

**TOWN BOARD MEETING
Town of Westfield
August 3rd, 2016**

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 Bills	Marybelle Beigh	Steve Rudnicki
Deputy Sup:	David Brown	Joel Seachrist	Don Eno
Councilmen:	David Spann	William Bauer	Marion Eno
	James Herbert	Nan Doolittle	Tom Tarpley
	Raymond Schuster	Tim Doolittle	David Haskin
		Bob Richmond	Brad Szymczak

Pledge of Allegiance

Deputy Supervisor David Brown made the motion to waive the reading of the July minutes inasmuch as all members received a copy thereof and that the minutes be approved. The motion was seconded by Councilman Raymond Schuster and carried unanimously.

Supervisor Bills made the motion to Amend the April 6th, 2016 minutes:

A discussion took place and the following motion was passed.
Raymond Schuster moved to approve Highway Superintendent David Babcock to purchase a new 10 wheeler truck. The board is aware that this purchase will take a few months. The bid price is based on a County bid. The motion was seconded by David Spann, unanimously carried.

The Town Clerk’s report together with a check in the amount of \$8025.38 representing fees for the month of July 2016 was turned over to the Supervisor. State and County agencies received checks totaling \$334.00.

The Supervisor’s report is as follows:

Revenues and Expenditure totals are not available at this time. A new accounting system is being implemented at this time.

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking Balance</u>	<u>MM Balance</u>
Gen. A	\$	\$	\$16,118.41	\$969,114.36
Gen B			75.18	88,314.90
Hwy DA			515.84	505,860.19
Hwy DB			737.55	249,319.42
Sewer HO1			-0-	5,271.15
Water HO2			-0-	101,033.66
T Funds			-0-	-0-
Wfd. Fire			-0-	54,638.09
Sherm. Fire			-0-	179.93
Totals:	\$	\$	\$17,446.98	\$1,973,731.70

The Dog Warden’s report for July 2016 was received and placed on file.

The Fire Department Report for July 2016 was received and placed on file.

The Historian’s report for July 2016 was received and placed on file.

The Town Court report for July 2016 was received and placed on file.

The WPD report for July 2016 was received and placed on file.

Highway:

- The Town Highway Superintendent has not yet submitted a written report on activities for July 2016.

Code Enforcement:

- The Code Enforcement Officer submitted a written report highlighting that 12 permits were issued in the Town including 2 SUPs were received in July. *David Spann made the motion to set a public hearing for Crown Atlantic Co. (T-Mobile) for 7:20p.m. and Mazza Chautauqua Cellars at 7:25p.m prior to September 7th, 2016 Town Board Meeting. The Town Board will refer SUP applications to the proper planning boards for review. The motion was seconded by Deputy Supervisor David Brown and the motion carried unanimously.*
- Political Signage:
Numerous complaints regarding political signage on display have been received. Although, Westfield Village and Town have ordinances as to when signs can be displayed, it has been recently determined by the courts that these signs are the expression of free speech under the Constitution and can remain in place.

Barcelona Harbor: Councilman James Herbert highly commended the appearance of the Lighthouse and the new concrete sidewalks that were laid by the Town Highway Dept. Councilman Herbert also commented on the status of the Breakwall.

Public Comment:

- Status of water on East Lake Road.
- Request a public meeting in regards to East Lake Rd.
- Status of the Welch building.
- Brad Szymczak from the Westfield Fire Dept. presented the board with the Fire Dept. of Westfield Rescue Truck Proposal. The proposal was also presented to the Village board on July 13th, 2016. The proposal has been received from the Fire Department and placed on file.

Announcements:

- First Friday (August 5, 2016) sponsored by the Chamber of Commerce (5-9pm)
- Chautauqua County History Fair Sat August 13th, Sun August 14th from 10am-4pm at Chautauqua Suites, Mayville NY.
- Barcelona Days, August 13th, 2016 from 4-8 at the Barcelona Pier.
- MS Bike Route Rest Stop, Barcelona Pier, Sat August 6th, 2016 from 7:00am-5:00pm.
- Town Clerks' office is selling Hunting and Fishing licenses effective August 1, 2016.

Old Business:

Supervisor Bills commented on the following projects:

- We are in the process of completing an application for Shorehaven Water Project.
- Applications are also being considered for E. Lake Rd and West Main Rd water districts.
- We are also in the process of ordering amenities for the Hamlet project including the parking lot. The Hamlet project will be completed in the Fall of 2016.
- Breakwall information will be available once received. The timeframe for completion will be approximately 6 weeks and is weather dependent.

New Business:

Resolutions for 8/3/2016:

Deputy Supervisor David Brown offered the following resolution and moved for its adoption:

Resolution No. 35 of 2016
TOWN OF WESTFIELD

RESOLUTION AUTHORIZING THE SUPERVISOR TO SIGN AN AGREEMENT WITH THE CHAUTAUQUA COUNTY SOIL AND WATER CONSERVATION DISTRICT

RESOLVED, the Supervisor is hereby authorized to execute an agreement with the Chautauqua County Soil and Water Conservation District for a project on Town-owned property near Route 5 and Chautauqua Creek whereby the District will install steps to the creek and stabilize the adjacent bank, subject to the approval of counsel as to the final form of the agreement.

The motion was seconded by Councilman Herbert. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor Brown, aye; Councilman Schuster, aye; Councilman Spann; aye; Councilman Herbert; aye.

Councilman Raymond Schuster offered the following resolution and moved for its adoption:

Resolution No. 36 of 2016
TOWN OF WESTFIELD

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH AN AUDITOR FOR THE SHOREHAVEN WATER SYSTEM IMPROVEMENTS PROJECT

WHEREAS, the Town is pursuing a loan and grant from the United States Department of Agriculture/ Rural Development to fund improvements to the Shorehaven water system; and

WHEREAS, depending on the amount of money spent in any single fiscal year, it may be necessary for the Town to hire an auditor for the project;

NOW, THEREFORE, BE IT RESOLVED:

1. The Supervisor is further authorized to enter into an agreement with Baghat & Laurito-Baghat, C.P.A., of Fredonia, New York to perform auditing work in relation to the Shorehaven Water System Improvements project, should an audit of the project be necessary.

The motion was seconded by Councilman Spann. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor Brown, aye; Councilman Schuster, aye; Councilman Spann; aye; Councilman Herbert; aye.

Councilman Raymond Schuster offered the following resolution and moved for its adoption:

Resolution No.37 of 2016
TOWN OF WESTFIELD

RESOLUTION AUTHORIZING TOWN SUPERVISOR TO EXPEND FUNDS FROM THE MACHINERY CAPITAL RESERVE FUND OF THE TOWN OF WESTFIELD, SUBJECT TO PERMISSIVE REFERENDUM.

The Town Board of the Town of Westfield, duly convened in regular session, does hereby resolve pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York that the Town Supervisor be and she hereby is authorized and directed to spend from the Machinery Capital Reserve Fund of the Town of Westfield, heretofore duly established, not exceeding Fifty Thousand Dollars (\$50,000.00) of the principal and accumulated interest in said Reserve Fund for the purpose of funding part of the purchase of a Freightliner 114SD, a ten-wheel, heavy-haul truck.

This resolution shall be subject to a permissive referendum, as permitted by law.

The motion was seconded by Councilman Spann. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor Brown, aye; Councilman Schuster, aye; Councilman Spann; aye; Councilman Herbert; aye

Councilman Raymond Schuster offered the following resolution and moved for its adoption:

Resolution No. 38 of 2016
Town of Westfield
 Standard Work Day and Reporting

BE IT RESOLVED, that the Town of Westfield hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Days/Month (based on Record of Activities)
Elected Officials				
Town Supervisor	Martha Bills	6.5	1/1/2016 – 12/31/2019	26.74
Highway Superintendent	David Babcock	8	1/1/2016 – 12/31/2019	29.84
Town Clerk	Andrea Babcock	6.5	1/1/2016 – 12/31/2019	25.54
Town Councilman	David Brown	6.5	1/1/2016 – 12/31/2019	2.42
Appointed Officials				
Court Clerk	Kimberly Stahley	6	1/1/2016 – 12/31/2016	11.27
Code Enforcement / Bldg Insp.	James Pacanowski	6.5	1/1/2016 – 3/5/2016	N/A
Code Enforcement/Bldg Insp.	Bonnie Rae Strickland	6.5	3/15/2016 – 12/31/2016	N/A

The motion was seconded by Councilman Herbert. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor Brown, aye; Councilman Schuster, aye; Councilman Spann; aye; Councilman Herbert; aye

- *Supervisor Martha Bills made the motion to authorize the Town Board to approve the contribution of \$1500.00 to the Chamber of Commerce Barcelona Days Celebration August 13, 2016 from the celebration contractual account.*

The motion was seconded by Councilman Spann. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor Brown, aye; Councilman Schuster, aye; Councilman Spann; aye; Councilman Herbert; aye.

- Supervisor Martha Bills made the motion to authorize the approval of Kim Stahley, Court Clerk to attend training, (NYS Association Magistrates Court Clerks Conference in Binghamton, NY Sept 25th-Sept 28th, 2016) not to exceed \$850.00 upon written approval from the Judges (Laporte, Spann).

The motion was seconded by Deputy Supervisor David Brown. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor Brown, aye; Councilman Schuster, aye; Councilman Spann; aye; Councilman Herbert; aye.

- Warrants dated August 3rd, 2016 (voucher #'s 97-150) in the amount of \$277,724.14 (were drawn on the following funds:

General	\$	32,576.12	Shorehaven Water Project	\$2.91
General Part-Town	\$	11,500.00	Sherman FD	\$0.00
Highway	\$	21,627.14	Trust & Agency	\$
Highway Part-Town	\$	211,996.74		
Sewer Fund	\$	21.23		
Barcelona Water	\$			

- Warrants dated August 3rd, 2016 (voucher #'s 20-30) in the amount of \$13,275.13 (were drawn on the following funds:

Welch Building	\$13,275.13
Welch Building Plantrol	\$0.00
Welch Bldg Operating	\$

These Warrants were presented and audited by the Board members. Deputy Supervisor David Brown made the motion and Supervisor Martha Bills seconded a motion that the Supervisor be directed to draw the necessary checks to cover the warrant as audited. Voting was as follows: Martha Bills, aye; James Herbert, aye; Raymond Schuster, aye; David Brown, aye; David Spann, aye.

At 8:50pm Supervisor Bills made the motion to move to Executive Session to discuss pending and potential litigations. Councilman Spann seconded the motion and it was carried unanimously.

At 9:35pm David Brown moved to go out of Executive Session and return to the regular meeting, seconded by Martha Bills. Unanimously carried.

Motion was made by Martha Bills, seconded by Raymond Schuster to set a Public Hearing date of August 15, 2016 at 4:30pm to hold the following public hearings:

- 4:30pm. Local law no. 1 of 2016. a local law imposing a nine-month moratorium on the processing of applications for and the issuance of any approvals or permits for solar farms and solar power plants in the Town of Westfield.
- 4:40pm. Local law no. 2 of 2016 a local law imposing a nine-month moratorium on the processing of applications for and the issuance of any approvals or permits for projects within the commercial-manufacturing district.

Voting was as follows: Martha Bills, aye; James Herbert, aye; Raymond Schuster, aye; David Brown, aye; David Spann, aye.

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- The next Town Meeting is scheduled for Wednesday, September 7, 2016 @ 7:30pm.
 - *There being no further business, at 9:50p.m. James Herbert moved and Raymond Schuster seconded a motion to adjourn. Unanimously carried.*

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