

**TOWN BOARD MEETING**

**Town of Westfield**

**March 6, 2024**

**PUBLIC HEARING**

Town of Westfield

**A LOCAL LAW ENACTING A MORATORIUM ON COMMERCIAL BATTERY ENERGY STORAGE SYSTEMS**

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

Supervisor:	Martha R. Bills	Guest:	William Bauer	Mark Swanson
Councilmember:	David Brown		Don McCord	Sandra Brown
	David Spann		Jen Shearer	Marybelle Beigh
	James Herbert		Ken Shearer	Ed Slate
	Will Northrop		Tom Herr	

Highway Superintendent: David Babcock  
Code Officer: Bonnie Rae Strickland  
Assessor: Bonnie Rae Strickland  
Town Attorney: Joel Seachrist  
Town Clerk: Andrea L. Babcock

Supervisor Bills opened the public hearing to discuss the proposed Local Law. Attorney Joel Seachrist gave an overview of the law. The law will allow for the Town officials to review, clarify, amend, and update the Town's regulations for commercial battery storage systems, particularly with regard to where such development may be located in the Town.

The Legal notice was posted in the Dunkirk Observer and the Westfield Republican of the Public Hearing.

No comments from the public.

Supervisor Bills made the motion to move that the public hearing be closed at 7:32pm. Councilmember David Spann seconded the motion. Motion carried.

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

**TOWN BOARD MEETING**

**Town of Westfield**

**March 6, 2024**

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	Guest:	William Bauer	Mark Swanson
Councilmember:	David Brown		Don McCord	Sandra Brown
	David Spann		Jen Shearer	Marybelle Beigh
	James Herbert		Ken Shearer	Ed Slate
	Will Northrop		Tom Herr	

Highway Superintendent: David Babcock  
Code Officer: Bonnie Rae Strickland  
Assessor: Bonnie Rae Strickland  
Town Attorney: Joel Seachrist  
Town Clerk: Andrea L. Babcock

**Pledge of Allegiance**

Mark Swanson Northern Chautauqua Canine Rescue board member gave an overview of the canine rescue. Mr. Swanson asked the board to consider amending the very restricted R-12 district. The amendment is to allow the existing canine rescue to make necessary state required facility updates that would require a permit which the R-12 district does not allow. Supervisor Bills and the town board asked Attorney Joel Seachrist to draft an amendment to the R-12 district for the Planning Board to review.

*Councilmember Will Northrop made the motion to accept the February 7, 2024, Town Board minutes and February 20, 2024 Special Meeting minutes inasmuch as all members received a copy thereof and the minutes be accepted. Councilmember David Brown seconded the motion. The motion was carried unanimously.*

**Reports:**

Supervisor Bills presented the monthly report on the Town’s finances for the month of February. The report is always available in the Supervisors office. All Board members have received a copy of the report and is accepted as submitted. Up to date revenues from January through February 2024 were presented to the board. All board members received a copy.

The Town Clerk’s report together with a check in the amount of \$3743.39 representing fees for the month of February 2024 will be turned over to the Town Supervisor. A check in the amount of \$47.00 will be turned over to NYS Department of Agriculture and Markets. Fees collected for NYS DECALS will be withdrawn on the 13<sup>th</sup> in the amount of \$47.24 from the Town Clerks checking account.

Tax Collector’s monthly collection report has been distributed to the Town Board and is on file with the Town Clerk. A total of \$1,620,090.15 was collected for the month of February.

The Dog Warden’s report for February 2024 was not received.

The Fire Department Report for February 2024 was not received.

The Historian report for February 2024 was received and placed on file.

The Town Court report for February 2024 was received and placed on file.

The WPD report for February 2024 was received and placed on file.

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### Highway:

The Highway Superintendent submitted a written report for the month of February. The report has been accepted and placed on file.

- Councilmember David Brown made the motion to accept the State D.O.T and Chautauqua County annual contract bids for the 2024 year. Seconded by Councilmember James Herbert. The motion was carried unanimously.
- Supervisor Bills made the motion to post the roads. Seconded by Councilmember William Northrop. The motion carried unanimously.
- Quotes are being gathered for a generator for the Highway shop.

### Code Enforcement:

The Code Enforcement Officer submitted a written report for February 2024. The report has been accepted and placed on file. The February report is the last report from Ms. Strickland who will be retiring March 14<sup>th</sup>, 2024. Ms. Strickland thanked the board for the continuous support during her years of employment.

### Assessor:

Assessor Strickland is retiring March 14<sup>th</sup>, 2024.

### Barcelona Harbor:

- Closed for the Season.
- Discussed ordering porta johns, garbage dumpsters and solar eclipse glasses for the upcoming anticipated solar eclipse.
- Town Supervisor Bills and Councilmember David Spann submitted a grant for a permanent dock.
- NYS Parks and Recreation letter was received regarding the Lighthouse preconstruction meeting and asking for use of the upper parking lot while construction is underway. The construction will be in four phases.

### Public Comment:

- NONE

### Announcements:

- Taxes: March 1- April 1, 2024- 2% on original bill.
- Village Election-March 19, 2024- Noon to 9:00pm at Eason Hall.

### Project Updates:

- Documents are being reviewed by USDA and the engineer for Route 5 Water District No. 2.
- The Welch Trail project is completed. Payment for the completed project will be forthcoming.
- Supervisor Bills attended LWRP meeting reviewing projects that would include plans involving the Village and the Town.
- The Transfer Station committee met with Casella Waste Management to discuss the transfer station contract. Casella would like to extend the existing contract to include a higher charge for the Casella attendant. All other fees will remain the same. The board needs to consider raising the cost per punch to reflect the ongoing county wide rate.

### New Business:

**TOWN BOARD MEETING  
Town of Westfield  
March 6, 2024**

*Councilmember David Spann offered the following resolution and moved for its adoption;*

**Resolution No. 19 of 2024  
TOWN OF WESTFIELD  
RESOLUTION TO ADOPT LOCAL LAW NO. 1 OF 2024  
Local Law enacting a moratorium on commercial battery energy storage systems.**

**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 March 6, 2024 at Eason Hall, 23 Elm Street, Westfield, to hear all interested parties on a proposed Local Law enacting a moratorium on commercial battery energy storage systems and

**WHEREAS**, notice of said public hearing was duly published in the *Dunkirk Observer, Westfield Republican* and posted in the Town Clerk's office, and

**WHEREAS**, said public hearing was duly held on March 6, 2024, at the said time and place 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**, the Board has determined that the adoption of the local law is a Type II action for purposes of the State Environmental Quality Review Act, so that no further review is required; and

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

**NOW, THEREFORE**, the Town Board of the Town of Westfield hereby adopts said Local Law as Local Law No. 1 of 2024, a copy of which is attached hereto and made a part hereof, and the Town Clerk hereby is directed 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.

**TOWN BOARD MEETING**

**Town of Westfield**

**March 6, 2024**

**TOWN OF WESTFIELD  
LOCAL LAW NO. 1 FOR THE YEAR 2024**

**A LOCAL LAW ENACTING A MORATORIUM ON COMMERCIAL BATTERY ENERGY  
STORAGE SYSTEMS**

**Section 1. Enactment and Title.**

The Town Board of the Town of Westfield does hereby enact the Town of Westfield Moratorium on Battery Energy Storage Systems Law. This Local Law shall impose a moratorium on applications or proceedings for applications for, the review of applications for, or the issuance of approvals or permits for the construction of any Battery Energy Storage System, as defined herein.

The capitalized terms in the foregoing sentence, and as used throughout this local law, shall have the following meanings ascribed to them:

**Commercial Battery Energy Storage System-** One or more devices, assembled together, capable of storing energy produced by a commercial wind or solar energy conversion system, in order to supply electrical energy at a future time, having an aggregate energy capacity greater than 600kWH or comprised of more than one storage battery technology in a room or enclosed area.

**Applicant-** All landowners and all those claiming through or on behalf of the owner(s), whether by license, lease, easement, contract, or by owner's designation as an agent for purposes of making any application or any land use review or approval, whether for a permit or otherwise.

**Section 2. Authorization, Purpose and Intent.**

Pursuant to the authority and provisions of the New York State Constitution, and Section 10 of the Municipal Home Rule Law, and the statutory powers vested in the Town of Westfield to regulate and control land use and to protect the health, safety and welfare of its residents, the Town Board (the "Board") of the Town of Westfield hereby declares a moratorium on applications or proceedings for applications for, the review of applications, or the issuance of approvals or permits for the construction of Commercial Battery Energy Storage Systems within the Town of Westfield (the "Town"), lasting through **February 28, 2025**.

This moratorium will allow time for Town officials to review, clarify, amend, and update the Town's Regulations for commercial battery energy storage systems, particularly with regard to where such development may be located in the Town. Additionally, this moratorium will allow the Town to adopt such other regulations as may be necessary to promote and preserve the health, safety and welfare of the Town and its citizens.

**Section 3. Scope of Controls.**

During the effective period of this Local Law:

- A. Neither the Town Board, the Zoning Board of Appeals, nor the Planning Board shall conduct any review or consider or grant any special permit or other approval that will result in the approval, establishment or construction of any Battery Energy Storage System within the Town.

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**Town of Westfield**  
**March 6, 2024**

- B. To the extent permitted by law, this moratorium shall supersede all relevant provisions of the New York State Town Law, the New York State Building Code, any relevant Town local law and any other applicable law, rule or regulation, that may be in conflict herewith. If any ambiguity or conflict exists, this local law shall govern and the presumption shall in each case be that the moratorium is in effect.

**Section 4. No Consideration of New, Revised, or Renewal Applications.**

No new, revised, or renewal applications shall be accepted for filing, review, or consideration, and no site plans, authorizations, special permits, permits, building permits, variances, waivers or other approvals that purport to allow or advance the development, siting, or construction of any Battery Energy Storage System shall be undertaken, reviewed, considered or issued by any board, officer, employee or agent of the Town, except as specifically set forth in Section 10 of this local law. Nor shall any language or term in this moratorium effect, or be construed to result in, any default approval, and any matter now pending shall be stayed in place during the pendency of this moratorium, with all deadlines or other timelines suspended for the same number of days that this moratorium is in effect.

**Section 5. Term.**

The moratorium imposed by this Local Law shall be in effect until February 28, 2025 starting from the effective date of this Local Law. This moratorium may be extended, or rescinded or removed, by local law.

**Section 6. Location.**

The moratorium imposed by this Local Law shall apply to the territorial limits of the Town of Westfield. Any dispute as to whether a property is encompassed within the geographic area detailed above shall be resolved by reference to the official tax maps of Chautauqua County and the official New York corporate boundary maps for the Town of Westfield.

**Section 7. Penalties.**

The following provisions shall apply generally, and the violation of this Local Law shall allow and permit enforcement in any one or more of the following manners:

- A. When any term, provision, or requirement of this Local Law is violated the Enforcement Officer may issue a written notice of violation to the Applicant (or other Person in violation hereof). The notice of violation shall contain; (i) the name and address of the Person alleged to have violated this Local Law; (ii) the address, when available, or a description of the building, structure or parcel upon which the violation occurred or is occurring; (iii) a brief statement specifying the nature of the violation; (iv) a statement of the fine or penalty that may or could be assessed against any Person to whom the notice of violation is directed; and (v) a clear statement identifying whether the notice commences or may commence a civil or criminal proceeding. The failure to comply with a written notice of violation by correcting the violation is in itself a separate violation of this Local Law and may be further enforced as such. In addition, Executive Law § 382 may be duly enforced separately from any such notice, and both notices may take the form of a single notice which must, in addition to the above, contain the information and be served as required by said § 382.
- B. The Enforcement Officer may issue stop work orders for violations of this Local Law. Any Person receiving a stop work order shall be required to halt all clearing, grading, construction, and any other or related activities, until the Enforcement Officer or a court of competent jurisdiction allows work to re-commence.

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### Town of Westfield

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- C. Town may also maintain actions or proceedings in the name of the Town in a court of competent jurisdiction to compel compliance with, restrain by injunction the violation of any provision or requirement of this Local Law, including to prevent, enjoin, correct, enforce, or abate any violation of, or non-conformance with, any provision or requirement of this local law or the terms and conditions set forth in any waiver or approval issued hereunder. In any such proceeding the Town shall not be required to: (i) prove the lack of an adequate remedy at law; or (ii) to post a bond or other undertaking as a condition or requirement for any preliminary, interim, or permanent restraining order or injunction. No such action or proceeding shall be commenced without the appropriate authorization from the Town Board.
- D. This Local Law may be enforced civilly or criminally by seeking fines, penalties, and like punishments to deter future violations and sanction offenders. All provisions of New York law and process generally applicable to misdemeanors shall apply to any criminal proceeding brought upon any violations of this Local Law, including for purposes of conferring jurisdiction. The following civil and criminal fines and penalties shall apply to any violation of the requirements or terms of this Local Law:
1. For a first offense, any Person that violates any of the provisions of this Local Law shall be (i) guilty of a violation and subject to a fine of not more than \$500, or (ii) subject to a civil penalty of not more than \$500 to be recovered by the Town in a civil action. Every such Person shall be deemed guilty of a separate offense for each week that such violation, disobedience, omission, neglect or refusal shall continue. Similarly, a separate civil penalty shall apply and be assessable for each week that such violation, disobedience, omission, neglect or refusal shall continue.
  2. For a second offense, being any violation that is found to have occurred within 2 years of any prior civil or criminal determination of any violation of this Local Law, a Person shall be (i) guilty of an unclassified misdemeanor and subject to a fine of not more than \$2,500, or (2) subject to a civil penalty of not more than \$2,500 to be recovered by the Town in a civil action. Every such Person shall be deemed guilty of a separate unclassified misdemeanor for each week that such violation, disobedience, omission, neglect, or refusal shall continue. Similarly, a separate civil penalty shall apply and be assessable for each week that such violation, disobedience, omission, neglect, or refusal shall continue.
  3. The above fines are in addition to any penalty, fine, or sentence allowed or imposable pursuant to said Executive Law § 382.
- E. Upon any violation of this Local Law by an Applicant or any Person, the Town may, and the Enforcement Officer shall, decline and refuse to issue any approvals, endorsements, certifications, building permits, certificates of occupancy, certificates of compliance, and any similar or other document or approval until the Applicant or Person rectifies and cures such violation.
- F. Any Person violating this Local Law may be required to restore land to its prior or undisturbed condition. If restoration is not undertaken within a reasonable time after notice, the Town may take necessary corrective action, the cost of which shall become a lien upon the property until paid. In addition, the Town may commence any one or more civil proceedings in the Town Court, or any other court or tribunal of competent jurisdiction, to recover the costs of such restoration.

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**Town of Westfield**  
**March 6, 2024**

- G. For purposes of this Local Law the Justice Court of the Town is hereby vested and imbued with jurisdiction to: (i) issue administrative or other warrants in compliance with the New York Criminal Procedure Law and administrative codes of the State of New York; and (ii) hear and adjudicate allegations relating to the criminal or civil violation of this Local Law and to thereafter, if appropriate, impose any fine, penalty, or sanction.
- H. Criminal matters arising in relation to enforcement matters under this local law shall be and be classified as offenses per the following guidelines: (i) first offenses shall be deemed violations; (ii) second offenses shall be deemed unclassified misdemeanors; and (iii) violations of Executive Law § 382 shall be classified as set forth by New York State in such § 382.
- I. No remedy or penalty specified in this local law shall be the exclusive remedy available to the Town to address any violation of, or non-compliance with, the requirements of this local law. The rights and remedies of the Town are independent of each other and cumulative. The grant of any right or remedy in this Local Law is in addition to, and not in limitation of or in substitution for any other right or remedy of the Town, whether sounding in law, equity, or admiralty. Further, the election by the Town of any one right or remedy does not forestall or prevent the simultaneous or future election of any other right or remedy, whether relating to enforcement, sentencing, or otherwise.

**Section 8. Exemptions and Non-Conforming Uses.**

Notwithstanding any provision hereof to the contrary, any Battery Energy Storage System that has already been issued all necessary approvals or permits from the Town Board or the Planning Board (the “Town Approvals”) may continue such projects and such support activities that are being conducted in the Town as of the effective date of this Local Law, so long as such supporting activities are in all respects being conducted in accordance with all applicable laws and regulations and any conditions of approval, including all Town Approvals. Such limited right to proceed when Town Approvals have been issued shall include the right to apply for and obtain a building permit, so long as the same is or are in conformance with any existing Town Approvals.

Any expansion of a lawful, pre-existing, non-conforming use shall not be grandfathered under this Section and instead shall in all respects be prohibited as contemplated by Section 3 hereof. “Grandfathered” and allowed lawful pre-existing uses neither have nor possess any right to expand such non-conforming use whether above or below ground, and no such right shall be deemed, construed, or implied to exist.

**Section 9. Validity.**

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

**Section 10. Hardship.**

The Town Board of the Town is hereby authorized to accept and review (after public notice and hearing and in accordance with the requirements of law and of this Local Law) requests for a waiver application of the provisions of this Local Law by persons aggrieved hereby.

No such waiver shall be granted by the Town Board without a showing by the Applicant that applicable regulations and restrictions have caused unnecessary hardship.



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### Town of Westfield

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- A. Unnecessary Hardship. In order to prove such unnecessary hardship the Applicant is required to demonstrate to the Town Board that, with respect to every permitted use under Town land use, each of the following four criteria is satisfied: (i) the Applicant cannot realize a reasonable return on the entire parcel of property, and such lack of return is substantial as demonstrated by competent financial evidence; (ii) the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood; (iii) the neighborhood; and (iv) the alleged hardship has not been self-created.
- B. Reasonable Rate of Return. In evaluating whether the Applicant can realize a reasonable rate of return, the Town Board must examine whether the entire original or expanded property holdings of the Applicant are incapable of producing a reasonable rate of return (and not just the site of the proposed development project). No waiver shall be granted unless, in addition to satisfying all other applicable provisions of law and this Law, the Town Board finds that the Applicant has clearly demonstrated by detailed “dollar and cents” proof, the inability to obtain a reasonable return for the entire parcel (and not just the site of the proposed project) and for each and every permitted use in the area of the Town the property is located.
- C. Unique Hardship. No waiver shall be granted unless, in addition to satisfying all other applicable provisions of the law and this Law, the Town Board finds that the entire parcel of which the project is a part possesses unique characteristics that distinguish it from other properties in the area.
- D. Essential Character of the Neighborhood. In making its determination, of whether the proposed development project will alter the essential character of the neighborhood, the Town Board shall take into account factors that are of vital importance to the citizens of the Town including without limitation: (i) the rural residential and agricultural character of the Town, (ii) its irreplaceable recreation, historic, and tourism sites, (iii) the extent of hazard to life, limb or property may result from the proposed development project, (iv) health impacts, (v) the social and economic impacts of traffic congestion, noise, dust, odors, emissions, solid waste generation and other nuisances, (vi) the impact on property values, and (viii) whether the Applicant will engage in the type of development that will result in degradation to the air quality, water quality or scenic or other natural resources of the Town. In order to find that the proposed development project does not alter the essential character of the neighborhood, the Board shall interpret the public interest in said essential character of the neighborhood to require, at a minimum, that the project will not do any of the following: (x) pose a threat to the public safety, including public health, water quality or air quality, (y) cause an extraordinary public expense, or (z) create a nuisance.
- E. Self-Created Hardship. The Town Board may find that the Applicant suffers from a self-created hardship in the event that the Board finds that (i) the Applicant’s inability to obtain a reasonable return on the property as a whole results from having paid too much or from a poor investment decision; (ii) the Applicant previously divided the property and is left with only a portion which suffers from some unique conditions for which relief is sought and which did not apply to the parcel as a whole; (iii) when the Applicant purchased the property, he or she knew or should have known the property was subject to the land use restrictions; or (iv) that the Applicant transferred or obtained property rights with only a unilateral expectation of development or investment character, and it shall be material to this question to examine the degree to which opposed to in fee (actual acquisition of fee simple title), and whether the anticipated income, profits, or receipts were conditional, contingent, or guaranteed.

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If the Town Board grants a waiver from the provisions of this Local Law to the Applicant, the Applicant shall be required to comply with all provisions of the Town's then applicable land use regulations and other laws and regulations, together with any amendments to such law or regulations which may be enacted during the term of this Local Law. Any waiver that is granted shall grant only the minimum waiver that the Town Boards deems necessary and adequate to address the unnecessary hardship proven by the Applicant, and at the same time preserve and protect the character of the neighborhood and health, safety, and welfare of the community.

**Section 11. Effective Date.**

This Local Law shall take effect immediately.

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

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*Councilmember James Herbert offered the following resolution and moved for its adoption;*

**Resolution No. 20 of 2024  
Town of Westfield  
New Hire-Town Code Officer/Assessor Trainee**

**RESOLVED**, The Town Board of the Town of Westfield hereby appoints Kenneth Shearer as Town Code Officer and Assessor Trainee to begin March 7, 2024, and will be compensated for the time of actual employment based on an annual salary not to exceed \$75,000.00.

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

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*Councilmember William Northrop offered the following resolution and moved for its adoption;*

**Resolution No. 21 of 2024  
Town of Westfield  
Authorize Supervisor to Enter into Contract for-Comprehensive Plan**

**RESOLVED**, The Town Board of the Town of Westfield hereby authorizes the Town Supervisor to enter into a joint contract for a Comprehensive Plan and is subsequently authorized to execute any and all documents necessary to finalize the contract for the Comprehensive Plan, not to exceed \$30,000.00 and subject to final approval by counsel as to its form.

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

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*Councilmember David Brown offered the following budget revision and moved for its adoption;*

**TOWN BOARD MEETING**  
**Town of Westfield**  
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Subject: Budget Revision #1 for Budget Year 2024				
Revision Description			Decrease	Increase
To move \$1,500.00 from A Fund Justices-Contractual to fund the new Justices- Court Security line .			Expenditures	Expenditures
Budget Journal				
A Fund (General Fund - Townwide)				
A 1110.400 Justices-Contractual DR			1,500.00	
A 1110.140 Justices-Court Security CR				1,500.00
Total A Fund			1,500.00	1,500.00
Revision Description			Decrease	Increase
To move \$168.00 from A fund balance A 599 to pay Seachrist Law Offices, P.C. invoice 3069 for \$168.00.			Expenditures	Expenditures
This Other Water, Contr Expense Account A8389.400 Other Water, Contr Expend-Route 5 Water District has been set up to record Route 5 Water District #2 expenses until the H capital project fund is established and funded.				
Budget Journal				
A Fund (General Fund - Townwide)				
A 599 Appropriated Fund Balance DR			168.00	
A 8389.400 Other Water, Contr Expend-Route 5 Water District 2 CR				168.00
Total A Fund			168.00	168.00
Revision Description			Decrease	Increase
To move \$2,247.38 from A Fund A1355.100 Assessor Personal to fund the A1355.110 Assessor Trainee account			Expenditures	Expenditures
Budget Journal				
A Fund (General Fund - Townwide)				
A 1355.100 Assessor- Personnel Services DR			2,247.38	
A 1355.110 Assessor- Trainee Personnel Services CR				2,247.38
Total A Fund			2,247.38	2,247.38

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

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***Councilmember David Spann offered the following budget revision and moved for its adoption;***

Subject: Budget Revision #15 for Budget Year 2023				
Revision Description			Decrease	Increase
To move \$1,132.00 from machinery equipment account DA 5130.200 to cover the over spent machinery contractual account A5310.400			Expenditures	Expenditures
Budget Journal				
DA Fund (Highway - Townwide)				
DA 5130.200	Machinery Equipment Account DR		1,132.00	
DA 5130.400	Machinery Contractual Account CR			1,132.00
Total DA Fund			1,132.00	1,132.00
Revision Description			Decrease	Increase
To move \$105.52 from A Contingent Account A1990.400 to cover the over spent Parks & Recreation contracutal Account A7180.400			Expenditures	Expenditures
Budget Journal				
A Fund (General Fund - Townwide)				
A1990.400	Contingent Account DR		105.52	
A7180.400	Parks & Recreation - Contractual CR			105.52
Total A Fund			105.52	105.52

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

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**Supervisor Bills moved and Councilmember David Brown seconded a motion to audit the bills at 8:20pm**

Warrants dated March 6, 2024 (vouchers #'s 738-739) in the amount of \$1,142.00 were drawn on the following funds:

General- Part Town Fund	\$ 10.00
Highway-Townwide Fund	\$1,132.00

Warrants dated March 6, 2024 (voucher #'s 94-150) in the amount of \$44,917.08 were drawn on the following funds:

General	\$28,477.39
General-Part Town	\$ 812.73
Highway-Town	\$13,042.99
Highway-Part Town	\$ 2,519.97
Forest Park Sewer	\$ 60.26
Shorehaven	\$ 3.74

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**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 Councilmember David Brown. Voting was as follows: Supervisor Bills, aye, Councilmember David Brown, aye; Councilmember James Herbert, aye; Councilmember Will Northrop, aye.**

At 8:45pm Supervisor Martha Bills moved and Councilmember David Brown seconded a motion to move to executive session to discuss proposed litigation and proposed acquisition of real property with the Town Attorney and particular personnel histories with the Assessor and Town Clerk. Unanimously carried.

At 9:30pm Supervisor Martha Bills moved and Councilmember David Brown seconded a motion to return to regular session. Unanimously carried.

Supervisor Bills made a motion to increase the hourly pay rate for Code Clerk Lindsay Simpson to \$20.00 an hour. Seconded by Councilmember David Brown and carried unanimously.

There being no further business at 9:30pm Supervisor Martha Bills moved and Councilmember David Brown seconded a motion to adjourn. Unanimously carried.

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