

MEETING OF CITY COUNCIL  
WESTFIELD, MASSACHUSETTS  
FEBRUARY 18, 2016

At 6:30 PM, Mayor Sullivan gave a briefing to the full Council of items on the current agenda under Communications from the Mayor.

The meeting was called to order in the City Council Chamber, Municipal Building, 59 Court Street, Westfield, MA at 7:00 PM by President Bean.

The City Clerk called the roll. Councilor Figy was absent.

The Pledge of Allegiance to the Flag of the United States was led by the President.

Upon motion of Councilor O'Connell, it was  
VOTED: That the record of the meeting of February 4, 2016 be ACCEPTED.

President Bean asked if anyone, other than Channel 15, was taping the meeting, if so please state your name. No one was taping the meeting.

Under "Public Participation" the Councilors were addressed by Mr. Matt Roman, 1291 East Mountain Road. He informed the Council that Westfield is a likeable place. He reviewed some of the activities that he participated in that were likeable events such as the Junior Chamber of Commerce Group, Park and Rec Commission events, the Air National Guard, the expansion of the Gulf Stream and the Bicentennial Committee. he continued to inform the Council that Ordinance #1620 relative to Property Maintenance passed in March 2015 is not a likeable ordinance and may scare a lot of people away from Westfield.

Under "Public Participation" the Councilors were addressed by Ms. Cathy Smelcer, 14 West Glen Drive. She also requested the Council, as she did also at the last Council meeting, to support the motion of Councilor Babinski relative to supporting a Resolution relative to the Department of Public Utilities (DPU) related to the proposed siting of the PVEC power plant.

Under "Public Participation" the Councilors were addressed by Mr. Brian Hoose, 60 Arnold Street. He requested that the new fiber optics being installed by the Westfield Gas & Electric be put in the downtown area as an attraction for new businesses. Councilor Flaherty added that residents may go to [www.whipcityfiber.com](http://www.whipcityfiber.com) and sign up for fiber optics in their neighborhood.

Under "Public Participation" the Councilors were addressed by Mr. Tom Smith,

211 Apremont Highway, Holyoke. He submitted documents to the City Council via the City Clerk relative to articles in local newspapers and maps upholding that Cross Street Playground is part of open space and that the City should have been aware of this fact relative to the proposed elementary school at Cross Street/ Ashley Street.

Upon motion of Councilor Paul, it was VOTED: Under immediate consideration, that the sum of \$195.00 be transferred within the Public Works Department, Highway Division from FY16 General Expenses/Other Charges account #14210000-578000 to FY15 General Expenses/Other Charges account #14210000-578000.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Upon motion of Councilor Paul, it was VOTED: That items B thru H. under "Communications from the Mayor" be read by the Clerk and REFERRED TO FINANCE COMMITTEE.

The Clerk read from the Agenda:

- B. Appropriation of \$7,535.00 from the Reserve from Unforeseen Account (19500000-570900) to the Mayor's Department to the following:
  - 1. \$2,985.00 to Purchase of Services account #11210000-520000
  - 2. \$2,000.00 to Supplies account #11210000-540000
  - 3. \$750.00 to General Expense/Other Charges account #11210000-578000
  - 4. \$1,800.00 Replacement Equipment account #11210000-587000
- C. Appropriation of \$57,118.70 from Free Cash to the Fire Department, Severance account #12200000-519900.
- D. Appropriation of \$40,000.00 from Free Cash to the Public Works Department, Highway Division, Equipment/Vehicle account #14210000-585001.
- E. Appropriation of \$28,055.63 from Free Cash to Fire Department, Medical account #12200000-530006.
- F. Appropriation of \$289,300.00 from Free Cash to the Westfield Redevelopment Authority, Intergovernmental account #11890000-560000.

- G. Appropriation of \$1,688,000.00 from Free Cash to Health Insurance account #19140000-519400.
- H. Transfer of \$85,000.00 within the Personnel Department from Unemployment Interfund Transfer account #83020000-596102 to Workers Comp Interfund Transfer account #83010000-497000.

Upon motion of Councilor Paul, it was VOTED: Under immediate consideration, that the sum of \$39.00 be transferred within the Personnel Department from FY16 Purchase of Services account #11520000520000 to FY15 Purchase of Services account #11520000520000.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Upon motion of Councilor O'Connell, it was VOTED: That item J. under "Communications from the Mayor" be read by the Clerk and REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and FINANCE COMMITTEE.

The Clerk read from the Agenda:

- J. Submitting a Resolution authorizing a Tax Increment financing (TIF) plan for Jarvis Surgical Inc.

Upon motion of Councilor O'Connell, it was VOTED: That item K. under "Communications from the Mayor" be read by the Clerk and REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

The Clerk read from the Agenda:

- K. Submitting two Orders of Taking, a Layout Order and an Order of Discontinuance for a portion of Princeton Street.

Upon motion of Councilor Harris, it was VOTED: That items L thru Q. under "Communications from the Mayor" be read by the Clerk and REFERRED TO PERSONNEL ACTION COMMITTEE.

The Clerk read from the Agenda:

- L. Submitting the reappointment of Patrick Olearcek, 321 Munger Hill Road, as a member of the Fire Commission for a term to expire the first Monday of February, 2019.
- M. Submitting the reappointment of Gianpaolo Sesti, 21 Oak Terrace, as a member of the Off-Street Parking Commission for a term to expire the first Monday of February, 2018.
- N. Submitting the reappointment of Gary Tomestic, 759 McKinstry Avenue, Chicopee, (a Westfield business owner) as a member of the Off-Street Parking Commission for a term to expire the first Monday of February, 2020.
- O. Submitting the reappointment of Albert Giguere, Jr., 34 Southgate Avenue, as a member of the Flood Control Commission for a term to expire the first Monday of February, 2018.
- P. Submitting the reappointment of Michael Paquette, 12 Mallard Lane, as a member of the Board of Health for a term to expire the first Monday of February, 2019.
- Q. Submitting the appointment of Danny Nason, 17 Pearl Street, as a member of the Historical Commission for a term to expire the first Monday of February, 2018, replacing Kitt Milligan.

Upon motion of Councilor Allie, it was

VOTED: That the Planning Board's Bicycle and Pedestrian Planning Advisory Report submitted by Principal Planner Jay Vinskey be REFERRED TO THE PUBLIC HEALTH AND SAFETY COMMITTEE.

Upon motion of Councilor Paul, for the Finance Committee, it was

VOTED: That the sum of \$2,600.00 be appropriated from the Municipal Building Insurance Fund #8305-340000 to the Public Properties, Purchase of Services account #1192000-520000.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Paul informed the Council that the appropriation is for a replacement light pole that was damaged by a tree limb in the City Hall parking lot.

Upon motion of Councilor VanHeynigen, for the Finance Committee, it was VOTED: That the sum of \$50,000.00 be appropriated from the Waste Water Inflow & Infiltration Undesignated account to SWWT Inflow & Infiltration-Annual Appropriation account #67004400-580841.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Paul informed the Council that the appropriation is to restore funds that were cut from the budget.

Councilor VanHeynigen, for the Finance Committee, offered a motion which was duly seconded that the sum of \$3,596.00 be transferred within the Collector's Department from General Expense/Other Charges account #11460000-578000 to Out of Grade account #11460000-514200 and upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That the above motion be amended reducing the above sum to \$2,871.00.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Flaherty informed the Council that during the Finance Committee meeting City Treasurer Meghan Kane informed the Committee that she only needs \$2,871.00 for the out of grade payment. Councilor Flaherty informed the Council that the out of grade payment is for the City Treasurer who is also the acting City Collector.

Upon motion of Councilor Paul, for the Finance Committee, it was VOTED: That the item relative to the City Assessor attending the Finance Committee (2/3/16) to explain the rational, facts and data that support the a commercial property depreciation rate be REMOVED FROM COMMITTEE.

Councilor Paul informed the Council that City Assessor presented the information relative to the commercial rates, valuation every three years, the regulatory state obligations and that the Assessor's office is doing their due diligence to ensure accuracy and that the office is highly managed.

Upon motion of Councilor Paul, for the Finance Committee, it was VOTED: That the sum of \$39,562.00 be appropriated from Undesignated Funds account #6700-3590000 to the following Public Works, Wastewater Division accounts:

- a. \$19,562.00, Purchase of Services account #67004400-520000
- b. \$20,000.00, Supplies account #67004400-540000

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Paul informed the Council the appropriation will be used for supplies for the waste treatment and a consultant to do a study and review of SCADA system, a remote and monitoring system for the wastewater treatment plant.

Upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That the sum of \$497,872.00 be reduced by \$100,000.00 and that the sum of \$397,872.00 be appropriated from Undesignated Funds account #6800-359000 to the following Department of Public Works, Water Division accounts:

- a. \$269,872.00, Purchase of Services account #68004500-520000
- b. \$58,000.00, Supplies account #68004500-540000
- c. \$70,000.00, Construction account #68004500-589200

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Flaherty informed the Council the reduction was for miscellaneous expenses that the Committee requested more clarification.

Upon motion of Councilor Flaherty, for the Finance Committee, it was

VOTED: That the sum of \$30,000.00 be appropriated from Undesignated Funds account #6850-3590000 to the following Public Works, Stormwater Division accounts:

- a. \$20,000.00, Purchase of Services account #685045500-520000
- b. \$10,000.00, Supplies account #685045500-540000

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Flaherty informed the Council that the appropriation is for normal operating expenses that were cut during the budget process.

Upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That the sum of \$44,508.00 be appropriated to the Airport Department as follows:

- a. \$6,808.00 from Free Cash to Supplies account #11990000-540000
- b. \$5,000.00 from Free Cash to Capital Equipment account #11990000-585000
- c. \$23,700.00 from Free Cash to Purchase of Services account #11990000-520000
- d. \$9,000.00 from Municipal Building Insurance account #8305-340000 to Purchase of Services account #11990000-520000

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Flaherty informed the Council that the Airport Manager met with the Committee and explained the expenses which are all valid expenses. Councilor Flaherty informed the Council that there will be an additional request for funding at a later date.

Upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That the appropriation of \$36,550.00 from Free Cash to the Police Department, Vehicle account #12100000-585001 REMAIN IN COMMITTEE.

Upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That the sum of \$18,000.00 be transferred from Public Works, Highway Division, Full Time Hourly account #14210000-511100 to the following accounts:

- a. \$8,000.00 to Public Works, Land and Natural Resources Seasonal account #14990000-514200
- b. \$10,000.00 to Public Works, Waste Collection account #14330000-513000.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Flaherty informed the Council that the transfer will be used for part-time student laborers that will be replacing BID functions and overtime in the waste collection department.

Upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That the transfer of \$14,290.00 from Police Department Towing and Storage of Motor Vehicle account #2400-1330210 to Police Department Special Account Towing and Storage of Motor Vehicle account #24210714-585001 REMAIN IN COMMITTEE.

Upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That the five year budget plan referred from Long Range Financial Overview Committee REMAIN IN COMMITTEE.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the reappointment of James V. Liptak, 515 Granville Road as a member of the Council on Aging for a term to expire the first Monday of February, 2019 be CONFIRMED.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Harris informed the Council that Mr. Liptak has been a member of the Council on Aging for the past three years, has worked on policies and procedures for the Council on Aging and is the liaison to the Highland Valley elder Services Board which services the Seniors in delivering meals. He is also highly recommended by Executive Director Tina Gorman.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the appointment of Susan Kingra, 11 Oakcrest Drive, as a member of the Cultural Council for a term to expire the first Monday of February, 2019, replacing a vacancy, REMAIN IN COMMITTEE

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the appointment of Patricia Steele-Perkins, 67 Forest Glen Drive, as a member of the Cultural Council for a term to expire the first Monday of February, 2019: replacing a vacancy, be CONFIRMED.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Harris informed the Council that Ms. Steele-Perkins was previously a realtor, a qualified nurse, has worked in various civic organizations, a previous member of the YMCA Board, worked with Westfield Women's Club volunteer group, currently serves on the Trust Fund Investment Committee of the Sarah Gillett Services for the Elderly, volunteer at the Red Cross, a master gardener, a member of the Western Hampden Historical Society and the newly Trustee of the Westfield Athenaeum.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the appointment of Jennifer L. Lee, 342 Southwick Road, Apt. C5, as a member of the Commissions for Citizens with Disabilities for a term to expire June 1, 2018; replacing Agma Sweeney be CONFIRMED.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Abstained
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Councilor Flaherty abstained due to a professional conflict.

Prior to the vote, Councilor Harris informed the Council that Ms. Lee is committed to increasing the access and community participation for people with disabilities, she is employed at Stavros Center for Independent Living as systems analyst, a board member for the Disability Policy Consortium, has a Double Bachelors degree in Health Science Society and Policy and American Studies.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the appointment of Gail Yarmesky 138 Root Road (16 Williams Way), as a member of the Off-Street Parking Commission for a term to expire the first Monday of February, 2017; replacing Patricia Reynolds, resigned, be CONFIRMED.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Harris informed the Council that Ms. Yarmesky was previously employed by the City as the secretary to Mayor Knapik and retired in 2014, she worked a Bay State Medical as a customer service representative and that she would like to serve the City as an Off-Street Parking Commissioner.

Upon motion of Councilor Dondley, for the License Committee, it was VOTED: That the application submitted HCT Second Hand Inc, 68 Court Street, Thang Dac Bui, owner, applying for a Junk Dealer's license and a Junk Collector's license be DENIED.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Prior to the vote, Councilor Dondley informed the Council that there were discrepancies on the applications, the applications were incomplete, the applications did not match the Commonwealth of Massachusetts' corporate information, the location was not suitable and there was no parking available for customers, therefore, the

Committee recommended that the applications be denied. Councilor Knapik added that a new business publication stated it was a pawn shop and on the applications the pawn shop was scribbled off and that again was another discrepancy that added to the recommendation to deny.

Upon motion of Councilor Surprise, for the City Properties Committee, it was VOTED: That the Tax Bills for Airport leases (1/6/11) be REMOVED FROM COMMITTEE.

Upon motion of Councilor Surprise, for the City Properties Committee, it was VOTED: That the Feasibility study for New City Hall between Arnold and Elm Streets (2/3/11) be REMOVED FROM COMMITTEE.

Upon motion of Councilor Surprise, for the City Properties Committee, it was VOTED: That the Resolution authorizing the acquisition of certain land in the City of Westfield and authorizing the Mayor to execute the documents on behalf of the City (2 Central Street) be FAVORABLY REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Councilor Onyski, offered a motion which was duly seconded, for second reading and final passage of an Order entitled "AN ORDER RELEASING ONE PERMANENT AND ONE TEMPORARY EASEMENTS OF REAL ESTATE TAKEN FOR ROADWAY, TRAFFIC AND RELATED IMPROVEMENTS BY RIGHT OF EMINENT DOMAIN AGAINST THE INCORRECT OWNER" (Gaslight District Improvement Project incorrect owner Joseph & Rosalie Wagner at 22 Church Street).

Councilor Onyski informed the Council that the above Order and Order that follows go together relative to releasing the incorrect owner and the taking against the correct owner.

Upon motion of Councilor O'Connell, it was VOTED: That the rules of the City Council be SUSPENDED to allow the attorney of the correct owner to address the Council.

Councilor Harris was OPPOSED.

Upon motion of Councilor O'Connell, it was VOTED: That the above item be TABLED to the next regular meeting of the Council to be held March 3<sup>rd</sup>, 2016.

Councilor Knapik was OPPOSED.

Upon motion of Councilor O'Connell, it was VOTED: That the second reading and final passage of Order entitled "AN ORDER OF TAKING FOR ONE PERMANENT AND ONE TEMPORARY EASEMENTS OF REAL ESTATE TAKEN FOR ROADWAY, TRAFFIC AND RELATED IMPROVEMENTS BY RIGHT OF EMINENT DOMAIN AGAINST THE PROPER OWNER" (Gaslight District Improvement Project correct owner Park River Properties, LLC at 22 Church Street)

above item be TABLED to the next regular meeting of the Council to be held March 3<sup>rd</sup>, 2016.

Councilor Knapik was OPPOSED.

Councilor Flaherty offered a motion, which was duly seconded, for second reading and final passage of an Order entitled "AN ORDER APPROVING AN INTERDEPARTMENTAL AGREEMENT IN THE FORM OF A GROUND LEASE AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT BETWEEN THE CITY OF WESTFIELD AND THE GAS AND ELECTRIC".

Councilor Babinski informed the Council that since the first reading at the last Council meeting, she has received answers from the Westfield Gas & Electric relative to her reservations about the Order. She informed the Council that the ground lease agreement for the pipeline was solely for the proposed Pioneer Valley Energy Center (PVEC). She informed the Council that the PVEC did not win the bid for power to be located in Westfield, therefore, it is not coming to Westfield, therefore, there is no need for the ground lease agreement for a pipeline. She offered a motion to table the item indefinitely.

Upon motion of Councilor Flaherty, it was VOTED: That the rules of the City Council be SUSPENDED in order that discussion may continue on a motion to table. President Bean allowed the suspension. Councilor Paul informed the Council that the joint agreement should go through in order to have the capability to put it there if needed. Councilor Flaherty agreed with tabling the item in order to get a clear understanding from the G&E if it is needed and to address the concerns with the clearance that may be needed for the pipeline that may infringe upon the abutting neighbors. Councilor O'Connell supported the motion to table. Councilor Surprise expressed his concern to table and then it was determined it was needed the bike path would have to be torn up after construction. Councilor Babinski reiterated that General Manager of the G&E Daniel Howard informed her in a letter dated February 8, 2016 that there is no need for the pipeline if the PVEC is not coming to Westfield. Councilor Knapik informed the Council that General Manager of the G&E Daniel Howard informed him in a letter dated February 18, 2016 that G&E supports the passage of the ground lease agreement to enable any other project that may arise. Discussion continued relative to the tabling of the agreement and when to table it to. Upon motion of Councilor Flaherty, it was VOTED: That the above interdepartmental agreement for the ground lease be TABLED to March 17<sup>th</sup>, 2016 and that the Westfield Gas & Electric be invited to attend that meeting to give clarification on the matter.

Councilor Babinski was OPPOSED.

Upon motion of Councilor Flaherty, it was VOTED: That the RECONSIDERATION to table the first reading on a petition to delete the Zoning Ordinance Section 4-110 relative to the Planning Board Special Permit for Alcohol sales/service within 500 feet of a church or school be TABLED to the next

regular meeting of the City Council to be held March 3, 2016 in order that all Councilors have the opportunity to read the opinion from the Law Department that was recently put on the Councilor's share file.

Councilor Onyski abstained due to a legal conflict.

Upon motion of Council Dondley, it was  
VOTED: That the TABLED: RECONSIDERATION of a motion of Councilor Dondley to support a Resolution supporting the AFL-CIO in opposing the Trans Pacific Partnership (TPP) be REMOVED FROM THE TABLE. Upon motion of Councilor Dondley, it was  
VOTED: That the above motion be WITHDRAWN WITHOUT PREJUDICE.

Upon motion of Councilor Babinski (and O'Connell), it was  
VOTED: That a Resolution authorizing the City to accept and support a request made the Department of Public Utilities and associated State agencies for the review of new and unusual circumstances related to the proposed siting of the Pioneer Valley Energy Center be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Councilor Babinski informed the Council that it was unclear to her that the item had to be referred to a Committee, she was hoping the Council could give approval tonight on the Resolution. Upon motion of Council Allie, it was  
VOTED: That the above Resolution also be REFERRED TO PUBLIC HEALTH AND SAFETY COMMITTEE.

Councilor Babinski was OPPOSED.

Upon motion of Councilor Allie, it was  
VOTED: That matter of the Westfield G & E PILOT be REFERRED TO THE FINANCE COMMITTEE.

Prior to the vote, Councilor Allie thanked the Westfield G & E for a recent information session and tour of the facility, that it is a well run utility plant and that they are doing a great job with great rates. He informed the Council that he would like to review the ILOT schedule so that it is mutually beneficial to both the G&E and the City. Councilor Knapik informed the Council that there is a formula for the ILOT and that the Municipal Light Board does not want it increased and that the City has already gone down this route. Councilor Harris reiterated that under the direction of Dan Howard the Westfield G&E is a great operation. Councilor VanHeynigen informed the Council that he was at the tour and that they are not interested in changing the ILOT. Councilor Paul informed the Council that working with the G&E is a good thing, but that the matter of the ILOT should be taken out of the motion. He informed the Council that there are great opportunities to work the G&E such as the internet to make it better for the City. Councilor Onyski informed the Council that the G&E contributes hundreds of thousands of dollars in in-kind services compared to other cities. Councilor Dondley questioned if the above motion is to renegotiate the ILOT. Councilor Allie informed the Council that it may be to work out the language of the ILOT not necessarily renegotiate it. Councilor O'Connell informed the Council that it is

worth having a discussion on the ILOT. Councilor Flaherty informed the Council that it's no problem sending it to Finance to discuss because former Councilor Keefe felt that the G&E should be paying over a million dollars in the ILOT. Councilor Paul informed the Council that he supports the referral to Finance but not to change the ILOT. Councilor Knapik informed the Council that the Municipal Light Board will not pay anymore in the ILOT. Councilor Surprise informed the Council that with the new Whip City fiber optics the City is deserving to have some of that revenue.

Upon motion of Councilor O'Connell for the absent Councilor Figy, it was VOTED: That the 2500 foot length known as Little River Dike be declared as Flood Control Commission Property and be REFERRED TO LAW DEPARTMENT, ENGINEERING DEPARTMENT, DEPARTMENT OF PUBLIC WORKS and LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion by Councilor Dondley, it was VOTED: That a Resolution entitled "The passage of the Trans Pacific Partnership trade agreement, in its current form, is not in the best interest of the Unites States or Westfield's local economy and opposes its passage by Congress and the President," be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

The vote on the foregoing was as follows:

Ralph Figy	Absent
Dave Flaherty	No
Cindy Harris	No
Daniel Knapik	Yes
Mary O'Connell	No
William Onyski	No
Robert Paul, Sr.	No
Andrew Surprise	No
Matthew VanHeynigen	No
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

President Bean declared the motion LOST.

Prior to the vote, Councilor Dondley informed the Council that the TPP agreement will send jobs down to Mexico and it will make it easier for jobs to be sent overseas and it may have a negative impact on Westfield jobs. Councilor Harris opposed the support of the Resolution and informed the Council that this a Congressional matter, not a City matter and it would put an unfair burden on the Legislative and Ordinance Committee as well as the Law Department. Councilor Onyski agreed with Councilor Harris. Councilor Flaherty agreed with Councilors Harris and Onyski. Councilor Paul informed the Council that the Resolution is a statement of harm and it's not clear the harm it is doing to Westfield. Councilor

Dondley informed the Council that hundreds of other City Councilors have taken up this issue and that it could be harmful to local residents and local economy and it is important to raise awareness.

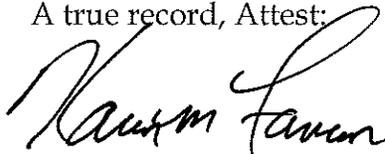
President Bean informed the Council that on March 1<sup>st</sup>, 2016 at Westfield High School at 7:00 PM there will be a community forum to address the heroin issue in Westfield.

Councilor Flaherty recommended everyone to attend the next Finance Committee to discuss the Free Cash items that were referred to Committee.

Councilor Allie reminded everyone to vote in the Presidential Primary election to be held March 1, 2016.

At 8:48 PM, and upon motion of Councilor Knapik, it was VOTED: To ADJOURN.

A true record, Attest:



Karen M. Fanion  
City Clerk/Clerk of the Council

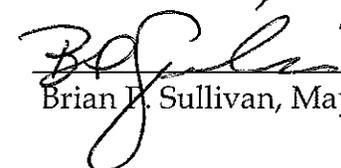
Presented to the Mayor

Approved by the Mayor

For approval Feb. 24 2016

  
Karen M. Fanion, City Clerk

FEB 24, 2016

  
Brian P. Sullivan, Mayor