

TOWN BOARD MEETING
Town of Westfield
April 1st, 2015

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	David Babcock	Joel Seachrist
Councilmen:	Raymond Schuster	Jack Gulvin	Janet Nass
	David Brown	William Bauer	Harold Nass
	David Spann	Tom Tarpley	Clifford Brown
	James Herbert		

David Spann moved and David Brown 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 \$2353.66 representing fees for the month of March 2015 was turned over to the Supervisor. State and County agencies received checks totaling \$164.34.

The Supervisor’s report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking Balance</u>	<u>MM Balance</u>
Gen. A	\$452,486.47	\$159,997.52	\$16,068.41	\$891,219.13
Gen B	98,686.51	23,900.88	75.18	122,584.91
Hwy DA	329,910.44	131,992.24	515.84	487,328.83
Hwy DB	13,421.07	6,570.78	37.64	186,549.71
Sewer HO1	22,605.00	18,537.91	-0-	6,088.68
Water HO2	15,790.00	-0-	-0-	114,230.31
Wfd. Fire	54,000.00	-0-	-0-	54,525.82
Sherm. Fire	9,536.00	-0-	-0-	9,638.53
Totals:	\$996,435.49	\$340,999.33	\$16,998.19	\$1,872,165.92

The Dog Warden’s report for March 2015 was received and placed on file.

The Fire Department Report for March 2015 was received and placed on file.

The Historian’s report for March 2015 was received and placed on file.

The Town Court report for March 2015 was received and placed on file.

Highway:

- The Town Highway Superintendent submitted a written report on activities for March 2015 and highlighted fuel usage, plowing, sign replacement, and work at the shop.
- David Brown moved and James Herbert seconded a motion to approve the Highway Superintendent's recommendations on acceptance of 2015 annual bids for fuels and materials. Unanimously approved.

Code Enforcement:

- The Code Enforcement Officer submitted a written report highlighting that 4 permits were issued, 1 Certificates of Occupancy, and continuing construction on 3 homes in the Town for March 2015.

Barcelona Harbor: The Pier remains closed (opening for the 2015 season is weather dependent)

Public Comment: Clifford Brown discussed his desire to have X-Walk in front of the Library. He is circulating petitions and is requesting Town Board support.

Announcements:

- Spring Clean-up (Saturday, May 9th, 9:00-1:00 @ Transfer Station)
- eWaste Turn-in (Saturday, May 16th, 9:00-1:00 @ Town Barn)

Old Business:

- Supervisor Bills noted that restoration work for the Barcelona Water Project (BWP) will begin as soon as possible weather dependent.
- In addition, she stated that USDA-RD has accepted the list of items to be procured with unexpended BWP funds.

New Business:

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

Resolution No. 24 of 2015

Support to Amend Real Property Law in Relation to Conveyances of Paper Streets

WHEREAS, subdivision 2 of Section 291-a of the Real Property Law provides that in certain towns and villages in Chautauqua County any deed or instrument of conveyance which for the first time conveys an interest in a paper street shall have no force and effect and shall be declared null and void unless it is accompanied by a town board resolution authorizing the deed or conveyance, and

WHEREAS, the said subdivision applies currently within the towns of Chautauqua, North Harmony, Ellicott, Ellery, and Busti and the village of Celeron, and

WHEREAS, the Town of Westfield contains several subdivision allotments with paper streets and wishes to discourage the filing of deeds purporting to take title to such streets, and

WHEREAS, S.3422/A.6423 is an act to add the Town of Westfield, Chautauqua County, to Section 291-a of the Real Property Law, and

WHEREAS, this legislation will alleviate confusion regarding the ownership status of paper streets,

NOW, THEREFORE, BE IT RESOLVED, the Westfield Town Board unanimously supports New York Senate Bill S.3422 and New York Assembly Bill A.6423, and be it further

RESOLVED, that the Town Clerk be and is hereby authorized and directed to send a copy of this resolution to Hon. Andrew M. Cuomo, Governor of the State of New York; Hon. Catharine M. Young, New York State Senator, Hon. Andy Goodell, Member of the New York State Assembly; and to such other persons as the Town Clerk, in his discretion, may deem proper in order to effectuate the purpose of this resolution.

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

Warrants dated April 1st, 2015 (voucher #'s 10792 - 10863), in the amount of \$53,772.90 drawn on the following funds: General \$24,942.90; General Part-Town \$39.57; Highway \$18,561.47; Highway Part-Town \$528.00; Shorehaven Water Project \$3.80; Trust & Agency \$819.26; and Welch Building \$8,877.67 were presented and audited by the Board members. David Spann 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; and David Spann, aye.

At 8:25pm Supervisor Bills moved and David Brown seconded a motion to move to Executive Session to discuss current litigation and acquisition of land. Unanimously carried.

At 8:50pm Supervisor Bills moved and Raymond Schuster seconded a motion to return to regular session. Unanimously carried.

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

Resolution No. 25 of 2015

Authorization for Supervisor to Negotiate and Finalize a Lease with Plantrol in Welch Building

RESOLVED, that Supervisor Martha Bills is hereby authorized to negotiate the final terms and conditions of and execute with Plantrol Systems, Ltd., a lease agreement for approximately 2,000 square feet of office space in the Welch Building, 2 South Portage Street, Westfield, New York, at the rate of \$20,000 per year subject to Permissive Referendum.

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

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

Resolution No. 26 of 2015
Authorization for Supervisor to Amend Welch Building Lease

RESOLVED, that Supervisor Bills is hereby authorized to finalize negotiation of and execute an addendum to the lease held by Welch Foods Inc., for part of 2 South Portage Street, as may be needed to facilitate the lease of another part of the building to Plantrol Systems, Ltd., subject to the approval of counsel as to form.

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

The next Town Meeting is scheduled for Wednesday, May 6th, 2015 @ 7:30pm.

There being no further business, at 9:08pm. Martha Bills moved and David Spann seconded a motion to adjourn. Unanimously carried.

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