

**TOWN BOARD MEETING
Town of Westfield
October 3rd, 2007**

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

Supervisor:	Martha R. Bills	Guests:	Ed Causebrook	Guests:	Peter Gross
			Mary Causebrook		Beth O'Brian
Councilmen:	Raymond Schuster		Claire Quadri		Austin Hacker
	Carl Vilardo		Steven Lax		Rick Griener
	Donald Nash		Paul Coran		John Rawlinson
	David Brown		Janet Nass		Anthony Piscoli
Guests:	Jim Rush		Harold Nass		Jack Dean
	Shirley West		Steven Lax		Jerry Fullmer
	Marybelle Biegh		Steve Sandle		Jack Gulvin
	Fred Bertrando		Mitch Fitzgibbons		
	David Babcock		Donald Eno		
	Claude Abbey		Tom Herr		

Donald Nash moved and Carl Vilardo 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 \$8059.56 representing fees for the month of September 2007 was turned over to the Supervisor. State and County agencies received checks totaling \$5097.85.

The Supervisor's report is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Checking Balance</u>	<u>Key - MM Balance</u>
Gen A	\$576,929.00	\$365,005.00	\$1,266.39	\$608,804.78
Gen B	86,361.00	73,336.00	55.72	64,043.13
Hwy DA	303,310.00	279,344.00	198.62	290,774.26
Hwy DB	289,401.00	314,233.00	1.32	217,784.70
Sewer HO1	23,863.00	23,031.00	-0-	17,707.67
Water HO2	47,937.00	41,758.00	-0-	84,334.57
Wfd. Fire	79,524.00	20,000.00	-0-	60,572.48
Sherm. Fire	7744.00	7858.00	-0-	167.59
Totals:	\$1,415,069.00	\$1,124,565.00	\$1,552.05	\$1,344,189.18

The Dog Warden's report for September 2007 was not received.

The Fire Department Report for September 2007 was received and placed on file.

The Historian report for September 2007 was received and placed on file.

Councilman Donald Nash stated that the Barcelona Pier has officially closed for the season.

During the Public Comment session one resident invited members of the Town Board to a presentation by Jon Boone on Wind Power (October 17th, in the WACS cafeteria). Another resident announced he had “Good Idea / Bad Location” signs available. Also, there were some questions pertaining to removal of two meteorological towers.

Announcements:

Supervisor Bills announced that Southern Tier West (STW) has two upcoming training sessions of interest to local government officials:

- Regional Wind Energy Conf. (Thursday, Oct 25th / 8:00am to 4:30pm) Salamanca
- Fall Planning & Zoning Conf (Thursday, Nov 15th / 8:00am to 3:00pm) Chaut. Inst.

Old Business:

Supervisor Bills announced the Town would most likely not apply for a NY SEMO Grant for replacement of culverts on Prospect, Hardenburg, and Route 20. This is based on information gathered at a SEMO training session for writing the Grant. Since flooding in that area is relatively rare, Westfield would have a difficult time proving cost effectiveness of a project.

Supervisor Bills also discussed the results of a meeting held on September 18th, 2007 in Eason Hall between the Town, Village, and Barcelona residents concerning the future of water / sewer in Barcelona and payment of repairs for the current system.

Finally, Supervisor Bills announced that the Town did not receive the Small Cities Grant for an East Main Road water project. The Town will continue to apply for funding for this project.

New Business:

Mr. Peter Gross (Babcock & Brown) provided an overview of his company’s current status for a proposed Wind Farm in the Town of Westfield. This included information on potential location, SUP’s for Meteorological towers, and land owner agreements.

Mr. Tom Herr discussed his naturalist retreat center at the end of Taylor Road and defined it as a center for people who study nature.

Donald Nash moved and Raymond Schuster seconded a motion to accept the resignation of Jack Bills as Code Enforcement Officer effective October 5th, 2007. This was unanimously approved.

Donald Nash moved and David Brown seconded a motion to accept the resignation Syd Hoyt as a member of the Town's Board of Assessment Review effective September 18th, 2007. This was unanimously approved.

A 2008 Town Budget Workshop was scheduled for October 10th, 2007 @ 4:30pm.

The following Public Hearings were scheduled for November 7th, 2007 at Eason Hall:

- Sherman Fire District Budget 7:00pm
- Westfield Fire District Budget 7:05pm
- 2008 Town of Westfield Budget 7:10pm
- SUP Meteorological Tower (Russell) 7:15pm
- SUP Meteorological Tower(Bowen) 7:20pm

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

Resolution No. 43 of 2007
(Application of Babcock & Brown for two Meteorological Tower Special Use Permits)

WHEREAS, on or around September 21, 2007, Babcock & Brown Renewable Holdings, Inc. (the "applicant"), submitted to the Town applications for two special use permits authorizing it to erect a 60 meter meteorological/radio transmission tower on the following properties:

<u>Owner</u>	<u>Address</u>	<u>SBL</u>
Frederick & Laurie Russell	5996 Douglas Road	14-1-8
Douglas Bowen & Darlene Breads	5869 Parker Road	16-1-25

WHEREAS, for purposes of SEQRA review the Town Board must prepare an environmental assessment form (EAF) that will help to identify potential adverse environmental effects of the towers; and

WHEREAS, the applicant has submitted Part I of the EAF and the Town Board must now take further action to complete the SEQRA review;

WHEREAS, the applications have been referred to the Chautauqua County Planning Board pursuant to the Town Law and General Municipal Law; and

WHEREAS, the applications include as Exhibit D a document entitled "Proof of Compliance with Zoning Standard for Public Utilities", which the Town Code does not require to be included in the application and which contains several statements with which the Town does not agree;

NOW, THEREFORE, BE IT RESOLVED

1. The proposed actions are Unlisted Actions for SEQRA purposes; and
2. The Town Board shall act as lead agency in both actions, without coordinated review;
3. The applications are hereby referred to the Town of Westfield Planning Board for a report and recommendation; and
4. The Town Board hereby rejects Exhibit D as an appropriate addition to the applications, will consider the applications without Exhibit D, and will not be bound by it in any way; and

5. The Town Board will hold separate public hearing on the applications at Eason Hall on Wednesday, November 7, 2007 at 7:15pm (Russell) and 7:20pm (Bowen / Breads).

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

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

Resolution No. 44 of 2007
(Potential Agreement with Fairpoint Communications)

RESOLVED, that the Westfield Town Board authorize the Town Supervisor to enter into an agreement with Fairpoint Communications to provide specified communications services.

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

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

Resolution No. 45 of 2007
(2006 Financial Record Audits)

RESOLVED, that on January 19th, 2007 the Westfield Town Board met for the purpose of auditing the 2006 town financial records. All records examined were found to be in order.

BE IT FURTHER RESOLVED, that on October 2nd, 2007 the Westfield Town Justices submitted for examination of 2006 court dockets and records. All fines and fees that were collected by the Town Court have been turned over to the proper officials. A report has been prepared using the comptroller's suggested "Checklist for Initial Review of Justice Court Records" and will be sent to the NYS Office of Court Administration.

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

Donald Nash moved and Carl Vilardo seconded a motion that the Supervisor be directed to draw the necessary checks to cover the warrant as audited. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; Donald Nash, aye; Carl Vilardo, aye.

The next Town Meeting is scheduled for Wednesday, November 7th, 2007 @ 7:30pm.

At 9:00pm David Brown moved and Carl Vilardo seconded a motion to adjourn. Unanimously carried.

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