

PUBLIC HEARING
Town of Westfield
June 7th, 2017

**Public Hearing to consider the application of Amila Gunsekera to operate a distillery at 6017
Sherman-Westfield Road (Cross Roads Farm and Market),**

Supervisor Bills called the public hearing to order at 7:21pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guest:	Theresa Cochran	David Walker	Alice Ames
Dep Super:	David Brown		William Bauer	Nancy Burkhart	Bob Richmond
Councilmen:	Raymond Schuster		Kurt Moore	Janet Nass	Bruce Lyon
	David Spann		Philip Cowan	Bruce Lyon	Judy Lyon
	James Herbert		Tom Tarpley	Nan Doolittle	Carl Vilaro III
			Barry Meleen	Tim Doolittle	Doug Breon
			Marybelle Beigh	Don Eno	Susan Breon
			Rick Clawson	Marion Eno	Joan Schermerhorn
			Andrew Johnson		

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

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

Owner Amila Gunsekera, provided an overview of the application and answered questions from the board. The special use permit is requested to provide a permanent outlet for the display and sale of fresh agricultural produce, food products, crafts, artistic works, retail merchandise, with a distillery to be added in the near future.

The Town Planning Board has reviewed the application and recommended it to the Town Board members for their review and disposition on May 10, 2017.

The County Planning Board has reviewed the proposal and it would have no significant county-wide or inter-community impact and would be a matter of local concern.

Deputy Supervisor made the motion to close the public hearing at 7:24pm. Councilman David Spann seconded the motion. This was unanimously approved.

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

Town of Westfield
June 7th, 2017
Public Hearing to
Public Hearing to consider the application of Moose Lodge 118 to operate a 9 site campground
located at NYS Route 5

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:	Theresa Cochran	David Walker	Alice Ames
Dep Super:	David Brown		William Bauer	Nancy Burkhart	Bob Richmond
Councilmen:	Raymond Schuster		Kurt Moore	Janet Nass	Bruce Lyon
	David Spann		Philip Cowan	Bruce Lyon	Judy Lyon
	James Herbert		Tom Tarpley	Nan Doolittle	Carl Vilardo III
			Barry Meleen	Tim Doolittle	Doug Breon
			Marybelle Beigh	Don Eno	Susan Breon
			Rick Clawson	Marion Eno	Joan Schermerhorn
			Andrew Johnson		

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

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

Applicants Rick Clawson, Barry Meleen and Principal Engineer Andrew Johnson were present to provide an overview of the application and answer questions from the board and concerned neighbors.

Engineer Andrew Johnson discussed the engineering report. The report is filed with the SUP application. Applicants must apply for a site at the Moose Lodge 118 located at 19 Clinton St and must be a Moose member. The Lodge will have rules and regulations set in place, including a signed contract and a security deposit. The sites will be located on the West side of the property. Some other items are being looked at by the lodge but are not yet complete such as cleaning of the sites, patrolling. It is just the beginning stages for the Lodge and issues will be addressed.

Area residents voiced concerns regarding noise, security, waste management, dumping station and the amount of sites.

The Town Planning Board has reviewed the application and recommended to the Town Board members for their review and disposition on May 10, 2017.

The County Planning Board has reviewed the proposal and it would have no significant county-wide or inter-community impact and would be a matter of local concern.

Supervisor Bills made the motion to close the public hearing at 7:37pm. 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
June 7th, 2017**

The regular meeting of the Town Board of the Town of Westfield was called 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: Theresa Cochran	David Walker	Alice Ames
Dep Super:	David Brown	William Bauer	Nancy Burkhart	Bob Richmond
Councilmen:	Raymond Schuster	Kurt Moore	Janet Nass	Bruce Lyon
	David Spann	Philip Cowan	Bruce Lyon	Judy Lyon
	James Herbert	Tom Tarpley	Nan Doolittle	Carl Vilarado III
		Barry Meleen	Tim Doolittle	Doug Breon
		Marybelle Beigh	Don Eno	Susan Breon
		Rick Clawson	Marion Eno	Joan Schermerhorn
		Andrew Johnson		

Pledge of Allegiance

Deputy Supervisor David Brown made a motion to waive the reading of the May 3, 2017 minutes inasmuch as all members received a copy thereof and that the minutes be accepted. The motion was seconded by Councilman James Herbert and carried unanimously.

Reports:

The Town Clerk's report together with a check in the amount of \$6517.67 representing fees for the month of May 2017 was turned over to Supervisor Bills. A check for \$112.50 representing fees for the month of April to NYS Department of Health, Marriage Licenses and a check in the amount of \$59.00 was turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$225.83 will be withdrawn on the 14th.

Supervisor Bills presented the monthly report on the Town's finances for the month of April 2017. The Supervisor's Monthly Report for April 2017 is accepted as submitted.

The Dog Warden's report for May 2017 was received and placed on file.

The Fire Department Report for May 2017 was received and placed on file.

The Historian's report for May 2017 was received and placed on file.

The Town Court report for May 2017 has not yet been received.

The WPD report for May 2017 was received and placed on file.

Highway:

- Town Highway Superintendent David Babcock submitted a written report on activities for May 2017 and highlighted fuel usage and road side mowing. Sluice pipe replacement on Ogden Road and working on Terrace St to put in sidewalk to Portage Rd. The Highway Department has also installed ballard's and chains at the harbor. The report has been received and placed on file.

Code Enforcement:

The Code Enforcement Officer submitted a written report highlighting that 7 permits were issued in the Town for May 2017. The report has been received and placed on file.

- Code Enforcement Officer attended Zombie Properties NYCOM meeting at Webb's in Mayville. A phone number for zombie properties will be posted on the bulletin board for interested properties.
- One Special Use permit application has been received.

Leonard Stachura, Shed (8459 Lyons Rd Sherman/Westfield Rd)

Deputy Supervisor David Brown made the motion to set a public hearing for Special Use Permit 8459 Lyons Rd, Stachura at 7:25pm on July 12th prior to the Town Board meeting. Councilman Raymond Schuster seconded the motion and it carried unanimously.

Barcelona Harbor:

The Pier opened May 15th for the 2017 season.
Southtowns' Walleye tournament is June 10th –June 18th.
Additional funds are available for dredging. \$675,000 of Federal Funds is allocated for dredging.
The Army Corp. of Engineers will let us know when they will start and more information will be available at the next Town board meeting.

Public Comment:

- Janet Nass thanked the Highway Supervisor for not mowing the Daylilies on Hardscrabble Road.
- Historian Marybelle Beigh asked about the closure of Hawley St. It will be closed due to bridge rehabilitation for two to three days effective Tuesday June 6, 2017 and until barricades are removed.
- East Lake Road resident Marion Eno asked if East Lake Rd will take preference over West Route 20? East Lake Road is being considered as the next water project to be funded. We will move to the next step in the process once the Environmental review is complete.
- William Bauer voiced concerns of the issuance of a Special Use Permit that was granted on May 3, 2017. Mr. Bauer read a list of concerns to the Town board. He also asked if the Code Enforcement officer will address the issues presented. A letter has been sent to the property owner.

Announcements:

- 'First Friday' (7 July 2017) Sponsored by the Chamber of Commerce (5pm)
- Civil War Enactment (10-11 June 2017) in Moore Park
- Southtowns' Walleye Association Tournament (10-18 June 2017)
- Alumnae Weekend (7-9 July) & Firemen's Ox Roast (9 July 2017)
- Informational Meeting #2 for West Route 20 potential water line, (15 June at 7:00pm)

Old Business:

- Supervisor Bills met with USDA, Representative Thomas Becker to review the submission of paperwork for Shorehaven.
- Northern Chautauqua County Lakefront Revitalization Plan public meeting will be held in July to discuss the plans as it pertains to Westfield.

New Business:

- *Supervisor Bills made the motion to have the Town Planning Board review Special Use permit application and schedule a Public Hearing for July 12th at 7:25pm, (Leonard Stachura, Shed (8459 Lyons Rd Sherman/Westfield Rd) and 7:25pm, (Local Law #2 of 2017, Solar Farms). The motion was seconded by Councilman David Spann. Unanimously carried.*

Resolutions for 6/7/2017:

Supervisor Martha Bills offered the following resolution and moved its adoption

Resolution No.27 of 2017
Town of Westfield
(Negative Dec, SEQR)-SUP, Amila Gunesekera, 6017 Sherman-Westfield Road

WHEREAS, the Town Board of the Town of Westfield is considering the application of Amila Gunsekera for a Special Use Permit allowing him to operate a distillery at 6017 Sherman-Westfield Road, on a parcel designated as tax map Section 243.00, Block 1, Lot 40, 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 Amila Gunsekera.

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

Councilman Raymond Schuster offered the following resolution and moved its adoption:

Resolution No. 28 of 2017

Town of Westfield

Issuance of Special Use Permit- Amila Gunsekera, 6017 Sherman –Westfield Road

To consider the application of Amila Gunsekera for a Special Use Permit to operate a distillery at 6017 Sherman-Westfield Road, on a parcel designated as tax map Section 244.00, Block 1, Lot 44, and

WHEREAS, Amila Gunsekera (hereinafter, the “Applicant”) submitted an application requesting a Special Use Permit to operate a distillery at 6017 Sherman-Westfield Road, on a parcel designated as tax map Section 244.00, Block 1, Lot 44,

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 May 10, 2017 and recommended approval of the application, and

WHEREAS, the Chautauqua County Planning Department on June 2, 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 June 7, 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 distillery is not operational by June 1, 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.

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

Councilman Raymond Schuster offered the following resolution and moved its adoption:

Resolution #29 of 2017

Town of Westfield

(Negative Dec, SEQR)-SUP, Moose Beach, Campground)

WHEREAS, the Town Board of the Town of Westfield is considering the application of Loyal Order of Moose, Lodge 118, for a Special Use Permit allowing it to operate a new 9-site campground for Moose members at the property owned by the Moose Lodge on New York State Route 5, on a parcel designated as tax map Section 192.06, Block 1, Lot 10, 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 Loyal Order of Moose, Lodge

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

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

Resolution No. 30 of 2017

Town of Westfield

Issuance of Special Use Permit- Moose Beach, Campground

To consider the application of Loyal Order of Moose, Lodge 118, for a Special Use Permit to operate a campground at West Route 5, on a parcel designated as tax map Section 192.06, Block 1, Lot 10, and

WHEREAS, Loyal Order of Moose, Lodge 118 (hereinafter, the “Applicant”), submitted an application dated April 11, 2017 requesting a Special Use Permit to operate a nine-site campground at the property known as Moose Beach on West Route 5, on a parcel designated as tax map Section 192.06, Block 1, Lot 10,

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 May 10, 2017 and recommended approval of the application, and

WHEREAS, the Chautauqua County Planning Department on June 2, 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 June 7, 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 campground is not operational by June 1, 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.

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

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

**Resolution #31 of 2017
Town of Westfield**

Approval of summer employment for the Pier employees

BE IT RESOLVED, that the Town Board of the Town of Westfield hereby approves summer employment for the Pier employees, Aurel Stoia, Barbara Johnson, Herbert Johnson, Carter Stetson, Deborah Phillips and Timothy Smith at a rate of \$9.00 an hour.

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

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

Resolution #32 of 2017
Town of Westfield
Potential CFA for North Co. Harbors- Economic Impact Study

Grant Application to Fund Economic Impact Analysis of North County Harbors.

WHEREAS, the five Great Lakes, their connecting channels, and the St. Lawrence River form one of the longest deep draft navigation systems in the world, which includes Chautauqua County's three Federal Harbors of Refuge on Lake Erie; and

WHEREAS, Barcelona Harbor, Dunkirk Harbor and Cattaraugus Creek Harbors are invaluable cultural and economic assets to Chautauqua County and to the Town of Westfield, City of Dunkirk and the Town of Hanover, and

WHEREAS, the United States Army Corps of Engineers (USACE) has the primary responsibility for the operation and maintenance of these harbors and has deferred authorized maintenance activities, including dredging and breakwater repairs due to limited Federal funding for harbors with limited commercial navigation; and

WHEREAS, an economic impact analysis of the three harbors would support Chautauqua County's continuing effort to advocate for Federal funding for the authorized operation and maintenance of the harbors, support future applications for State and local funding opportunities for economic development and encourage new private investment in our harbors and waterfronts: and

WHEREAS, the Chautauqua County Department of Planning and Economic Development desires to partner with the Town of Westfield, City of Dunkirk and the Town of Hanover and the Norther Chautauqua County Community Foundation's Local Economic Development Committee (LED) to apply for \$35,000 in grant funding from the New York State Department of State (NYSDOS) Division of Planning Local Waterfront Revitalization Program to retain a consultant to determine the true economic impact of the three harbors by advancing an Economic Impact Analysis; and

WHEREAS, the Chautauqua County Department of Planning and Economic Development will coordinate the collaborative grant application effort and, if successful, commit up to \$3,500 in in-kind services for administration of the grant and project management activities: and

WHEREAS, the Town of Westfield, City of Dunkirk, Town of Hanover and the LED Group will each commit up to \$2,500 of in-kind services for data collection and public outreach activities in support of the effort; and

RESOLVED, that the Town of Westfield hereby supports the proposed collaborative effort to prepare and submit a grant application to the NYSDOS in connection with the New York State Consolidated Funding Application process.

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

Councilman Raymond Schuster offered the following resolution and moved its adoption:

Resolution #33 of 2017
Town of Westfield
Use of Pier (9 July 2017) for WACS Alumnae Memorial Service

BE IT RESOLVED that the Town Board of the Town of Westfield hereby authorize the approval of use of the Pier, July 9, 2017 for the WACS Alumnae Memorial Service.

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

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

Resolution #34 of 2017
Town of Westfield
Resolution authorizing temporary off-premises signs during West Route 20 construction

RESOLVED, the provisions of Town of Westfield Zoning Code Section 185-43(K) notwithstanding, that businesses located along or near West Route 20 that are affected by the ongoing culvert replacement project being conducted by the New York State Department of Transportation in the Summer of 2017 may use temporary off-premises commercial and directional signs provided they obtain landowner approval and take all necessary precautions to avoid damaging underground facilities, which signs shall be removed within one month following the end of the construction project.

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

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

Resolution No. 35 of 2017
Town of Westfield
Approval of the Court Clerk to attend the NYS Association Magistrates Court Clerks Conference

BE IT RESOLVED that the Town Board of the Town of Westfield hereby authorize the approval of Kim Stahley, Court Clerk to attend training, (NYS Association Magistrates Court Clerks Conference in Binghamton, NY Sept 24th-Sept 27th, 2017) not to exceed \$900.00 upon recommendations from the Town Justices.

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

Councilman Raymond Schuster offered the following resolution and moved its adoption:

Budget Resolution #1 for Budget Year 2017

Revision Description	Expenditures	Increase Expenditures	Decrease
Budget Journal			
A Funds (General Fund Townwide)			
A 599	Appropriated Fund Balance DR		
	750		
A 9901.9	Transfer, Other Funds CR		
	750		
Total A Fund		750	750
Budget Journal			
SW4 North Town Water- East Rt 20			
SW4 5031	Interfund Transfers DR		
	750		
SW4 2770	Unclassified CR		
	750		
Total SW4 Fund		750	750
General Journal Opening/Closing			
A Funds (General Fund Townwide)			
A 9901.9	Transfer, Other Funds DR		
	750		
A 200	Cash-Checking CR		
	750		
Total A Fund		750	750
General Journal Opening/Closing			
SW4 North Town Water –East Rt 20			
SW4 200	Cash-Checking DR		
	750		
SW4 5031	Interfund Transfers CR		
	750		
Total SW4 Fund		750	750

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

Supervisor Bills made the motion to schedule a Public Hearing for Local Law #2 of 2017 Solar Farms at 7:20pm.

At 8:29pm Supervisor Bills moved and Raymond Schuster seconded a motion to audit the bills.

Warrants dated June 7, 2017 (voucher #'s 569-629) in the amount of \$58,696.37 were drawn on the following funds:

General	\$21,226.39	Shorehaven Water Project	\$3.96
General Part-Town	\$920.40	Forest Park Sewer	\$27.78
Highway	\$5,104.73	East Rt. 20	
\$723.95			
Highway Part-Town	\$20,900.89		
Sherman Fire District	\$9,788.27		
