

PUBLIC HEARING
Town of Westfield
January 11, 2006

The public hearing was called to order by Supervisor Bills at 7:15 p.m. in Eason Hall, 23 Elm Street, Westfield, NY with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Claude Abbey
Councilmen:	David Brown		Paul Coran
	Carl Vilaro Jr.		James Rush
	Donald Nash		Julie Spears
	Raymond Schuster		Harold Nass
Guests:	Mr. & Mrs. Whipple		Pam Frank
	Mitch FitzGibbons		David Babcock
	Dana Baker		Jack Bills
	Mr. & Mrs. Donald Eno		Steven Lax
	Charles Lillie		

Mrs. Bills explained that the hearing was scheduled to hear all persons in regard to Local Law No. 1 of 2006, Dog Control. Proof of publication is on hand. The Town Clerk stated that the new law enhances the powers of the dog control officer. In particular this relates to dogs running at large and causing harm to persons, damage to property or nuisances to town residents. Pick-up fees will remain the same at \$10.00, however, daily fees will increase from \$10 to \$15. Dog Control Officer, Dana Baker, reiterated the problems with owners not taking responsibility for their animals when they stray onto neighboring properties. There were no questions from the audience. Supervisor Bills closed the hearing at 7:25 p.m.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING
Town of Westfield
January 11, 2006

Supervisor Martha Bills called the meeting to order at 7:30 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Claude Abbey
Councilmen:	Raymond Schuster		David Babcock
	David Brown		James Rush
	Donald Nash		Julie Spears
	Carl Vilaro Jr.		Paul Coran
Guests:	Mr. & Mrs. Whipple		Harold Nass
	Mitch FitzGibbons		Pam Frank
	Mr. & Mrs. Donald Eno		Jack Bills
	Steven Lax		Charles Lillie

Raymond Schuster 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 \$2,094.93 representing fees for the month of December, 2005, was turned over to the Supervisor. State and county agencies received checks totaling \$258.46. The Town Clerk also presented her end of the year report. She received and disbursed a total of \$74,160.42.

The Dog Warden's report for December, 2005, was read and placed on file.

Code Enforcement Office, Jack Bills, presented his report for December, 2005. He issued two permits for the month. He also presented his end of the year report, showing he had issued 62 permits for a total of \$4,638.51 in fees to the town.

Highway Superintendent, Charles Lillie, stated that the new truck for the highway department should be arriving within two weeks, however, since it was first scheduled for delivery in September of 2005, we can only hope this is true. He also asked the board for permission to purchase a sander for the small truck at an approximate cost of \$3,000. Costs to repair the old sander are estimated at \$1200. Costs are to be presented at the next meeting.

Supervisor Bills opened the meeting to questions from the audience. Mitch FitzGibbons asked about the windpower project. Mrs. Bills stated that the Town does not have a definitive answer from the company. They are not doing any field work at this time but are still looking for investors. Mr. Nass asked if the landowner agreements are now null and void. Mrs. Bills reported that the company is not renewing leases at this time. Mr. FitzGibbons then asked about the balance of the payment owed to the Town. Supervisor Bills advised him that the developer and our attorney are discussing

settlement. Mr. FitzGibbons then spoke again regarding the idea of a “facilities committee” made up of people in the community. .

Donald Eno addressed the Board concerning the forming of a water district to the East of Barcelona on Rt. 5. He would like information on where to begin. Supervisor Bills stated that it is interesting that she had had several calls regarding this subject in the past few days. The Town can approach this in two ways: 1. A petition signed by 50% of the land-owners in the area can be brought to the Board, or 2. the Town can hire an engineer to look at the proposed project. Fee for this study would be approximately \$1000. She also stated that the Town is actively seeking a grant for Barcelona with a possibility of an extension to the East on Rt. 5. Mr. Eno stated that he and neighbors would see about collecting signatures on a petition.

The following announcements were made:

1. The Association of Towns meeting will be held in New York City on February 19 – 22,
2. The December Westfield Fire report was read and placed on file.
3. WDC will be holding a “Starting a Small Business” seminar on Feb. 8, from 5 – 7 p.m. in the HSBC basement. There is a fee of \$10.
4. Owners of the Welch Building have applied for a grant to rewire the building for “back-office” businesses such as a call center, etc. They are also hoping to create a welcome center in the lobby.

Supervisor Bills stated that all bills have been approved regarding the Shorehaven Water project. A financial report will be made available shortly.

Martha Bills offered the following resolution and moved its adoption:

Resolution No. 1

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 7:30 p.m.

This was seconded by Donald Nash. Voting was as follows: Martha Bills, aye; Donald Nash, aye; Carl Vilaro, aye; Raymond Schuster, aye; David Brown, aye.

David Brown offered the following resolution and moved its adoption:

Resolution No. 2

That the Town Board hereby fix the salaries of the Town employees and officials for the year 2006 as follows:

Highway Employees	Laborers – Minimum \$7.50 p/hr MEO's - Minimum \$10.00 to \$16.04 p/hr - Maximum \$24.04 p/hr
Supervisor:	\$12,650 annual to be paid quarterly
Deputy Supervisor:	\$ 2,700 annual
Councilmen:	\$ 1,300 annual
Justice Spann:	\$ 3,625 annual to be paid quarterly
Justice LaPorte:	\$ 3,625 annual to be paid quarterly
Court Clerk:	\$ 11.00 per hour to be paid biweekly/25 hr Per week
Town Clerk/Deputy Tax Collector/Deputy Court Clerk	\$31,113 annual to be paid biweekly
Bookkp/Tax Collector/Deputy Town Clerk	\$27,559 annual to be paid biweekly
Highway Superintendent:	\$44,000 annual to be paid biweekly
Deputy Highway Superintendent:	\$ 1,500 annual to be paid quarterly
Assessor:	\$41,000 annual to be paid biweekly
Code Enforcement:	\$18,525 annual
Voting Machine Custodian:	\$ 35 per machine
Election Inspectors:	\$ 6.75 per hour
Utility Workers	\$ 6.75 Minimum p/hr. \$ 8.00 Maximum p/hr
Civil Defense:	\$ 750 annual

This was seconded by Raymond Schuster. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; Carl Vilardo, aye; Donald Nash, aye.

Martha Bills offered the following resolution and moved its adoption:

Resolution No. 3

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 Key Bank of Westfield, M & T Bank of Dunkirk and Mayville, MBIA Class, and HSBC 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.

This was seconded by David Brown. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; Donald Nash, aye; Carl Vilardo, aye.

Carl Vilardo offered the following resolution and moved its adoption:

Resolution No. 4

That the Westfield Republican and the Dunkirk Observer newspapers be designated the official newspapers of the Town for the year 2006.

This was seconded by Donald Nash. Voting was as follows: Martha Bills, aye; Carl Vilaro, aye; Donald Nash, aye; Raymond Schuster, aye; David Brown, aye.

Raymond Schuster offered the following resolution and moved its adoption:

Resolution No. 5

Linda L. Briggs	Registrar/Bingo Inspector/Dpty. Tax Collector/Records Management Officer, Dpty. Court Clerk
Kathryn Issler	Bookkeeper/Tax Collector/Dpty. Town Clerk/Dpty. Registrar
Kathleen Alexander	Clerk to the Court
Vincent Calarco	Civil Defense Director
Mary Dibble	Historian
Phyllis Clute	Custodian of Voting Machines
Jack Bills	Building & Code Enforcement
Northern Chau. Canine Rescue	Dog Control

ZONING BOARD OF APPEALS PROCESS SERVERS

Wayne Harrington (Chairman)	David Haskin
Heinz Wolfe	Max Baker
Will Northrop	
Abbie Cardy	
Marsha Holland	

TOWN COMMITTEES

RECREATION COMMISSION	Harbor	Donald Nash
	Security &	David Brown
Bill Gross	Technology	
Charmain Boardman	Transfer Station	Ray Schuster
	Highway	Carl Vilaro
BARCELONA HARBOR COMM		Ray Schuster
	Ad Hoc &	David Brown
Sam Arnold (Chairman)	Personnel Policy	Ray Schuster
David Gembela	Website	David Brown,
Jamie Jaynes		Mary Bivens,
Julie Travis		Martha Bills,
George Kolibar		Linda Briggs
Rodger Hazen		Joel Seachrist
James VanDyke – alternate		

This was seconded by Donald Nash. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; Donald Nash, aye; David Brown, aye; Carl Vilardo, aye.

Martha Bills offered the following resolution and moved its adoption:

Resolution No. 6

That the Supervisor or the Deputy Supervisor be, and they are hereby authorized, to sign all the necessary documents for the financing of the Town of Westfield.

This was seconded by David Brown. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; Carl Vilardo, aye; Donald Nash, aye.

Martha Bills offered the following resolution and moved its adoption:

Resolution No. 7

That the 2006 Holidays shall be:

Day After New Years	Monday, January 2
Martin Luther King Day	Monday, January 16
Presidents Day	Monday, Feb. 20
Good Friday	Friday, April 14
Memorial Day	Monday, May 29
Independence Day	Tuesday, July 4
Labor Day	Monday, Sept. 4
Columbus Day	Monday, October 9
Veteran's Day	Friday, November 10
Thanksgiving Day	Thursday, Nov. 23
Day After Thanksgiving	Friday, Nov. 24
Christmas Day	Monday, December 25
Holiday After Christmas	Tuesday, December 26

This was seconded by David Brown. Voting was as follows: Martha Bills, aye; David Brown, aye; Carl Vilardo, aye; Donald Nash, aye; Carl Vilardo, aye.

Martha Bills offered the following resolution and moved its adoption:

Resolution No. 8

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 \$240,000 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. For the oiling of the following roads: Coon, Douglas, Martin Wright and Pigeon.
2. Should the Town receive funds under the consolidated Highway Improvement Project System (CHIPS), for the resurfacing of Parker Road.

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.

This was seconded by Carl Vilardo. Voting was as follows: Martha Bills, aye; Carl Vilardo, aye; David Brown, aye; Donald Nash, aye; Raymond Schuster, aye.

David Brown offered the following resolution and moved its adoption:

Resolution No. 9

To amend the Town of Westfield "Terms and Conditions of Employment" as follows:

Add under No. 1. New Employees

New Highway Department employees will be paid in incremental steps beginning with a three month probationary period and progressing to full MEO compensation at completion of four years of employment. These rates are not subject to cost of living increases. These steps are:

3 Month Probation	\$10.00 per hour
After 90 Days	\$12.00 per hour
Second Year	\$13.00 per hour
Third Year	\$14.00 per hour
Fourth Year	\$15.00 pr hour
Fifth Year	MEO rate

This was seconded by Donald Nash. Voting was as follows: Martha Bills, aye; Donald Nash, aye; Raymond Schuster, aye; Carl Vilardo, aye; David Brown, aye.

Martha Bills offered the following resolution and moved its adoption:

Resolution No. 10

WHEREAS, Charles Lillie, duly elected Town Highway Superintendent, has assumed his office as of January 1, 2006, thereby vacating his position with the Town Highway Department as an MEO,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes him to hire a replacement for his vacated position.

This was seconded by David Brown. Voting was as follows: Martha Bills, aye; David Brown, aye; Donald Nash, aye; Carl Vilardo, aye; Raymond Schuster, aye.

Supervisor Bills appointed Raymond Schuster as Deputy Town Supervisor.

Martha Bills moved and Carl Vilardo seconded a motion to reappoint James Dahlberg to the Board of Assessment Review. His term will expire in October of 2010. Unanimously carried.

No action was taken on Local Law No. 1 of 2006, as board members asked for time to review the law.

The Board reviewed the Procurement Policy. After discussion, David Brown moved and Raymond Schuster seconded a motion to approve the policy as it stands. Unanimously carried.

The Board set a date of January 13, at 4:00 p.m., to audit the books.

Warrants dated 01/11/06 in the amount of \$168,918.09 drawn on the following funds: \$48,857.91 General, \$150.00 Part Town General; \$113,161.57 Highway; \$2,033.52 Part Town Highway; \$12.83 HO1; \$156.64 HO2; \$1,234.92 HO6 and \$3,310.70 TA were presented and audited by the board members. David Brown offered the following resolution and moved its adoption:

Resolution No. 11

That the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

This was seconded by Donald Nash. Voting was as follows: Martha Bills, aye; David Brown, aye; Donald Nash, aye; Carl Vilardo, aye; Raymond Schuster, aye.

There being no further business, at 8:30 p.m., Raymond Schuster moved and David Brown seconded a motion to move to Executive Session to review pending litigation. Unanimously carried.

At 8:55 p.m., Donald Nash moved and Carl Vilardo seconded a motion to return to regular session. Unanimously carried.

David Brown moved and Carl Vilaro seconded a motion authorizing the Supervisor to enter into a contract with Daniel G. Vincelette to continue representing the Town of Westfield in our tax certiorari cases. Unanimously carried.

At 9:00 p.m. Raymond Schuster moved and Donald Nash seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING
Town of Westfield
February 1, 2006

The regular meeting of the Town Board, Town of Westfield, was called to order by Supervisor Bills at 7:30 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	James Rush
Councilmen:	Raymond Schuster		Claude Abbey
	Donald Nash		Julie Spears
	David Brown		Jack Gulvin
	Carl Vilaro Jr.		Harold Nass
Guests:	Fred Bertrando		Janet Nass
	Charles Lillie		

David Brown moved and Donald Nash seconded a motion to waive the reading of the minutes inasmuch as all members had 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 \$5,075.67, representing fees for the month of January, 2006, was turned over to the Supervisor. State and County agencies received checks totaling \$163.76.

The Dog Warden's report for the month of January, 2006, was read and placed on file.

The 2005 Town Court report was read by the Town Clerk. The court took in a total of \$94,739.75, with \$69,515.75 turned over to state and county agencies and the Town of Westfield receiving a total of \$25,224.

Highway Superintendent, Charles Lillie, asked the board for permission to take the old loader, 2 rakes and an electric generator to the auction in Gerry. Permission was granted. The board asked him to obtain an inventory of parts delivered to Jack's Repair for sale. Mr. Lillie stated the new truck should be delivered next week. Councilman Schuster asked that someone look at repairing the doors to the back building at the highway department so that the Board has a comparison for purchasing new doors.

Supervisor Bills opened the meeting to questions from the audience. The only interest was in the windpower project. Mrs. Bills had nothing to report at this time.

Mrs. Bills stated that there is a Chautauqua County "grant guide" for technical and financial assistance available in the Town office if anyone is interested. The Assessor's office is being updated with new GIS locations for each tax parcel number as provided by the Chautauqua County Tax Map Department.. Letters have gone out to

residents along East Route 5, asking if they are interested in extending the water district from Barcelona.

After discussion, David Brown moved and Donald Nash seconded a motion to approve Local Law No. 1 of 2006, Dog Control. Unanimously carried.

The board set a bid opening for the Transfer Station for 1:00 p.m. on Friday, February 24.

Bid opening for highway fuel was set for 1:00 p.m., Wednesday, March 8.

The March meeting was set for March 8 instead of March 1.

Supervisor Bills asked for permission to attend the Association of Towns training in New York City on February 19 – 21. Raymond Schuster moved and Carl Vilardo seconded a motion to grant permission. Unanimously carried.

Supervisor Bills discussed the Town's logo. The Village, Town and Chamber of Commerce are interested in using the same logo for stationery, etc. More information will be presented at the next meeting.

Warrants dated 02/01/2006 in the amount of \$42,419.19 drawn on the following funds: \$18,816.71 General; \$14,408.00 Part Town General; \$5,508.54 Highway; \$2,945.29 Part Town Highway; \$25.05 HO1; \$334.00 HO6 and \$381.60 T & A were presented and audited by the board members. David Brown offered the following resolution and moved its adoption:

Resolution No. 12

That the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

This was seconded by Raymond Schuster. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; Carl Vilardo, aye; Donald Nash, aye.

There being no further business to discuss, at 8:30 p.m. Donald Nash moved and Carl Vilardo seconded a motion to move to Executive Session to discuss personnel and a particular contract. Unanimously carried.

At 8:45 p.m. Raymond Schuster moved and David Brown seconded a motion to return to regular session and adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

PUBLIC HEARING
Town of Westfield
March 8, 2006

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

Supervisor:	Martha R. Bills	Guests:	Fred Bertrando
Councilmen:	Raymond Schuster		Steven Lax
	Donald Nash		Linda Thomas
	David Brown		David Carr
Guests:	Polly Bomberger		David Davies
	Elaine Hall		Claude Abbey
	Joe Harris		Richard Bausum
	Don Eno		Ernest Rammelt
	Judy Hess		Julie Spears
	Shirley Harvey		James Rush
	Jack Gulvin		Jerry Ruch
	Rebecca Paternosh		Kendra Bills
	Mitch FitzGibbons		Steve Sandle
	Tina Fremier		Avery Jones
	Kathleen Green		Charles Lillie
	Jack Bills		Glenna Brown

Mrs. Bills explained that the public hearing had been set to hear all persons in regard to a Community Development Block Grant. Supervisor Bills gave an overview of the Small Cities Grant program and asked for suggestions for projects from the residents present. The only comment from the audience was from one resident that asked that if the grant was applied for, it did not include money for sewers, as many of the residents are on limited incomes.

The Town is considering the grant in regards to improvement of the Barcelona Water District. This district is presently privately owned and is need of repair and expansion .

There being no further discussion, Supervisor Bills closed the hearing at 7:30 p.m.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING

Town of Westfield

March 8, 2006

Supervisor Martha Bills called the regular Town Board meeting to order at 7:30 p.m. in Eason Hall, 23 Elm Street, Westfield, NY with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Fred Bertrando
Councilmen:	Raymond Schuster		Steven Lax
	David Brown		Linda Thomas
	Donald Nash		Avery Jones
Guests:	Polly Bomberger		David Davies
	Elaine Hall		Claude Abbey
	Joe Harris		Richard Bausum
	Donald Eno		Kathleen Green
	Ernest Rammelt		Julie Spears
	James Rush		Jack Gulvin
	Glenna Brown		Tina Fremier
	Rebecca Paternosh		Jerry Ruch
	David Carr		Kendra Bills
	Mitch FitzGibbons		Steven Sandle
	Jack Bills		Charles Lillie

David Brown moved and Donald Nash seconded a motion to waive the reading of the minutes inasmuch as all members had 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 \$5151.21, representing fees for the month of February, 2006, was turned over to the Supervisor. State and County agencies received checks totaling \$217.44.

The Dog Warden's report for the month of February, 2006, was read and placed on file.

The Fire Department report was also read and placed on file.

Code Enforcement Officer Jack Bills stated that he had no activity related to building permits, however, the court case of the Town vs Robert Harris has been filed in the Chautauqua Town Court and will be heard on March 17.

Highway Superintendent Charles Lillie appointed Richard Bausum to the position of Deputy Highway Superintendent. He asked the board for permission to inquire about prices for doors for the back building. Permission was granted. Fuel bids for 2006 were

opened at 1:00 p.m. this date. Only one bid was received, that was from R. O Proper & Son of Dunkirk. Their bid was: Regular Unleaded \$1.78 (an increase of \$.39 from 2005) and \$1.975 for Diesel (an increase of \$.28 from 2005). Donald Nash moved and David Brown seconded a motion to accept the fuel bid as presented. Unanimously carried.

Supervisor Bills introduced Village Mayor David Carr, who gave a presentation regarding fire department requirements. The Village has several older vehicles (1975 LaFrance Ladder Truck, 1985 Chevrolet Van, 1984 Ford Water Rescue vehicle, 1984 LaFrance pumper, 1969 Jeep, 1986 pumper w/steel tank, 1980 Mack tanker and a 1986 Freightliner) that will need to replace soon. The proposal includes purchasing of a 1996 or newer ladder/pumper, a 2006 or newer rescue pumper (would replace the 1984 rescue van and engine 292), and a 2006 or newer pumper/tanker (would replace the 1975 LaFrance and the Mack tanker) at this time. A new ambulance would need to be purchased in 2010 or 2011. Costs were proposed to be paid over a 10 year period. Mrs. Bills thanked the Mayor and stated the Board would look at the proposal and let the Village know their thoughts.

Supervisor Bills opened the meeting for public comment. Steven Lax asked again about the money due from Chautauqua Windpower. Mrs. Bills stated that nothing had changed to date. Don Eno commented on the Rt. 5 survey. Several people spoke regarding the position of Resource Officer at the school. The position was originally created via a grant from the State. Funding for the past two years has come from school and Village tax levies. The Village is now eliminating funding for the position from their budget. Some of the people who spoke asked the Town to consider partial funding for this project. Several others who live in the Town, but do not live in the Westfield School District, felt it was not fair to tax them. Supervisor Bills stated that the Town had never been involved in this project and but she would be open to a meeting with the Village and school.

Supervisor Bills advised everyone that the financial report for the Town of Westfield has been submitted to the State and that a copy is available in the Town Office if anyone is interested in reviewing it.

The Legislative Breakfast will be held March 25 in Lakewood. Any Board member that would like to attend should contact the Town Clerk.

The Town has received a letter announcing the Lincoln Festival which will be held in September.

Supervisor Bills spoke regarding the Rt. 5 survey and expansion of the Barcelona Water District. The next step will involve hiring an engineer to give preliminary figures for the project. This will include a feasibility study that will include all residences on Rt. 5 to the Town line. Avery Jones inquired about conducting a study from McKinley Road (where the other study ended) to the Town line, since their property straddles the Westfield/Portland Town line. Mrs. Bills stated that if the Jones' are willing to do the

study, the Town will include it in their reports. David Brown offered the following resolution and moved its adoption:

Resolution No. 13

The Town Board hereby authorizes the Supervisor, on behalf of the Northtown Water District, to hire the engineering firm of Tolman Engineering to do an initial review of the feasibility and expense involved for installation of a water line East of Barcelona to the Town line.

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

The board set a workshop session for Monday, March 27, at 3:30 p.m. to study the proposed new Employee Handbook.

Transfer station bids were opened at 1:00 p.m. on February 24. Westfield Disposal was the only bidder. There was a \$50 per month increase in equipment and site maintenance, \$10 increase in hauling fees, and a \$5 increase per week in labor charges from the 2005 contract. After discussion, Raymond Schuster moved and David Brown seconded a motion to accept the bid proposal. Unanimously carried.

A second public hearing for the Community Block Grant was set for 3:30 p.m. on Monday, March 27, 2006. Martha Bills offered the following resolution and moved its adoption:

Resolution No. 14

WHEREAS, the Town Board considers it essential to future community development to participate in the Community Development Block Grant program for funding of one or more community development activities within the Town; and

WHEREAS, currently the Governor's Office for Small Cities is soliciting applications for the 2006 community Development Block Grant competitive round.

NOW, THEREFORE BE IT RESOLVED, that this Town Board hereby determines to have public hearings for the purposes of identifying a community development project or projects for submission during the 2006 round; and,

BE IT FINALLY RESOLVED, that this Board will conduct two public hearings on the 8th day of March, 2006 as well as the 5th day of March 27, 2006, at 5:00 p.m. to solicit the comments and suggestions of the public and to provide for the further development of such project or projects.

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

After a brief discussion of the contracts between the Village and Town, which will offer no changes for the 2006 year, Donald Nash offered the following resolution and moved its adoption:

Resolution No. 15

The Town Board hereby authorizes the Supervisor to enter into contracts with the Village of Westfield for the following:

1. Fire Protective Service
2. Office Rental
3. Police Protective Service

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

David Brown offered the following resolution and moved its adoption:

Resolution No. 16

The Town Board hereby authorizes the Supervisor to act on behalf of the Town of Westfield to become a member of the New York State GIS Data Sharing Cooperative.

This was seconded by Donald Nash. Voting was as follows: Martha Bills, aye; David Brown, aye; Donald Nash, aye; Raymond Schuster, aye. Supervisor Bills then appointed David Brown as the contact person.

Supervisor Bills stated that the website committee had hired Westfield resident Paula Carver to design the new website. She will provide mock-ups for the home page at the next meeting.

Martha Bills moved and Raymond Schuster seconded a motion to remove a 1991 brown executive office chair from the inventory records. Unanimously carried.

David Brown moved and Raymond Schuster seconded a motion granting permission for the Town Clerk to attend the 2006 Association of Towns Town Clerk's Conference in Saratoga Springs in April. Unanimously carried.

Warrants dated 03/08/06 in the amount of \$64,561.60 drawn on the following funds: \$32,703.61 General; \$11,562.89 Part Town General; \$17,724.36 Highway; \$2,093.32 Part Town Highway; \$.30 HO1; \$23.52 HO6; and \$453.60 T & A were presented and audited by the board members. David Brown offered the following resolution and moved its adoption:

Resolution No. 17

That the supervisor be directed to draw the necessary checks to cover the warrant as audited.

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

There being no further business to discuss, at 9:30 p.m. Donald Nash moved and David Brown seconded a motion to move to Executive Session to discuss litigation. Unanimously carried.

At 10.25 p.m. David Brown moved and Raymond Schuster seconded a motion to return to regular session. Unanimously carried. Martha Bills offered the following resolution and moved its adoption:

Resolution No. 18

The Town of Westfield will make a one time payment of \$1000 directly to the Westfield Counseling Service. Such payment to be made by March 31, 2006. State aid received during 2006 for this purpose, will be used to offset this contribution.

This was seconded by David Brown. Voting was as follows: Martha Bills, aye; David Brown, aye; Donald Nash, aye; Raymond Schuster, nay.

At 10:35 p.m. Donald Nash moved and Raymond Schuster seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

BID OPENING
Town of Westfield
April 3, 2006

Bids for highway materials were opened at 1:00 p.m. in Eason Hall, 23 Elm Street, Westfield, NY with the following members and guests in attendance:

Highway Superintendent:	Charles Lillie
Town Supervisor:	Martha Bills
Guests:	Gary Risley – Suit-Kote Bill Gross – Hanson Aggregates Curt Richard – Midland Asphalt Bill Phillips – Gernatt

The following bids were received:

Suit-Kote:	Liquid Asphalt
Midland Asphalt	Liquid Asphalt
Jamestown Macadam	Asphalt
Hanson Aggregates	Asphalt
Hy-Banks Gravel	Sand & Gravel
Bittinger	Gravel
Country Side	Sand & Gravel
Gernatt	Sand & Gravel
Buffalo Crushed Stone	Gravel, Limestone, etc.

Mr. Lillie stated that no decisions would be made at this time. The meeting was closed at 1:15 p.m.

Respectfully submitted,

Linda L. Briggs, Town Clerk

PUBLIC HEARING
Town of Westfield
April 5, 2006

The public hearing was called to order by Supervisor Bills at 7:15 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	James Rush
Councilmen:	Raymond Schuster		Conrad Vicary
	David Brown		Donald Eno
	Donald Nash		Julie Spears
	Carl Vilaro Jr.		Claire Quadri
Guests:	John & Avery Jones		Steven Lax
	Joel Seachrist		Steve Rudnicki
	Michael Bolender		Claude Abbey
	Rex Tolman		Elaine Hall
	Jack Bills		Jack Gulvin
	Charles Lillie		Gary Shauers

Supervisor Martha Bills stated that the hearing had been called to hear all persons in regard to a grant application for the Barcelona Water Benefit District and other water issues related to Lake Erie projects. The Town Clerk stated that proof of publication was on hand. Town Attorney Joel Seachrist then explained about the creation of the North Town Water District and how the Barcelona water district is a benefit district under that plan. Rex Tolman, Engineer, talked about the amount of pipe to be laid (21,600') at an estimated price of \$80/ft. or \$1.8 million. There are eight creek crossings in this project which increase the price. Attorney Michael Bolender stated that this project could take several years, even after approval. Grant applications are being written at this time and funding is being sought from two different agencies. We will need 50% aid to make it a viable project. Avery Jones stated that she had sent letters to all residents between McKinley and the Town Line. 14 responses were received, with 11 indicating that they were in favor of a water line running from Barcelona to the Town line. Mr. Bolender stated that most of the work would be done in house. The next step is to put the figures together to see if the project is viable. He may follow up with a more specific survey and interviews with residents.

Supervisor Bills stated that the water will be turned on at Shorehaven within the next few days.

Mr. Tolman spoke regarding a sewer line that the Village will be installing from the treatment plant on Mt. Baldy to an existing line on the Westfield/Sherman Road. A 2000' main, 8" gravity sewer pipe will be put in the right-of-way on Mt. Baldy Road with approximately 200' of it running down the center of the road at a point where there are no shoulders. The Village Highway Department will be doing most of the work. The Town Highway Superintendent has been informed regarding all phases of this project.

There being no further questions, at 8:08 p.m., David Brown moved and Donald Nash seconded a motion to close the hearing. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING

Town of Westfield

April 5, 2006

The regular Town Board meeting was called to order by Supervisor Bills at 8:08 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	James Rush
Councilmen:	David Brown		Gary Shauers
	Carl Vilaro Jr.		Steven Lax
	Donald Nash		Donald Eno
	Raymond Schuster		Conrad Vicary
Guests:	John & Avery Jones		Julie Spears
	Joel Seachrist		Steve Rudnicki
	Elaine Hall		Claude Abbey
	Charles Lillie		Jack Gulvin
	Jack Bills		

Raymond Schuster moved and David Brown seconded a motion to waive the reading of the minutes inasmuch as all members had 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 \$1295.09 representing fees for the month of March, 2006, was turned over to the Supervisor. State and county agencies received checks totaling \$388.42.

The Dog Warden's report was read and placed on file.

Code Enforcement Officer, Jack Bills, stated that he had issued his first permit for a new home this year in the Town. He also stated that the Harris Junkyard case would be going to court on the 10th.

Highway Superintendent Charles Lillie stated that he had gone out to bid for highway materials which were opened on Monday, the 3rd. Most of the bids were within pennies of each other. After requesting quotes for doors at the highway garage, he has decided to hire Jamestown Overhead Door to replace the three doors on the back building.

Donald Nash reported on Barcelona Harbor. The Harbor Commission will be replacing the building that houses the lawnmower and tools. The Fire Department does not want to store their rescue boat at the harbor, so the building will be smaller and less expensive than originally planned.

The meeting was opened for public comment. Gary Shauers stated that he owns a piece of property on the Westfield/Sherman Road and is having trouble with one of his neighbors. He has been to every policing agency in the County, and no one seems able to help him. The property next to him is owned by Robert Zachary and is rented to a family that raises chickens. The chickens have caused damage to his property and although he has spoken to his neighbors, they have done nothing to resolve the situation. Mrs. Bills asked him to call her in a few days. Steven Lax asked that if Parker Road was resurfaced as planned this year, could the Town post more speed limit signs in hopes of slowing down traffic.

Supervisor Bills made the following announcements:

1. There will be a 6 – 8 week detour on Rt. 5 West. There will also be a detour on Rt. 5 East, however, one lane will remain open on this section.
2. A meeting will be held Monday, April 24, at 7:00 p.m. to work on the Employee Handbook
3. A joint Town/Village board meeting will be held Tuesday, April 11, at 7:00 p.m. to discuss the purchase of fire trucks.
4. Asked the board to consider contributing to Access Channel 5 on Adelphia.

Carl Vilaro moved and David Brown seconded a motion to accept the highway bids subject to quality of material and availability of product to the road project. Unanimously carried.

The Board accepted the resignation of Kelly Bates from the Board of Assessment Review.

William Parment has introduced legislation to designate the Lake Erie Concord Grape Belt Region as a New York State Heritage area. The goals of this program are to preserve natural and historic resources, promote the recreational use of these resources, provide education about local and regional heritage and to stimulate economic revitalization through public and private investment.

The Board set May 20th for spring “clean-up day” at the transfer station from 9:00 a.m. to 1:00 p.m. As usual, no tires, paint, or appliances with freon will be accepted.

A public hearing was set for May 3, at 7:15 p.m. for Local Law No. 2 of 2006, Regulating Adult Uses in the Town of Westfield.

Carl Vilaro moved and David Brown seconded a motion for permission for the tax collector to attend school in Rochester June 11 – 14. Unanimously carried.

A Walleye Tournament will be held August 4, 5 & 6 along the Lake Erie shoreline. Although the weigh station is located in Dunkirk, participants may launch from Barcelona. The harbor and pier will be mentioned in all the literature for this fishing derby.

Warrants dated 04/05/06 in the amount of \$27,909.81, drawn on the following funds: \$21,229.14 General; \$2,048.67 Highway; \$3,653.26 Part Town Highway; \$8.07 HO1; \$49.09 HO6 and \$921.58 T & A were presented and audited by the board members. David Brown offered the following resolution and moved its adoption:

Resolution No. 19

That the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

This was seconded by Raymond Schuster. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; Donald Nash, aye; Carl Vilardo, aye.

There being no further business, at 9:12 p.m., Carl Vilardo moved and Donald Nash seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

PUBLIC HEARING
Town of Westfield
May 3, 2005

The public hearing was called to order by Supervisor Bills at 7:15 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Julie Spears
Councilmen:	Raymond Schuster		Claire Quadri
	David Brown		Jack Gulvin
	Carl Vilardo Jr.		Janet Nass
Guests:	Claude Abbey		Harold Nass
	Elaine Hall		Conrad Vicary
	Charles Lillie		James Rush

Supervisor Bills stated that the meeting was being held to hear all persons in regard to Local Law No. 2 of 2006, Regulating Adult Uses within the Town of Westfield. The Town Clerk furnished proof of publication. Mrs. Bills explained briefly that adult uses would be located in the Town's Manufacturing district, which includes parts of Bourne and Persons Streets. This law is similar to the one currently in effect in the Village. There was one inquiry from the audience regarding licensed massage therapists. Everyone agreed that this law would not inhibit the operation of licensed therapists in other areas of the Town. There being no further questions, at 7:30 p.m. Martha Bills moved and Raymond Schuster seconded a motion to close the hearing. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING

Town of Westfield

May 3, 2006

The regular meeting of the Town Board was called to order by Supervisor Bills at 7:30 pm. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests: Elaine Hall
Councilmen:	Raymond Schuster	Claude Abbey
	Carl Vilaro Jr.	Julie Spears
	David Brown	Jack Gulvin
Guests:	Claire Quadri	Janet Nass
	Conrad Vicary	Harold Nass
	Charles Lillie	James Rush

David Brown moved and Raymond Schuster seconded a motion to waive the reading of the minutes as all members had 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 \$7592.19 representing fees for the month of April, 2006, was turned over to the Supervisor. State and county agencies received checks totaling \$577.51.

The Dog Warden's report for the month of April, 2006, was read and placed on file.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues YTD</u>	<u>Expenditures</u>	<u>Current Bal. Check.</u>	<u>MM</u>
A – Gen.	\$ 374,329	\$ 137,451	\$ 1,798.21	\$ 561,359.32
B – Gen	87,923	26,121	45.72	100,484.40
DA – Hwy	362,552	87,082	1,033.54	443,521.94
DB – Hwy	80,478	10,725	-0-	302,162.30
Sewer – HO1	22,914	18,528	-0-	17,053.82
Water – HO2	46,833	36,249	-0-	74,077.56
Wfd FD	57,987	-0-	-0-	58,146.92
Sherm FD	7,210	-0-	-0-	7,336.26
Totals	\$1,040,226	\$ 316,056	\$ 3,448.14	\$1,564.92

Code Enforcement Officer, Jack Bills, was not in attendance, however, his report reflected two building permits and a Special Use Permit for David Babcock, which he will be referring to the Planning Board.

Highway Superintendent, Charles Lillie, reported on the following:

1. The Town received over \$12,000 for the old equipment sent to the auction at Gerry.
2. He would like to purchase a computer for his office. There are funds in his budget for this. The Town Clerk stated that there will be a highway program available from Southern Tier West and Chuck stated that several of the Highway Superintendents had offered their help.
3. The new doors for the back building should be installed next week.
4. One new dock at the pier has been installed except for the railing.
5. He would like permission to go out for bids for a new chopper/grinder for the tractor. There was no objection from the board.

Supervisor Bills thanked Mr. Lillie for the work the highway crew had done in cleaning up the beach area at Barcelona.

Supervisor Bills stated that the pier would be opening this weekend. The Harbor Commission had decided to purchase a wooden tool shed for approximately \$1500. It should be delivered at the end of May.

Mrs. Bills opened the meeting to questions from the audience. Mr. Vicary stated that the Village was cutting trees along the electric lines on his property. He was told to contact the Village. Claude Abbey stated that although the Town places barrels at the beach parking lot, they are often overflowing and should be looked at. The Board stated that they would look into having containers provided instead of the barrels.

Supervisor Bills made the following announcements:

1. The Concord Grape Belt Assoc. has received a grant to construct kiosk's in the area. At this time the proposed site for Westfield would be the Village Park or the pier at Barcelona. They will be 6 ft. high, 3 ft. wide, and be three-sided.
2. The Norfolk & Southern railroad crossing on North Gale Street will be closed May 8 through May 12 for repairs.
3. The Town of Ripley is adopting a new zoning map that has been furnished to the Town offices.
4. The Assessor for the Town of Westfield has received the new numbering system for tax parcels. This will be available to the public at a cost of \$20.

The Board set a meeting for Thursday May 25, 2006, at 3:30 p.m. to work on the personnel handbook.

David Brown moved and Raymond Schuster seconded a motion to sign the "Shared Services Agreement" with Chautauqua County. This is a general agreement, a more specific format may be submitted at a later date.

A discussion was held regarding contributing to the Cable 5 Access Channel. Sid Compton with the Town of Chautauqua has been soliciting all the towns and villages in the area for contributions for this information channel. Martha Bills moved and David Brown seconded a motion to contribute \$500 of our franchise fees. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; Carl Vilardo, nay.

The Town and Village have been involved in a three year study to beautify areas in the Town and Village with trees and shrubs. The Village has received a grant for trees and would like to begin planting as soon as possible. They are asking that we up-front our portion of the money so that they can get started. David Brown moved and Raymond Schuster seconded a motion to do so. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; Carl Vilardo, nay. A brief discussion followed with Mrs. Bills stating that the Village is committed to caring for the new trees and shrubs. Since the Village is looking for donations for shrubs, it was suggested that we might run a campaign to "adopt-a-tree".

Even though the Town has shared a driveway on West Main Road at the site of the Town's gravel pit, with Mr. David Eggert for many years, the DEC now would like an agreement between the Town and Mr. Eggert for their records. Raymond Schuster moved and Carl Vilardo seconded a motion authorizing the Supervisor to sign an agreement subject to final approval of counsel. Unanimously carried

The board set a public hearing for 7:15 p.m., June 7, for Local Law No. 3 of 2006, Subdivision provisions.

The Town Clerk appraised the Board of the necessity of replacing the fence for the holding area at Northern Chautauqua Canine Rescue at a projected cost of \$1500. NCCR has offered to pay \$500 of this cost. The rest will come from their budget with the Town.

The Town Clerk spoke about records preservation. She has been in contact with Brown's River Records Preservation Services out of Essex, VT. Their representative came to Westfield at her request to survey our vital record books. We have many books in desperate need of repair, especially the two volumes of Road Records. These books hold the original surveys for setting up the roads in the Town of Westfield. There are approximately 18 books that need attention. She stressed the need for developing a program that will provide funding on an annual basis. Since she has money available in her budget this year, she will be sending the road books for repair at a cost of \$1845.

Warrants dated 05/03/06 in the amount \$46,032.98 drawn on the following funds: \$21,237.61 General, \$14,400.00 Part Town General; \$7,586.38 Highway; \$2,350.07 Part Town Highway; \$12.82 HO1 and \$446.10 T & A were presented and audited by the board members. Carl Vilardo offered the following resolution and moved its adoption:

Resolution No. 20

That the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

This was seconded by David Brown. Voting was as follows: Martha R. Bills, aye; Carl Vilardo, aye; David Brown, aye; Raymond Schuster, aye.

There being no further business, at 8:40 p.m. David Brown moved and Raymond Schuster seconded a motion to move to Executive Session to discuss Personnel and Litigation. Unanimously carried.

At 9:25 p.m. Carl Vilardo moved and Raymond Schuster seconded a motion to return to regular session and adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

PUBLIC HEARING
Town of Westfield
June 7, 2006

The public hearing was called to order by Supervisor Bills at 7:15 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Claude Abbey
Councilmen:	Raymond Schuster		Julie Spears
	David Brown		Jack Gulvin
	Carl Vilardo Jr.		Alex Gerould
	Donald Nash		Conrad Vicary
Guests:	Joel Seachrist		Janet Nass
	Jack Bills		Harold Nass
	Julie Spears		

Supervisor Bills explained that the public hearing was being conducted to hear all persons in regard to Local Law No. 3 of 2006, Subdivision Regulations. New York State building code states that Town Planning Boards will review all division of land in their area, however, they set no standards for the boards to follow. This local law would regulate any division of property of five lots or more within a five year period. The Town Planning Board has the final decision in these matters. Code Officer Jack Bills stated that he had no problems with the proposed new law. Mrs. Nass asked if the law provides protection for farmers? Attorney Joel Seachrist stated that the County Agriculture Law requires that any seller of land within the Ag District must inform the buyer of farming activities in the area.

The Board stated that they would like to have an “application package” available for all proposed subdivision projects. There being no further questions, at 7:30 p.m., Don Nash moved and Raymond Schuster seconded a motion to close the hearing.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING
Town of Westfield
June 7, 2006

The meeting was called to order by Supervisor Martha R. Bills at 7:30 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor: Martha R. Bills	Guests: Claude Abbey
Councilmen: Raymond Schuster	Janet Nass
David Brown	Harold Nass
Donald Nash	Jack Gulvin
Carl Vilaro Jr.	Jack Bills
Guests: Joel Seachrist	Alex Gerould
Julie Spears	Conrad Vicary

Raymond Schuster moved and David Brown seconded a motion to waive the reading of the minutes inasmuch as all members had 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 \$21,456.95 representing fees for the month of May, 2006, was turned over to the Supervisor. State and county agencies received checks totaling \$3,616.14.

The Supervisor's Report is as follows:

<u>Fund</u>	<u>Revenues YTD</u>	<u>Expenditures YTD</u>	<u>Curr. Ck. Bal.</u>	<u>MM</u>
Gen. A	\$ 399,518	\$181,215	\$ 1,205.06	\$563,045.11
Gen. B	99,645	41,182	45.72	101,106.62
Hwy. DA	376,457	113,340	1,033.54	427,219.27
Hwy. DB	157,703	25,306	1.32	281,963.71
Sewer H01	22,978	18,553	-0-	20,667.76
Water H02	47,113	36,149	-0-	78,123.72
Wfd.FireDist	58,207	-0-	-0-	58,575.63
Sher.FireDist	7,238	-0-	-0-	7,390.35
Totals	\$1,168,859	\$415,745	\$ 2,285.64	\$1,538,092.17

The Dog Warden's report for the month of May, 2006, was read and placed on file.

Code Enforcement Officer, Jack Bills, stated that he had issued eight building permits for the month of May. The Concord Square building is in the process of installing an elevator and water sprinklers.

Councilman Nash reported that the storage shed for the pier had arrived and that the Chamber booth is open. A walleye fishing tournament will be held June 10 thru June 18 and the Dan Reed Pier will host a weigh station. The Board also discussed options to the trash barrels in the Barcelona area.

A public hearing was set for Wednesday, June 21, at 7:30 p.m. to hear all persons in regard to an application received from Robert Harris to operate a junkyard on his premises on North Gale St. in the Town of Westfield.

The Board reviewed the Negative Declaration for Local Law No. 2. David Brown offered the following resolution and moved its adoption:

Resolution No. 21

WHEREAS, the Town Board is considering the adoption of Local Law No. 2 of 2006 which would regulate adult uses in the Town, and

WHEREAS, the proposed action has been subject to said environmental review, 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 proposed action, and

WHEREAS, the Board has determined that the proposed action not have a significant environmental impact,

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby approves Parts I and II of the Environmental Assessment Form, issues the attached Notice of Determination of Non-Significance, also known as a Negative Declaration, for the proposed action, and authorizes the Supervisor to complete and sign the cover sheet for the Environmental Assessment Form accordingly.

This was seconded by Donald Nash. Voting was as follows: Martha R. Bills, aye; David Brown, aye; Donald Nash, aye; Carl Vilardo, aye; Raymond Schuster, aye.

Martha Bills offered the following resolution and moved its adoption:

Resolution No. 22

WHEREAS, the Town Board of the Town of Westfield (the "Board") on May 3, 2006, in Eason Hall, 23 Elm Street, Westfield, New York, duly held a public hearing on a proposed Local Law to regulate adult uses, and

WHEREAS, notice of said public hearing was duly published in the Westfield Republican, the official newspaper of the Town, on April 20, 2006, and posted in the Town Clerk's office on April 20, 2006, and

WHEREAS, said public hearing was duly held on the said date and time 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 submitted a municipal zoning referral to the Chautauqua County Planning Board, pursuant to Section 239-m of the General Municipal Law, but failed to receive a response thereto within the statutorily required 30 day period, and

WHEREAS, the Board determined that the adoption of the proposed Local Law is a Type I action for purposes of the State Environmental Quality Review Act, prepared a long Environmental Assessment Form, and duly adopted a Negative Declaration finding that the proposed Local Law and its reasonably expected impacts would not have significant adverse environmental impacts, and

WHEREAS, the Board, after due deliberation and taking into consideration all comments and correspondence received, finds it in the best interests of the Town to adopt said Local Law

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Westfield hereby adopts said Local Law as Local law No. 2 of 2006, a copy of which is attached hereto and made a part hereof, and the Town Clerk 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 Raymond Schuster. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; Carl Vilardo, aye; Donald Nash, aye.

After review of the Negative Declaration for Local Law No. 3, Raymond Schuster offered the following resolution and moved its adoption:

Resolution No. 23

WHEREAS, the Town Board is considering the adoption of Local Law No.3 of 2006 which would regulate the subdivision of land in the Town, and

WHEREAS, the proposed action has been subject to said environmental review, 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 proposed action, and

WHEREAS, the Board has determined that the proposed action does not have a significant environmental impact,

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby approves Parts I and II of the Environmental Assessment Form, issues the attached Notice of Determination of Non-Significance, also known as a Negative Declaration, for the proposed action, and authorizes the Supervisor to complete and sign the cover sheet for the Environmental Assessment Form accordingly.

This was seconded by David Brown. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; Donald Nash, aye; Carl Vilardo, aye.

Donald Nash offered the following resolution and moved its adoption:

Resolution No. 24

WHEREAS, the Town Board of the Town of Westfield (the "Board") on June 7, 2006, in Eason Hall, 23 Elm Street, Westfield, New York, duly held a public hearing on a proposed Local Law to regulate the subdivision of land, and

WHEREAS, notice of said public hearing was duly published in the Westfield Republican, the official newspaper of the Town, on May 25, 2006, and posted in the Town Clerk's office on May 17, 2006, and

WHEREAS, said public hearing was duly held on the said date and time 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 submitted a municipal zoning referral to the Chautauqua County Planning Board, pursuant to Section 239-m of the General Municipal Law, but failed to receive a response thereto within the statutorily required 30 day period, and

WHEREAS, the Board determined that the adoption of the proposed Local Law is a Type I action for purposes of the State Environmental Quality Review Act, prepared a long Environmental Assessment Form, and duly adopted a Negative Declaration finding that the proposed Local Law and its reasonably expected impacts would not have significant adverse environmental impacts, and

WHEREAS, the Board, after due deliberation and taking into consideration all comments and correspondence received, finds it in the best interests of the Town to adopt said Local Law

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Westfield hereby adopts said Local Law as Local Law No. 3 of 2006, a copy of which is attached hereto and made a part hereof, and the Town Clerk 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 Carl Vilardo. Voting was as follows: Martha Bills, aye; Donald Nash, aye; Carl Vilardo, aye; Raymond Schuster, aye; David Brown, aye.

Supervisor Bills moved and Donald Nash seconded a motion to appoint Alexander Nixon as an alternate to the Town Planning Board. Unanimously carried.

David Brown moved and Raymond Schuster seconded a motion for permission for the Assessor to attend school in Cornell in July. Unanimously carried.

The Board agreed to change the July Town Board meeting to July 12 at 7:30 p.m.

At 8:00 p.m. Donald Nash moved and Raymond Schuster seconded a motion to move to Executive Session. Unanimously carried.

At 8:45 p.m. David Brown moved and Carl Vilardo seconded a motion to return to regular session.

Warrants dated 06/07/06 in the amount of \$54,632.43 drawn on the following funds: \$27,248.69 General; \$660.93 Part Town General; \$4,427.82 Highway; \$13,878.99 Part Town Highway; \$11.8 HO1; \$7,735.00 HO4 and \$669.15 T & A were presented and audited by the Board members. Carl Vilardo offered the following resolution and moved its adoption:

Resolution No. 25

That the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

This was seconded by Donald Nash. Voting was as follows: Martha Bills, aye; Carl Vilardo, aye; Donald Nash, aye; David Brown, aye; Raymond Schuster, aye.

There being no further business, at 9:00 p.m. Carl Vilardo moved and David Brown seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING
Town of Westfield
July 12, 2006

The regular meeting of the Town Board, Town of Westfield, was called to order by Supervisor Bills at 7:30 p.m. in Eason Hall, 23 Elm Street, Westfield, NY with the following members and guests present:

Supervisor:	Martha R. Bills	Guests: Richard Neckers
Councilmen:	Raymond Schuster	Claude Abbey
	David Brown	Julie Spears
	Donald Nash	Alex Gerould
Guests:	Mr. & Mrs. Harvey	Janet Nass
	Mr. & Mrs. David Wilson	Harold Nass
	Jack Gulvin	Jack Bills
	Mr. & Mrs. Jerry Scholl	Fred Bertrando
	Charles Lillie	

David Brown moved and Donald Nash seconded a motion to waive the reading of the minutes inasmuch as all members had received a copy thereof. Unanimously carried.

The Town Clerk's report together with a check in the amount of \$38,718.91 representing fees for the month of June, 2006, was turned over to the Supervisor. State and county agencies received checks totaling \$3,177.31.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues YTD</u>	<u>Expenditures YTD</u>	<u>Curr. Ck. Bal.</u>	<u>MM</u>
General A	\$ 446,019	\$219,042	\$ 1,205.06	\$ 580,498.82
General B	101,035	41,311	45.72	101,439.99
Highway DA	379,622	114,749	1,033.54	428,225.50
Highway DB	159,560	49,993	1.32	276,193.46
Sewer HO1	23,129	18,553	-0-	17,321.67
Water HO2	54,696	36,149	-0-	81,927.56
Wfd. Fire Dist.	58,634	58,053	-0-	58,793.68
Sher. Fire Dist	7,292	7,143	-0-	7,417.86
TOTALS	\$1,229,987	\$544,993	\$ 2,285.64	\$1,551,728.54

The Dog Control Officer's report for the month of June, 2006, was read and placed on file.

Highway Superintendent, Charles Lillie, stated that he had rough estimates for an addition to the highway building. The board will meet at a later date to look at the proposed costs and determine the next step to be taken.

Councilman Nash stated that business at the pier is running smoothly and the fishing is fantastic.

There were no questions from the audience.

Congressman Higgins recently met with local officials and took a tour of Barcelona Harbor. Several topics were discussed including the possible future dredging of the harbor and a possible reclassification change.

Mark Thomas of the SUNY Rural Regional Agency, has reported that there is \$2,000,000 more available for shared services in Chautauqua County this year.

The Chautauqua County Legislature has passed a resolution offering municipalities first chance on foreclosed property to be used for public purposes in their townships.

The public hearing for Harris Junkyard was held on June 21. The Board will not make a determination on his application until the August meeting.

East Main Road residents are having serious problems with their water. The Supervisor and Attorney Michael Bolender have met with residents and will investigate funding for a possible project.

Personnel from the County Health Dept. and Village water department met with Town officials and Shorehaven residents to review procedures, metering, etc. relating to the Shorehaven water project. The County Health Dept. will be looking at residents' wells as well as existing water lines to address a possible leakage problem.

The Board set a public hearing at 7:15 p.m. on August 2 for an application from David Babcock to operate a welding business on his property.

David Brown offered the following resolution and moved its adoption:

Resolution No. 28

WHEREAS, President Bush in Homeland Security Directive 5 (HSPD-5), directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System that would provide a consistent nationwide approach for Federal, State, local, and tribal governments to work together more effectively and efficiently to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity; and

WHEREAS, the collective input and guidance from all Federal, State, local, and tribal homeland security partners has been, and will continue to be, vital to the effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary and desirable that all Federal, State, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, HSPD-5 requires Federal departments and agencies to make adoption of the NIMS by State, tribal, and local organizations a condition for Federal preparedness assistance beginning in fiscal year 2005; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, local, and tribal organizations use standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes, and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (also known as the 9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Westfield, by authority vested in it under the laws of the State of New York, does hereby establish the National Incident Management System (NIMS) as the Town of Westfield's standard for incident management.

His was seconded by Raymond Schuster. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; Donald Nash, aye.

Donald Nash offered the following resolution and moved its adoption:

Resolution No. 29

To increase both Revenues and Expenditures to accommodate the NYS Archive Grant funds received in 2005/2006 and to increase both Revenues and Expenditures in State CHIP Funds from \$70,000 to \$80,341.55:

	<u>Increase</u>	<u>Decrease</u>
<u>A Funds-General</u>		
Revenue: NYS Archive – Web Site		\$11,345

Expenditures: RM – Web Site \$11,345

DB Funds – Hwy/Town Outside Village

Revenue: CHIPS \$10,341.55
Expenditure: \$10,341.55

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

Supervisor Bills stated that the Town of Ripley had forwarded a copy of their proposed Trash Storage Law for the Town to review. Anyone interested may look at a copy in the Town Clerk's office.

Jerry Scholl, spoke for several minutes on his view of the traffic problems on Bliss Road. He stated that he would like to see a lower speed limit and better police protection, including a speed trap by Village Police. The busiest hours are from 7 to 9:30 am and from 3:30 to 6 pm. Supervisor Bills stated that she had called the Sheriff's Department and they had offered to increase patrols and will place the electric speed sign on the road sometime in the near future. She also stated that the County DPW will be placing the vehicle counter on Bliss within the next two weeks. Highway Superintendent Charles Lillie reported that he will be repaving Bliss shortly and they will make sure the white center line is on the new pavement. Richard Neckers suggested that the Town post a "speed checked by radar" sign.

Warrants dated 07/12/06 in the amount of \$144,952.50 drawn on the following funds: \$38,259.97 General; \$15,100.13 Part Town General; \$2,669.21 Highway; \$35,523.21 Part Town Highway; \$6.88 Sewer; \$44,053.00 Westfield Fire; \$7,143.00 Sherman Fire; and \$2,197.10 Trust and Agency were presented and audited by the board members. David Brown offered the following resolution and moved its adoption:

Resolution No. 30

That the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

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

There being no further business, at 8:50 p.m., Donald Nash moved and David Brown seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

PUBLIC HEARING
Town of Westfield
August 2, 2006

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

Supervisor:	Martha R. Bills	Guests:	David Babcock
Councilmen:	Raymond Schuster		Vicki Czak
	Donald Nash		John Rawlinson
	David Brown		Claude Abbey
	Carl Vilaro Jr.		John Hemmer
Guests:	Mr. & Mrs. David Wilson		Richard Neckers
	Julie Spears		Phil Young
	Wayne Cardy		Abbie Cardy
	Charles Lillie		Joel Seachrist

Proof of publication was presented. Mrs. Bills explained that David Babcock had submitted an application for a Special Use Permit to operate a welding business on his property on Lombard Road. Mr. Babcock stated that the business was small in nature, mostly to local farmers in the area, and would not involve any increase in the amount of vehicle traffic. There were no questions from the audience.

Mrs. Bills stated that the Board could not take action on this Special Use Permit as the Town had not received a response from County Planning.

The public hearing was closed at 7:25 p.m.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING
Town of Westfield
August 2, 2006

The regular meeting of the Town Board of the Town of Westfield was called to order by Supervisor Martha Bills at 7:35 p.m. in Eason Hall, 23 Elm Street, Westfield, NY with the following members and guests in attendance:

Supervisor:	Martha R. Bills	Guests:	Vicki Czak
Councilmen:	Raymond Schuster		Wayne Cardy
	Carl Vilaro Jr.		Abbie Cardy
	Donald Nash		Phillip Young
	David Brown		Joel Seachrist
Guests:	Mr. & Mrs. David Wilson		John Hemmer
	John Rawlinson		Richard Neckers
	Jerry Scholl		Julie Spears
	Claude Abbey		Conrad Vicary
	Charles Lillie		

David Brown moved and Donald Nash seconded a motion to waive the reading of the minutes inasmuch as all members had 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 \$19,106.96 representing fees for the month of July, 2006, was turned over to the Supervisor. State and county agencies received checks totaling \$2,379.62.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking</u>	<u>Curr. Balance</u>
General A	\$ 454,679	\$254,138	\$ 1,157.61	\$ 544,642.37
PT Gen. B	101,309	56,411	45.72	86,638.82
Hwy DA	381,122	118,919	1,033.54	425,556.29
Hwy DB	159,560	92,819	1.32	225,987.16
Sewer HO1	23,143	18,560	-0-	17,224.79
Water HO2	54,703	36,149	-0-	81,927.56
Wfd Fire Dist	58,634	44,053	-0-	14,750.68
Sherm Fire Dist	7,292	7,143	-0-	274.86
Totals	\$1,240,442	\$628,192	\$ 2,238.19	\$1,397,002.53

Highway Superintendent Charles Lillie, stated that the Highway Department would be oiling and stoning Bliss Road next week and will then replace the stripe down the center of the road. He has also gone out to bid for the chopper/grinder and bids will be opened on August 17.

Donald Nash reported on Barcelona Harbor. We are having the best fishing season in years and are anticipating that it will get better as time goes forward. The Harbor Commission is also working on acquiring a weigh station at the pier and are hoping for help from the County. Supervisor Bills stated that the agreement is in place between the Town and the NYS Dept. of State and Coastal Management for the grant on the Lake Erie revitalization project. Public hearings will be held for the public to voice their views on what they would like to see happen along the lake. The County, with the Towns, are in the process of soliciting consultant proposals for the project.

There were no questions or comments from the audience.

Supervisor Bills announced that the new website should be up and running by the next meeting and hopes everyone will join us for a “Launch Party” at 7:00 p.m. next month before the regular meeting.

A decision on the Harris Junkyard permit will be made at the next meeting as there are still a few matters that have not been resolved.

A meeting has been set next Tuesday with residents of Shorehaven to resolve some problems that have been attributed to water leakage within the homes. The Village and County Health Department have inspected the Shorehaven lines and there does not seem to be any leaks in the system or pressure problems.

East Main Road residents presented the Board with a petition to start the process for a new water district. They are anticipating the water district to run East from the Town/Village line to McKinley Road, North on McKinley to the railroad tracks, and also South on Hardenburg to the creek crossing. Supervisor Bills stated that the Town would have our engineer and our attorney take a look at the old file for this project. Vicki Czak who owns East Side Trailer Park, spoke on behalf of herself and Al Sam, another park owner, stating that the cost factor is very difficult because of the elderly residents in their parks.

Jerry Scholl spoke on behalf of the Bliss Road residents regarding the speeding on their road. The presence of the Westfield Police on a regular basis, has, in his opinion, made a big difference. Supervisor Bills stated that the County had placed a counter on the road for one week. It indicated that there are approximately 2000 cars traveling this road each week. She also stated that the sheriff will be conducting some patrols and will for a limited period place an electrical sign stating speeds as the cars come into the area. Mr. Scholl thanked the Board for their consideration in addressing the problems in that area. The Board also discussed possibly posting a sign “radar patrolled”. The Highway Superintendent will see if he can purchase these signs.

The Board discussed the short EAF form for Mr. Babcock’s Special Use Permit. Raymond Schuster offered the following resolution and moved its adoption:

Resolution No. 31

WHEREAS, the Town Board is considering an application for a Special Use Permit from David G. Babcock to operate a repair shop in a detached garage located at 9008 Lombard Road in the Town of Westfield, New York, and

WHEREAS, the proposed se 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 action, 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 Parts I and II of the Environmental Assessment Form, issues the attached Notice of Determination of Non-Significance, also known as a Negative Declaration, and authorizes the Supervisor to complete and sign the cover sheet for the Environmental Assessment Form accordingly.

This was seconded by David Brown. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; Donald Nash, aye; Carl Vilardo, aye.

Warrants dated 008/02/06 in the amount of \$93,927.42, drawn on the following funds: \$20,106.24 General; \$10,400.00 Part Town General; \$574.40 Highway; \$62,127,38 Part Town General; \$10.25 HO1 and \$669.15 T & A were presented and audited by the Board members. David Brown offered the following resolution and moved it adoption:

Resolution No. 32

That the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

This was seconded by Carl Vilardo. Voting was as follows: Martha Bills, aye; David Brown, aye; Carl Vilardo, aye; Donald Nash, aye; Raymond Schuster, aye.

There being no further business, at 8:25 p.m., Carl Vilardo moved and Donald Nash seconded a motion to move to Executive Session to discuss current/pending litigation and personnel matters. Unanimously carried.

At 9:10 p.m., David Brown moved and Raymond Schuster seconded a motion to return to regular session and adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

BID OPENING
Town of Westfield
August 17, 2006

Bids were opened at 1:00 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, for a new or unused brush and stump cutting/shredding attachment for use on the Town's Volvo excavator.

Only one bid was received. Baschmann Services, Inc. of Elma, NY, bid the following:

Option 1:

1 – Brush/stomp cutting attachment	\$27,115.00
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or

Option 2:

1 – Brush chopper	\$ 9,917.00
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The bid opening was closed at 1:10 pm.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING
Town of Westfield
September 6, 2006

The regular meeting of the Town Board, Town of Westfield, was called to order by Supervisor Bills at 7:30 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor: Martha R. Bills	Guests: Fred Bertrando
Councilmen: Raymond Schuster	Jack Gulvin
Carl Vilaro Jr.	Julie Spears
David Brown	Jack Bills
Guests: Sandra Brown	Claude Abbey
James Rush	Charles Lillie

Raymond Schuster moved and David Brown seconded a motion to waive the reading of the minutes inasmuch as all members had 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 \$6,316.81 representing fees for the month of August, 2006, was turned over to the Supervisor. State and County agencies received checks totaling \$4,781.48.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking</u>	<u>Balance</u>
Gen. A	\$ 469,904.20	\$313,251.36	\$1,624.44	\$ 493,079.37
Gen. B	102,009.26	67,813.67	45.72	75,935.78
Hwy. DA	383,278.74	120,859.89	1,033.54	425,771.92
Hwy. DB	235,079.41	227,475.06	1.32	166,849.93
Sewer HO1	23,229.06	22,469.45	-0-	17,274.70
Water HO2	55,046.19	39,374.14	-0-	82,262.48
Wfd SF1	58,694.13	44,053.00	-0-	14,800.94
Shm. SF2	7,293.11	7,143.00	-0-	275.98
Shorehaven HO6	70,000.00	70,000.00	-0-	-0-
Totals	\$1,403,634.10	\$912,439.57	\$2,705.02	\$1,276,251.10

The Dog Warden's report for the month of August, 2006, was read and placed on file.

Highway Superintendent Charles Lillie, reported on the following:

1. He has been unable to find any signs that read "Radar" for Bliss Street.
2. The yellow line on Bliss Road will be replaced sometime in the next two to three weeks.
3. The highway crew is crack sealing several roads at this time.

4. Could the trees in front of the fence on the Chestnut Street property be removed?
5. The bid on the grinder was \$27,000 including hookup. The Village has offered to donate \$10,000 toward this purchase. One of our workers will run the machine when the Village has need of it. David Brown moved and Raymond Schuster seconded a motion to approve the purchase. Unanimously carried.
6. He would like to get prices for the purchase of new heaters for the back shop building. The Board gave permission.
7. In regard to the possible addition to the Highway building, Mr. Lillie will set up a meeting with the building inspector and highway committee, for Sept. 19 at 10:00 am.

Code Enforcement Officer, Jack Bills, stated that he had issued three building permits for the month of August. He had also performed 19 fire inspections. He requested that a Special Use Permit hearing be set for October 4 at 7:15 p.m. for Lindsay Simpson who would like to open a catering business from her home. The Board agreed to set the hearing, however, Supervisor Bills stated she did not think that home occupation businesses required a special use permit in the Town. Mr. Bills will investigate and let the board know.

Supervisor Bills reported on Barcelona Harbor. A meeting was held with the Harbor Commission, Corp of Engineers and a representative of Brian Higgins' office to discuss future harbor plans. The Army Corp is charged with dredging of the harbor channel, however, the appropriations are not always funded. The Corp may try to coordinate the dredging of several harbors during the summer, making it more economical for moving of equipment. They also presented the Supervisor with a chart of recent depth soundings of the harbor channel. There are also several broken rungs on the ladders attached to the breakwalls, which the Corp stated they would repair.

There were no comments from the audience.

The Supervisor made the following announcements:

1. The Lincoln Festival will be held this weekend.
2. A Newcomers Night will be held Sept. 21 at the Library.

The Board discussed the Harris Junkyard permit. It is our understanding that the conditions of discharge from the County Court must be adhered to for one year. Any violation means he would go immediately back to court. Raymond Schuster offered the following resolution and moved its adoption:

Resolution No. 33

WHEREAS, Robert E. Harris (hereinafter, the "Applicant") has submitted an application for a permit allowing him to continue the operation of a junkyard at 7631

North Gale Street on parcels designated as Section 4, Block 1, Lots 43, 44, and 45 (the "Premises"), and

WHEREAS, the Town Board has considered all the facts and papers before it, including having heard those wishing to be heard at a public hearing held June 22, 2006 after publication of legal notice, and finds justification to approve the application but only if subject to the conditions hereinafter set forth,

NOW, THEREFORE BE IT RESOLVED, that the application be and hereby is authorized and approved subject to the following conditions:

1. The applicant shall not discharge nor permit the discharge of any firearm on or into the Premises.
2. The applicant shall not park nor permit any motor vehicles to be parked outside the front fence of the Premises after business hours, as defined below, except for no more than two (2) business vehicles, which must be marked as such.
3. The applicant shall not store nor permit to be stored any motor vehicle parts or any other salvage parts or materials outside the fence at any time unless kept on the business vehicles permitted in Section 2 above for less than 24 hours.
4. Business hours shall be limited to 7:00 am to 7:00 pm Monday through Friday and 7:00 am to 5:00 pm Saturday.
5. The conditions set forth herein shall be in addition to any requirements of the Town's Junkyard Law.
6. This permit shall not be assigned or transferred, in whole or in part.
7. Failure to comply with any condition herein or the requirements of the Town's Junkyard Law is grounds for the immediate revocation of this permit.

This was seconded by Carl Vilardo. Voting was as follows: Martha R. Bills, aye; Raymond Schuster, aye; Carl Vilardo, aye; David Brown, aye.

Supervisor Bills spoke regarding several water projects. The loan for the Shorehaven project will be repaid on 9/8/06, except for \$40,000 which will be financed by a continuation of the current BAN. Barcelona did not qualify for the Small Cities grant, however, since a petition has been received to extend the waterline to the Town line on Rt. 5, we will apply to Rural Development for funding. East Main Road residents have been having difficulties with their waterline and the Town has authorized Tolman Engineering to take a preliminary look at this project to determine costs.

After discussion, David Brown offered the following resolution and moved its adoption:

Resolution No. 34

WHEREAS, David G. Babcock (hereinafter, the "Applicant") submitted a special use permit application on April 8, 2006, requesting permission to operate a repair shop at 9008 Lombard Road, on a parcel designated as Section 12, Block 1, Lot 3, 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 Chautauqua county Planning Department on August 31, 2006, in response to a zoning referral submitted pursuant to Section 239-m of the General Municipal Law, advised that the proposed action was of local option, and

WHEREAS, the Board has considered all the facts and papers before it, including the recommendation of the Town of Westfield planning board made after a public hearing held June 20, 2006, and has heard those wishing to be heard at a public hearing held August 2, 2006, 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. 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.
4. 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 Carl Vilardo. Voting was as follows: Martha R. Bills, aye; David Brown, aye; Carl Vilardo, aye; Raymond Schuster, aye.

Raymond Schuster offered the following resolution and moved its adoption:

Resolution No. 35

WHEREAS, several residents of Bliss Road in the Town of Westfield have expressed concern for safety due to the narrow road, lack of shoulders, increased traffic and new homes in the area, and are asking for the speed limit to be reduced to 30 mph;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Westfield hereby requests the New York State Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to determine the proper speed limit for Bliss Road between Hardenburg Road and the Village line, and that the Town Clerk send such request to the County Superintendent for his signature.

This was seconded by Carl Vilardo. Voting was as follows: Martha R. Bills, aye; Raymond Schuster, aye; Carl Vilardo, aye; David Brown, aye.

The Seaway Trail Association will be placing a new three-sided kiosk at the pier, replacing the old information board and has asked the Town for \$400 to help with the costs. Our Town highway department will install the new kiosk. David Brown moved and Raymond Schuster seconded a motion to provide the requested amount to the Seaway Trail. Unanimously carried.

The board set a budget workshop for Monday, Sept. 25 at 7:00 p.m.

David Brown moved and Carl Vilardo seconded a motion to junk the 1998 Gateway Intel Pentium previously used by the Assessor. Unanimously carried.

Warrants dated 9/6/06 in the amount of \$79,297.33 drawn on the following funds: \$26,903.64 General; \$1,002.98 Part Town General; \$1,367.00 Highway; \$50,013.46 Part Town Highway; \$10.25 HO1; and \$446.10 Trust & Agency were presented and audited by the board members. Carl Vilardo offered the following resolution and moved its adoption:

Resolution No. 36

That the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

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

There being no further business, at 8:40 p.m. David Brown moved and Carl Vilardo seconded a motion to move to Executive Session to discuss personnel. Unanimously carried.

At 9:10 p.m., David Brown moved and Raymond Schuster seconded a motion to return to regular session. Unanimously carried.

Carl Vilado moved and David Brown seconded a motion to hire an appraiser to evaluate the Moose Club on Clinton Street. Unanimously carried.

At 9:15 p.m., Raymond Schuster moved and David Brown seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

PUBLIC HEARING
Town of Westfield
November 1, 2006

Supervisor Bills called the public hearing to order at 7:15 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Julie Spears
Councilmen:	Raymond Schuster		Janet Nass
	Carl Vilaro Jr.		Harold Nass
	Donald Nash		Claude Abbey
	David Brown		John Rawlinson
Guests:	Joel Seachrist		Steven Lax
	Claire Quadri		Pam Frank
	Tony Pisicoli		Will Catalano
	James Rush		Fred Bertrando
	Donald Eno		Marion Eno
	Charles Lillie		Jack Bills
	Tim Smith		

Mrs. Bills explained that the meeting was being held to hear all persons in regard to the 2007 Budget for the Town of Westfield. Total appropriations for next year will be \$1,877,260 with \$867,732 to be collected in taxes. The budget reflects an increase in the Westfield Fire District of \$.19 per thousand, and an anticipated decrease in sales tax revenue of \$25,000. Residents in the Village of Westfield can expect a \$.05 decrease/per thousand in their taxes from last year. Town residents will receive an overall decrease of \$.39/per thousand which reflects the increase in the Westfield Fire District.

There were no questions from the audience.

There being no further business, the public hearing was closed at 7:29 p.m.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING

Town of Westfield

November 1, 2006

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:30 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Clair Quadri
Councilmen:	Raymond Schuster		John Rawlinson
	Carl Vilaro Jr.		James Rush
	David Brown		Claude Abbey
	Donald Nash		Fred Bertrando
Guests:	Will Catalano		Julie Spears
	Harold Nass		Janet Nass
	Steven Lax		Joel Seachrist
	Pam Frank		Tony Pisicoli
	Donald Eno		Marion Eno
	Tim Smith		Jack Bills
	Charles Lillie		

David Brown moved and Donald Nash seconded a motion to waive the reading of the minutes inasmuch as all members had 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 \$1,463.43 representing fees for the month of October, 2006, was turned over to the Supervisor. State and county agencies received checks totaling \$1,521.95.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking</u>	<u>Balance</u>
Gen. A	\$ 521,086	\$367,287	\$1,392.34	\$ 502,088.37
Gen B	102,865	66,819	45.72	77,786.98
Hwy DA	386,673	127,997	1,033.54	422,029.44
Hwy DB	317,203	268,222	1.32	208,225.91
Sewer HO1	23,365	22,481	-0-	16,798.50
Water HO2	55,657	43,399	-0-	77,234.92
Wfd. Fire	58,812	44,053	-0-	14,918.76
Sherm. Fire	7,295	7,143	-0-	278.17
Totals	\$1,472,956	\$947,401	\$2,472.92	\$1,319,361.05

The Dog Warden's report for the month of October, 2006, was read and placed on file.

Highway Superintendent, Charles Lillie, reported that the grinder has been delivered. He asked to go out to bid for a new truck. The board agreed to open bids on November 22, at 1:00 p.m. in Eason Hall. David Wilson has approached Mr. Lillie regarding the possibility of constructing a gas pipeline in the Town's right-of-way on Harrington Road. The Board stated they would need further information before making a decision.

Code Enforcement Officer, Jack Bills, stated that he had issued four permits for the month of October. He asked the Board to set a public hearing for American Tower, to upgrade the antenna system on their tower at Douglas and Creamery Road. The hearing was set for Dec. 6th at 7:15 p.m. He also informed the Board members that the Town must adopt a new Local Law, readopting the State Building Code which would give the Town authority to enforce the code. The State has forwarded a "draft" which has been reviewed by Mr. Bills and our attorney, Joel Seachrist. They are working on a compromise regarding whether complaints need to be in writing. A public hearing was set for Wednesday, Dec. 6th at 7:25 p.m.

Councilman Donald Nash stated that the harbor is closed for the winter.

There were no questions from the audience.

Supervisor Bills made the following announcements:

1. A Planning and Zoning Conference will be held Nov. 16 at Chautauqua Institute. As of January 1, 2007, all planning and zoning board members will be required to attend 4 hours of training a year.
2. There will be a presentation by Empire State Wind Energy, at the Westfield School on Nov. 8, at 7:00 p.m.
3. A meeting will be held on Monday, Nov. 6, at 7:30 p.m. at Meeders in Ripley, to discuss the Lake Front Opportunity Plan. Behan Consultants will be in attendance.
4. A meeting will be held on Monday, Nov. 13 at 7:00 p.m. in Eason Hall, with the residents of East Main Road to discuss preparation of a Small Cities Grant for new construction and expansion of the present East Main Water District. Michael Bolender, grant writer, and Rex Tolman, engineer, will provide information.
5. The Town will apply for a new grant for the expansion of the water district for Barcelona and East Lake Road, in the Spring of 2007.

The Personnel Policy was presented to the Board for their review. It was explained that a new e-mail/internet policy may be developed at a later date and the personnel policy will be amended at that time. Raymond Schuster moved and David Brown seconded a motion to approve the policy as presented. Unanimously carried.

A committee made up of Village, Town board members and members of the WDC have been working on updating the Comprehensive Plan. From that committee, a joint strategic plan policy is being developed for the Town and Village. The Comprehensive Plan is lacking in strategic planning and very few of the recommendations in the plan, have been put in place. Martha Bills moved and David Brown seconded a motion to adopt the following statement:

The Town Board of the Town of Westfield does hereby support and approve of the following action items established by the Westfield Joint Strategic Planning committee for the Town of Westfield to carry out and serve as lead agency for the process of implementation and eventual goal attainment.

Prepare a master plan for the development of Westfield as the Great Lakes Gateway to the Chautauqua Region, including Barcelona Harbor and the adjacent commercially zoned properties.

Continue to implement the ideas and designs prepared by our various consultants for beautifying and improving the Westfield community.

Unanimously carried.

David Brown moved and Raymond Schuster seconded a motion to approve the 2007 budget as presented. Unanimously carried.

Carl Vilaro moved and Raymond Schuster seconded a motion to appoint Peter Kunow to the position of Constable for the Town of Westfield. Unanimously carried.

David Brown offered the following resolution and moved its adoption:

Resolution No. 44

WHEREAS, the local governments of New York state, including cities, towns, villages, and school districts, are subdivisions of State government, and

WHEREAS, the New York State Legislature and its governors have imposed numerous unfunded mandates on local governments over the past several decades in many program areas, including social services, education, and public construction projects, and

WHEREAS, while often well-intentioned, many of the unfunded mandates may or may not be beneficial to a particular locality, and the imposition of unfunded mandates can be equivalent of "taxation without representation" because the local government and its elected officials have had no participation in the decision to impose the unfunded mandate, and

WHEREAS, some unfunded mandates are outdated and should be eliminated, such as Wicks Law that requires public entities to utilize multiple contractors on public construction projects, therefore

LET IT BE KNOWN, that the Town Board of the Town of Westfield joins with the Chautauqua County Legislature in that the New York State Legislature and Governor control unfunded mandates on local governments by:

- (1) placing a moratorium on new unfunded mandates for local governments, and
- (2) reconsidering and rescinding where appropriate existing unfunded mandates that are no longer necessary.

This was seconded by Donald Nash. Voting was as follows: Martha Bills, aye; David Brown, aye; Donald Nash, aye; Carl Vilardo, aye; Raymond Schuster, aye.

Carl Vilardo moved and David Brown seconded a motion to reappoint Sid Hoyt to another term on the Board of Assessment Review, term to expire October of 2011. Unanimously carried.

Donald Nash moved and David Brown seconded a motion to adopt the following budget amendments:

<u>A Funds – General</u>	<u>Increase</u>	<u>Decrease</u>	<u>Inc. Revenue</u>
Expenditure: Deputy Twn Clrk	\$ 4,500		
Expenditure: Contingency		\$ 4,500	
To provide expend. During Nov./Dec. Town Clerk Training			
Expenditure: Cable Access	\$ 500		
Expenditure: Other Economic Opportunity		\$ 500	
To provide shared budget expenditure			
Expenditure: Records Mgmt.	\$ 3,045		
Expenditure: Twn. Clerk Equip		\$ 3,045	
To increase records mgmt. for books restored			
Expenditure: Parks & Rec. – PS	\$ 160		
Expenditure: Parks & Rec. – Equip		\$ 160	
To increase personnel exp. Under Pier			
<u>HO6 FUNDS – Shorehaven Water Project</u>			
Revenue: Shorehaven Water Tap Fees			\$74,000
Expenditure: Bond Anticipation Note	\$70,000		
Fore revenue received from property owners to pay BAN			

Unanimously carried.

Warrants dated 11/01/06 drawn on the following funds: \$66,089.57 General; \$10,400.00 General Part Town; \$8,574.57 Highway; \$48,812.93 Part Town Highway; \$10.81 HO1 and \$423.10 T & A were presented and audited by the board members. David Brown offered the following resolution and moved its adoption:

Resolution No. 45

That the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

This was seconded by Raymond Schuster. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; Donald Nash, aye; Carl Vilardo, aye.

There being no further business, at 8:25 p.m. Carl Vilardo moved and Donald Nash seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

PUBLIC HEARING
Town of Westfield
November 1, 2006

Supervisor Bills called the public hearing to order at 7:15 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Julie Spears
Councilmen:	Raymond Schuster		Janet Nass
	Carl Vilaro Jr.		Harold Nass
	Donald Nash		Claude Abbey
	David Brown		John Rawlinson
Guests:	Joel Seachrist		Steven Lax
	Claire Quadri		Pam Frank
	Tony Pisicoli		Will Catalano
	James Rush		Fred Bertrando
	Donald Eno		Marion Eno
	Charles Lillie		Jack Bills
	Tim Smith		

Mrs. Bills explained that the meeting was being held to hear all persons in regard to the 2007 Budget for the Town of Westfield. Total appropriations for next year will be \$1,877,260 with \$867,732 to be collected in taxes. The budget reflects an increase in the Westfield Fire District of \$.19 per thousand, and an anticipated decrease in sales tax revenue of \$25,000. Residents in the Village of Westfield can expect a \$.05 decrease/per thousand in their taxes from last year. Town residents will receive an overall decrease of \$.39/per thousand which reflects the increase in the Westfield Fire District.

There were no questions from the audience.

There being no further business, the public hearing was closed at 7:29 p.m.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING

Town of Westfield

November 1, 2006

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:30 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Clair Quadri
Councilmen:	Raymond Schuster		John Rawlinson
	Carl Vilaro Jr.		James Rush
	David Brown		Claude Abbey
	Donald Nash		Fred Bertrando
Guests:	Will Catalano		Julie Spears
	Harold Nass		Janet Nass
	Steven Lax		Joel Seachrist
	Pam Frank		Tony Pisicoli
	Donald Eno		Marion Eno
	Tim Smith		Jack Bills
	Charles Lillie		

David Brown moved and Donald Nash seconded a motion to waive the reading of the minutes inasmuch as all members had 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 \$1,463.43 representing fees for the month of October, 2006, was turned over to the Supervisor. State and county agencies received checks totaling \$1,521.95.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking</u>	<u>Balance</u>
Gen. A	\$ 521,086	\$367,287	\$1,392.34	\$ 502,088.37
Gen B	102,865	66,819	45.72	77,786.98
Hwy DA	386,673	127,997	1,033.54	422,029.44
Hwy DB	317,203	268,222	1.32	208,225.91
Sewer HO1	23,365	22,481	-0-	16,798.50
Water HO2	55,657	43,399	-0-	77,234.92
Wfd. Fire	58,812	44,053	-0-	14,918.76
Sherm. Fire	7,295	7,143	-0-	278.17
Totals	\$1,472,956	\$947,401	\$2,472.92	\$1,319,361.05

The Dog Warden's report for the month of October, 2006, was read and placed on file.

Highway Superintendent, Charles Lillie, reported that the grinder has been delivered. He asked to go out to bid for a new truck. The board agreed to open bids on November 22, at 1:00 p.m. in Eason Hall. David Wilson has approached Mr. Lillie regarding the possibility of constructing a gas pipeline in the Town's right-of-way on Harrington Road. The Board stated they would need further information before making a decision.

Code Enforcement Officer, Jack Bills, stated that he had issued four permits for the month of October. He asked the Board to set a public hearing for American Tower, to upgrade the antenna system on their tower at Douglas and Creamery Road. The hearing was set for Dec. 6th at 7:15 p.m. He also informed the Board members that the Town must adopt a new Local Law, readopting the State Building Code which would give the Town authority to enforce the code. The State has forwarded a "draft" which has been reviewed by Mr. Bills and our attorney, Joel Seachrist. They are working on a compromise regarding whether complaints need to be in writing. A public hearing was set for Wednesday, Dec. 6th at 7:25 p.m.

Councilman Donald Nash stated that the harbor is closed for the winter.

There were no questions from the audience.

Supervisor Bills made the following announcements:

1. A Planning and Zoning Conference will be held Nov. 16 at Chautauqua Institute. As of January 1, 2007, all planning and zoning board members will be required to attend 4 hours of training a year.
2. There will be a presentation by Empire State Wind Energy, at the Westfield School on Nov. 8, at 7:00 p.m.
3. A meeting will be held on Monday, Nov. 6, at 7:30 p.m. at Meeders in Ripley, to discuss the Lake Front Opportunity Plan. Behan Consultants will be in attendance.
4. A meeting will be held on Monday, Nov. 13 at 7:00 p.m. in Eason Hall, with the residents of East Main Road to discuss preparation of a Small Cities Grant for new construction and expansion of the present East Main Water District. Michael Bolender, grant writer, and Rex Tolman, engineer, will provide information.
5. The Town will apply for a new grant for the expansion of the water district for Barcelona and East Lake Road, in the Spring of 2007.

The Personnel Policy was presented to the Board for their review. It was explained that a new e-mail/internet policy may be developed at a later date and the personnel policy will be amended at that time. Raymond Schuster moved and David Brown seconded a motion to approve the policy as presented. Unanimously carried.

A committee made up of Village, Town board members and members of the WDC have been working on updating the Comprehensive Plan. From that committee, a joint strategic plan policy is being developed for the Town and Village. The Comprehensive Plan is lacking in strategic planning and very few of the recommendations in the plan, have been put in place. Martha Bills moved and David Brown seconded a motion to adopt the following statement:

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Prepare a master plan for the development of Westfield as the Great Lakes Gateway to the Chautauqua Region, including Barcelona Harbor and the adjacent commercially zoned properties.

Continue to implement the ideas and designs prepared by our various consultants for beautifying and improving the Westfield community.

Unanimously carried.

David Brown moved and Raymond Schuster seconded a motion to approve the 2007 budget as presented. Unanimously carried.

Carl Vilaro moved and Raymond Schuster seconded a motion to appoint Peter Kunow to the position of Constable for the Town of Westfield. Unanimously carried.

David Brown offered the following resolution and moved its adoption:

Resolution No. 44

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WHEREAS, the New York State Legislature and its governors have imposed numerous unfunded mandates on local governments over the past several decades in many program areas, including social services, education, and public construction projects, and

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WHEREAS, some unfunded mandates are outdated and should be eliminated, such as Wicks Law that requires public entities to utilize multiple contractors on public construction projects, therefore

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- (1) placing a moratorium on new unfunded mandates for local governments, and
- (2) reconsidering and rescinding where appropriate existing unfunded mandates that are no longer necessary.

This was seconded by Donald Nash. Voting was as follows: Martha Bills, aye; David Brown, aye; Donald Nash, aye; Carl Vilardo, aye; Raymond Schuster, aye.

Carl Vilardo moved and David Brown seconded a motion to reappoint Sid Hoyt to another term on the Board of Assessment Review, term to expire October of 2011. Unanimously carried.

Donald Nash moved and David Brown seconded a motion to adopt the following budget amendments:

<u>A Funds – General</u>	<u>Increase</u>	<u>Decrease</u>	<u>Inc. Revenue</u>
Expenditure: Deputy Twn Clrk	\$ 4,500		
Expenditure: Contingency		\$ 4,500	
To provide expend. During Nov./Dec. Town Clerk Training			
Expenditure: Cable Access	\$ 500		
Expenditure: Other Economic Opportunity		\$ 500	
To provide shared budget expenditure			
Expenditure: Records Mgmt.	\$ 3,045		
Expenditure: Twn. Clerk Equip		\$ 3,045	
To increase records mgmt. for books restored			
Expenditure: Parks & Rec. – PS	\$ 160		
Expenditure: Parks & Rec. – Equip		\$ 160	
To increase personnel exp. Under Pier			
<u>HO6 FUNDS – Shorehaven Water Project</u>			
Revenue: Shorehaven Water Tap Fees			\$74,000
Expenditure: Bond Anticipation Note	\$70,000		
Fore revenue received from property owners to pay BAN			

Unanimously carried.

Warrants dated 11/01/06 drawn on the following funds: \$66,089.57 General; \$10,400.00 General Part Town; \$8,574.57 Highway; \$48,812.93 Part Town Highway; \$10.81 HO1 and \$423.10 T & A were presented and audited by the board members. David Brown offered the following resolution and moved its adoption:

Resolution No. 45

That the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

This was seconded by Raymond Schuster. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; Donald Nash, aye; Carl Vilardo, aye.

There being no further business, at 8:25 p.m. Carl Vilardo moved and Donald Nash seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk

PUBLIC HEARING
Town of Westfield
December 6, 2006

Supervisor Bills called the public hearing to order at 7:15 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Charles Lillie
Councilmen:	Raymond Schuster		Jack Bills
	Carl Vilaro Jr.		Claire Quadri
	Donald Nash		Tim Smith
	David Brown		Chester Issacs
Guests:	Janet Nass		Jack Gulvin
	Claude Abbey		John Sindyla

Mrs. Bills explained that the Public Hearing was being held to hear all persons in regard to American Tower's request to modify an existing cell tower in the Town of Westfield at the north end of Creamery Road. Mr. John Sindyla (from American Tower) explained that the modifications are required in order to meet Emergency 911 requirements. There will be no height increase to the tower. The Town Code Enforcement Officer (Jack Bills) stated the application and all associated required forms were in order.

Questions from the audience were addressed.

There being no further business, the public hearing was closed at 7:20 p.m.

Respectfully submitted,

Linda L. Briggs, Town Clerk

PUBLIC HEARING
Town of Westfield
December 6, 2006

Supervisor Bills called the public hearing to order at 7:25 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Charles Lillie
Councilmen:	Raymond Schuster		Jack Bills
	Carl Vilaro Jr.		Claire Quadri
	Donald Nash		Tim Smith
	David Brown		Chester Issacs
Guests:	Janet Nass		Jack Gulvin
	Claude Abbey		John Sindyla

Mrs. Bills explained that the Public Hearing was being held to hear all persons in regard to the newly proposed Local Law #4 (Providing for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code). The Town Code Enforcement Officer (Jack Bills) stated this proposed law replaces current law with updates specific to new NYS codes. There was discussion pertaining to several sections of the proposed law between Board members, the Town Supervisor, and the Code Enforcement Officer.

It was decided to modify the wording in Section 92-3, A. 5. adding the phrase “or possible violations” to the end of the item.

Questions from the audience were addressed.

There being no further business, the public hearing was closed at 7:40 p.m.

Respectfully submitted,

Linda L. Briggs, Town Clerk

TOWN BOARD MEETING
Town of Westfield
December 6, 2006

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:40 p.m. in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guests:	Charles Lillie
Councilmen:	Raymond Schuster		Jack Bills
	Carl Vilaro Jr.		Claire Quadri
	Donald Nash		Tim Smith
	David Brown		Chester Issacs
Guests:	Janet Nass		Jack Gulvin
	Claude Abbey		John Sindyla

David Brown moved and Donald Nash seconded a motion to waive the reading of the minutes inasmuch as all members had 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 \$1,001.18 representing fees for the month of November, 2006, was turned over to the Supervisor. State and County agencies received checks totaling \$2,623.26.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking</u>	<u>Balance</u>
Gen. A	\$ 525,190	\$490,708	\$1,406.80	\$ 437,671.08
Gen B	103,198	94,691	45.72	68,172.88
Hwy DA	388,479	189,787	1,033.54	403,258.90
Hwy DB	318,094	364,239	1.32	244,795.46
Sewer HO1	23,438	22,503	-0-	16,928.74
Water HO2	55,988	43,399	-0-	77,883.62
Wfd. Fire	58,876	58,053	-0-	15,044.07
Sherm. Fire	7,296	7,143	-0-	280.51
Totals	\$1,480,599	\$1,270,523	\$2,487.38	\$1,264,035.26

The Dog Warden's report for November 2006 was read and placed on file.

Highway Superintendent, Charles Lillie, reported that the grinder delivered last month was working very well.

Code Enforcement Officer, Jack Bills, stated that 7 permits were issued for the month of November. Supervisor Bills added that the Town will review the fee schedule for special permits.

Councilman Donald Nash stated that the harbor is closed for the winter. He also noted that there was a net loss of \$1800 this past season for harbor operations. Despite the loss, this was approximately \$3000 better than the previous season.

In Public Comment there were questions from the audience.

Supervisor Bills announced the Westfield Memorial Hospital requested that the Town officially adopt a resolution in support of the Hospital towards maintaining current services. She said the Town would honor that request.

Old Business:

1. Highway Superintendent Chuck Lillie discussed the two recent highway department solicitations for bids. The first bid (truck chassis) had one bidder for a price of \$78,986. Raymond Schuster moved and David Brown seconded a motion to accept this bid. It was unanimously carried. The second bid (body) was rejected by the Board and it was decided to go out for a re-bid.
2. Supervisor Bills stated the Town is interested in having future meetings with Empire State Wind Energy to discuss a wind power project. There is currently no timeline in place ref this project.
3. Supervisor Bills stated that the initial East Main Water Project meeting held on Monday, Nov. 13 at 7:00 p.m. in Eason Hall was successful. Next, the Town will survey affected residents in order to gather information a Small Cities Grant for new construction and expansion.
4. The Town will also apply for a grant for the expansion of the water district for Barcelona and East Lake Road in the spring of 2007.
5. The first public meeting of the Lakefront Opportunity Committee will be scheduled for the end of February 2007.

New Business:

Supervisor Bills moved and Dave Brown seconded a motion on request from the Chautauqua Lake Snowmobile Club to gain Town approval on land use of strip of land (owned by Niagara Mohawk) as part of snowmobile trail. Unanimously carried.

Raymond Schuster offered the following resolution and moved its adoption:

RESOLUTION #46

WHEREAS, Dobson Cellular Systems has applied for a Special Use Permit allowing it to upgrade three antennas and add a tower mounted switch to an existing telecommunications tower located near

the intersection of Douglas Road and Creamery Road on property designated as tax map parcel Section 242.00, Block 2, Lot 7, 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 extension, 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 issues the attached Notice of Determination of Non-Significance, also known as a Negative Declaration, for the proposed use, and authorizes the Supervisor to sign Part III of the Environmental Assessment Form accordingly.

This was seconded by Donald Nash. Voting was as follows: Martha Bills, aye; Donald Nash, aye; Dave Brown, aye; Carl Vilaro, aye; Raymond Schuster, aye.

Dave Brown offered the following resolution and moved its adoption:

RESOLUTION #47

WHEREAS, Dobson Cellular Systems (hereinafter, the “Applicant”) submitted a special use permit application on October 31, 2006, requesting permission to upgrade three antennas and add a tower-mounted switch to an existing telecommunications tower, located on property designated as Section 242.00, Block 2, Lot 7, near the intersection of Douglas and Creamery Roads, 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 December 6, 2006, 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. 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.

4. 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 Donald Nash. Voting was as follows: Martha Bills, aye; Donald Nash, aye; Dave Brown, aye; Carl Vilardo, aye; Raymond Schuster, aye.

Donald Nash offered the following resolution and moved its adoption:

RESOLUTION #48

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 December 6, 2006, at 7:25 p.m. at Eason Hall, 23 Elm Street, Westfield, New York to hear all interested parties on a proposed Local Law providing for the enforcement of the New York State Uniform Fire Prevention and building Code, and

WHEREAS, notice of said public hearing was duly published in the Westfield Republican, the official newspaper of the Town, on November 22, 200, and

WHEREAS, said public hearing was duly held on December 6, 2006 at 7:25 p.m. 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 has determined that the action will not have any significant adverse environmental effects and has issued a Determination of Non-Significance, or Negative Declaration, for purposes of the State Environmental Quality Review Act, 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 BE IT RESOLVED, that the Town Board of the Town of Westfield hereby adopts said Local Law as Local Law NO. 4 of 2006, a copy of which is attached 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 Carl Vilardo. Voting was as follows: Martha Bills, aye; David Brown, aye; Donald Nash, aye; Carl Vilardo aye; Raymond Schuster, aye.

Dave Brown offered the following resolution and moved its adoption:

RESOLUTION #49

WHEREAS, Westfield Memorial Hospital has effectively provided health services to the community since 1942 and is the primary access to care for our exclusively rural population, and

WHEREAS, our Town and the surrounding rural communities are challenged by many factors, including a health care provider shortage, difficult travel conditions, severe weather conditions, no public transportation and a vulnerable population including elderly, poor and Amish, and

WHEREAS, the area has experienced a severe economic down turn and Westfield Memorial Hospital is the largest private employer in Westfield and the provider of localized hospital services and is a critical factor in recruiting and retaining other employees to the region, and

WHEREAS, the local government is charged with considering the safety, health and well being of its citizens and Westfield Memorial Hospital plays a crucial role in the natural and non-natural disaster preparedness program on the local, county, state and federal level, and

WHEREAS, Westfield Memorial Hospital is the only hospital in Chautauqua County that has been affiliated with a major medical center (Saint Vincent Health System) through this ten (10) year affiliation, it has lowered the costs and developed access to sophisticated, high quality health care otherwise unavailable in any other part of Chautauqua County.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Westfield requests that the findings of the New York Commission on Health Care Facilities for the 21st Century be reconsidered and the Westfield Memorial Hospital be officially recognized as a MODEL for rural health care by our state and federal officials and that Westfield Memorial Hospital be certified and reimbursed at a level that allows these services to continue thereby acknowledging the importance of this facility to the continuance of our unique, agricultural economy and the quality of live of our rural citizens.

This was seconded by Don Nash. Voting was as follows: Martha Bills, aye; Donald Nash, aye; Dave Brown, aye; Carl Vilardo, aye; Raymond Schuster, aye.

Dave Brown offered the following resolution and moved its adoption:

RESOLUTION #50

LET IT BE RESOLVED, that the Town Board hereby authorizes the Town Supervisor and the Town Highway Superintendent to draft a use application and a right-of-way permit form to be used by citizens requesting permission from the Town Board to use town right of ways.

This was seconded by Don Nash. Voting was as follows: Martha Bills, aye; Donald Nash, aye; Dave Brown, aye; Carl Vilardo, aye; Raymond Schuster, aye.

Warrants dated 12/06/06 drawn on the following funds: \$38,016.22 General; \$17,472.04 General Part Town; \$29,736.58 Highway; \$44,126.95 Part Town Highway; \$11.29 HO1, \$14,000.00 SF1, \$2.30 HO6 and \$423.10 T & A were presented and audited by the board members.

David Brown offered the following resolution and moved its adoption:

RESOLUTION #51

That the Supervisor be directed to draw the necessary checks to cover the warrant as audited.

This was seconded by Raymond Schuster. Voting was as follows: Martha Bills, aye; David Brown, aye; Raymond Schuster, aye; Donald Nash, aye; Carl Vilaro, aye.

The next Town Meeting is scheduled for Wednesday, January 10, 2006 @ 7:30 pm.

The Town Board accepted with regret the resignation of Linda Briggs, Town Clerk effective December 31st, 2006.

There being no further business, at 8:35 p.m. Carl Vilaro moved and Donald Nash seconded a motion to move to Executive Session to discuss particular personnel issues. Unanimously carried.

At 9:50 p.m. David Brown moved and Raymond Schuster seconded a motion to return to regular session. Martha Bills moved and Raymond Schuster seconded a motion that retiring Town Clerk, Linda Briggs, will receive a lump sum payment for accumulated sick time and two months of health insurance. Unanimously carried. At 9:55 p.m. Donald Nash moved and David Brown seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,

Linda L. Briggs, Town Clerk