

TOWN BOARD MEETING

Town of Westfield

June 5TH, 2019

PUBLIC HEARING

Town of Westfield

June 5, 2019

Public Hearing

5862 Douglas Rd, Build a Barn

Supervisor Bills called the public hearing to order at 7:20pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guest: Tom Tarpley	Daryl Irwin
Councilmen:	David Brown	Vincenzo Raimonde	Evan Hauser
	David Spann	David Kircher	Steve Rudnicki
		Janet Nass	Nick Gross

Absent: James Herbert

Highway Superintendent: David Babcock

Code Officer: Bonnie Rae Strickland

Town Attorney: Joel Seachrist

Publication of the public hearing was posted by the Town Clerk and proof of publication was received. A referral letter from the Town Planning Board was received and recommends the application be approved.

The applicant did not attend the meeting, he was out of Town. The Town Code Enforcement officer spoke on his behalf.

The barn will be 30x40 feet and will be set 30 feet back from the road on vacant land. The applicant does not plan to build a home on the property as of yet as he is taking care of his father at his fathers' residence at this time.

A question was asked about the siding timeframe from when the siding is to be put up on the barn, the application is good for one year and if the project is not complete the applicant can extend the application and must do so in writing and an additional fee applies.

One neighboring property owner did contact the Code Officer and has no concerns.

No further comments.

Supervisor Bills made the motion to close the public hearing at 7:27pm seconded by Councilman David Brown and carried unanimously.

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

TOWN BOARD MEETING

Town of Westfield

June 5TH, 2019

PUBLIC HEARING

Town of Westfield

June 5, 2019

7625 Prospect Rd, Install a 6' Fence

Supervisor Bills called the public hearing to order at 7:27pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guest: Tom Tarpley	Daryl Irwin
Councilmen:	David Brown	Vincenzo Raimonde	Evan Hauser
	David Spann	David Kircher	Steve Rudnicki
		Janet Nass	Nick Gross

Absent: James Herbert

Supervisor Bills opened the Public Hearing to hear all persons in regards to the application.

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

The Town Planning Board has reviewed the application and recommended it to the Town Board members for their review and disposition on May 8, 2019.

Received a letter from the County Planning Board stating that the application is of local concern.

The applicant did not attend the meeting. The Town Code Enforcement officer spoke on his behalf. The height and location were discussed, the 6' fence maybe very dramatic for the location. Would the fence block the view at the intersection of Prospect and Route 20 or be a hazard to traffic. Can the applicant cut the fence down to 4' and what type of fence is this and did the applicant already purchase the fence were questions that came up and the applicant was not present to answer the questions.

One neighboring property owner did contact the Code Officer with no concerns.

No further comments.

Supervisor Bills made the motion to close the public hearing at 7:31pm seconded by Councilman Will Northrop.

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

TOWN BOARD MEETING
Town of Westfield
June 5TH, 2019

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:37pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guest:	Tom Tarpley	Daryl Irwin
Councilmen:	David Brown		Vincenzo Raimonde	Evan Hauser
	David Spann		David Kircher	Steve Rudnicki
			Janet Nass	Nick Gross

Absent: James Herbert

Pledge of Allegiance

Councilman Will Northrop made a motion to waive the reading of the Town Board May 1, 2019 meeting and the May 20, 2019 and May 21, 2019 Special Meeting of the Town Board 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 board with expenditures and revenues for the month ending May 2019. January and February Supervisor reports were also available since the year end closing was complete. All Board members have received a copy. Reports are available in the Supervisors office and are accepted as submitted. A thank you note was received for continued support from Access Channel 5. New York Municipal Insurance Reciprocal (NYMIR) did an evaluation on all Town owned buildings. The Insurance appraisal report is available to review in the Supervisor's office.

The Town Clerk's report together with a check in the amount of \$12,026.58 representing fees for the month of May 2019 was turned over to Supervisor Bills. A check for \$67.50 representing fees for the month of May to NYS Department of Health, Marriage Licenses and a check in the amount of \$56.00 was turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$141.72 will be withdrawn on the 15th.

- The Town Clerk attended the Rabies clinic at the Town Shop on May 18th and licensed two dogs. A total of 260 animals were vaccinated (179 dogs and 81 cats).
- E-Waste collection was a success, CRT collections were accepted and fees collected.
- Proposal for a new desktop computer work station for the Town Clerk was discussed.

The Dog Warden's report for May 2019 was received and placed on file.

The Fire Department report for May 2019 was not received.

The Town Court report for May 2019 was received and placed on file.

The WPD report for May 2019 was received and placed on file.

Highway:

- Town Highway Superintendent David Babcock submitted a written report on activities for May 2019. The report has been received and placed on file.

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Code Enforcement:

The Code Enforcement Officer submitted a written report for May 2019. The report has been received and placed on file.

Barcelona Harbor:

Councilman David Spann talked about Invasive Species in our lakes. The Chautauqua Lake Association (CLA) would like to do a survey for boaters that come into and out of the harbor at the Barcelona Pier. Since Barcelona has a staff the CLA would like to have a formal training with 1-2 Pier employees. This is a Statewide effort and is used statewide to contain invasive species in our great lakes. Signage will be viewable to the public. The survey will be conducted within the 2019 summer season. *David Spann made the motion to allow the Chautauqua Lake Association (CLA) to train 1-2 Town of Westfield Pier employees and conduct the Invasive Species survey at the Barcelona Harbor. Councilman David Brown seconded the motion and carried unanimously.*

Public Comment:

- Is Tim Hortons coming to Westfield? The Town has been approached however not the right location is available for Tim Hortons at this time.

Announcements:

- 'First Friday' (7 June 2019) Sponsored by the Chamber of Commerce (5pm)
- Lincoln Celebration
- Civil War Enactment (8-9 June 2019) in Moore Park
- Alumnae Weekend (12-14 July) & Firemen's Ox Roast (14 July 2019)
- Chautauqua County Household Hazardous Waste Drop off day- Free Disposal for local communities. The upcoming locations are Dunkirk, Mayville and Falconer the flyer is posted on the westfieldny.com website, community board and available in the Town Clerks office.
- Supervisor Martha Bills made the motion to close the Town of Westfield offices on Friday July 5th 2019 in observance of the 4th of July Holiday. The Town Board Meeting scheduled for July 3rd will be moved to July 10th. The Town Board would like the Town Clerk to submit the notification to the local papers and post on the sign board. Seconded by Councilman David Spann and carried unanimously.

Old Business:

- Route 20 Water District accepted the bid in May from Lock City. The Town is talking with residents that may want to hook up.
- The Route 5 Water District bids were opened and the bids came in higher than anticipated. The Town is talking with the Engineer, Clark Patterson and Lee and USDA Rural Development on what they recommend doing with the bids coming in so high.
- The Welch Trail bids came in higher than anticipated. Regulations are changing.

TOWN BOARD MEETING

Town of Westfield

June 5TH, 2019

Resolutions for 6/5/2019:

Resolution No.38 of 2019

Town of Westfield

Negative Declaration, SEQR

SUP, 5862 Douglas Rd, Danny Mulson

Moved by Councilman David Brown, seconded by Councilman David Spann:

WHEREAS, the Town Board of the Town of Westfield is considering the application of Danny E. Mulson for a Special Use Permit allowing him to construct a storage building/barn on property with no principal structure at 5862 Douglas Road, on a parcel 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 E. Mulson.

Voting was as follows: Supervisor, Martha Bills, aye; Councilman, David Brown, aye; Councilman, David Spann, aye; Councilman, Will Northrop, aye.

Resolution No.39 of 2019

TOWN OF WESTFIELD

SPECIAL USE PERMIT

5862 Douglas Rd, Danny Mulson

Action of the Board:

To consider the application of Danny E. Mulson for a Special Use Permit to construct a storage building/barn at 5862 Douglas Road, which is designated as tax map Section 260.00, Block 2, Lot 1, and

Resolution moved by: Councilman David Spann

Seconded by: Councilman David Brown

TOWN BOARD MEETING
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June 5TH, 2019

WHEREAS, Danny E. Mulson (hereinafter, the “Applicant”) submitted an application dated April 24, 2019 pursuant to Section 185-19(D) of the Town of Westfield Zoning Code requesting a Special Use Permit allowing him to construct a storage building/barn on a parcel with no principal structure at 5862 Douglas 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 May 8, 2019 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 5, 2019 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 June 5, 2020.
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.

Dated: June 5, 2019

The Applicant agrees to abide by all the terms of this Special Permit.

Voting was as follows: Supervisor, Martha Bills, aye; Councilman, David Brown, aye; Councilman, David Spann, aye; Councilman, Will Northrop, opposed. Motion carried.

**TOWN BOARD MEETING
Town of Westfield
June 5TH, 2019**

**RESOLUTION No. 40 of 2019
Town of Westfield
Neg. Declaration, SEQR
7625 Prospect Rd, David Farnham**

Moved by Councilman Will Northrop, seconded by Councilman David Spann:

WHEREAS, the Town Board of the Town of Westfield is considering the application David Farnham for a Special Use Permit allowing him to install a fence that will be 6' in height at 7625 Prospect Road, on a parcel designated as tax map Section 193.10, Block 2, Lot 19, 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 David Farnham.

Voting was as follows: Supervisor, Martha Bills, aye; Councilman, David Brown, aye; Councilman, David Spann, aye; Councilman, Will Northrop, aye.

**Resolution No. 41 of 2019
TOWN OF WESTFIELD
SPECIAL USE PERMIT
7625 Prospect Rd, David Farnham**

Action of the Board:

To consider the application of David Farnham for a Special Use Permit to install a fence of 6' in height at 7625 Prospect Road, which is designated as tax map Section 193.10, Block 2, Lot 19, and

WHEREAS, David Farnham (hereinafter, the "Applicant") submitted an application dated April 11, 2019 pursuant to Section 185-43(H) of the Town of Westfield Zoning Code requesting a Special Use Permit allowing him to install a 6' fence at 7625 Prospect Road, which is designated as tax map Section 193.10, Block 2, Lot 19, and

TOWN BOARD MEETING
Town of Westfield
June 5TH, 2019

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 8, 2019 and recommended approval of the application, and

WHEREAS, the Chautauqua County Planning Department by letter dated June 5, 2019, in response to a zoning referral submitted pursuant to Section 239-m of the General Municipal Law, advised that the proposed action was of local option, 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 5, 2019 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 install a 6' fence 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 description 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 5, 2020.
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.

Voting was as follows: Supervisor, Martha Bills, opposed; Councilman, David Brown, aye; Councilman, David Spann, aye; Councilman, Will Northrop, opposed. Motion not carried.

Councilman David Brown made the motion to redo the Public Hearing. The applicant must be present at the next Public Hearing scheduled for 7:25pm on July 10th 2019 for more information needed from the Town Board to have a 6' fence. The applicant must fill out a new application. The fee is waived. If the applicant desires to place a 4' fence the applicant does not need to reapply for a Special Use Permit. The applicant may put up a 4' fence pursuant to the Town Code. Seconded by Councilman David Brown and carried unanimously.

TOWN BOARD MEETING
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June 5TH, 2019

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

Resolution No.42 of 2019
Town of Westfield

Use of Pier (14 July 2019) for WACS Alumnae Memorial Service

BE IT RESOLVED that the Town Board of the Town of Westfield hereby authorize the approval of use of the Pier, July 14, 2019 for the WACS Alumnae Memorial Service.

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

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

Resolution No. 43 of 2019
Town of Westfield

Approval of Court Clerk to attend training in September

RESOLVED, that the Town Board of the Town of Westfield approves the Town Court Clerk to attend the NYS Association of Magistrate Court Clerks 2019 Annual Conference from Sunday September 29th through October 2, 2019 in Syracuse cost not to exceed \$1,000.00

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

Councilman David Spann offered the following resolution and moved its adoption

Resolution No. 44 of 2019
Town of Westfield

Approval of Town Clerk Work Station

RESOLVED, that the Town Board of the Town of Westfield approves the Town Clerk to purchase a Dell OptiPlex SFF Desktop Computer, hardware, software and labor from Willow Bay Computer Solutions. The current Town Clerk work station a 2009 Dell Computer will be moved to the Pier to be used during the Pier Season. Total proposal cost is \$1, 852.00.

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

TOWN BOARD MEETING

Town of Westfield

June 5TH, 2019

At 8:15pm Supervisor Bills moved and Councilman David Brown seconded a motion to audit the bills.

Warrants dated June 5, 2019 (voucher #'s 244-314) in the amount of \$172,770.45 were drawn on the following funds:

General	\$46,221.83	Shorehaven Water Project	\$-0.09
General Part-Town	\$1,269.11	Forest Park Sewer	\$26.62
Highway	\$48,024.36	Route 5-Edgewater	\$3.61
Highway Part-Town	\$66,840.63		
Sherman Fire District	\$10,384.38		

Warrants dated June 5, 2019 (voucher #'s 1-2) in the amount of \$5,495.56 were drawn on the following funds:

Route 20 Water to Grape Discovery Center Project

H7-1440.200	\$2100.00
H7-8397.200	\$1580.66
H7-8397.200	\$1814.90

Warrants dated June 5, 2019 (voucher #'s 49-59) in the amount of \$6,227.82 (were drawn on the following funds:

Welch Building	\$6,227.82
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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 Spann, aye; Councilman Northrop, aye.

There being no further business, at 8:31pm Supervisor Martha Bills moved and Councilman David Spann seconded a motion to move to executive session to discuss contract negotiations. Unanimously carried.

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

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

Respectfully submitted,

//original signed//

Andrea L Babcock, Town Clerk