

**PUBLIC HEARING
Town of Westfield
September 3rd, 2014
SUP Modification for Barcelona Lakeside Bed & Breakfast**

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 Bills	David Babcock	Claude Abbey
Councilmen:	David Brown	Joel Seachrist	William Bauer
	David Spann	Jim Pacanowski	Roger Hazen
	James Herbert	Janet Nass	
	Raymond Schuster	Harold Nass	

Supervisor Bills explained that the Public Hearing was being held to hear all persons in regard to modifying the existing Special Use Permit (SUP) to reflect a 5 room capacity instead of 2 rooms which is currently the way the document reads. Roger Hazen (owner) explained the change in detail and answered all questions.

There being no further questions or comments, David Brown moved and David Spann 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
September 3rd, 2014

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

Supervisor:	Martha Bills	David Babcock	Claude Abbey
Councilmen:	David Brown	Joel Seachrist	William Bauer
	David Spann	Jim Pacanowski	Roger Hazen
	James Herbert	Janet Nass	
	Raymond Schuster	Harold Nass	

Martha Bills moved and David Spann 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 \$5479.05 representing fees for the month of August 2014 was turned over to the Supervisor. State and County agencies received checks totaling \$2113.45.

The Supervisor’s report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking Balance</u>	<u>MM Balance</u>
Gen. A	\$501,459.00	\$493,684.00	\$16,068.41	\$683,856.28
Gen B	159,393.00	57,302.00	75.18	157,574.35
Hwy DA	273,786.00	152,348.00	515.84	336,218.83
Hwy DB	200,241.00	345,690.00	37.64	48,999.77
Sewer HO1	23,625.00	18,933.00	-0-	3,600.36
Water HO2	16,275.00	12,203.00	-0-	102,362.32
Wfd. Fire	54,039.00	-0-	-0-	54,491.05
Sherm. Fire	9,236.00	9,229.00	-0-	102.46
Totals:	\$1,238,054.00	\$1,089,389.00	\$25,040.52	\$1,386,205.43

The Dog Warden’s report for August 2014 was received and placed on file.

The Fire Department Report for August 2014 was received and placed on file.

The Historian’s report for August 2014 was not received (position vacant).

The Town Court report for August 2014 was received and placed on file.

The Westfield Police report for August 2014 was received and placed on file.

Highway:

- The Town Highway Superintendent submitted a written report on activities for August 2014 and highlighted roadwork, fuel usage, and the Barcelona Water Project.

Code Enforcement:

- The Code Enforcement Officer submitted a written report highlighting that 5 Permits were issued in the Town for August 2014. These included 2 Electrical Service Permit, 2 Roofing Permits, and 1 Commercial Sign.

Barcelona Harbor: Dredging is ongoing and expected to be completed in mid to late September. Windy conditions have significantly delayed completion.

Public Comment: None.

Announcements:

- First Friday (9/5/2014)

Old Business:

- Supervisor Bills provided an update on the progress of work completed for the Barcelona Water Project.

New Business:

- Martha Bills moved and David Brown seconded a motion to set Public Hearings for the Sherman and Westfield Fire Districts at 7:20pm & 7:25pm respectively on 1 October 2014. This was unanimously carried.

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

Resolution No. 46 of 2014
Negative Declaration
SUP Modification for Barcelona Lakeside Bed & Breakfast

WHEREAS, the Town Board of the Town of Westfield is considering the application of Roger Hazen for a modification of an existing Special Use Permit to change the Barcelona Lakeside Bed & Breakfast capacity from 2 rooms to 5 rooms at 8223 East Lake Road on a parcel designated as tax map Section 192.07, Block 1, Lot 27, 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 Sprint.

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

- James Herbert offered the following resolution and moved for its adoption:

Resolution No. 47 of 2014
Issuance of SUP Modification for Barcelona Lakeside Bed & Breakfast

WHEREAS, the Town Board of the Town of Westfield has considered the application of Roger Hazen for a modification of an existing Special Use Permit to change the Barcelona Lakeside Bed & Breakfast capacity from 2 rooms to 5 rooms at 8223 East Lake Road on a parcel designated as tax map Section 192.07, Block 1, Lot 27, and

WHEREAS, the Town of Westfield Planning Board reviewed the application during a meeting held August 13th, 2014 and recommended approval of the application, and

WHEREAS, the application 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 September 3rd, 2014 that the matter was of local concern, 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 September 3rd, 2014, 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 Applicant shall undertake the 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.
2. This permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.
3. The terms, conditions, and requirements of this permit shall be cumulative with and in addition to any set out in the Special Use Permit authorizing the existing telecommunications tower, and any subsequent additions, modifications, or amendments thereto.
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 Modification to an Existing 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 Amendment to an Existing Special Use Permit.

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

Warrants dated September 3rd, 2014 (voucher #'s 10373 - 10419 in the amount of \$243,969.62 drawn on the following funds: \$25,339.24 General; \$4,305.44 Highway; \$73,957.32 Highway Part-Town; \$21.70 Sewer Fund; 3.27 Shorehaven Water Project; \$466.34 Trust & Agency; \$6607.46 Welch Building; and \$133,268.85 Barcelona Water Project were presented and audited by the Board members. David Brown 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; James Herbert, aye; Raymond Schuster, aye; David Brown, aye; David Spann, aye.

At 8:10pm Supervisor Bills moved and David Brown seconded a motion to move to Executive Session to discuss a particular personnel history. Unanimously carried.

At 8:55pm David brown moved and Raymond Schuster seconded a motion to return to regular session. Unanimously carried.

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

Resolution No. 48 of 2014
Removal of \$2.00 Late Fee from Town / County Tax Bills

RESOLVED, that the Town Board of Westfield will no longer authorize a \$2.00 late fee included Town / County Tax payments and requests that the Chautauqua County Real Property Tax Department remove the charge from the 2015 and subsequently prepared Town / County tax bills.

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

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

Resolution No. 49 of 2014
Pay Rate Stipend Authorizations

RESOLVED, that the Town Board of Westfield authorizes a Training Pay Rate of \$13.60 per hour for the Bookkeeper to the Supervisor. A Stipend of \$15.00 per hour is authorized to Donna Sanderson to provide assistance and training as needed.

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

The next Town Meeting is scheduled for Wednesday, October 1st, 2014 @ 7:30pm.

There being no further business, at 8:58pm. James Herbert moved and David Brown seconded a motion to adjourn. Unanimously carried.

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