

TOWN BOARD MEETING
Town of Westfield
July 10th, 2019

The 7:25pm Public Hearing that was scheduled for tonight, David Farnham located at 7625 Prospect Road applied for a Special Use Permit to install a 6' fence will not proceed with the Special Use Permit that was presented to the board last month. The applicant changed the location of the fence per Town Code. The applicant received a Building Permit on 6/13/2019.

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:

Supervisor:	Martha R. Bills	Guest:	William Bauer
Councilmen:	David Brown		Marion Eno
	David Spann		Don Eno

Absent: James Herbert

Pledge of Allegiance

Councilman Will Northrop made a motion to waive the reading of the Town Board June 5, 2019 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 June 2019. All Board members have received a copy. Reports are available in the Supervisors office and are accepted as submitted.

The Town Clerk's report together with a check in the amount of \$11,015.07 representing fees for the month of June 2019 was turned over to Supervisor Bills. A check for \$247.50 representing fees for the month of June to NYS Department of Health, Marriage Licenses and a check in the amount of \$127.00 was turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$42.52 will be withdrawn on the 15th.

- The Town Clerks office is implementing a complaint form. All departments are asked to use the complaint form when needed.
- The Town received a congratulations letter from Lake Erie Living for being chosen as a Western New York Hot Spot by the readers of Lake Erie Living Magazine.

The Dog Warden's report for June 2019 was received and placed on file.
The Fire Department report for May 2019 was not received.
The Town Court report for June 2019 was received and placed on file.
The WPD report for June 2019 was received and placed on file.

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Highway:

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

Code Enforcement:

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

Barcelona Harbor:

Supervisor Martha Bills received a phone call in regards to moving a boat from Chautauqua Lake to Lake Erie. The boat is a 26 ton 55' long 17' wide steam boat. The boat would be launched and towed to Cleveland. The boat owner asked if they could store the boat for a duration of time and then launch the boat. The board discussed the duration of time, a Bond from the boat owner also discussed the boat to be launched only out of the Pier on a specific date. The Town Supervisor will gather more information and present it to the board for the next meeting

Public Comment:

- None

Announcements:

- 'First Friday' (12 July 2019) Sponsored by the Chamber of Commerce (5pm)
- Alumnae Weekend (12-14 July) & Firemen's Ox Roast (14 July 2019)
- Taste of Westfield (20 July)
- Antique Show (20-21 July)
- Westfield Arts & Crafts (26-27 July)
- Walleye Derby (2-4 August)

Old Business:

- Route 20 Water District materials are ordered.
- The Route 5 Water District paper work has been submitted to Rural Development requesting additional funding for the project. USDA Rural Development Area Specialist, Tom Becker will be assisting us with the project
- The Welch Trail bids came in higher than anticipated. Regulations are changing. The committee will get together to discuss further actions that are needed to move forward.

New Business:

Received a letter from the New York State Thruway Authority regarding the implementation of Statewide Cashless Tolling. The cashless tolling will be operational by the end of 2020. The notice included the State Environmental Quality Review Act, determination of Non-Significance New York State Thruway Authority Implementation of Statewide Cashless Tolling.

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Resolutions for 7/10/2019:

Councilman David Brown offered the following resolution and moved its adoption

**Resolution No. 45 of 2019
TOWN OF WESTFIELD
RESOLUTION # 45 of 2019
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:

Bond Counsel	Decrease of	\$2,000.00
Net Interest	Decrease of	3,000.00
Single Audits	Increase of	10,500.00
Miscellaneous	Increase of	3,000.00

I, Andrea L. Babcock, Town Clerk of the Town of Westfield, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Westfield on July 10, 2019, by the following vote:

	AYE	NAY
Martha R. Bills, Supervisor	_x_	___
Dr. David S. Brown, Deputy Supervisor	_x_	___
Will Northrop, Councilman	_x_	___
David Spann, Councilman	_x_	___
James Herbert, Councilman	Absent	

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. Motion carried.

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Councilman David Spann offered the following resolution and moved its adoption

**Resolution No. 46 of 2019
Town of Westfield
RESOLUTION CALLING PUBLIC HEARING**

At a regular meeting of the Town Board of the Town of Westfield, Chautauqua County, New York, held at Eason Hall, in Westfield, New York, in said Town, on the 10th day of July, 2019, at 7:30 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Martha Bills, and upon roll being called, there were

PRESENT: Supervisor, Martha Bills
Deputy Supervisor/ Councilman, David Brown
Councilman David Spann
Councilman Will Northrop

ABSENT: Councilman James Herbert

The following resolution was offered by Councilman Will Northrop, who moved its adoption, seconded by Councilman David Brown, to-wit:

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RESOLUTION DATED JULY 10, 2019.

A RESOLUTION CALLING A PUBLIC HEARING OF THE TOWN BOARD OF THE TOWN OF WESTFIELD, CHAUTAUQUA COUNTY, NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN LAW, TO CONSIDER AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE NORTH TOWN WATER DISTRICT IN AND FOR SAID TOWN AT A MAXIMUM ESTIMATED COST OF \$880,000.

WHEREAS, the Town Board of the Town of Westfield, Chautauqua County, New York, has had under consideration a map and plan as well as an estimate of cost for a proposed increase and improvement of the facilities of the North Town Water District, consisting of the installation of new water main along East Route 5, including land or rights-in-land, original furnishings, equipment, machinery, apparatus and other costs incidental thereto; and

WHEREAS, the Town Board previously established the new benefit district but all the bids for the project came in well over the estimated costs and the Board finds it necessary to seek additional grant funding for the project and deems it advisable to repeat with updated figures the establishment of the new benefit district and bonding therefor; and

WHEREAS, the boundaries of the proposed benefited area are as follows:

All that tract or parcel of land situate in the Town of Westfield, County of Chautauqua, State of New York, being described as follows:

Beginning at the intersection of the northerly extension of the easterly line of tax account number 192.00-1-19 and the centerline of New York State Route 5 (66 feet wide right-of-way); thence,

- 1. Northeasterly, along the centerline of New York State Route 5, a distance of 424 feet, more or less, to the southerly extension of the westerly line of tax account number 192.00-1-16; thence,*
- 2. Northwesterly, along a westerly line of tax account number 192.00-1-16, a distance of 170 feet, more or less, to a northwesterly corner of tax account number 192.00-1-16; thence,*
- 3. Northeasterly, along the northerly lines of tax account numbers 192.00-1-16, 192.00-2-3, 192.00-2-4, 192.00-2-5, 192.00-2-6, 192.00-2-7, 192.00-2-8, and 192.00-2-9, a distance of 4,481 feet, more or less, to a northwesterly corner of tax account number 192.00-2-9; thence,*

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4. *Southeasterly, along an easterly line of tax account number 192.00-2-9, a distance of 890 feet, more or less, to the northwesterly extension of the easterly line of tax account number 192.00-2-15; thence,*
5. *Southeasterly, along the northwesterly extension of the easterly line of tax account number 192.00-2-15 and the easterly line of tax account number 192.00-2-15, a distance of 382 feet, more or less, to the southeasterly comer of tax account number 192.00-2-15; thence,*
6. *Southwesterly, along the southerly lines of tax account numbers 192.00-2-15, 192.00-2-13, and 192.00-2-16.2, a distance of 426 feet, more or less, to the southwestly comer of tax account number 192.00-2-16.2; thence,*
7. *Southeasterly, along the easterly lines of tax account numbers 192.00-2-12 and 192.00-2-11, a distance of 527 feet, more or less, to the southeasterly comer of tax account number 192.00-2-11; thence,*
8. *Southwesterly, along the southeasterly lines of tax account numbers 192.00-2-11 and 192.00-2-47, a distance of 1,730 feet more or less, to the southwestly comer of tax account number 192.00-247; thence,*
9. *Northwesterly, along a westerly line of tax account number 192.00-2-47, a distance of 158 feet, more or less, to the southerly right-of-way line of Lake Road (49.5 feet wide right-of-way); thence,*
10. *Southwesterly, along the southerly right-of-way line of Lake Road and the southerly lines of tax account numbers 192.00-2-43, 192.00-2-42, and 192.00-1-19, a distance of 2,627 feet, more or less, to the southwestly comer of tax account number 192.00-1-19; thence,*
11. *Northwesterly, along the westerly line of tax account number 192.00-1-19, a distance of 1,100 feet, more or less, to the Point of Beginning.*

The Water Benefit District No. 1, as described above, contains approximately 169.61 acres of land. All as shown on a map prepared by Clark Patterson Lee, entitled "NYS RTE 5 Water Main Benefit District No.1 - Proposed NYS RTE 5 Water Benefit District No.1", dated January 5, 2017.

WHEREAS, the proposed benefited area would be known as the EAST ROUTE 5 WATER BENEFIT DISTRICT NO. 1; and

WHEREAS, the improvements are as follows: approximately 6,000 linear feet of 8-inch and 12-inch diameter water main; water services and meters; and fire hydrants; and

WHEREAS, the maximum estimated cost of such increase and improvement of facilities is \$880,000; and

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WHEREAS, the proposed method of apportioning the costs of such improvement is on a benefit basis to the benefited properties within the newly-defined East Route 5 Water Benefit District No. 1, and

WHEREAS, the proposed method to be employed for financing such improvement is an estimated \$601,000 grant from the U.S. Department of Agriculture and the issuance of serial bonds for the balance, and

WHEREAS, the cost of the improvements to the typical one- or two- family, full-time resident home in the benefited area will be \$1,070 per year, which figure includes \$676 per year for water costs and \$25 per year for North Town Water District costs; and

WHEREAS, said map, plan and estimate of cost are on file in the office of the Town Clerk for public inspection; and

WHEREAS, it is now desired to call a public hearing on said proposed increase and improvement pursuant to Section 202-b of the Town Law;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Westfield, Chautauqua County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Westfield, Chautauqua County, New York, shall be held at Eason Hall, 23 Elm Street, Westfield, New York, in said Town, on the 29 day of July, 2019 at 4:30 o'clock P.M., prevailing time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of the North Town Water District in said Town, referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. SEQRA DETERMINATION: It has been determined that the aforesaid purpose constitutes an Unlisted Action under the SEQRA regulations of the State of New York which will not have a significant impact upon the environment.

Section 3. The Town Clerk is hereby authorized and directed to cause a notice of said

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public hearing to be published in the *Dunkirk Observer* and *Westfield Republican*, the official newspapers of said Town, and posted in the manner prescribed by law, which notice shall be in substantially the following form, to-wit:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Westfield, Chautauqua County, New York, will meet at Eason Hall, 23 Elm Street, Westfield, New York, in said Town, on the 29 day of July, 2019, at 4:30 o'clock P.M., prevailing time, for the purpose of conducting a public hearing relating to the increase and improvement of the North Town Water District in said Town, consisting of the installation of approximately 6,000 linear feet of water main along East Route 5 in an area to be designated as the East Route 5 Water Benefit District No. 1, including land or rights-in-land, original furnishings, equipment, machinery, apparatus and other costs incidental thereto, at a maximum estimated cost of \$880,000, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

SEQRA DETERMINATION: The aforesaid purpose constitutes an Unlisted Action under the SEQRA regulations of the State of New York which will not have a significant impact upon the environment.

Dated: Westfield, New York,
July 11, 2019

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF WESTFIELD,
CHAUTAUQUA COUNTY, NEW YORK

Andrea Babcock, Town Clerk

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

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_Supervisor Martha Bills_____	VOTING	_aye___
_Councilman David Brown_____	VOTING	_aye___
_Councilman David Spann _____	VOTING	_aye___
_Councilman Will Northrop_____	VOTING	_aye___

The resolution was thereupon declared duly adopted.

Councilman David Spann offered the following resolution and moved its adoption

Resolution No. 47 of 2019
Town of Westfield
Permission to use the Welch Parking Lot

BE IT RESOLVED, the Town Board of the Town of Westfield hereby gives permission to Wendy Santilli and family to use the Welch parking lot down by the Little League field on Saturday September 21, 2019 from 1:00pm-11:00pm. An estimated 30 cars will be parked at the Welch parking lot.

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

At 8:23pm Supervisor Bills moved and Councilman David Brown seconded a motion to audit the bills.

Warrants dated July 10, 2019 (voucher #'s 315-387) in the amount of \$108,535.58 were drawn on the following funds:

General	\$27,856.19	Shorehaven Water Project	\$3.38
General Part-Town	\$738.73	Forest Park Sewer	\$24.00
Highway	\$3,669.06		
Highway Part-Town	\$75,878.44		

Warrants dated July 10, 2019 (voucher #'s 3) in the amount of \$14,685.05 were drawn on the following funds:

Route 20 Water to Grape Discovery Center Project
H7-8397.200 \$14,685.05

