

**PUBLIC HEARING  
Town of Westfield  
October 2<sup>nd</sup>, 2013  
(LL #5-2013 Establishing the Lakeside-Cottage Overlay District)**

Supervisor Bills called the public hearing to order at 7:15pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	David Babcock	Jack Cooperdock	Chelsea Babcock
Councilmen:	Raymond Schuster	Joel Seachrist	James Brotz	Lindsey Vicary
	David Brown	Jim Pacanowski	Carol Brotz	Chris Carr
	James Herbert	Claude Abbey	Connie O'Conner	
	David Spann	Marybelle Beigh	Julie Travis	

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to passing a Local Law that would establish three Overlay Districts within the R-L District.

She explained that this Local Law is being considered to address farm animals in small populated hamlets in order to protect and preserve these traditional "cottage park" areas. There was some discussion as to why the Town should take this action. All issues were addressed

There being no further business, David Brown moved and Raymond Schuster seconded the motion that the public hearing be closed at 7:31pm. This was unanimously approved.

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

**PUBLIC HEARING  
Town of Westfield  
October 2<sup>nd</sup>, 2013  
(Sherman Fire District)**

Supervisor Bills called the public hearing to order at 7:32pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	David Babcock	Jack Cooperdock	Chelsea Babcock
Councilmen:	Raymond Schuster	Joel Seachrist	James Brotz	Lindsey Vicary
	David Brown	Jim Pacanowski	Carol Brotz	Chris Carr
	James Herbert	Claude Abbey	Connie O'Conner	
	David Spann	Marybelle Beigh	Julie Travis	

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to the proposed Sherman Fire District budget of \$9,230.00 for 2014. She explained that this was a slight increase from the previous year. There were some questions from the audience which were answered satisfactorily.

There being no further business, Martha Bills moved and David Spann seconded the motion that the public hearing be closed at 7:35pm. This was unanimously approved.

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

**PUBLIC HEARING  
Town of Westfield  
October 2<sup>nd</sup>, 2013  
(Westfield Fire District)**

Supervisor Bills called the public hearing to order at 7:36pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	David Babcock	Jack Cooperdock	Chelsea Babcock
Councilmen:	Raymond Schuster	Joel Seachrist	James Brotz	Lindsey Vicary
	David Brown	Jim Pacanowski	Carol Brotz	Chris Carr
	James Herbert	Claude Abbey	Connie O'Conner	
	David Spann	Marybelle Beigh	Julie Travis	

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to the proposed Westfield Fire District contract of \$47,426.33 for 2014. She provided a brief description of the budget highlighting that as always this expense is split with the Village based on actual department costs. There was some discussion among Board members. All questions were answered satisfactorily.

There being no further business, Martha Bills moved and David brown seconded the motion that the public hearing be closed at 7:38pm. This was unanimously approved.

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

**TOWN BOARD MEETING  
Town of Westfield  
October 2<sup>nd</sup>, 2013**

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:39pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	David Babcock	Jack Cooperdock	Chelsea Babcock
Councilmen:	Raymond Schuster	Joel Seachrist	James Brotz	Lindsey Vicary
	David Brown	Jim Pacanowski	Carol Brotz	Chris Carr
	James Herbert	Claude Abbey	Connie O’Conner	
	David Spann	Marybelle Beigh	Julie Travis	

James Herbert 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 \$3151.27 representing fees for the month of September 2013 was turned over to the Supervisor. State and County agencies received checks totaling \$4811.41.

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	\$515,670.00	\$457,335.00	\$794.22	\$780,970.37
Gen B	159,321.00	55,232.00	75.18	166,891.25
Hwy DA	290,863.00	245,670.00	515.84	315,386.08
Hwy DB	194,153.00	413,310.32	37.64	(48,245.35)
Sewer HO1	23,241.00	28,183.00	-0-	449.34
Water HO2	17,396.00	16,610.00	-0-	98,241.82
Wfd. Fire	46,363.00	-0-	-0-	54,022.72
Sherm. Fire	8,912.00	8,932.00	-0-	95.98
Totals:	\$1,255,919.00	\$1,225,272.32	\$1422.88	\$1,367,812.21

The Dog Warden’s report for September 2013 was received and placed on file.

The Fire Department Report for September 2013 was received and placed on file.

The Historian’s report for August and September 2013 was received and placed on file.

The Town Court report for September 2013 was received and placed on file.

The Westfield Police report for September 2013 was received and placed on file.

Highway:

- The Town Highway Superintendent submitted a written report on activities for September 2013 and highlighted that the new Salt Building is in place, mowing, and sluice pipe repair.

Code Enforcement:

- The Code Enforcement Officer submitted a written report highlighting that 12 permits were issued in the Town for September 2013 and also 2 Certificates of Compliance & 1 Certificate of Occupancy for a new home at 7305 East Lake Road.

Barcelona Harbor. Closed.

Public Comment: None.

The Town Supervisor made the following announcements:

- First Friday / 4 Oct 2013 (5-8pm)
- School Merger Vote / 9 Oct 2013 (12-8pm)
- Fall Clean-Up (Transfer Station / 12 Oct 2013 from 9:00am - 1:00pm)
- STW Fall Planning & Zoning Conference (Chautauqua Suites / 14 Nov 2013)

Old Business:

Supervisor Bills stated that a grant was submitted for dredging the non-federal portion of our harbor. NYS DOS has accepted the application and is now doing the scoring. Also, the preliminary drawings for the Barcelona Water Project have been submitted to the Town and Village for review and are available in the Town Office.

New Business:

- A Special Meeting (2014 Budget Workshop #2) was set for 22 Oct 2013 @ 4:00pm.
- Martha Bills moved and David Brown seconded a motion to set dates for the following Public Hearings:
  - Preliminary Budget (7:20pm / 6 Nov 2013 in Eason Hall)
  - Special Assessment Roll (7:25pm / 6 Nov 2013 in Eason Hall)

These were unanimously approved.

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

**Resolution No. 40 of 2013  
Negative Declaration Local Law 5-2013**

**WHEREAS**, the Town of Westfield has proposed Local Law No. 5 of 2013 to establish a Lakeside Cottage Overlay District within the existing Residential-Lakeside District in order to protect and preserve those traditional “cottage park” areas that are converting from their traditional seasonal use to full-time residential use and are more densely populated than the rest of the district, and

**WHEREAS**, the proposed local law 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 long 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 proposed local law, and

**WHEREAS**, the Board has determined that the proposed local law will not have a significant environmental impact,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby issues a Notice of Determination of Non-Significance, also known as a Negative Declaration, for the proposed Local Law No. 5 of 2013.

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

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

**Resolution No. 41 of 2013  
Adoption of Local Law 5-2012**

**WHEREAS**, a resolution was duly adopted by the Town Board of the Town of Westfield for a public hearing to be held by said Board on October 2<sup>nd</sup>, 2013 at 7:15pm at the North Room, Eason Hall, 23 Elm Street, Westfield, New York 14787, to hear all interested parties on a proposed Local Law to protect and preserve those traditional “cottage park” areas that are converting from their traditional seasonal use to full-time residential use and are more densely populated than the rest of the district, and

**WHEREAS**, notice of said public hearing was duly published in the *Westfield Republican*, and

**WHEREAS**, said public hearing was duly held on October 2<sup>nd</sup>, 2013 at 7:15pm at the said Eason Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

**WHEREAS**, on September 20<sup>th</sup>, 2013 the County Planning Department, pursuant to Section 239-m of the General Municipal Law, advised that the proposed Local Law was of local option, and

**WHEREAS**, the Town Board has determined that the adoption of the local law is a Type I action for purposes of the State Environmental Quality Review Act, has prepared a full Environmental Assessment Form, and has duly adopted a Negative Declaration finding that the proposed Local Law will not have significant adverse environmental impacts,

**WHEREAS**, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Westfield hereby adopts said local law as Local Law No. 5 of 2013, a copy of which is attached hereto and made a part hereof, and directs the Town

Clerk to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Westfield and to give due notice of the adoption of the Local Law to the Secretary of State.

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

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

**Resolution #42 of 2013**  
**Hiring of Transfer Station Attendant & Establishing Attendant Pay Rates**

**RESOLVED**, that the Town Board of the Town of Westfield hereby authorizes the hiring of Ryan Robbins as an alternate Transfer Station Attendant at an hourly rate of \$10.00 per hour. In addition the hourly rate for the primary Transfer Station Attendant is increased to \$13.00.

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

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

**Resolution #43 of 2013**  
Authorization for the Supervisor to Sign the Sherman and Westfield Fire District Contracts

**RESOLVED**, that the Town Board of the Town of Westfield hereby authorizes the Town Supervisor to sign the contracts for the 2014 Sherman and Westfield Fire Districts.

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

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Warrants dated October 2<sup>nd</sup>, 2013 (voucher #'s 9731 - 9785), in the amount of \$125,663.68 drawn on the following funds: General \$33,915.92; General Part-Town \$198.68; Highway \$35,435.51; Highway Part-Town \$55,357.69; Sewer Fund \$14.88; Shorehaven Water Project \$2.84; and Trust & Agency \$738.16 were presented and audited by the Board members. Two vouchers (9729 & 9730) were voided. 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; David Spann, aye; James Herbert.

At 8:15pm Martha Bills moved and Raymond Schuster seconded a motion to move to Executive Session to discuss current pending litigation, acquisition of property, and a particular personnel history. Unanimously carried.

At 8:55pm Supervisor Bills moved and David Brown seconded a motion to return to regular session. Unanimously carried.

The next Town Meeting is scheduled for Wednesday, November 6<sup>th</sup>, 2013 @ 7:30pm.

There being no further business, at 8:56pm. David Spann moved and James Herbert seconded a motion to adjourn. Unanimously carried.

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