

**PUBLIC HEARING
Town of Westfield
November 4th, 2009
(2010 Town Budget Hearing)**

Supervisor Bills called the public hearing to order at 7:20pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	David Babcock	Janet Nass	Harold Nass
Councilmen:	Raymond Schuster	Marybelle Beigh	Claude Abbey	Herb Marker
	David Brown	Joel Seachrist	Jack Gulvin	
	James Herbert			

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to the proposed 2010 Budget for the Town of Westfield. The total budgeted for appropriations are \$1,801, 801. This is a decrease of \$37,760 from 2009. The total amount to be raised through taxes is \$735,491. There were some questions from the audience which were answered satisfactorily.

There being no further business, David Brown moved and James Herbert seconded the motion that the public hearing be closed at 7:25pm. This was unanimously approved.

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

**PUBLIC HEARING
Town of Westfield
November 4th, 2009
(Extension of Existing SUP for Small Manufacturing Business / Ceci)**

Supervisor Bills called the public hearing to order at 7:26pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	David Babcock	Janet Nass	Harold Nass
Councilmen:	Raymond Schuster	Marybelle Beigh	Claude Abbey	Herb Marker
	David Brown	Joel Seachrist	Jack Gulvin	
	James Herbert			

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to a request from Michael and Susan Ceci for a 1 year extension to an existing Special Use Permit (SUP) to operate a Small Manufacturing Business on Culver Road. The request was deemed of local concern by the County Planning Board and also reviewed by the Town Planning Board which recommended approval. There were some questions from the audience which were answered satisfactorily.

There being no further business, Raymond Schuster moved and David Brown seconded the motion that the public hearing be closed at 7:30pm. This was unanimously approved.

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

TOWN BOARD MEETING
Town of Westfield
November 4th, 2009

The regular meeting of the Town Board was called to order at 7:31pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	David Babcock	Janet Nass	Harold Nass
Councilmen:	Raymond Schuster	Marybelle Beigh	Claude Abbey	Herb Marker
	David Brown	Joel Seachrist	Jack Gulvin	
	James Herbert			

The Town Clerk's report together with a check in the amount of \$1593.21 representing fees for the month of October 2009 was turned over to the Supervisor. State and County agencies received checks totaling \$2215.25.

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	\$544,371.00	\$437,219.00	\$8471.41	\$735,047.55
Gen B	85,430.54	64,957.00	55.72	100,599.82
Hwy DA	238,692.00	176,021.00	198.62	279,705.35
Hwy DB	200,227.00	359,507.00	533.88	51,738.90
Sewer HO1	22,292.00	24,665.00	-0-	14,451.56
Water HO2	42,047.00	38,788.00	-0-	94,245.06
Wfd. Fire	68,938.00	-0-	-0-	69,649.39
Sherm. Fire	8,020.00	7,858.00	-0-	163.10
Totals:	\$1,210,017.54	\$1,109,015.00	\$9,259.63	\$1,345,600.87

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

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

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

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

Highway:

- The Town Highway Superintendent provided a written report for October 2009 and highlighted the progress for the East Main Road Water Project and a fuel report.

Code Enforcement:

- The Code Enforcement Officer submitted a written report for October 2009.

Barcelona Harbor: Closed.

In Public Comment, Mr. Vicary discussed what he believed to be a zoning violation in establishing a “farm”. His concerns were addressed.

Announcements:

- STW is conducting two sessions of their Annual Fall Planning & Zoning Conference on November 17th and 18th 2009.
- Supervisor Bills also announced that there is a Concord Grape Belt Heritage Dinner / Meeting on November 11th, 2009.

Old Business:

- Supervisor Bills provided an update on the East Main Road water project which began in mid-September and is now nearing its seasonal stoppage of work for this year.
- She also stated that Governor Patterson responded by letter to the Town Board’s resolution in support of Westfield Memorial Hospital and expressed thanks to the Westfield community and surrounding area for the Letters of Support to save the hospital’s ER.

New Business:

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

Resolution No. 49 of 2009

Negative Declaration for Extension of existing SUP for Small Manufacturing Business

WHEREAS, Michael & Susan Ceci have requested an extension for 1 year to their existing Special Use Permit (set to expire on December 2nd, 2009) to operate a small manufacturing business on a parcel of land located at 8275 Culver Road in the Town of Westfield, designated as Chautauqua County tax map parcel Sect. 243.00, Block 1, Lot 28.1, 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 an 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 extension, and

WHEREAS, the Board has determined that extending the SUP for one year for 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 Raymond Schuster. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; and James Herbert, aye.

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

Resolution No. 50 of 2009
Issuance of 1-Year Extension to Ceci SUP
Operation of a Small Manufacturing Business

WHEREAS, Michael & Susan Ceci (hereinafter, the “Applicant”) have submitted a request for a 1-year extension of their existing SUP (set to expire on Dec 2nd, 2009) to operate a small manufacturing business on a parcel of land located at 8275 Culver Road in the Town of Westfield, designated as tax map parcel Sect. 243.00, B1 1, Lot 28-1, and

WHEREAS, the issue of compliance with the State Environmental Quality Review Act has been thoroughly addressed, and a Negative Declaration has been issued after examination of the record and public hearing, and

WHEREAS, the Town of Westfield Planning Board reviewed the extension request during a meeting held October 16th, 2009 and recommended approval of the application, and

WHEREAS, the extension request was referred to the Chautauqua County Planning Department pursuant to Section 239-n of the General Municipal Law and the Department advised by letter dated October 26th, 2009 that the matter was of local concern, 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 November 4th, 2009 and finds justification to approve the extension subject to the qualifications hereinafter set out, now

THEREFORE, BE IT RESOLVED, that the one year extension request to operate a small manufacturing business on a parcel of land located at 8275 Culver Road be and hereby is authorized and approved subject to the conditions and requirements hereinafter set out:

1. The Applicant shall undertake the project in accordance with plans approved by the Town and agrees to be bound by the terms of this extension and the conditions of this permit.
2. The terms, conditions, and requirements of this permit extension bind and obligate the Applicant, its successors, and assigns. This permit extension shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.
3. The applicant shall commence operation of the business within one year of the issuance of this extension (by December 1st, 2010). If operation has not begun within the prescribed time, this extended Special Use Permit shall be void and the applicant shall be required to apply for a new permit should he intend to continue the project.
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 extension of the approved 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 David Brown. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; and James Herbert, aye.

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

Resolution No. 51 of 2009
Adoption of 2010 Town of Westfield Budget

BE IT RESOLVED, the Town Board of the Town of Westfield hereby approves and adopts the 2010 Preliminary Budget as presented as the 2010 Town Budget.

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

Martha Bills and Joel Seachrist provided a short overview of the WDC's Press Kit for Marketing Westfield.

She also gave an update on the progress of interviews for the Assessor position.

Raymond Schuster moved and Martha Bills seconded a motion that the Town Board accepts the resignation of Kimberly Stewart as a Town Dog Control Officer. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; and James Herbert, aye.

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; and James Herbert, aye.

The next Town Meeting is scheduled for Wednesday, December 2nd, 2009 @ 7:30pm.

There being no further business, at 8:50pm David Brown moved and Martha Bills seconded a motion to adjourn. Unanimously carried.

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