



RESOLUTION NO. 36 - 2023

TOWN OF NEWFANE EMERGENCY RESOLUTION

WASTEWATER TREATMENT PLANT SLUDGE PUMP STATION EMERGENCY DECLARATION

WHEREAS, the Town of Newfane (the “Town”) owns and maintains the Newfane Wastewater Treatment Plant, 6349 E Lake Rd, Burt, NY, wherein the plant has a sludge pumping station that contains various pumps, valves and piping to convey waste activated and return active sludge to various areas of the plant, and

WHEREAS, the Town of Newfane wastewater treatment staff has reported leaking pipes and deterioration of the existing facilities in the pump station, and Wendel, the Town Engineer of the Town of Newfane examined the facilities in the Sludge Pump Station, and

WHEREAS, Town engineers, Wendel, have analyzed the system failure and have prepared the attached report referenced as “MEMO RE: Wastewater Treatment Plant – Emergency Repair” (the “Wendel report”) which is referenced and incorporated hereto, and

WHEREAS, the Wendel report describes the importance of the Sludge Pump Station system(S) to the life, health, safety and/or property of the residents of the County of Niagara, and

WHEREAS, Wendel opines that “It is Wendel’s opinion that these circumstances, if allowed to continue without emergency repair, could jeopardize the life, health, safety and/or property of the customers of the Town of Newfane.”

NOW THEREFORE BE IT RESOLVED, that the Sludge Pump Station Failure at the Town’s Wastewater Treatment Plant is a public emergency arising out of unforeseen occurrences or conditions whereby circumstances affecting the life, health, safety, or property of the customers of the Town, required and require immediate repair, and be it further

RESOLVED, that pursuant to the provisions of section 103(4) of the General Municipal Law of the State of New York, the Town does hereby find that such emergency required and requires immediate action that cannot await competitive bidding, and be it further,

RESOLVED, that the Town authorizes the emergency repair and implementation of the proposed solutions outlined in the Wendel report, at a cost not to exceed \$186,600.00, and that such repair is ratified as an emergency repair and that competitive bidding and/or procurement policy procedures are dispensed with prospectively and retroactively.

John Syracuse, Supervisor

Laura Rutland, Councilwoman

Sue Neidlinger, Councilwoman

Richard Coleman, Councilman

Troy Barnes, Councilman

DATED: June 28, 2023

CERTIFICATE OF CLERK

STATE OF NEW YORK
COUNTY OF NIAGARA
TOWN OF NEWFANE

SEAL

Mildred Kramp, RMC, CMC
Town Clerk Town of Newfane