

**TOWN BOARD MEETING**  
**Town of Westfield**  
**August 5, 2020**

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:30pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present: Practiced social distancing, six feet apart, masks were worn, NYS sanitizer available and used during the COVID-19 pandemic and adhered to NYS Governor's guidelines.

Supervisor:	Martha R. Bills	Guest:	William Bauer
Councilmen:	David Brown		Mary Gross
	David Spann		Michael Mucca
	James Herbert		
	Will Northrop		

Highway Superintendent: David Babcock  
Code Officer: Bonnie Rae Strickland

**Pledge of Allegiance**

*Councilman David Spann made a motion to waive the reading of the July 1, 2020 minutes inasmuch as all members received a copy thereof and that the minutes be accepted. The motion was seconded by Councilman David Brown and carried unanimously.*

**Reports:**

Supervisor Bills presented the monthly report on the Town's finances for the month of July. The report is always available in the Supervisors office. Up to date Revenue and expenditures was presented to the board for all funds. All Board members have received a copy of the Town's finances and is accepted as submitted.

Received third quarter sales tax payment today. The payment received was 10% LESS than last year's and QTD is 11% LESS than years. Municipalities are unknown to what sales tax payment will be distributed. Waiting to hear about state aid, more information will be forthcoming. The board and the department heads will take a conservative look at spending for the remainder of the year. Budget time is approaching, all department heads have received budget worksheets. Asking all departments to be very conservative. Starting to work on the budget and need to set a budget meeting for September.

The Town Clerk's report together with a check in the amount of \$10,044.78 representing fees for the month of July 2020 was turned over to Supervisor Bills. A check for \$135.00 representing fees for the month of July to NYS Department of Health, Marriage Licenses and a check in the amount of \$45.00 was turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$23.62 will be withdrawn on the 15<sup>th</sup>.

- The Town Clerk has worked on the NY Forward Safety Opening Plan for the Town of Westfield along with the Highway Superintendent and Court Clerk. The Plan has been accepted and placed on file.
- Open 8:00-1:00 pm Monday-Friday by appointment and offers the Town Clerks cell phone number to schedule appointments and or any assistance. This is to maintain the flow of traffic in Eason Hall and to help protect the Town and Village employees along with the community during these uncertain times, COVID-19.
- Starting to sell hunting licenses, the state has implemented a new DECALS system. The system is Kalkomey. The system is in conjunction with the NYS DMV. More information will be requested from the applicant with the new system.

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The Dog Warden's report for July 2020 has not been received.  
The Fire Department Report for July 2020 has not been received.  
The Town Court report for July 2020 was received and placed on file.  
The WPD report for July 2020 was received and placed on file.

**Highway:**

- Town Highway Superintendent David Babcock submitted a written report on activities for July 2020. The report has been received and placed on file.
- Would like to purchase gravel, there is no gravel at the shop. After further discussion the board had no objections with purchasing half of the requested amount and wait until September to order more once they see how much CHIP money is received. The Highway Department will work on the Barber Road flood area getting three, 24 inch plastic pipe with an estimate cost of \$1000.00 and two loads of Rip Rap Medium rock at an estimate of \$3000.00.

**Code Enforcement:**

- The Code Enforcement Officer submitted a report for the month of July 2020. The report has been received and placed on file.

**Assessor:**

- The office is busy, houses are selling.

**Barcelona Harbor:**

- Busy activity at the harbor, fishing is fantastic
- Handicap Kayak launch was discussed. A great amenity for the harbor for the public.
- Parking lots have been full, need of more parking for the future

**Public Comment:**

- Barcelona residents thanked the Board for garbage dumpsters. A vacant property is a concern to the First Street neighbors, the property is a private property and the land owner is deceased. The property was to go up for auction with the County however during COVID -19 everything is in limbo. The Code Enforcement officer has been working on taking care of the property with the County and no further information is available at this time from the County.
- Property owners have noticed a higher amount of beach traffic and suggested beach rules and seasonal ordinances.
- Pier parking lines at the Pier need to be done, the Highway Superintendent talked about the timing, paving and cost to do this. This year has not been very uncertain and the Pier has been very busy to consider.

**Announcements:**

NONE

**Old Business:** Project Updates

- The Town Supervisor signed the substantial completion paperwork for the NYS Route 5 Water Benefit District #1. Waiting for wish list items from USDA. Continue close out paperwork.
- Received a letter from Chautauqua County Emergency Services applying for a certificate of need, CCES is looking to get a permanent certificate for the County and all districts received it instead of a temporary certificate.
- Waiting for the preliminary design to be approved from the federal government for the Welch Trail.
- Phase two for NYS Route 5 paperwork is being reviewed by USDA.

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**New Business:**

Set a public hearing for a cable contract franchise agreement. Board members have received the public hearing cable franchise contract information. Town Supervisor Bills made the motion to change the September 2, 2020 Town Board meeting to September 9<sup>th</sup> at 7:30 and hold a Public Hearing at 7:25 for the cable franchise and to be held in the auditorium. A legal notice will be published in the local papers of the meeting date change and public hearing. Councilman David Brown seconded the motion and carried unanimously.

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

**Resolution No. 45**  
**Town of Westfield**  
**TOWN OF WESTFIELD**  
**NYS ROUTE 5 WATER BENEFIT DISTRICT #1 PROJECT**  
**PROJECT BUDGET MODIFICATIONS**

**WHEREAS**, the Town of Westfield has received funding from Rural Development for their NYS Route 5 Water Benefit District #1 Project (“Project”); and

**WHEREAS**, the Town Board wishes to adjust project budget items to more accurately reflect actual costs and;

**WHEREAS**, Rural Development requires the Town Board to authorize all changes to the Administrative Budget as shown on the Form E; NOW, therefore be it

**RESOLVED**, that the Town Board of the Town of Westfield authorizes the following Budget modifications for the Project:

Net Interest	Decrease of	4,273.16
Local Counsel (Seachrist Law)	Decrease of	3,211.00
Miscellaneous	Decrease of	2,500.00
Single Audit	Increase of	2,000.00

*The motion was seconded by Councilman David Brown.*

*Roll call vote: Voting was as follows: Supervisor, Martha Bills, aye; Councilman, David Brown, aye; Councilman, David Spann, aye; Councilman, James Herbert, aye; Councilman Will Northrop, aye.*

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*Councilman Will Northrop offered the following resolution and moved its adoption:*

**Resolution No. 46**  
**Town of Westfield**  
**NEW MU1 RETENTION SCHEDULE**  
**EFFECTIVE AUGUST 1, 2020**

**RESOLVED**, By the Town Board of the Town of Westfield that the *Retention and Disposition Schedule for New York Local Government Records (LGS-1)* issued pursuant to Article 57-A of the Arts

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and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A:

- (a) only those records will be disposed of that are described in *Retention and Disposition Schedule for New York Local Government Records (LGS-1)*, after they have met the minimum retention periods described therein;
- (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

*The motion was seconded by Councilman James Herbert. Voting was as follows: Supervisor, Martha Bills, aye; Councilman, David Brown, aye; Councilman, David Spann, aye; Councilman, James Herbert, aye; Councilman Will Northrop, aye.*

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

**Resolution No. 47  
Town of Westfield  
Amendment Agreement of the Welch Building Lease with Chautauqua County**

**RESOLVED**, that Town Supervisor Martha Bills is hereby authorized to negotiate the amendment agreement final terms and conditions of and execute with Chautauqua County, a month to month lease agreement for approximately 1,440 square feet of office space in the Welsch's Building, 2 South Portage Street, Westfield New York, at the rate of \$916.67 per month.

*The motion was seconded by Councilman James Herbert. Voting was as follows: Supervisor, Martha Bills, aye; Councilman, David Brown, aye; Councilman, David Spann, aye; Councilman, James Herbert, aye; Councilman, Will Northrop, aye.*

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*Councilman David Brown made the motion to approve budget #4 for budget year 2020. Seconded by Councilman Will Northrop and carried unanimously.*

**Budget Revision #4 for Budget Year 2020  
Revision Description**

Subject:	Budget Revision #4 for Budget Year 2020		
Revision Description		Decrease	Increase
To move money form the 2020 revenue Ripley paid the Town of Westfield for Bonnie Rae Strickland and Lindsay Simpson being the acting assessor and acting assessor clerk for Ripley.		Expenditures	Expenditures
Payroll Paid for July - December 2020 for Bonnie Rae Strickland & Lindsay Simpson			
<b>Budget Journal</b>			
A Funds (Genera Fund - Townwide)			
A 2390	Share of Joint Activity Other Governments DR	5,422.66	
A 1355.110	Acting Assessor For Town Of Ripley CR		5,392.66
A 1355.120	Acting Assessor Clerk For Town Of Ripley CR		30.00
<b>Total A Fund</b>		<b>5,422.66</b>	<b>5,422.66</b>

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*At 8:04pm Supervisor Bills moved and Councilman David Brown seconded a motion to audit the bills.*

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Warrants dated August 5, 2020 (voucher #'s 395-459) in the amount of \$41,421.22 were drawn on the following funds:

General	\$23,910.07	Shorehaven Water Project	\$2.56
General Part-Town	\$12,031.91	Forest Park Sewer	\$36.93
Highway	\$341.18		
Highway Part-Town	\$5,098.57		

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Warrants dated August 5,2020 (Voucher # 8) in the amount of \$10,421.00 were drawn on the following funds:

Route 5 Water Benefit District#1 Capital Project  
H8- \$10,421.00

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Warrants dated August 5, 2020(voucher #'s 59-67) in the amount of \$5,948.05(were drawn on the following funds:

Welch Building \$5,948.05

***These warrants were presented and audited by the Board members. Supervisor Bills made a motion to be directed to draw the necessary checks to cover the warrants as audited. The motion was seconded by Councilman David Brown. Voting was as follows: Supervisor Bills, aye, Councilman Brown, aye; Councilman Herbert, aye; Councilman Spann, aye, Councilman Northrop, aye;***

There being no further business, at 8:40 pm Supervisor Martha Bills moved and Councilman David Spann seconded a motion to move to executive session to discuss sale or lease of property and contract negotiations. Unanimously carried.

At 9:15 pm Supervisor Martha Bills made the motion to move out of executive session, and return to regular session. Seconded by Councilman David Brown and carried unanimously.

At 9:15 pm Supervisor Bills moved and Councilman David Brown seconded a motion to adjourn and carried unanimously.

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