

**PUBLIC HEARING  
Town of Westfield  
November 1, 2017  
Public Hearing  
Special Use Permit, Douglas Road, Bates**

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	Guest:	Don Eno	Code Officer:	Bonnie Rae Strickland
Dep Super:	David Brown		Marion Eno	Town Attorney:	Joel Seachrist
Councilmen:	Raymond Schuster		Randy McNeal		
Absent:	David Spann		Marybelle Beigh		
Absent:	James Herbert		Janet Nass		
			William Bauer		

Supervisor Bills made the motion to open the Public Hearing to hear all persons in regards to the Special Use Permit.

Proof of Publication of the public hearing from the Town Clerk was available.

Code Enforcement Officer, spoke on behalf of the applicants. The applicants were not aware of a permit for the 16' x 30 (480 square ft) storage building that was placed on their property for camping. The applicants came right in to follow proper procedure with the Code Enforcement officer.

Supervisor Bills made the motion to close the public hearing at 7:20pm. Deputy Supervisor David Brown seconded the motion. This was unanimously approved.

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

**PUBLIC HEARING  
Town of Westfield  
November 1<sup>st</sup>, 2017  
(Town of Westfield 2018 Preliminary Budget)**

Supervisor Bills called the public hearing to order at 7:20pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guest:	Don Eno	Code Officer:	Bonnie Rae Strickland
Dep Super:	David Brown		Marion Eno	Town Attorney:	Joel Seachrist
Councilmen:	Raymond Schuster		Randy McNeal		
Absent:	David Spann		Marybelle Beigh		
Absent:	James Herbert		Janet Nass		
			William Bauer		

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to the proposed 2018 Budget for the Town of Westfield. The total proposed Tax Levy is \$827,684.00 (amount to be raised by taxes). The tax rate for Town and Village residents is \$2.96, an increase of .6 cents from last year.

Supervisor Bills explained that the cost of garbage is much more. The recycling is costing a lot of money. The Town is not receiving any compensation for recycables as it used to in the prior years. Transfer ticket revenue is up but it is not covering the cost. The board is taking a very hard look into different options to help minimize the cost of garbage.

The Town and Village share the Code Enforcement officer which allows it to be more convenient for the public to have one central location and one person to go to.

The board will take a hard look at what is needed going into future years, overall a very good budget for 2018.

There being no further business, Supervisor Martha Bills moved and Deputy Supervisor David Brown seconded the motion that the public hearing be closed at 7:25pm. This was unanimously approved.

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

**PUBLIC HEARING  
Town of Westfield  
November 1<sup>st</sup>, 2017  
(Special Assessment Roll for Improved Districts)**

Supervisor Bills called the public hearing to order at 7:25pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guest:	Don Eno	Code Officer:	Bonnie Rae Strickland
Dep Super:	David Brown		Marion Eno	Town Attorney:	Joel Seachrist
Councilmen:	Raymond Schuster		Randy McNeal		
Absent:	David Spann		Marybelle Beigh		
Absent:	James Herbert		Janet Nass		
			William Bauer		

Supervisor Bills explained that 2018 annual water and sewer charges for Town residents in Improved Districts were published in the Observer.

Charges are added to Town / County Tax Bills which come out in January each year. There being no further business, Councilman Raymond Schuster moved and Deputy Supervisor David Brown seconded the motion that the public hearing be closed at 7:31pm. This was unanimously approved.

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

TOWN BOARD MEETING  
Town of Westfield  
November 1<sup>st</sup>, 2017

The regular meeting of the Town Board was called to order at 7:35pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guest:	Don Eno	Code Officer:	Bonnie Rae Strickland
Dep Super:	David Brown		Marion Eno	Town Attorney:	Joel Seachrist
Councilmen:	Raymond Schuster		Randy McNeal		
Absent:	David Spann		Marybelle Beigh		
Absent:	James Herbert		Janet Nass		
			William Bauer		

**Pledge of Allegiance**

*Councilman Raymond Schuster made the motion to waive the reading of the October 4<sup>th</sup> and October 18<sup>th</sup>, 2017 minutes inasmuch as all members received a copy thereof and the minutes be accepted. Deputy Supervisor David Brown seconded the motion. The motion was carried unanimously.*

**Reports:**

The Town Clerk's report together with a check in the amount of \$5,196.90 representing fees for the month of October 2017 was turned over to Supervisor Bills. A check for \$90.00 representing fees for the month of October to NYS Department of Health, Marriage Licenses and a check in the amount of \$60.00 was turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$627.40 will be withdrawn on the 14<sup>th</sup>.

Supervisor Bills presented the monthly report on the Town's finances for the month of September 2017. All Board members have received a copy of the report for September 2017 and is accepted as submitted.

The Dog Warden's report for October 2018 was received and placed on file.

The Fire Department Report for September and October 2018 was received and placed on file.

The Historian's report for October 2018 was received and placed on file.

The Town Court report for October 2018 was received and placed on file.

The WPD report for October 2018 was received and placed on file.

**Highway:**

- Supervisor Bills spoke on behalf of the Highway Superintendent and highlighted on working on roads.

**Code Enforcement:**

- The Code Enforcement Officer submitted a written report for November 2017 highlighting 8 permits issued in the Town.
  - Deputy Supervisor David Brown made the motion to set a public hearing for 7:25pm for a Special Use Permit Tower modification for 7872 Persons Road. Councilman Raymond Schuster seconded the motion and carried unanimously.
  - Deputy Supervisor David Brown offered the following resolution and moved for its adoption: **Resolved**, the Town Board of the Town of Westfield will change the aged exemption income limit from \$20,000.00 to \$22,000.00. The income limit is effective as of taxable status date, March 1, 2018. Councilman Raymond Schuster seconded the motion and carried unanimously.

Barcelona Harbor:

- The Harbor is closed. Supervisor Martha Bills met with the Army Corp and Engineer. Soundings were taken. Dredging and fixing of the breakwall is complete. Not sure when the dredging equipment will be taken away, it all depends on the weather.

Public Comment:

- Don and Marion Eno asked about the status of water for East Lake Road. USDA is reviewing the application and gently getting things started. The USDA is short staffed and that is the reason why it is taking longer than usual.
- Training for the Westfield Fire Department is taking place at 8062 East Lake Road which will be demolished by the property owner once training is complete.

Supervisor Bills made the following announcements:

- Solar Chautauqua, 2 November at 6:30pm at Eason Hall
- Fall Planning and Zoning Conference (8 Nov 2017, JCC Jamestown Campus 3:30-8:30pm)
- Christmas in the Village Weekend (17,18, 19 Nov 2017)

Old Business:

- Shorehaven Water Project is moving along, two creek crossings are complete. It is a very muddy mess right now. Construction meeting is scheduled for Friday November 3<sup>rd</sup> at 10:30am.

-----  
*Deputy Supervisor David Brown offered the following resolution and moved for its adoption*

**Resolution No. 62 of 2017**

Town of Westfield

**Negative Declaration, Bates, Douglas Road**

**WHEREAS**, the Town Board of the Town of Westfield is considering the application of Terence and Kelly Bates for a Special Use Permit allowing him to place a 16' x 30 (480 square feet) storage building on a parcel that has no primary structure, located on Douglas Road and designated as tax map Section 243.00, Block 1, Lot 52, and

**WHEREAS**, the use 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 short 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 use, and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby issues the attached Notice of Determination of Non-Significance, also known as a Negative Declaration, for the application of Terence and Kelly Bates.

*This was seconded by Councilman Raymond Schuster. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye;*

*Deputy Supervisor David Brown offered the following resolution and moved for its adoption*

**Resolution No. 63 of 2017**

Town of Westfield

**Issuance of Special Use Permit, Bates, Douglas Road**

**Action of the Board:**

To consider the application of Terence and Kelly Bates for a Special Use Permit to place a building on a parcel that has no primary structure at Douglas Road, which is designated as tax map Section 243.00, Block 1, Lot 52, and

**WHEREAS**, Terence and Kelly Bates (hereinafter, the “Applicant”) submitted an application dated September 5, 2017 pursuant to Section 185-24(J)(33) of the Town of Westfield Zoning Code requesting a Special Use Permit to construct or place a 16’ x 30 (480 square feet) storage building on a parcel that has no primary structure, located on Douglas Road and designated as tax map Section 243.00, Block 1, Lot 52, and

**WHEREAS**, the issue of compliance with the State Environmental Quality Review Act has been thoroughly addressed, and a negative declaration was issued after examination of the record and public hearing, and

**WHEREAS**, the Town of Westfield Planning Board reviewed the application during a meeting held October 18, 2017 and recommended approval of the application, and

**WHEREAS**, the Town Board has considered all the facts and papers before it, and has heard those wishing to be heard at a public hearing held November 1, 2017 on the application, and finds ample justification to approve the application subject to the qualifications hereinafter set forth

**NOW, THEREFORE, BE IT RESOLVED**, that the application to construct or place a 16’ 30’ storage building be and hereby is authorized and approved subject to the conditions and requirements hereinafter set out:

1. The Applicant shall undertake the project in accordance with the map and plans submitted to the Town with the application, and agrees to be bound by the terms of the application, the site plan, and the conditions of this permit.
2. This permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.
3. This permit shall expire automatically if the building is not erected by November 1, 2018.
4. This permit shall become effective after the Applicant approves each and every provision hereof and agrees to be bound by all of the terms herein contained in consideration of the granting of this special permit.

*This was seconded by Councilman Raymond Schuster. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye;*

-----

*Councilman Raymond Schuster offered the following resolution and moved for its adoption*

**Resolution No. 64 of 2017**

Town of Westfield

**Adoption of 2018 Town of Westfield Budget**

**BE IT RESOLVED**, the Town Board of the Town of Westfield hereby approves and adopts the 2018 Preliminary Budget as presented as the 2018Town Budget.

*This was seconded by Deputy Supervisor David Brown. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye;*

-----  
*Deputy Supervisor David Brown offered the following resolution and moved for its adoption*

**Resolution No. 65 of 2017**

Town of Westfield

**Approve the Special Improvement District Rolls**

**WHEREAS**, the Town Board of the Town of Westfield, Chautauqua County, has completed an assessment schedule in connection with the proposed capital budgets, operation and maintenance charges, rates and/or rents to be levied and charged against those properties within the Special Improvement Districts in the Town of Westfield during the calendar year 2018, and has filed the same with the Town Clerk, and

**WHEREAS**, the Town Board caused due notice of the completion of said assessment schedule and of the time and place wherein the Town Board would meet to hear and consider any objections to said assessment schedule, to be duly published according to law, and

**WHEREAS**, the Town Board did meet at Eason Hall, 23 Elm Street, Westfield, New York on November 1, 2017, the time and place specified in said notice and heard and considered all objections to said assessment schedule,

**THEREFORE, BE IT RESOLVED**, that the said assessment schedule for 2018 be and the same is hereby affirmed and adopted as originally proposed and filed in the office of the Town Clerk of the Town of Westfield.

*This was seconded by Deputy Supervisor David Brown. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye;*

-----  
*Deputy Supervisor David Brown offered the following resolution and moved for its adoption*

**Resolution No. 66 of 2017**

Town of Westfield

**Amherst Bicentennial**

(The Supervisor read a proclamation commemorating the 200<sup>th</sup> Anniversary of the Town of Amherst. Following which she signed on behalf of the Town of Westfield, Town Board)

**Resolved**, That Congratulations are sent to the Town of Amherst on their Bicentennial and the Town and its residents are to be enthusiastically recognized as they celebrate this auspicious occasion.

*This was seconded by Councilman Raymond Schuster. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye;*

*Councilman Raymond Schuster offered the following resolution and moved for its adoption*

**Resolution No. 67 of 2017**

Town of Westfield

Records Retention and Disposition Schedule MU-1

**RESOLVED**, By the Town Board of the Town of Westfield that Records Retention and Disposition Schedule MU-1,

Issued pursuant to Article 57-A of the Arts & Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

*This was seconded by Deputy Supervisor David Brown. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye;*

*Deputy Supervisor David Brown offered the following resolution and moved for its adoption*

**Resolution No. 68 of 2017**

Town of Westfield

Part time assistant for Records Management

Resolved, By the Town Board of the Town of Westfield approves Linda Briggs, a part time temporary worker to assist in records management, vital statistics in the amount of \$12.00 an hour not to exceed \$2000.00

*This was seconded by Councilman Raymond Schuster. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye;*

*At 8:10pm Supervisor Bills moved and Deputy Supervisor David Brown seconded a motion to audit the bills.*

Warrants dated November 1, 2017 (voucher #'s 829-870) in the amount of \$92,912.63 were drawn on the following funds:

General	\$47,136.87
General Part-Town	\$11,625.00
Highway	\$4,554.38
Highway Part-Town	\$29,569.42
Forest Park Sewer	\$24.04
North Town Water -Barcelona	\$2.92

Warrants dated November 1, 2017 (voucher # 14) in the amount of \$64,413.80 were drawn on the following funds:

Shorehaven Water District Capital Project	
H6-8310.400	\$64,413.80

Warrants dated November 1, 2017 (voucher #'s 98-105) in the amount of \$15,382.47 were drawn on the following funds:

Welch Building	\$15,382.47
----------------	-------------

**These warrants were presented and audited by the Board members. Supervisor Bills made a motion to be directed to draw the necessary checks to cover the warrants as audited. The motion was seconded by**



***Deputy Supervisor Brown. Voting was as follows: Supervisor Bills, aye, Deputy Supervisor Brown, aye; Councilman Schuster, aye;***

There being no further business, at 8:35pm Supervisor Martha Bills moved and Deputy Supervisor David Brown seconded a motion to move to executive session to discuss pending litigation and negotiation of contract. Unanimously carried.

At 9:20pm Supervisor Martha Bills moved and Deputy Supervisor David Brown seconded a motion to return to regular session. Unanimously carried.

No action was taken. There being no further business at 9:20pm Supervisor Martha Bills moved and Councilman Raymond Schuster seconded a motion to adjourn. Unanimously carried.

The next Town Board Meeting is scheduled for Wednesday, December 6<sup>th</sup>, 2017 @ 7:30pm.

-----

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