

**TOWN BOARD MEETING**

**Town of Westfield**

**October 1, 2025**

**PUBLIC HEARING**

Town of Westfield

**Sherman Fire Protection District**

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

Supervisor:	Martha R. Bills	Guests:	Dave Nichols
Councilmember:	David Brown		Tom Herr
	David Spann		Sandra Brown
	James Herbert		Gail Gray
Absent:	William Northrop		David Hardenbrook-CPL

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

Public Hearing was held to hear all persons regarding the proposed Sherman Fire Protection District budget of \$11,695.29 for 2026. This is a 2% increase from the previous year.

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

Sherman contracts with Chautauqua, Mina, and Westfield. Costs continue to increase for fire equipment. Deputy Supervisor Brown thanked the Sherman Fire Protection District for their service.

The agreement amount will be paid from the fire protection district which will be assessed and levied upon the property in the fire district and collected with the Town and County Taxes of the Sherman fire district properties.

No comments were made.

Councilmember David Spann made the motion to move that the public hearing be closed at 7:25pm. Seconded by Councilmember David Brown and carried unanimously.

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

**TOWN BOARD MEETING**  
**Town of Westfield**  
**October 1, 2025**

**PUBLIC HEARING**  
**(Westfield Fire Protection District)**

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	Guests:	Dave Nichols
Councilmember:	David Brown		Tom Herr
	David Spann		Sandra Brown
	James Herbert		Gail Gray
Absent:	William Northrop		David Hardenbrook-CPL
			Josh Belcher-Fire Chief

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

Supervisor Bills explained that the Public Hearing was being held to hear all persons regarding the proposed Westfield Fire Protection District budget contract. Chief Belcher was present. The total amount of the contract is \$84,662.56. The amount includes the prorated share of the fire departments expenditures and payment number 4 for the ambulance.

Supervisor Bills provided a brief description of the budget highlighting that as always, this expense is split with the Village based on a ratio of land value and actual department costs.

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

No comments were made.

Councilmember James Herbert made the motion to move that the public hearing be closed at 7:28pm. Seconded by Councilmember David Brown and carried unanimously.

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

**TOWN BOARD MEETING**

**Town of Westfield**

**October 1, 2025**

**Draft**

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:	Dave Nichols
Councilmember:	David Brown		Tom Herr
	David Spann		Sandra Brown
	James Herbert		Gail Gray
Absent:	William Northrop		David Hardenbrook-CPL

Code Officer: Kenneth Shearer  
 Assessor: 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 September 3, 2025, 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 September 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 Supervisor’s office is working on the 2026 preliminary budget.

The Town Clerk’s report together with a check in the amount of \$7,663.23 total representing fees for the month of September 2025 is turned over to the Supervisor. A check for \$90.00 representing fees for the month of August to NYS Department of Health for Marriage Licenses. The amount of \$67.00 has been turned over to NYS Department of Agriculture and Markets. NYS Decals licenses in the amount of \$3,954.37 will be withdrawn on the 13<sup>th</sup>. The town’s commission from the September sales of decals transactions was \$155.43.

- The Dog Warden’s report for the month of September 2025 was received and placed on file in the Town Clerk's office.
- The Town Historian report for the month of September 2025 was received and placed on file in the Town Clerk’s office.
- Westfield Fire Department report for the month of August 2025 was received from Chief Belcher along with January-July reports for 2025.
- The Town Court report for September 2025 was not received. The Court Clerks are attending the NYSAMCC conference in Albany and the office is closed September 29<sup>th</sup> - October 1<sup>st</sup>.
- The WPD report for September 2025 was received and placed on file in the Town Clerk's office.

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October 1, 2025

### Highway:

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

### Code Enforcement:

The Code Enforcement Officer's September 2025 report was received and placed on file in the Town Clerk's office. The report highlighted the permits issued and daily tasks, continuous ongoing education for code enforcement and assessor training, working with property owners, attending meetings and webinars.

- Code Officer Shearer has received special use applications and would like to refer the applications to the Town Planning Board. Councilmember David Brown made a motion to refer the applications to the Town Planning Board and set public hearing starting at 7:10pm and 7:15pm. Seconded by councilmember David Spann and carried unanimously.

### Barcelona Harbor:

- A handicap chair lift will be installed at Barcelona Harbor. Supervisor Bills invited the board to view the installation and demonstration October 9<sup>th</sup>.
- Continuous Army Corp of Engineers meetings discussing the Break wall.
- NYS Parks Light House project continues while the weather is nice.

### Public Comment:

- West Route 20 property owner asked the board to consider water for residents. Wells are dry. What is the process to expand the waterline to residents? What should property owners do if they need water and where do they get it? Supervisor Bills, Board members, Highway Superintendent and Town Attorney gave suggestions, contacting the Village of Westfield water department, different companies that can haul in water to the property owner. Discussed the need for letters of support from neighbors, applying for funding, majority of support of neighbors and the necessary steps to take for the Town to consider and apply for funding.

### Announcements:

- School Tax Collection started Tuesday, September 2<sup>nd</sup> and continues until November 4<sup>th</sup>, at the Town Bookkeepers window from 8:00am-1:00pm, Monday through Friday.
- Deadline to attend the Fall Planning and Zoning training will be held in November sponsored by Southern Tier West.
- Budget workshop and Special meeting and Public Hearing will be held October 15<sup>th</sup> at 4:00pm.

### Project Updates:

- Route 5 East Lake Road Water Benefit District No. 2 will hold monthly progress meetings. Engineer David Hardenbrook was present and gave a progress report on the project.
- The Gateway Project; Chautauqua County extended the contract for the project to allow for engineering including necessary easements.

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**Town of Westfield**

**October 1, 2025**

**New Business:**

Councilmember David Brown made a motion to set a public hearing for the Preliminary Budget for November 5, 2025, at 7:20pm. Seconded by Councilmember David Spann and carried unanimously.

Councilmember David Brown made a motion to set a public hearing for the Special assessment Roll for Improvement Districts for November 5, 2025, at 7:25pm. Seconded by Councilmember James Herbert and carried unanimously.

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

**Resolution No. 69 of 2025**

**Town of Westfield**

**Authorization for Supervisor to sign the 2026 Sherman / Westfield Fire Protection Contracts.**

**RESOLVED**, the Town Board of the Town of Westfield hereby authorizes the Town Supervisor to sign the 2026 contracts for the Sherman and Westfield Fire Protection Districts.

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

**Resolution No. 70 of 2025**

**Town of Westfield**

**Standard Workday Resolution for Elected Officials (ROA).**

**BE IT RESOLVED**, the Town Board of the Town of Westfield hereby established the New York State Local Retirement Systems Standard Workday and Reporting Resolution for Elected Officials with record of activity results.

*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.*

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*Supervisor Martha Bills offered the following resolution and moved for its adoption*

**Resolution No. 71 of 2025**

**Town of Westfield**

**Authorize Payment Request No.2 and Form E-No.3 for East Route 5 Water Benefit District No.2**

**BE IT RESOLVED**, The Town Board of the Town of Westfield hereby authorizes payment No. 2 and Form E #3 -Rural Development Budget / Cost Certification, tabulation sheets and project related services to date for East Route 5 Water Benefit District No.2.

*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. 72 of 2025**

**Town of Westfield**

**East Route 5 Water Benefit District No.2 Property Tax Bill Letter**

**BE IT RESOLVED**, The Town Board of the Town of Westfield hereby authorizes the Tax Collector to include a letter to East Route 5 Water Benefit District No. 2 property owners regarding the new district with the 2026 property tax bill.

*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.*

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*Supervisor Martha Bills offered the following resolution and moved for its adoption*

**Resolution No. 73 of 2025**

**Town of Westfield**

**A RESOLUTION SUPPORTING CHAUTAUQUA COUNTY EXECUTIVE PAUL M. WENDEL JR.'S PROPOSAL TO ESTABLISH A GOVERNMENT EFFICIENCY FUND TO ENCOURAGE SHARED SERVICES, MERGERS, CONSOLIDATIONS, AND DISSOLUTIONS**

WHEREAS, the Town of Westfield recognizes the importance of maintaining fiscal responsibility and minimizing the financial burden on local taxpayers; and,

WHEREAS, increasing costs and the complexity of providing municipal services require innovative and cooperative approaches to governance at the local level; and,

WHEREAS, Chautauqua County Executive Paul M. Wendel Jr. has proposed the creation of a **Government Efficiency Fund** to assist municipalities in covering the upfront costs associated with exploring shared services, consolidations, mergers, and dissolutions with the goal of this fund being to reduce redundancies, streamline operations, and eliminate duplicate efforts, ultimately leading to significant cost savings; and,

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**October 1, 2025**

WHEREAS, such a fund would provide critical financial support for feasibility studies, legal and administrative costs, and other necessary steps that often present a barrier to initiating conversations about restructuring and collaboration; and,

WHEREAS, the Town of Westfield believes that cooperation among neighboring municipalities is essential in the pursuit of more efficient and cost-effective government operations, with the ultimate goal of improving service delivery and reducing costs to residents;

NOW, THEREFORE, BE IT RESOLVED that the **Town Board of the Town of Westfield New York**, hereby expresses its full support for **County Executive Paul M. Wendel Jr.’s** proposal to establish a **Government Efficiency Fund** to aid local governments in pursuing shared services and structural reform initiatives; and,

BE IT FURTHER RESOLVED that the Town of Westfield is committed to being an active and willing partner in future discussions and explorations of shared services, consolidations, mergers, or dissolutions, where such actions may benefit taxpayers and enhance government effectiveness; and,

BE IT FURTHER RESOLVED that the Town Clerk will send a certified copy of this resolution to all neighboring municipalities within Chautauqua County, inviting them to consider whether there may be mutual interest in exploring opportunities for shared services, consolidations, mergers, or dissolutions. The Town of Westfield is open to engaging in discussions with any interested municipalities and is committed to working cooperatively to identify ways we can improve efficiency, reduce costs, and better serve our residents. We extend this invitation in the spirit of collaboration and fiscal responsibility and welcome any communities who may wish to explore these possibilities together.

*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.*

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

**Resolution No. 74 of 2025**  
**Town of Westfield**  
**Regretfully Accept the Resignation of Town Justice**

**BE IT RESOLVED**, the Town Board of the Town of Westfield hereby regretfully accepts the resignation of Town Justice James Spann effective September 19<sup>th</sup>, 2025.

*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.*

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

**TOWN BOARD MEETING**

**Town of Westfield**

**October 1, 2025**

**Draft**

Subject: Budget Revision #9 for Budget Year 2025			
Revision Description		Decrease	Increase
Budget Journal		Expenditures	Expenditures
To move money from the chips revenue line to cover the chips expense line.			
DB Fund (Highway Part Town Fund)			
DB 3501 Consolidated Highway Aid DR		106,019.26	
DB 5112.400 Permanent Improvements - Chips CR			106,019.26
Total DB Fund		106,019.26	106,019.26
To move money from brush and weeds contractual line DA5140.400 to the brush and weeds equip & cap outlay account DA5140.200 for the purchase of a new weed trimmer			
DA Fund (Highway - Townwide Fund)			
DA 5140.400 Brush and Weeds, Contr Expend DR		729.99	
DA 5140.200 Brush and Weeds, Equip & Cap Outlay CR			729.99
Total DA Fund		729.99	729.99
To move money from Justices-Equipment account A1110.200 to the Justices-Contractual account A1110.400 due to more expenses from the Town Court absorbing the Village Court			
A Fund (General Fund - Townwide)			
A 1110.200 Justices-Equipment DR		1,000.00	
A 1110.400 Justices-Contractual CR			1,000.00
Total A Fund		1,000.00	1,000.00
To move \$548.75 from A Engineers - Contractual A 1440.400 to pay Eco Strategies invoice E225-063 for \$548.75 to A Parks & Recreation- Contra Gateway Grant. The Town Received \$22,000.00 From The County Of Chautauqua IDA For The Barcelona Gateway Grant In 2023. The Revenue From The Chautauqua County IDA Dropped To A Fund Balance in 2023			
A Fund (General Fund - Townwide)			
A 1440.400 Engineering - Contractual DR		548.75	
A 7180.411 Parks & Recreation - Contractual Barcelona Gateway Grant CR			548.75
Total A Fund		548.75	548.75
To move money from Contingent account A1990.400 to the Justices-Court Clerk Pers Serv Deputy account A1110.300 due to the Town Court absorbing the Village Court			
A Fund (General Fund - Townwide)			
A 1990.400 Contingent Account DR		4,500.00	
A 1110.130 Justices-Court Clerk Pers Serv Deputy CR			4,500.00
Total A Fund		4,500.00	4,500.00
To move \$1,816.98 from A 599 Fund Balance to A 7180.413 Parks & Recreation - For Handicap Captain 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 Captain Brands, LLC will be \$20,000.00 The remaining \$10,000.00 will be paid to Handicap Captain 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.			
A Fund (General Fund - Townwide)			
A 599 Appropriated Fund Balance DR		1,816.98	
A 7180.413 Parks & Recreation - Handicap Boat Accessibility Lift CR			1,816.98
Total A Fund		1,816.98	1,816.98

***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 8:20pm Supervisor Bills moved and Councilmember David Brown seconded a motion to audit the bills.

Warrants dated October 1, 2025 (prepaid voucher #'s 575 and voucher #'s 576-634) in the amount of \$42,914.11 drawn on the following funds:

General (A)	\$ 20,702.36
General (A) pre-paid	\$ 572.08
General (B)	\$ 594.78
Highway (DA)	\$ 9,566.43
Highway Part-Town (DB)	\$ 11,446.58
Forest Park Sewer (SS1)	\$ 28.25
North Town Water-Shorehaven (SW3)	\$ 3.63

Warrants dated October 1, 2025 (voucher 4-5) in the amount of \$295,210.79 drawn on the following funds:

Route 5 Water Benefit District-2 (H9)	\$ \$295,210.79
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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***

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**Town of Westfield**

**October 1, 2025**

*Bills, aye; Councilmember, David Brown, aye; Councilmember David Spann, aye;  
Councilmember James Herbert, aye; Councilmember William Northrop, aye.*

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At 8:36pm Supervisor Martha Bills moved, and Councilmember David Spann seconded a motion to move to executive session to discuss a particular personal history and pending litigation with the Town Attorney. Unanimously carried.

At 8:54pm Supervisor Martha Bills moved, and Councilmember David Brown seconded a motion to return to regular session. Unanimously carried.

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

**Resolution No. 75 of 2025**

**Town of Westfield**

**A RESOLUTION IN SUPPORT OF CONGRESSMAN NICK LANGWORTHY'S  
ENERGY CHOICE ACT (H.R. 3699, S. 1945) AND IN OPPOSITION TO  
GOVERNMENT-MANDATED NATURAL GAS BANS**

WHEREAS, affordable and reliable energy is essential to the health, safety, and economic prosperity of New York families, businesses, and communities; and

WHEREAS, natural gas remains a dependable, cost-effective, and clean-burning energy source used by millions of New Yorkers to heat their homes, cook their food, and power their businesses; and

WHEREAS, in 2019, New York State enacted the **Climate Leadership and Community Protection Act (CLCPA)**, which mandates aggressive emissions reductions and serves as the foundation for sweeping energy restrictions, including efforts to phase out natural gas; and

WHEREAS, building on the CLCPA, Governor Kathy Hochul and the New York State Legislature in 2023 enacted provisions in the state budget banning natural gas and other fossil fuel hookups in most new residential and commercial buildings, effective 2026 for smaller buildings, and 2029 for larger buildings, thereby eliminating consumer choice and limiting access to affordable energy; and

WHEREAS, Governor Hochul has publicly supported these bans and related measures as part of her administration's climate and energy agenda, despite widespread concerns that such mandates will increase costs, strain grid reliability, and restrict energy diversity; and

WHEREAS, these top-down policies undermine affordability, threaten reliability during peak demand, and strip away the freedom of consumers and businesses to choose the energy sources that best meet their needs; and

WHEREAS, Congressman Nick Langworthy of New York and Senator Jim Justice of West Virginia introduced the **Energy Choice Act (H.R. 3699, S. 1945)**, federal legislation that ensures state and local governments cannot restrict consumer access to natural gas and other affordable energy sources, thereby protecting freedom of choice for New Yorkers and all Americans; and

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**Town of Westfield**

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WHEREAS, the Energy Choice Act would safeguard households, small businesses, hospitals, farmers, and manufacturers from harmful government overreach and preserve access to an “all-of-the-above” energy strategy that strengthens reliability and affordability;

NOW, THEREFORE, BE IT RESOLVED, that the Westfield Town Board strongly supports the Energy Choice Act as introduced by Congressman Langworthy (H.R. 3699) and Senator Justice (S. 1945) and stands firmly opposed to New York State’s natural gas bans, the CLCPA-driven restrictions, and other state energy mandates that eliminate consumer choice; and

BE IT FURTHER RESOLVED, that the Westfield Town Board urges Congress to pass the Energy Choice Act to defend consumer choice, protect energy affordability, and preserve reliable access to natural gas for New Yorkers.

*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.*

There being no further business at 8:54pm Supervisor Martha Bills moved, and Councilmember David Brown seconded a motion to adjourn. Unanimously carried.

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