

TOWN BOARD MEETING

Town of Westfield

July 2, 2025

Town of Westfield

Public Hearing

Special Use Permit-7880 Persons Road, Jeffrey Fortner for a new 20'100' storage building.

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

Supervisor:	Martha R. Bills	Guest:	Kate Westcott	Adam Pucket
Councilmember:	David Brown		Cayden Novaro	Aiden Novaro
	David Spann		Carol Ford	Thomas Young
	James Herbert		Amanda Allen	Taras Korol
			Maureen Fortner	Jeffrey Fortner
			Ron Erskine	Tom Herr
Code Officer:	Kenneth Shearer		Elisa Dennis	
Town Attorney:	Joel Seachrist		Marybelle Beigh, Historian	
Town Clerk:	Andrea L. Babcock			

Absent: Highway Superintendent: David Babcock
Councilmember: William Northrop

Supervisor Bills opened the Public Hearing to hear all persons in regard to the proposed Special Use Permit application for Jeffrey Fortner with property location of 7880 Persons Road, for a new 20'100' storage building for commercial use.

Proof of Publication of the public hearing from the Town Clerk was available. Code officer Shearer received positive feedback from neighbors.

The applicants were present and gave an overview of the application. The new storage building will be identical to the existing buildings.

The Town Planning Board reviewed the application on June 11, 2025, and recommended to approve the application with no concerns.

Public comments; none

At 7:26pm Supervisor Bills made the motion to adjourn the public hearing. Councilmember David Brown seconded the motion. Unanimously carried.

Respectfully submitted,

//original signed//

Andrea L. Babcock, Town Clerk

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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:

Supervisor:	Martha R. Bills	Guest:	Kate Westcott	Adam Duckett
Councilmember:	David Brown		Cayden Novaro	Aiden Novaro
	David Spann		Carol Ford	Thomas Young
	James Herbert		Amanda Allen	Taras Korol
			Maureen Fortner	Jeffrey Fortner
			Ron Erskine	Elisa Dennis
Code Officer:	Kenneth Shearer		Tom Herr	
Town Attorney:	Joel Seachrist		Marybelle Beigh, Historian	
Town Clerk:	Andrea L. Babcock			

Absent: Highway Superintendent: David Babcock
Councilmember: William Northrop

Pledge of Allegiance

Councilmember David Brown made the motion to waive the reading of the June 4, 2025, minutes inasmuch as all members received a copy thereof and the minutes be accepted. Councilmember James Herbert seconded the motion. The motion was carried unanimously.

Reports:

The supervisor’s June 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. The 2026 budget is being worked on.

The Town Clerk’s report together with a check in the amount of \$15,466.18 totaling representing fees for the month of June 2025 is turned over to the Supervisor. A check for \$45.00 representing fees for the month of June to NYS Department of Health, Marriage Licenses and a check in the amount of \$65.00 will be turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$122.82 will be withdrawn on the 13th.

- The Dog Warden’s report for the month of June and July 2024 were received and placed on file in the Town Clerk's office.
- The Town Historian report for the month of June 2025 was received and placed on file in the Town Clerks office. The Historian will be attending the History Expo on August 23rd.
- Westfield Fire Department report for the month of June 2025 was not received.
- The Town Court report for June 2025 was received and placed on file in the Town Clerk's Office.
- The WPD report for May 2025 from Chief Corbin Meleen was received. The June 2025 WPD report from Chief Gregory Wozneak was received and placed on file in the Town Clerk’s office.

Highway:

Highway Superintendent’s May and June 2025 report was received and placed on file in the Town Clerk’s office. Highway Superintendent Babcock asked for an executive session to discuss potential new hire. The executive session will be conducted after auditing the bills.

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Code Enforcement:

The Code Enforcement Officer's June 2025 report was received and placed on file in the Town Clerk's Office.

- Code Enforcement Officer Kenneth Shearer provided the board with a monthly report. Code Officer Shearer gave an overview of the day-to-day activities.
- Code officer Shearer received a special use permit application from Matt Swank, location 7251 East Main Road for a storage building. Supervisor Bills made a motion to refer to the application to the Town Planning Board and set a public hearing for August 6, 2025, at 7:25pm. Seconded by Councilmember David Brown and carried unanimously.

Barcelona Harbor:

- The first phase of the dredging has been completed with the funds allotted. Surveys will be shared once they are received.
- Discussed handicap lift at the harbor. Councilmember David Spann made a motion to have the Town Attorney review the agreement with the contractor and make the down payment. Seconded by Councilmember David Brown and carried unanimously.

Public Comment:

- Discussed Taylor Road concerns, letters of complaint were given to the Board members, discussed a formal agreement with property owners Carol Ford and Robert Williams regarding a right of way for turnaround for the Town Highway Department. The property owners have a verbal agreement with the Town.

Announcements:

- Farmer's Market in Moore Park Saturday's July 13th, 20th and 27th from 9:00am-2:00pm.
- First Friday July 12th Alumnae Weekend 5:00pm-8:00pm.
- 75th Annual Ox Roast, Sunday July 14th Noon till 5:00pm at Ottaway Park.
- Spirit Bell Toll, Sunday July 14th in Moore Park at 10:00am.
- Westfield Arts & Crafts Friday July 26th and Saturday July 27th
- NCCR annual yard sale fundraiser will be held July 26-July 28th.

Project Updates:

- An informational sign-up session for Route 5 East Lake Road Water Project No. 2 project will be held on Tuesday July 22 from 6:00pm-8:00pm at Eason Hall.

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New Business:

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

**Resolution No.50 of 2025
Town of Westfield
Neg. Dec-7880 Persons Road-Jeff Fortner-Storage Building**

WHEREAS, the Town Board of the Town of Westfield is considering the application of Jeffrey Fortner to modify an existing Special Use Permit to allow him to construct a new 20' x 100' self-storage building at 7880 Persons Road, which is designated as tax map Section 193.00, Block 1, Lot 46.1, and

WHEREAS, the use has been subject to environmental review pursuant to Article 8 of the New York State Environmental Conservation Law (State Environmental Quality Review Act), including the preparation and review of a short Environmental Assessment Form, and

WHEREAS, Part 617 of the implementing regulations pertaining to the State Environmental Quality Review Act requires this Board to determine and give notice of the environmental impact of the use, and

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

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

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 David Brown offered the following resolution and moved for its adoption

**Resolution No.51 of 2025
Town of Westfield
SPECIAL USE PERMIT
7880 Person Road-Jeff Fortner-Storage Building**

WHEREAS, the Town Board of the Town of Westfield is considering the application of Jeffrey Fortner to modify an existing Special Use Permit to allow him to construct a new 20' x 100' self-storage building at 7880 Persons Road, which is designated as tax map Section 193.00, Block 1, Lot 46.1, and

WHEREAS, Jeffrey Fortner (hereinafter, the "Applicant") has submitted an application requesting permission to operate a commercial mini-storage building at 7880 Persons Road, Westfield, designated as tax map parcel Section 193.00, Block 1, Lot 46.1, in the Manufacturing

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(M) District, and

WHEREAS, the issue of compliance with the State Environmental Quality Review Act has been addressed, and a Negative Declaration has been issued after examination of the record and public hearing, and

WHEREAS, the Town of Westfield Planning Board reviewed the application during a meeting held June 11, 2025 and recommended approval of the application, and

WHEREAS, the Town board (“Board”) has carefully considered the issue of compliance with the State Environmental Quality Review Act, and has issued a negative declaration after examination of the record and a public hearing, and

WHEREAS, the Board has considered all the facts and papers before it, and has heard those wishing to be heard at a public hearing held July 2, 2025 after publication of legal notice, and finds ample justification to approve the application subject to the qualifications hereinafter set forth, now

THEREFORE, BE IT RESOLVED, that the application to amend the special use permit to permit the construction of a new 20’ x 100’ mini-storage building at 7880 Persons Road (the “Facility”), be and hereby is authorized and approved subject to the conditions and requirements hereinafter set out:

1. The Applicant shall undertake the project in accordance with the plans and drawings submitted to the Town with the application, and agrees to be bound by the terms of the application and the conditions of this permit.

2. No items shall be kept or stored on or around the exterior of the mini-storage building.

3. If Applicant has any night-time exterior lighting of the Facility, it shall be directed and / or screened in such a manner so as to not cause a nuisance to adjacent and nearby properties or to passersby on Persons Road.

4. The Applicant shall commence operation of the Facility within one year of the issuance of this Permit. If operation has not begun within the prescribed time, this Special Use Permit shall be void and the applicant shall be required to apply for a new permit should he intend to continue the project.

5. The terms, conditions, and requirements of this permit bind and obligate the Applicant, their successors, and assigns. This permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.

6. Any failure or omission on the part of the Applicant to carry out any condition or requirement herein or in accordance with the terms or requirements of any statute, local law, ordinance or regulation, may be deemed a violation of the Town of Westfield Zoning Law and unless corrected in not more than 10 days following the service of written notice of such violation upon the Applicant, may subject them to the penalties therein. Continued violations after written notice may result in revocation of this Special Use Permit.

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7. This Special Use Permit shall become effective after the Applicant approves each and every provision hereof and agrees to be bound by all of the terms herein contained in consideration of the granting of this Special Use Permit.

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 David Spann offered the following resolution and moved for its adoption

Resolution No.52 of 2025
Town of Westfield
Assessor letter of Resignation

RESOLVED, The Town Board of the Town of Westfield hereby regretfully accepts the letter of resignation from Assessor Bonnie Rae Strickland effective close of business day of June 30, 2025.

The Town Board of the Town of Westfield hereby appointed Kenneth Shearer as the Assessor at the May Town Board meeting resolution No. 40 of 2025 with an appointment date to begin on July 1, 2025.

The appointment date is July 1, 2025- September 2025 for newly appointed Assessor Kenneth Shearer.

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 David Spann offered the following resolution and moved for its adoption

Resolution No.53 of 2025
Town of Westfield
Set a Public Hearing to Extend a Moratorium on Wind Energy Systems

RESOLVED, that the Town Board of the Town of Westfield hereby sets a Public Hearing to Extend a Moratorium on Wind Energy Systems. The hearing will be held Wednesday, August 6, 2025, at 7:20pm. The location is in Eason Hall, 23 Elm Street, Westfield New York in the North Room.

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.

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

Resolution No.54 of 2025

Town of Westfield

Set a Public Hearing to Extend a Moratorium on Commercial Solar Energy Facilites

RESOLVED, that the Town Board of the Town of Westfield hereby sets a Public Hearing to Extend a Moratorium on Commercial Solar Energy Facilities. The hearing will be held Wednesday, August 6, 2025, at 7:20pm. The location is in Eason Hall, 23 Elm Street, Westfield New York in the North Room.

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

Subject: Budget Revision #6 for Budget Year 2025			
Revision Description		Decrease	Increase
		Expenditures	Expenditures
To move \$4,382.15 from A fund balance A 599 to pay Bahgat & Laurito-Bahgat, CPAs. P.C. Invoice 600545 for \$193.75 Municipal Solutions Invoice 22790 for \$1,928.40 CPL Invoice 108405 for \$900.00 & CPL Invoice 1009140 for \$1,300.00 plus Seachrist Law Offices, P.C. Invoice 3228 for \$60.00 to the Other Water, Contr Expense Account A8389.400. The Other Water, Contr Expense 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		4,382.15	
A 8389.400 Other Water, Contr Expend-Route 5 Water District 2 CR			4,382.15
Total A Fund		4,382.15	4,382.15
Revision Description			
To move \$1,950.00 from A Assessor-Equipment A 1355.200 & to move \$4,470.30 from A Contingent Account A 1990.400 to Assessors - Personal Services A 1355.100 for \$4,412.63 & A 1355.110 Assessor Assistant - Personal Services for \$2,007.67. The Town at the time of doing the budget for 2025 was not sure how long it would take the Assessor Assistant to complete the education to become the Assessor.			
Budget Journal			
A Fund (General Fund - Townwide)			
A 1355.200 Assessor - Equipment DR		1,950.00	
A 1990.400 Contingent Account DR		4,470.30	
A 1355.100 Assessor - Personal Services CR			4,412.63
A 1355.110 Assessor- Assistant Personal Services CR			2,007.67
Total A Fund		6,420.30	6,420.30

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.

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

Warrants dated July 2, 2025 (Voucher #'s 380-446, Voided Voucher-#331, Voided Check #'s 31590) in the amount of \$73,311.43, in the following funds:

General	\$34,545.87
General- Part Town	\$ 445.88
Highway	\$ 2,321.12
Highway Part-Town	\$35,963.46
Forest Park Sewer	\$ 30.86
North Town Water-Shorehaven	\$ 4.24

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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.

At 8:15pm Supervisor Martha Bills moved, and Councilmember David Brown seconded a motion to move to an executive session to discuss a particular personnel history with the Town Highway Superintendent and property acquisition with the Town Attorney. Unanimously carried.

At 8:45pm Supervisor Martha Bills moved, and Councilmember David Brown seconded a motion to return to regular session. Unanimously carried.

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