

PUBLIC HEARING
Town of Westfield
July 7th, 2010
(Local Law #4 / Amend the Junkyards Law)

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	Jim Pacanowski	Robert Harris
Councilmen:	Raymond Schuster	Marybelle Beigh	Janet Nass	
	David Brown	Claude Abbey	Harold Nass	
	James Herbert	David Babcock	Robert Betts	
	David Spann	Herb Marker	Dawn Betts	

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to proposed Local Law #4 which would amend current Town Law for Junkyards. Joel Seachrist briefly highlighted the changes which would primarily redefine the annual license renewal process.

Robert Harris spoke on behalf of his business and requested a 2nd Public Hearing. There being no further questions or comments, Raymond Schuster moved and David Spann seconded the motion to have second Public Hearing next month and that this Public Hearing is closed at 7:35pm. This was unanimously approved.

Respectfully submitted,
//original signed//
Timothy C. Smith, Town Clerk

TOWN BOARD MEETING
Town of Westfield
July 7th, 2010

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:36pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Joel Seachrist	Jim Pacanowski	Robert Harris
Councilmen:	Raymond Schuster	Marybelle Beigh	Janet Nass	
	David Brown	Claude Abbey	Harold Nass	
	James Herbert	David Babcock	Robert Betts	
	David Spann	Herb Marker	Dawn Betts	

Raymond Schuster moved and David Brown seconded a motion to waive the reading of the minutes inasmuch as all members received a copy thereof and that the minutes be approved. Unanimously carried.

The Town Clerk's report together with a check in the amount of \$8260.98 representing fees for the month of June 2010 was turned over to the Supervisor. State and County agencies received checks totaling \$1595.23.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking Balance</u>	<u>HSBC - MM Balance</u>
Gen. A	\$515,068.00	\$306,551.00	\$8740.25	\$860,059.73
Gen B	107,325.00	70,638.00	55.72	95,676.63
Hwy DA	287,740.00	163,705.00	198.62	388,894.84
Hwy DB	113,528.00	146,002.00	1037.64	260,548.40
Sewer HO1	21,709.00	27,848.00	-0-	15,053.72
Water HO2	20,575.00	13,023.00	-0-	98,913.40
Wfd. Fire	66,020.00	-0-	-0-	66,092.84
Sherm. Fire	8,616.00	8644.00	-0-	135.71
Totals:	\$1,140,581.00	\$736,411.00	\$10,032.23	\$1,785,375.27

The Dog Warden's report for June 2010 was received and placed on file.

The Fire Department Report for June 2010 was received and placed on file.

The Historian's report for June 2010 was received and placed on file.

The Town Court report for June 2010 was received and placed on file.

Highway:

- The Highway Superintendent submitted a written report on activities for June highlighting black topping, waterline hook-ups for the East Main Road water project, and the Bliss Road sewer line. He also requested authorization to go out for bid for a new a new salt shed (in

conjunction with the Village) and a new 250 Truck. Authorization was moved by Raymond Schuster and seconded by David Brown. Unanimously approved.

Code Enforcement:

- The Code Enforcement Officer submitted a report for June highlighting 13 new permits issued in the Town, 8 construction inspections, 1 Certificate of Occupancy. He also attended the CC Building Officials Association meeting in Fredonia.

Barcelona Harbor:

- James Herbert highlighted the increased activity at the Pier and the fact that it's been a successful season thus far. A second Walleye Tournament is scheduled for 30 & 31 July 2010. He also noted that one of the remaining 4 moorings will be removed.

In Public Comment there were no speakers.

Announcements:

- The Firemen's Ox Roast & Alumnae Weekend is 10-11 July 2010
- Arts & Crafts Festival (30 & 31 July 2010)
- Concord Grape Belt Heritage Area Management Plan Workshop (22 July 2010)
- Introduction of Randy Edwards as new Fire Chief

Old Business:

- Supervisor Bills provided a Project Update which included potential Route 5 road construction, the Bell Creek Bridge (West Main Road) which is right on schedule, the development of Concord Grape Belt Heritage Area Management Plan continues while facility construction is ongoing, and that comments on the Ripley-Westfield Wind project DEIS are being analyzed.

New Business:

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- Martha Bills offered the following resolution and moved its adoption

Resolution No. 35 of 2010
 Negative Declaration SUP Application Tri-County Restoration

WHEREAS, Tri-County Restoration by Charles S. Groenendaal has applied for a special use permit allowing him to construct a 40' x 60' addition to an existing building for use by his construction business, on property located in the Manufacturing (M) District on Persons Road and designated as tax map parcels Section 192.00, Block 2, Lot 19.2.2 and

WHEREAS, the proposed 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 proposed extension, and

WHEREAS, the Board has determined that the 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 proposed use, and authorizes the Supervisor to sign Part III of the Environmental Assessment Form accordingly.

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

- Martha Bills offered the following resolution and moved its adoption

Resolution No. 36 of 2010
Approval of SUP Application Tri-County Restoration

WHEREAS, Charles S. Groenendaal d/b/a Tri-County Restoration (hereinafter, the “Applicant”) has applied for a special use permit for permission to construct a 40’ x 60’ addition to an existing building for use by his construction business, on property located in the Manufacturing (M) District on Persons Road and designated as tax map parcels Section 192.00, Block 2, Lot 19.2.2 and

WHEREAS, the Town of Westfield Planning Board reviewed the application during a meeting held July 6, 2010 and has recommended approval of the application, and

WHEREAS, the Town board (“Board”) has carefully considered the issue of compliance with the State Environmental Quality Review Act, and has issued a negative declaration after examination of the record and a public hearing, and

WHEREAS, the Board has considered all the facts and papers before it, and has heard those wishing to be heard at a public hearing held July 7, 2010, after publication of legal notice, 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 SUP is intended to encompass the existing 40’ x 40’ structure on the site.
2. The Applicant shall undertake the addition 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.
3. This permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.
4. Any failure or omission on the part of the Applicant to carry out any condition or requirement herein or in accordance with the terms or requirements of any statute, local law, ordinance or regulation, may be deemed a violation of the Town of Westfield Zoning Law and unless corrected in not more than 10 days following the service of written notice of such violation upon the Applicant, may subject them to the penalties therein. Continued violations after written notice may result in revocation of this Special Use Permit.
5. This Special Use 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 Use Permit.

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

- James Herbert offered the following resolution and moved its adoption

Resolution #37 of 2010
Standard Work Day and Reporting

BE IT RESOLVED, that the Town of Westfield hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials					
Town Clerk	Timothy Smith	6.5	1/1/2010 – 12/31/2011	Y	N/A
Town Supervisor	Martha Bills	6.5	1/1/2010 – 12/31/2011	N	22
Highway Superintendent	David Babcock	8	1/1/2010 – 12/31/2011	Y	N/A
Town Councilman	David Brown	6.5	1/1/2008 – 12/31/2011	N	2.5
Town Councilman	David Spann	6.5	1/1/2010 – 12/31/2013	N	2.5
Appointed Officials					
Tax Collector	Donna Sanderson	6.5	1/1/2010 – 12/31/2010	Y	N/A
Bookkeeper	Donna Sanderson	6.5	1/1/2010 – 12/31/2010	Y	N/A
Deputy Town Clerk	Donna Sanderson	6.5	1/1/2010 – 12/31/2010	Y	N/A
Deputy Registrar	Donna Sanderson	6.5	1/1/2010 – 12/31/2010	Y	N/A
Registrar	Timothy Smith	6.5	1/1/2010 – 12/31/2010	Y	N/A
Bingo Inspector	Timothy Smith	6.5	1/1/2010 – 12/31/2010	Y	N/A
Records Management Officer	Timothy Smith	6.5	1/1/2010 – 12/31/2010	Y	N/A
Deputy Tax Collector	Timothy Smith	6.5	1/1/2010 – 12/31/2010	Y	N/A
Assessor	Bonnie Rae Strickland	8	1/1/2010 – 12/31/2010	Y	N/A
Public Facilities Coordinator	Michael Bolender	6.5	1/1/2010 – 12/31/2010	Y	N/A
Town Court Clerk	Kathleen Alexander	6	1/1/2010 – 12/31/2010	Y	N/A
Code Enforcement	James Pacanowski	3	1/1/2010 – 12/31/2010	Y	N/A
Deputy Hwy Superintendent	Scott Frudd	8	1/1/2010 – 12/31/2010	Y	N/A

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

David Brown moved and James Herbert seconded a motion to accept the resignation of Amanda Ferguson-Lutes as a Town Dog Control Officer. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; David Spann, aye; and James Herbert, aye.

Martha Bills moved and Raymond Schuster seconded a motion that Michael Landon be appointed as Town Dog Control Officer. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; David Spann, aye; and James Herbert, aye.

Martha Bills moved and David Brown seconded a motion that John Sargent be appointed as Deputy Town Dog Control Officer. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; David Spann, aye; and James Herbert, aye.

David Brown moved and David Spann seconded a motion to hire Boyd Kilbane as a Temporary Substitute Transfer Station Attendant. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; David Spann, aye; and James Herbert, aye.

At 8:35pm Supervisor Bills moved and Raymond Schuster seconded a motion to move to Executive Session to discuss on-going litigation. Unanimously carried.

At 8:40pm Supervisor Bills moved and David Brown seconded a motion to return to regular session. Unanimously carried.

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

The next Town Meeting is scheduled for Wednesday, August 4th, 2010 @ 7:30pm.

There being no further business, at 8:45pm. Raymond Schuster moved and James Herbert seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,
//original signed//
Timothy C. Smith, Town Clerk