

Special Meeting of the Town Board
Town of Westfield

**Town of Westfield
August 27, 2019**

Supervisor Bills called the Special meeting of the Town Board to order at 4:04pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

There were present: Martha R. Bills, Supervisor
Councilpersons: David Brown
James Herbert
Will Northrop

Also present: Attorney, Joel Seachrist

The Town Board discussed the excess grant funds for the Route 20 water line extension. A discussion ensued.

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

**Resolution #56 of 2019
Town of Westfield
Adopt Negative Declaration, Route 20 Water Extension from Grape Discovery to Mazza**

WHEREAS, the Town of Westfield is considering an action to extend the NYS Route 20 Water Benefit District No. 1 and to install approximately 1,400 linear feet of water main along West Route 20, running westward from the Grape Discovery Center, and

WHEREAS, the proposed action 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 Coastal 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 proposed action, and

WHEREAS, the Board has determined that the proposed action 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 proposed action, and authorizes the Supervisor to sign Part III of the Environmental Assessment Form accordingly.

This was seconded by Councilman James Herbert. Voting was as follows: Voting was as follows: Supervisor Martha Bills, aye; Councilman David Brown, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye.

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Councilman Will Northrop offered the following resolution and moved for its adoption, seconded by Councilman James Herbert;

**Resolution #57 of 2019
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RESOLUTION DATED AUGUST 27, 2019.

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 \$55,000.

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 NYS Route 20 Water Benefit District No. 1, located within the North Town Water District, consisting of the installation of new water main along NYS Route 20, including approximately 1,400 feet of 12-inch main, land or rights-in-land, original furnishings, equipment, machinery, apparatus and other costs incidental thereto; and

WHEREAS, the boundaries of the existing district would be increased and extended by the proposed benefited area, which is described 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 a point, on the centerline of NYS Route 20 (66 feet right-of-way) at the intersection of the northerly extension of the easterly line of tax account number 209.00-2-12, and a northwesterly corner of the existing Town of Westfield NYS Route 20 Water Benefit District No. 1; thence,

1. Southerly, along the northerly extension of the easterly line of tax account number 209.00-2-12, and the easterly line of tax account number 209.00-2-12, a distance of 321 feet, more or less, to the southeasterly corner of said tax account number and a southwesterly corner of the existing Town of Westfield NYS Route 20 Water Benefit District No. 1; thence,

2. Southwesterly, along the southerly line of tax account number 209.00-2-12, through the lands of tax account number 209.00-2-10, along the southwesterly extension of the southerly line of tax account 209.00-2-12, a distance of 637 feet, more or less, to the easterly line of tax account number 209.00-2-9; thence,

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3. Southerly, along the easterly line of tax account number 209.00-2-9, a distance of 120 feet, more or less, to the southeasterly corner of said tax account number; thence,
4. Westerly, along the southerly lines of tax account numbers 209.00-2-9 and 209.00-2-8, a distance of 235 feet, more or less, to the southeasterly corner of tax account number 209.00-2-6; thence,
5. Southwesterly, along the southerly line of tax account number 209.00-2-6, a distance of 460 feet, more or less, to the southwesterly corner of said tax account number; thence,
6. Northerly, along the westerly line of tax account number 209.00-2-6 and the northerly extension of the westerly line of tax account number 209.00-2-6, a distance of 390 feet, more or less, to the center line of NYS Route 20; thence,
7. Southwesterly, along the center line of NYS Route 20, a distance of 390 feet, more or less, to the southerly extension of the westerly line of tax account number 209.00-1-30.1; thence,
8. Northerly, along the southerly extension of the westerly line of tax account number 209.00-1-30.1 and the westerly line of tax account number 209.00-1-30.1, a distance of 450 feet, more or less, to an angle point on the westerly line of said tax account number; thence,
9. Northwesterly, along the westerly line of tax account number 209.00-1-30.1, a distance of 260 feet, more or less, to an angle point on the westerly line of said tax account number; thence,
10. Northerly, through the lands of tax account number 209.00-1-30.1 along the southerly extension of a westerly line of tax account number 209.00-1-30.1 and a westerly line of tax account number 209.00-1-30.1, a distance of 1,930 feet, more or less, to a northwesterly corner of said tax account number; thence,
11. Easterly, along the northerly lines of tax account numbers 209.00-1-30.1 and 209.00-1-29, a distance of 924 feet, more or less, to the westerly line of tax account number 209.00-1-27; thence,
12. Northerly, along the westerly line of tax account number 209.00-1-27, a distance of 180 feet, more or less, to a northwesterly corner of said tax account number and a southwesterly corner of the existing Town of Westfield NYS Route 20 Water Benefit District No. 1; thence,
13. Southeasterly, along the northerly line of tax account number 209.00-1-27 and a southerly line of the existing Town of Westfield NYS Route 20 Water Benefit District No. 1, a distance of 1,126 feet, more or less, to a northeasterly corner of said tax account number and the existing Town of Westfield NYS Route 20 Water Benefit District No. 1; thence,
14. Southwesterly, along an easterly line of tax account number 209.00-1-27 and a westerly line of the existing Town of Westfield NYS Route 20 Water Benefit District No. 1, a distance of 545 feet, more or less, to a point on the northerly line of tax account number 209.00-1-23.2 and a northerly line of the existing Town of Westfield NYS Route 20 Water Benefit District No. 1; thence,
15. Southwesterly, along a northerly line of tax account number 209.00-1-23.2 and a southerly line of the existing Town of Westfield NYS Route 20 Water Benefit District No. 1, a distance of 27 feet, more or less, to a southwesterly corner of tax account number 209.00-1-22; thence,
16. Southerly, along a westerly line of tax account number 209.00-1-23.2 and a westerly line of the

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existing Town of Westfield NYS Route 20 Water Benefit District No. 1, a distance of 250 feet, more or less, to a southwesterly corner of said tax account number and a northerly line of the existing Town of Westfield NYS Route 20 Water Benefit District No. 1; thence,

17. Easterly, along the northerly line of tax account number 209.00-1-26 and the existing Town of Westfield NYS Route 20 Water Benefit District No. 1, a distance of 104 feet, more or less, to the northeasterly corner of said tax account number, and the existing Town of Westfield NYS Route 20 Water Benefit District No. 1; thence,

18. Southerly, along the easterly line of tax account number 209.00-1-26, and the southerly extension of the easterly line of tax account number 209.00-1-26 and the existing Town of Westfield NYS Route 20 Water Benefit District No. 1, a distance of 355 feet, more or less, to the center line of NYS Route 20, and the existing Town of Westfield NYS Route 20 Water Benefit District No. 1; thence,

19. Northeasterly, along the center line of NYS Route 20 and the existing Town of Westfield NYS Route 20 Water Benefit District No. 1, a distance of 23 feet, more or less, to the point of Beginning.

Extension No. 1 to the Town of Westfield NYS Route 20 Water District No. 1, as described above contains approximately 87 acres of land.

All as shown on a map prepared by CPL, "Extension No. 1 to the NYS Route 20 Water Benefit District No. 1", Drawing Number WD-02, dated August 20, 2019.

WHEREAS, the proposed benefited area would be added to and become part of the existing NYS ROUTE 20 WATER BENEFIT DISTRICT NO. 1; and

WHEREAS, the improvements are as follows: approximately 1,400 linear feet of 12-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 \$55,000; and

WHEREAS, the proposed method to be employed to pay for such improvements is \$30,000 in funds remaining in a grant from the Dormitory Authority of the State of New York, a contribution of \$25,000 by Mazza Chautauqua Cellars, LLC, and installation and any remaining balance to be paid by in-kind contributions from the Town of Westfield and Village of Westfield, and

WHEREAS, the cost of the improvements to the typical one- or two- family, full-time resident home in the benefited area will be \$0.00 for debt service, an estimated \$651.00 per year for water costs for those who connect, and \$20.00 per year for everyone in the benefit district for operation and maintenance costs, which is a common charge paid by everyone with access to water in the North Town Water District; and

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WHEREAS, the proposed method of apportioning the costs of such improvement is on a benefit basis to the benefited properties within the NYS Route 20 Water Benefit District No. 1, and

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 a 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 11th day of September, 2019 at 7:20 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 11th day of September, 2019, at 7:20 o'clock P.M., prevailing time, for the purpose of conducting a public

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hearing relating to the increase and improvement of the NYS Route 20 Water Benefit District No. 1, located within the North Town Water District in said Town, consisting of the installation of approximately 1,400 linear feet of water main along NYS Route 20 within the benefit district designated as the NYS Route 20 Water Benefit District No. 1, including land or rights-in-land, original furnishings, equipment, machinery, apparatus and other costs incidental thereto, at a maximum estimated cost of \$55,000, all of which will be paid for by a grant funds, a contribution from Mazza Chautauqua Cellars, LLC, and in-kind contributions from the Town and Village of Westfield, 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,
August 28, 2019.

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:

Supervisor, Martha Bills	VOTING	AYE
Councilman, David Brown	VOTING	AYE
Councilman, James Herbert	VOTING	AYE
Councilman, Will Northrop	VOTING	AYE

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Councilman David Spann

ABSENT

The resolution was thereupon declared duly adopted.

Resolution #58 of 2019
Town of Westfield
Authorize the Supervisor to sign an agreement with Mazza

RESOLVED, the Town Board of the Town of Westfield hereby authorizes the Town Supervisor to sign an agreement with Mazza Chautauqua Cellars, LLC, whereby Mazza will contribute \$25,000 to the Town's project to extend the existing "NYS Route 20 Water Benefit District No. 1" and to install watermain that will run to Mazza's property at 8398 West Main Road.

Roll Call Vote by roll call.

Town Supervisor	Martha Bills	AYE
Councilman	David Brown	AYE
Councilman	David Spann	ABSENT
Councilman	James Herbert	AYE
Councilman	Will Northrop	AYE

This was seconded by Councilman Will Northrop. Voting was as follows: Voting was as follows: Supervisor Martha Bills, aye; Councilman David Brown, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye.

The Town Board will personally talk to Route 20 residents and a letter will be drafted and sent out to residents prior to the Public Hearing scheduled for September 11th, 2019

There being no further business at 5:00pm Supervisor Martha Bills moved and Councilman David Brown seconded a motion to adjourn. Unanimously carried.

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