

PUBLIC HEARING
Town of Westfield
January 7th, 2015
Public Hearing Centaur Stride SUP Application

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	Claudia Monroe
Councilmen:	David Spann	Joel Seachrist	William Bauer
	Raymond Schuster	Jim Pacanowski	Darrian Switzer
		Marybelle Beigh	Emily LaPorte
		Jack Gulvin	Brett

Morgan

Claudia Monroe spoke on behalf of her Special Use Permit application to operate a Commercial Recreation facility (“Centaur Stride”) & construction of a 10’ x 20’ (portable) pavilion on property located on Sherman Road. Her concept is to have a therapeutic riding facility with other activities included.

After some questions were addressed and there being no further business, Martha Bills moved and David Spann 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
January 7th, 2015

Public Hearing to Modify an Existing Cell Tower SUP (Verizon / Hardscrabble Road)

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	Claudia Monroe
Councilmen:	David Spann	Joel Seachrist	William Bauer
	Raymond Schuster	Jim Pacanowski	Darrian Switzer
		Marybelle Beigh	Emily LaPorte
		Jack Gulvin	Brett Morgan

Attorney Brett Morgan (representing Verizon) stated that the proposed modification would allow relocating existing PCS panel antennae and add (3) AWS panel antennas, (3) AWS RRH units, (1) 6 circuit OVP box, and (1) run of HFCA at an existing telecommunications tower at 8257 Hardscrabble Road. He explained that this is an enhancement upgrade and relatively easy to accomplish.

After questions were addressed and there being no further business, Raymond Schuster moved and David Spann seconded the motion that the public hearing be closed at 7:31pm. This was unanimously approved.

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

TOWN BOARD MEETING
Town of Westfield
January 7th, 2015

The regular meeting of the Town Board was called to order at 7:32pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	David Babcock	Claudia Monroe
Councilmen:	David Spann	Joel Seachrist	William Bauer
	Raymond Schuster	Jim Pacanowski	Darrian Switzer
		Marybelle Beigh	Emily LaPorte
		Jack Gulvin	Brett Morgan

The Town Clerk's report together with a check in the amount of \$2477.79 representing fees for the month of December 2014 was turned over to the Supervisor. State and County agencies received checks totaling \$236.21.

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	\$615,307.00	\$692,952.00	\$16,068.41	\$614,007.52
Gen B	168,126.00	177,798.00	75.18	45,916.18
Hwy DA	277,475.00	245,585.00	515.84	246,855.05
Hwy DB	454,205.00	427,007.00	37.64	183,373.51
Sewer HO1	23,627.00	21,987.00	-0-	2,038.85
Water HO2	16,337.00	16,200.00	-0-	98,426.76
Wfd. Fire	54,073.00	53,999.00	-0-	525.75
Sherm. Fire	9,236.00	9,229.00	-0-	102.52
Totals:	\$1,618,386.00	\$1,664,757.00	\$25,040.52	\$1,191,246.14

The Dog Warden's report for December 2014 was received and placed on file.

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

The Historian's report for December 2014 was not received.

The Town Court report for December 2014 and the Town Court 2014 Annual Report were received and placed on file.

The Westfield Police Department Report for December 2014 was received and placed on file.

Highway:

- The Town Highway Superintendent provided a written report for December 2014 and highlighted current projects which included plowing, fuel usage, and repairs to facilities / equipment at the pier.
- He also submitted a report of all activities for 2014.

Code Enforcement:

- The Code Enforcement Officer submitted a written report for December 2014 highlighting that 2 permits were issued in the Town. He also briefed that there were a total of 82 permits issued in the Town in 2014.

Barcelona Harbor:

- Pier operations are closed for the season.

Public Comment. William Bauer commented on how impressed he was with the cooperative Village / Town work on the Barcelona water Project.

Supervisor Bills made the following announcements:

- Annual Audit of Books (20 Jan 2015 @ 4:00pm) Court Only

Old Business:

- Supervisor Bill stated that the Barcelona Water Project (BWP) has a project meeting scheduled for 9 Jan 2015. She also noted that the project will be complete by the end of May 2015.

New Business:

- Raymond Schuster offered the following 8 resolutions and moved their adoption:

Resolution No. 1 of 2015
 Official Meeting Place

“That the official meeting of the Town Board shall be in Eason Hall, 23 Elm Street, Westfield, NY on the first Wednesday of each month at 7:30pm.”

Resolution No. 2 of 2015
 Salaries

“That the Town Board hereby fix the salaries of the Town employees and officials for the year 2015 as follows:”

Highway Employees	Laborers - Minimum \$8.75 / hr
	MEO's - Minimum \$14.00 to \$20.76 / hr
	- Maximum \$31.14 / hr
Supervisor	\$16,000 annual to be paid quarterly
Code Enforcement	\$13,000 annual to be paid bi-weekly

Deputy Supervisor	\$ 2,700 annual
Councilmen	\$ 3,000 annual
Justice Spann	\$ 7,000 annual to be paid quarterly
Justice LaPorte	\$ 7,000 annual to be paid annually
Court Clerk	\$12.00 / hour to be paid bi-weekly
Town Clerk / Deputy Tax Collector	\$33,038 annual to be paid bi-weekly
Bookkeeper / Deputy Town Clerk / Tax Collector	\$37,500 annual to be paid bi-weekly
Deputy Tax Collector	\$3,500 (to be paid bi-weekly Jan - Mar)
Historian	\$ 1,000 annual
Highway Superintendent	\$51,289 annual to be paid bi-weekly
Deputy Highway Superintendent	\$ 1,600 annual to be paid quarterly
Assessor / Safety Inspections Clerk	\$48,696 annual to be paid bi-weekly
Utility Workers	\$ 8.75 Minimum/hr. & \$13.00 Maximum/hr
Dog Control Officer	\$7,500 annual

Resolution No. 3 of 2015
 Designation of Banks

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, M & T Bank of Jamestown and Mayville, MBIA Class, and Key Bank of Westfield, are hereby designated as depositories in which the Supervisor, Town Clerk, Deputy Town Clerk, Tax Collector and Court Clerk shall deposit all monies coming into their hands.”

Resolution No. 4 of 2015
 Official Newspapers

“That the *Westfield Republican* and the *Observer* newspapers be designated the official newspapers of the Town for the year 2015.”

Resolution No. 5 of 2015
 2015 Annual Appointments

Timothy C. Smith	Registrar / Records Management Officer / Deputy Tax Collector
Jill Fredd	Bookkeeper / Tax Collector / Deputy Town Clerk / Deputy Registrar
Kate Issler	Deputy Tax Collector
James Pacanowski	Code Enforcement / Zoning Officer
Marybelle Beigh	Historian
Kathleen Alexander	Clerk to the Court
Scott Frudd	Deputy Highway Superintendent
Chuck Raynor	Dog Control Officer
Kelly Brown	Harbor Master
Vincent Calarco	Honorary - Civil Defense Director
Bonnie Rae Strickland	Safety Inspections Clerk

Board of Assessment Review

Helen Baran (5 Year Term - exp. 9/19)

Planning Board

Timothy Smith (Chairman)	Chad Schofield
Diana Hamann	Phil Riedesel
Amy Gregory (Alternate)	John Hemmer (Alternate)

Zoning Board of Appeals

Wayne Harrington (Chairman)
Will Northrop
Bradley Szymczak

Abbie Cardy
Linda Wolfe

Town Committees

Harbor	David Spann & James Herbert
Security & Technology	David Brown
Transfer Station	Ray Schuster
Highway	Ray Schuster & David Spann
Ad Hoc & Personnel	David Brown & Ray Schuster
Website	David Brown, Mary Bivens, Martha Bills, Tim Smith & Joel Seachrist

Fire Dept. Liaison - David Brown

Process Servers - David Haskin / Max Baker

Town Constables - Peter Kunow / Max Baker

Resolution No. 6 of 2015

Authorizations for Supervisor / Deputy Supervisor

RESOLVED, (Pursuant to Town Law, §29 [16]) that the Town Board of the Town of Westfield hereby authorizes and delegates to the Town Supervisor powers and duties of day-to-day administration and supervision of all town and special district facilities and employees consistent with and in furtherance of any and all State and Federal laws applicable thereto and with any and all local laws, resolutions or policies heretofore adopted by this Town Board.

BE IT FURTHER RESOLVED that the Supervisor or the Deputy Supervisor be, and are hereby authorized, to sign all the necessary documents for the financing of the Town of Westfield.”

Resolution No. 7 of 2015

Highway Agreement

RESOLVED, that pursuant to the provisions of Section 284 of the Highway Law, the Town Board agrees that monies levied and collected for the repair and improvement of highways, and received from the state for the repair and improvement of highways, and specifically the sum of \$175,871 shall be expended for the general repairs of town highways, including sluices, culverts and bridges, or the renewal thereof, and for the following projects:

1. The oiling and stoning within the budget allotment of portions of the following roads: Bliss (1.53); Hardscrabble (.50); Mt Baldy (1.0); Putnam (.85); Lyons (1.0); and 25 intersections. Total mileage is 4.88.
2. Should the Town receive funds under the Consolidated Highway Improvement Project System (CHIPS), funds estimated in the 2015 Budget (\$128,077.02) would be used towards re-blacktopping Fifth Street, Sixth Street, North Portage Street, and Parker Road (1.4 miles).

BE IT FURTHER RESOLVED, that no fewer than three members of the Town Board and the Highway Superintendent shall execute a certified copy of this resolution in duplicate, and said certified copy, so signed, shall constitute written agreement between the parties once it shall have been approved by the County Superintendent of Highways.

Resolution No. 8 of 2015

Appointment of Deputy Supervisor

RESOLVED, that Councilman David Brown is appointed as Deputy Supervisor for the Town of Westfield for the 2015 calendar year.

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

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

Resolution No. 9 of 2015
Annual Review of Procurement Policy

RESOLVED, that after thorough review, the Town Board approves the Procurement Policy (Chapter 37 of the Town Code).

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

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

Resolution No. 10 of 2015
Negative Declaration (SUP for Centaur Stride)

WHEREAS, the Town Board of the Town of Westfield is considering the application of Claudia Monroe for a Special Use Permit to operate a Commercial Recreation facility (“Centaur Stride”) & construction of a 10’ x 20’ (portable) pavilion on property located on Sherman Road on a parcel designated as tax map Section 260.00, Block 2, Lot 44, 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 Centaur Stride.

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

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

Resolution No. 11 of 2015
Issuance of SUP for Centaur Stride

WHEREAS, the Town Board of the Town of Westfield has considered the application of Claudia Monroe for a Special Use Permit to operate a Commercial Recreation facility (“Centaur Stride”) & construct a 10’ x 20’ (portable) pavilion on property located on Sherman Road on a parcel designated as tax map Section 260.00, Block 2, Lot 44, and

WHEREAS, the Town of Westfield Planning Board reviewed the application during a meeting held December 10th, 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 January 5th, 2015 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 January 7th, 2015, 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 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 Martha Bills. Voting was as follows: Martha Bills, aye; David Spann, aye; Raymond Schuster, aye.

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

Resolution No. 12 of 2015

Negative Declaration /Modification to Existing SUP (Verizon / Hardscrabble Road)

WHEREAS, the Town Board of the Town of Westfield is considering the application of New York RSA No. 3 Cellular Partnership (d/b/a Verizon Wireless) for modification of an existing Special Permit to allow relocating existing PCS panel antennae and add (3) AWS panel antennas, (3) AWS RRH units, (1) 6 circuit OVP box, and (1) run of HFCA at an existing telecommunications tower at 8257 Hardscrabble Road, on a parcel designated as tax map Section 226.00, Block 1, Lot 26, 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 full 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 New York RSA No. 3 Cellular Partnership (d/b/a Verizon Wireless).

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

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

Resolution No. 13 of 2015

Issuance of Modification to existing SUP (Verizon / Hardscrabble Road)

WHEREAS, the Town Board of the Town of Westfield is considering the application of New York RSA No. 3 Cellular Partnership (d/b/a Verizon Wireless) for modification of an existing Special Permit to allow relocating existing PCS pane antennae and add (3) AWS panel antennas, (3) AWS RRH units, (1) 6 circuit OVP box, and (1) run of HFCA at an existing telecommunications tower at 8257 Hardscrabble Road, on a parcel designated as tax map Section 226.00, Block 1, Lot 26, and

WHEREAS, the Town of Westfield Planning Board reviewed the application during a meeting held December 10th, 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 January 5th, 2015 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 January 7th, 2015 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 Amendment 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 Spann, aye; Raymond Schuster, aye.

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

Budget Resolution No. 1 of 2015
 2014 Budget Revisions

Revision Description	Increase Expenditures	Decrease Expenditures	Increase Revenue
A Funds (General)			
A.43.1220.130 Supervisor Bkkpr	\$2725.00		
A.43.1220.4 Supervisor CE	\$610.00		
A.44.1355.4 Assessor CE	\$544.00		
A.45.1410.4 Town Clerk CE	\$676.00		
A.61.4020.4 Registrar CE	\$2400.00		
A.92.7180.4 Parks / Rec CE	\$2288.00		
A.98.9060.8 Medical CE	\$1837.00		
A.47.1990.4 Contingent		\$11,080.00	
B Funds (Outside)			
B.95.8160.4 Safety Insp PE	\$440.00		
B.98.9010.8 Retirement CE	\$4000.00		
B.47.1990.4 Contingent		\$4440.00	
DB Funds (Hwy Outside)			
DB.28.3501.0 Chips			\$20,117.20
DB.72.5112.0 Chips CE	\$20,117.20		
DB.72.5112.0 Chips CE	\$10,119.00		
DB.72.5110.4 Roads CE		\$10,119.00	

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

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

Budget Resolution No. 2 of 2015
 2015 Budget Revisions

Revision Description	Increase Expenditures	Decrease Expenditures	Increase Revenue
A Funds (General)			
A.43.1220.140 Bk Keeper Trainer	\$3000.00		
A.44.1330.120 Deputy Tax Collector	\$3500.00		
A.47.1990.4 Contingent		\$6500.00	

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

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- Warrants dated January 7th, 2015 (voucher #'s 10602 - 10663), in the amount of \$101,041.84 drawn on the following funds: General \$16,243.07; General Part-Town \$250.00; Highway \$5,283.11; Highway Part-Town \$4,158.00; Sewer Fund \$17.54; Shorehaven Water Project \$3.60; Welch Building \$7628.72; and the Barcelona Water Project \$67,457.80 were presented and audited by the Board members. Raymond Schuster moved and David Spann seconded a motion that the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

The next Town Meeting is scheduled for Wednesday, February 4th, 2015 @ 7:30pm.

There being no further business, at 8:40pm David Spann moved and Raymond Schuster seconded a motion to adjourn. Unanimously carried.

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

Clerk