



STATE OF NEW YORK )  
COUNTY OF ERIE ) SS.  
TOWN OF NEWSTEAD )

I, Dawn D. Izydorczak, Town Clerk of the Town of Newstead, County of Erie, State of New York, do hereby certify that at an adjourned regular meeting of the Newstead Town Board, on the 10th day of December, 2012 at the Newstead Town Hall, 5 Clarence Center Rd, Akron, New York, the above resolution was adopted, with each member present voting therefore, as follows:

David L. Cummings, Supervisor-	AYE
Justin M. Rooney, Councilman-	AYE
James Mayrose, Councilman-	AYE
Richard C. Baran, Councilman-	AYE
Donald A. York, Councilman-	AYE

I do further certify that the resolution duly adopted by the Town Board and the official meeting minutes are on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town of Newstead, County of Erie, State of New York, this 13th day of December, 2012.

Dawn D. Izydorczak, RMC, Town Clerk  
Town of Newstead, New York

SEAL

**THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN ROONEY, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN MAYROSE**

**WHEREAS, the Town of Newstead (the "Town") and the County of Erie (the "County") have entered into negotiations about the proposed purchase by the Town of that portion of the Akron Falls Park on Skyline Drive between Skyline Drive and Main Road; and**

**WHEREAS, the Town has been interested in providing more recreational activities for residents of the Town and the purchase of that portion of the Akron Falls Park would allow the Town to expand recreational activities within the Town by allowing local control of that portion of the Akron Falls Park allowing for expanded hours and enhanced facilities as well as securing that the facilities remain open; and**

**WHEREAS, the County has agreed in principal to sell that portion of the Akron Falls Park consisting of approximately 131.37 acres to the Town at a cost of \$200,000 with the condition that the property will continue to be used as a park and that the Town would not impose residency restrictions on users of the park; and**

**WHEREAS, the Town has agreed in principal to the purchase of that portion of the Akron Falls Park upon the conditions outlined above with the understanding that any agreement to purchase that portion of the Akron Falls Park from the County is subject to the compliance by the Town with all legal requirements to effectuate such transfer and that unless and until the Town completes such requirements authorizing such purchase this resolution shall not be legally binding upon the Town but shall be considered only a statement of intent.**

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

- 1. The Town Board agrees to the proposed purchase of approximately 131.37 acres of Akron Falls Park extending from Skyline Drive to Main Road at a price of \$200,000 upon terms to be more particularly set forth in a future agreement to be negotiated between the Town and the County.**
- 2. The agreement of the Town to purchase shall be subject to entering into an agreement with the County upon terms acceptable to both sides and compliance by the Town and the County with all applicable legal procedures which are required before the purchase can be legally authorized and financed by the Town.**
- 3. 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 December 10, 2012, the results of which were as follows:**

<b>Councilman Rooney-</b>	<b>AYE</b>	<b>Councilman York-</b>	<b>AYE</b>
<b>Councilman Mayrose-</b>	<b>AYE</b>	<b>Supervisor Cummings-</b>	<b>AYE</b>
<b>Councilman Baran-</b>	<b>AYE</b>	<b>CARRIED UNANIMOUSLY</b>	