

TOWN BOARD MEETING

Town of Westfield

August 5, 2026

Special Meeting

Supervisor Bills called the Special Meeting to order at 6:30pm in Eason Hall, 23 Elm Street, Westfield, NY.

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

Code Officer: Kenneth Shearer
Assessor: Kenneth Shearer
Town Attorney: Joel Seachrist
Town Clerk: Andrea L. Babcock
Highway Superintendent: David Babcock
WDC: Don McCord

Members of the community gathered to discuss the proposed Westfield Waterfront Park Plan and the LWPR (Lakefront Water-front Revitalization Program). Don McCord gave an overview of the proposed plans. Larson Design group provided three (3) different concepts. Supervisor Bills and Don McCord presented the plans to the public. Don McCord documented the public's interests and dislikes to help with the grant submission and suggestions for future projects in the waterfront area.

At 7:10pm the meeting adjourned.

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

TOWN BOARD MEETING

Town of Westfield

August 5, 2026

Town of Westfield

Public Hearing

Local Law NO. 3 Extend The Moratorium On Commercial Solar Energy Facilities

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	Guest:	Sandra Brown	Elise Dennis
Councilmember:	David Brown		Judy Einach	Ron Erskine
	David Spann		Tom Herr	David Walker
	James Herbert		Don McCord	
Absent:	William Northrop		David Hardenbrook, CPL	
			Erik Karlstrom, WPD	
Code Officer:	Kenneth Shearer			
Assessor:	Kenneth Shearer			
Town Attorney:	Joel Seachrist			
Town Clerk:	Andrea L. Babcock			
Highway Superintendent:	David Babcock			

Supervisor Bills opened the public hearing to discuss the proposed Local Law and asked Attorney Joel Seachrist to give an overview of the law. The extension of the moratorium will allow for the final report and recommendations of New York State, environmental review, locations and the required procedures.

The legal notice was posted in the Dunkirk Observer of the Public Hearing.

Public comment: NONE

Supervisor Bills made the motion to move that the public hearing be closed at 7:27pm. Councilmember David Spann seconded the motion. Motion carried.

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

TOWN BOARD MEETING
Town of Westfield
August 5, 2026
Town of Westfield
Public Hearing
LOCAL LAW NO. 4 FOR THE YEAR 2026
A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN
GENERAL MUNICIPAL LAW SECTION 3-C

Supervisor Bills called the public hearing to order at 7:27pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

Supervisor:	Martha R. Bills	Guest:	Sandra Brown	Elise Dennis
Councilmember:	David Brown		Judy Einach	Ron Erskine
	David Spann		Tom Herr	David Walker
	James Herbert		Don McCord	
Absent:	William Northrop		David Hardenbrook, CPL	
			Erik Karlstrom, WPD	
Code Officer:	Kenneth Shearer			
Assessor:	Kenneth Shearer			
Town Attorney:	Joel Seachrist			
Town Clerk:	Andrea L. Babcock			
Highway Superintendent:	David Babcock			

Supervisor Bills gave an overview of the local law. The local law is to override the limit on the amount of real property taxes that may be levied by the Town of Westfield pursuant to General Municipal Law 3-c and to allow the Town of Westfield to adopt a town budget for town purposes, fire protection districts, special or improvement districts governed by the town board for the fiscal year 2027.

Proof of Publication of the public hearing from the Town Clerk was available.

Public comments; none

At 7:32pm Supervisor Bills made the motion to adjourn the public hearing. Councilmember David Brown seconded the motion. Unanimously carried.

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

TOWN BOARD MEETING

Town of Westfield

August 5, 2026

Town of Westfield

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

Supervisor:	Martha R. Bills	Guest:	Sandra Brown	Elise Dennis
Councilmember:	David Brown		Judy Einach	Ron Erskine
	David Spann		Tom Herr	David Walker
	James Herbert		Don McCord	
Absent:	William Northrop		David Hardenbrook, CPL	
			Erik Karlstrom, WPD	
Code Officer:	Kenneth Shearer			
Assessor:	Kenneth Shearer			
Town Attorney:	Joel Seachrist			
Town Clerk:	Andrea L. Babcock			
Highway Superintendent:	David Babcock			

Absent: Councilmember: William Northrop

Pledge of Allegiance

Councilmember David Brown made the motion to waive the reading of the July 2, 2025, 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 July 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. Quarterly sales tax was received, the amount received is more than last quarters. The bank interest rate remains stable.

The Town Clerk's report together with a check in the amount of \$21,081.40 totaling representing fees for the month of July 2026 is turned over to the Supervisor. A check for \$112.50 representing fees for the month of July to NYS Department of Health for Marriage Licenses. The amount of \$37.00 has been turned over to NYS Department of Agriculture and Markets and NYS Decals licenses in the amount of \$99.20 will be withdrawn on the 13th. Decals license sales started August 3rd.

- The Dog Warden's report for the month of July 2026 was received and placed on file in the Town Clerk's office.
- The Town Historian report for the month of July 2026 was received and placed on file in the Town Clerk's office.
- Westfield Fire Department report for the month of July 2026 was received and placed on file the Town Clerk's office. Fire Chief David Walker gave an overview of the report.
- The Town Court report for June and July 2026 was received and placed on file in the Town Clerk's office.
- The WPD report for July 2026 was received and placed on file in the Town Clerk's office. Chief Karlstrom gave an overview of the report.

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August 5, 2026

Highway:

Highway Superintendent's July 2026 report was received and placed on file in the Town Clerk's office.

Code Enforcement:

The Code Enforcement Officer's July 2026 report was received and placed on file in the Town Clerk's office. The report highlighted the permits issued, daily tasks and continuous education.

- Code Officer Shearer received a Special Use Permit application for a commercial storage building at 7880 Persons Rd and asked the board to refer it to the Town Planning Board and to the Town Board and to set a public hearing. Supervisor Bills made a motion to refer the special use permit application to the Town Planning Board and set a public hearing for Wednesday, September 2, 2026, at 7:25pm. Seconded by Councilmember David Brown and carried unanimously.
- Knot Right food truck owners asked to operate in a designated area at the Daniel Reid Pier occasionally throughout the season. The Board does not object to food trucks in a designated area at the Pier, it is at the discretion of the Code Officer and Harbor staff.

Barcelona Harbor:

- Appointments will be accepted with the Highway Superintendent until further notice for the handicap chair lift.

Public Comment:

- None.

Announcements:

- School Tax Collection will start Tuesday, September 1, 2026, from 8:00am-1:00pm at the Town Bookkeepers window.
- Grape and Wine Festival at Moore Park and Grape Discovery Center, September 18th and 19th, 2026.
- Patterson Library Annual Auction will be held on Wednesday August 19, 2026, at 5:00pm at Eason Hall.

Project Updates:

- David Hardenbrook, CPL Engineer, gave an overview of the East Route Water Benefit District No. 2. Finished installing water main along NYS Route 5, Hawthorne, and McKinley. The contractor is currently performing final restorations throughout the project. The PRV Vault is completed. Coordinating with Aqualogics electrician and contractor. Progress meetings are held monthly.
- Engineer Clark Patterson Lee and USDA continue looking into feasible options for West Route 20 water.
- Barcelona Beach Waterfront Park Project public interests for 2027 grant was held at 6:30pm prior to the Town Board meeting. Discussed the proposed plans with public feedback.

TOWN BOARD MEETING

Town of Westfield

August 5, 2026

New Business:

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

Resolution No.59 of 2026

Town of Westfield

TOWN OF WESTFIELD

LOCAL LAW NO. 3 FOR THE YEAR 2026

A LOCAL LAW TO EXTEND THE MORATORIUM ON COMMERCIAL SOLAR ENERGY FACILITIES

Be it enacted by the Town Board of the Town of Westfield as follows:

Section 1. Title.

This Local Law shall be referred to as the “Local Law to Extend the Moratorium on Commercial Solar Energy Facilities in the Town of Westfield”.

Section 2. Purpose and Intent.

By Local Law No. 2 of 2024, the Town Board of the Town of Westfield enacted a moratorium on the processing and approval of new applications for commercial Solar Energy Facilities, which moratorium was subsequently extended in 2025.

The Town Board is undertaking a comprehensive review of the Town Zoning Law relating to commercial Solar Energy Facilities, and the Town Board’s desires to complete its review of the Zoning Law free from any pressure or concerns related to timing concerns raised by the expiration of the moratorium. Accordingly, the Town Board desires to extend the current moratorium for an additional one year, or to August 31, 2027.

The Town Board finds that pursuant to 6 N.Y.C.R.R. 617.5(c)(30) the extension of the moratorium is a Type II action under the New York State Environmental Quality Review Act (“SEQRA”) which has been determined not to have a significant impact on the environment or is otherwise precluded from environmental review under Article 8 of the Environmental Conservation Law and is therefore not subject to review under 6 N.Y.C.R.R. Part 617 or the Environmental Conservation Law.

Section 3. Moratorium; Extended Term.

A. Local Law No. 2 of 2024, imposing a moratorium on the review and approval of commercial Solar Energy Facilities in the Town of Westfield shall be extended for one year through August 31, 2027.

B. Except as otherwise amended herein, all provisions of Local Law No. 3 of 2026, including but not limited to the scope of controls and hardship variance procedures contained therein, shall be extended for one (1) year through August 31, 2027.

Section 4. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this law which can be given effect without such invalid part or parts.

TOWN BOARD MEETING

Town of Westfield

August 5, 2026

Section 5. Suspension and Supersession of Other Laws.

All local laws in conflict with the provisions of this Local Law are hereby superseded and suspended through August 31, 2027. This Local Law also supersedes, amends, and takes precedence over any inconsistent provisions of New York Town Law under the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3), §10(1)(ii)(a)(14), and §22. In particular, this Local Law supersedes any inconsistent provisions of New York Town Law §267, §267-a, §267-b, §274-a, §274-b, §276 and §277 for the purpose of vesting the Town Board of the Town of Westfield with the authority to accept, hear, process and determine applications for variances from this Local Law.

Section 6. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with the Municipal Home Rule Law of the State of New York.

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.

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

Resolution No.60 of 2026

Town of Westfield

LOCAL LAW NO. 4 FOR THE YEAR 2026

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C

Be it enacted by the Town of Board of the Town of Westfield, County of Chautauqua, and State of New York, as follows:

Section 1. Legislative Intent

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Westfield, County of Chautauqua, pursuant to General Municipal Law § 3-c, and to allow the Town of Westfield, County of Chautauqua, to adopt a town budget for (a) town purposes (b) fire protection districts and (c) any other special or improvement district governed by the town board for the fiscal year 2027 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the town board to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the town board.

Section 3. Tax Levy Limit Override

The Town Board of the Town of Westfield, County of Chautauqua, is hereby authorized to adopt a budget for the fiscal year 2027 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

TOWN BOARD MEETING

Town of Westfield

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Section 4. Severability.

If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with the Secretary of State.

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.

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

Resolution No.61 of 2026

TOWN OF WESTFIELD

Change Order No. 4 for East Route 5 Water Benefit District No.2

RESOLVED, The Town Board of the Town of Westfield hereby accepts Change Order No.4 for ER5WBD #2 water project. This includes the substantial completion date extension and also includes the additional \$2,139 for additional piping and fittings needed for the work at the vault, which was not included in the initial scope. This has been approved by RD.

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.

Councilmember James Herbert offered the following resolution and moved for its adoption

Resolution No.62 of 2026

Town of Westfield

Authorize Payment for Form E-No.13 and Pay App No-10 for East Route 5 Water Benefit District No.2

BE IT RESOLVED, The Town Board of the Town of Westfield hereby authorizes Form E #13 - Rural Development Budget / Cost Certification, tabulation sheets and Pay App No-10 for project related services to date for East Route 5 Water Benefit District No.2.

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.

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Town of Westfield
August 5, 2026

Councilmember James Herbert offered the following resolution and moved for its adoption

Resolution No.63 of 2026
Town of Westfield
Support the Grape and Wine Festival

WHEREAS, The Town Board of the Town of Westfield hereby supports the 2026 Grape & Wine Festival on Saturday September 18th and Sunday September 19th, 2026.

BE IT RESOLVED, The Town Board of Town of Westfield hereby sponsors the festival in the amount of \$2,500.00.

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.

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

Resolution No. 64 of 2026
Town of Westfield
Disposal of Records per LGI schedule

BE IT RESOLVED, the Town board of the Town of Westfield hereby authorizes the RMO and RMO assistant to dispose records according to the LGS-1 schedule.

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.

TOWN BOARD MEETING

Town of Westfield

August 5, 2026

Councilmember David Brown offered the following budget revision and moved for its adoption

Subject: Budget Revision #5 for Budget Year 2026		
Revision Description	Decrease	Increase
To move \$18,500.00 from A Misc Revenue, Other Govt A 2389 to A7180.414 Parks & Recreation - Beach Water Front Park account for Larson Design Group, Inc Invoice 146543 & 147101 for \$8,600.00. The Larson Design Group Total Fee for the project is \$18,500.00. The Town Received \$18,500.00 From Chautauqua Region Economic Development Corp For The Barcelona Beach Water Front Park Project on May 3, 2026	Expenditures	Expenditures
Budget Journal		
A Fund (General Fund - Townwide)		
A 2389 Misc Revenue, Other Govt DR	18,500.00	
A 7180.414 Parks & Recreation - Barcelona Beach Water Front Park Project CR		18,500.00
Total A Fund	18,500.00	18,500.00
Revision Description	Decrease	Increase
To move \$1,842.25 from A fund balance A 599 to A7180.411 Parks & Recreation - Contra Gateway Grant Account for Eco Strategies Invoice E25-063c for \$1,842.25. The Town Received \$22,000.00 From The County of Chautauqua IDA For The Barcelona Gateway Grant in 2023	Expenditures	Expenditures
The Revenue From The Chautauqua County IDA Dropped To A Fund Balance in 2023.		
Budget Journal		
A Fund (General Fund - Townwide)		
A 599 Appropriated Fund Balance DR	1,842.25	
A 7180.411 Parks & Recreation - Contractual Barcelona Gateway Grant CR		1,842.25
Total A Fund	1,842.25	1,842.25
Revision Description	Decrease	Increase
To move money from the chips revenue line to cover the chips expense line.	Expenditures	Expenditures
Budget Journal		
DB Fund (Highway Part Town Fund)		
DB 3501 Consolidated Highway Aid DR	52,827.03	
DB 5112.400 Permanent Improvements - Chips CR		52,827.03
Total DB Fund	52,827.03	52,827.03

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 8:13pm Supervisor Bills moved and Councilmember David Brown seconded a motion to audit the bills.

Warrants dated August 5, 2026 (Voucher #'s 425-500, Prepay Vouchers #'s 423-424) in the amount of \$106,031.08, in the following funds:

General	\$54,892.74
General Fund	\$ 672.24
General- Part Town	\$12,620.48
Highway	\$ 7,592.74
Highway Part-Town	\$28,977.71
Forest Park Sewer	\$ 1,270.91
North Town Water-Shorehaven	\$ 4.26

Warrants dated August 5, 2026 (voucher # 23-25) in the amount of \$257,742.69 were drawn on the following funds:

Route 5 Water Benefit District-2 (H9)	\$ 257,742.69
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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.

TOWN BOARD MEETING

Town of Westfield

August 5, 2026

At 8:30pm Supervisor Martha Bills moved, and Councilmember David Brown seconded a motion to move to an executive session to discuss a particular personnel history with the Town highway Superintendent and pending litigation and proposed acquisition of real property with the Town Attorney. Unanimously carried.

At 9:02pm Supervisor Martha Bills moved, and Councilmember David Brown seconded a motion to return to regular session. Unanimously carried.

Resolution No. 65 of 2026

Town of Westfield

BE IT RESOLVED, The Town Board of the Town of Westfield authorizes the purchase of real property. The Town Board authorizes the Town Attorney to finalize negotiations of Parcel ID 067289 SBL 210.00-2-4 from Susan Brown Trust and authorize the Supervisor to sign a contract to execute any and all documents to complete the transaction.

Roll Call Vote, Supervisor Martha Bills, aye; Councilmember David Spann, aye; Councilmember James Herbert, aye. Councilmember David Brown abstained himself from voting.

There being no further business at 9:05pm. Supervisor Martha Bills moved, and Councilmember David Spann seconded a motion to adjourn. Unanimously carried.

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