

Special Meeting of the Town Board
Town of Westfield

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Town of Westfield
September 11, 2019

Public Hearing relating to the increase and improvement of the NYS Route 20 Water Benefit District No.1 located within the North Town Water District to Mazza Chautauqua Cellars, LLC.

Present:

Supervisor, Martha Bills
Councilman David Spann
Councilman James Herbert
Attorney Joel Seachrist

Robert Mazza
Ronald Catalano Jr.

Supervisor Martha Bills opened the Public Hearing at 4:08pm relating to the increase improvements of facilities of the North Town Water District designated as the NYS Route 20 Water District No.1

Proof of advertisement was presented by the Town Clerk

No comments were made from the public.

The board members have been in contact with most of the residents. The Village and the Town have been working together to extend the waterline.

Supervisor Martha Bills made the motion and Councilman David Spann seconded the motion to adjourn, motion carried unanimously.

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

ACCEPTED 10/29/19

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September 11, 2019**

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A meeting of the Town Board of the Town of Westfield, in the County of Chautauqua, New York, was held at the Town Hall, Westfield, New York, on September 11, 2019 at 4:14pm

There were present: Martha R. Bills, Supervisor

Boardmembers: Councilman David Spann
Councilman James Herbert

There were absent: Councilman David Brown
Councilman Will Northrop

Also present: Andrea L. Babcock, Town Clerk
Robert Mazza
Ronald Catalano Jr.

* * *

The following **Resolution No. 63 of 2019** was offered by Councilman David Spann and seconded by Councilman James Herbert, to wit;

ACCEPTED 10/02/2019

A meeting of the Town Board of the Town of Westfield, in the County of Chautauqua, New York, was held Eason Hall, in said Town, on September 11, 2019.

PRESENT:

Hon. Martha R. Bills, Supervisor
David Spann, Boardmember
James Herbert, Boardmember

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In the Matter
of the

Increase and Improvement of Facilities of the North Town Water District, in the Town of Westfield, in the County of Chautauqua, New York, pursuant to Section 202-b of the Town Law.

-----X

**RESOLUTION AND ORDER
AFTER PUBLIC HEARING APPROVING
THE INCREASE AND IMPROVEMENT OF
FACILITIES OF THE NORTH TOWN WATER DISTRICT**

WHEREAS, the Town Board of the Town of Westfield (herein called “Town Board” and “Town”, respectively), in the County of Chautauqua, New York, has, pursuant to Town Law, created the Town of Westfield North Town Water District (the “District”); and

WHEREAS, the Town Board has directed Clark Patterson Lee, competent engineers licensed in New York, to prepare a map, plan and report for a water system capital improvements project, commonly known as the “NYS Route 20 Water Benefit District No. 1, which was completed within the District, and now has requested Clark Patterson Lee to prepare a second map, plan and report for water system capital improvements within an extension of the said Benefit District, and

WHEREAS, such water system capital improvements project will generally consist of (but not be limited to), the installation of approximately 1,400 linear feet of 12-inch water main running westward from the Grape Discover Center along West Route 20 in the Town, installation of water services, meters, and fire hydrants, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “District Improvement”); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$55,000; said cost to be financed by \$30,000 in grant funds from the Dormitory Authority of the State of New York remaining after the initial project within the Benefit District and a \$25,000 contribution from Mazza Chautauqua Cellars,

LLC, with installation and the remaining balance to be covered by in-kind contributions from the Town of Westfield and Village of Westfield; and

WHEREAS, the Town has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act (“SEQRA”), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary; and

WHEREAS, the Town Board issued an Order at an August 27, 2019 meeting calling for a public hearing to be held at the Town Hall, Westfield, New York, on September 11, 2019 at 4:00 o’clock p.m. (prevailing time) or shortly thereafter to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and further ordered the Town Clerk to publish at least once in a newspaper designated as an official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing; and

WHEREAS, said notices of the public hearing were properly published and posted and the public hearing duly held at the time and place stated in the notices.

WHEREAS, a description of the proposed District Improvement can be found in the Resolution adopted at the August 27, 2019 meeting; and

WHEREAS, the expected average annual cost to the Typical Property (as defined by Town Law) in the benefitted area of the District (which is a typical one or two-family home) during the first year will be approximately \$651.00;

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED BY THE TOWN BOARD OF THE TOWN OF WESTFIELD, based on the information provided at the public hearing, as follows:

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$55,000; and it is hereby

DETERMINED, that the parcels and lots of the District shall be benefitted by said increase and improvement of the facilities of the District; and it is hereby

DETERMINED, that all parcels and lots benefitted by said increase and improvement of the facilities are included in the District; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of the facilities, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that within ten days after adoption of this Resolution and Order, the Town Clerk will record with the Clerk of the County of Chautauqua a copy of this Resolution and Order, certified by said Town Clerk.

The adoption of the foregoing Resolution Approving the Increase and Improvement of Facilities of the North Town Water District was duly put to a vote on roll call, which resulted as follows:

AYES: Supervisor Martha Bills,
Councilman David Spann
Councilman James Herbert

NOES: NONE

ABSENT: Councilman David Brown
Councilman Will Northrop

The Resolution approving the increase and improvement of facilities of the North Town Water District was declared adopted.

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

**Resolution No. 64
Town of Westfield
Appoint Part-Time Transfer Station Attendant**

BE IT RESOLVED, the Town Board of the Town of Westfield hereby appoints George Kurtz as a part time transfer station attendant (utility worker) for 2019 at a rate of \$16.00 an hour with a standard workday of 6 hours per NYS retirement.

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

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

**Resolution No. 65
Town of Westfield
Authorize the Supervisor to sign a location release for Paramount Pictures**

BE IT RESOLVED, the Town Board of the Town of Westfield hereby authorizes the Supervisor to sign a location release with Paramount Pictures for the use of Town property.

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

There being no further business, at 4:25pm Supervisor Bills moved and Councilman David Spann seconded a motion to adjourn and carried unanimously.

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