

**Town Board
Town of Westfield
March 5, 2025**

PUBLIC HEARING
Town of Westfield

**A LOCAL LAW ENACTING TO EXTEND THE 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	Howard Ross
Councilmember:	David Brown		Sandra Brown	Sally Switzer
	David Spann		Ronald Catalano	Scott Switzer
	James Herbert		Steve Rudnicki	Noah Matthews
	William Northrop		Carl Vilardo III	

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

Absent: Highway Superintendent: David Babcock

Supervisor Bills opened the public hearing to discuss the proposed Local Law and asked Attorney Joel Seachrist to give an overview of the law. Local Law No. 1 of 2024 shall be extended for one year through March 1, 2026.

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

Public comment: Has anyone proposed a site in the Town of Westfield? No one has proposed a site in the Town of Westfield Supervisor Bills replied.

Councilmember David Brown made the motion to move that the public hearing be closed at 7:29pm. Councilmember David Spann seconded the motion. Motion carried.

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

Accepted 04/02/2025

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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	Howard Ross
Councilmember:	David Brown		Sandra Brown	Sally Switzer
	David Spann		Ronald Catalano	Scott Switzer
	James Herbert		Steve Rudnicki	Noah Matthews
	William Northrop		Carl Vilaro III	

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

Absent: Highway Superintendent: David Babcock

Pledge of Allegiance

Councilmember James Herbert made the motion to accept the February 5, 2025, Town Board 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:

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 through February 2025 were presented to the board. All board members received a copy.

The Town Clerk's report together with a check in the amount of \$3030.55 representing fees for the month of February 2025 will be turned over to the Town Supervisor. A check in the amount of \$29.00 will be turned over to NYS Department of Agriculture and Markets for dog licenses and a check in the amount of \$22.50 for NYS Department of Health for marriage licenses sold 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 \$2,227,442.34 was collected for the month of February.

The Dog Warden's report for February 2025 was not received.

The Fire Department Report for February 2025 was not received.

The Historian report for February 2025 was not received.

The Town Court report for February 2025 was received and placed on file along with the new court schedule.

The WPD report for February 2025 was not received.

Highway:

The Highway Superintendent submitted a written report for the month of February. The report has been accepted and placed on file. The Highway Superintendent is in Albany advocating CHIPS funding.

- Councilmember David Brown made the motion to accept the State D.O.T and Chautauqua County annual contract bids for the year 2025. Second, by Councilmember James Herbert. The motion was carried unanimously.
- Supervisor Bills made the motion to post the roads. Seconded by Councilmember David Spann. The motion carried unanimously.

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Code Enforcement:

The Code Enforcement Officer submitted a written report for February 2025.

- Code Officer Shearer highlighted that he continues required education for Code Enforcement, working closely with the Assessor attending meetings and gave an overview of the day-to-day activities of his office.
- Special Use Permits have been received.
- Supervisor Bills made a motion to refer the special use permit to the Planning Board for review and set a public hearing for 7:20pm prior to the April 2, 2025, Town Board meeting for applicant Westfield Maid LLC located at 7505 East Main Road, seconded by Councilmember David Spann and Carried unanimously.
- Supervisor Bills made a motion to refer the special use permit application to the Planning Board for review and set a public hearing for 7:25pm prior to the April 2, 2025, Town Board meeting for applicant Edward Carutis located at 4403 Sherman-Westfield Rd. Seconded by David Spann and carried unanimously.

Barcelona Harbor:

- Closed for the Season.
- The permanent docks will be installed weather permitting.
- NYS Parks and Recreation Lighthouse project will be in phases weather permitting.
- Army Corp of Engineers will be dredging in May.

Public Comment:

- NONE

Announcements:

- Tax Collection: March 1- April 1, 2025- 2% on original bill.
- Village Election-March 18, 2025- Noon to 9:00pm at Eason Hall.

Project Updates:

- East Route 5 Water Benefit District No. 2 was discussed.
- Supervisor Bills attended LWRP meeting reviewing projects.
- Comprehensive Plan is being reviewed.

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New Business:

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

**Resolution No. 22 of 2025
TOWN OF WESTFIELD
RESOLUTION TO ADOPT LOCAL LAW NO. 1 OF 2025
A LOCAL LAW TO EXTEND THE 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 5, 2025 at Eason Hall, 23 Elm Street, Westfield, to hear all interested parties on a proposed Local Law to extend the 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 5, 2025, 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 2025, 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 OF WESTFIELD
LOCAL LAW NO. 1 FOR THE YEAR 2025
A LOCAL LAW TO EXTEND THE MORATORIUM ON COMMERCIAL BATTERY ENERGY
STORAGE SYSTEMS**

Be it enacted by the Town Board of the Town of Westfield as follows:

Section 1. Title.

This Local Law shall be referred to as the "Local Law to Extend the Moratorium on Commercial Battery Energy Storage Systems in the Town of Westfield".

Section 2. Purpose and Intent.

By Local Law No. 1 of 2024, the Town Board of the Town of Westfield enacted a moratorium on the processing and approval of new applications for commercial battery energy storage systems that lasted through February 28, 2025.

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The Town Board is undertaking a comprehensive review of the Town Zoning Law relating to commercial battery energy storage systems, and the Town Board's desires to complete its review of the Zoning Law free from any pressure or concerns related to timing concerns raised by the expiration of the moratorium. Additionally, the Town awaits the final report and recommendations of New York State's Inter-Agency Fire Safety Working Group with regard to battery energy storage facilities. It is anticipated the Town Board will need additional time to receive the State's report, and then to complete this process, the related environmental review, and the required procedure for the adoption of a local law. Accordingly, the Town Board desires to extend the current moratorium for an additional one year, or to March 1, 2026.

The Town Board finds that pursuant to 6 N.Y.C.R.R. 617.5(c)(30) the extension of the moratorium is a Type II action under the New York State Environmental Quality Review Act ("SEQRA") which has been determined not to have a significant impact on the environment or is otherwise precluded from environmental review under Article 8 of the Environmental Conservation Law and is therefore not subject to review under 6 N.Y.C.R.R. Part 617 or the Environmental Conservation Law.

Section 3. Moratorium; Extended Term.

- A. Local Law No. 1 of 2024, imposing a moratorium on the on the review and approval of commercial battery energy storage systems in the Town of Westfield shall be extended for one year through March 1, 2026.

- B. Except as otherwise amended herein, all provisions of Local Law No. 1 of 2024, including but not limited to the scope of controls and hardship variance procedures contained therein, shall be extended for one (1) year through March 1, 2026.

Section 4. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this law which can be given effect without such invalid part or parts.

Section 5. Suspension and Supersession of Other Laws.

All local laws in conflict with the provisions of this Local Law are hereby superseded and suspended through March 1, 2026. This Local Law also supersedes, amends, and takes precedence over any inconsistent provisions of New York Town Law under the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3), §10(1)(ii)(a)(14), and §22. In particular, this Local Law supersedes any inconsistent provisions of New York Town Law §267, §267-a, §267-b, §274-a, §274-b, §276 and §277 for the purpose of vesting the Town Board of the Town of Westfield with the authority to accept, hear, process and determine applications for variances from this Local Law.

Section 6. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with the Municipal Home Rule Law of the State of New York.

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. 23 of 2025

Town of Westfield

Authorize the Supervisor to Sign Consultant Agreement with RD Design

IT IS HEREBY RESOLVED, The Town Board of the Town of Westfield hereby authorizes the Town Supervisor to sign an agreement with RD Designs & Development, LLC for design and development services for a 60' x 60' addition to the Town's highway building.

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.

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

Resolution No. 24 of 2025

Town of Westfield

RESOLUTION MODIFYING THE 2025 BUDGET TO ACCOUNT FOR COURT SERVICE COSTS

WHEREAS, by Resolution 26-2024 the Village of Westfield dissolved the Village Justice Court and abolished the position of Village Justice pursuant to New York State Village Law Section 3-3012A; and

WHEREAS, this change requires the Town of Westfield to provide court services for the town as a whole; and

WHEREAS, the Town Board must modify the 2025 budget to address increased costs necessitated by this change, including extra staff hours and salary adjustments, to ensure the effective administration of court services;

NOW, THEREFORE, BE IT RESOLVED, beginning April 7, 2025, the Town Board hereby modifies the 2025 budget to account for the increased costs related to the dissolution of the Village Justice Court, including the following personnel changes:

- a. Each Justice's annual salary shall increase by \$3,375;
- b. The Court Clerk's annual salary shall increase by \$10,225;
- c. The Deputy Court Clerk shall be compensated at a rate of \$18.00 per hour, up to 20 hours per week; and
- d. The Court Security Officer shall be compensated at a rate of \$25.00 per hour as needed.

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. 25 of 2025

Town of Westfield

Loan Resolution-RUS BULLETIN 1780-27 for East Route 5 Water Benefit District No. 2

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Position 5

RUS BULLETIN 1780-27

APPROVED
OMB. No. 0572-0121

LOAN RESOLUTION
(Public Bodies)

A RESOLUTION OF THE Town Board of Councilmembers
OF THE Town of Westfield
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A
PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS
Drinking Water
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

WHEREAS, it is necessary for the Town of Westfield
(Public Body)

(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of
Three Hundred Fifty Thousand & 00/100

pursuant to the provisions of subject to NYS Local Finance Law ; and

WHEREAS, the Association intends to obtain assistance from the United States Department of Agriculture,
(herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921
et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event
that no other acceptable purchaser for such bonds is found by the Association:

NOW THEREFORE, in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government.
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983(c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal ly permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so, without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contractor agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by USDA. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0572-0121. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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1. To acquire and maintain such insurance and fidelity bond coverage as may be required by the Government.
2. To establish and maintain such books and records relating to the operation of the facility and its financial affairs and to provide for required audit thereof as required by the Government, to provide the Government a copy of each such audit without its request, and to forward to the Government such additional information and reports as it may from time to time require.
3. To provide the Government at all reasonable times access to all books and records relating to the facility and access to the property of the system so that the Government may ascertain that the Association is complying with the provisions hereof and of the instruments incident to the making or insuring of the loan.
4. That if the Government requires that a reserve account be established, disbursements from that account(s) may be used when necessary for payments due on the bond if sufficient funds are not otherwise available and prior approval of the Government is obtained. Also, with the prior written approval of the Government, funds may be withdrawn and used for such things as emergency maintenance, extensions to facilities and replacement of short lived assets.
5. To provide adequate service to all persons within the service area who can feasibly and legally be served and to obtain USDA's concurrence prior to refusing new or adequate services to such persons. Upon failure to provide services which are feasible and legal, such person shall have a direct right of action against the Association or public body.
6. To comply with the measures identified in the Government's environmental impact analysis for this facility for the purpose of avoiding or reducing the adverse environmental impacts of the facility's construction or operation.
7. To accept a grant in an amount not to exceed \$ 1,313,000.00

under the terms offered by the Government; that the Town Supervisor

and Town Clerk of the Association are hereby authorized and empowered to take all action necessary

or appropriate in the execution of all written instruments as may be required in regard to or as evidence of such grant; and to operate the facility under the terms offered in said grant agreement(s).

The provisions hereof and the provisions of all instruments incident to the making or the insuring of the loan, unless otherwise specifically provided by the terms of such instrument, shall be binding upon the Association as long as the bonds are held or insured by the Government or assignee. The provisions of sections 6 through 17 hereof may be provided for in more specific detail in the bond resolution or ordinance; to the extent that the provisions contained in such bond resolution or ordinance should be found to be inconsistent with the provisions hereof, these provisions shall be construed as controlling between the Association and the Government or assignee.

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

**Resolution No. 26 of 2025
Town of Westfield
RESOLUTION CALLING PUBLIC HEARING**

At a regular meeting of the Town Board of the Town of Westfield, Chautauqua County, New York, held at Eason Hall, in Westfield, New York, in said Town, on the 5th day of March, 2025, at 7:30 o'clock P.M., Prevailing Time.

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

PRESENT:

Supervisor: Martha R. Bills
Councilmember: David Brown
David Spann
James Herbert
William Northrop

ABSENT:

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

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RESOLUTION DATED MARCH 5, 2025.

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 \$4,951,400.

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, in 2023, the Town solicited bids for the project, which exceeded the cost estimates outlined in the original map, plan, and report, and the Town has secured additional grant and loan funding to proceed with the project at a revised maximum estimated cost of \$4,951,400; 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 westerly line of tax account number 192.00-2-16.1 and the centerline of New York State Route 5 (66 feet wide right-of-way); thence,

1. Northwesternly, along the westerly of tax account 192.00-2-10, a distance of 884 feet, more or less, to a northwesterly corner of tax account number 192.00-2-10; thence,

2. Northeasterly, along the northerly lines of tax account numbers 192.00-2-10, 176.00-1-1, 176.001-4, 176.00-1-6, 176.00-1-7, 176.00-1-8.2, 176.00-1-9, 176.00-1-10, 176.00-1-11, 176.00-1-13, 176.06-1-1, 176.06-1-2, 176.06-1-3, 176.06-1-4, 176.06-1-5, 176.06-1-6, 176.06-1-7, 176.06-1-8, 176.06-1-9, 176.06-1-10, 176.06-1-11, 176.06-1-14, 176.06-2-24, 176.06-2-17, and 176.00-1-19, 176.00-1-21, 176.00-2-1.1, 176.07-1-2.2.2, 176.07-1-4, 176.07-1-5, 176.00-2-2.1, 159.00-1-1, 159.00-1-3, 159.00-1-5, 159.00-1-6, 159.00-1-9, 159.00-1-10, and 159.00-1-11, a distance of 17,388 feet, more or less, to the northeasterly corner of tax account number 159.00-1-11; thence,

3. Southeasterly, along the easterly lines of tax account numbers 159.00-1-11 and 176.00-2-8, a distance of 4,245 feet more or less, to a southeasterly corner of tax account number 176.00-2-8; thence,

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4. *Southwesterly, along the southerly lines of tax account numbers 176.00-2-8, 176.00-2-9.2, 176.00-2-5, 176.00-2-35, 176.00-2-36, 176.00-2-37, 176.00-2-32, 176.00-2-41, 176.00-2-46, 176.00-2-46, 193.00-1-5, 193.00-1-43.2, 193.00-1-3, 193.00-1-1, 193.00-1-2, 192.00-2-18, 192.00-2-17 and 192.00-2-16.1, a distance of 14,755 feet, more or less, to the southwesterly corner of tax account number 192.00-2-16.1; thence,*

5. *Northwesterly, along a westerly line of tax account number 192.00-2-16.1, a distance of 528 feet, more or less, to a southwesterly corner of tax account number 192.00-2-16.1; thence,*

6. *Northeasterly, along a northerly line of tax account number 192.00-2-16.1, a distance of 426 feet, more or less, to the southwesterly extension of the easterly line of tax account number 192.00-2-16.1; thence,*

7. *Northwesterly, along the westerly line of tax account number 192.00-2-16.1, a distance of 385 feet, more or less, to the point of beginning.*

Water Benefit District No. 2, as described above, contains approximately 1,139 acres of land.

All as shown on a map prepared by CPL, entitled "NYS RTE 5 Water Main Benefit District No. 2 – Proposed Water District Boundary Map", dated April 27, 2020.

WHEREAS, the proposed benefited area would be known as the EAST ROUTE 5 WATER BENEFIT DISTRICT NO. 2; and

WHEREAS, the improvements are as follows: approximately 23,100 linear feet of 12-inch and 6-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 \$4,951,400; 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. 2, and

WHEREAS, the proposed method to be employed for financing such improvement is an estimated \$2,119,000 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 \$1,058 per year, which figure includes \$429 per year for water costs and \$25 per year for North Town Water District costs; and

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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 another 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:

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 2nd day of April, 2025 at 7:30 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:

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Westfield, Chautauqua County, New York, will meet at Eason Hall, 23 Elm Street, Westfield, New York, in said Town, on the 2nd day of April, 2025, at 7:30 o'clock P.M., prevailing time, for the purpose of conducting a public hearing relating to the increase and improvement of the North Town Water District in said Town,

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consisting of the installation of approximately 23,100 linear feet of water main along East Route 5 in an area to be designated as the East Route 5 Water Benefit District No. 2, including land or rights-in-land, original furnishings, equipment, machinery, apparatus and other costs incidental thereto, at a maximum estimated cost of \$4,951,400, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

SEQRA DETERMINATION: 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.

Dated: Westfield, New York,
March __, 2025

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF WESTFIELD,
CHAUTAUQUA COUNTY, NEW YORK

Andrea Babcock, Town Clerk

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:

Town Supervisor- Martha Bills	VOTING	aye
Councilmember David Brown	VOTING	aye
Councilmember David Spann	VOTING	aye
Councilmember James Herbert	VOTING	aye
Councilmember William Northrop	VOTING	aye

The resolution was thereupon declared duly adopted.

Accepted 04/02/2025

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

**Resolution No. 27 of 2025
Town of Westfield
Reappoint Board of Assessment Review Board Members**

BE IT RESOLVED, the Town Board of the Town of Westfield hereby reappoints Carl Hamann with a term ending 09/30/2028 and Helen Baran with a term ending 09/30/2029 to the Board of Assessment Review Board.

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.

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

Subject: Budget Revision #2 for Budget Year 2025		
Revision Description		
To move \$10,000.00 from A fund balance A 599 to pay Jack's Welding Service, Inc Invoice 10166 for \$10,000.00 for Modifying and adding to existing floating docks to 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 to cover a portion of the expenses	Decrease Expenditures	Increase Expenditures
Budget Journal		
A Fund (General Fund - Townwide)		
A 599 Appropriated Fund Balance DR	10,000.00	
A 7180.412 Parks & Recreation - Boat Launch Grant CR		10,000.00
Total A Fund	10,000.00	10,000.00
Revision Description		
To move \$65.92 from SW7 fund balance SW7 599 to pay Department of Public Works invoice 1586 for \$445.92.	Decrease Expenditures	Increase Expenditures
To Account SW7-8389.400 Other Water Contr Expend For Materials Used For Timmerman's New Service AT 8352 W Route 20		
Budget Journal		
SW7 Fund (West Route 20)		
SW7 599 Appropriated Fund Balance DR	65.92	
SW7-8389.400 Other Water Contr Expend CR		65.92
Total SW7 Fund	65.92	65.92
Revision Description		
To move \$2,100.00 from A fund balance A 599 to pay CLP Architecture Engineering invoice 106209 for \$1,500.00 and invoice 106453 for \$600.00.	Decrease Expenditures	Increase Expenditures
This Other Water, Contr Expense Account A8389.400 Other Water, Contr Expend-Route 5 Water District #2 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	2,100.00	
A 8389.400 Other Water, Contr Expend-Route 5 Water District 2 CR		2,100.00
Total A Fund	2,100.00	2,100.00

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.

**Town Board
Town of Westfield
March 5, 2025**

Supervisor Bills moved and Councilmember David Brown seconded a motion to audit the bills at 8:17pm

Warrants dated March 5, 2025 (vouchers #'s 778-779) in the amount of \$1530.79 were drawn on the following funds:

General- Part Town Fund	\$ 563.59
Highway-Townwide Fund	\$ 967.20

Warrants dated March 5, 2025 (voucher #'s 94-154) in the amount of \$68,097.81 were drawn on the following funds:

General	\$49,151.12
General-Part Town	\$ 132.70
Highway-Town	\$17,910.91
Highway-Part Town	\$ 410.00
Forest Park Sewer	\$ 42.61
Shorehaven	\$ 4.55
West Route 20	\$ 445.92

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 William Northrop, aye.

At 8:32pm Supervisor Martha Bills moved and Councilmember David Brown seconded a motion to move to an executive session to discuss current litigation and a particular personnel history with the Town Attorney, Town Clerk and Code Officer. Unanimously carried.

At 9:10pm Supervisor Martha Bills moved and Councilmember David Brown seconded a motion to return to regular session. Unanimously carried.

There being no further business at 9:10pm Supervisor Martha Bills moved and Councilmember David Brown seconded a motion to adjourn. Unanimously carried.

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