

TOWN BOARD MEETING

Town of Westfield

August 2, 2023

PUBLIC HEARING

Town of Westfield

Special Use Permit-5862 Douglas Road-Danny Mulson-12 x 20 Storage Shed

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

Supervisor:	Martha R. Bills	Guest:	William Bauer	Don McCord
Councilmember:	David Brown		Thomas Herr	Jamie Johnson
	David Spann		Gail Gray	Carol Ford
	James Herbert		Taras Korol	
	Will Northrop		Amanda Allen-Korol	

Highway Supervisor: David Babcock
Code Officer/Assessor: Bonnie Rae Strickland
Town Attorney: Joel Seachrist
Town Clerk: Andrea L. Babcock

Supervisor Bills opened the public hearing to discuss the proposed Special Use Permit. Code Officer Strickland gave an overview of the application. Applicant Danny Mulson was not present. The Planning recommended by common consent to forward the application to the Town Board for consideration without recommendation due to a lack of quorum.

The application is for a 12 x 20 storage shed Pursuant to Section 185-24(H)(33) of the Town of Westfield Zoning Code. The storage shed is to house appliances and tools, in anticipation of construction of a home on the parcel in 2024. The storage shed is an Amish prebuilt shed.

No comments were received from the public or the board.

The Legal notice was posted in the newspaper of the Public Hearing.

Councilmember David Brown made the motion to move that the public hearing be closed at 7:27pm. Councilmember James Herbert seconded the motion and carried unanimously.

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

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August 2, 2023

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:

Supervisor:	Martha R. Bills	Guest:	William Bauer	Don McCord
Councilmember:	David Brown		Thomas Herr	Jamie Johnson
	David Spann		Gail Gray	Carol Ford
	James Herbert		Taras Korol	
	Will Northrop		Amanda Allen-Korol	

Highway Supervisor: David Babcock
 Code Officer/Assessor: Bonnie Rae Strickland
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Pledge of Allegiance

Councilmember Will Northrop made the motion to waive the reading of the July 12, 2023, minutes inasmuch as all members received a copy thereof and the minutes be accepted. Councilmember David Brown seconded the motion. The motion was carried unanimously.

Reports:

The supervisor’s July monthly report was distributed and accepted as submitted including up to date spending and revenues on all accounts. All board members have received a copy and the monthly report is always available in the Supervisor’s office for anyone to view.

- The Town has received the third quarter sales tax revenue and mortgage tax revenue. The mortgage tax revenue is received twice a year. A spreadsheet was provided to the board by the Town Bookkeeper.

The Town Clerk’s report together with a check in the amount of \$10,101.63 totaling representing fees for the month of July 2023 is turned over to the Supervisor. A check for \$67.50 representing fees for the month of July to NYS Department of Health, Marriage Licenses and a check in the amount of \$65.00 will be turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$23.62 will be withdrawn on the 13th.

- The sale of hunting licenses began August 1.
- Received Certificate of Satisfaction from Real Property Tax services for the satisfaction of the tax warrant issued to the Town of Westfield for 2023 collection.

The Dog Warden’s July report was not received.

The Town Historian’s July report was not received.

Westfield Fire Department’s July report was not received.

The Town Court report for July 2023 was received and placed on file in the Town Clerks office.

The WPD report for July was not received.

Highway:

Highway Superintendent’s July report was received and placed on file in the Town Clerks office.

Code Enforcement:

The Code Enforcement Officer’s report for July 2023 was received and placed on file in the Town Clerk’s Office.

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Barcelona Harbor:

- Councilmember and Harbor Committee member James Herbert said the community is enjoying the harbor and using the new floating docks.

Public Comment:

- Access to the gorge on Taylor Road was discussed.
- The Town zoning code for festivals was discussed. Property owners on Taylor Road are asking the town to revisit the zoning code regarding festivals in the Town.

Announcements:

- School Tax Collection starts September 5th at the Town Bookkeepers window.
- Grape and Wine Festival at Moore Park and Grape Discovery Center September 2, 2023.
- Library Auction will be held Wednesday, August 16, 2023.
- First Friday will be held Friday August 4, 2023.

Project Updates:

- New York State continues discussion of the upcoming solar eclipse for April 8, 2024, and the use of the pier and surrounding Westfield properties for the community to enjoy during this historic event.
- Engineers continue to work on the plans and gathering easement agreements for the Route 5 East Lake Road Water Project No.2 project.
- Continuing to work on the Welch Trail. A request for proposal has been received for prefabricated modular stairs and platforms to connect a trailhead for the Welch Trail to North Portage Street in downtown Westfield.
- Supervisor Bills is continuing to work on the Barcelona Gateway project with Westfield Development Director Donald McCord. Don McCord gave an overview of the grants submitted for Westfield.
- Supervisor Bills is working with Empire State Development regarding the Welch building and grant funding paperwork for the building.

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New Business:

Councilmember David Brown offered the following resolution and moved for its adoption

**Resolution No.43 of 2023
Town of Westfield
Negative Declaration- 5862 Douglas Road Storage Shed.**

WHEREAS, the Town Board of the Town of Westfield is considering the application of Danny Mulson for a Special Use Permit allowing him to construct a 12' x 20' storage shed at 5862 Douglas Road, which is designated as tax map Section 260.00, Block 2, Lot 1, 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 Danny Mulson.

This was seconded by Councilmember Will Northrop. Voting was as follows: Supervisor Martha Bills, aye; Councilmember David Brown, aye; Councilmember David Spann, aye; Councilmember James Herbert aye, Councilmember Will Northrop.

TOWN BOARD MEETING

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August 2, 2023

Councilmember David Span offered the following resolution and moved for its adoption

Resolution No.44 of 2023

Town of Westfield

Issuance of Permit-SUP-5862 Douglas Road Storage Shed

Action of the Board:

To consider the application of Danny Mulson for a Special Use Permit to construct a 12' x 20' storage shed at 5862 Douglas Road, which is designated as tax map Section 260.00, Block 2, Lot 1, and

WHEREAS, Danny Mulson (hereinafter, the "Applicant") submitted an application pursuant to Section 185-24(J) of the Town of Westfield Zoning Code requesting a Special Use Permit allowing him to construct a 12' x 20' storage shed at 5862 Dougals Road, which is designated as tax map Section 260.00, Block 2, Lot 1, and

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 July 19, 2023 and, due to a lack of quorum, recommended that the application be forwarded to the Town Board for consideration without recommendation. 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 August 2, 2023, 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 to build a storage building/barn 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 and descriptions submitted to the Town with the application, and agrees to be bound by the terms of the application and any 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. This permit shall expire automatically if the use is not begun by August 2, 2024.
4. 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 Councilmember James Herbert. Voting was as follows: Supervisor Martha Bills, aye; Councilmember David Brown, aye; Councilmember David Spann, aye; Councilmember James Herbert aye, Councilmember Will Northrop.

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Councilmember Will Northrop offered the following resolution and moved for its adoption

Resolution No. 45 of 2023

Town of Westfield

Accept the Revised Proposal for the Prefabricated Modular Stairs for the Welch Trail Project

BE IT RESOLVED, the Town Board of the Town of Westfield hereby accepts the revised proposal from Upside Innovations for \$56,945.00 for prefabricated modular stairs and platforms to connect to a trailhead for the Welch Trail Recreation area to North Portage Street in downtown Westfield. The Project is funded by the Recreational Trail program of the United States Department of Transportation

This was seconded by Councilmember David Brown. Voting was as follows: Supervisor Martha Bills, aye; Councilmember David Brown, aye; Councilmember David Spann, aye; Councilmember James Herbert aye, Councilmember Will Northrop.

Councilmember James Herbert offered the following resolution and moved for its adoption

Resolution No. 46 of 2023

Town of Westfield

Authorize the Supervisor to Sign Renewal Accounting Agreement with Bahgat & Laurito Bahgat.

BE IT RESOLVED, the Town Board of the Town of Westfield hereby authorizes the Supervisor to sign a renewal agreement with Bahgat & Laurito Bahgat as required for the USDA grant for the East Route 5 Water Benefit Water District No. 2 not to exceed \$25,000.00.

This was seconded by Councilmember Will Northrop. Voting was as follows: Supervisor Martha Bills, aye; Councilmember David Brown, aye; Councilmember David Spann, aye; Councilmember James Herbert aye, Councilmember Will Northrop.

Councilmember Will Northrop offered the following resolution and moved for its adoption

Resolution No. 47 of 2023

Town of Westfield

Authorize the Supervisor to Sign an Agreement with Erdman Anthony for Engineering Services for the Welch Trail Project.

BE IT RESOLVED, the Town Board of the Town of Westfield hereby accepts and authorizes the Supervisor to sign an agreement with Erdman Anthony for additional engineering services for the Welch Trail with a fixed rate of \$33,800.00 for final design of the Welch Trail.

This was seconded by Councilmember David Brown. Voting was as follows: Supervisor Martha Bills, aye; Councilmember David Brown, aye; Councilmember David Spann, aye; Councilmember James Herbert aye, Councilmember Will Northrop.

**TOWN BOARD MEETING
Town of Westfield
August 2, 2023**

Councilmember David Brown offered the following budget revision and moved for its adoption

Subject: Budget Revision #8 for Budget Year 2023		
Revision Description	Decrease	Increase
To move \$5,475.00 from A fund balance A 599 to pay CPL Invoice 92108 for \$5,475.00	Expenditure	Expenditures
This Other Water, Contr Expense Account A8389.400 Other Water, Contr Expend-Route 5 Water District 2 has been set up to record Route 5 Water District #2 expenses until the H capital project fund is established and funded.		
Budget Journal		
A Fund (General Fund - Townwide)		
A 599 Appropriated Fund Balance DR	5,475.00	
A 8389.400 Other Water, Contr Expend-Route 5 Water District 2 CR		5,475.00
Total A Fund	5,475.00	5,475.00

This was seconded by Councilmember James Herbert. Voting was as follows: Supervisor Martha Bills, aye; Councilmember David Brown, aye; Councilmember David Spann, aye; Councilmember James Herbert aye, Councilmember Will Northrop.

At 8:10pm Supervisor Bills moved and Councilmember David Brown seconded a motion to audit the bills.

Warrants dated August 2, 2023 (voucher #'s 383-434) in the amount of \$146,613.47 were drawn on the following funds:

General	\$ 29,824.91
General Part-Town	\$ 11,782.20
Highway	\$ 4,544.01
Highway Part-Town	\$100,432.18
Forest Park Sewer	\$ 27.36
North Town Water-Shorehaven	\$ 2.81

These were presented and audited by the board members. Supervisor Martha Bills moved and Councilmember David Brown 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; Councilmember, David Brown, aye; Councilmember David Spann, aye; Councilmember James Herbert, aye, Councilmember Will Northrop, aye.

At 8:30pm Supervisor Martha Bills moved and Councilmember David Brown seconded a motion to move to executive session to discuss a particular personnel history. Unanimously carried.

At 8:50pm Supervisor Martha Bills moved and Councilmember David Spann seconded a motion to return to regular session. Unanimously carried.

There being no further business at 8:50pm Supervisor Martha Bills moved and Councilmember David Brown seconded a motion to adjourn. Unanimously carried.

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