

**TOWN BOARD MEETING  
Town of Westfield  
December 3, 2025**

**PUBLIC HEARING  
Town of Westfield**

**Special Use Permit Application-Randy Hosler- Rogerville Road, Westfield for a Storage Shed**

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	Guests:	Gail Gray	Randy Hosler
Councilmember:	David Brown		Tom Herr	Jim Wise
	David Spann		Sandra Brown	
	James Herbert		Brooke Luce	
	William Northrop		Vince Luce	

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

Supervisor Bills opened the public hearing to discuss the special use application. The applicant was present and gave an overview of the application. Code Officer Shearer stated that the reason for the application is because it is over 144 square feet.

The Legal notice was posted in the Dunkirk Observer, and Town Clerks sign wall of the Public Hearing. Supervisor Bills received a letter of recommendation from the Planning Board recommending to approve the application.

No comments from the public.

Supervisor Martha Bills made the motion to move that the public hearing be closed at 7:24pm. Councilmember David Brown seconded the motion. Motion carried.

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

**TOWN BOARD MEETING**  
**Town of Westfield**  
**December 3, 2025**

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:30pm in Eason Hall North Room, 23 Elm Street, Westfield, NY, with the following members and guests present.

Supervisor:	Martha R. Bills	Guests:	Gail Gray	Randy Hosler
Councilmember:	David Brown		Tom Herr	Jim Wise
	David Spann		Sandra Brown	
	James Herbert		Brooke Luce	
	William Northrop		Vince Luce	

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 a motion to waive the reading of November 5, 2025, minutes inasmuch as all members received a copy thereof and that the minutes be accepted. The motion was seconded by Councilmember David Spann and carried unanimously.*

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**Reports:**

Supervisor Bills presented the monthly report on the Town's finances for the month of November 2025. All Board members have received a copy of the report for November 2025 and is accepted as submitted. Mortgage tax distribution 04/01/2025-09/30/2025 was received in the amount of \$29,717.95 and Chautauqua County reimbursed the Town in the sum of \$15,000.00 for equipment and installation of a Handicap Chair lift installed at the Daniel Reed Pier.

The Town Clerk's report together with a check in the amount of \$4444.09 representing fees for the month of November 2025 was turned over to the Supervisor. A check for \$90.00 representing fees for the month of November to NYS Department of Health, Marriage Licenses and a check in the amount of \$29.00 was turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$628.39 will be withdrawn on the 13<sup>th</sup>.

- The Town Clerks office will be collecting the 2026 Town and County tax collection; the office is preparing for the collection.
- The Town Clerk made an overpayment to the Supervisor of \$.20 in October for fees collected in September. The report for September has been corrected from \$3954.37 to \$3,954.57 for the sale of DECALS. Clerk Babcock stated that when auditing the bills the board will see a voucher made payable to the Westfield Town Clerk for \$.20.

The Dog Warden's report for November 2025 reported no activities for the month of November.  
The Historian's report for October and November 2024 were received and placed on file.  
The Fire Department was not received.  
The Town Court report for November 2025 was received.  
The WPD report for November 2025 was received and placed on file.

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**Highway:**

- The Town Highway Superintendent submitted a November 2025 report highlighting fuels, winterizing the harbor, shop work and plowing.

**Code Enforcement:**

- Code Officer Shearer submitted a report for the month of November 2025. The report has been received and placed on file.
  - o Code Officer Shearer highlighted that he continues required education for Code Enforcement, attending meetings and gave an overview of the day-to-day activities of his office.

**Assessor:**

- Assessor Shearer submitted a report for the month of November 2025. The report is included in the monthly Code Enforcement office report.

**Barcelona Harbor:**

- The Pier is closed for the season.

**Public Comment:**

- NONE

**Announcements:**

- Chautauqua County Chamber of Commerce Holiday window contest runs from November 24<sup>th</sup>, 2025-December 17<sup>th</sup>, 2025. Voting will be done through the Chamber's Facebook page.
- The Holiday cookie tour is December 13, 2025, from 11:00am-3:00pm.
- Chautauqua County Historical Society annual Holiday Open house at the McClurg Museum will be held Sunday, December 7, 2025, from 2:00pm-4:00pm.

**Project Updates:**

- Engineers plan to attend the January meeting to discuss the East Route 5 Water Benefit District #2 project and give a project update. A progress meeting will be held on December 16, 2025. Progress meetings are held monthly with Town Representatives, Engineers, Village Water Department, Contractor, USDA and Municipal Solutions.
- Thomas Ballistrea Jr. contacted Supervisor Bills regarding notification of microbusiness (with retail authorization) renewal license application for New York State office of Cannabis Management. Mr. Ballistrea submitted a license to the New York State office of Cannabis Management in 2023. Mr. Ballistrea Jr. will be in with a copy of the application to distribute to the board and receive a municipality acknowledgement letter on municipality letterhead from the Town Clerk as provided in 2023.

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**TOWN BOARD MEETING  
Town of Westfield  
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**New Business:  
Resolutions for 12/3/2025**

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

**Resolution No.83 2025  
Town of Westfield  
Neg/Dec-SUP-7236 Rogerville Road-Shed**

**WHEREAS**, the Town Board of the Town of Westfield is considering the application of Randy Hosler for a Special Use Permit allowing him to install and use a 12' x 20' storage building at 7236 Rogerville Road, which is designated as tax map Section 208.00, Block 2, Lot 33, 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 Randy Hosler.

*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 James Herbert offered the following resolution and moved for its adoption*  
**Resolution No.84 2025**  
**Town of Westfield**  
Issuance of Special Use Permti-7236 Rogerville Road-Shed

**Action of the Board:**

To consider the application of Randy Hosler for a Special Use Permit to construct a 12' x 20' storage shed for personal equipment storage at 7236 Rogerville Road, Westfield, New York, which is designated as tax map Section 208.00, Block 2, Lot 33, and located in the Residential Agricultural (R-A) District.

**WHEREAS**, Randy Hosler (hereinafter, the “Applicant”) submitted an application requesting a Special Use Permit allowing him to construct and use a 12' x 20' storage shed at 7236 Rogerville Road for the purpose of storing personal equipment; and

**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 November 12, 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 December 3, 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 12' x 20' storage shed for equipment storage at 7236 Rogerville 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.

Dated: December 3, 2025

*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 MEETING  
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December 3, 2025**

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*Councilmember William Northrop offered the following resolution and moved for its adoption*

**Resolution No.85 2025  
Town of Westfield  
2026 Town Holidays**

- New Year's Day                      Thursday, January 1
- Martin Luther King Day            Monday, January 19
- Presidents' Day                    Monday, February 16
- Good Friday                        Friday, April 3
- Memorial Day                      Monday, May 25
- Juneteenth                         Friday, June 19
- 4<sup>th</sup> of July                         Friday, July 3
- Labor Day                         Monday, September 7
- Columbus Day                      Monday, October 12
- Veteran's Day                      Wednesday, November 11
- Thanksgiving Day                Thursday, November 26
- Day After Thanksgiving         Friday, November 27
- Day Before Christmas Eve      Wednesday, December 23
- Christmas Eve                    Thursday, December 24
- Christmas Day                    Friday, December 25
- New Year's Eve                    Thursday, December 31

*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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**TOWN BOARD MEETING**

**Town of Westfield**

**December 3, 2025**

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

**Resolution No.86 2025**

**Town of Westfield**

**CHIPS Funding**

**WHEREAS**, a reliable transportation infrastructure is vital for the safety of New York's travelling public and its economy; and

**WHEREAS**, 85% of New York's roads and bridges are maintained by local governments; and

**WHEREAS**, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally transportation assets means that they beyond preservation and in need of much more costly rehabilitation and reconstruction; and

**WHEREAS**, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

**WHEREAS**, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

**WHEREAS**, the New York State Association of Town Superintendents of Highways commissioned its own 15 year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

**WHEREAS**, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

**WHEREAS**, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is and is part of the New York State Department of Transportation (NYSDOT) capital program; and

**WHEREAS**, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

**WHEREAS**, when the DHBTF was created, it was agreed that the NYSDOT and MTA five year capital programs would be similar in size and would be negotiated concurrently; and

**WHEREAS**, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

**WHEREAS**, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT;

**NOW THEREFORE BE IT RESOLVED** that the Town of Westfield calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2025-2026 state budget; and

**BE IT FURTHER RESOLVED** that the Town of Westfield calls upon the Governor and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and

**BE IT FURTHER RESOLVED** that the Town of Westfield calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

*This was seconded by Councilmember William Northrop. 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*

**TOWN OF WESTFIELD  
RESOLUTION #87  
ROUTE 5 WD #2 PROJECT  
PROJECT BUDGET MODIFICATIONS**

**WHEREAS**, the Town of Westfield has received funding from Rural Development for their Route 5 WD #2 Project (“Project”); and

**WHEREAS**, the Town Board wishes to adjust project budget items to more accurately reflect actual costs and;

**WHEREAS**, Rural Development requires the Town Board to authorize all changes to the Administrative Budget as shown on the Form E; NOW, therefore be it

**RESOLVED**, that the Town Board of the Town of Westfield authorizes the following Budget modifications for the Project:

- |    |                     |             |          |
|----|---------------------|-------------|----------|
| 1. | Fiscal Coordination | Increase of | \$15,000 |
|----|---------------------|-------------|----------|

I, Andrea Babcock, Town Clerk of the Town of Westfield, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Westfield on December 3, 2025, by the following vote:

*This was seconded by Councilmember James Herbert. Roll Call Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor/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.88 of 2025**  
Town of Westfield  
**Authorize Payment Request No.4 and Form E-No. 5 for East Route 5 Water Benefit District No.2**

**BE IT RESOLVED**, The Town Board of the Town of Westfield hereby authorizes payment No. 4 and Form E #5 -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; Councilmember William Northrop, aye.*

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

**Resolution No.89 of 2025**  
Town of Westfield

**Authorize the Supervisor to sign amendment 3 for financial advisor for East Route 5 Water Benefit District No.2**

**BE IT RESOLVED**, The Town Board of the Town of Westfield hereby authorizes the Supervisor to sign Amendment no. 3 to Contract Dated June 12, 2020, Water Benefit District No. 2 Project.

*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 James Herbert offered the following budget revision and moved for its adoption*

Subject: Budget Revision #11 for Budget Year 2025		
Revision Description	Decrease	Increase
To move \$2,429.77 from SS1 fund balance SS1 599 to cover the Village of Westfield's Electric bill dated 11/14/2025 for the expense line being short by \$3.81	Expenditures	Expenditures
Plus \$2,325.96 For A Dunkirk Electric Motor Repair Invoice 1017 to Repair a Pump For Schultz Drive Forest Park to Account SS1 8190.400 Other-Operations & Maintenance		
Budget Journal		
SS1 Fund (Forest Park Sewer)		
SS1 599 Appropriated Fund Balance DR	2,429.77	
SS1-8190.400 Other-Operations & Maintenance CR		2,429.77
Total SS1 Fund	2,429.77	2,429.77
Revision Description	Decrease	Increase
To move \$212.12 from Contingent account A1990.400 to the Assessors Contractual Account A1355.400 to cover the budget line being overspent	Expenditures	Expenditures
Budget Journal		
A Fund (General Fund - Townwide)		
A 1990.400 Contingent Account DR	271.32	
A 1355.400 Assessors-Contractual CR		271.32
Total A Fund	271.32	271.32
Revision Description	Decrease	Increase
To move \$129.65 from Contingent account A1990.400 to the Justices Contractual Account A 1110.400 to cover the budget line being overspent	Expenditures	Expenditures
Budget Journal		
A Fund (General Fund - Townwide)		
A 1990.400 Contingent Account DR	129.65	
A 1110.400 Justices-Contractual CR		129.65
Total A Fund	129.65	129.65
Revision Description	Decrease	Increase
To move money from Contingent account B1990.400 to the Safety Inspection Contractual account B3620.400 to cover the budget line being overspent	Expenditures	Expenditures
Budget Journal		
B Fund (General - Part Town Fund)		
B 1990.400 Contingent Account DR	124.60	
B 3620.400 Safety Inspection - Contractual CR		124.60
Total B Fund	124.60	124.60

*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.*

**TOWN BOARD MEETING  
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*At 7:55pm Supervisor Martha Bills moved, and Councilmember David Brown seconded a motion to audit the bills.*

Warrants dated December 3, 2025 (voucher #'s 709-772) in the amount of \$250,992.99 drawn on the following funds:

General (A)	\$ 96,066.75
General (B)	\$ 33,627.57
Highway (DA)	\$ 37,907.13
Highway Part-Town (DB)	\$ 14,786.40
Westfield Fire Department District	\$ 66,182.10
Forest Park Sewer (SS1)	\$ 2,418.97
North Town Water-Shorehaven (SW3)	\$ 4.07

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Warrants dated December 3, 2025 (voucher 9-13) in the amount of \$623,939.07 drawn on the following funds:

Route 5 Water Benefit District-2 (H9)	\$ 623,939.07
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**These warrants were presented and audited by the Board members. Supervisor Martha Bills made a motion to be directed to draw the necessary checks to cover the warrants as audited. 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.**

At 8:15pm Supervisor Martha Bills moved and Councilmember David Brown seconded a motion to move to executive session to discuss a particular personnel history. Unanimously carried.

At 8:30pm 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.90 of 2025**  
Town of Westfield  
Increase Justice for 2025 and 2026

**BE IT RESOLVED**, the Town Board of the Town of Westfield hereby authorizes the Supervisor to make a payment of \$3,343.00 in 2025 and a payment of \$1,015.00 in 2026 to Justice Jerry Laporte in payment for assuming the duties of the unfilled second justice position in the newly expanded Town Court.

***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.***

There being no further business at 8:30pm Councilmember David Brown moved and Councilmember David Spann seconded a motion to adjourn. Unanimously carried.

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