

**TOWN BOARD MEETING**

**Town of Westfield**

**July 13, 2022**

**PUBLIC HEARING**

Town of Westfield

**Public Hearing, for a Special Use Permit for Scott Levulis, location, Barber Road for a Storage Shed**

Supervisor Bills called the public hearing to order at 7:15pm 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		Don McCord
	David Spann		Marybelle Beigh, Historian
	Will Northrop		Scott & Stacy Levulis
Absent:	James Herbert		Rich & Connie Clifford
			Holly Hoffman
			Janet Snow
			Troy & Claire Winkelman
			John Osborne

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

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

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

Applicant Scott Levulis was present. The application is for a 16 x 20 storage shed. The property is used for hunting. The storage shed is for maintenance equipment only.

The Town Planning Board has reviewed the application and recommended approval to the Town Board members for their review and disposition on June 15<sup>th</sup>.

No questions or comments.

At 7:21pm 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

**TOWN BOARD MEETING**

**Town of Westfield**

**July 13, 2022**

**PUBLIC HEARING**

Town of Westfield

**Public Hearing, for a Special Use Permit for Troy and Claire Winkelman, location, Allen Road, for a 48 x 48 Storage Building**

Supervisor Bills called the public hearing to order at 7:22pm 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		Don McCord
	David Spann		Marybelle Beigh, Historian
	Will Northrop		Scott & Stacy Levulis
Absent:	James Herbert		Rich & Connie Clifford
			Holly Hoffman
			Janet Snow
			Troy & Claire Winkelman
			John Osborne

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

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

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

Applicant Troy and Claire Winkelman was present. The application is for a 48 x 48 Storage building adjacent to owners' house. A letter was received from a neighbor. The neighbor was present and the concerns were discussed. Discussed, parking, drainage, planting, setbacks and access to the building.

The Town Planning Board has reviewed the application and recommended approval to the Town Board members for their review and disposition on June 15<sup>th</sup>.

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**

**July 13, 2022**

**PUBLIC HEARING**

Town of Westfield

**Public Hearing, for a Special Use Permit for John Osborne, location-7418 E Main Rd for a Quonset Style Storage Building.**

Supervisor Bills called the public hearing to order at 7:37pm 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		Don McCord
	David Spann		Marybelle Beigh, Historian
	Will Northrop		Scott & Stacy Levulis
Absent:	James Herbert		Rich & Connie Clifford
			Holly Hoffman
			Janet Snow
			Troy & Claire Winkelman
			John Osborne

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

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

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

Applicant John Osborne was present. The application is for a Quonset Style storage shed. The shed is for storage only. A letter was received from Chautauqua County Department of Planning and Development; suggesting the proposal is a matter of local concern and recommending landscaping and lighting.

The Town Planning Board has reviewed the application and recommended approval to the Town Board members for their review and disposition on June 15<sup>th</sup>.

No questions or comments.

At 7:42pm Councilman Will Northrop made the motion to adjourn the public hearing. Supervisor Bills seconded the motion. This was unanimously approved.

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

**TOWN BOARD MEETING  
Town of Westfield  
July 13, 2022**

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:42pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members:

Supervisor:	Martha R. Bills	Guest:	William Bauer
Councilmen:	David Brown		Don McCord
	David Spann		Marybelle Beigh, Historian
	Will Northrop		Scott & Stacy Levulis
Absent:	James Herbert		Rich & Connie Clifford
			Holly Hoffman
			Janet Snow
			Troy & Claire Winkelman
			John Osborne

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

**Pledge of Allegiance**

*Councilman David Spann made the motion to waive the reading of the June 8, 2022 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 June 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 Town Clerk's report together with a check in the amount of 9,666.68 representing fees for the month of June 2022 is turned over to the Supervisor. A check for \$67.50 representing fees for the month of June to NYS Department of Health, Marriage Licenses and a check in the amount of \$104.00 will be 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 was not received.

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

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

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

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

**Highway:**

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

**Code Enforcement:**

The Code Enforcement Officer's June report has been received and accepted.

- Supervisor Martha Bills made a motion to refer a Special Use Permit application for a fence to the Town Planning Board and set Public Hearing for August 3 starting at 7:25pm. Seconded by Councilman Will Northrop and carried unanimously.

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Town of Westfield  
July 13, 2022**

**Barcelona Harbor:**

- The Supervisor and the board thanked the Highway Superintendent and the Highway Department and Fire Department. The Highway Department hauled out materials from the harbor dredging about 2600 yards. The Westfield Fire Department rinsed off the parking lot.

**Public Comment:**

- Don McCord, WDC president thanked the Town for the incentive program donation and gave an overview of the program.

**Announcements:**

- Westfield Arts & Crafts (29 & 30 July)
- Antique show at Eason Hall (16 & 17 July)

**Project Updates:**

- Final designs for the Route 5 East Lake Road Water Project No.2 project have been submitted.
- The Highway Department is working on the Welch Trail.
- The sale of the Welch Building is moving along.

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**New Business:**

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

**Town of Westfield  
Resolution No. 36 of 2022  
Set Public Hearing for Local Law #2 of 2022**

**BE IT RESOLVED**, The Town Board of the Town of Westfield hereby sets a Public Hearing for Monday July 25<sup>th</sup> at 7:00pm, location, Eason Hall. The Local Law which will adopt new definitions for and regulation of greenhouses, campgrounds, travel trailers, and commercial recreation.

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

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

**Town of Westfield  
Resolution No. 37 of 2022**

**TOWN BOARD MEETING**  
**Town of Westfield**  
**July 13, 2022**  
**Negative Declaration-Levulis-Barber Rd**

**WHEREAS**, the Town Board of the Town of Westfield is considering the application of Scott Levulis for a Special Use Permit allowing him to construct a 16' x 20' storage shed on a vacant parcel on Barber Road, which is designated as tax map Section 225.00, Block 1, Lot 20.1, 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 Scott Levulis.

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

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

**Resolution No. 38 of 2022**  
**TOWN OF WESTFIELD**  
**SPECIAL USE PERMIT-Levulis- Barber Rd**

**Action of the Board:**

To consider the application of Scott Levulis for a Special Use Permit to construct a 16' x 20' storage shed on a vacant parcel on Barber Rod, which is designated as tax map Section 225.00, Block 2, Lot 20.1, and

**WHEREAS**, Scott Levulis (hereinafter, the "Applicant") submitted an application pursuant to Section 185-24(J) of the Town of Westfield Zoning Code requesting a Special Use Permit allowing him to construct a 16' x 20' storage shed on a vacant parcel on Barber Road, which is designated as tax map Section 225.00, Block 2, Lot 20.1, 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

**TOWN BOARD MEETING**

**Town of Westfield**

**July 13, 2022**

**WHEREAS**, the Town of Westfield Planning Board reviewed the application during a meeting held June 15, 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 July 13, 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
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 July 13, 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.

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

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

**Resolution No. 39 of 2022**

**Town of Westfield**

**Negative Declaration-Winkelman-Allen Rd**

**WHEREAS**, the Town Board of the Town of Westfield is considering the application of Troy & Clara Winkelman for a Special Use Permit allowing them to construct a 48' x 48' pole building on a vacant parcel on Allen Road, which is designated as tax map Section 210.00, Block 1, Lot 71, 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

**TOWN BOARD MEETING**

**Town of Westfield**

**July 13, 2022**

**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 Troy and Clara Winkelman.

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

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

**Resolution No. 40 of 2022**

**Town of Westfield**

**SPECIAL USE PERMIT-Winkelman- Allen Rd**

To consider the application of Troy & Clara Winkelman for a Special Use Permit to construct a 48' x 48' pole building on a vacant parcel on Allen Road, which is designated as tax map Section 210.00, Block 1, Lot 71, and

**WHEREAS**, Troy and Clara Winkelman (hereinafter, the "Applicants") submitted an application pursuant to Section 185-24(J) of the Town of Westfield Zoning Code requesting

a Special Use Permit allowing them to construct a 48' x 48' pole building on a vacant parcel on Allen Road, which is designated as tax map Section 210.00, Block 1, Lot 71, 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 15, 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 July 13, 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 pole building shall be and hereby is authorized and approved subject to the conditions and requirements hereinafter set out:



**TOWN BOARD MEETING  
Town of Westfield  
July 13, 2022**

1. The Applicants 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. Any lighting installed on the structure or on the property shall be downward-facing so as to minimize its impact on neighboring properties; and
  - b. The proposed structure shall be placed approximately 134 feet south of the boundary line with Clifford on the north side of the Winkelman lot.
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 July 13, 2023.
4. This permit shall become effective after the Applicants approve each and every provision hereof and agree to be bound by all of the terms herein contained in consideration of the granting of this special permit.

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

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

**Resolution No. 41 of 2022  
Town of Westfield  
Negative Declaration-Osborne-7418 East Main Rd**

**WHEREAS**, the Town Board of the Town of Westfield is considering the application of John Osborne for a Special Use Permit allowing him to construct a 30' x 50' storage shed at 7418 East Main Road, which is designated as tax map Section 193.00, Block 1, Lot 15, 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

**TOWN BOARD MEETING**

**Town of Westfield**

**July 13, 2022**

attached Notice of Determination of Non-Significance, also known as a Negative Declaration, for the application of John Osborne.

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

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

**Resolution No. 42 of 2022**

**Town of Westfield**

**TOWN OF WESTFIELD**

**SPECIAL USE PERMIT-Osborne-7418 East Main Rd**

**Action of the Board:**

To consider the application of John Osborne for a Special Use Permit to construct a 30' x 50' storage building at 7418 East Main Road, which is designated as tax map Section 193.00, Block 1, Lot 15, and

**WHEREAS**, John Osborne (hereinafter, the “Applicant”) submitted an application pursuant to Section 185-19(D)(10) of the Town of Westfield Zoning Code requesting a Special Use Permit allowing him to construct a 30' x 50' storage building at 7418 East Main Rod, which is designated as tax map Section 193.00, Block 1, Lot 15, 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 15, 2022 and recommended approval of the application, and

**WHEREAS**, the Chautauqua County Planning Department by letter dated June 27, 2022, in response to a zoning referral submitted pursuant to Section 239-m of the General Municipal Law, advised that the proposed action was of local option, 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 July 13, 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 building 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

**TOWN BOARD MEETING**

**Town of Westfield**

**July 13, 2022**

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. Any lighting installed on the structure or on the property shall be downward-facing so as to minimize its impact on neighboring properties.
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 July 13, 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.

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

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

**Resolution No. 43 of 2022**

**Town of Westfield**

**IT Service Agreement**

The Town Board of the Town of Westfield hereby accepts the IT service agreement with Eaglezip, location 3085 Fluvanna Ave. Ext, Jamestown NT 14701 for the 2022 calendar year and authorizes the supervisor to sign all necessary documents.

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

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

**Resolution No. 44 of 2022**

**Town of Westfield**

**TOWN BOARD MEETING  
Town of Westfield  
July 13, 2022  
Resignation of Planning Board member**

The Town Board of the Town of Westfield hereby regretfully accepts the resignation of Planning Board member Tom Tarpley

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

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

**Resolution No. 45 of 2022  
Town of Westfield  
Municipal Solutions Contract Extension**

The Town Board of the Town of Westfield hereby authorizes the contract extension with Municipal Solutions.

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

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

Subject:	Budget Revision #7 for Budget Year 2022		
<b>Revision Description</b>		Decrease	Increase
To move \$4,860.22 from fund balance to cover the expenditures for the July Board Meeting.		Expenditures	Expenditures
The expenditures have exceeded what was budgeted in the 2022 budget for building expenditures.			
<b>Budget Journal</b>			
CM2 Fund (Welch Building)			
CM2 599	Appropriated Fund Balance DR	4,860.22	
CM2 1620.420	Building Expenditure Welch CR		4,860.22
<b>Total CM2 Fund</b>		<u>4,860.22</u>	<u>4,860.22</u>
<b>Revision Description</b>		Decrease	Increase
To move \$975.00 from fund balance to pay Baschamnn Services Inc Invoice RN305157 01 for \$975.00		Expenditures	Expenditures
Rented A Hitachi ZW50-5B Wheel Loader For The Welch Trail Project			
<b>Budget Journal</b>			
A Fund (General Fund - Townwide)			
A 599	Appropriated Fund Balance DR	975.00	
A 7180.410	Parks & Recreation Contractual Welch Trail CR		975.00
<b>Total A Fund</b>		<u>975.00</u>	<u>975.00</u>

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

At 8:10pm Supervisor Bills moved and Councilman David Brown seconded a motion to audit the bills.

**TOWN BOARD MEETING**

**Town of Westfield**

**July 13, 2022**

Warrants dated July 13, 2022 (voucher #'s 337-410) in the amount of \$45,456.04 were drawn on the following funds:

General	\$ 22,018.18
General Part-Town	\$ 848.43
Highway	\$ 7,327.54
Highway Part-Town	\$ 15,227.88
Forest Park Sewer	\$ 30.88
North Town Water-Shorehaven	\$ 3.13

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Warrants dated July 13, 2022 (voucher #'s 27-32) in the amount of \$4,860.22 were drawn on the following funds:

Welch Building	\$4,860.22
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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 David Spann, aye; Councilman Will Northrop, aye;***

At 8:35pm Supervisor Martha Bills moved and Councilman David Brown seconded a motion to move to executive session to discuss a particular personnel history. Unanimously carried.

At 9:05pm Supervisor Martha Bills moved and Councilman David Brown seconded a motion to return to regular session. Unanimously carried. There being no further business at 9:05pm Supervisor Martha Bills moved and Councilman David Spann seconded a motion to adjourn. Unanimously carried.

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