

**TOWN BOARD MEETING  
Town of Westfield  
March 7, 2018**

**PUBLIC HEARING  
Town of Westfield  
March 7, 2018  
Public Hearing**

**Special Use Permit, ATC Sequoia-American Tower-8257 Hardscrabble**

Supervisor Bills called the public hearing to order at 7:27pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guest:	Tom Tarpley
Councilmen:	David Brown		Don Eno
	David Spann		Marion Eno
	Will Northrop		William Bauer
	James Herbert		Tim Doolittle
			Nan Doolittle

Highway Superintendent: David Babcock

Code Officer: Bonnie Rae Strickland

Town Attorney: Joel Seachrist

Supervisor Bills made the motion to open the Public Hearing to hear all persons in regards to the Special Use Permit.

Publication of the public hearing was posted by the Town Clerk.

The application is to upgrade the lighting on the tower from a red light to a medium intensity white light style in accordance with the FAA approval. The applicant was not present. Code Enforcement Officer Bonnie Rae Strickland spoke on behalf of the applicant. A letter was received from the Town Planning Board recommending the application be approved with conditions, (1) The proposed lighting does not interfere with the County emergency services communications systems and (2) The interval strobing or flashing light complies with the Town of Westfield Code. A discussion ensued.

No further comments.

Supervisor Bills made the motion to close the public hearing at 7:35pm. Councilman Will Northrop seconded the motion. This was unanimously approved.

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

**TOWN BOARD MEETING**  
**Town of Westfield**  
**March 7, 2018**

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	Guest:	Tom Tarpley
Councilmen:	David Brown		Don Eno
	David Spann		Marion Eno
	Will Northrop		William Bauer
	James Herbert		Tim Doolittle
			Nan Doolittle

Highway Superintendent: David Babcock

Code Officer: Bonnie Rae Strickland

Town Attorney: Joel Seachrist

**Pledge of Allegiance**

*Councilman David Spann made the motion to waive the reading of the February 7<sup>th</sup> and February 21<sup>st</sup> 2018 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 \$1,675.78 representing fees for the month of February 2018 was turned over to Supervisor Bills. A check for \$0.00 representing fees for the month of February to NYS Department of Health, Marriage Licenses and a check in the amount of \$31.00 was turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$23.62 will be withdrawn on the 14<sup>th</sup>. A check in the amount of \$640.00 representing fees for the month of February was turned over to the Village of Westfield for Registrar of Vital Statistics fees collected.

Supervisor Bills presented the board with bank balances for the month ending January 2018. All Board members have received a copy of the bank balances. End of the year closing has not been completed. The Town bookkeeper cannot close the year end until the AUD (annual updated document) is complete.

The Dog Warden's report for February 2018 was received and placed on file.

The Fire Department Report for and February 2018 was received and placed on file.

The Historian's report for February 2018 was received and placed on file.

The Town Court report for February 2018 was received and placed on file.

The WPD report for February 2018 was received and placed on file.

**Highway:**

Highway Superintendent highlighted on gas, fuel, plowing and sanding. The Highway Superintendent's February report has been received and placed on file.

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- Councilman James Herbert made the motion to allow the posting of the roads seconded by Councilman David Brown. The motion was carried unanimously.
- Supervisor Martha Bills made the motion to extend Hardrock gravel products annual bid and extend the contract with Schofield farms for the Lime stone that is used for our roads and to accept the State D.O.T and Chautauqua County annual contract bids for the 2018 year. Seconded by Councilman David Brown. The motion was carried unanimously.

**Code Enforcement:**

The Code Enforcement Officer submitted a written report for February 2018 highlighting 3 permits issued in the Town. Inspections of projects and building projects as required have been performed.

- Apex sketching program has been installed for both Assessing and Code office. The new code/building software from Williamson Law will be installed April 12<sup>th</sup>.
- New Cingular Wireless-Airosmith, 6302 Douglas Road applied for a SUP with the Town. The SUP will be referred to the Town Planning Board for review. Supervisor Bills made the motion to set a public hearing at 7:25pm, April 4<sup>th</sup>, 2018. David Spann seconded the motion and carried unanimously.

**Barcelona Harbor:**

Closed for the Season

**Public Comment:**

- Don Eno asked about the status of East Lake road, the Town is still waiting for a response of the revised preliminary application.

**Announcements:**

- Village Election March 20<sup>th</sup>, 2018 (12:00pm-9:00pm) at Eason Hall
- Spring Clean-up will be held May 5<sup>th</sup> 9:00am -1:00pm at the Transfer Station, Bourne St.
- E-Waste will be held May 12<sup>th</sup> 9:00am-1:00pm a charge of \$10.00 per CRT will be charged located at the Town Shop 118 Chestnut St
- April 21<sup>st</sup> 9:30am-12:30pm E-Waste collection event at Fredonia College no charge for 4CRT's per vehicle
- Rabies clinic will be held May 9<sup>th</sup> from 10:00am-12:00pm at the Town Shop, 118 Chestnut St.

**Project Updates:**

- The Chautauqua County Planning and Economic Development reached out to LWRP communities to see if they would be interested in learning more and applying for a joint grant to purchase an ADA Accessible Kayak Launch for waterfronts. A grant would be available up to 75 percent of the total funding. After discussion, the board would like to get more information.
- Shorehaven water project renewal of the ban was awarded today to Green County Bank for 2.19% to refinance for six months \$282,000.00 until the completion of the project. Shorehaven construction meeting took place March 6<sup>th</sup> at 9:00am in the North Room to discuss wish list, excess funds and proposed plans.
- Edgewater Valves, Edgewater condominiums received three bids for a water valve replacement project.
  - R.T Logistics, Inc, Brocton NY for \$15,385.00
  - Knight Operating Services LLC Ripley NY for \$15,600.00
  - Wilson Excavating & Grading, Inc, New Wilmington PA for \$19,131.00

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***Supervisor Martha Bills made the motion to accept the lowest bid of \$15,385.00 from R.T. Logistics, Inc Brocton NY. This was seconded by Councilman David Brown. Voting was as follows: Supervisor Martha Bills, aye; Councilman David Brown, aye; Councilman David Spann, aye; Councilman Will Northrop, aye***

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**New Business:**

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

**Resolution No.19 of 2018**

**Neg. Declaration (8257 Hardscrabble Rd, ATC Sequoia LLC)**

**WHEREAS**, the Town Board of the Town of Westfield is considering the application of ATC Sequoia LLC for a modification of an existing Special Use Permit to allow the placement of new lighting on the existing telecommunications tower owned at 8257 Hardscrabble Road, on a parcel designated as tax map Section 226.00, Block 1, Lot 26, 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 the facility changes proposed in the application 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 ATC Sequoia.

***This was seconded by Councilman James Herbert. Voting was as follows: Supervisor Martha Bills, aye; Councilman David Brown, aye; Councilman David Spann, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye;***  
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**TOWN BOARD MEETING**

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**Resolution No.20 of 2018**

**Town of Westfield**

**Issuance of SUP (8257 Hardscrabble Rd, ATC Sequoia LLC)**

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

**Action of the Board:**

To consider the application of ATC Sequoia LLC for modification of an existing Special Use Permit to allow the placement of a new lighting system on the existing tower owned by American Tower at 8257 Hardscrabble Road, on a parcel designated as tax map Section 226.00, Block 1, Lot 26, and

**WHEREAS**, ATC Sequoia LLC (hereinafter, the “Applicant”) submitted an application on December 13, 2017, for modification of an existing Special Use Permit to allow the placement of a new lighting system on the existing telecommunications tower at 8257 Hardscrabble Road, on a parcel designated as tax map Section 226.00, Block 1, Lot 26, consisting of white medium-intensity flashing lights, and

**WHEREAS**, the issue of compliance with the State Environmental Quality Review Act has been 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 22, 2018 and recommended approval of the application subject to certain conditions, 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 March 7, 2018 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. All changes to and construction on the site shall comply with the site plans submitted with and/or described in the application, unless hereinafter modified.
2. The Applicants shall comply at all times with the current applicable standards and regulations of the FCC and of all other agencies of the federal government with authority to regulate such facilities, if any.
3. The Applicants shall not unreasonably interfere with the future shared use of the facility by other parties.
4. The terms, conditions, and requirements of this special use permit are cumulative with those emplaced by any prior special permits for the project site, and bind and obligate the Applicants, their successors and assigns.

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5. The permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town of Westfield Town Board.

6. This permit shall become effective after the Applicants approve each and every provision hereof and agree 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 Brown. Voting was as follows: Supervisor Martha Bills, aye; Councilman David Brown, aye; Councilman David Spann, aye; Councilman James Herbert, aye Councilman Will Northrop, aye;*

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

**Resolution No.21 of 2018  
Town of Westfield  
Part time assistant for the Town Clerks office**

**RESOLVED**, By the Town Board of the Town of Westfield approves Linda Briggs, a part time temporary worker to assist with the Town Clerks office, in the amount of \$15.00 an hour not to exceed \$2000.00 for the 2018 calendar year.

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

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*Councilman Will Northrop offered the following resolution and moved for its adoption*

**Resolution No.22 of 2018  
Town of Westfield  
Part time assistant for Tax Collection**

**RESOLVED**, By the Town Board of the Town of Westfield approves Kate Issler, a part time temporary worker to assist in the 2018 Town and County Tax collection, in the amount of \$15.00 an hour for the 2018 calendar year.

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

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

**Resolution 23 of 2018**

**Town of Westfield**

**Approve Bookkeeper to attend training in Ellicottville**

**RESOLVED**, By the Town Board of the Town of Westfield approves the Town Bookkeeper, Jill Fredd to attend the State Comptroller’s accounting training March 27<sup>th</sup> 28<sup>th</sup> and 29<sup>th</sup> in Ellicottville, NY not to exceed \$500.00.

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

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

**Resolution 24 of 2018**

**Town of Westfield**

**Approve Town Clerk to attend NYSTCA conference in Albany**

**RESOLVED**, By the Town Board of the Town of Westfield approves the Town Clerk, Andrea Babcock to attend the NYSTCA conference in Albany April 22<sup>nd</sup> –April 25<sup>th</sup> not to exceed \$1,000.00

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

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*Councilman Will Northrop offered the following resolution and moved for its adoption*

**Revision**

**Description**

To Desolve the Registrar Revenue and Registrar Expense Account In A Fund.

**Budget**

**Journal**

A Funds (General Fund Townwide)

A 599	Appropriated Fund Balance DR		4,000.00
A 4020.400	Registrar Of Vital Stat Contractual DR		3,000.00
A 1603	Registrar Of Vital Statistics CR	7,000.00	

**Total A**

**Fund**

7,000.00	7,000.00
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**Revision**

**Description**

In 2018 The Town Registrar Revenue & Stipends Are To Be Paid Out Of Fund B Since The Revenue Is Only Town Revenue And The Village Registrar Revenue Is Being Paid From Town Clerk's Account Directly To The Village.

This Directive Came From Kevin At The Buffalo Regional Office Of the State Comptrollers Office On 3/7/18

**Budget**

**Journal**

B Funds (General-Part Town Fund)

	Increase Expenditures	Decrease Expenditures
B 1990.400 Contingent Account DR		2,500.00
B 4020.400 Registrar Of Vital Stat Contractual	2,500.00	
<b>Total B Fund</b>	2,500.00	2,500.00

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

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At 8:40pm Supervisor Bills moved and David Brown seconded a motion to audit the bills.

Warrants dated March 7, 2018 (voucher #'s 81-130) in the amount of \$79,504.53 were drawn on the following funds:

General	\$47,805.24	Shorehaven Water Project	\$4.45
General Part-Town	\$ 1,140386	Forest Park Sewer	\$34.45
Highway	\$23,034.88		
Highway Part-Town	\$7,484.65		

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Warrants dated March 7, 2018 (voucher #'s 21-29) in the amount of \$13,469.83 (were drawn on the following funds:

Welch Building	\$13,469.83
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Warrants dated March 7, 2018 (voucher # 2-3) in the amount of \$488.90 were drawn on the following funds:

Shorehaven Water District Capital Project	
H6-8310.400	\$488.90

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Warrants dated March 7, 2018 (voucher # 951-952) in the amount of \$14,930.00 were drawn on the following funds:

General	\$14,930.00
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*These were presented and audited by the board members. Supervisor Martha Bills moved and Councilman David Spann 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 David Brown, aye; Councilman David Spann, aye; Councilman James Herbert, aye; Councilman Will Northrop, aye;*

There being no further business, at 9:00pm Supervisor Martha Bills moved and Councilman David Brown seconded a motion to move to executive session to discuss the acquisition sale of real property. Unanimously carried.

At 9:25pm Supervisor Martha Bills moved and Councilman David Spann seconded a motion to return to regular session. Unanimously carried.

No action was taken.

There being no further business at 9:25pm Supervisor Martha Bills moved and Councilman James Herbert seconded a motion to adjourn. Unanimously carried.

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