly within the Town of Newstead and SBL number 47.060-1-3, which lies wholly in the Village of Akron; and,

WHEREAS, the Village of Akron has been petitioned by the Vet's Club of Akron, New York, Inc. to annex the portion of land in the Town of Newstead assessed under SBL number 33.00-2-26 into the Village of Akron and merge said parcel into the parcel assessed under SBL number 47.060-1-3 to allow the petitioner to sell the parcel under one SBL number; and

WHEREAS, the Village Board has reviewed the proposed annexation and adopted a resolution on May 16, 2022 determining that it would be in the overall public interest for this land which is the site of former VFW Post to be annexed to the Village of Akron and requesting that the Town of Newstead adopt a resolution consenting to the annexation as required under Section 706 of the General Municipal Law; and

WHEREAS, the Town Board has reviewed the proposed annexation and also believes it would be in the overall public interest for this land to be annexed into the Village of Akron with no negative impact upon the Town of Newstead.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN BOARD AS FOLLOWS:

1. That the Town Board finds that annexation is in the overall public interest and authorizes and approves the annexation of such property into the Village of Akron.
2. That the Newstead Town Board consents to the annexation of land as shown on Exhibit A and described in Exhibit B attached hereto.
3. That the present boundaries of the Town and Village are shown in the attached Exhibit C and the same are hereby amended as shown in Exhibit D attached.
4. That the approval of the Town Board to this annexation is contingent upon the Village of Akron bearing any and all expenses required to effectuate this resolution.
5. The Town Board authorizes the Supervisor to sign a copy of this resolution to serve as consent to the annexation of the property as shown in Exhibit A and described in Exhibit B by the Village of Akron.

6. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board held on May 23, 2022, the results of which were as follows:

Councilman Dugan	_____
Councilman Burke	_____
Councilman Jendrowski	_____
Councilwoman Pope	_____
Supervisor Cummings	_____

Town Authorization & Consent:

\_\_\_\_\_  
David L. Cummings, Supervisor

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN \_\_\_\_\_, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN \_\_\_\_\_

WHEREAS, the Town Board of the Town of Newstead has determined that it is necessary to replace the benches and bleachers at the baseball field in Skyline Park; and

WHEREAS, quotations were received from 3 companies which are annexed hereto and made a part hereof, summarized below as follows:

- Pioneer Athletics in the amount of \$16,964.56;
- MRC in the amount of \$19,211.70; and
- CW Site Furnishings in the amount of \$21,082.24; and

WHEREAS, in consultation with the Town Highway Superintendent the Town Board has determined that the benches and bleachers from Pioneer Athletics would best meet the Town's needs.

NOW, THEREFORE, be it resolved by the Town Board as follows:

1. The Town Board does hereby authorize the Town Supervisor purchase bleachers and benches from Pioneer Athletics at a cost of \$16,964.56.
2. This resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a meeting of the Town Board on May 23, 2022, the results of which were as follows:

Councilman Dugan	_____
Councilman Burke	_____
Councilman Jendrowski	_____
Councilwoman Pope	_____
Supervisor Cummings	_____

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILPERSON \_\_\_\_\_, WHO MOVED ITS ADOPTION,  
SECONDED BY COUNCILPERSON \_\_\_\_\_

**WHEREAS**, pursuant to the General Municipal Law and resolutions duly adopted by the Town Board of the Town of Newstead at its meetings held on February 14, 2022 and March 14, 2022, a special election of qualified voters of the Newstead Fire Protection District (the "District") was held on May 17, 2022 (the "Special Election"); and

**WHEREAS**, the purpose of the Special Election was to ask such qualified voters whether the Length of Service Award Program (the "LOSAP Program") for volunteer firefighters of the Newstead Fire Company, Inc. (the "Fire Company") should be amended, effective January 1, 2023, to increase the annual contribution that can be earned by a participating volunteer from \$480 to \$840 effective January 1, 2023 and to \$1,200 effective January 1, 2024; and

**WHEREAS**, based upon a certification, dated May 18, 2022, of the vote tabulation of the Special Election, issued by the Town Clerk, stating the results of the Special Election, the Amendment was approved by qualified voters of the District casting ballots in the Special Election by a vote of 58 to 7; and

**WHEREAS**, the results of the Special Election must be officially accepted by the Town Clerk; and

**WHEREAS**, it is in the public interest to acknowledge the filing of the Certificate of Referendum with the Town Clerk.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Clerk is hereby directed to accept and file the certificate of referendum dated May 18, 2022, stating the results of the special election of qualified voters of the District, held on May 17, 2022 to amend the District's LOSAP Program for volunteer firefighters of the Fire Company, effective January 1, 2023 to increase the annual contribution that can be earned by a participating volunteer from \$480 to \$840 effective January 1, 2023 and to \$1,200 effective January 1, 2024; and be it further

**RESOLVED**, that the Town Clerk is hereby authorized to undertake such related action as may be necessary to effectuate the results of the Special Election.

Councilman Dugan \_\_\_\_\_  
Councilman Burke \_\_\_\_\_  
Councilman Jendrowski \_\_\_\_\_  
Councilwoman Pope \_\_\_\_\_  
Supervisor Cummings \_\_\_\_\_