

**PUBLIC HEARING
Town of Westfield
July 11th, 2012
(SUP Application to Construct a Dwelling in an Existing Building)**

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	Marty Young	John Rawlinson
Councilmen:	Raymond Schuster	Joel Seachrist	Dawn Betts	Aaron Resnick
	David Brown	Jim Pacanowski	Claire Quadri	Max Baker
	James Herbert	Claude Abbey	Jeff Fortner	Carl Vilaro, Jr.
	David Spann	Marybelle Beigh	Syd Farnham	Carl Vilaro, III
		Jenna Loughlin	Kathy Farnham	Robert Ames
		Robert Mazza	Fred Johnson	Gregory Wozneak
		Ronald Catalano	Pete Noble	Dawn Wozneak

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to an SUP application submitted by Charles Groenendaal to construct a dwelling in an existing building on his property on Persons Road in Westfield. She noted that County Planning Department determined this to be a matter of local concern and the Town Planning Board recommended Town Board approval.

Dawn Betts raised concerns over water runoff from Mr. Groenendaal's property to her property across the street. The runoff goes into the Betts' pond which is the water supply for their farm.

There being no further questions or comments, Raymond Schuster moved and James Herbert seconded the motion that the public hearing be closed at 7:24pm. This was unanimously approved.

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

**PUBLIC HEARING
Town of Westfield
July 11th, 2012
(SUP Application to Construct a Distillery & Winery)**

Supervisor Bills called the Public Hearing to order at 7:25pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	David Babcock	Marty Young	John Rawlinson
Councilmen:	Raymond Schuster	Joel Seachrist	Dawn Betts	Aaron Resnick
	David Brown	Jim Pacanowski	Claire Quadri	Max Baker
	James Herbert	Claude Abbey	Jeff Fortner	Carl Vilaro, Jr.
	David Spann	Marybelle Beigh	Syd Farnham	Carl Vilaro, III
		Jenna Loughlin	Kathy Farnham	Robert Ames
		Robert Mazza	Fred Johnson	Gregory Wozneak
		Ronald Catalano	Pete Noble	Dawn Wozneak

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to an SUP application submitted by Robert Mazza to construct a Distillery & Winery on property owned by him at 8398 West Route 20 in Westfield. She noted that County Planning Department determined this to be a matter of local concern and the Town Planning Board recommended Town Board approval.

Mr. Mazza provided an overview of his current operations in New York and Pennsylvania. He then described the proposed Westfield project. He noted the facility would be a 5000 sq. ft. facility with a distillery business first. He emphasized that operations would meet all State & County Health standards for water use / septic and that ultimately the surrounding land would be beautified and used to grow products for the on-site business. He also discussed the different traffic patterns for customers and deliveries.

Several people in attendance commented:

- Fred Johnson expressed concern over the type of SUP issued (Commercial or Farm) and, if approved, the ability of the owner to expand the operation into a much larger manufacturing facility. He also raised concerns over waste water management considering the large amount of water needed to operate on a daily basis.
- Robert Ames also was also concerned with sewage in addition to increased traffic and speed limits. He also asked the Town to look into lowering the speed limit.
- Dawn & Greg Wozeneak expressed concern with truck traffic (i.e. deliveries) and the numbers / routing of trucks.
- Claire Quadri wanted to know what SEQR status is being used for this project. It was stated that this is being treated as an 'Unlisted' action.
- Several people in attendance (John Rawlinson, Aaron Resnick, Pete Noble, Max Baker, Dawn Betts, Carl Vilaro Jr., and Carl Vilaro III) expressed their support for the proposed business.

There being no further questions or comments, David Brown moved and David Spann seconded the motion that the public hearing be closed at 8:14pm. This was unanimously approved.

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

**TOWN BOARD MEETING
Town of Westfield
July 11th, 2012**

The regular meeting of the Town Board of the Town of Westfield was called to order at 8:15pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	David Babcock	Marty Young	John Rawlinson
Councilmen:	Raymond Schuster	Joel Seachrist	Dawn Betts	Aaron Resnick
	David Brown	Jim Pacanowski	Claire Quadri	Max Baker
	James Herbert	Claude Abbey	Jeff Fortner	Carl Vilaro, Jr.
	David Spann	Marybelle Beigh	Syd Farnham	Carl Vilaro, III
		Jenna Loughlin	Kathy Farnham	Robert Ames
		Robert Mazza	Fred Johnson	Gregory Wozneak
		Ronald Catalano	Pete Noble	Dawn Wozneak

James Herbert moved and David Brown 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 \$9354.17 representing fees for the month of June 2012 was turned over to the Supervisor. State and County agencies received checks totaling \$835.72.

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	\$421,972.00	\$245,308.00	\$645.89	\$951,463.03
Gen B	112,822.00	39,964.00	75.18	130,136.65
Hwy DA	261,731.00	136,679.00	98.62	329,416.17
Hwy DB	103,852.00	311,977.00	37.64	192,999.95
Sewer HO1	25,110.00	19,300.00	-0-	5,453.05
Water HO2	18,747.00	12,613.00	-0-	101,546.57
Wfd. Fire	69,970.00	-0-	-0-	70,298.87
Sherm. Fire	8,653.00	8,644.00	-0-	115.10
Totals:	\$1,022,857.00	\$774,485.00	\$857.33	\$1,781,429.39

The Dog Warden's report for June 2012 was received and placed on file.

The Fire Department Report for June 2012 was received and placed on file.

The Historian's report for June 2012 was received and placed on file.

The Town Court report for June 2012 was received and placed on file.

Highway:

- The Highway Superintendent submitted a written report on activities for June highlighting 7.1 miles of roads sealed and newly paved roads were shouldered.

Code Enforcement:

- The Code Enforcement Officer submitted a report for June 2012 highlighting 6 Building Permits in the Town. One new home on Parker Road is looking for the C of O while a new home on Sherman has had the foundation set.

Barcelona Harbor:

- Jim Herbert briefed that “No Camping” the pier needs to be continuously enforced, there was discussion on the mounting / presentation of Bob Smith’s plaque, and a request from the Fire Commission to discuss rescue equipment.

Public Comment. None

Supervisor announced the following:

- County is holding a Household Hazardous Waste Drop-Off Day (Saturday, July 14th, 2012 / 9am to 2pm) Town of Chautauqua Highway Garage on Patterson Street in Mayville
- Westfield Arts & Crafts (27-28 July 2012)

Old Business:

- Supervisor Bills provided a Project Update which included the fact that required Consultants were chosen for the Barcelona Water Project.

New Business:

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

Resolution #35 of 2012
Standard Work Day and Reporting

BE IT RESOLVED, that the Town of Westfield hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials					
Town Clerk	Timothy Smith	6.5	1/1/2012 – 12/31/2015	Y	N/A
Town Supervisor	Martha Bills	6.5	1/1/2012 – 12/31/2015	N	22
Highway Superintendent	David Babcock	8	1/1/2012 – 12/31/2015	Y	N/A

Town Councilman	David Brown	6.5	1/1/2012 – 12/31/2015	N	2.5
Town Councilman	David Spann	6.5	1/1/2010 – 12/31/2013	N	2.5

Appointed Officials

Tax Collector	Donna Sanderson	6.5	1/1/2012 – 12/31/2012	Y	N/A
Bookkeeper	Donna Sanderson	6.5	1/1/2012 – 12/31/2012	Y	N/A
Deputy Town Clerk	Donna Sanderson	6.5	1/1/2012 – 12/31/2012	Y	N/A
Deputy Registrar	Donna Sanderson	6.5	1/1/2012 – 12/31/2012	Y	N/A
Registrar	Timothy Smith	6.5	1/1/2012 – 12/31/2012	Y	N/A
Bingo Inspector	Timothy Smith	6.5	1/1/2012 – 12/31/2012	Y	N/A
Records Management Officer	Timothy Smith	6.5	1/1/2012 – 12/31/2012	Y	N/A
Deputy Tax Collector	Timothy Smith	6.5	1/1/2012 – 12/31/2012	Y	N/A
Assessor	Bonnie Rae Strickland	8	1/1/2012 – 12/31/2012	Y	N/A
Town Court Clerk	Kathleen Alexander	6	1/1/2012 – 12/31/2012	Y	N/A
Code Enforcement	James Pacanowski	3	1/1/2012 – 12/31/2012	Y	N/A
Deputy Hwy Superintendent	Scott Frudd	8	1/1/2012 – 12/31/2012	Y	N/A

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

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

Resolution #36 of 2012
Designation of Bank

WHEREAS, under Section 64 of the Town Law, it is provided that the Town Board shall designate by written resolution the banks and trust companies in which certain Town Officers shall deposit monies received into their hands by virtue of their office, be it,

RESOLVED, that Community Bank of Westfield is hereby designated as a depository in which the Supervisor, Town Clerk, Deputy Town Clerk, Tax Collector and Court Clerk may deposit monies coming into their hands.

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

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- Martha Bills offered the following resolution and moved its adoption:

Resolution #37 of 2012
Negative Declaration (Construct Dwelling in an Existing Building /Groenendaal)

WHEREAS, Charles Groenendaal (hereinafter, the “Applicant”) has submitted an application for a Special Use Permit to construct a dwelling within an existing building owned by him at 7868 Persons Road, Westfield, designated as tax map parcel Section 193.00, Block 1, Lot 45.2, 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 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 use, and

WHEREAS, the Board has determined that the 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; James Herbert, aye; David Brown, aye; Raymond Schuster, aye; David Spann, aye.

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

Resolution #38 of 2012

Issuance of SUP (Construct Dwelling in an Existing Building / Groenendaal)

WHEREAS, Charles Groenendaal (hereinafter, the “Applicant”) has submitted an application for a Special Use Permit to construct a dwelling within an existing building owned by him at 7868 Persons Road, Westfield, designated as tax map parcel Section 193.00, Block 1, Lot 45.2, and

WHEREAS, the Town of Westfield Planning Board reviewed the application during a meeting held June 20th, 2012 and has recommended approval of the application, and

WHEREAS, the Town board (“Board”) has carefully considered the issue of compliance with the State Environmental Quality Review Act, and has issued a negative declaration after examination of the record and a public hearing, and

WHEREAS, the Board has considered all the facts and papers before it, and has heard those wishing to be heard at a public hearing held July 11, 2012, after publication of legal notice, 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. The SUP is intended to allow for a single family dwelling within the existing structure on site.
1. Within 30 days of signing and agreeing to the terms of this Special Use Permit, the applicant shall contact the Chautauqua County Soil & Water Conservation District to develop and implement mitigation measures to stop water runoff from applicant’s property across Persons Road and onto neighboring property.
3. The Applicant shall undertake the dwelling project in accordance with the plans submitted to the Town with the application, and agrees to be bound by the terms of the application, the site plan, and the conditions of this permit.
4. This permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.
5. 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.
6. This 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 Spann. Voting was as follows: Martha Bills, aye; James Herbert, aye; David Brown, aye; Raymond Schuster, aye; David Spann, aye.

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- A Special Meeting date to consider the Mazza SUP application was set for July 13th, 2012 @ 3:30pm.
 - Raymond Schuster moved and David Spann seconded a motion to appoint Kelly Brown as a Part-time Pier Attendant. Unanimously approved.

Warrants dated July 10th, 2012 (voucher #'s 8898 - 8963), in the amount of \$260,592.38 drawn on the following funds: General \$34,114.68; General Part-Town \$3065.10; Highway \$2,321.81; Highway Part-Town \$220,300.22; Sewer Fund \$14.65; Shorehaven Water Project \$2.90; and Trust & Agency \$773.02 were presented and audited by the Board members. Raymond Schuster moved and David Brown 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.

At 8:50pm Supervisor Bills moved and David Brown seconded a motion to move to Executive Session to discuss a specific contract negotiation. Unanimously carried.

At 9:05pm James Herbert moved and David Brown seconded a motion to return to regular session. Unanimously carried.

The next Town Meeting is scheduled for Wednesday, August 1st, 2012 @ 7:30pm.

There being no further business, at 9:07pm David Spann moved and James Herbert seconded a motion to adjourn. Unanimously carried.

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