

TOWN BOARD MEETING

Town of Westfield

February 7, 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
Councilperson:	David Brown		Marybelle Beigh, Historian
	David Spann		Tom Herr
	James Herbert		Ken Shearer
	William Northrop		Jennifer Shearer

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

Pledge of Allegiance

Councilmember William Northrop made the motion to accept the January 3, 2024 and January 4, 2024 minutes inasmuch as all members received a copy thereof and the minutes be accepted. Councilperson David Spann seconded the motion. The motion was carried unanimously.

Reports:

Supervisor Bills presented the monthly report on the Town’s finances for the month of January. The report is always available in the Supervisors office. Everyone is welcome to view. All Board members have received a copy of the report for January and is accepted as submitted. Up to date revenues through December 2023 and January 2024 were presented to the board. All board members received a copy. The Town has received the first quarter’s sales tax revenue. The interest rate of on the money market account is at 5.32 %. The money has been moved to the dredging reserve fund.

The Town Clerk’s report together with a check in the amount of \$3573.10 representing fees for the month of January 2024 was turned over to the Town Supervisor. A check for \$22.50 representing fees for the month of January to NYS Department of Health, Marriage Licenses and a check in the amount of \$103.00 was turned over to NYS Department of Agriculture and Markets.

- Village proposal for new doors for the Town offices was discussed. The proposal is for one new door and repair to another, and the cost is an estimate of \$8800.00. The Village is upgrading office doors and asked if the town would be interested. The board asked to talk with the court clerk to see when submission for grant funding is since the upgrade is due to an increase of court presence in the building to help offset costs. Currently the town is not interested.

The Tax Collector’s monthly collection report has been distributed to the Town Board and is on file with the Town Clerk. A total of \$1,931,318.94 was collected for the month of January.

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

The Fire Department Report for November and December 2023 and was received and placed on file.

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

The Town Court report for December 2023 and January 2024 was received and placed on file.

The WPD report for December 2023 and January 2024 was received.

Highway:

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

- Gathering quotes to install a generator at the Highway shop.
- Finish making bollard for the East side of Harbor parking lot, picnic tables and plans to install the launch slips by April.

Code Enforcement:

The Code Enforcement Officer submitted a written report for January 2024 highlighting. The report has been accepted and placed on file.

Barcelona Harbor:

- Closed for the Season.
- Councilmember David Spann gave an overview of the grant submission of permanent docks at the harbor that he is submitting on behalf of the Town of Westfield.
- Solar eclipse will occur on April 8, 2024.

Public Comment:

- Tom Herr asked the Town to consider appropriate signage for Taylor Road access to the Chautauqua Creek. The public is accessing the creek from his property on Taylor Road.

Announcements:

- Taxes: February 7-February 29, 2024- 1% on original bill
March 1- April 1, 2024- 2% on original bill
- The 2024 Chautauqua County Walleye Tournament Schedule is available.
- The Solar Eclipse will occur on April 8, 2024

Project Updates:

- Waiting on the last few easement agreements for Route 5 Water District No. 2. The engineer is finalizing plans for the chlorination station with the Village DPW and property owner.
- Town Attorney Seachrist asked the board to consider adopting a local law enacting a moratorium on battery storage facilities. Councilmember David Brown made the motion to authorize the Town Attorney to draft the local law, seconded by Councilmember David Spann and carried unanimously. Councilmember William Northrop made a motion to set a public hearing at 7:25pm on March 7th for Local Law No.1 of 2024 a local law enacting a moratorium on commercial battery energy storage systems. Seconded by Councilmember David Brown and carried unanimously.

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New Business:

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

**Resolution No. 15 of 2024
TOWN OF WESTFIELD
Audit of 2023 Financial Records**

RESOLVED, that on January 23, 2024, the Westfield Town Board met for the purpose of auditing the 2023 Town financial records.

BE IT FURTHER RESOLVED, that on January 23, 2024, Town Departments, Town Clerk, Tax Collector, Town Supervisor and Town Justices submitted their records for examination.

BE IT FURTHER RESOLVED Westfield Town Justices submitted for examination of 2023 court dockets and records. All fines and fees that were collected by the Town Court have been turned over to the proper officials. A report has been prepared using the comptroller’s suggested “Checklist for Initial Review of Justice Court Records”.

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

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

**Resolution No. 16 of 2024
TOWN OF WESTFIELD
Annual Review of Shared Services Highway Agreement w/County**

RESOLVED, that the Town Board of Westfield after thorough review of the County’s *Shared Highway Services Agreement* agrees to keep the document in place for the next year.

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

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Resolution No.17 of 2024

**RESOLUTION AUTHORIZING EXPENDITURE FROM
THE TOWN OF WESTFIELD BUILDING CAPITAL RESERVE FUND**

At a regular meeting of the Town Board of the Town of Westfield, Chautauqua County, New York, held at Eason Hall, 23 Elm Street, Westfield, New York, in said Town, on the 7th day of February 2024, at 7:30 *o'clock* P.M., Prevailing Time.

The meeting was called to order by Martha R. Bills, Supervisor, and upon roll being called, there were

PRESENT: Board Members:
Supervisor Martha Bills, Councilmember David Brown, Councilmember David Spann, Councilmember James Herbert, Councilmember William Northrop.

Public:
Bonnie Rae Strickland, Code Officer/Assessor, David Babcock, Highway Superintendent, Attorney Joel Seachrist, Town Clerk, Andrea Babcock, William Bauer, Tom Herr, Ken Shearer, Jennifer Shearer, Marybelle, Beigh, Town Historian.

ABSENT: None

The following resolution was offered by Councilmember David Brown who moved its adoption, seconded by Councilmember David Spann to-wit:

RESOLUTION AUTHORIZING THE TOWN FINANCIAL OFFICER TO EXPEND FUNDS FROM THE BUILDING CAPITAL RESERVE FUND OF THE TOWN OF WESTFIELD, SUBJECT TO PERMISSIVE REFERENDUM.

The Town Board of the Town of Westfield, duly convened in regular session, does hereby resolve pursuant to the provisions of section 6-c of the General Municipal Law of the State of New York that the Financial Officer of the Town of Westfield be and she is hereby authorized to expend an amount not to exceed \$7,000 from the Building Capital Reserve Fund of the Town of Westfield for expenses related to the installation of a new roof over the existing fuel tanks on the Highway Department barn located on Chestnut Street in the Village of Westfield. The Highway Department will do the labor. The structure will be 12 foot tall by 19' wide by 28' long with west and north wall enclosed.

This resolution shall be subject to permissive referendum, as permitted by law.

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

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

Subject:	Budget Revision #14 for Budget Year 2023		
Revision Description		Decrease	Increase
To move \$1,473.49 from machinery equipment account to cover the over spent machinery contractual account.		Expenditures	Expenditures
Budget Journal			
DA Fund (Highway - Townwide)			
DA 5130.200	Machinery Equipment Account DR	1,473.49	
DA 5130.400	Machinery Contractual Account CR		1,473.49
Total DA Fund		1,473.49	1,473.49
Revision Description		Decrease	Increase
To move \$27,200.00 from A Fund Balance to pay Atlantic Testing Laboratories for Invoice 96189. This Other Water , Contr Expense Account has been set up to record Route 5 Water District #2 expenses until the H Capital project fund is established and funded		Expenditures	Expenditures
Budget Journal			
A Fund (General Fund - Townwide)			
A 599 Appropriated Fund Balance DR		27,200.00	
A 8389.400 Other Water, Contr Expend-Route 5 Water District 2 CR			27,200.00
Total A Fund		27,200.00	27,200.00

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

Supervisor Bills moved and Councilmember David Spann seconded a motion to audit the bills at 8:16pm

Warrants dated February 7, 2024 (voucher #'s 727-737-prepaid vouchers) in the amount of \$32,747.93 were drawn on the following funds:

General	\$31,271.44
Highway-Town	\$ 1,476.49

Warrants dated February 7, 2024 (voucher #'s 20-93) in the amount of \$100,470.38 were drawn on the following funds:

General	\$ 443.80
General	\$52,993.44
General-Part Town	\$19,240.85
Highway-Town	\$26,183.23
Highway-Part Town	\$ 1,568.00
Forest Park Sewer	\$ 37.79
Shorehaven	\$ 3.27

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.

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At 8:42pm Supervisor Martha Bills moved and Councilmember David Brown seconded a motion to move to executive session to discuss pending litigation, a particular personnel history and employment's history with the Town Attorney. Unanimously carried.

At 9:26pm Supervisor Martha Bills moved and Councilmember David Spann seconded a motion to return to regular session. Unanimously carried.

Supervisor Bills offered the motion and moved for its adoption;

**Resolution No. 18 of 2024
TOWN OF WESTFIELD
Hire Court Security Officer for Twon Court**

BE IT RESOLVED, the Town Board of the Town of Westfield hereby authorizes the hire of Court Security Officer Mark Dietzen at a rate of pay of \$25.00 an hour for Town Court.

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

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