

**TOWN BOARD MEETING  
Town of Westfield  
January 6<sup>th</sup>, 2010**

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:

|             |                  |                 |              |
|-------------|------------------|-----------------|--------------|
| Supervisor: | Martha R. Bills  | Jim Pacanowski  | Alex Gerould |
| Councilmen: | Raymond Schuster | Marybelle Beigh | Jack Gulvin  |
|             | David Brown      | Claude Abbey    | Janet Nass   |
|             | James Herbert    | Joel Seachrist  | Harold Nass  |
|             | David Spann      | David Babcock   |              |

Raymond Schuster moved and David Brown seconded a motion to waive the reading of the minutes inasmuch as all members received a copy thereof and that the minutes be approved. Unanimously carried.

The Town Clerk's report together with a check in the amount of \$1030.28 representing fees for the month of December 2009 was turned over to the Supervisor. State and County agencies received checks totaling \$297.40.

The Supervisor's report is as follows:

| <u>Fund</u> | <u>Revenues</u> | <u>Expenditures</u> | <u>Checking Balance</u> | <u>HSBC - MM Balance</u> |
|-------------|-----------------|---------------------|-------------------------|--------------------------|
| Gen. A      | \$586,976.00    | \$534,895.00        | \$8633.35               | \$644,544.03             |
| Gen B       | 87,468.00       | 101,443.00          | 55.72                   | 62,625.47                |
| Hwy DA      | 275,405.00      | 242,209.00          | 198.62                  | 251,030.42               |
| Hwy DB      | 402,382.00      | 368,942.00          | 1037.64                 | 240,513.91               |
| Sewer HO1   | 22,305.00       | 24,685.00           | -0-                     | 14,436.69                |
| Water HO2   | 42,124.00       | 38,788.00           | -0-                     | 91,321.83                |
| Wfd. Fire   | 68,997.00       | 70,093.00           | -0-                     | -0-                      |
| Sherm. Fire | 8,021.00        | 7858.00             | -0-                     | 163.38                   |
| Totals:     | \$1,493,678.00  | \$1,388,913.00      | \$9,925.33              | \$1,304,635.73           |

The Dog Warden's report for December 2009 was received and placed on file.

The Fire Department Report for December 2009 was received and placed on file.

The Historian's report for December 2009 was received and placed on file.

The Town Court report for December 2009 was received and placed on file.

Highway:

- The Town Highway Superintendent submitted a written report on activities for December and highlighted snow removal operations, fuel usage, and bids.

Code Enforcement:

- The Code Enforcement Officer submitted a written report highlighting that 2 permits were issued in the Town, a Certificate of Occupancy, and a permits issued in 2009.

Barcelona Harbor:

- The Pier is closed for the season

In Public Comment, there were no questions.

Announcements:

- Supervisor Bills announced that the Annual Town Audit will take place on January 19<sup>th</sup>, 2009 beginning at 4:00pm
- Concord Grape Belt Heritage Management Plan (Public Meeting 1/14/10 @6:00pm, Portland, NY)

Old Business:

- Supervisor Bills provided a Project Update highlighting that the Grant documentation requirements for the E. Main Road water project are being worked, the Wind Project DEIS is being reviewed by the Ripley and Westfield Town Boards for acceptance as the official draft document to go out for public comment, and the fact that the Wind Project has a new Project Manager (Ward Marshall) from Pattern Energy.

New Business:

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- Martha Bills offered the following resolution and moved its adoption:

**Resolution No. 1 of 2010**  
Official Meeting Place

“That the official meeting of the Town Board shall be in Eason Hall, 23 Elm Street, Westfield, NY on the first Wednesday of each month at 7:30pm.”

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

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- Martha Bills offered the following resolution and moved its adoption:

**Resolution No. 2 of 2010**  
Salaries

“That the Town Board hereby fix the salaries of the Town employees and officials for the year 2010 as follows:”

|  |   |
|--|---|
| Highway Employees                            | Laborers - Minimum \$7.50 p/hr<br>MEO's - Minimum \$10.00 to \$17.78/hr<br>- Maximum \$26.67/hr |
| Supervisor                                   | \$16,041 annual to be paid quarterly  |
| Code Enforcement                             | \$13,000 annual to be paid bi-weekly  |
| Deputy Supervisor                            | \$ 2,700 annual   |
| Councilmen                                   | \$ 3,000 annual   |
| Justice Spann                                | \$ 7,000 annual to be paid quarterly  |
| Justice LaPorte                              | \$ 7,000 annual to be paid annually   |
| Court Clerk                                  | \$15,600 annual be paid bi-weekly   |
| Town Clerk / Deputy Tax Collector            | \$29,675 annual to be paid bi-weekly  |
| Bookkeeper / Dep. Town Clerk / Tax Collector | \$27,000 annual to be paid bi-weekly  |
| Deputy Tax Collector                         | \$ 2,500 annual   |
| Historian                                    | \$ 1,000 annual   |
| Highway Superintendent                       | \$46,227.50 annual to be paid bi-weekly   |
| Deputy Highway Superintendent                | \$ 1,500 annual to be paid quarterly  |
| Assessor                                     | \$40,000 annual to be paid bi-weekly  |
| Utility Workers                              | \$ 7.25 Minimum/hr. & \$8.50 Maximum/hr.  |
| Civil Defense                                | \$ 750 annual   |

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

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- David Brown offered the following resolution and moved its adoption:

**Resolution No. 3 of 2010**  
Designation of Banks

**WHEREAS**, under Section 64 of the Town Law, it is provided that the Town Board shall designate by written resolution the banks and trust companies in which certain Town Officers shall deposit monies received into their hands by virtue of their office, be it,

**RESOLVED**, that HSBC Bank of Westfield, M & T Bank of Jamestown and Mayville, MBIA Class, and Key Bank of Westfield, are hereby designated as depositories in which the Supervisor, Town Clerk, Deputy Town Clerk, Tax Collector and Court Clerk shall deposit all monies coming into their hands.”

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

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- James Herbert offered the adoption:

**Resolution No. 4 of 2010**  
Official Newspapers

“That the *Westfield Republican* and the *Observer* newspapers be designated the official newspapers of the Town for the year 2010.”

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

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

**Resolution No. 5 of 2009**  
Annual Appointments

|                          |   |
|--------------------------|---|
| Timothy C. Smith         | Registrar / Bingo Inspector / RMO / Deputy Tax Collector          |
| Donna Sanderson          | Bookkeeper / Tax Collector / Deputy Town Clerk / Deputy Registrar |
| James Pacanowski         | Code Enforcement / Zoning Officer                                 |
| Marybelle Beigh          | Town Historian  |
| Kathleen Alexander       | Clerk to the Court  |
| Kathryn Comerford-Issler | Deputy Tax Collector  |
| Jock Phillips            | Harbor Master   |
| Scott Frudd              | Deputy Highway Superintendent                                     |
| Amanda Ferguson-Lutes    | Dog Control Officer   |
| Vincent Calarco          | Civil Defense Director  |

Planning Board

Zoning Board of Appeals

|                        |                             |
|------------------------|-----------------------------|
| John Hemmer (Chairman) | Wayne Harrington (Chairman) |
| James Brotz            | Abbie Cardy                 |
| Amy Gregory            | Linda Wolfe                 |
| Timothy Smith          | Will Northrop               |
| Richard Sauer          | Heinz Wolf                  |

Town Committees

|                       |   |
|-----------------------|---|
| Harbor                | James Herbert   |
| Security & Technology | David Brown   |
| Transfer Station      | Ray Schuster  |
| Highway               | Ray Schuster  |
| Ad Hoc & Personnel    | David Brown & Ray Schuster  |
| Website               | David Brown, Mary Bivens, Martha Bills, Tim Smith, & Joel Seachrist |

Fire Dept. Liaison - David Brown

Board of Assessment Review - Helen Baran (thru 9/30/2014)

Town Constable - Peter Kunow

Process Servers - David Haskin / Max Baker

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

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- David Brown offered the following resolution and moved its adoption:

**Resolution No. 6 of 2010**  
Authorizations for Supervisor / Deputy Supervisor

**RESOLVED**, (Pursuant to Town Law, §29 [16]) that the Town Board of the Town of Westfield hereby authorizes and delegates to the Town Supervisor powers and duties of day-to-day administration and supervision of all town and special district facilities and employees consistent with and in furtherance of any and all State and Federal laws applicable thereto and with any and all local laws, resolutions or policies heretofore adopted by this Town Board.

**BE IT FURTHER RESOLVED** that the Supervisor or the Deputy Supervisor be, and are hereby authorized, to sign all the necessary documents for the financing of the Town of Westfield.”

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

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- Martha Bills offered the following resolution and moved its adoption:

**Resolution No. 7 of 2009**  
Highway Agreement

**RESOLVED**, that pursuant to the provisions of Section 284 of the Highway Law, the Town Board agrees that monies levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, and specifically the sum of \$185,000 shall be expended for the general repairs of town highways, including sluices, culverts and bridges, or the renewal thereof, and for the following projects:

1. The oiling and stoning within the budget allotment of portions (equivalent to approximately 8 miles) of the following roads: Persons (off Route 5), Lake (off Route 5), Light (off Route 5), Walker, Culver, Jillson, and Creamery.
2. Should the Town receive funds under the Consolidated Highway Improvement Project System (CHIPS), funds estimated in the 2010 Budget (\$90,000) would be used towards completing the blacktopping project of Felton Road (from Martin Wright Road to Portland Town Line / approximately .8 miles).

**BE IT FURTHER RESOLVED**, that no fewer than three members of the Town Board and the Highway Superintendent shall execute a certified copy of this resolution in duplicate, and said certified copy, so signed, shall constitute written agreement between the parties once it shall have been approved by the County Superintendent of Highways.

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

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- David Brown offered the following resolution and moved its adoption:

**Resolution No. 8 of 2010**  
Appointment of Deputy Supervisor

**RESOLVED**, that Councilman Raymond Schuster be appointed as Deputy Supervisor for the Town of Westfield for the 2010 calendar year.

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

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

**Resolution No. 9 of 2010**  
Removal of Equipment from Inventory

**WHEREAS**, the bookkeeper has recommended that the following equipment be considered obsolete, removed from office inventories, and disposed of properly within environmental regulations:

|      |            |                         |           |
|------|------------|-------------------------|-----------|
| 1999 | Office     | NT Server Sys w/Monitor | \$2650.00 |
| 1999 | Town Clerk | Calculator              | \$ 30.00  |

**THEREFORE BE IT RESOLVED**, that the Town Board agrees that the above equipment be removed from inventories and disposed of properly.

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

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

**Resolution No. 10 of 2009**  
Intent to Act as Lead Agency for the  
Lake Erie Grape Belt Heritage Corridor Management Plan

**WHEREAS**, the Town of Westfield ("Town") has been identified as the appropriate entity to serve as Lead Agency for purposes of the State Environmental Quality Review Act (SEQRA) during the preparation of a Management Plan for the Lake Erie Grape Belt Heritage Corridor, and

**WHEREAS**, work on the Management Plan has begun and the Town wishes to initiate the SEQRA process, and

**WHEREAS**, the Town has the authority to adopt the Management Plan for the Lake Erie Grape Belt Heritage Corridor and wishes to pursue this possibility, it, therefore, makes the following determinations:

1. That this project will require SEQRA review.
2. The project is a Type I action.

3. That the following are potentially involved agencies: Lake Erie Grape Belt Heritage Corridor Planning Commission, NYS DEC Region 9, NYS DEC Region 9 Falconer Sub-Office, NYS DOS Office of Coastal Resources, NYS DOT Region 5, NYSORPHP, City of Dunkirk, Town of Arkwright, Town of Hanover, Town of Pomfret, Town of Portland, Town of Ripley, Town of Sheridan, Village of Brocton, Village of Forestville, Village of Fredonia, Village of Silver Creek, and the Village of Westfield.
4. That the Town of Westfield wishes to act as Lead Agency in accordance with the State Environmental Quality Review Act, 6 NYCRR Part 617.6, for the review of this project.
5. That the Town will circulate a lead agency coordination letter among the various potentially involved agencies, together with a copy of this resolution and Part I of the long Environmental Assessment Form (EAF), upon receipt of which the agencies shall have 30 days to submit comments on the EAF and to object or agree to this designation.

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

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Martha Bills moved and James Herbert seconded a motion that the Supervisor be directed to draw the necessary checks to cover the warrant as audited. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; James Herbert, aye; David Spann, aye.

The next Town Meeting is scheduled for Wednesday, February 3<sup>rd</sup>, 2010 @ 7:30pm.

There being no further business, at 8:05pm. James Herbert moved and David Brown seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,  
*//original signed//*  
Timothy C. Smith, Town Clerk