

PUBLIC HEARING
Town of Westfield
August 5th, 2015
SUP for 6' High (7' x 13') Dog Run Fence

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 Bills	Marybelle Beigh	Erin Hauenstein
Councilmen:	David Brown	Joel Seachrist	Don Eno
	David Spann	William Bauer	Marion Eno
	James Herbert	Randy McNeal	Janet Nass
	Raymond Schuster	Cathy McNeal	Tom Tarpley
		Doug Breon	Sande Dotson
		Susan Breon	

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to a proposed SUP.

There being no further questions or comments, Raymond Schuster moved and David Spann seconded the motion that the public hearing be closed at 7:29pm. This was unanimously approved.

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

TOWN BOARD MEETING
Town of Westfield
August 5th, 2015

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 Bills	Marybelle Beigh	Erin Hauenstein
Councilmen:	David Brown	Joel Seachrist	Don Eno
	David Spann	William Bauer	Marion Eno
	James Herbert	Randy McNeal	Janet Nass
	Raymond Schuster	Cathy McNeal	Tom Tarpley
		Doug Breon	Sande Dotson
		Susan Breon	

James Herbert moved and David Spann 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 \$8618.96 representing fees for the month of July 2015 was turned over to the Supervisor. State and County agencies received checks totaling \$440.59.

The Supervisor’s report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking Balance</u>	<u>MM Balance</u>
Gen. A	\$548,941.77	\$307,911.72	\$16,068.41	\$840,418.87
Gen B	102,214.10	55,378.91	75.18	104,938.09
Hwy DA	330,436.32	160,207.38	515.84	430,287.98
Hwy DB	107,098.09	296,058.32	37.64	54,975.61
Sewer HO1	22,609.31	18,807.36	-0-	5,864.08
Water HO2	15,863.60	11,997.50	-0-	102,306.41
T Funds	-0-	-0-	-0-	-0-
Wfd. Fire	54,038.68	-0-	-0-	54,564.50
Sherm. Fire	9,541.65	9,536.00	-0-	108.18
Totals:	\$1,190,743.52	\$859,897.19	\$16,697.07	\$1,593,463.72

The Dog Warden’s report for July 2015 was received and placed on file.

The Fire Department Report for July 2015 was received and placed on file.

The Historian’s report for July 2015 was received and placed on file.

The Town Court report for July 2015 was received and placed on file.

The WPD report for July 2015 was received and placed on file.

Highway:

- The Town Highway Superintendent submitted a written report on activities for July 2015 and highlighted flood damage repairs, hauling damaged items, and clearing the harbor.

Code Enforcement:

- The Code Enforcement Officer submitted a written report highlighting that 7 permits were issued in the Town in addition to continuing construction on 3 residential homes in the Town for July 2015.

Barcelona Harbor: James Herbert discussed flood damage /debris removal from the harbor.

Public Comment: Don Eno asked about the status of water on East Lake Road.

Announcements:

- First Friday (8 July 2015) Sponsored by the Chamber of Commerce (5-9pm)

Old Business:

- The Supervisor reported on Flood recovery efforts.
- Supervisor Bills stated that a Grant application for the Welch Trail has been submitted.
- In addition, she noted that the Town's portion of a Grant Pre-application for the Shorehaven Internal Water Project has been completed.
- An inspection of the Barcelona Water Project will take place on 8/7/15 by USDA-RD.

New Business:

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

Resolution No. 40 of 2015

Negative Declaration SUP for 6' High 7' x 13' Dog Run Fence (Dotson)

WHEREAS, Sande Dotson (hereinafter, the "Applicant") has submitted an application for a Special Use Permit to construct a 6' high 7' x 13' dog run fence at 8265 First Street, Barcelona, designated as tax map parcel Section 192.06, Block 1, Lot 24, and

WHEREAS, the proposed 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 proposed use, and

WHEREAS, the Board has determined that the proposed use will not have a significant environmental impact,

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves Part II of the Environmental Assessment Form as completed, issues the attached Notice of Determination of Non-Significance, also known as a Negative Declaration, for the proposed use, and authorizes the Supervisor to complete and sign the Environmental Assessment Form accordingly.

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

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

Resolution No. 41 of 2015
Issuance of SUP for 6' High 7' x 13' Dog Run Fence (Dotson)

WHEREAS, Sande Dotson (hereinafter, the "Applicant") has submitted an application for a Special Use Permit to construct a 6' high 7' x 13' dog run fence at 8265 First Street, Barcelona, designated as tax map parcel Section 192.06, Block 1, Lot 24, and

WHEREAS, the issue of compliance with the State Environmental Quality Review Act has been addressed and the Board has determined that the issuance of the permit is an unlisted action for SEQRA purposes and adopted a Negative Declaration, and

WHEREAS, the Town of Westfield Planning Board reviewed the application during a meeting held July 8, 2015 and unanimously recommended approval of the application, and

WHEREAS, the Town Board finds that an additional 2' of fence height will not unreasonably impede visibility from adjacent properties, nor adversely affect light and air movement, 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 August 5, 2015 and finds justification to approve the application subject to the qualifications hereinafter set out, now

THEREFORE BE IT RESOLVED, that the application to construct a 6' High 7' x 13' Dog Run Fence at 8265 First Street, Barcelona (the "Use"), be and hereby is authorized and approved subject to the conditions and requirements hereinafter set out:

1. The Applicant shall undertake the Use in accordance with the plans and map submitted to the Town with the application, except as hereinafter modified, and agrees to be bound by the terms of the application and the conditions of this permit.
2. If construction of the Use has not commenced within one year of the issuance of this permit, this Special Use Permit shall become void and the Applicant shall be required to apply for a new permit should he intend to continue the project.
3. The terms, conditions, and requirements of this permit bind and obligate the Applicant, his successors, and assigns. This permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.
4. Any failure or omission on the part of the Applicant to carry out any condition or requirement herein or in accordance with the terms or requirements of any statute, local law, ordinance or regulation, may be deemed a violation of the Town of Westfield Zoning Law and unless corrected in not more than 10 days following the service of written notice of such violation upon the Applicant, may subject them to the penalties therein. Continued violations after written notice may result in revocation of this Special Use Permit.

- 5. This Special Use 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 Use Permit.

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

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

Resolution No. 42 of 2015
Appointment of Kim Stahley as Town Court Clerk

RESOLVED, that the Town Board of the Town of Westfield hereby appoints Kim Stahley as the Town Court Clerk at a rate of \$15 per hour through August 29th, 2015. Beginning August 31st, 2015 she will be paid a stipend of \$18,000 per year.

BE IT FUTHER RESOLVED, that the Supervisor is authorized to sign an MOU with the Village of Westfield agreeing that the current office space will be retained for the use of Town Court daily operations and records storage.

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

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

Resolution No. 43 of 2015
Waiver of all Town Fees for Flood Victims

WHEREAS, the Town of Westfield and surrounding areas were severely damaged by heavy rains and flash flooding beginning on July 14, 2015, and

WHEREAS, the National Oceanographic and Atmospheric Administration (NOAA) has indicated that the measured precipitation would qualify as a 500 year event, and

WHEREAS, the flood caused widespread property damage throughout the Town of Westfield and many residents will incur significant expense restoring their properties,

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Westfield hereby waives any and all permit fees for flood victims associated with rebuilding efforts.

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

- Warrants dated August 5th, 2015 (voucher #'s 11106 - 11184) in the amount of \$154,335.88 were drawn on the following funds:

General	\$28,747.66	Shorehaven Water Project	\$3.76
General Part-Town	\$11,518.19	Sherman FD	\$0.00
Highway	\$2700.56	Trust & Agency	\$1,120.38

Highway Part-Town	\$55,814.29	Welch Building	\$4,525.57
Sewer Fund	\$19.64	Welch Building Plantrol	\$0.00
Welch Bldg Operating	\$0.00	Barcelona Water	\$49,885.83

These were presented and audited by the Board members. David Brown moved and Martha Bills 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; James Herbert, aye; Raymond Schuster, aye; David Brown, aye; David Spann, aye.

- At 8:20pm Supervisor Bills moved and David Spann seconded a motion to move to Executive Session to discuss ongoing contract negotiations. Unanimously carried.

At 8:45pm David Spann moved and James Herbert seconded a motion to return to regular session. Unanimously carried.

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

Resolution No. 44 of 2015
Modification of Contract with Casella Waste

RESOLVED that the Town Board of the Town of Westfield hereby modifies the current contract with Casella Waste (which ends 30 June 2016) to reflect \$850.00 per month for equipment and Facility maintenance.

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

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- The next Town Meeting is scheduled for Wednesday, September 2nd, 2015 @ 7:30pm.
 - There being no further business, at 8:47pm. James Herbert moved and Martha Bills seconded a motion to adjourn. Unanimously carried.

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