

**TOWN BOARD MEETING  
Town of Westfield  
January 5<sup>th</sup>, 2011**

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	Jim Pacanowski	Alex Gerould
Councilmen:	Raymond Schuster	Marybelle Beigh	Brigid Harwood
	David Brown	David Babcock	Scott Frudd
	James Herbert	Randy Edwards	
	David Spann		

Raymond Schuster moved and David Spann seconded a motion to waive the reading of the minutes inasmuch as all members received a copy thereof and that the minutes be approved. Unanimously carried.

The Town Clerk's report together with a check in the amount of \$1039.04 representing fees for the month of December 2010 was turned over to the Supervisor. State and County agencies received checks totaling \$247.61.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking Balance</u>	<u>HSBC - MM Balance</u>
Gen. A	\$664,214.00	\$599,999.00	\$9559.71	\$697,469.28
Gen B	114,148.00	116,458.00	55.72	51,640.81
Hwy DA	316,018.00	291,069.00	198.62	269,432.76
Hwy DB	383,793.00	392,699.00	1037.64	231,938.13
Sewer HO1	21,724.00	30,737.00	-0-	5,418.67
Water HO2	20,756.00	17,840.00	-0-	94,276.95
Wfd. Fire	66,944.00	66,698.00	-0-	318.96
Sherm. Fire	8,616.00	8,644.00	-0-	135.38
Totals:	\$1,596,213.00	\$1,524,144.00	\$10,851.69	\$1,350,631.52

The Dog Warden's report for December 2010 was received and placed on file.

The Fire Department Report for December 2010 was received and placed on file. The WFD Chief (Mr. Randy Edwards) highlighted that there have been 466 calls so far in 2010.

The Historian's report for December 2010 was received and placed on file.

The Town Court report for December 2010 was received and placed on file.

Highway:

- The Town Highway Superintendent submitted a written report on activities for December and highlighted snow removal operations and fuel usage.

- He requested that the Board approve a seasonal closing of Napper Road. David Brown moved and Raymond Schuster seconded a motion that Napper Road be closed December 2010 through 1 April 2011. This was unanimously approved.
- The Town Highway Superintendent also requested to go out for bid on new wheeled loader. Raymond Schuster moved and David Spann seconded a motion that the Town advertise for bids on a new loader. This was unanimously approved.

Code Enforcement:

- The Code Enforcement Officer submitted a written report highlighting that 7 permits were issued in the Town, 1 Certificate of Occupancy, and receipt of a final inspection report from the County Health Department. He also provided a roll-up of all permits issued in 2010.

Barcelona Harbor: (Pier is closed for the season)

In Public Comment, there were no questions.

Announcements:

- Supervisor Bills announced that the Annual Audit of Books will take place on January 18<sup>th</sup>, 2011 beginning at 4:00pm

Old Business:

- Supervisor Bills stated the Town is working to close the books on various Grant. She noted that the Concord Grape Belt Heritage Plan has been approved. She also is working to schedule a meeting to gather resident / area business owners' input on the "Streetscape" project for Front Street in Barcelona in addition to pier improvements.

New Business:

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- Raymond Schuster offered the following resolution and moved its adoption:

**Resolution No. 1 of 2011**

Official Meeting Place

"That the official meeting of the Town Board shall be in Eason Hall, 23 Elm Street, Westfield, NY on the first Wednesday of each month at 7:30pm."

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

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- David Spann offered the following resolution and moved its adoption:

**Resolution No. 2 of 2011**  
Salaries

“That the Town Board hereby fix the salaries of the Town employees and officials for the year 2010 as follows:”

Highway Employees	Laborers - Minimum \$7.50 p/hr
	MEO's - Minimum \$10.00 to \$19.18/hr
	- Maximum \$28.87/hr
Supervisor	\$16,000 annual to be paid quarterly
Code Enforcement	\$13,000 annual to be paid bi-weekly
Deputy Supervisor	\$ 2,700 annual
Councilmen	\$ 3,000 annual
Justice Spann	\$ 7,000 annual to be paid quarterly
Justice LaPorte	\$ 7,000 annual to be paid annually
Court Clerk	\$12.00 / hour to be paid bi-weekly
Town Clerk / Deputy Tax Collector	\$30,675 annual to be paid bi-weekly
Bookkeeper / Dep. Town Clerk / Tax Collector	\$29,500 annual to be paid bi-weekly
Historian	\$ 1,000 annual
Highway Superintendent	\$47,383.18 annual to be paid bi-weekly
Deputy Highway Superintendent	\$ 1,600 annual to be paid quarterly
Assessor	\$41,000 annual to be paid bi-weekly
Utility Workers	\$ 7.25 Minimum/hr. & \$ 8.50 Maximum/hr.
Civil Defense	\$ 750 annual

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

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- James Herbert offered the following resolution and moved its adoption:

**Resolution No. 3 of 2011**  
Designation of Banks

**WHEREAS**, under Section 64 of the Town Law, it is provided that the Town Board shall designate by written resolution the banks and trust companies in which certain Town Officers shall deposit monies received into their hands by virtue of their office, be it,

**RESOLVED**, that HSBC Bank of Westfield, M & T Bank of Jamestown and Mayville, MBIA Class, and Key Bank of Westfield, are hereby designated as depositories in which the Supervisor, Town Clerk, Deputy Town Clerk, Tax Collector and Court Clerk shall deposit all monies coming into their hands.”

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

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- David Brown offered the adoption:

**Resolution No. 4 of 2011**  
Official Newspapers

“That the *Westfield Republican* and the *Observer* newspapers be designated the official newspapers of the Town for the year 2011.”

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

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- Raymond Schuster offered the following resolution and moved its adoption:

**Resolution No. 5 of 2011**  
Annual Appointments

Timothy C. Smith	Registrar / Bingo Inspector / Records Management Officer / Deputy Tax Collector
Donna Sanderson	Bookkeeper / Tax Collector / Deputy Town Clerk / Deputy Registrar
James Pacanowski	Code Enforcement / Zoning Officer
Marybelle Beigh	Town Historian
Kathleen Alexander	Clerk to the Court
Jock Phillips	Harbor Master
Scott Frudd	Deputy Highway Superintendent
Michael Landon	Dog Control Officer
John Sargent	Assistant Dog Control Officer
Vincent Calarco	Civil Defense Director

Planning Board

Zoning Board of Appeals

John Hemmer (Chairman)	Wayne Harrington (Chairman)
James Brotz	Abbie Cardy
Amy Gregory	Linda Wolfe
Timothy Smith	Will Northrop
Richard Sauer	Bradley Szymczak

Barcelona Harbor Commission

- Julie Travis, Chairman
- David Gembala
- Jamie Jaynes
- Kelly Brown
- Michael Ptak
- George Kolibar
- Dan Chapman

Town Committees

Harbor	James Herbert & David Spann
Security & Technology	David Brown
Transfer Station	Ray Schuster
Highway	Ray Schuster & David Spann
Ad Hoc & Personnel	David Brown & Ray Schuster
Website	David Brown, Mary Bivens, Martha Bills, Tim Smith, & Joel Seachrist

Fire Dept. Liaison - David Brown

Town Constable - Peter Kunow

Process Servers - David Haskin / Max Baker

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

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- David Brown offered the following resolution and moved its adoption:

**Resolution No. 6 of 2011**

Authorizations for Supervisor / Deputy Supervisor

**RESOLVED**, (Pursuant to Town Law, §29 [16]) that the Town Board of the Town of Westfield hereby authorizes and delegates to the Town Supervisor powers and duties of day-to-day administration and supervision of all town and special district facilities and employees consistent with and in furtherance of any and all State and Federal laws applicable thereto and with any and all local laws, resolutions or policies heretofore adopted by this Town Board.

**BE IT FURTHER RESOLVED** that the Supervisor or the Deputy Supervisor be, and are hereby authorized, to sign all the necessary documents for the financing of the Town of Westfield.”

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

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- James Herbert offered the following resolution and moved its adoption:

**Resolution No. 7 of 2011**

Highway Agreement

**RESOLVED**, that pursuant to the provisions of Section 284 of the Highway Law, the Town Board agrees that monies levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, and specifically the sum of \$185,000 shall be expended for the general repairs of town highways, including sluices, culverts and bridges, or the renewal thereof, and for the following projects:

1. The oiling and stoning within the budget allotment of portions of the following roads: Walker Road - 1.53 miles, Nichols Avenue - .17 miles, Kent Road - .38 miles, Klondyke Road - .18 miles, Jamestown Street - .12 miles, Fifth Street - .11 miles, Seventh Street - .11 miles, Main Street - .47 miles, Belson road - 1.05 miles, Bliss road - 1.55 miles, and Creamery road - 1.94 miles. Total is equivalent to approximately 7.61 miles.

2. Should the Town receive funds under the Consolidated Highway Improvement Project System (CHIPS), funds estimated in the 2011 Budget (\$90,000) would be used towards re-blacktopping South Gale Street and North Allen Road.

**BE IT FURTHER RESOLVED**, that no fewer than three members of the Town Board and the Highway Superintendent shall execute a certified copy of this resolution in duplicate, and said certified copy, so signed, shall constitute written agreement between the parties once it shall have been approved by the County Superintendent of Highways.

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

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- Martha Bills offered the following resolution and moved its adoption:

**Resolution No. 8 of 2011**  
Appointment of Deputy Supervisor

**RESOLVED**, that Councilman Raymond Schuster be appointed as Deputy Supervisor for the Town of Westfield for the 2011 calendar year.

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

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- Martha Bills offered the following resolution and moved its adoption:

**Resolution No. 9 of 2011**  
Annual Review of Procurement Policy

**RESOLVED**, that after thorough review, the Town Board approves the Procurement Policy(Chapter 37 of the Town Code) as written with the exception of Section 37-2. This section should read "*public works contracts over \$35,000*" (vs. \$20,000 as currently written).

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

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- Raymond Schuster offered the following resolution and moved its adoption:

**Resolution No. 10 of 2011**  
Amending the Employee Personnel Policy

**RESOLVED**, that the Town of Westfield Employee Personnel Policy is hereby amended as follows:

All Machine Equipment Operators (MEO's) are required to have a current NYS Department of Transportation (DOT) medical card. The employee may obtain the required annual DOT physical examination from his / her own physician. Costs not covered for this yearly health certification by employee health insurance will be covered by the Town (not to exceed \$100).

The standard work week for highway department employees is 40 hours to be worked at the discretion of the Highway Superintendent.

Highway Department employees' vacation, personal, or sick days will be calculated and subtracted as actual hours used (i.e. during winter hours / 8 hours per day & during summer hours / 10 hours per day).

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

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- David Brown offered the following resolution and moved its adoption:

**Resolution No. 11 of 2011**  
Insurance Buyout Provision

**WHEREAS**, the Town of Westfield offers to eligible employees a buyout option in lieu of Health Care Coverage,

**WHEREAS**, this option is available to full time employees only and must be exercised at the time of enrollment,

**THEREFORE BE IT RESOLVED that** the amounts are as follows:

- \$2200 – Family Plan
- \$1500 – 2 Person Plan
- \$1100 – Single Plan

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

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- James Herbert offered the following resolution and moved its adoption:

**Resolution No. 12 of 2011**  
Authorization to Loan Microfiche Reader to the McClurg Mansion

**RESOLVED** that the Town Board , Town of Westfield hereby authorizes the loan of the Town's microfiche reader to the McClurg Mansion. Reader was previously loaned to the Patterson Library.

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

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- James Herbert offered the following resolution and moved its adoption:

**Resolution No. 13 of 2011**  
Amendment to Professional Services Agreement (Behan Planning and Design)

**RESOLVED** that the Town Board , Town of Westfield hereby authorizes an amendment to the professional services agreement with Behan Planning and Design for the following additional services which include the services of Michael Masters, Professional Land Surveyor:

- Parking Area Design for property on corner of Rte 5 and Portage Rd including boundary & topographic survey
- Terrace Street enhancement concept plan including boundary and topographic survey
- Former Sea Lion site/beach area site concept plan
- Boundary and Topographic survey of Second Street

Costs are estimated at \$6,250 for design work and \$8,200 for survey work for a total not to exceed fee of \$14,450.

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

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- Martha Bills offered the following resolution and moved its adoption:

**Budget Resolution No. 1 of 2011**  
2010 Budget Revisions

<b>Amendment Description</b>	<b>Increase Expenditures</b>	<b>Decrease Expenditures</b>	<b>Increased Revenue</b>
<b><u>A FUNDS - General</u></b>			
➤ Increase budgetary revenue & expense to match actual revenue & expenditure			
Pattern Energy - CE A.96.8989.4	\$52,547.05		
Pattern Energy - Revenue A.20.2189.0			\$62,253.22
➤ Increase expenditure to cover cost of 2010 operating cost			
Justice - CE A.42.1110.4	\$16.00		
Justice - EQ A.42.1110.2		\$16.00	
➤ Increase expenditure to cover cost of coordinator			
Personnel - A.45.1430.1	\$12,510.00		
Attorney - CE A.45.1420.4		\$12,510.00	
➤ Extension of Route 20 Water			
Common Wtr. - CE A.90.8350.0	\$15,571.00		
Land - CE A.47.1940.4		\$15,571.00	
➤ Increase equipment expenditure to cover cost of Clerk computer			
Town Clerk - EQ A.45.1410.2	\$134.00		
Town Clerk - CE A.45.1410.4		\$134.00	
➤ Increase equipment expenditure to cover cost of APEX Software			
Assessor - EQ A.44.1355.2	\$45.00		
Assessor - CE A.44.1355.4		\$45.00	
➤ Increase expenditure to cover cost of operating expenditure			
Central Comm - CE A.46.1650.4	\$20.00		
Comm Website - CE A.46.1650.41		\$20.00	



➤ Increase expenditure to cover salary			
Dog Control Pers. - A.55.3510.1	\$60.00		
Dog Control Pers. - A.55.3510.4			\$60.00
➤ Cover cost of SS & Medicare			
Social Security - CE A.98.9030.8	\$588.00		
Medicare - CE A.98.9035.8	\$67.00		
Supplemental Hosp. - CE A.98.9060.81			\$655.00

**DA FUNDS - Highway Inside**

➤ Increase expenditure to cover cost of salary			
Snow PE - DA.72.5142.1	\$1,254.00		
Mach PE - DA.72.5130.1			\$1,254.00
➤ Increase expenditure to cover cost of equipment			
Mach Equip - DA.72.5130.2	\$277.00		
Mach CE- DA.72.5130.4			\$277.00

**DB FUNDS - Highway Outside**

➤ Increase expenditures to cover cost of SS & Medicare			
Social Security - DB A.98.9030.8	\$62.00		
Medicare - DB A.98.9035.8	\$14.00		
Bridges & Culvert - Contractual DB.72.5120.4			\$76.00

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

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 - Martha Bills offered the following resolution and moved its adoption:

**Budget Resolution No. 2 of 2011**  
 2011 Budget Revision

<b>Amendment Description</b>	<b>Increase Expenditures</b>	<b>Decrease Expenditures</b>	<b>Increased Revenue</b>
<b><u>A FUNDS - General</u></b>			
➤ Increase budgetary revenue & expense to increase personal services			
Hwy Dpty Supt - A.71.5010.120	\$100.00		
Supt. Hwys - CE		\$100.00	

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

Martha Bills moved and James Herbert 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; Raymond Schuster, aye; David Brown, aye; James Herbert, aye; David Spann, aye.

The next Town Meeting is scheduled for Wednesday, February 2<sup>nd</sup>, 2011 @ 7:30pm.

There being no further business, at 8:35pm. James Herbert moved and David Brown seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,  
*//original signed//*  
Timothy C. Smith, Town Clerk