

PUBLIC HEARING  
Town of Westfield  
April 5<sup>th</sup>, 2017

**Public Hearing to Operate a Small Seasonal gift and craft shop business and vacation rental by the week year round at 7803 N. Portage**

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

Supervisor:	Martha R. Bills	Guest:	Nancy Walker	David Cochran	Judith Lyon
Dep Super:	David Brown		Ann Kneer	Lori Young	Carol Brown
Councilmen:	Raymond Schuster		Ed Kneer	Julie Travis	Bruce Lyon
	David Spann		Tom Tarpley	Alice Ames	Kelly Brown
	James Herbert		William Bauer	Jennifer Johnson	Fred
	Johnson			Tonja Dodd, Observer	Steve
	Woleben				
	Marion Eno				
			Theresa Cochran	Greg Wozneak	David Babcock
			Lou Barresi	Pete Kunow	Bonnie Rae Strickland
			Anne Barresi	Tom Timmerman	Joseph Timmerman

Supervisor Bills re opened the last months Public Hearing to hear all persons in regards to the proposed business operations.

Owner, Julie Travis was present to discuss the proposed SUP application:

The Town Planning Board has reviewed the SUP on February 8<sup>th</sup>, 2017 and recommended the project be approved. The County Planning Board has reviewed the SUP and a letter was received and the proposed action would have no significant county-wide or inter-community impact.

Letters were re-mailed to all adjacent property owners and received.

An adjacent property owner does not support the issuance of the Special Use Permit. There was limited discussion and all issues were identified and addressed.

No further comments were made.

Supervisor Bills made the motion to close the public hearing at 7:35pm. 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  
April 5th, 2017**

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:35pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guest:	Nancy Walker	David Cochran	Judith Lyon
Dep Super:	David Brown		Ann Kneer	Lori Young	Carol Brown
Councilmen:	Raymond Schuster		Ed Kneer	Julie Travis	Bruce Lyon
	David Spann		Tom Tarpley	Kelly Brown	Joseph Timmerman
	James Herbert		William Bauer	Jennifer Johnson	Fred
	Johnson			Tonja Dodd, Observer	Steve
	Woleben				
	Marion Eno				
			Theresa Cochran	Greg Wozneak	David Babcock
			Lou Barresi	Pete Kunow	Bonnie Rae Strickland
			Anne Barresi	Tom Timmerman	Alice Ames

**Pledge of Allegiance**

***Councilman David Spann made the motion to waive the reading of the March 1, 2017 TBM and the TB Special Meeting, March 22, 2017 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:**

The Town Clerk's report together with a check in the amount of \$3498.36 representing fees for the month of March 2017 was turned over to the Supervisor. State and County agencies received checks totaling \$144.74

The Supervisor's report balances are as follows as of January 30, 2017:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking Balance</u>	<u>MM Balance</u>
Gen. A	\$389,246.50	\$29,524.21	\$ 16,118.41	1,119,250.97
Gen B	73.60	1,942.24	75.18	37,538.59
Hwy DA	313,930.82	25,838.95	385.59	545,569.04
Hwy DB	23.27	525.44	737.64	242,847.35
FP SS1	26,134.86	20.67	-0-	29,816.49
FP SW1	14,970.00	-0-	-0-	58,958.68
EWSW2	5.13	-0-	-0-	53,542.56
SHSW3	.37	3.38	-0-	3,848.82
ER20SW4	1,970.84	-0-	-0-	8,754.83
BSW5	12,653.09	-0-	-0-	32,291.95
Wfd. Fire	55,365.37	-0-	-0-	56,038.01
Sherm. Fire	9,854.00	-0-	-0-	10,035.01
Totals:	\$824,227.85	\$ 57,854.89	\$17,316.82	\$2,198,492.30

The Supervisor's report balances are as follows as of February 28, 2017:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking Balance</u>	<u>MM Balance</u>
Gen. A	400,268.25	85,757.91	16,118.41	1,084,413.23
Gen B	66,078.16	21,857.41	75.18	83,627.98
Hwy DA	314,018.57	60,103.70	385.59	511,362.75
Hwy DB	36,575.00	525.44	737.64	279,399.08
FP SS1	26,136.09	19,065.09	-0-	
10,733.30				
FP SW1	14,981.07	11,587.50	.01	47,376.60
EWSW2	11.25	-0-	-0-	53,548.68
SHSW3	.81	7.57	-0-	3,845.07
ER20SW4	1,971.84	-0-	-0-	8,755.83
BSW5	12,655.74	9,103.12	-0-	23,191.48
Wfd. Fire	55,371.78	-0-		56,044.42
Sherm. Fire	9856.11	-0-		10,036.16
<b>Totals:</b>	<b>\$937,924.67</b>	<b>\$208,007.74</b>	<b>\$17316.83</b>	<b>\$2,172,334.58</b>

The Dog Warden's report for March 2017 was received and placed on file.  
 The Fire Department Report for March 2017 was received and placed on file.  
 The Historian's report for March 2017 was received and placed on file.  
 The Town Court report for March 2017 was received and placed on file

**Highway:**

Highway Superintendent highlighted on current projects which included working on the ceiling in front of shop, installing a parking lot light base at the Harbor, and also highlighted on the gas and fuel usage. Upcoming Highway School, June 11<sup>th</sup>-14<sup>th</sup> at Cornell University.

***Deputy Supervisor David Brown made the motion to accept all annual bids from our Town bids, and the Town of Arkwright Sluice pipe bids. The motion was seconded by Councilman David Spann and the motion was carried unanimously.***

**2017 Town of Westfield Annual Bids**

		Fuel per/gal	Gas per/gal
<b>Fuel Bids</b>	Noco Energy	\$1.71	\$1.99
<b>Oversized Stone</b>	Hardrock Gravel	\$7.50 per/ton	
<b>Bank run Gravel</b>	Hardrock Gravel	\$4.00 per/ton	
<b>Screen Gravel</b>	Hardrock Gravel	\$5.75 per/ton	
<b>Top Soil</b>	Hardrock Gravel	\$7.00 per/ton	
<b>1A Lime Stone</b>	Scholfield Farms	\$28.50 per/ton	

<b>Guide Rail</b>	Guide Rite	\$7.75 per/Lf
	Chemung Supply	\$4.79 per/Lf

**Town of Westfield will also be accepting all bids from the Chautauqua County annual bids and the State DOT annual bids for the 2017 year.**

**Code Enforcement:**

The Code Enforcement Officer submitted a written report for March 2017 highlighting 6 permits issued in the Town. Inspections of projects and building projects as required have been performed.

- Complaints are addressed as necessary and documented.
- All complaints are viewed and photographed by the Code Enforcement officer prior to communications with the property owner.
- Several property owners have started the process of addressing violations of the Zoning Codes of Westfield and Property maintenance codes of NYS and are cleaning up the exteriors of their property.

**Barcelona Harbor:**

- The pier remains closed.
- Councilman James Herbert and Supervisor Martha Bills highlighted on the proposed course of action for repairing the breakwall including approved funding for breakwall and moving forward with repairs. More information will be available at the next Town Board meeting.

**Public Comment:**

- Peter Kunow, presented the Town board with a petition. The petition represented 12 property owners against the proposed water line, Route 20 West, Westfield. Mr. Kunow spoke on behalf of the West Route 20 property owners. Many property owners attended, voiced concerns in regards to assessment value, zoning, cost and needs.
- Letters have been received from property owners and have been forwarded to the Town Board, and the Engineer.
- Supervisor Bills, reassured the residents that we are in the information gathering stage of this process. The Town is looking into a potential public water supply for property owners and business owners. An informational meeting was held for property owners, surveys were mailed out and the information obtained from the surveys will be used by the Town to help determine public water should be pursued.
- Assessor, Bonnie Rae Strickland explained the assessment value with or without water.
- North Gale residents, asked about the junk and debris at the corner of Holley St and North Gale.
- Marion Eno asked about the status of East Lake Road, the engineer is waiting for comments from various state agencies. More information will be available at the next Town Board meeting.

**Announcements:**

- Spring Clean-up (Saturday, May 6<sup>th</sup>, 9:00am-1:00pm @ Transfer Station)
- Rabies Clinic (Saturday, May 13<sup>th</sup>, 11:00am-2:00pm @ Town Shop)
- E-Waste Turn-in scheduled (Saturday, May 20<sup>st</sup>, 9:00am-1:00pm @ Town Shop)

**Old Business:**

Supervisor Bills,

- Met and signed an agreement with Parks and Recreations for the Lighthouse and discussed upgrades to the property.
- The Chautauqua County Historical Society is putting together an exhibit highlighting Barcelona history to be on display in the Keeper's Cottage.

**New Business:**

- Annual Financial Report is available for review in the office of the Town Clerk.
- Supervisor Bills attended a Great Lakes Harbor meeting where the needs of shallow draft harbors throughout the lakes were discussed.

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**Resolutions for April 5, 2017:**

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

**Resolution No.17 of 2017  
Neg. Declaration ( Julie Travis / 7803 N. Portage Rd)**

**WHEREAS**, the Town Board of the Town of Westfield is considering the application of Julie Travis for a Special Use Permit allowing her to operate a gift and craft shop facility at 7803 North Portage Road, on a parcel designated as tax map Section 192.07, Block 1, Lot 45, 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 Julie Travis

*This was seconded by Councilman Raymond Schuster. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye.*

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

**Resolution No.18 of 2017  
Issuance of SUP ( Julie Travis/ 7803 N. Portage Rd)**

**TOWN OF WESTFIELD  
SPECIAL USE PERMIT**

To consider the application of Julie Travis for a Special Use Permit to operate a gift and craft shop business involving the sale of gifts, antiques, and collectible items at 7803 North Portage Road, on a parcel designated as tax map Section 192.07, Block 1, Lot 45, and

**WHEREAS**, Julie Travis (hereinafter, the “Applicant”) submitted an application dated January 25, 2017 requesting a Special Use Permit to operate a gift and craft shop business involving the sale of gifts, antiques, and collectible items at 7803 North Portage Road, on a parcel designated as tax map Section 192.07, Block 1, Lot 45,

**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 February 8, 2017 and recommended approval of the application, and

**WHEREAS**, the Chautauqua County Planning Department on February 27, 2017, 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 April 5, 2017 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 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 submitted to the Town with the application, and agrees to be bound by the terms of the application, the site plan, and the 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 proposed shop is not operational by April 5, 2018.
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 Spann. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye.*

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

**Resolution No.21 of 2017  
ACCEPTING PLANNING BOARD RECOMMENDATION AND SETTING PUBLIC  
HEARING ON NEW LIGHT INDUSTRIAL (L-I) DISTRICT**

**RESOLVED**, that the Town Board hereby (1) recognizes and thanks the Planning Board for its efforts to prepare a planning document entitled “Zoning Analysis and Recommendation Regarding The Commercial-Manufacturing District,” dated February 8, 2017; (2) accepts the said analysis and recommendation, including those parts recommending re-zoning of certain sections of the current Commercial-Manufacturing District to primarily residential and agricultural designations and the creation of a new Light-Industrial District; and (3) sets a public hearing on the proposed Local Law No. 1 of 2017, which would put the recommendations into effect, for May 3, 2017 at 7:20 p.m. at Eason Hall, 23 Elm Street, Westfield, New York.

*This was seconded by Councilman James Herbert. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye.*

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*Deputy Supervisor David Brown offered the following resolution and moved for its adoption:*

**Resolution #22 of 2017  
Approval of Clerks Training April 23<sup>rd</sup>-25<sup>th</sup> Rochester NY**

Approval of Clerks Training April 23<sup>rd</sup>-25<sup>th</sup> Rochester , NY not to exceed \$1000.00.

*This was seconded by Councilman Raymond Schuster. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye.*

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*Deputy Supervisor David Brown offered the following resolution and moved for its adoption:*

**Resolution #23 of 2017  
Approval of HWY Supervisor- HWY School, Cornell University**

Approval of HWY Supervisor- HWY School, Cornell University not to exceed \$400.00.

*This was seconded by Councilman David Spann. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye.*

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*Deputy Supervisor David Brown offered the following resolution and moved for its adoption:*

**Resolution #24 of 2017**  
**Reappoint Julie Fisher, Board of Assessment Review Board Member**

Reappoint Julie Fisher, Board of Assessment Review Board Member for a 6 year term  
10/01/2016-09/30/2021

*This was seconded by Councilman James Herbert. Voting was as follows: Supervisor Martha Bills, aye; Deputy Supervisor David Brown, aye; Councilman Raymond Schuster, aye; Councilman David Spann, aye; Councilman James Herbert, aye.*

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*At 8:31pm Supervisor Bills moved and Raymond Schuster seconded a motion to audit the bills.*

Warrants dated April 5, 2017 (voucher #'s 472-524) in the amount of \$75,709.25 were drawn on the following funds:

General	\$21,647.03	Shorehaven Water Project	\$3.69
General Part-Town	\$0.00	Forest Park Sewer	\$23.84
Highway	\$49,910.50	East Rt. 20 Water	
\$264.57			
Highway Part-Town	\$3,859.62		

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Warrants dated April 5, 2017 (voucher #'s 1) in the amount of \$220.00 were drawn on the following funds:

Shorehaven Water District Capital Project  
H6-8310.400            \$220.00

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Warrants dated April 5, 2017(voucher #'s 28-38) in the amount of \$8,341.80 (were drawn on the following funds:

Welch Building	\$8,341.80
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*These were presented and audited by the board members. Supervisor Martha Bills moved and Councilman Raymond Schuster 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 Raymond Schuster, aye; Deputy Supervisor David Brown, aye; Councilman David Spann, aye; Councilman James Herbert; aye.***

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The next Town Board Meeting is scheduled for Wednesday, May 3<sup>rd</sup>, 2017 at 7:30pm

- ***Councilman David Spann made the motion to set a Public hearing for Wednesday, May 3<sup>rd</sup>, 2017 at 7:20pm on the proposed Local Law No. 1 of 2017, Councilman James Herbert seconded the motion and it carried unanimously.***

There being no further business at 8:50pm Supervisor Martha Bills moved and Councilman Raymond Schuster seconded a motion to adjourn. Unanimously carried.

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