

TOWN BOARD MEETING

Town of Westfield

May 3, 2023

PUBLIC HEARING

Town of Westfield

Special Use Permit-8265 Second Street-Applicant-Scott Switzer for a 6' Fence

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
Councilmember: David Brown
David Spann
James Herbert
Will Northrop

Guest: William Bauer
Don McCord
Marybelle Beigh-Historian
Debbie Best
Scott Switzer
Sally Switzer

Highway Superintendent: David Babcock
Code Officer: 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. The application is to construct a 6' x 85' fence at 8265 Second Street. The Planning Board recommends the application be approved and has no concerns. No comments were received from the public or the board. Applicants Scott and Sally Switzer were present.

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 7:26pm. Councilmember David Spann seconded the motion. Motion carried.

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

TOWN BOARD MEETING

Town of Westfield

May 3, 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
Councilmember: David Brown
David Spann
James Herbert
Will Northrop

Guest: William Bauer
Don McCord
Marybelle Beigh-Historian
Debbie Best
Scott Switzer
Sally Switzer

Highway Superintendent: David Babcock
Code Officer: Bonnie Rae Strickland
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Pledge of Allegiance

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

Reports:

Supervisor Bills presented the monthly report on the Town's finances for the month of April. The report is always available in the Supervisors office. Everyone is welcome to view. All Board members have received a copy of the report and is accepted as submitted. Completed and submitted the AUD for 2023. The Town of Westfield received a letter from the Chautauqua County Department of Finance regarding Workers Compensation Ultimate Liability. If the Town decides to leave the plan with the County the exit amount is \$45,600.00 and must withdraw by July 1. The board does not object to the plan.

The Town Clerk's report together with a check in the amount of \$3,054.60 representing fees for the month of April 2023 will be turned over to the Supervisor. A check for \$67.50 representing fees for the month of April to NYS Department of Health, Marriage Licenses and a check in the amount of \$36.00 will be turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$87.90 will be withdrawn on the 13th.

- Tax Collector's 2023 tax collection report has been distributed to the Town Board and is on file in the Town Clerks office.

The Dog Warden's April 2023 report was not received.

The Town Historians report for April 2023 was received and placed on file.

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

The Town Court report for April 2023 was received and placed on file.

The WPD report for April 2023 was received and placed on file.

Highway:

Highway Superintendent's April report has been received and placed on file.

- Superintendent Babcock discussed with the board about putting a roof over the fuel pumps. The board does not object to the project. No action was taken.

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Code Enforcement:

The Code Enforcement Officer submitted a written report for April 2023 has been received and accepted.

- Councilmember James Herbert made a motion to refer a Special Use Permit application to the Town Planning Board for a 12 x 20 storage shed property located at 7031 Rogersville Rd and set a Public Hearing for June 7, 2023, at 7:25pm. Seconded by Councilmember Will Northrop and carried unanimously.

Barcelona Harbor:

- Opening Memorial Day weekend.
- A preconstruction meeting will be held Friday May 5, 2023, for dredging.
- Supervisor Bills attended the Great Lakes Recreational Harbors meeting regarding harbors.

Public Comment:

- NONE

Announcements:

- Spring Clean-up will be held Saturday, May 6th 9:00am -1:00pm at the Transfer Station.
- E-Waste will be held May Saturday, 13th 9:00am-1:00pm- located at the Town Shop 118 Chestnut St. Acceptable electronics collection is free of charge.
- Rabies Clinic (Saturday, May 20th- 10:00am-NOON) at 118 Chestnut St.
- Assessor with the tentative assessment roll:
Wednesday, May 3rd- 9:00am- 1:00pm, Thursday, May 4th, 2:00pm-6:00pm,
Monday, May 15th, 9:00am-1:00pm and Saturday, May 20th, 9:00am-1:00pm
The Board of Assessment Review will meet (Grievance Day) on Wednesday, May 24,
2:00pm - 4:00pm and 6:00pm-8:00pm
- Farmers Market- Saturday May 27, 2023
- Memorial Day Parade
- First Friday will be held Friday May 5, 2023
- Tuesday May 23, 2023, at 6:00pm the Cornell Lake Erie Research Laboratory will hold a learn how to care for your septic system properly workshop.
- McClurg Museum annual fundraiser will be held on June 10th.

Project Updates:

- Engineers continue to work on the plans for the Route 5 East Lake Road Water Project No.2 project.
 - Continuing to work on the signage for the Welch Trail and placing bollards and chains at the overlook area. A request for proposal has been submitted for prefabricated modular stairs and platforms to connect a trailhead for the Welch Trail to North Portage Street in downtown Westfield.
 - Supervisor Bills attended an informational meeting regarding marijuana in Chautauqua County.
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**TOWN BOARD MEETING
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May 3, 2023**

New Business:

Councilmember Will Northrop offered the following resolution and moved for its adoption;
**Town of Westfield
Resolution No. 24 of 2023**

SEQR-Negative Declaration for 8265 Second Street-Scott Switzer for a 6' Fence

WHEREAS, the Town Board of the Town of Westfield is considering the application of Scott Switzer for a Special Use Permit allowing him to construct an 85' fence that is 6' high at 8265 Second Street, which is designated as tax map Section 192.00, Block 1, Lot 37, 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 Scott Switzer.

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, aye.

**TOWN BOARD MEETING
Town of Westfield
May 3, 2023**

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

**Town of Westfield
Resolution No. 25 of 2023
SPECIAL USE PERMIT, 8265 Second Street, Scott Switzer for a 6' Fence**

Action of the Board:

To consider the application of Scott Switzer for a Special Use Permit to construct a 6' x 85' fence at 8265 Second Street, which is designated as tax map Section 192.00, Block 1, Lot 37, and

WHEREAS, Scott Switzer (hereinafter, the "Applicant") submitted an application requesting a Special Use Permit allowing him to construct a 6' x 85' fence at 8265 Second Street, which is designated as tax map Section 192.00, Block 1, Lot 37, 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 April 12, 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 May 3, 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 6' high 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 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, which are as follows: *None*
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 use is not begun by May 3, 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 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, aye.

**TOWN BOARD MEETING
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May 3, 2023**

Councilmember David Spann offered the following resolution and moved for its adoption.

**Town of Westfield
Resolution No. 26 of 2023
Re-Appointment of Board Assessment Review Board Member**

BE IT RESOLVED, the Town Board of the Town of Westfield hereby re-appoints Brandi Russo to the Board of Assessment Review for a five-year term.

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, aye.

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

**Town of Westfield
Resolution No. 27 of 2023
Recreation Committee Member Appointment**

BE IT RESOLVED, the Town Board of the Town of Westfield hereby appoints Kevin Montalbano to the Recreation Committee for a three-year term ending January 2026.

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, aye.

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

**Town of Westfield
Resolution No. 28 of 2023
Approval of Summer Employment for Pier Employees**

BE IT RESOLVED, the Town Board of the Town of Westfield hereby approves summer employment for the Pier employees. Pier Attendants, Timothy Smith, Donald Thomas, Betty Carvella and Wayne Harrington 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 Will Northrop, aye.

**TOWN BOARD MEETING
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May 3, 2023**

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

**Town of Westfield
Resolution No. 29 of 2023
Authorize Use of the Daniel Reed Pier**

BE IT RESOLVED, The Town Board of the Town of Westfield hereby authorizes the use of the pier on Saturday May 13th, 2023, for the community cleanup committees “Barcelona Beach Glass Rally”.

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

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

**Town of Westfield
Resolution No. 30 of 2023
Award Bidder for Floating Dock Project and ARPA Funds**

BE IT RESOLVED, the Town Board of the Town of Westfield hereby awards the lowest bid to Jack’s Welding for the two floating docks project at the Daniel Reed Pier in the amount of \$33,115.00. The project will take approximately one month to complete. The project purchase will be paid for using the American Rescue Plan Act funds (ARPA).

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, aye.

**TOWN BOARD MEETING
Town of Westfield
May 3, 2023**

Councilmember Will Northrop offered the following budget revision and moved for its adoption

Subject: Budget Revision #5 for Budget Year 2023		
Revision Description	Decrease Expenditures	Increase Expenditures
To move \$6,159.38 from fund balance to pay CPL Architecture Engineering Planning Invoice 89013 for \$2,053.13 and CPL Architecture Engineering Planning Invoice 89955 for \$4,106.25. 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	6,159.38	
A 8389.400 Other Water, Contr Expend-Route 5 Water District 2 CR		6,159.38
Total A Fund	6,159.38	6,159.38
Revision Description	Decrease Expenditures	Increase Expenditures
To move \$21,650.00 of ARPA Funds Account A 4089 Federal Aid - Other to A 7180.200 to Parks & Recreation - Equipment to pay Jack's Welding Service, Inc Invoice 12541 for all the material associated with 2 Aluminum Floating Dock Sections		
Budget Journal		
A Fund (General Fund - Townwide)		
A 4089 Federal Aid - Other DR	21,650.00	
A 7180.200 Parks & Recreation - Equipment CR		21,650.00
Total A Fund	21,650.00	21,650.00
Revision Description	Decrease Expenditures	Increase Expenditures
To move \$1,273.50 from A fund revenue A 3897 St Aid, Culture & Rec - Capital Project to pay JMI invoice 78249 for \$1,273.50 for chain for the Welch Trail. This revenue account is were the town records the reimbursement from the State of New York for this Welch Trail Project.		
Budget Journal		
A Fund (General Fund - Townwide)		
A 3897 St Aid, Culture & Rec - Capital Project DR	1,273.50	
A 7180.410 Parks & Recreation Contractual Welch Trail CR		1,273.50
Total A Fund	1,273.50	1,273.50
Revision Description	Decrease Expenditures	Increase Expenditures
To move \$1,170.50 from A Fund Contingent Account to pay JMI invoice 78248 for \$1,273.50 for more chain for the bollards at the pier. The Parks & Recreation - Equipment expense line for 2023 is only \$6,000.00, the total cost of the bollard project for 2023 was \$7,170.50.		
Budget Journal		
A Fund (General Fund - Townwide)		
A 1990.400 Contingent Account DR	1,170.50	
A 7180.200 Parks & Recreation - Equipment CR		1,170.50
Total A Fund	1,170.50	1,170.50

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, aye.

At 8:00pm Supervisor Bills moved and Councilman David Brown seconded a motion to audit the bills.

Warrants dated May 3, 2023 (voucher #'s 206-258) in the amount of \$121,391.39 were drawn on the following funds:

General	\$56,794.61
General Part-Town	\$11,861.06
Highway	\$50,478.51
Highway Part-Town	\$ 2,222.20
Forest Park Sewer	\$ 31.77
North Town Water-Shorehaven	\$ 3.24

These were presented and audited by the board members. Supervisor Martha Bills moved and Councilmember Will Northrop 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.

There being no further business at 9:10pm Supervisor Martha Bills moved and Councilmember David Brown seconded a motion to adjourn. Unanimously carried.

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