

PUBLIC HEARING
Town of Westfield
April 7th, 2010
(Local Law #1 / Amending the Procurement Policy)

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	Joel Seachrist	Dennis Haynes
Councilmen:	Raymond Schuster	Marybelle Beigh	Donald Eno
	David Brown	Claude Abbey	Jack Gulvin
	James Herbert	David Babcock	Janet Nass
	David Spann	Claire Quadri	Harold Nass

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to proposed Local Law #1 which would amend bid requirements in the Procurement Policy of the Town Code for any Public Works contracts. Supervisor Bills provided a brief overview of specific changes and noted that this Local Law would put our Town Code in concert with NYS law.

There being no further questions or comments, Martha Bills moved and David Brown seconded the motion that the public hearing be closed at 7:28pm. This was unanimously approved.

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

TOWN BOARD MEETING
Town of Westfield
April 7th, 2010

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	Joel Seachrist	Dennis Haynes
Councilmen:	Raymond Schuster	Marybelle Beigh	Donald Eno
	David Brown	Claude Abbey	Jack Gulvin
	James Herbert	David Babcock	Janet Nass
	David Spann	Claire Quadri	Harold Nass

Raymond Schuster moved and James Herbert 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 \$1642.30 representing fees for the month of March 2010 was turned over to the Supervisor. State and County agencies received checks totaling \$420.86.

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	\$389,086.00	\$167,665.00	\$8740.25	\$927,901.51
Gen B	91,395.00	51,054.00	55.72	104,396.97
Hwy DA	263,776.00	82,807.00	198.62	431,898.26
Hwy DB	19,122.00	9491.00	1037.64	252,187.96
Sewer HO1	21,691.00	18,660.00	-0-	15,062.60
Water HO2	20,463.00	13,023.00	-0-	98,800.61
Wfd. Fire	65,944.00	-0-	-0-	66,017.47
Sherm. Fire	8,606.00	-0-	-0-	8769.50
Totals:	\$880,083.00	\$342,700.00	\$10,032.23	\$1,905,034.88

The Dog Warden's report for March 2010 was received and placed on file.

The Fire Department Report for March 2010 was received and placed on file.

The Historian's report for March 2010 was received and placed on file.

The Town Court report for March 2010 was received and placed on file.

Highway:

- The Highway Superintendent submitted a written report on activities for March highlighting preparations for spring and plans to complete East Main Road resident water hook-ups.

- The Highway Superintendent recommended to the Town Board that they accept bids for materials from the following:
 - Fuels (Proper & Sons, Inc.)
 - Stone (Country Side Sand / Erie Sand & Gravel)
 - CRS-2P (Russell Standard)
 - Black Top (Hanson / Jamestown Macadam)
 - Concrete (Hanson / Jamestown Macadam)

David Brown moved and David Spann seconded a motion to accept recommended bids. This was unanimously approved.

Code Enforcement:

- The Code Enforcement Officer submitted a report for March highlighting 6 inspections conducted within the Town, new homes status, and his attendance at required trainings.

Barcelona Harbor:

- The Harbor Commission has scheduled its first meeting of the season for April 22nd, 2010.

In Public Comment, Donald Eno and Dennis Haynes discussed their desire for expansion of the Barcelona Water District eastward on Route 5. Questions were raised regarding the Wind Project and the DEIS review process. Audience members were reminded that it is important that questions and concerns be submitted to be answered by the applicant and considered during the SEQR review.

Announcements:

- Supervisor Bills announced that the AUD was filed on March 22nd, 2010
- A Public Hearing on the Wind Project DEIS is scheduled for April 13th, 2010 @ 1:00pm.
- A Public Hearing for the CDBG is scheduled for April 14th, 2010 @ 4:30pm.
- Spring Clean-up is Saturday, May 22nd, 9:00-1:00 @ the Transfer Station.

Old Business:

- Supervisor Bills provided a Project Update which included East Main Road water hook-ups and the Bell Creek Bridge (West Main Road) which is set to be closed for repairs beginning the 3rd or 4th week of June 2010.
- Martha Bills moved and David Brown seconded a motion to appoint Carl Vilardo, Jr. to a vacant seat on the Board of Assessment Review. This was unanimously approved.

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- David Brown offered the following resolution and moved its adoption

Resolution No. 17 of 2010
Negative Declaration

Concord Grape Belt Heritage Area Management Plan

WHEREAS, the Town Board of the Town of Westfield has been designated lead agency under the State Environmental Quality Review Act (SEQRA) in relation to the preparation of the Concord Grape Belt Heritage Area Management Plan.

WHEREAS, the proposed plan 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 plan, and

WHEREAS, the Board has determined that the proposed plan 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 plan, 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; 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. 18 of 2010

Adoption of Local Law #1 of 2010 (Change to Procurement Policy)

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Westfield for a public hearing to be held by said Board on April 7th, 2010 at 7:20pm at Eason Hall, 23 Elm Street, Westfield, New York to hear all interested parties on a proposed Local Law to change to the Procurement Policy (Town Code Chapter 37), and

WHEREAS, notice of said public hearing was duly published in the Dunkirk Observer, the official newspaper of the Town, on March 27th, 2010 and posted on the Town Bulletin Board on March 28th, 2010, and

WHEREAS, said public hearing was duly held on April 7th, 2010 at 7:20pm at the said Eason Hall and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Town Board of the Town of Westfield, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

NOW, THEREFORE, the Town Board of the Town of Westfield hereby adopts said Local Law as Local Law No. 1 of 2010, a copy of which is attached hereto and made a part hereof, and the Town Clerk be and hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Westfield, and to give due notice of the adoption of the Local Law to the Secretary of State.

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.

New Business:

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

Resolution No. 19 of 2010

Auth. for Supervisor to sign Amendment to Services Agreement (#T006987)

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign an Amendment to Professional Services Agreement with Behan Planning Associates, LLC with regard to NYSDOS Contract #T006987.

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

Resolution No. 20 of 2010

Authorization for Supervisor to sign Amendment to Services Agreement (#T006988)

BE IT RESOLVED, that the Town Supervisor is hereby authorized to sign an Amendment to Professional Services Agreement with Behan Planning Associates, LLC with regard to NYSDOS Contract #T006988.

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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- David Brown moved and James Herbert seconded a motion to authorize the Historian to attend two NYS trainings (April 18-20 in Buffalo & May 8 in Batavia). This was unanimously approved.
 - Public Hearing dates / times were set for LL #2 and LL #3 of Wednesday May 5th, 2010 at 7:20pm as 7:25pm respectively.

At 8:42pm Supervisor Bills moved and David Brown seconded a motion to move to Executive Session to discuss on-going litigation. Unanimously carried.

At 9:00pm Supervisor Bills moved and David Brown seconded a motion to return to regular session. Unanimously carried.

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; James Herbert, aye; David Spann, aye.

The next Town Meeting is scheduled for Wednesday, May 5th, 2010 @ 7:30pm.

There being no further business, at 9:05pm. Raymond Schuster moved and David Brown seconded a motion to adjourn. Unanimously carried.

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