

TOWN BOARD MEETING
Town of Westfield
April 4th, 2012

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	Jenna Loughlin	Janet Nass
Councilmen:	Raymond Schuster	Marybelle Beigh	William Bauer	Harold Nass
	David Brown	Scott Frudd	Joel Seachrist	Claude Abbey
	James Herbert			
	David Spann			

David Brown moved and James Herbert 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 \$1515.35 representing fees for the month of March 2012 was turned over to the Supervisor. State and County agencies received checks totaling \$340.52.

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	\$361,512.00	\$125,611.00	\$645.89	\$1,008,923.32
Gen B	102,736.00	21,490.00	75.18	135,538.59
Hwy DA	261,128.00	88,021.00	98.62	385,476.31
Hwy DB	20,544.00	15,366.00	37.64	192,748.15
Sewer HO1	21,106.00	19,253.00	-0-	5499.49
Water HO2	18,670.00	12,613.00	-0-	101,469.52
Wfd. Fire	69,917.00	-0-	-0-	70,245.53
Sherm. Fire	8,646.00	-0-	-0-	8,752.25
Totals:	\$868,259.00	\$282,354.00	\$857.33	\$1,908,653.16

The Dog Warden's report for March 2012 was received and placed on file.

The Fire Department Report for March 2012 was received and placed on file.

The Historian's report for March 2012 was received and placed on file.

The Town Court report for March 2012 was received and placed on file.

Highway:

- The Town Highway Superintendent submitted a written report on activities for March 2012 and highlighted fuel usage, road signs, and ditching.
- David Brown moved James Herbert seconded a motion to accept the Highway Superintendent's recommendations for awarding annual materials bids. This was unanimously approved.

Code Enforcement:

- The Code Enforcement Officer submitted a written report highlighting that 5 permits were issued in the Town for March 2012, the fact that construction continues on a new home at 7306 East Route 5, and two applications for Special Use Permits.

Barcelona Harbor:

- James Herbert discussed the low water level inside the harbor which may be problematic for sail boats. He also noted that there are some logs that need to be removed.

In Public Comment,

- Claude Abby commented on the camera at the pier, brush cutting along Route 5, and the status of any meetings on the topic of the Police contract. Janet Nass noted a workshop on the Open Meetings Law on May 9th, 2012. William Bauer commented on the burned down house in Barcelona.

Announcements:

- Supervisor Bills announced that the Town's Spring Clean-up at the Transfer Station is Saturday, May 5th, from 9:00-1:00 and that there is an eWaste / Tire Turn-in on Saturday, May 12th, 9:00-1:00 at the Town Barn.

Old Business:

- Supervisor Bills noted that all requirements for the initial application to USDA Rural Development for Barcelona water improvements were completed and submitted. She also noted that Behan Planning will soon provide the Town specifications for new lights at the pier.
- Raymond Schuster moved and David Brown seconded a motion to set a Public Hearing for a Special Use Permit (Outdoor Family Recreation Area) for May 2nd, 2012 at 7:20pm. This was unanimously approved.
- Raymond Schuster moved and James Herbert seconded a motion to set a Public Hearing for a Special Use Permit (6' Fence) for May 2nd, 2012 at 7:25pm. This was unanimously approved.

New Business:

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

Resolution No. 19 of 2012
Continue Operation of NRG Energy Plant

WHEREAS, NRG is a local Energy manufacturer in Dunkirk, New York employing 145 workers, and

WHEREAS, It provides \$20 million in salaries & benefits conservatively creating about \$50 million of economic activity in our region, and

WHEREAS, NRG has invested over \$200 million in pollution control systems to meet 2015 EPA standards, and

FURTHER, the closing of this facility would not only affect the City of Dunkirk but the entire County of Chautauqua,

THEREFORE, BE IT RESOLVED, to support Senator Young in her effort to pass legislation (S6 258-C Part YY) directing NYPA to buy enough power from NRG's Dunkirk and Tonawanda Plants to ensure that there is sufficient power to serve all of New York State and to maintain NYS jobs.

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;

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

Resolution No. 20 of 2012
Accepting Proposed Benefit Assessment Roll for the E. Route 20 Benefit District and Setting a Public Hearing

WHEREAS, the Town Assessor has created a preliminary benefit assessment roll for the East Route 20 Benefit District within the Town of Westfield for Fiscal Year 2013 and filed said roll with the Town Clerk pursuant to Town Law § 239; and

WHEREAS, the Town Board, as required by Town Law § 239, hereby schedules and orders a Public Hearing for the purposes of hearing and considering any objections which may be made to the aforementioned assessment rolls for the East Route 20 Benefit District for Fiscal Year 2013.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein.
2. The Town Board hereby confirms that the preliminary benefit assessment roll for the East Route 20 Benefit District has been filed with the Town Clerk as required by Town Law §239.
3. The Town Board hereby schedules a Public Hearing to be held at a special meeting of the Town Board on April 16th, 2012 at 4:00pm at Eason Hall, 23 Elm Street, Westfield, New York for the purposes of hearing and considering any objections which may be made to the benefit assessment roll for the E. Route 20 Benefit District for FY 2013.

4. The Town Clerk is directed to post a Notice of Public Hearing in the form annexed hereto in the Town's official newspapers, not less than ten (10) nor more than twenty (20) days prior to said public hearing date and to post the Notice of Public Hearing on the Message Board of the Town.

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 moved and David Brown seconded a motion to accept the resignation of Michael Landon as Dog Control Officer with regret. Unanimously carried.
 - James Herbert moved and David Brown seconded a motion to appoint Chuck Raynor as Dog Control Officer for the Town of Westfield. Unanimously carried.
 - David Brown moved and James Herbert seconded a motion authorizing the bookkeeper to attend the Annual Financial School. Unanimously carried.

Warrants dated April 4th, 2012 (voucher #'s 8735 - 8786), in the amount of \$39,367.13 drawn on the following funds: General \$24,668.21; General Part-Town \$80.00; Highway \$9,804.09; Highway Part-Town \$4020.13; Sewer Fund \$22.55; Shorehaven Water Project \$3.31; and Trust & Agency \$773.02 were presented and audited by the Board members. James Herbert moved and David Spann 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.

At 8:39pm Supervisor Bills moved and David Spann seconded a motion to move to Executive Session to discuss a particular employment history. Unanimously carried.

At 9:15pm Supervisor Bills moved and Raymond Schuster seconded a motion to return to regular session. Unanimously carried.

The next Town Meeting is scheduled for Wednesday, May 2nd, 2012 @ 7:30pm.

There being no further business, at 9:16pm. James Herbert moved and Martha Bills seconded a motion to adjourn. Unanimously carried.

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

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