

TOWN BOARD MEETING  
Town of Westfield  
December 9, 2015

The regular meeting of the Town Board was called to order at 7:30 pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

|             |                  |                 |                |
|-------------|------------------|-----------------|----------------|
| Supervisor: | Martha R. Bills  | David Babcock   | Harold Nass    |
| Councilmen: | Raymond Schuster | Jim Pacanowski  | William Bauer  |
|             | David Brown      | Marybelle Beigh | Andrea Babcock |
|             | James Herbert    | Scott Frudd     |                |
|             | David Spann      |                 |                |

The Town Clerk's report together with a check in the amount of \$1556.60 representing fees for the month of November 2015 was turned over to the Supervisor. State agencies received checks totaling \$894.40.

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      | \$620,964.24    | \$542,491.95        | \$16,068.41             | \$728,379.32      |
| Gen B       | 106,421.37      | 89,941.19           | 75.18                   | 79,287.25         |
| Hwy DA      | 377,195.61      | 276,523.81          | 515.84                  | 389,442.68        |
| Hwy DB      | 294,871.98      | 392,403.76          | 37.64                   | 107,248.20        |
| Sewer HO1   | 22,609.90       | 20,156.39           | -0-                     | 4,513.17          |
| Water HO2   | 15,876.74       | 11,997.50           | -0-                     | 102,319.55        |
| Wfd. Fire   | 54,045.69       | 54,000.00           | -0-                     | 54,571.51         |
| Sherm. Fire | 9,541.66        | 9,536.00            | -0-                     | 108.19            |
| Totals:     | \$1,501,527.19  | \$1,397,050.60      | \$16,697.07             | \$1,465,869.87    |

The Dog Warden's report for November 2015 was received and placed on file.

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

The Historian's report for November 2015 was not available and placed on file.

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

Highway:

- The Town Highway Superintendent provided a written report for November 2015 and highlighted current projects which included concrete pads at the Harbor for picnic tables and benches. Ditched and cleared trees behind the Portage Inn, Painted the back shop.

Code Enforcement:

- The Code Enforcement Officer submitted a written report for November 2015 highlighting that noted 6 permits issued in the Town and the fact that work continues 1 New Modular home on Thayer Rd. Discussed demolition of the Portage Inn. Request that the Town Board set a Public meeting in regards to a 150ft. pole Tower for Family Life on the Douglas Rd.

Barcelona Harbor:

- Pier operations are closed for 2015.

Public Comment: William Bauer questioned the process of the Portage Inn, which was taking place the next day.

Supervisor Bills made the following announcements:

- Town Employee Christmas party Thursday, December 17, 2015 at Noon

Old Business:

- Project updates: Ongoing Federal Audit, board had to fill out compliance review form for USDA.
- Friends of the Lighthouse: State parks commission is beginning the process of forming a “Friends of the Lighthouse Group”.
- Paper Street: Senate Bill 3422, Chapter 473, Laws of 2015 was signed by the Governor adding Westfield to the Towns in Chautauqua County requiring a resolution from the town for a deed or instrument of conveyance for a paper street.

New Business:

Public hearing was set for 1/14/2016 for 7:25p.m.(SUP/Family Life tower)

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

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**Resolution No. 63 of 2015**  
2016 Holiday Schedule

|                         |                     |
|-------------------------|---------------------|
| New Year’s Day          | Friday, January 1   |
| Martin Luther King Day  | Monday, January 18  |
| Presidents’ Day         | Monday, February 15 |
| Good Friday             | Friday, March 25    |
| Memorial Day            | Monday, May 30      |
| 4 <sup>th</sup> of July | Monday, July 4      |

|                         |                       |
|-------------------------|-----------------------|
| Labor Day               | Monday, September 5   |
| Columbus Day            | Monday, October 10    |
| Veteran's Day           | Friday, November 11   |
| Thanksgiving Day        | Thursday, November 24 |
| Day after Thanksgiving  | Friday, November 25   |
| Christmas Eve Observed  | Friday, December 23   |
| New Year's Eve Observed | Friday December 30    |

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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- David Brown offered the following resolution and moved its adoption

**Resolution No. 64 of 2015**  
Appointment of Kate Issler as Deputy Tax Collector

**RESOLVED**, that Kate Issler is appointed as Deputy Tax Collector for the Town of Westfield for 2016 calendar year.

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

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- Raymond Schuster offered the following resolution and moved its adoption

**Resolution No. 65 of 2015**  
CHIPS Funding

**WHEREAS**, a reliable transportation infrastructure is vital for the safety of New York's travelling public and its economy; and

**WHEREAS**, 85% of New York's roads and bridges are maintained by local governments; and

**WHEREAS**, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally transportation assets means that they beyond preservation and in need of much more costly rehabilitation and reconstruction; and

**WHEREAS**, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

**WHEREAS**, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

**WHEREAS**, the New York State Association of Town Superintendents of Highways commissioned its own 15 year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

**WHEREAS**, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

**WHEREAS**, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is and is part of the New York State Department of Transportation (NYSDOT) capital program; and

**WHEREAS**, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

**WHEREAS**, when the DHBTF was created, it was agreed that the NYSDOT and MTA five year capital programs would be similar in size and would be negotiated concurrently; and

**WHEREAS**, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

**WHEREAS**, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT;

**NOW THEREFORE BE IT RESOLVED** that the Town of Westfield calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2016-17 state budget; and

**BE IT FURTHER RESOLVED** that the Town of Westfield calls upon the Governor and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and

**BE IT FURTHER RESOLVED** that the Town of Westfield calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

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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- James Herbert offered the following resolution and moved its adoption

**Resolution No. 66 of 2015**  
Approval of Training for Newly Elected Officials

**RESOLVED**, that the Town Board of the Town of Westfield approves attendance of the Town Clerk at the "Training School for Newly Appointed Officials" January 6-8, 2016 at cost not to exceed \$900

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

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- David Brown offered the following resolution and moved its adoption

**Budget Resolution No. 2 of 2015**  
2015 Budget Revisions

| <b>Revision Description</b>            | <b>Increase Expenditures</b> | <b>Decrease Expenditures</b> | <b>Increase Revenue</b> |
|--|------------------------------|------------------------------|-------------------------|
| <b>A Funds (General)</b>               |                              |                              |                         |
| A.43.1220.14 Supervisor Bkkpr          | \$1400.00                    |                              |                         |
| A.43.1220.20 Supervisor Equip          |                              | \$1400.00                    |                         |
| A.61.4020.40 Reg Vital Statistics      | \$3310.00                    |                              |                         |
| A.47.1989.40 Grant Writers Contractual |                              | \$3310.00                    |                         |
| A.84.6989.41 Economic Dev-Other        | \$9833.00                    |                              |                         |

|                               |                         |                    |                    |                    |
|-------------------------------|-------------------------|--------------------|--------------------|--------------------|
| A.84.6989.411                 | Economic Dev-CCT        | \$250.00           |                    |                    |
| A.92.7180.42                  | Parks-Harbor Imp        | \$14,609.00        |                    |                    |
| A.95.8169.40                  | Refuse & Garbage        | \$5050.00          |                    |                    |
| A.84.6989.40                  | Other Econ Oppty & D    |                    | \$6000.00          |                    |
| A.47.1990.40                  | Contingent              |                    | \$23,742.00        |                    |
| <b>Total A</b>                |                         | <b>\$34,452.00</b> | <b>\$34,452.00</b> |                    |
| <b>B Funds (Outside)</b>      |                         |                    |                    |                    |
| B.95.8160.40                  | Refuse & Garbage        | \$15.00            |                    |                    |
| B.47.1990.40                  | Contingent              |                    | \$15.00            |                    |
| <b>Total B</b>                |                         | <b>\$15.00</b>     | <b>\$15.00</b>     |                    |
| <b>DA Funds (Hwy Inside)</b>  |                         |                    |                    |                    |
| DA.72.5130.10                 | Machinery-Personnel     | \$205.00           |                    |                    |
| DA.72.5130.40                 | Machinery-Contractual   | \$1950.00          |                    |                    |
| DA.72.5130.42                 | Machinery-Fuel Slips    |                    | \$2155.00          |                    |
| <b>Total DA</b>               |                         | <b>\$2155.00</b>   | <b>\$2155.00</b>   |                    |
| <b>DB Funds (Hwy Outside)</b> |                         |                    |                    |                    |
| DB.72.5112.00                 | Permanent Imp-Chips     | \$60,645.00        |                    |                    |
| DB.72.5110.40                 | Gen Repairs-Contractual |                    | \$23,891.00        |                    |
| DB.28.3501.00                 | Consolidated Hwy Aide   |                    |                    | \$36,754.00        |
| <b>Total DB</b>               |                         | <b>\$60,645.00</b> | <b>\$23,891.00</b> | <b>\$36,754.00</b> |

This was seconded by Raymond Schuster. 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 David Brown seconded a motion to set a Public Hearing date of 14 January 2016 @ 7:25pm for a Communication Tower for Family Life, Douglas Road. Unanimously carried.

- Warrants dated December 9<sup>th</sup>, 2015 (voucher #'s 11421 - 11519) in the amount of \$241,806.28 were drawn on the following funds:

|                      |            |                          |             |
|----------------------|------------|--------------------------|-------------|
| General              | \$77651.91 | Shorehaven Water Project | \$3.19      |
| General Part-Town    | \$16222.30 | Westfield FD             | \$54,000.00 |
| Highway              | \$30877.46 | Sherman FD               | \$0.00      |
| Highway Part-Town    | \$17122.13 | Trust & Agency           | \$810.56    |
| Sewer Fund           | \$17.17    | Welch Building           | \$0.00      |
|                      |            | Welch Building Plantrol  | \$0.00      |
| Welch Bldg Operating | \$45101.56 | Barcelona Water          | \$0.00      |

These were presented and audited by the Board members. James Herbert 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.

The next Town Meeting is scheduled for Thursday, January 14<sup>rd</sup>, 2016 @ 7:30pm.

At 8:15pm Supervisor Bills moved and James Herbert seconded a motion to move to Executive Session to discuss a particular personnel and acquisition of property. Unanimously carried.

At 8:56pm James Herbert moved and David Spann seconded a motion to return to regular session. Unanimously carried.

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There being no further business, at 8:56pm Martha Bills moved and David Brown seconded a motion to adjourn. Unanimously carried.

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