

TOWN BOARD MEETING

Town of Westfield

August 6, 2025

Town of Westfield

Public Hearing

Special Use Permit-7251 East Main Road, Matt Swank for a 30x20 storage shed

Supervisor Bills called the public hearing to order at 7:20pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guest:	Carol Ford	Todd Swanson
Councilmember:	David Brown		Taras Korol	Andy Johnson
	David Spann		Ron Erskine	Sandra Brown
	James Herbert		Elisa Dennis	Amanda Allen
			Gail Gray	Don McCord
Code Officer:	Kenneth Shearer		Jenni Easton	
Town Attorney:	Joel Seachrist			
Town Clerk:	Andrea L. Babcock			

Absent: Councilmember: William Northrop

Supervisor Bills opened the Public Hearing to hear all persons in regard to the proposed Special Use Permit application for Matt Swank with property location of 7251 East Main Road, for a 30x20 storage shed.

Proof of Publication of the public hearing from the Town Clerk was available.

The applicant was not present. Code Officer Shearer gave an overview of the application.

The Town Planning Board reviewed the application on July 9, 2025, and recommended to approve the application with no concerns.

Public comments; none

At 7:23pm 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

TOWN BOARD MEETING

Town of Westfield

August 6, 2025

Town of Westfield

Public Hearing

Local Law No. 2 of 2025 A Local Law to Extend the Moratorium on Commercial Wind Energy Conversion Systems

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

Local Law No. 2 of 2025 and No. 3 of 2025 were discussed together at 7:23pm.

Supervisor:	Martha R. Bills	Guest:	Carol Ford	Todd Swanson
Councilmember:	David Brown		Taras Korol	Andy Johnson
	David Spann		Ron Erskine	Sandra Brown
	James Herbert		Elisa Dennis	Amanda Allen
			Gail Gray	Don McCord
			Jenni Easton	
Code Officer:	Kenneth Shearer			
Town Attorney:	Joel Seachrist			
Town Clerk:	Andrea L. Babcock			

Absent: Councilmember: William Northrop

Supervisor Bills opened the Public Hearing to hear all persons in regard to the proposed Local Law. Supervisor Bills asked Attorney Joel Seachrist to give an overview of the law. The Town Board desires to extend the current moratorium for an additional one (1) year through March 1, 2026.

Proof of Publication of the public hearing from the Town Clerk was available.

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

TOWN BOARD MEETING

Town of Westfield

August 6, 2025

Town of Westfield

Public Hearing

Local Law No. 3 of 2025 A Local Law to Extend the Moratorium on Commercial Solar Energy Facilities

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

Local Law No. 2 of 2025 and No. 3 of 2025 were discussed together at 7:23pm.

Supervisor:	Martha R. Bills	Guest:	Carol Ford	Todd Swanson
Councilmember:	David Brown		Taras Korol	Andy Johnson
	David Spann		Ron Erskine	Sandra Brown
	James Herbert		Elisa Dennis	Amanda Allen
			Gail Gray	Don McCord
			Jenni Easton	
Code Officer:	Kenneth Shearer			
Town Attorney:	Joel Seachrist			
Town Clerk:	Andrea L. Babcock			

Absent: Councilmember: William Northrop

Supervisor Bills opened the Public Hearing to hear all persons in regard to the proposed Local Law and asked Attorney Joel Seachrist to give an overview of the Law. The Town Board desires to extend the current moratorium for an additional one (1) year through August 31, 2026.

Proof of Publication of the public hearing from the Town Clerk was available.

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

TOWN BOARD MEETING
Town of Westfield
August 6, 2025

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	Guest:	Carol Ford	Todd Swanson
Councilmember:	David Brown		Taras Korol	Andy Johnson
	David Spann		Ron Erskine	Sandra Brown
	James Herbert		Elisa Dennis	Amanda Allen
Absent: Councilmember:	William Northrop		Don McCord	Gail Gray
			Jenni Easton	
Code Officer:	Kenneth Shearer			
Town Attorney:	Joel Seachrist			
Town Clerk:	Andrea L. Babcock			

Pledge of Allegiance

Supervisor Bills introduced Jenni Easton, from Pashek MTR. Pashek MTR is drafting the Comprehensive Plan for the Town and Village of Westfield. Ms. Easton gave an overview of the comprehensive draft plan.

Councilmember David Brown made the motion to waive the reading of the July 2, 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 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, the amount received is more than last quarters. The Supervisor's office is working on the 2026 budget.

The Town Clerk's report together with a check in the amount of \$18,399.72 totaling representing fees for the month of July 2025 is turned over to the Supervisor. A check for \$202.50 representing fees for the month of July to NYS Department of Health for Marriage Licenses. The amount of \$47.00 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 13th. Decals license sales started August 1st.

- The Dog Warden's report for the month of July 2025 was received and placed on file in the Town Clerk's office.
- The Town Historian report for the month of July 2025 was received and placed on file in the Town Clerk's office.
- Westfield Fire Department report for the month of July 2025 was not received.
- The Town Court report for July 2025 was received and placed on file in the Town Clerk's office.
- The WPD report for July was received and placed on file in the Town Clerk's office.

TOWN BOARD MEETING

Town of Westfield

August 6, 2025

Highway:

Highway Superintendent's July 2025 report was received and placed on file in the Town Clerk's office.

Code Enforcement:

The Code Enforcement Officer's July 2025 report was received and placed on file in the Town Clerk's office. The report highlighted the permits issued, daily tasks and continuous education.

- Attended the FEMA Floodplain meetings.
- Received a Special Use Permit application from the Moose Beach campground, refer it to the Town Planning Board and to the Town Board and set a public hearing. Supervisor Bills made a motion to refer the special use permit application to the Town Planning Board and set a public hearing for Wednesday, September 3rd, 2025 at 7:25pm. Seconded by Councilmember David Brown and carried unanimously.

Barcelona Harbor:

- The NYS Parks Lighthouse project is on hold as they wait for materials.
- Discussed the dead fish due to the change in the temperature of the lake. The board is looking for solutions for removing the dead fish.
- Discussed the handicap lift that will be installed.

Public Comment:

- None.

Announcements:

- School Tax Collection starts Tuesday, September 2nd from 8:00am-1:00pm at the Town Bookkeepers window.
- Grape and Wine Festival at Moore Park and Grape Discovery Center, September 19th and 20th.
- Patterson Library Annual Auction will be held on Wednesday August 21, 2024, at 5:00pm at Eason Hall.

Project Updates:

- Received the final permit from NYSDOT for the East Route 5 Water Project No. 2. The project will start in the upcoming days. An informational meeting was held for property owners.
 - Lakefront Water Revitalization Plan committee will meet to review maps and boundaries.
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**TOWN BOARD MEETING
Town of Westfield
August 6, 2025**

New Business:

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

**Resolution No.55 of 2025
Town of Westfield
Neg Dec-7251 East Main Rd- Storage Shed- Matt Swank**

WHEREAS, the Town Board of the Town of Westfield is considering the application of Matt Swank for a Special Use Permit allowing him to install and use a 30' x 20' storage shed at 7251 East Main Road, which is designated as tax map Section 193.00, Block 2, Lot 14, 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 Matt Swank.

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 David Spann offered the following resolution and moved for its adoption

**Resolution No.56 of 2025
Town of Westfield
Issuance of SUP-Storage Shed-7251 East Main Rd-Matt Swank**

Action of the Board:

To consider the application of Matt Swank for a Special Use Permit to construct a 30' x 20' storage shed for personal equipment storage at 7251 East Main Road, Westfield, New York, which is designated as tax map Section 193.00, Block 2, Lot 14, and located in the Residential Agricultural(R-A)District.

WHEREAS, Matt Swank (hereinafter, the "Applicant") submitted an application requesting a Special Use Permit allowing him to construct and use a 30' x 20' storage shed at 7251 East Main Road for the purpose of storing personal equipment, tools, etc.; and

TOWN BOARD MEETING

Town of Westfield

August 6, 2025

WHEREAS, the issue of compliance with the State Environmental Quality Review Act has been thoroughly addressed, and a negative declaration was issued after examination of the record and public hearing; and

WHEREAS, the Town of Westfield Planning Board reviewed the application during a meeting held July 9, 2025, and recommended approval of the application; and

WHEREAS, the Town Board has considered all the facts and papers before it, and has heard those wishing to be heard at a public hearing held August 6, 2025, and finds ample justification to approve the application subject to the qualifications hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED, that the application to construct and use a 30' x 20' storage shed 7251 East Main Road 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 descriptions submitted to the Town with the application and agrees to be bound by the terms of the application and any conditions of this permit, which are as follows:
 - a. The structure shall be used for storage only; no living quarters are permitted.
2. This permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.
3. This permit shall expire automatically if the use is not begun by April 1, 2026.
4. This 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 permit.

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.57 of 2025
Town of Westfield
LOCAL LAW NO. 2 FOR THE YEAR 2025
A LOCAL LAW TO EXTEND THE MORATORIUM ON COMMERCIAL WIND ENERGY CONVERSION 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 Wind Energy Conversion Systems in the Town of Westfield”.

TOWN BOARD MEETING

Town of Westfield

August 6, 2025

Section 2. Purpose and Intent.

By Local Law No. 3 of 2024, the Town Board of the Town of Westfield enacted a moratorium on the processing and approval of new applications for commercial Wind Energy Conversion systems that lasted through February 28, 2025.

The Town Board is undertaking a comprehensive review of the Town Zoning Law relating to commercial Wind Energy Conversion 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. 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. 3 of 2024, imposing a moratorium on the review and approval of commercial Wind Energy Conversion 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. 3 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.

TOWN BOARD MEETING

Town of Westfield

August 6, 2025

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

Resolution No.58 of 2025

TOWN OF WESTFIELD

LOCAL LAW NO. 3 FOR THE YEAR 2025

A LOCAL LAW TO EXTEND THE MORATORIUM ON COMMERCIAL SOLAR ENERGY FACILITIES

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 Solar Energy Facilities in the Town of Westfield”.

Section 2. Purpose and Intent.

By Local Law No. 2 of 2024, the Town Board of the Town of Westfield enacted a moratorium on the processing and approval of new applications for commercial Solar Energy Facilities that lasted through August 31, 2025.

The Town Board is undertaking a comprehensive review of the Town Zoning Law relating to commercial Solar Energy Facilities, 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. Accordingly, the Town Board desires to extend the current moratorium for an additional one year, or to August 31, 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. 2 of 2024, imposing a moratorium on the review and approval of commercial Solar Energy Facilities in the Town of Westfield shall be extended for one year through August 31, 2026.
- B. Except as otherwise amended herein, all provisions of Local Law No. 2 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 August 31, 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.

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

TOWN BOARD MEETING

Town of Westfield

August 6, 2025

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

Resolution No.59 of 2025

Town of Westfield

Support the Grape and Wine Festival

WHEREAS, The Town Board of the Town of Westfield hereby supports the 2025 Grape & Wine Festival on Saturday September 19th and Sunday September 20th, 2025.

BE IT RESOLVED, The Town Board of Town of Westfield hereby sponsors the festival in the amount of \$2,500.00.

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 David Spann offered the following resolution and moved for its adoption

Resolution No.60 of 2025

Town of Westfield

Authorize the supervisor to sign construction agreement with Captain Brands LLC and provide first payment

WHEREAS, the Town of Westfield seeks to improve accessibility and safety at Barcelona Harbor’s Daniel Reed Pier by installing a handicap lift to facilitate access to Lake Erie for individuals with disabilities and enhance rescue efforts; and

WHEREAS, this project is part of the Chautauqua County Lake Erie Management Commission’s plan to improve harbor facilities across the County; and

WHEREAS, the total expenditure for the purchase and installation of the handicap lift from Handicaptain Brands, LLC is not expected to exceed \$20,000; and

WHEREAS, the Town anticipates reimbursement of \$15,000 from Chautauqua County, resulting in a net cost to the Town of no more than \$5,000;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Westfield hereby authorizes the expenditure of not to exceed \$30,000 and further authorizes Supervisor Martha R. Bills to execute an agreement with Handicaptain Brands, LLC, for the purchase and installation of a handicap lift on the Daniel Reed Pier in accordance with the above terms.

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.

TOWN BOARD MEETING

Town of Westfield

August 6, 2025

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

Resolution No. 61 of 2025

Town of Westfield

Appointment of Town Assessor

BE IT RESOLVED, the Town Board of the Town of Westfield hereby re-appoints, Kenneth Shearer as the Town Assessor for the next term of October 1, 2025, for a 6-year standard NYS term to September 30, 2031.

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 budget revision and moved for its adoption

Subject: Budget Revision #7 for Budget Year 2025			
Revision Description		Decrease	Increase
To move \$500.00 from A 6989.410 Other Econ Oppty & Dvlp to A 7550.400 Celebrations to cover the costs of being a banner sponsor for the 2025 Grape & Wine Festival. The Celebrations account was short by \$500.00 to pay the banner sponsor fee of \$2,500.00		Expenditures	Expenditures
Budget Journal			
A Fund (General Fund - Townwide)			
A 6989.410 Other Econ Oppty & Dvlp Other Project DR	500.00		
A 7550.400 Celebrations Contractual CR			500.00
Total A Fund	500.00		500.00
Revision Description		Decrease	Increase
To move \$20,000.00 from A 599 Fund Balance to A 7180.413 Parks & Recreation - For Handicap Brands, LLC Invoice 488 for 50% deposit for labor and materials of construction and installation per contract for a handicap boat accessibility lift for \$10,000.00 The total cost to Handicap Brands, LLC will be \$20,000.00 The remaining \$10,000.00 will be paid to Handicap Brands, LLC at the completion of the installation. The Town will be receiving \$15,000.00 from the Lake Erie Management Commission Chautauqua County for this project.		Expenditures	Expenditures
Budget Journal			
A Fund (General Fund - Townwide)			
A 599 Appropriated Fund Balance DR	20,000.00		
A 7180.413 Parks & Recreation - Handicap Boat Accessibility Lift CR			20,000.00
Total A Fund	20,000.00		20,000.00
Revision Description		Decrease	Increase
To move \$98.00 from B Contingent Account B 1990.400 to cover the B Unemployment Insurance Account B 9050.8000 For the Unemployment Account will be overspent by \$98.00		Expenditures	Expenditures
Budget Journal			
B Fund (General - Part Town Fund)			
B 1990.400 Contingent Account DR	98.00		
B 9050.800 Unemployment Insurance CR			98.00
Total B Fund	98.00		98.00
Revision Description		Decrease	Increase
To move \$4,268.40 from A fund balance A 599 to pay Seachrist Law Offices, P.C. Invoice 3235 for \$510.00 and Municipal Solutions, Inc Invoice 23027 for \$3,758.40 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		Expenditures	Expenditures
Budget Journal			
A Fund (General Fund - Townwide)			
A 599 Appropriated Fund Balance DR	4,268.40		
A 8389.400 Other Water, Contr Expense-Route 5 Water District 2 CR			4,268.40
Total A Fund	4,268.40		4,268.40

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.

At 8:14pm Supervisor Bills moved and Councilmember David Brown seconded a motion to audit the bills.

Warrants dated August 2025 (prepaid voucher # 447 and voucher #'s 448-516) in the amount of \$206,391.83 drawn on the following funds:

General	\$ 65,683.98
General Part-Town	\$ 12,375.00
Highway	\$ 2,982.91
Highway Part-Town	\$ 125,305.56
Forest Park Sewer	\$ 40.30
North Town Water-Shorehaven	\$ 4.08

TOWN BOARD MEETING
Town of Westfield
August 6, 2025

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 8:37pm 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 pending litigation with the Town Attorney. Unanimously carried.

At 9:05pm Supervisor Martha Bills moved, and Councilmember David Brown seconded a motion to return to regular session. Unanimously carried.

There being no further business at 9:05pm. Supervisor Martha Bills moved, and Councilmember David Spann seconded a motion to adjourn. Unanimously carried.

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