

**Special Meeting of the Town Board
Town of Westfield
May 10, 2018**

Supervisor Bills called the Special Meeting to order at 4:00pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor: Martha R. Bills

Councilmen: David Brown
James Herbert
Will Northrop

Attorney: Joel Seachrist

Councilman James Herbert made the motion for adoption of

**Resolution No.39
Town of Westfield**

**ACCEPTING USDA GRANT PACKAGE FOR THE EAST ROUTE 5 WATER
BENEFIT DISTRICT NO. 1**

WHEREAS, the United States Department of Agriculture/Rural Development has determined that the Town of Westfield is eligible for a grant and loan package to fund improvements within the East Route 5 Water Benefit District No. 1 (the "Project"); and

WHEREAS, the Town desires to accept the award package and proceed with the Project;

NOW, THEREFORE, BE IT RESOLVED:

1. The Town Board finds that the funding package is reasonable to meet the needs of the Project and of the residents and businesses within the affected area; and
2. The Town of Westfield accepts the USDA/RD funding package detailed in its letter dated April 10, 2018; and
3. The Town Supervisor is authorized to execute any and all documents related to the loan and grant package from USDA/RD.

This was seconded by Councilman David Brown. Voting was as follows: Supervisor Martha Bills, aye; Councilman David Brown, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye.

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Councilman Will Northrop offered the following resolution and moved for its adoption

**Resolution No.40
Town of Westfield
RESOLUTION CALLING PUBLIC HEARING**

RESOLUTION DATED MAY 10, 2018.

A RESOLUTION CALLING A PUBLIC HEARING OF THE TOWN BOARD OF THE TOWN OF WESTFIELD, CHAUTAUQUA COUNTY, NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN LAW, TO CONSIDER AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE NORTH TOWN WATER DISTRICT IN AND FOR SAID TOWN AT A MAXIMUM ESTIMATED COST OF \$657,000.

WHEREAS, the Town Board of the Town of Westfield, Chautauqua County, New York, has had under consideration a map and plan as well as an estimate of cost for a proposed increase and improvement of the facilities of the North Town Water District, consisting of the installation of new water main along East Route 5, including land or rights-in-land, original furnishings, equipment, machinery, apparatus and other costs incidental thereto; and

WHEREAS, the boundaries of the proposed benefited area are as follows:

All that tract or parcel of land situate in the Town of Westfield, County of Chautauqua, State of New York, being described as follows:

Beginning at the intersection of the northerly extension of the easterly line of tax account number 192.00-1-19 and the centerline of New York State Route 5 (66 feet wide right-of-way); thence,

- 1. Northeasterly, along the centerline of New York State Route 5, a distance of 424 feet, more or less, to the southerly extension of the westerly line of tax account number 192.00-1-16; thence,*
- 2. Northwesterly, along a westerly line of tax account number 192.00-1-16, a distance of 170 feet, more or less, to a northwesterly comer of tax account number 192.00-1-16; thence,*
- 3. Northeasterly, along the northerly lines of tax account numbers 192.00-1-16, 192.00-2-3, 192.00-24, 192.00-2-5, 192.00-2-6, 192.00-2-7, 192.00-2-8, and 192.00-2-9, a distance of 4,481 feet, more or less, to a northwesterly corner of tax account number 192.00-2-9; thence,*
- 4. Southeasterly, along an easterly line of tax account number 192.00-2-9, a distance of 890 feet, more or less, to the northwesterly extension of the easterly line of tax account number 192.00-2-15; thence,*
- 5. Southeasterly, along the northwesterly extension of the easterly line of tax account number 192.00-2-15 and the easterly line of tax account number 192.00-2-15, a distance of 382 feet, more or less, to the southeasterly comer of tax account number 192.00-2-15; thence,*
- 6. Southwesterly, along the southerly lines of tax account numbers 192.00-2-15, 192.00-2-13, and 192.00-2-16.2, a distance of 426 feet, more or less, to the southwesterly comer of tax account number 192.00-2-16.2; thence,*

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7. *Southeasterly, along the easterly lines of tax account numbers 192.00-2-12 and 192.00-2-11, a distance of 527 feet, more or less, to the southeasterly comer of tax account number 192.00-2-11; thence,*
8. *Southwesterly, along the southeasterly lines of tax account numbers 192.00-2-11 and 192.00-2-47, a distance of 1,730 feet more or less, to the southwesterly comer of tax account number 192.00-247; thence,*
9. *Northwesterly, along a westerly line of tax account number 192.00-2-47, a distance of 158 feet, more or less, to the southerly right-of-way line of Lake Road (49.5 feet wide right-of-way); thence,*
10. *Southwesterly, along the southerly right-of-way line of Lake Road and the southerly lines of tax account numbers 192.00-2-43, 192.00-2-42, and 192.00-1-19, a distance of 2,627 feet, more or less, to the southwesterly comer of tax account number 192.00-1-19; thence,*
11. *Northwesterly, along the westerly line of tax account number 192.00-1-19, a distance of 1,100 feet, more or less, to the Point of Beginning.*

The Water Benefit District No. 1, as described above, contains approximately 169.61 acres of land. All as shown on a map prepared by Clark Patterson Lee, entitled "NYS RTE 5 Water Main Benefit District No.1 - Proposed NYS RTE 5 Water Benefit District No.1", dated January 5, 2017.

WHEREAS, the proposed benefited area would be known as the EAST ROUTE 5 WATER BENEFIT DISTRICT NO. 1; and

WHEREAS, the improvements are as follows: approximately 6,000 linear feet of 8-inch and 12-inch diameter water main; water services and meters; and fire hydrants; and

WHEREAS, the maximum estimated cost of such increase and improvement of facilities is \$657,000; and

WHEREAS, the proposed method of apportioning the costs of such improvement is on a benefit basis to the benefited properties within the newly-defined East Route 5 Water Benefit District No. 1, and

WHEREAS, the proposed method to be employed for financing such improvement is an estimated \$445,000 grant from the U.S. Department of Agriculture and the issuance of serial bonds for the balance, and

WHEREAS, the cost of the improvements to the typical one- or two- family, full-time resident home in the benefited area will be \$992 per year, which figure includes \$676 per year for water costs and \$25 per year for North Town Water District costs; and

WHEREAS, said map, plan and estimate of cost are on file in the office of the Town Clerk for public inspection; and

WHEREAS, it is now desired to call a public hearing on said proposed increase and improvement pursuant to Section 202-b of the Town Law;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Westfield, Chautauqua County, New York, as follows:

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Section 1. A meeting of the Town Board of the Town of Westfield, Chautauqua County, New York, shall be held at Eason Hall, 23 Elm Street, Westfield, New York, in said Town, on the 6th day of June, 2010 at 7:15 o'clock P.M., prevailing time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of the North Town Water District in said Town, referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. SEQRA DETERMINATION: It has been determined that the aforesaid purpose constitutes an Unlisted Action under the SEQRA regulations of the State of New York which will not have a significant impact upon the environment.

Section 3. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published in the *Dunkirk Observer* and *Westfield Republican*, the official newspapers of said Town, and posted in the manner prescribed by law, which notice shall be in substantially the following form, to-wit:

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

The resolution was thereupon declared duly adopted.

This was seconded by Councilman James Herbert. Voting was as follows: Supervisor Martha Bills, aye; Councilman David Brown, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye.

Councilman David Brown offered the following resolution and moved for its adoption

**Resolution No.41
Town of Westfield
Intermunicipal Grant Application (DRI) Downtown Revitalization Initiative**

WHEREAS, as part of Governor Andrew Cuomo's Regional Economic Development Councils, Round 3 of the Downtown Revitalization Initiative (DRI) provides an opportunity for one downtown from each of the 10 Regional Economic Development Councils to be nominated by their respective council for an award, the submission for which must come from the respective municipality; and

WHEREAS, the DRI will award up to \$10 million in each of the 10 communities to aid in the transformation of the community to advance high quality-of-life and a critical mass of diverse public amenities and activities that will serve as catalysts for increased and sustainable local economic development; and

WHEREAS, in the Western New York region, applicants to the DRI that are not nominated as the \$10 million winner of the 2018 statewide competition, will automatically be eligible for additional funding for transformative improvements to their downtowns through the Smart Growth Community Fund made possible by Phase II of the Buffalo Billion; and

WHEREAS, the Town and Village of Westfield maintain a collaborative intermunicipal relationship and share a joint comprehensive plan; and

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WHEREAS, the Town of Westfield, Village of Westfield, and the Westfield Development Corporation have a common interest in promoting economic development and prosperity in Westfield; and

WHEREAS, there are significant public and private investments taking place in downtown Westfield and at Barcelona Harbor and opportunity to advance and leverage additional growth and development of the historic downtown and Lake Erie waterfront; now, therefore, be it

RESOLVED, that the Town Board is in full support of the submission to the WNY Regional Economic Development Council as an intermunicipal application for the 2018 Downtown Revitalization Initiative and WNY Smart Growth Community Fund, and be it further

RESOLVED, that the Town Board authorizes the Supervisor to execute all necessary documents with the WNY Regional Economic Development Council and the New York State Department of State should the Town and Village be successful in securing funding for said downtown revitalization efforts

This was seconded by Councilman William Northrop. Voting was as follows: Supervisor Martha Bills, aye; Councilman David Brown, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye.

Councilman James Herbert offered the following resolution and moved for its adoption

**Resolution No.42
Town of Westfield
Hiring of Planning Consultants for Grant Submissions, 2018 DRI**

BE IT RESOLVED, that the Town Board of the Town of Westfield, authorizes up to \$2,000.00 for Planning Consultants who will be engaged to prepare various components of the 2018 DRI (Downtown Revitalization Initiative) application.

This was seconded by Councilman Will Northrop. Voting was as follows: Supervisor Martha Bills, aye; Councilman David Brown, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye.

The Town of Westfield Town Planning Board referred Local Law #1 of 2018 to the Town Board on Wednesday, May 9th 2018. All board members received a copy.
Councilman David Brown made the motion to set a Public Hearing for Local Law #1 of 2018, A Local Law Enacting Regulations for Mobile Food Truck vehicles within the public rights-of-way or on public property in the Town of Westfield. Seconded by Councilman Will Northrop and carried unanimously.

There being no further business, at 4:35pm. Martha Bills moved and James Herbert seconded a motion to adjourn. Unanimously carried.

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