

TOWN BOARD MEETING

Town of Westfield

July 1, 2026

Town of Westfield

Public Hearing

Special Use Permit-8938 Shore Drive, Westfield New York-Roger Wisniewski- Storage Shed

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

Supervisor: Martha R. Bills
Councilmember: David Brown
David Spann
James Herbert

Guest: Tom Herr
Ray Uhrin
Dave Nichols
Don McCord
Sandra Brown
Randy & Cathy McNeal

Highway Superintendent: David Babcock

Code Officer: Kenneth Shearer

Town Attorney: Joel Seachrist

Town Clerk: Andrea L. Babcock

Absent: Councilmember: William Northrop

Supervisor Bills opened the Public Hearing to hear all persons in regard to the proposed Special Use Permit application for Roger Wisniewski with property location of 8938 Shore Drive, Westfield, for a 40' x 30' storage shed for storage, grandchildren and

Proof of Publication of the public hearing from the Town Clerk was available. Code officer Shearer received positive feedback from neighbors.

The applicant was present and gave an overview of the application, use, location and answered questions.

The Town Planning Board reviewed the application on June 10, 2026, and recommended to approve the application with no concerns.

Public comments; Neighbors of Roger Wisniewski discussed the location where the shed would be placed, set-backs and the size of the shed.

At 7:33pm Supervisor Bills made the motion to adjourn the public hearing. Councilmember David Spann seconded the motion. Unanimously carried.

Respectfully submitted,

//original signed//

Andrea L. Babcock, Town Clerk

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The regular meeting of the Town Board of the Town of Westfield was called to order at 7:33pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members:

Supervisor: Martha R. Bills
Councilmember: David Brown
David Spann
James Herbert

Guest: Tom Herr
Ray Uhrin
Dave Nichols
Don McCord
Sandra Brown
Randy & Cathy McNeal

Highway Superintendent: David Babcock
Code Officer: Kenneth Shearer
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Absent: Councilmember: William Northrop

Pledge of Allegiance

Councilmember David Spann made the motion to waive the reading of the June 3, 2026, minutes and June 17, 2026, Special Meeting minutes inasmuch as all members received a copy thereof and the minutes be accepted. Councilmember James Herbert seconded the motion. The motion was carried unanimously.

Reports:

The supervisor's June monthly report was distributed and accepted as submitted including up to date spending and revenues on all accounts. All board members have received a copy, and the monthly report is always available in the Supervisor's office for anyone to view. The Town received the mortgage tax payment from the County, the amount received was more than last years.

The Town Clerk's report together with a check in the amount of \$21,595.31 representing fees for the month of June 2026 is turned over to the Supervisor. A check for \$45.00 representing fees for the month of June to NYS Department of Health, Marriage Licenses and a check in the amount of \$81.00 will be turned over to NYS Department of Agriculture and Markets and NYS Decals in the amount of \$523.79 will be withdrawn on the 13th.

- The Shred Center is no longer in business and Lincoln Archives have acquired them, the board had no objection to the Town Clerk, RMO entering into an agreement with Lincoln Archives for disposal of records according to the LGS1 schedule and the assistance of Michelle Henry.
- The Transfer Station will be open during normal hours on July 4th.
- The Dog Warden's report for the month of July 2026 has not been received. Chautauqua County Sheriff's office will hold a course overview at JCC regarding animal cruelty for law enforcement and DCO's.
- The Town Historian report for the month of June 2026 has been received.
- Westfield Fire Department report for the month of June 2026 has not been received.
- The Town Court report for June 2026 has not been received.
- The WPD report for June 2026 has not been received.

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Highway:

Highway Superintendent's June 2026 report was received and placed on file in the Town Clerk's office. Highway Superintendent David Babcock gave an overview of his report discussed with the board the 2001 Volvo to auction and consider new equipment in 2027 and a new F600 plow truck to replace the 2018 truck. Discussed a culvert on Allen Road and non-profit snowmobile club.

Code Enforcement:

The Code Enforcement Officer's June 2026 report was received and placed on file in the Town Clerk's Office.

- Code Enforcement Officer Kenneth Shearer provided the board with a monthly report. Code Officer Shearer gave an overview of the day-to-day activities. Flood plan review,

Assessor:

The Assessor provided the board with a monthly report and gave an overview of the day-day activities.

- Assessor Shearer submitted the Final Assessment Roll to the County.

Barcelona Harbor:

- Discussed handicap chair lift at the harbor. Appointments will be accepted with the Highway Superintendent until further notice.
- Discussed the prices for the season.

Public Comment:

- None

Announcements:

- Farmer's Market in Moore Park Saturday's July 4th, 11th, 18th and 25th from 9:00am-2:00pm.
- First Friday July 10th Alumnae Weekend 5:00pm-8:00pm.
- Annual Ox Roast, Sunday July 12th Noon till 5:00pm at Ottaway Park.
- Westfield Arts & Crafts Friday July 24th and Saturday July 25th

Project Updates:

- The East Route Water Benefit District No. 2 construction of the water main is nearly complete. The contractor is currently performing final restorations throughout the project. Planned water main shutdowns will occur to install valves, piping, and fittings that will allow the pressure reducing valve (PRV) vault on North Portage Street to be isolated for future maintenance along with vault renovations, of electrical and communication installations of the chlorine booster station building. Progress meetings are held monthly.
- Engineer Clark Patterson Lee and USDA continue looking into feasible options for West Route 20 water.
- Don McCord gave an overview of the first impressions façade improvement grant program highlighting guidelines and the application process.
- Barcelona Beach Waterfront Park Project grant submission for 2027 was discussed and more information will be forthcoming.

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New Business:

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

Resolution No.51 of 2026

Town of Westfield

Neg. Dec-8938 Shore Drive- Storage Shed

WHEREAS, the Town Board of the Town of Westfield is considering the application of Roger Wisniewski for a Special Use Permit allowing him to install and use a 20' x 30' storage building at 8938 Shore Drive, which is designated as tax map Section 208.06, Block 2, Lot 28, and

WHEREAS, the use has been subject to environmental review pursuant to Article 8 of the New York State Environmental Conservation Law (State Environmental Quality Review Act), including the preparation and review of a short Environmental Assessment Form, and

WHEREAS, Part 617 of the implementing regulations pertaining to the State Environmental Quality Review Act requires this Board to determine and give notice of the environmental impact of the use, and

WHEREAS, the Board has determined that 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 application of Roger Wisniewski.

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

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

**Resolution No.52 of 2026
Town of Westfield
SPECIAL USE PERMIT
8938 Shore Drive -Storage Shed**

Action of the Board:

To consider the application of Roger R. Wisniewski for a Special Use Permit to construct a 12' x 20' storage shed for personal equipment storage at 8938 Shore Drive, Westfield, New York, which is designated as tax map Section 208.06, Block 2, Lot 28, and located in the Residential Lakeside (R-L) District.

WHEREAS, Roger R. Wisniewski (hereinafter, the “Applicant”) submitted an application requesting a Special Use Permit allowing him to construct and use a 20' x 30' storage building at 8938 Shore Drive for the purpose of a play facility for his grandchildren.

WHEREAS, the issue of compliance with the State Environmental Quality Review Act has been thoroughly addressed, and a negative declaration was issued after examination of the record and public hearing; and

WHEREAS, the Town of Westfield Planning Board reviewed the application during a meeting held June 10, 2026, and recommended approval of the application; and

WHEREAS, the Town Board has considered all the facts and papers before it, and has heard those wishing to be heard at a public hearing held July 1, 2026, and finds ample justification to approve the application subject to the qualifications hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED, that the application to construct and use a 20' x 30' storage building at 8938 Shore Drive 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 and descriptions submitted to the Town with the application and agrees to be bound by the terms of the application and any conditions of this permit, which are as follows:
 - a. The structure shall be not be used for overnight accommodation, with no living quarters are permitted.
2. This permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.
3. This permit shall expire automatically if the use is not begun by July 1, 2027.
4. This 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 permit.

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

Councilmember David Spann offered the following resolution and moved for its adoption

Resolution No.53 of 2026

Town of Westfield

Extend Casella Waste Management Contract

BE IT RESOLVED, The Town Board of the Town of Westfield hereby extends the Casella Waste Management Contract for 2 years, with a 2% price increase for 2026 and an additional 2% price increase for 2027.

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

Councilmember David Spann offered the following resolution and moved for its adoption

Resolution No.54 of 2026

Town of Westfield

**SEQRA NOTICE LEAD AGENCY DESIGNATION AND
DETERMINATION OF SIGNIFICANCE
FOR WESTFIELD**

The following resolution was adopted by the Town Board of the Town of Westfield, New York:

Whereas, the Town Board of the Town of Westfield (“the Town”) proposed the installation of a new water district that will connect the existing water mains recently installed under Water Benefit District No. 1. This project will include approximately 23,100 linear feet of 12-inch and 6-inch water main along portions of NYS Route 5, Persons Road, Woodlawn Drive, Hawthorne Avenue, Sycamore Lane, and McKinley Road (“original Proposed Action”);

Whereas, the Town had updated and revised the original Proposed Action to the following: the installation of a new water district that will connect the existing water mains recently installed under Water Benefit District No. 1. This project will include approximately 23,100 linear feet of 12-inch and 6-inch water main along portions of NYS Route 5, Persons Road, Woodlawn Drive, Hawthorne Avenue, Sycamore Lane, and McKinley Road, and the installation of a chlorine booster station and asphalt driveway along North Portage Street (“revised Proposed Action”); and

Whereas, the Environmental Assessment Form (“EAF”) required pursuant to the New York State Environmental Quality Review Act (“SEQRA”) under 6 NYCRR Part 617 has been revised that reflects these revisions; and

Whereas, the Town by resolution adopted on October 6, 2021 declared itself as Lead Agency for the original Proposed Action, classified it as a Type I Action and following a Coordinated Review process pursuant to SERQA, and maintains that role for the revised project and Proposed Action as outlined above; and

Now, Therefore, Be It Resolved that the Board, after a review of the revised EAF that reflects the revised Proposed Action with respect to any new or differing potential environmental

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impacts as a result, hereby reaffirms the Negative Declaration determination of significance made on October 6, 2021 based on the following supporting reasoning with respect to the revised Proposed Action:

1. The chlorine booster station and asphalt driveway will be installed within a Town easement located along North Portage Street located along the existing 12-inch water main. New piping and valves will be installed as needed to update aging infrastructure.
2. The revised EAF regarding the Proposed Action has been filed with the Town.
3. The Action is a Type I Action pursuant to SEQRA.
4. The Town maintains their status as Lead Agency for the Proposed Action and the Coordinated Review that was utilized for the process remains valid for the Proposed Action; no other Involved Agencies objected to the Common Council assuming Lead Agency.
5. Approval of the Proposed Action will improve chlorine residuals in the existing water system and also allow Village Personnel access to the existing pressure reducing vault and proposed chlorine booster station.
6. The Proposed Action will continue to not have a significant negative impact on air or water quality, traffic or noise levels or erosion or drainage conditions, and if there is any impact, it will be limited and temporary in connection with construction activities.
7. There is no evidence that the Proposed Action will pose a threat to any threatened or endangered species of plants or animals or the habitats of such species or have any adverse effect on migratory fish or wildlife species.
8. The Proposed Action does not appear to impair the character of any historical area or aesthetic resource or negatively impact the character of the neighborhood.
9. No change in energy use will occur other than normal increases associated with any proposed construction as a result of the Proposed Action.
10. The Proposed Action will not create any hazard to human health.
11. The use of the land will not be substantially changed by the Proposed Action.
12. The Proposed Action will not result in demand for other actions that exhibits the impacts addressed by the Regulations.
13. There will be no changes to multiple elements of the environment that cumulatively would result in substantial adverse impacts.
14. There are no projects which have been approved by the Town or which are seeking approval from the Town which, when taken together with the Proposed Action, would cause a significant effect on the environment. In fact, approval of the Action would increase the overall efficiency of the Town's water system.
15. All of the criteria contained in 6 NYCRR Part 617 have been addressed to the satisfaction of the Town.

Be It Further Resolved, that the Town, as the designated Lead Agency, shall notify the Involved Agency(ies) of the revised Proposed Action, the revised EAF, and the reaffirmation of the Negative Declaration, providing supporting documentation as necessary and requested by them.

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

Councilmember David Spann offered the following resolution and moved for its adoption

Resolution No.55 of 2026

Town of Westfield

Revised EAF Part 1 for ER5WBD #2

BE IT RESOLVED, The Town Board of the Town of Westfield hereby authorizes the Supervisor to sign the revised EAF Part 1 that includes updated descriptions to include the chlorine building and asphalt driveway.

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

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

Resolution No.56 of 2026

Town of Westfield

Authorize Payment for Form E-No.12 and Pay App No-9 for East Route 5 Water Benefit District No.2

BE IT RESOLVED, The Town Board of the Town of Westfield hereby authorizes Form E #12 - Rural Development Budget / Cost Certification, tabulation sheets and Pay App No-9 for project related services to date for East Route 5 Water Benefit District No.2.

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

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

Resolution No.57 of 2026

Town of Westfield

Set Public Hearing for Local Law No. 3 to Extend a Moratorium on Commercial Solar Energy Facilities

RESOLVED, that the Town Board of the Town of Westfield hereby sets Public Hearing for Local Law No. 3 to Extend a Moratorium on Commercial Solar Energy Facilities. The hearing will be held on Wednesday, August 5, 2026, at 7:20pm. The location is in Eason Hall, 23 Elm Street, Westfield New York in the North Room.

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

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Councilmember David Spann offered the following resolution and moved for its adoption

Resolution No.58 of 2026

Town of Westfield

Set Public Hearing for Local Law- No. 4 to Override the Tax Cap

RESOLVED, that the Town Board of the Town of Westfield hereby sets a Public Hearing to consider the adoption of Local Law No. 4 of 2026, entitled “A Local Law to Override the Tax Cap Established in General Municipal Law 3-C.” The hearing will be held Wednesday, August 5, 2026, at 7:25pm. The location is in Eason Hall, 23 Elm Street, Westfield New York in the North Room.

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

At 8:15pm Supervisor Bills moved and Councilmember David Brown seconded a motion to audit the bills.

Warrants dated July 1, 2026 (Voucher #'s 368-422) in the amount of \$58,660.92, in the following funds:

General	\$39,858.57
General- Part Town	\$ 105.85
Highway	\$ 315.20
Highway Part-Town	\$18,318.60
Forest Park Sewer	\$ 58.22
North Town Water-Shorehaven	\$ 4.48

Warrants dated July 1, 2026 (voucher # 21-22) in the amount of \$308,225.54 were drawn on the following funds:

Route 5 Water Benefit District-2 (H9)	\$ 308,225.54
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These were presented and audited by the board members. Supervisor Martha Bills moved and Councilmember David Brown seconded a motion that the Supervisor be directed to draw the necessary checks to cover the warrant as audited. Voting was as follows: Supervisor Martha Bills, aye; Councilmember, David Brown, aye; Councilmember David Spann, aye; Councilmember James Herbert, aye.

At 8:25pm Supervisor Martha Bills made a motion to move into executive session to discuss potential litigation with the Town Attorney. Unanimously carried.

At 8:50pm Supervisor Martha Bills moved, and Councilmember David Brown seconded a motion to return to regular session. Unanimously carried.

There being no further business at 8:50pm. Supervisor Martha Bills moved, and Councilmember David Spann seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,
// original signed //
Andrea L Babcock, Town Clerk