

**TOWN BOARD MEETING**  
**Town of Westfield**  
**August 7, 2024**

Town of Westfield

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:

Supervisor:	Martha R. Bills	Guests:	Tom Young
Councilmember:	David Brown		William Bauer
	David Spann		Taras Korol
	William Northrop		Ed Slate
	James Herbert		Kenneth D'Appolonia
			Donald McCord

Code Officer: Kenneth Shearer  
Highway Superintendent: David Babcock  
Town Attorney: Joel Seachrist  
Town Clerk: Andrea L. Babcock

**Pledge of Allegiance**

*Councilmember David Brown made the motion to waive the reading of the July 10, 2024, minutes inasmuch as all members received a copy thereof and the minutes be accepted. Councilmember David Spann seconded the motion. The motion was carried unanimously.*

**Reports:**

The Supervisor's July monthly report was distributed and accepted as submitted including up to date spending and revenues on all accounts. All board members have received a copy, and the monthly report is always available in the Supervisor's office for anyone to view. Quarterly sales tax was received, reviewing years' worth of sales tax received as every year is different. The bank interest is at 5.32 %. The Supervisor's office is working on the 2025 budget.

The Town Clerk's report together with a check in the amount of \$13,192.42 totaling representing fees for the month of July 2024 is turned over to the Supervisor. A check for \$315.00 representing fees for the month of July to NYS Department of Health for Marriage Licenses. The amount of \$58.00 has been turned over to NYS Department of Agriculture and Markets and NYS Decals licenses in the amount of \$75.58 will be withdrawn on the 13<sup>th</sup>. Decals license sales started August 1<sup>st</sup>. The office is educating the community as the license has changed, the license is printed on letter sized plain paper and or emailed to the license holder. The Town Clerk is working with NCCR regarding recycling. Plans to meet with NCCR to discuss current agreement. More information will be forthcoming.

- The Dog Warden's report for the month of July 2024 was not received.
- The Town Historian report for the month of July 2024 was received and placed on file in the Town Clerk's office.
- Westfield Fire Department report for the month of July 2024 was not received.
- The Town Court report for July 2024 was received and placed on file in the Town Clerk's office.
- The WPD report for July was not received.

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**Highway:**

Highway Superintendent's July 2024 report was received and placed on file in the Town Clerk's office. The report highlighted; helped Arkwright clean up after the tornado, helped the County, blacktopped and sluice pipes on Parker, Pigeon and Lake Street.

**Code Enforcement:**

The Code Enforcement Officer's July 2024 report was received and placed on file in the Town Clerk's office. The report highlighted the permits issued and daily tasks.

- A decommission plan will be received from the developer for the NYPA Electric Charging Station project in Barcelona.

**Barcelona Harbor:**

- The Us Army Corps of Engineers has gone out to bid for the 2024 dredging project. More information will be forthcoming. No plans are available currently for the breakwall project.
- Councilmember David Spann gave an overview of the Barcelona Harbor Coastal Assessment progress report study. More information will be forthcoming.

**Public Comment:**

- Discussed Taylor Road access to the Chautauqua Creek project. Highway Superintendent, David Babcock discussed having a survey of the property before the project starts. The Town Board and the Town Attorney did not object.
- Discussed East Lake Rd Water Benefit District No. 2. water hookup, water pressure, property owners' responsibilities, easements and bid results. The project is on hold. The Engineer is working with the lowest bidder, Municipal Solutions and USDA, regarding the bids received that are over budget. More information will be forthcoming.
- Discussed why reports are not being submitted to the Town Clerk from the dog control officer, fire department along with why they are not attending the meetings. Attorney Joel Seachrist stated that the departments are not required to submit a report or attend meetings.

**Announcements:**

- School Tax Collection starts Tuesday, September 3<sup>rd</sup> from 8:00am-1:00pm at the Town Bookkeepers window.
- Grape and Wine Festival at Moore Park and Grape Discovery Center, September 7<sup>th</sup> & 8<sup>th</sup>
- Patterson Library Annual Auction will be held on Wednesday August 21, 2024 at 5:00pm at Eason Hall.

**Project Updates:**

- Route 5 East Lake Road Water Project No. 2 project is on hold. The Engineer is working with the lowest bidder, Municipal Solutions and USDA, regarding the bids received that are over budget. More information will be forthcoming.
- The Village and the Town steering committee are working on the new comprehensive plan. A community questionnaire survey is asked to be filled out by the community. The questionnaire is available on paper or online.
- Lakefront Water Revitalization Plan committee will meet to review maps and boundaries.

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**New Business:**

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

**Resolution No.40 of 2024**  
**Town of Westfield**  
**RESOLUTION ACCEPTING BID FOR FABRICATION AND INSTALLATION**  
**OF STATIONARY DOCKS IN BARCELONA HARBOR**

**WHEREAS**, the Town intends to complete a Project consisting of the fabrication and installation of three (3) new boat launch docks atop the existing concrete launch slabs owned by the Town of Westfield in Barcelona Harbor; and

**WHEREAS**, the Town advertised for bids for the aforesaid improvements in a Notice to Bidders published in the Dunkirk Observer and Westfield Republican more than (5) days before the date advertised for the opening of the bids, and

**WHEREAS**, as advertised the bids were opened and read at noon on July 25, 2024, at Eason Hall, 23 Elm Street, Westfield, New York, and

**WHEREAS**, on the said date and time the Town had received one (1) bid packet, and

**WHEREAS**, Jack's Welding Service, Inc., of Westfield, New York, submitted a bid of \$85,680.00 with no substantial variances from the bid specifications, and appears to be a responsible bidder,

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Town Board hereby accepts the bid entered by Jack's Welding with the understanding that (a) \$47,500.00 will be paid to the bidder within seven (7) days hereof for the purchase of the necessary steel, pilings, and other materials; (b) the balance will be paid upon completion of the installation; (c) the Town and Jack's Welding will enter into a contract for the work prior to start of construction; and (d) the Town Supervisor is hereby authorized to execute and enter into such contract(s) as appropriate for the improvements upon the approval of counsel as to form.

*This was seconded by Councilmember David Spann. 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 resolution and moved for its adoption*

**Resolution No.41 of 2024  
Town of Westfield  
Contract Extension with Casella Wast Management for the Transfer Station**

**RESOLVED**, The Town Board of the Town of Westfield hereby authorizes the Supervisor to accept and sign a two-year contract extension with Casella Waste Management.

*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 Spann offered the following resolution and moved for its adoption*

**Resolution No.42 of 2024  
Town of Westfield  
EV Charging Station License**

**WHEREAS**, the Town Supervisor, in consultation with the Town Attorney, has negotiated a License Agreement whereby New York Power Authority would be permitted to use a portion of the Town's Highway right-of-way on North Portage Road in Barcelona for four (4) parking spots associated with an EV charging station; and

**WHEREAS**, the Town Board finds that the Town is adequately protected from any and all claims arising from said Agreement and believes it to be in the best interests of the Town of Westfield to enter thereinto

**NOW, THEREFORE, BE IT**

**RESOLVED**, the Supervisor is hereby authorized to sign said License Agreement on behalf of the Town of Westfield.

*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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**Town of Westfield**

**August 7, 2024**

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

**Resolution No.43 of 2024**

**Town of Westfield**

**Set a Public Hearing for Local Law No. 2 Moratorium-Solar Projects**

**RESOLVED**, The Town board of the Town of Westfield hereby sets a public hearing at 7:20pm on Wednesday, September 4, 2024, at Eason Hall, 23 Elm Street, Westfield NY for Local Law No. 2 -A Local Law Enacting a Moratorium on Commercial Solar Energy Facilities.

*This was seconded by Councilmember David Spann. 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.44 of 2024**

**Town of Westfield**

**Set a Public Hearing for Local Law No. 2 Moratorium-Wind Projects**

**RESOLVED**, The Town board of the Town of Westfield hereby sets a public hearing at 7:25pm on Wednesday, September 4, 2024, at Eason Hall, 23 Elm Street, Westfield NY for Local Law No. 3- A Local Law Enacting a Moratorium on Wind Energy Conversion Systems.

*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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**TOWN BOARD MEETING**  
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*Councilmember David Brown offered the following budget revision and moved for its adoption*

Subject: Budget Revision #6 for Budget Year 2024			
<b>Revision Description</b>		Decrease	Increase
To move \$9,843.75 from A fund balance A 599 to pay CPL For Invoice 101257 for \$9,843.75		Expenditures	Expenditures
This Other Water, Contr Expense Account A8389.400 Other Water, Contr Expens-Route 5 Water District #2 was set up to record Route 5 Water District #2 expenses until the H capital project fund is established and funded			
<b>Budget Journal</b>			
A Fund (General Fund - Townwide)			
A 599	Appropriated Fund Balance DR	9,843.75	
A 8389.400	Other Water, Contr-Expend-Route 5 Water District #2 CR		9,843.75
<b>Total A Fund</b>		<b>9,843.75</b>	<b>9,843.75</b>
<b>Revision Description</b>		Decrease	Increase
To move \$47,500.00 from A fund balance A 599 to pay Jack's Welding Service, Inc Invoice 2 for \$47,500.00 for Steel.		Expenditures	Expenditures
Account A 7180.412 Parks & Recreation - Boat Launch Grant expense account was setup for this grant.			
The town is receiving grant money in the amount of \$49,966.76 from the 2% Occupancy tax grant from Chautauqua County.			
<b>Budget Journal</b>			
A Fund (General Fund - Townwide)			
A 599	Appropriated Fund Balance DR	47,500.00	
A 7180.412	Other Water, Contr-Expend-Route 5 Water District #2 CR		47,500.00
<b>Total A Fund</b>		<b>47,500.00</b>	<b>47,500.00</b>
<b>Revision Description</b>		Decrease	Increase
To move \$442.35 from A Justices - Equipment A1110.200 to cover the A Justices - Contractual A1110.400		Expenditures	Expenditures
For the Justices Contratual Account being overspent by \$442.35			
<b>Budget Journal</b>			
A Fund (General Fund - Townwide)			
A 1110.200	Justices - Equipment DR	442.35	
A 1110.400	Justices - Contractual CR		442.35
<b>Total A Fund</b>		<b>442.35</b>	<b>442.35</b>
<b>Revision Description</b>		Decrease	Increase
To move \$231.48 from A Supt of Higways - Equipment A5010.200 to cover the A Supt of Higways - Contractual A5010.400		Expenditures	Expenditures
For the Supt of Highways Contratual Account being overspent by \$231.48			
<b>Budget Journal</b>			
A Fund (General Fund - Townwide)			
A 5010.200	Supt of Highways-Equipment DR	231.48	
A 5010.400	Supt of Highways- Contractual CR		231.48
<b>Total A Fund</b>		<b>231.48</b>	<b>231.48</b>
<b>Revision Description</b>		Decrease	Increase
To move \$132.39 from B Contingent Account B 1990.400 to cover the B Unemployment Insurance Account B9050.800		Expenditures	Expenditures
For the Unemployment Insurance Account being overspent by \$132.39			
<b>Budget Journal</b>			
B Fund (General - Part Town Fund)			
B 1990.400	Contingetn Account DR	132.39	
B 9050.800	Unemployment Insurance CR		132.39
<b>Total A Fund</b>		<b>132.39</b>	<b>132.39</b>
<b>Revision Description</b>		Decrease	Increase
To move \$25,295.00 from B fund balance B 599 to pay Village of Westfield Invoice 25-01 for \$25,629.88 & Invoice Pashek + MTR, LTD Invoice 05-2024-39 for \$4,370.12 Total of both invoices is \$30,000.00		Expenditures	Expenditures
The Planning Contractual account had \$4,705.00 balance so only \$25,629.88 is being moved from fund balance \$30,000.00 is the portion of the cost of the Compehensive Plan for the Town of Westfield.			
<b>Budget Journal</b>			
B Fund (General - Part Town Fund)			
B 599	Appropriated Fund Balance DR	25,295.00	
B 8020.400	Planning - Contractual CR		25,295.00
<b>Total A Fund</b>		<b>25,295.00</b>	<b>25,295.00</b>

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

At 8:05pm Supervisor Bills moved and Councilmember David Brown seconded a motion to audit the bills.

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Warrants dated August 2024 (prepaid voucher #'s 369-370 and 388-voided check #'s 30854-30855 and 30873 and voucher #'s 419-482) in the amount of \$237,016.59 drawn on the following funds:

General	\$ 83,540.47
General Part-Town	\$ 42,061.38
Highway	\$ 3,463.36
Highway Part-Town	\$ 107,876.31
Forest Park Sewer	\$ 72.18
North Town Water-Shorehaven	\$ 2.89

*These were presented and audited by the board members. Supervisor Martha Bills moved and Councilmember David Brown seconded a motion that the Supervisor be directed to draw the necessary checks to cover the warrant as audited. 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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There being no further business at 8:45pm Supervisor Martha Bills moved, and Councilmember David Spann seconded a motion to adjourn. Unanimously carried.

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