

**TOWN BOARD MEETING**

**Town of Westfield**

**February 2<sup>nd</sup>, 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 and guests present: Masks were worn, social distancing practiced.

Supervisor: Martha R. Bills      Guest: William Bauer  
Councilmen: David Brown                      Emily Ponti  
                  David Spann  
                  Will Northrop

Absent: David Spann

Highway Superintendent: David Babcock  
Code Officer: Bonnie Rae Strickland

Town Attorney: Joel Seachrist

**Pledge of Allegiance**

*Councilman James Herbert made the motion to accept the January 12, 2022 minutes inasmuch as all members received a copy thereof and the minutes be accepted. Councilman Will Northrop seconded the motion. The motion was carried unanimously.*

**Reports:**

Supervisor Bills presented the monthly report on the Town’s finances for the month of January. The report is always available in the Supervisors office. Everyone is welcome to view. All Board members have received a copy of the report for January and is accepted as submitted. The Town received first quarter sales tax revenue.

The Town Clerk’s report together with a check in the amount of \$2256.13 representing fees for the month of January 2022 was turned over to the Town Supervisor. A check for \$22.50 representing fees for the month of January 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of \$29.00 was turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$23.62 will be withdrawn on the 13<sup>th</sup>.

The Dog Warden’s report for January was not received.

The Fire Department Report for December 2021 was received and placed on file.

The Historian report for January 2022 was received and placed on file.

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

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

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**Highway:**

The Highway Superintendent submitted a written report. The report has been accepted and placed on file.

- Councilman David Brown made a motion to allow the Highway Superintendent to accept pickup truck and plow bid from Ed Schultz Chevrolet with a trade in of Ford pickup truck for a difference of \$14,297.00. Truck expected delivery of new truck is in April. Councilman James Herbert seconded the motion. Unanimously carried.
- Councilman David Brown made a motion to allow the Town Highway Department to fix a cut drain line at Baideme Farms on Rte. 5. The company that installed the waterline for the Route 5 Water District No.1 will not fix the cut drain line. It is past the warranty installation date. Councilman Will Northrop seconded the motion. Unanimously carried.

**Code Enforcement:**

The Code Enforcement Officer submitted a written report for January 2022 highlighting. The report has been accepted and placed on file.

- Referring a Special Use Permit for a storage shed at property location 7131 Eighth Ave, to the Town Planning Board. Councilman James Herbert made a motion to set a public hearing for March 2, 2022 at 7:25pm. Seconded by Councilman David Brown. Unanimously carried.

**Barcelona Harbor:**

Closed for the Season

Supervisor Bills spoke with Congressional Representatives and the County to discuss funding and ongoing problems. More information will be forthcoming.

**Public Comment:**

NONE

**Announcements:**

- Taxes: Until February 4 without penalty  
February 5-February 28, 2022- 1% on original bill  
March 1 thru April 1, 2022- 2% on original bill
- CHRIC Programs-Funding is available to eligible senior citizens and veterans for home repairs and modifications. The information will be posted on the Town sign board and the Town website.

**Project Updates:**

- Phase 2 Route 5 East water project design and mapping is under way. An updated contract will be forthcoming.
- Waiting for the Spring to continue the Welch Trail project. The Highway Department is working on the picnic tables for the trail.
- Councilman David Brown made a motion to authorize the Supervisor on behalf of the Town of Westfield to certify that the Town as Owner of the Welch Block, 2 South Portage Street has no objection to the filing of the H.P.C.A. Part 1, Evaluation of significance with the NYS Historic

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Preservation Office and National Park Service. Seconded by Councilman Will Northrop and carried unanimously, motion carried.

**New Business:**

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

**Resolution No. 13 of 2022  
TOWN OF WESTFIELD  
Audit of 2021 Financial Records**

**RESOLVED**, that on January 20, 2022 the Westfield Town Board met for the purpose of auditing the 2021 Town financial records.

**BE IT FURTHER RESOLVED**, that on January 20, 2022 Town Departments, Town Clerk, Town Supervisor and Town Justices submitted their records for examination.

**BE IT FURTHER RESOLVED** Westfield Town Justices submitted for examination of 2021 court dockets and records. All fines and fees that were collected by the Town Court have been turned over to the proper officials. A report has been prepared using the comptroller's suggested "Checklist for Initial Review of Justice Court Records".

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

**Resolution No. 14 of 2022  
TOWN OF WESTFIELD  
Annual Review of Shared Services Highway Agreement w/County**

**RESOLVED**, that the Town Board of Westfield after thorough review of the County's *Shared Highway Services Agreement* agrees to keep the document in place for the next year.

*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;*

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

**Resolution No. 15 of 2022  
TOWN OF WESTFIELD  
2022 Association of Towns Annual (online) Meeting and Training School**

**BE IT RESOLVED**, 2022 Association of Towns annual (online) meeting & training school sessions and exhibit will be conducted online due to continuing concerns with in-person meetings. Registration will be done all online. Expenses; actual and necessary expenses incurred in attending this school, including the registration fee, are proper municipal charges under Town Law, and general Municipal Law. Registration rates; member municipality, conference \$100.

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**RESOLVED**, The Town Board of the Town of Westfield approves Town employees and board members to attend the Association of Towns (online) Training School February 20-23 at a cost not to exceed \$1000.00.

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

**Resolution No. 16 of 2022**

**TOWN OF WESTFIELD**

**Amend the procurement policy for OCR-Ghostfish project**

Section 3 Business Participation in Procurement and Contracting: For federally funded projects or activities subject to Section 3 of 24 CFR Part 135 of the Housing and Urban Development Act of 1968, as amended, the Town will, to the greatest extent feasible, facilitate participation of Section 3 residents and Section 3 businesses in the procurement of goods and services pursuant to its Section 3 Participation Plan. Solicitation may be undertaken via advertisements in local publications encouraging Section 3 participation, or direct outreach by letter or email to identified Section 3 businesses or individuals included on the Department of Housing and Urban Development's Section 3 Businesses Registry. The Town's established purchase/contracting thresholds will apply. The Town will keep documentation of Section 3 solicitation in its records and any response(s) thereto.

Minority- and Women-Owned Business Enterprise (M/WBE) Business Participation in Procurement and Contracting: In an effort to affirmatively increase procurement and contracting opportunities for minority- and women-owned business enterprises, the Town will solicit MBEs and/or WBEs as part of its procurement process, when appropriate. Solicitation may be undertaken via advertisements in minority publications or direct outreach by letter or email to identified State-certified M/WBEs, or by working with a clearinghouse such as the Syracuse Minority Business Development Center. The Town's established purchase/contracting thresholds will apply. For purposes of the above, the M/WBE must be certified by Empire State Development (ESD) through the Division of Minority and Women Business Development (DMWBD). The Town will keep documentation of M/WBE solicitation in its records and any responses thereto.

*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;*

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**Resolution No. 17 of 2022  
TOWN OF WESTFIELD  
Town Assessor-Authority to Grant Exemptions**

**MOTION – TOWN ASSESSOR – AUTHORITY TO GRANT EXEMPTIONS ON THE 2022 TOWN ASSESSMENT ROLL.**

**MOTION BY COUNCIL Councilman Will Northrop**

**SECONDED BY COUNCIL Councilman David Brown**

Hearing no objection, the Town Board of the Town of *Westfield*, pursuant to the authority granted by Executive Order No. 11.1, issued by the Governor of the State of New York, does hereby direct the Town Assessor of the Town of *Westfield* to grant exemptions on the 2022 assessment roll in accordance with the Resolution attached hereto.

**ROLL CALL: Voting was as follows: Supervisor Martha Bills, aye; Councilman David Brown, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye.**

**MOTION CARRIED: YES**

**TOWN BOARD AGENDA: *February 2, 2022***

**MOTION - RESOLUTION – TOWN ASSESSOR – AUTHORITY TO GRANT EXEMPTIONS ON THE 2022 TOWN ASSESSMENT ROLL.**

**MOTION BY COUNCIL Councilman Will Northrop**

**SECONDED BY COUNCIL Councilman David Brown**

**WHEREAS**, on December 26, 2021, Governor Kathy Hochul issued Executive Order No. 11, declaring a State disaster emergency for the entire State of New York due to the COVID-19 pandemic; and

**WHEREAS**, this State disaster emergency has resulted in limited hours in municipal offices in the Town of *Westfield* and rendered senior citizens and individuals with disabilities residing in *Westfield* homebound.

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These factors combined have made it difficult, if not impossible, for many in these populations to file their real property tax exemption applications in person and many, further, lack the ability to file such applications online; and

**WHEREAS**, in recognition of the above problems caused by the pandemic, Governor Hochul issued Executive Order No. 11.1 on December 26, 2021, thereby extending Executive Order No. 11. This extension of the Governor’s Executive Order modifies subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, the effect of which permits the governing body of an assessing unit (i.e., the Town Board of the Town of *Westfield*) to adopt a Resolution directing the Assessor to grant exemptions on the 2022 assessment roll to all property owners who received such exemptions on the 2021 assessment roll (i.e., senior citizens and individuals with disabilities with limited income), thereby dispensing with the need for such persons to file renewal applications to request such exemptions, and further dispensing with the requirement that assessors mail renewal applications to such persons; and

**WHEREAS**, Executive Order 11.1 further allows the governing body of said assessing unit, in any such Resolution, at its option, to include procedures by which its Town Assessor may require a renewal application to be filed if he has reason to believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner or died; and

**WHEREAS**, pursuant to said Executive Order, the Town Board of the Town of *Westfield* wishes to adopt such Resolution directing the Town Assessor of the Town of *Westfield* to grant exemptions on the 2022 assessment roll to all eligible senior citizens and individuals with disabilities with limited income, and granting the Town Assessor of the Town of *Westfield* the authority to require renewal applications for due cause, as discussed above, utilizing procedures outlined below;

**NOW THEREFORE, BE IT RESOLVED**, pursuant to the authority granted by Executive Order No. 11.1, issued by the Governor of the State of New York, that the Town Board of the Town of *Westfield* hereby directs the Town Assessor of the Town of *Westfield* to:

1. Grant exemptions on the 2022 assessment roll to all individuals who received the senior exemption on the 2021 assessment roll and all individuals who received the exemption on the 2021 assessment roll because they were recognized as a person with disabilities and limited income, thereby dispensing with the need for any such individuals to file renewal applications for such exemptions, except that;

2. The Town Assessor may, in his sole discretion, require a renewal application to be timely filed with his office if he has reason to believe that any such individual, who qualified for the aforementioned exemption on the 2021 assessment roll, may have since changed their primary residence, added another owner to the deed for the relevant property, transferred such property to a new owner or died. If the Town Assessor requires such renewal application be filed, he shall notify the owner of the subject property of such requirement by regular mail, with such notice shall containing instructions on how to file the renewal application. Said renewal application may be returned by mail or by making an appointment to drop same off at the Town Assessor’s office, *23 Elm Street, Westfield NY 14787*

***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;***

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

Subject:	Budget Revision #2 for Budget Year 2022		
<b>Revision Description</b>		Decrease	Increase
To move \$125.25 from fund balance to pay Add Lumber Invoice 213678 for \$81.98 & Add Lumber Invoice 213984 for \$43.27 Add Lumber Invoice 214170 \$40.99. Materials for making picnic tables for the Welch Trail		Expenditures	Expenditures
Materials for making picnic tables for the Welch Trail			
<b>Budget Journal</b>			
A Fund (General Fund - Townwide)			
A 599	Appropriated Fund Balance DR	166.24	
A 7180.410	Parks & Recreation Contractual Welch Trail CR		166.24
<b>Total A Fund</b>		166.24	166.24

*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;*

*Supervisor Bills moved and Councilman David Brown seconded a motion to audit the bills at 8:00pm*

Warrants dated February 2, 2022 (voucher #'s 731-734) in the amount of \$3,090.31 were drawn on the following funds:

General \$3,090.31

Warrants dated February 2, 2022 (voucher #'s 35-79) in the amount of \$71,191.86 were drawn on the following funds:

General \$42,873.46  
 General-Part Town \$18,250.00  
 Highway-Town \$ 8,881.08  
 Forest Park Sewer \$ 1,161.07  
 Shorehaven \$ 26.25

Warrants dated February 2, 2022 (voucher #'s 4) in the amount of \$746.47 were drawn on the following funds:

Welch Bldg. \$746.47

**These warrants were presented and audited by the Board members. Supervisor Bills made a motion to be directed to draw the necessary checks to cover the warrants as audited. The motion was seconded by Councilman James Herbert. Voting was as follows: Supervisor Bills, aye, Councilman David Brown, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye.**

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At 8:16pm Supervisor Martha Bills moved and Councilman David Brown seconded a motion to move to executive session to discuss current litigation and a particular personnel history with the Town Attorney. Unanimously carried.

At 8:46pm Supervisor Martha Bills moved and Councilman David Brown seconded a motion to return to regular session. Unanimously carried.

There being no further business at 8:46pm Supervisor Martha Bills moved and Councilman David Brown seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,

*// original signed //*

Andrea L Babcock, Town Clerk