

PUBLIC HEARING
Town of Westfield
October 5th 2016

Public Hearing to Operate a Small Seasonal Food Service Establishment located at Marilynne Northrop's, Munson rd.

Supervisor Bills called the public hearing to order at 7:15pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Joel Seachrist	Nancy Walker
Dep Super:	David Brown	David Walker	David Haskin
Councilmen:	Raymond Schuster	Tom Tarpley	Marion Eno
	David Spann	William Bauer	Rebecca Cuthbert, Observer
	James Herbert	Theresa Cochran	

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regards to the proposed modification to existing business operations.

Supervisor Bills requested Proof of Publication of the public hearing from the Town Clerk.

Owner, Marilynne Northrop was present to discuss the proposed SUP modification application:

- 1) To operate a small seasonal food service establishment in conjunction with limited retail/wholesale sales of farm produce and value added items.
- 2) Making and selling jams, jellies, toast and roasting coffee.
- 3) The space is located in a rural, agricultural district and will not disturb neighbors. It will be promoting the "buy local, eat local" initiative.

Supervisor Bills commented on how successful her business is growing.

No further comments were made.

Deputy Supervisor David Brown made the motion to move that the public hearing be closed at 7:18pm. Councilman James Herbert seconded the motion. This was unanimously approved.

Respectfully submitted,
//original signed//
Andrea L. Babcock, Town Clerk

PUBLIC HEARING
Town of Westfield
October 5th, 2016

(Sherman Fire District)

Supervisor Bills called the public hearing to order at 7:20pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Joel Seachrist	Nancy Walker
Dep Super:	David Brown	David Walker	David Haskin
Councilmen:	Raymond Schuster	Tom Tarpley	Marion Eno
	David Spann	William Bauer	Rebecca Cuthbert, Observer
	James Herbert	Theresa Cochran	

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to the proposed Sherman Fire District budget of \$9,854.00 for 2017. She explained that this is not an increase from the previous year.

Deputy Supervisor, David Brown, spoke on behalf of the Sherman Fire District. Supervisor Bills thanked the fire department for their help and explained the geographic locations of service. Sherman Fire District covers from Volusia to Titus Road and Parker to Coon Road. The residents in the geographic location are billed an amount on their Town and County Tax bill based on the contract and land value of the district.

No further comments were made.

Supervisor Martha Bills, made the motion to move that the public hearing be closed at 7:22pm. Councilman Raymond Schuster seconded the motion. This was unanimously approved.

Respectfully submitted,
//original signed//
Andrea L Babcock, Town Clerk

**PUBLIC HEARING
Town of Westfield
October 5th, 2016
(Westfield Fire District)**

Supervisor Bills called the public hearing to order at 7:25pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Joel Seachrist	Nancy Walker
Dep Super:	David Brown	David Walker	David Haskin
Councilmen:	Raymond Schuster	Tom Tarpley	Marion Eno
	David Spann	William Bauer	Rebecca Cuthbert, Observer
	James Herbert	Theresa Cochran	

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to the proposed Westfield Fire District contract of \$45,359.64 for 2017. The actual amount is \$54,000 including the contract for expenses and equipment fund (\$8640.36). She provided a brief description of the budget highlighting that as always this expense is split with the Village based on a ratio of land value and actual department costs. There were some questions from the audience which were answered satisfactorily.

No further comments were made.

Supervisor Martha Bills made the motion to move that the public hearing be closed at 7:30pm. Councilman David Spann seconded the motion. This was unanimously approved.

Respectfully submitted,
//original signed//
Andrea L. Babcock, Town Clerk

**TOWN BOARD MEETING
Town of Westfield
October 5th, 2016**

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:31pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Joel Seachrist	Nancy Walker
Dep Super:	David Brown	David Walker	David Haskin
Councilmen:	Raymond Schuster	Tom Tarpley	Marion Eno
	David Spann	William Bauer	Rebecca Cuthbert, Observer
	James Herbert	Theresa Cochran	

Pledge of Allegiance

Deputy Supervisor David Brown made the motion to waive the reading of the September 7, 2016 minutes inasmuch as all members received a copy thereof and the minutes be accepted. Councilman David Spann seconded the motion. The motion was carried unanimously.

The Town Clerk's report together with a check in the amount of \$3, 224.67 representing fees for the month of September 2016 was turned over to the Supervisor. State and County agencies received checks totaling \$3,869.93.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking Balance</u>	<u>MM Balance</u>
Gen. A	\$634,392.59	\$430,540.44	\$16,118.41	\$945,114.72
Gen B	76,431.51	63,365.13	75.18	73,862.29
Hwy DA	311,586.23	289,255.23	385.59	370,949.90
Hwy DB	234,674.56	389,828.18	737.64	70,983.92
FP SS1	23,629.02	23,873.20	-0-	4,009.27
FP SW1	15,613.06	16,777.07	-0-	43,966.43
EWSW2	58.70	-0-	-0-	53,517.23
SHSW3	4.27	30.53	-0-	3,879.66
ER20SW4	1,957.44	-0-	-0-	6,781.43
BSW5	50,958.95	41,391.74	-0-	19,631.44
Wfd. Fire	54,059.95	-0-	-0-	54,658.86
Sherm. Fire	9,860.02	9,788.27	-0-	179.99
Totals:	\$1,413,226.30	\$1,264,849.79	\$17,316.82	\$1,647,535.14

The Dog Warden's report for September 2016 was received and placed on file.

The Fire Department Report for September 2016 has not yet been received and has not yet been filed with the Town Clerk.

The Historian's report for September 2016 was received and placed on file.

The Town Court report for September 2016 was received and placed on file.

The Westfield Police report for September 2016 was received and placed on file.

Highway:

- The Town Highway Superintendent submitted a written report on activities for September 2016 and highlighted blacktopping, roadside mowing, closing the Barcelona Harbor and fuel usage.

Code Enforcement:

- The Code Enforcement Officer, Bonnie Rae Strickland, submitted a written report highlighting that five permits were issued in the Town for September 2016.
- Fire Inspections are now being added to the work calendar.
- She recently attended a Western Southern Tier Building Officials Conference September 12, 13 and 14, 2016. The conference was dedicated to James Pacanowski for his dedication, knowledge and donation of time and energy to the WSTBOA Educational Committee. James Pacanowski was the prior code enforcement officer for the Town/Village of Westfield and passed away unexpectedly March 4, 2016.

Barcelona Harbor:

- The Pier is closed for the season. The Pier closed September 18, 2016.
- Supervisor Bills and Councilman Herbert commented on the status of the breakwall. A response has been received from the US Army Corps of Engineers to move forward with repairing the breakwall. The timeframe for completion will be approximately six weeks and is weather dependent.

Public Comment:

- Nancy Walker spoke on behalf of the Westfield Ministerial Association. Seven local churches provided dinner for 12 Westfield Police Department Officers in appreciation of their service. The officers were given gift bags, mums and heartfelt appreciation from more than 30 community members. The dinner was served in the North room on 10/5/2016.
- Nancy Walker asked about Bentley Tree Service and whether there was any new information. Supervisor Bills responded that the Town Board is gathering together information to present to the Planning board. *Supervisor Martha Bills made the motion to refer the C-M Moratorium, and Solar Moratorium to the Planning board for review and have Attorney Joel Seachrist attend the meeting to present the moratoriums and respond to any questions the planning board members may have. Deputy Supervisor David Brown seconded the motion to forward the moratorium to the Planning Board for review and this was unanimously carried.*
- Marion Eno asked the results of the Rt. 5 water district survey and asked what the next step will be. Supervisor Bills responded the responses have been in favor of continuing. The next step is to forward the survey results to the engineers for them to compile and to report back to the board.
- Reporter Rebecca Cuthbert spoke on behalf of members from the community pertaining to the Welch building. What is our plan with the Welch building? Any new businesses interested in renting a space? Have any repairs been done to the building? What is the approximate percentage of occupancy? Supervisor Bills responded that our plan is to develop or sell the building. Some repairs have been done such as, air conditioning and plumbing to get the bathrooms in working order. The approximate occupancy percentage is 40%-50%. Supervisor Bills also thanked Rebecca for attending.

The Town Supervisor made the following announcements:

- STW Fall Planning & Zoning Conference (Chautauqua Suites / 10 Nov 2016)

Old Business:

- Waiting for a letter of conditions from USDA-RD for Shorehaven Water Project.
- Applications are also being considered for E. Lake Rd and West Main Rd water districts.
- Amenities have been ordered and received for the Hamlet project. The Hamlet project will be completed no later than October 31, 2016.

New Business:

A Special Meeting (2017 Budget Workshop #1) was set for 18 Oct 2016 @ 4:00pm.

Supervisor Martha Bills made the motion to set dates for the following public hearings:

Preliminary Budget (7:20pm / 2 Nov 2016 in Eason Hall)

Special Assessment Roll (7:25pm / 2 Nov 2016 in Eason Hall)

Deputy Supervisor David Brown seconded the motion and it was unanimously approved.

Resolutions for 10/5/2016:

Councilman David Spann offered the following resolution and moved for its adoption

Resolution No.43 of 2016

Authorization for the Supervisor to Sign the Sherman and Westfield Fire District Contracts

RESOLVED, that the Town Board of the Town of Westfield hereby authorizes the Town Supervisor to sign the contracts for the 2016 Sherman and Westfield Fire Districts.

This was seconded by Councilman James Herbert. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye

Deputy Supervisor David Brown offered the following resolution and moved for its adoption

Resolution No. 44 of 2016

Negative Declaration - SUP for a limited retail business/Northrop/Munson Rd

WHEREAS, the Town Board of the Town of Westfield is considering the application of Marilynne Northrop for a Special Use Permit allowing her to operate a limited retail business involving the sale of farm produce, jams, jellies, roasted coffee, and other value-added items, at 6722 Munson Road, on a parcel designated as tax map Section 226.00, Block 1, Lot 13, and

WHEREAS, the use has been subject to environmental review pursuant to Article 8 of the New York State Environmental Conservation Law (State Environmental Quality Review Act), including the preparation and review of a short Environmental Assessment Form, and

WHEREAS, Part 617 of the implementing regulations pertaining to the State Environmental Quality Review Act requires this Board to determine and give notice of the environmental impact of the use, and

WHEREAS, the Board has determined that proposed use will not have a significant environmental impact

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby issues the attached Notice of Determination of Non-Significance, also known as a Negative Declaration, for the application of Marilynne Northrop.

This was seconded by Councilman, Raymond Schuster. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye

Councilman Raymond Schuster offered the following resolution and moved for its adoption

Resolution No. 45 of 2016

Issuance of SUP for a limited retail business/Northrop/Munson Rd

**TOWN OF WESTFIELD
SPECIAL USE PERMIT**

Action of the Board:

To consider the application of Marilynne Northrop for a Special Use Permit to operate a limited retail business involving the sale of farm produce, jams, jellies, roasted coffee, and other value-added items, at 6722 Munson Road, on a parcel designated as tax map Section 226.00, Block 1, Lot 13, and

WHEREAS, Marilynne Northrop (hereinafter, the “Applicant”) submitted an application dated August 29, 2016 requesting a Special Use Permit to operate a limited retail business involving the sale of farm produce, jams, jellies, roasted coffee, and other value-added items, at 6722 Munson Road, on a parcel designated as tax map Section 226.00, Block 1, Lot 13,

WHEREAS, the issue of compliance with the State Environmental Quality Review Act has been thoroughly addressed, and a negative declaration was issued after examination of the record and public hearing, and

WHEREAS, the Town of Westfield Planning Board reviewed the application during a meeting held August 10, 2016 and recommended approval of the application, and

WHEREAS, no referral to Chautauqua County Planning Board pursuant to Section 239-m of the General Municipal Law was required for the application, and

WHEREAS, the Town Board has considered all the facts and papers before it, and has heard those wishing to be heard at a public hearing held October 5, 2016 on the application, and finds ample justification to approve the application subject to the qualifications hereinafter set forth

NOW, THEREFORE, BE IT RESOLVED, that the application be and hereby is authorized and approved subject to the conditions and requirements hereinafter set out:

1. The Applicant shall undertake the project in accordance with the plans submitted to the Town with the application, and agrees to be bound by the terms of the application, the site plan, and the conditions of this permit.
2. This permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.
3. The permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town of Westfield Town Board.
4. This permit shall expire automatically if the proposed shop is not operational by October 5, 2017.
5. This permit shall become effective after the Applicant approves each and every provision hereof and agrees to be bound by all of the terms herein contained in consideration of the granting of this special permit.

This was seconded by Councilman, David Spann. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye

Councilman Raymond Schuster offered the following resolution and moved for its adoption

Resolution No. 46 of 2016

Authorization for the Supervisor to Sign the Water Purchase Contract Rd 442-30, Shorehaven

RESOLVED, that the Town Board of the Town of Westfield hereby authorizes the Town Supervisor to execute a Water Purchase Contract, Form RD 442-30 on the same terms and conditions as the existing 30 year inter-municipal water supply agreement currently in effect.

This was seconded by Deputy Supervisor, David Brown. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye

Councilman Raymond Schuster offered the following resolution and moved for its adoption

Resolution No. 47 of 2016

Approval of Julie Devlin as assistant Court Clerk

RESOLVED, that the Town Board has approved Julie Devlin as Assistant Court Clerk for the Town of Westfield. Hours are not to exceed 10 hours per week on an as needed basis, and at a pay rate of \$12.00 per hour. Julie Devlin is recommended by Judge Laporte and Judge Spann for the position.

This was seconded by Deputy Supervisor, David Brown. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye

Councilman David Spann offered the following resolution and moved for its adoption

Resolution No. 48 of 2016

Approval of Safety Inspection Clerk

RESOLVED, that the Town Board accept the resignation of Gina Volpe as of September 26th, 2016 as safety inspection clerk and hire Lindsey Simpson to work two six hour days in an amount not to exceed \$12.00 an hour.

This was seconded by Councilman James Herbert. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye

Warrants dated October 5th, 2016 (voucher #'s 203-244) in the amount of \$73,872.42 were drawn on the following funds:

General A	\$48,895.13	Shorehaven Water Project SW3	\$8.72
Highway DA	\$10,350.85		
Highway Part-Town DB	\$14,349.36		
Forest Park SS1 Fund	\$268.36		

Warrants dated October 5th, 2016 (voucher #'s 40-52) in the amount of \$6,480.94 were drawn on the following funds:

Welch Bldg: \$6,480.94

These were presented and audited by the board members. Supervisor Martha Bills moved and Councilman Raymond Schuster seconded a motion that the Supervisor be directed to draw the necessary checks to cover the warrant as audited. Voting was as follows: Supervisor Martha Bills, aye; Councilman Raymond Schuster, aye; Deputy Supervisor David Brown, aye; Councilman David Spann, aye; Councilman James Herbert, aye.

The next Town Meeting is scheduled for Wednesday November 2, 2016 @ 7:30pm.

There being no further business, at 8:24p.m. Councilman David Spann moved and Deputy Supervisor David Brown seconded a motion to adjourn. The motion was carried unanimously.

Respectfully submitted,
//original signed//
Andrea L Babcock, Town Clerk