

**PUBLIC HEARING
Town of Westfield
August 3rd, 2011
(Proposed Local Law #2-2011 / Increasing Town Officials' Term Limits)**

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	David Babcock	Claire Quadri
Councilmen:	Raymond Schuster	Joel Seachrist	Michael Ceci
	David Brown	Marybelle Beigh	
	James Herbert		
	David Spann		

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to proposed Local Law #2-2011. This law, if approved by the Town Board and voters in November, would increase three Town Officials' (the Supervisor, Clerk, and Highway Superintendent) term limits from 2 to 4 years effective January 1st, 2012.

From the audience Claire Quadri commented that if approved by voters, 4 year terms should be effective beginning in 2014.

There being no further questions or comments, David Spann moved and James Herbert seconded the motion that the hearing be closed at 7:38pm. This was unanimously approved.

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

**TOWN BOARD MEETING
Town of Westfield
August 3rd, 2011**

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:39pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor: Martha R. Bills David Babcock Claire Quadri
 Councilmen: Raymond Schuster Joel Seachrist Michael Ceci
 David Brown Marybelle Beigh
 James Herbert
 David Spann

David Brown moved and David Spann 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 \$7212.19 representing fees for the month of July 2011 was turned over to the Supervisor. State and County agencies received checks totaling \$1465.33.

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	\$486,178.00	\$273,560.00	\$9645.89	\$905,755.16
Gen B	108,642.00	54,883.00	55.72	117,969.49
Hwy DA	274,256.00	228,447.00	198.62	302,016.34
Hwy DB	116,624.00	195,796.00	1037.64	227,422.86
Sewer HO1	22,515.00	24,086.00	-0-	1,649.13
Water HO2	18,361.00	12,818.00	-0-	99,857.85
Wfd. Fire	65,209.00	-0-	-0-	65,527.93
Sherm. Fire	8,614.00	8,644.00	-0-	105.96
Totals:	\$1,100,053.00	\$798,234.00	\$10,937.87	\$1,719,674.41

The Dog Warden's report for July 2011 was received and placed on file.

The Fire Department Report for July 2011 was received and placed on file.

The Historian's report for July 2011 was received and placed on file.

The Town Court report for July 2011 was received and placed on file.

Highway:

- The Highway Superintendent submitted a written report on activities for July fuel usage, blacktopping, and mowing. Due to Proper is closing, went out for fuel bids which are due August 17th.

Code Enforcement:

- The Code Enforcement Officer submitted a report for July 2011 highlighting 14 Permits issued in the Town including a new single family residence on Parker Road. A new residential home on Sherman Road is near completion.

Barcelona Harbor:

- Jim Herbert briefed that issues discussed in the last Harbor Commission Meeting included the possibility of a shower and porta-pots for swimmers. He also noted that 30 August 2011 is the first Bass Master fishing tournament at the pier.

In Public Comment Claire Quadri asked about the status of the Wind Project DEIS and commented Board members gathering prior to a Town Board meeting.

Supervisor announced the following:

- Walleye Fishing Tournament (5-7 August 2011)
- Civil War Re-enactment (5-7 August 2011)
- eWaste Turn-in (Saturday, August 27 & Saturday, September 10) 9:00am-1:00pm
- 'Light the Lakes' (4 Sept 2011) / Fireworks @ 9:30pm

Old Business:

- Supervisor Bills provided a Project Update which included announcing a meeting date (16 August 2011) for a USDA grant application / Environmental review pertaining to a Barcelona Water project. She also noted that rules for accessing water in the future and establishment of an O & M Fund for East Main Road district are being worked.

New Business:

- Raymond Schuster offered the following resolution and moved its adoption:

Resolution No. 26 of 2011
Adoption of Local Law 2-2011

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Westfield for a public hearing to be held by said Board on August 3, 2011 at 7:25pm at the North Room of Eason Hall, 23 Elm Street, Westfield, New York to hear all interested parties on a proposed Local Law to extend the terms of office for the Town Supervisor, Town Clerk, and Town Superintendent of Highways from two to four years, subject to mandatory referendum, and

WHEREAS, notice of said public hearing was duly published in the *Dunkirk Observer*, and

WHEREAS, said public hearing was duly held on the said time and place all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Town Board has determined that the adoption of the local law is a Type II action for purposes of the State Environmental Quality Review Act and no further environmental review is required, and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Westfield hereby adopts said local law as Local Law No. 2 of 2011, a copy of which is attached hereto and made a part hereof, and directs the Town Clerk and Town Attorney to prepare and submit to the Chautauqua County Board of Elections a ballot abstract for the general election to be held November 8, 2011, and if such law is approved by the voters at such election, the Town Clerk is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Westfield and to give due notice of the adoption of the Local Law to the Secretary of State.

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

- James Herbert offered the following resolution and moved its adoption:

Resolution No. 27 of 2011
Sponsor "Light the Lakes" Event

BE IT RESOLVED, that the Town Board Town of Westfield hereby authorizes the Supervisor to act on behalf of the Town Board as a sponsor of the 2011 *Light the Lakes* county-wide fireworks display. The Town's share of the expenses is not to exceed \$2500. The Town Board waives the \$50 permit fee for the display and will allow the Westfield / Barcelona Chamber of Commerce to use the pier on the afternoon and evening of September 4th, 2011

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

- David Brown offered the following resolution and moved its adoption:

Resolution No. 28 of 2011
Authorization for Supervisor to Sign a Referral Exemption Agreement w/County

BE IT RESOLVED, that the Town Board hereby authorizes the Supervisor to sign an agreement with the Chautauqua County Planning Department to exempt certain actions that are currently referred to the County for planning consideration. This is pursuant to NYS Municipal Law 239-m.

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

- Martha Bills moved and David Brown seconded a motion to accept the resignation of John Sargent as Assistant Dog Control Officer. Unanimously approved.
- Raymond Schuster 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.

At 8:40pm Supervisor Bills moved and David Spann seconded a motion to move to Executive Session to discuss a specific contract negotiation. Unanimously carried.

At 9:10pm James Herbert moved and David Brown seconded a motion to return to regular session. Unanimously carried.

The next Town Meeting is scheduled for Wednesday, September 7th, 2011 @ 7:30pm.

There being no further business, at 9:11pm David Spann moved and David Brown seconded a motion to adjourn. Unanimously carried.

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