

## **TOWN BOARD MEETING**

Town of Westfield  
March 4<sup>th</sup>, 2009

7:15pm View new WFD Ladder Truck

7:30pm Town Board Meeting

1. Minutes - February 4<sup>th</sup>, 2009 / Town Board Meeting
2. Monthly Reports - Supervisor's Monthly Report
  - Town Clerk's Annual Report
  - Dog Warden's Report
  - Fire Dept. Monthly Report
  - Historian's Monthly Report
  - Town Court Report
3. Highway
4. Code Enforcement
5. Barcelona Harbor (Closed)
6. Public Comment
7. John Rawlinson - WDC (Authorize expenditure)

### ANNOUNCEMENTS

- Maple Syrup Kick-off (Sugar Shack / Friday @ 1:30pm)
- Enhancing Our Local Flavor Conf. - 3/12/09, 8:00am to 3:00pm

### OLD BUSINESS

- Project Updates
- Resolution #16 (Calling Public Hearing East Route 20 Benefit District)
- Hearings for Small Cities Grant

### NEW BUSINESS

- Authorize to go out for Highway Bids:
  - Fuels
  - Oil & Stone
- Authorize Assessor Training (27 Mar 2009) & (27-30 Sep 2009)
- Transfer Station Contract

Audit of Bills

Executive Session - (if needed)

Resolutions for 3/4/2009 meeting:

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**Resolution No. 16 of 2009**  
(Calling Public Hearing East Route 20 Benefit District)

At a regular meeting of the Town Board of the Town of Westfield, Chautauqua County, New York, held at Eason Hall, in Westfield, New York, in said Town, on the 4<sup>th</sup>, day of March, 2009, at 7:30 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Martha Bills, and upon roll being called, there were:

PRESENT: Martha R. Bills, Town Supervisor  
Raymond Schuster, Town Councilman  
David Brown, Town Councilman  
Carl Vilaro, Town Councilman  
James Herbert, Town Councilman

ABSENT: None

The following resolution was offered by David Brown who moved its adoption, and seconded by Raymond Schuster, to-wit:

**Resolution No. 16 dated March 4<sup>th</sup>, 2009**

**A RESOLUTION CALLING A PUBLIC HEARING OF THE TOWN BOARD OF THE TOWN OF WESTFIELD, CHAUTAUQUA COUNTY, NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN LAW, TO CONSIDER AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE TOWN OF WESTFIELD NORTH TOWN WATER DISTRICT IN AND FOR SAID TOWN AT A ESTIMATED MAXIMUM COST OF \$551,750.**

**WHEREAS**, the Town Board of the Town of Westfield, Chautauqua County, New York, has had under consideration a map and plan as well as an estimate of cost for a proposed increase and improvement of the facilities of the North Town Water District in and for said Town, consisting of the construction of improvements to the water system of said District, including land or rights-in-land, original furnishings, equipment, machinery, apparatus and other costs incidental thereto; and

**WHEREAS**, the boundaries of the proposed benefited area are as follows:

All that tract or parcel of land, situate in the Town of Westfield, County of Chautauqua, State of New York; being a part of lot 27, town 4, range 14 of the Holland Land Company's Survey, and being bounded and described as follows:

Beginning at the southernmost corner of Section 193.10, Block 2, Lot 26 of the official Chautauqua County Tax Maps for the Town of Westfield, said point also being on the northerly bounds of New York State Highway No. 20; thence northwesterly and westerly along the western bounds of said Section 193.10, Block 2, Lot 26 to the southeast corner of Section 193.00, Block 1, Lot 43.1; thence north along the western bounds of Section 193.10, Block 2, Lot 26 and continuing in a line to the southeastern bounds of Section 193.00, Block 1, Lot 8; thence northeast along the northwest bounds of Section 193.00, Block 1, Lot 38 and continuing in a line to the northeast corner of Section 193.00, Block 1, Lot 34; thence southeast along the northeast bounds of said lot to the northwest corner of Section 193.00, Block 1, Lot 27; thence northeast along the northwest bounds of said lot and continuing in a line to the northeast corner of Section 193.00, Block 1, Lot 21, said point also being on the westerly bounds of McKinley Road; thence southeast

along the westerly bounds of McKinley Road, and continuing in a line across New York State Highway No. 20 to its southerly bounds; then northeast along the southerly bounds of New York State Highway No. 20 to the northeast corner of Section 193.00, Block 2, Lot 74; thence south along the eastern bounds of said lot to its southeastern corner; thence west along the south bounds of Section 193.00, Block 2, Lot 74 to the eastern bounds of Section 193.00, Block 2, Lot 73; thence south and west along the eastern and southern bounds of said lot and continuing in a line to the western bounds of Hardenburg Road; thence south along the western bounds of Hardenburg Road to the southeast corner of Section 193.00, Block 2, Lot 71; thence southwest along the southeastern bounds of said lot and Section 193.00, Block 2, Lot 69 and continuing in a line to the north bounds of Section 193.00, Block 2, Lot 66; thence west along the north bounds of said lot to its northwest corner; thence south along the western bounds of Section 193.00, Block 2, Lot 66 and continuing in a line to the north bounds of Prospect Road; thence west along the north bounds of Prospect Road to the southwestern corner of Section 193.10, Block 2, Lot 25; thence northwest across New York State Highway No. 20 to the point of beginning, and

**WHEREAS**, the proposed benefited area would be known as the EAST ROUTE 20 BENEFIT DISTRICT; and

**WHEREAS**, the improvements are planned in two phases, as follows:

- **PHASE 1:** 3,200 linear feet of twelve inch diameter PVC water main on East Route 20, gate valves, fire hydrants, and other necessary appurtenances, with a maximum amount proposed to be expended therefor of \$551,750.
- **PHASE 2:** 700 linear feet of twelve inch diameter PVC water main on East Route 20, gate valves, fire hydrants, and other necessary appurtenances, with a maximum amount proposed to be expended therefor of \$84,400, and

**WHEREAS**, the proposed method of apportioning the costs of such improvement is on a benefit basis to the benefited properties within the East Route 20 Benefit District, and

**WHEREAS**, the proposed method to be employed for financing Phase 1 of such improvement is a \$553,750 grant from the New York Office of Community Renewal as part of the Community Development Block Grant program, and

**WHEREAS**, it is believed that by use of Town of Westfield and Village of Westfield work forces, cost savings can be achieved during Phase I construction that will be sufficient to cover the entire cost of Phase 2 construction so that no additional borrowing or other expenditure will be required to pay the costs thereof, and

**WHEREAS**, in any event, no capital costs will be charged to the benefit district beyond those covered by the Community Development Block Grant, and

**WHEREAS**, the cost of the improvements to the typical user in the benefited area in the Town of Westfield will be \$497.00 per year, which figure includes no charge for capital costs and \$497.00 per year for water costs; and

**WHEREAS**, Tolman Engineering, PLLC has filed a map, plan and estimate of cost for the project in the office of the Town Clerk for public inspection; and

**WHEREAS**, it is now desired to call a public hearing on said proposed increase and improvement pursuant to Section 202-b of the Town Law;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Westfield, Chautauqua County, New York, as follows:

1. A meeting of the Town Board of the Town of Westfield, Chautauqua County, New York, shall be held at Eason Hall, in Westfield, New York, in said Town, on the 7<sup>th</sup> day of April 2009, 4:30 o'clock P.M., prevailing time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of the North Town Water District in said Town, referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

2. The Town Board hereby accepts the map, plan, and report as presented by Tolman Engineering, PLLC.
3. The Town Board hereby determines that the aforesaid purpose constitutes an UNLISTED Action under the SEQRA regulations of the State of New York which is anticipated to not have a significant impact upon the environment, but which will receive coordinated review with the Town Board acting as lead agency.
4. The Town Board hereby approves the long-form Environmental Assessment Form prepared by Tolman Engineering, PLLC.
5. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published in the Westfield Republican and Dunkirk Observer, the official newspapers of said Town, and posted in the manner prescribed by law, which notice shall be in substantially the following form, to-wit:

**NOTICE OF PUBLIC HEARING**

PLEASE TAKE NOTICE that the Town Board of the Town of Westfield, Chautauqua County, New York, will meet at Eason Hall, in Westfield, New York, in said Town, on the 7<sup>th</sup> day of April 2009, at 4:30 o'clock P.M., prevailing time, for the purpose of conducting a public hearing relating to the increase and improvement of the facilities of the North Town Water District in said Town, consisting of the construction of improvements to the water system of said District, including at least 3,200 linear feet of twelve-inch diameter PVC water main on East Route 20, gate valves, fire hydrants, and such buildings, land or rights-in-land, original furnishings, equipment, machinery, apparatus and other costs as are incidental thereto, at an estimated cost of \$551,750 to those users within the area benefited by the said improvements, which shall thereafter be known as the East Route 20 Benefit District, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

SEQRA DETERMINATION: The aforesaid purpose constitutes an UNLISTED Action under the SEQRA regulations of the State of New York.

Dated: Westfield, New York,  
March 4th, 2009

BY ORDER OF THE TOWN BOARD  
TOWN OF WESTFIELD  
CHAUTAUQUA COUNTY, NEW YORK

\_\_\_\_\_  
Timothy Smith, Town Clerk

6. This resolution shall take effect immediately. The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Martha R. Bills, Town Supervisor	VOTING	_____
Raymond Schuster, Town Councilman	VOTING	_____
David Brown, Town Councilman	VOTING	_____
Carl Vilardo, Town Councilman	VOTING	_____
James Herbert, Town Councilman	VOTING	_____

The resolution was thereupon declared duly adopted.

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**Resolution No. 17 of 2009**

(NYS Office of Community Renewal / Community Development Block Grant Application)

**WHEREAS**, the Town Board considers it essential to future community development to participate in the Community Development Block Grant program for funding of one or more community development activities within the Town; and,

**WHEREAS**, currently the Office of Community Renewal is soliciting applications for the 2009 Community Development Block Grant competitive round; and,

**WHEREAS**, in developing its potential application the Town wishes to elicit comments both verbal as well as in writing from its residents regarding the community development needs; and,

**WHEREAS**, the Town wishes to initiate such citizen participation to maximize the involvement of all segments of the Town community including those community residents who have specific community development and housing needs which might be addressed through an application for qualified CDBG activities; and,

**WHEREAS**, in order to maximize citizen participation the Town will hold its hearings at Eason Hall at 23 Elm St. so as to provide for the participation of all residents and citizens including those challenged or handicapped in any fashion.

**NOW THEREFORE BE IT RESOLVED**, that this Town Board hereby determines to have public hearings for the purposes of identifying a community development project or projects for submission during the 2009 round; and,

**BE IT FINALLY RESOLVED**, that this Board will conduct two Public Hearings the first of which will be on the 1<sup>st</sup> day of April, 2009 at 7:25pm and a second on the \_\_\_\_ day of April, 2009 at \_\_\_\_ pm to solicit the comments and suggestions of the public and to provide for the further development of such project or projects.