

TOWN BOARD MEETING

Town of Westfield

June 7, 2023

PUBLIC HEARING

Town of Westfield

**Public Hearing, Fortner-SUP for a 12 x 20 Storage Shed located at 7031 Rogerville Rd,
property owner James Simpson.**

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	Guest:	William Bauer
Councilmember:	David Brown		James Simpson
	David Spann		Deb Best
	James Herbert		Ella Archer
			Cynthia Carlson
			Braiden McElhaney

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

Supervisor Bills opened the Public Hearing to hear all persons in regard to the proposed Special Use Permit.

Proof of Publication of the public hearing from the Town Clerk was available.

Applicant James Simpson was present and gave an overview of the application. The application is for a 12 x 20 storage shed for storage of pool supplies, yard equipment and seasonal storage.

The Town Planning Board has reviewed the application and recommended approval to the Town Board members for their review and disposition on May 10, 2023. No questions or comments were received.

At 7:27pm Councilmember David Brown made the motion to adjourn the public hearing. Councilmember David Spann seconded the motion. This was unanimously approved.

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

TOWN BOARD MEETING
Town of Westfield
June 7, 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
Councilmember:	David Brown		James Simpson
	David Spann		Deb Best
	James Herbert		Ella Archer
			Cynthia Carlson
			Braiden McElhane

Town Attorney: Joel Seachrist
Code Officer/Assessor: Bonnie Rae Strickland
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Pledge of Allegiance

Councilman David Brown made the motion to waive the reading of the May 3, 2023, minutes inasmuch as all members received a copy thereof and the minutes be accepted. Councilman David Spann seconded the motion. The motion was carried unanimously.

Reports:

The supervisor's May 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 Clerk's report together with a check in the amount of \$7965.77 totaling representing fees for the month of May 2023 is turned over to the Supervisor. A check for \$90.00 representing fees for the month of May to NYS Department of Health, Marriage Licenses and a check in the amount of \$56.00 will be turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$155.88 will be withdrawn on the 13th.

- Town Clerk Babcock attended the Westfield Rabies drive thru clinic that was held at the Highway Shop.
- The E-Waste collection that was held at the Highway Shop. It was a good turnout. We had 24 pallets for a full semi load. It was a great event for our community.
- The Highway Superintendent and Town Clerk discussed with the board that the Town may want to consider holding a hazardous waste collection in the near future. Hazardous waste collection sites are available in the county and maybe it is something that can be held locally.

The Dog Warden's report was not received.

The Town Historian report for the month of May 2023 was received and placed on file in the Town Clerks office.

Westfield Fire Department report for the month of April 2023 was not received.

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

TOWN BOARD MEETING

Town of Westfield

June 7, 2023

- Court Clerk Julie Devlin respectfully requested permission to attend the 2023 NYS Association of Magistrates Court Clerk's Conference will be held September 17, 2023, at Turning Stone Resort. The cost of the conference will not exceed \$1300.00. The court clerk did not attend last year's conference to conserve funds. It is necessary to attend this year due to changes that have gone into effect. Councilmember David Brown made the motion and Councilmember James Herbert seconded the motion and carried unanimously.

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

Highway:

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

Code Enforcement:

The Code Enforcement Officer submitted a written report for May 2023 was received and placed on file in the Town Clerk's Office.

- Code Officer Strickland asked the board to have the Planning Board review and discuss battery storage facilities.
- A residential lakeside property owner is considering a small campground and splitting the property. The property owners plan to attend a planning board meeting to discuss plans along with communication with the Code officer's office and the County Planning Board.

Barcelona Harbor:

- Supervisor Bills spoke with the dredging manager and the project is moving along.
- Fishing tournaments have started.
- Received a letter regarding suggestions for additional poles to be placed on the docks for elderly or handicap persons. The harbor committee will take a look at the docks to better serve everyone.

Public Comment:

- Discussed parking in Barcelona. Property owners thanked the Highway superintendent and the Town for placing no parking signs and making more parking spots for the public.

Announcements:

- Lincoln's Schedule-June 9th- 10th
- McClurg Museum Annual Gala And 200th Birthday Celebration-Saturday June 10th.
- Fireman's Annual Ox Roast- Saturday July 9, 2023.
- Alumnae Weekend- Saturday July 8th and Sunday July 9th.
- Farmers Market are held on Saturdays in Moore Park.

Project Updates:

- Engineers are still working 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.

TOWN BOARD MEETING

Town of Westfield

June 7, 2023

- Letter from Savarino regarding interested local parties for contracting for the Welch building.
- Supervisor Bills received a veterans services kick off campaign letter for veteran's services flags to be hung above the memorable banners proudly displayed throughout the Village. Supervisor Bills made a motion to authorize the funds from the veteran's services A6510.400 budgeted line of \$300.00 seconded by Councilmember David Brown and carried unanimously.

New Business:

Supervisor Martha Bills offered the following resolution and moved for its adoption

Resolution No. 31 of 2023

Town of Westfield

Neg Dec, SUP-7031 Rogersville Rd-Simpson.

WHEREAS, the Town Board of the Town of Westfield is considering the application of James Simpson for a Special Use Permit allowing him to construct a 12' x 20' storage shed at 7031 Rogerville Road, which is designated as tax map Section 225.00, Block 2, Lot 2.1, 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 James Simpson

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 David Spann offered the following resolution and moved for its adoption

TOWN BOARD MEETING

Town of Westfield

June 7, 2023

Resolution No. 32 of 2023

Town of Westfield

Issuance of SUP-7031 Rogersville Rd-Simpson.

Action of the Board:

To consider the application of James Simpson for a Special Use Permit to construct a 12' x 20' storage shed at 7031 Rogerville Road, which is designated as tax map Section 225.00, Block 2, Lot 2.1, and

WHEREAS, James Simpson (hereinafter, the "Applicant") submitted an application pursuant to Section 185-19(D)(10) of the Town of Westfield Zoning Code requesting a Special Use Permit allowing him to construct a 12' x 20' storage shed at 7031 Rogerville Road (Shorehaven), which is designated as tax map Section 225.00, Block 2, Lot 2.1, 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 May 10, 2023 and recommended approval of the application, 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 June 7, 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 shed 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 June 1, 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 David Spann offered the following resolution and moved for its adoption

TOWN BOARD MEETING
Town of Westfield
June 7, 2023
Resolution No. 33 of 2023
TOWN OF WESTFIELD
Appoint Pier Employee.

BE IT RESOLVED that the Town Board of the Town of Westfield hereby approves summer employment for Pier employee, Pier Attendant, yard maintenance, Lawrence Smith at a rate of \$14.20 an hour.

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 David Spann offered the following resolution and moved for its adoption

Resolution No. 34 of 2023
Town of Westfield
Fees collected at Barcelona Harbor.

BE IT RESOLVED, The Town Board of the Town of Westfield hereby authorizes the fee schedule for launch passes, ice and pop sold at the Daniel Reed Pier. The fees are as follows:

- Day pass \$5.00
- Overnight pass \$10.00
- Season pass \$50.00
- Ice \$3.00
- Pop \$2.00

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 David Spann offered the following resolution and moved for its adoption

Resolution No. 35 of 2023
Town of Westfield
Accept gravel bid.

BE IT RESOLVED, The Town Board of the Town of Westfield hereby accepts the bid from HH Rauh Paving for materials for the repair and maintenance of Highways.

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 David Spann offered the following resolution and moved for its adoption

**TOWN BOARD MEETING
Town of Westfield
June 7, 2023**

**Resolution No. 36 of 2023
Town of Westfield**

Declare Surplus of office equipment.

BE IT RESOLVED, The Town Board of the Town of Westfield hereby authorizes property disposition of office equipment as follows:

- Cannon IR2230 Copier
- Cannon Electric Typewriter
- Lanier MP2352spf Copier
- Brother PPF1270 Fax Machine

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 David Spann offered the following resolution and moved for its adoption

**Resolution No. 37 of 2023
Town of Westfield
Welch Trail staircase bid.**

BE IT RESOLVED, The Town Board of the Town of Westfield hereby accepts the request for proposal bid for the Welch Trail stairs from Upside Innovations, LLC with a quote of \$56,945.00.

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 David Brown offered the following resolution and moved for its adoption

**Resolution No. 38 of 2023
Town of Westfield**

Authorize the Supervisor to sign amendment No. 2 to the Municipal Solutions contract dated June 12, 2020, for E. Route 5 Water Benefit District No. 2.

BE IT RESOLVED, the total fee based on the current project scope outlined in the contract will include grant application and increase by \$1,800 and is not to exceed \$38,800.00 to the contract dated June 12, 2020, for E. Route 5 Water Benefit District No. 2.

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 David Brown offered the following resolution and moved for its adoption

TOWN BOARD MEETING
Town of Westfield
June 7, 2023
Resolution No. 39 of 2023
Town of Westfield

Authorize the Supervisor to sign the grant application for Water Infrastructure Improvement Act (WIIA) with Municipal Solutions for E. Route 5 Water Benefit District No. 2.

**RESOLUTION WITH REFERENCE TO THE PROPOSED
TOWN OF WESTFIELD, CHAUTAUQUA COUNTY, NY
ROUTE 5 WATER BENEFIT DISTRICT NO. 2 PROJECT**

WHEREAS, the Town of Westfield Town Board supports the submission of a New York State Water Infrastructure Improvement Act (WIIA) grant application on behalf of the Town for a water system improvement project, hereinafter referred to as the “Project”; and

WHEREAS, the New York State Environmental Facilities Corporation (EFC) administers grants to assist municipalities in funding water infrastructure projects that improve water quality and protect public health; and

WHEREAS, an Engineering Report entitled “Map, Plan and Report for the Town of Westfield NYS Route 5 Water Benefit District No. 2,” dated April 2020, recommends implementing the Project to help improve water quality and protect public health; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board authorizes Municipal Solutions, Inc. to prepare an application for Water Infrastructure Improvement Act grant funds from the NYS Environmental Facilities Corporation (EFC).

BE IT FURTHER RESOLVED, that the Town Board authorizes Martha Bills to execute the application for Water Infrastructure Improvement Act grant funds from the NYS Environmental Facilities Corporation (EFC).

BE IT FURTHER RESOLVED that the Town of Westfield Board fully supports the Project and the submission of the WIIA grant application by Municipal Solutions Inc on behalf of the Town to improve water quality and protect public health

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

TOWN BOARD MEETING
Town of Westfield
June 7, 2023

Subject: Budget Revision #6 for Budget Year 2023		
Revision Description	Decrease Expenditures	Increase Expenditures
To move \$10,831.93 from A fund revenue A 3897 St Aid, Culture & Rec - Capital Project & to move \$7,150.55 from A fund Appropriated Fund Balance to pay County Line Stone Co, Inc invoice 151379 for \$4,905.02 & County Line Stone Co, Inc invoice 151852 for \$13,077.46 for stone for the Welch Trail.		
Budget Journal		
A Fund (General Fund - Townwide)		
A 3897 St Aid, Culture & Rec - Capital Project DR	10,831.93	
A 599 Appropriated Fund Balance DR	7,150.55	
A 7180.410 Parks & Recreation Contractual Welch Trail CR		17,982.48
Total A Fund	17,982.48	17,982.48
Revision Description	Decrease Expenditures	Increase Expenditures
To move \$2,952.00 from A Fund Contingent Account to pay JMI invoice 79505 for \$2,952.00 for cement for the bollards at the pier. The budget for the Parks & Recreation Equipment for 2023 was only \$6,000.00 and the total cost of the bollard project for 2023 was \$10,122.50		
Budget Journal		
A Fund (General Fund - Townwide)		
A 1990.400 Contingent Account DR	2,952.00	
A 7180.200 Parks & Recreation - Equipment CR		2,952.00
Total A Fund	2,952.00	2,952.00
Revision Description	Decrease Expenditures	Increase Expenditures
To move \$1,563.50 from A Fund Contingent Account to pay Egale Zip invoice 7092 for \$1,563.50 for New Harbor Webcam and cost of installation.		
Budget Journal		
A Fund (General Fund - Townwide)		
A 1990.400 Contingent Account DR	1,563.50	
A 7180.200 Parks & Recreation - Equipment CR		1,563.50
Total A Fund	1,563.50	1,563.50
Revision Description	Decrease Expenditures	Increase Expenditures
To move \$3,420.00 from A fund balance to pay ACE, LLC Invoice 02.23.01 for \$3,420.00 for archaeological consulting. This Other Water, Contr Expense Account has not 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	3,420.00	
A 8389.400 Other Water, Contr Expend-Route 5 Water District 2 CR		3,420.00
Total A Fund	3,420.00	3,420.00

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.

At 8:45pm Supervisor Bills moved and Councilmember David Brown seconded a motion to audit the bills.

TOWN BOARD MEETING

Town of Westfield

June 7, 2023

Warrants dated June 7, 2023 (voucher #'s 259-321) in the amount of \$91,239.78 were drawn on the following funds:

General	\$ 50,339.28
General Part-Town	\$ 1,448.30
Highway	\$ 17,658.69
Highway Part-Town	\$ 10,748.35
Sherman Fire District	\$ 11,019.99
Forest Park Sewer	\$ 22.27
North Town Water-Shorehaven	\$ 2.90

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.

There being no further business at 9:05pm Supervisor Martha Bills moved and Councilmember David Spann seconded a motion to adjourn. Unanimously carried.

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