

TOWN BOARD MEETING

Town of Westfield

August 3, 2022

PUBLIC HEARING

Town of Westfield

Public Hearing, for a Special Use Permit for Terri Gilbert & Byron Gens, located at 7574 North Gale Street for a 6' fence.

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:	William Bauer
Councilmen:	David Brown		Deb Best
	James Herbert		
	Will Northrop		
Absent:	David Spann		

Town Attorney: Joel Seachrist
Highway Superintendent: David Babcock
Code Officer/Assessor: Bonnie Rae Strickland

Supervisor Bills opened the Public Hearing to hear all persons regarding the proposed Special Use Permit.

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

The applicant was not present. Code Officer Strickland spoke on their behalf. The application is for a 6ft fence which requires a special use permit. Code Officer Strickland received a letter from the applicant as she was not able to attend and read the letter to the board. Comments, questions, or concerns were not received from neighbors.

The Town Planning Board has reviewed the application and recommended approval to the Town Board members for their review and disposition on July 21.

At 7:25pm Supervisor Martha Bills made the motion to adjourn the public hearing. Councilman David Spann seconded the motion. This was unanimously approved.

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

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Town of Westfield

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PUBLIC HEARING

Town of Westfield

**Public Hearing, for a Special Use Permit for Douglas Tanner and Diane Meleen, location
8353 Hardscrabble Road for a Storage Shed**

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

Supervisor: Martha R. Bills Guest: William Bauer
Councilmen: David Brown Deb Best
 James Herbert
 Will Northrop

Absent: David Spann

Town Attorney: Joel Seachrist
Highway Superintendent: David Babcock
Code Officer/Assessor: Bonnie Rae Strickland

Supervisor Bills opened the Public Hearing to hear all persons regarding the proposed Special Use Permit.

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

The applicant was not present. Code Officer Strickland spoke on their behalf. The application is for a storage shed for yard equipment on a vacant parcel in a residential agricultural district. Comments, questions, or concerns were not received from neighbors.

Discussed residential agricultural districts, use of storage sheds on vacant parcels.

The Town Planning Board has reviewed the application and recommended approval to the Town Board members for their review and disposition on July 21.

At 7:36pm Councilman David Brown made the motion to adjourn the public hearing. Councilman Will Northrop seconded the motion. This was unanimously approved.

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

TOWN BOARD MEETING

Town of Westfield

August 3, 2022

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: William Bauer
Councilmen: David Brown Deb Best
 James Herbert
 Will Northrop

Absent: David Spann

Town Attorney: Joel Seachrist
Highway Superintendent: David Babcock
Code Officer/Assessor: Bonnie Rae Strickland

Pledge of Allegiance

Councilman Will Northrop made the motion to waive the reading of the July 13, 2022 Town Board meeting minutes and July 25, 2022 Special meeting minutes inasmuch as all members received a copy thereof and the minutes be accepted. Councilman James Herbert seconded the motion. The motion was carried unanimously.

Reports:

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. Working on the 2023 budget. Received ARPA funds of \$81,999.75 for a total of \$163,999.51. Received a higher interest rate in money market account. The rate is the highest it's been in years. Sales tax revenue was received for the third quarter.

The Town Clerk's report together with a check in the amount of \$10,666.00 representing fees for the month of July 2022 is turned over to the Supervisor. A check for \$90.00 representing fees for the month of July to NYS Department of Health, Marriage Licenses and a check in the amount of \$84.00 will be turned over to NYS Department of Agriculture and Markets., and zero NYS Decals sales for the month of July.

- Discussed punch cards for the transfer station. The Town Clerk reached out to Add Lumber and Tops Market. Councilman David Brown made the motion and James Herbert seconded the motion to allow Add Lumber and Tops Market to sell Town Transfer Station punch cards. The Transfer station punch card can be used by Town and/or Village residents. This will allow the community to have more options to purchase transfer station punch cards.

The Dog Warden's report was not received.

The Town Historian report for the month of July 2022 was received and placed on file.

Westfield Fire Department report for the month of June 2022 was received and placed on file.

- The Fire Department will be celebrating 150yr in September.

The Town Court report for July 2022 was received and placed on file.

The WPD report for July 2022 was received and placed on file.

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Highway:

Highway Superintendent's July report has been received and accepted.

Code Enforcement:

The Code Enforcement Officer submitted a written report for July 2022 has been received and accepted.

- Councilman David Brown made a motion to attend two upcoming conferences, one for the position of Assessor and one for the position of Town Code Officer, not to exceed \$1200.00. Seconded by Councilman Will Northrop and carried unanimously.

Barcelona Harbor:

- The community is enjoying the harbor.

Public Comment:

- Discussed property lines and a horse in Barcelona.

Announcements:

- First Friday will be held Friday August 5th.
- Lakeshore Center of the Arts will display the Grand Theatre exhibit until August 6.

Project Updates:

- Permits have been signed and submitted by the Supervisor for the Route 5 East Lake Road Water Project No.2 to the engineer. Continuing to work on the water purchase agreement.
- The Welch Trail is ready to be used.
- The sale of the Welch Building is moving along. Working on agreements for the parking lot.

New Business:

Councilman Will Northrop offered the following resolution and moved for its adoption

Resolution No. 48 of 2022
Town of Westfield
Negative Declaration-Gens-Gilbert-7574 North Gale-Fence

WHEREAS, the Town Board of the Town of Westfield is considering the application of Byron Gens and Terri Gilbert for a Special Use Permit allowing them to construct a 6' x 114' fence at 7574 North Gale Street, which is designated as tax map Section 192.15, Block 1, Lot 9, 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

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Town of Westfield

August 3, 2022

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 Byron Gens and Terri Gilbert.

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

Councilman Will Northrop offered the following resolution and moved for its adoption

Resolution No. 49 of 2022

Town of Westfield

Issuance of Permit-SUP-Gens-Gilbert-7574 North Gale St-Fence

Action of the Board:

To consider the application of Byron Gens and Terri Gilbert for a Special Use Permit to construct a 6' x 114' fence at 7574 North Gale Street, which is designated as tax map Section 192.15, Block 1, Lot 9, and

WHEREAS, Byron Gens and Terri Gilbert (hereinafter, the "Applicant") submitted an application requesting a Special Use Permit allowing them to construct a 6' x 114' fence at 7574 North Gale Street, which is designated as tax map Section 192.15, Block 1, Lot 9, 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 July 21, 2022 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 3, 2022 on the application, and finds ample justification to approve the application subject to the qualifications hereinafter set forth

NOW, THEREFORE, BE IT RESOLVED, that the application to build a storage shed 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: *None*
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 August 3, 2023.
4. This permit shall become effective after the Applicant approves each and every provision

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hereof and agrees to be bound by all of the terms herein contained in consideration of the granting of this special permit.

The Applicant agrees to abide by all the terms of this Special Permit.

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

Councilman Will Northrop offered the following resolution and moved for its adoption

Resolution No. 50 of 2022

Town of Westfield

Negative Declaration-Tanner-Meleen-8353 Hardscrabble Road-Storage Shed

WHEREAS, the Town Board of the Town of Westfield is considering the application of Douglas Tanner and Diane Meleen for a Special Use Permit allowing them to construct an 8' x 14' storage shed at 8353 Hardscrabble Road, which is designated as tax map Section 226.00, Block 1, Lot 43, 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 Douglas Tanner and Diane Meleen.

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

**TOWN BOARD MEETING
Town of Westfield
August 3, 2022**

Councilman Will Northrop offered the following resolution and moved for its adoption

**Resolution No. 51 of 2022
Town of Westfield
Issuance of Permit-SUP-Tanner-Meleen-8353 Hardscrabble Rd-Storage Shed**

Action of the Board:

To consider the application of Douglas Tanner and Diane Meleen for a Special Use Permit to construct an 8' x 14' storage shed at 8353 Hardscrabble Road, which is designated as tax map Section 226.00, Block 1, Lot 43, and

WHEREAS, Douglas Tanner and Diane Meleen (hereinafter, the "Applicant") submitted an application pursuant to Section 185-24(K) of the Town of Westfield Zoning Code requesting a Special Use Permit allowing them to construct an 8' x 14' storage shed at 8353 Hardscrabble Road, which is designated as tax map Section 226.00, Block 1, Lot 43, 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 June 21, 2022 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 3, 2022 on the application, and finds ample justification to approve the application subject to the qualifications hereinafter set forth

NOW, THEREFORE, BE IT RESOLVED, that the application to build a storage shed 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: *None*
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 August 3, 2023.
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.

The Applicant agrees to abide by all the terms of this Special Permit.

This was seconded by Councilman David Brown. Voting was as follows: Supervisor Martha

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Bills, aye; Councilman, David Brown, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye.

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

**Resolution No.52 of 2022
Town of Westfield
Appoint Planning Board Member**

BE IT RESOLVED, The Town Board of the Town of Westfield hereby appoints Kim Knappenberger to the Town Planning Board for the remaining 2022 calendar year.

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

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August 3, 2022**

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

Subject:	Budget Revision #8 for Budget Year 2022		
Revision Description		Decrease	Increase
To move \$103.66 from contingent account to cover the cost of (IAS) surcharge being assessed on the town		Expenditures	Expenditures
This is an interest assessment surcharge to businesses to ensure the state has sufficient funds to pay the interest owed to the federal government for money borrowed by the state to cover the unprecedented number of unemployment insurance claims due to the pandemic.			
The town was unaware of this surcharge being assessed. The town did not budget for this in the unemployment expense line in the 2022 budget.			
Budget Journal			
A Fund (General Fund - Townwide)			
A 1990.400	Contingent Account DR	103.66	
A 9050.800	Unemployment Insurance CR		103.66
Total A Fund		103.66	103.66
Revision Description		Decrease	Increase
To move \$1.38 from contingent account to cover the cost of (IAS) surcharge being assessed on the town.		Expenditures	Expenditures
This is an interest assessment surcharge to businesses to ensure the state has sufficient funds to pay the interest owed to the federal government for money borrowed by the state to cover the unprecedented number of unemployment insurance claims due to the pandemic.			
The town was unaware of this surcharge being assessed. The town did not budget for this in the unemployment expense line in the 2022 budget.			
Budget Journal			
B Fund (General - Part Town)			
B 1990.400	Contingent Account DR	1.38	
B 9050.800	Unemployment Insurance CR		1.38
Total B Fund		1.38	1.38
Revision Description		Decrease	Increase
To move \$2,093.36 from fund balance to cover the expenditures for the August Board Meeting.		Expenditures	Expenditures
The expenditures have exceeded what was budgeted in the 2022 budget for building expenditures for the Welch Building			
Budget Journal			
CM2 Fund (Welch Building)			
CM2 599	Appropriated Fund Balance DR	2,093.36	
CM2 1620.420	Building Expenditure Welch CR		2,093.36
Total CM2 Fund		2,093.36	2,093.36
Revision Description		Decrease	Increase
To move \$1,000.00 from Other Econ Oppty & Development Other Projects to Other Econ Oppty & Development WDC. To Pay WDC For The Town's Portion Of The First Impressions Grant Program.		Expenditures	Expenditures
The Town's portion is \$5,000.00. The expense line under Other Econ Oppty & Dvlp WDC only had \$4,000.00 left.			
Budget Journal			
A Fund (General Fund - Townwide)			
A 6989.410	Other Econ Oppty & Dvlp Other Projects DR	1,000.00	
A 6989.400	Other Econ Oppty & Dvlp WDC CR		1,000.00
Total A Fund		1,000.00	1,000.00

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

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August 3, 2022

At 8:15pm Supervisor Bills moved and Councilman David Brown seconded a motion to audit the bills.

Warrants dated August 3, 2022 (voucher #'s 411-454) in the amount of \$41,973.34 were drawn on the following funds:

General	\$ 21,588.69
General Part-Town	\$ 11,793.90
Highway	\$ 1,705.39
Highway Part-Town	\$ 6,851.64
Forest Park Sewer	\$ 30.90
North Town Water-Shorehaven	\$ 2.82

Warrants dated August 3, 2022 (voucher #'s 33-36) in the amount of \$2,093.36 were drawn on the following funds:

Welch Building	\$2,093.36
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These were presented and audited by the board members. Supervisor Martha Bills moved and Councilman 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; Councilman, David Brown, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye.

There being no further business at 8:30pm Supervisor Martha Bills moved and Councilman David Brown seconded a motion to adjourn. Unanimously carried.

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