

MEETING OF CITY COUNCIL
WESTFIELD, MASSACHUSETTS
MARCH 17, 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. All thirteen Councilors were present.

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 March 3, 2016 be ACCEPTED.

President Bean asked if anyone, other than Channel 15, was taping the meeting, if so please state your name. Mr. Dennis Hohenberger from the Reminder Publications stated he was taping the meeting.

Under "Public Participation" the Councilors were addressed by Ms. Gail Bean,, 66 Sherwood Avenue. She requested Council support on the Resolution authorizing the City to accept and support a request made to 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.

Under "Public Participation" the Councilors were addressed by Mr. Brian Hoose, 60 Arnold Street. He congratulated the Westfield Technical Academy in winning a gold, silver and bronze medal at the Skills Competition. He also informed the Council that Stefan Czaporowski, Principal of Westfield Technical Academy is a finalist in the Superintendent Search which is a good thing for the City but would be sad to see him leave the school. He also informed the Council that the house that burned down on Chestnut Street several years ago is now being rebuilt by a new owner and he is talking with the neighbors and relieving their anxiousness as to what will be built there.

Under "Public Participation" the Councilors were addressed by Ms. Gail Bean,, 66 Sherwood Avenue. She informed the Council that the Westfield Board of Health was recognized at an environmental conference at Northeastern University this past weekend relative to their recent vote on banning Styrofoam.

Upon motion of Councilor Figy, it was
VOTED: Under immediate consideration, that the request for permission to serve beer and wine and to waive the open container on Elm Street from Main Street to Franklin Street on Saturday, May 21, 2016 from 11:00 AM to 6:00 PM for a block party after the Run Westfield 5K be APPROVED.

Upon motion of Councilor Paul, it was
VOTED: Under immediate consideration, that a Grant in the amount of \$5,000.00 from the Executive Office of Housing and Economic Development Office to the Community Development Department for an Economic Development Self-Assessment Tool (EDSAT) study be ACCEPTED.

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

The Clerk read from the Agenda:

- C. Appropriation of \$100,000.00 from DPW Water Division Undesignated Funds account #6800-3590000 to DPW Water Division, Purchase of Service account #68004500-520000.
- D. Appropriation of \$1,204.00 from Reserve for Unforeseen account #19500000-570900 to Board of Registrars, Purchase of Services account #11620000-520000.
- E. Transfer of \$3,451.68 within the Fire Department from Medical account #12200000-530006 FY16 to Medical account #12200000-530006 FY15 for a prior year medical bills.
- F. Transfer of \$18,000.00 within the Department of Public Works from Solid Waste Division, Full-Time Hourly account #14340000-511100 to Waste Collection, Overtime account #14330000-5130000.

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

The Clerk read from the Agenda:

- G. Requesting approval to re-appropriate Bond Order 2699 for the building of the Senior Center for \$400,000.00 for the Little River Substation Renovation and Addition project.
- H. Submitting a Bond Order in the amount of \$3,000,000.00 for the expansion and upgrade of the sanitary sewer system.

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

The Clerk read from the Agenda:

- I. Submitting a Resolution of the City Council of the City of Westfield to Authorize an Inter-Municipal Agreement with the Pioneer Valley Transit Authority.

Upon motion of Councilor Harris, it was

VOTED: That items J., K. and L. under "Communications from the Mayor" be read by the Clerk and REFERRED TO PERSONNEL ACTION COMMITTEE.

The Clerk read from the Agenda:

- J. Submitting the appointment of William P. Gonet, 29 Cardinal Lane, as a member of the Airport Commission, for a term to expire the first Monday of February, 2018, replacing Robert Goyette, Jr.
- K. Submitting the appointment of Robert T. Goyette, Jr., 25 Tiffany Circle, (Ward 5) as a member of the Planning Board, for a term to expire the first Monday of February, 2021, replacing a vacancy.
- L. Submitting the appointment of Rene Laviolette, 7 Victoria Circle as a member of the Board of Registrars, for a term to expire the first Monday of February, 2019, replacing a vacancy

Cindy Gaylord, Chair of the Historical Commission along with members Walter LaFogg, Amanda Goodhart and Danny Nason gave a power point presentation of the many historical projects of the Commission. Chair Cindy Gaylord informed the Council that past Chair Kitt Milligan was the catalyst to many of the projects and should be recognized as well. The following projects were highlighted: Old Burying Ground; General Shepard's Gravestone Restoration; John Mather's Stone Restoration; Captain John Bancroft Gravestone Restoration; Eagle Scout projects that helped straighten and repair stones; Volunteer Cleaning Day Cleaning Stones; Ghost Tours; Wyben One Room Schoolhouse; Baystate Dental House Award For Preservation Old Morgan Building; Historical Properties List for Westfield compiled from National, State and City listings, list consists of 870 properties that is listed on the City's webpage. Whip City Pocket Sights; City Clerk Record Restoration/Preservation Project which included renovation of the vault; Culvert Little River Road; Barnes Airport Hanger acquired by Westfield Technical Academy and demolition Flahive Building.

Health Director Joe Rouse addressed the Council regarding the Styrofoam ban that was recently voted on by the Board of Health. Mr. Rouse informed the Council that the Board of Health looked at the health risks, not the environmental risks, relative to Styrofoam when making their decision to ban it. He informed the Council that the studies referenced in the *Regulations of the Westfield Board of Health Restricting the Use of Polystyrene Disposable Food Containers in Food Establishments* all conclude it is a cancer causing product. Councilor O'Connell questioned if there are future plans for residential disposal of Styrofoam. Mr. Rouse informed her that at this time packaging stuff may be able to be recycled if brought to the transfer station. Councilor Dondley

questioned if business are already changing. Mr. Rouse informed him that the band goes into effect September 1st, 2016. He also informed him that some franchised restaurants have already made the change as a result of a ban in other states or communities. Councilor Babinski thanked Mr. Rouse and the entire Board of Health for working on this issue. Councilor VanHeynigen questioned how this will be implemented. Mr. Rouse informed him that there will be mailings made to businesses and information will be given as inspectors do routine inspections.

Upon motion of Councilor O'Connell, it was
VOTED: That the invitation to City Councilors to march in the annual Opening Day Little League Parade on Saturday, April 16th, 2016 commencing at 9:30 AM in the South Middle Parking lot to the Ralph E. Sanville Memorial Field on Cross Street be
ACCEPTED AND PLACED ON FILE.

Upon motion of Councilor Knapik, it was
VOTED: That the communication from Daniel Howard, General Manager of Westfield Gas & Electric relative to request for presence at March 17th, 2016 Council meeting be
ACCEPTED AND PLACED ON FILE.

Upon motion of Councilor Paul, for the Finance Committee, it was
VOTED: That the sum of \$3,000.00 be transferred within the Police Department from Police Department, Overtime account #12100000-513000 to Police Department Animal Control Overtime account #12920000-513000.

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes

Upon motion of Councilor Figy, for the Finance Committee, it was
VOTED: That the sum of \$27,560.00 be appropriated from Free Cash to the Council on Aging accounts as follows:

- a. \$22,760.00 Purchase of Services account #15410000-520000
- b. \$4,800.00 Supplies account #15410000-540000

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes

Prior to the vote, Councilor Figy informed the Council that the Purchase of Services include the Gas & Electric bill and the Verizon bill and the Supplies include kitchen/janitorial supplies, office and ground supplies.

Upon motion of Councilor Figy, for the Finance Committee, it was VOTED: That the appropriation of \$289,300.00 from Free Cash to the Westfield Redevelopment Authority, Intergovernmental account #11890000-560000 REMAIN IN COMMITTEE.

Prior to the vote, Councilor Flaherty informed the Council that the Mayor will be sending in a new communication relative to a new funding source.

Upon motion of Councilor Figy, for the Finance Committee, it was VOTED: That the matter of the Westfield G & E PILOT REMAIN IN COMMITTEE.

Upon motion of Councilor Figy, for the Legislative and Ordinance Committee, it was

VOTED: That a Resolution entitled "A RESOLUTION APPROVING AN INTERMUNICIPAL AGREEMENT REGARDING THE ISSUING AND IMPLEMENTATION OF A CARBON CREDIT DEVELOPMENT CONSULTING SERVICE AGREEMENT" (with the Town of West Springfield).

Prior to the vote, Councilor Figy informed the Council that the Resolution has been revised since first submitted to the Council to now only include the Town of West Springfield and not to include the City of Holyoke. He informed the Council that a carbon credits agency runs the program, 3,000 acres quality with a value of \$50,000.00. Councilor O'Connell informed the Council that the Law Department had issues with Holyoke's way of approving the credits. Councilor Babinski informed the Council that she has mixed reservations relative to carbon credits. Councilor Flaherty questioned if the City is getting credit for greenspace within the community. Councilor O'Connell informed him that is correct and that it has value and that it is a fairly recent new

industry. Councilor Flaherty questioned if it was only city owned property. Councilor Figy informed him it is only city owned property. Councilor Surprise questioned what happens if the City does not maintain its greenspace. Councilor Knapik informed the Council that it's the watershed property so it will never be built on, it's based on the size of the trees and the harvest of the trees. Councilor VanHeynigen questioned what the ratio is between what the agency will receive and what the City will receive. Councilor Figy informed him that the agency will receive 30% and the City will receive 70%.

The vote on the foregoing was as follows:

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	No
Brent Bean II	Yes
Steve Dondley	Yes
Ralph Figy	Yes
Dave Flaherty	Yes

Councilor O'Connell, for the Legislative and Ordinance Committee, offered a motion, which was duly seconded, that the City Charter be changed to extend the terms of Mayor and City Councilors to four years. Councilor Figy informed the Council that a draft home rule petition is on the share file and that with permission of the Legislature the City's Charter could be changed. He informed the Council that Senator Humason and Representative Velis will take this home rule petition to Boston if approved by the Council. Councilor Harris informed the Council that at first she was against this change, but now with a national law changing that will allow campaign signs from April to November would mean that there would be campaign signs up all the time with two year terms and with four year terms it would eliminate sign pollution. Councilor Flaherty questioned why the item was not being sent to Charter and Rules Committee. Councilor O'Connell informed the Council that sending it to Charter and Rules and do a major Charter change was one option and the other option was to have a home rule petition. She informed the Council that discussion was held in Committee relative to staggering the terms of the At-Large and the Ward Councilors, similar to the way the School Department does it. And that the Municipal Light Board may change their terms as well once the Council terms have been worked out. Councilor Paul questioned if this motion addresses term limits. Councilor Figy informed him that that was a separate entity. Councilor VanHeynigen informed the Council that he would support the motion to allow for more time for governing and not campaigning.

Councilor Dondley supported a four year term for Mayor, but not sure for Councilors' terms. He also expressed his concern with the staggering issue and that he needed more information on how that was going to work before voting on the issue. Councilor Harris questioned how long it would take to become effective. Councilor Figy informed her that it depends on how long it takes to get it through Boston. Councilor Surprise informed the Council that he would support the motion if terms were staggered. Councilor Allie agreed with Councilor Surprise. Councilor Flaherty suggested that the issue be either sent back to Legislative and Ordinance Committee or be referred to Charter and Rules Committee for further discussion. President Bean informed the Council that he is comfortable in sending the item back to Committee but did remind all Councilors that the Committee did meet on the issue and that Councilors should have been at those meetings to discuss it. Councilor Paul informed the Council that as the Ward 5 Councilor he did not know the will of Ward 5 voters and would like feedback from them prior to voting on the issue. Councilor VanHeynigen questioned if the issue had to go for a vote of the people. Councilor O'Connell informed the Council that there are three mechanisms to make this change either by Home Rule petition, a Charter change or a referendum question on the ballot. Councilor Allie informed the Council that he would like to see a referendum question on the ballot. Councilor Paul suggested that a public hearing be held to get direction from the people. Councilor Flaherty informed the Council that the item has been in Committee for two years and that when all Agenda items are listed on the Committee's Agenda it's hard to know if the Committee is actually going to discuss the item and that is why he was not at the Committee meeting.

Upon motion of Councilor O'Connell, it was
VOTED: That the above motion to bring the terms of Mayor and City Council to four years be amended to REMAIN IN COMMITTEE.

Councilor Figy, for the Legislative and Ordinance Committee, offered a motion which was duly seconded that an Ordinance relative to open burning/fire pits be given first reading.

Councilor Figy informed the Council that this Ordinance would allow the use of outdoor fire pits, outdoor fireplaces and chimineas and that they not be located within 50 feet of a structure and not be used on decks and porches. He also informed the Council that this was recommended by the Fire Department. The enforcement section was also recommended by the Fire Department. Councilor Flaherty informed the Council that the penalty fees as listed would not cover the administrative costs of issuing the penalty and suggested changing the penalty fees to \$50.00, \$75.00 and \$100.00 from \$25.00, \$50.00 and \$100.00. Councilor Allie questioned the regulation of 50 ft away from a structure. Councilor Figy informed the Council that that was the recommendation of the Fire Department.

Upon motion of Councilor Flaherty, it was
VOTED: That the Ordinance relative to open burning/fire pits be amended by changing the penalty fees as follows \$50.00 for first offense, \$75.00 for second offense

and \$100.00 for third offense and each subsequent offense.

Councilors Knapik and Allie were OPPOSED.

Upon motion of Councilor Figy, it was

VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993" (Chapter 7 Fire Prevention and Protection Sec. 7-1. Open Burning/Fire Pits) be given first reading, as amended, by title only.

The Ordinance was given first reading, as amended, by title and upon motion of Councilor Figy, it was

VOTED: That the Ordinance be PASSED TO SECOND READING.

Upon motion of Councilor Figy, for the Legislative and Ordinance Committee, it was

VOTED: That the motion of former Councilor Keefe for a Zoning Ordinance relative to Temporary Signs Section 8-10.3 (3.c) (3) amend two months to read 60 days and (3.c) (4) amend 4 months to read 120 days be REMOVED FROM COMMITTEE with no action.

Upon motion of Councilor Figy, for the Legislative and Ordinance Committee, it was

VOTED: That the letter requesting to withdraw without prejudice the petition for a Zoning Amendment for Southampton Road (Assessor's map 70R, parcel 10) from Rural Residential to Commercial A submitted by Mr. Rob Levesque of R Levesque Associates for his client Mr. Paul Dion of DV Realty Group LLC. be ACCEPTED TO BE WITHDRAWN WITHOUT PREJUDICE.

Upon motion of Councilor O'Connell, for the Legislative and Ordinance Committee, it was

VOTED: That the an Order entitled "AN ORDER OF TAKING OF REAL ESTATE BY RIGHT OF EMINENT DOMAIN" (property extending to the center line of said Princeton Street owned by Emilio Arroyo) (for Domus, Inc project at former Moseley School) be given first reading by title only.

The Order was given first reading by title and upon motion of Councilor O'Connell, it was

VOTED: That the Order be PASSED TO SECOND READING.

Councilor Harris was OPPOSED.

Upon motion of Councilor O'Connell, for the Legislative and Ordinance Committee, it was

VOTED: That the an Order entitled "AN ORDER OF TAKING OF REAL ESTATE BY RIGHT OF EMINENT DOMAIN" (property extending to the center line of said Princeton Street owned by Miguel A. Colon) (for Domus, Inc project at former Moseley School) be given first reading by title only.

The Order was given first reading by title and upon motion of Councilor

O'Connell, it was

VOTED: That the Order be PASSED TO SECOND READING.

Councilor Harris was OPPOSED.

Upon motion of Councilor O'Connell, for the Legislative and Ordinance Committee, it was

VOTED: That an Order accepting and laying out Princeton Street, so-called, as a City Way and an Order discontinuing a portion of Princeton Street, so-called, as a City Way (relative to the Domus, Inc project at former Moseley School) be REFERRED TO PLANNING BOARD.

Councilor Harris was OPPOSED.

Upon motion of Councilor Onyski, for the Legislative and Ordinance Committee, it was

VOTED: That the Superintendent of Schools be AUTHORIZED to submit a Statement of Interest (SOI) with the Massachusetts School Building Authority (MSBA) for funding of an addition and renovations to Westfield Technical Academy and Councilor Figy read the Resolution as follows: a Resolution entitled "Resolved: Having convened in an open meeting on March 17, 2016, the City Council of the City of Westfield, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated prior to April 8, 2016 for the Westfield Technical Academy located at 33 Smith Avenue, Westfield, Massachusetts which describes and explains the following deficiencies and the priority categories for which an application may be submitted to the Massachusetts School Building Authority in the future to address the priorities of: preventing the loss of accreditation and the replacement and addition to an obsolete building in order to provide for a full range of programs consistent with state and approved local requirements; and, hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Westfield Public Schools to filing an application for funding with the Massachusetts School Building Authority.

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes

Upon motion of Councilor Onyski, for the Legislative and Ordinance Committee, it was

VOTED: That the Superintendent of Schools be AUTHORIZED to submit a Statement of Interest (SOI) with the Massachusetts School Building Authority (MSBA) for funding of an addition and renovations to Westfield High School and Councilor Figy read the Resolution as follows: a Resolution entitled "Resolved: Having convened in an open meeting on March 17, 2016, the City Council of the City of Westfield, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent to submit to the Massachusetts School Building Authority the Statement of Interest Form dated prior to April 8, 2016 for the Westfield High School located at 177 Montgomery Road, Westfield, Massachusetts which describes and explains the following deficiencies and the priority categories for which an application may be submitted to the Massachusetts School Building Authority in the future to address the priorities of: preventing the loss of accreditation and the replacement and addition to an obsolete building in order to provide for a full range of programs consistent with state and approved local requirements; and, hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Westfield Public Schools to filing an application for funding with the Massachusetts School Building Authority.

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes

Councilor O'Connell, for the Legislative and Ordinance Committee, with no recommendation from the Committee, offered a motion to remove from Committee the Resolution of the City Council of the City of Westfield to authorize a funding agreement with the Westfield Redevelopment Authority that allows access to the funds to be allocated through free cash allotment to advance the Elm Street Urban Renewal Project.

Councilor O'Connell informed the Council that the Committee was hesitant to act upon the item until they knew what the Finance Committee was going to do with the item relative to the source of funding. Councilor Flaherty informed the Council that the source of funding may be amended and upon motion of Councilor Flaherty, it was VOTED: That the above motion be amended to REFER the item BACK TO THE LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion of Councilor Onyski, for the Legislative and Ordinance Committee, it was

VOTED: That the following amendments to traffic ordinances be REMAIN IN COMMITTEE for further instructions from the Traffic Commission and drawings from the Engineering Department.

1. From Traffic Commission One Hour Parking on School Street
2. From Traffic Commission One Hour Parking on Summer Street
3. From Traffic Commission One Hour Parking on Arnold Street
4. From Traffic Commission Parking Prohibited Arnold Street
5. From Traffic Commission Parking Prohibited west side Coleman Avenue
6. From Traffic Commission Parking Prohibited Summer Street
7. From Traffic Commission Stop Signs on Clifton Street

Upon motion of Councilor Knapik, for the License Committee, it was VOTED: That the application for a Junk Dealer's license and a Junk Collectors license for Andrew Grant, Inc., 55 Southwick Road, Robert Grant, owner be GRANTED.

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the appointment of Holly Redberry Robbins, 10 Cortez Street as a member of the Cultural Council for a term to expire the first Monday of February, 2019 be CONFIRMED.

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes

Prior to the vote, Councilor Harris informed the Council that Ms. Robbins was employed by Westfield State University from 1988 to 2015 where she worked as a writer, graphic designer and event planner. She was a Coordinator in the Office of Human Resources, a Project Coordinator in the Office of Public Affairs, Alumni and Development and a Coordinator of the Lifelong Learning Program. She has been the recipient of photo awards, she is a volunteer at local elementary schools and a volunteer at Grandmother's Garden.

Upon motion of Councilor Babinski, for the Public Health and Safety Committee, it was

VOTED: That a Resolution entitled "A RESOLUTION AUTHORIZING THE CITY TO ACCEPT AND SUPPORT A REQUEST MADE TO 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 ADOPTED.

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes

Prior to the vote, Councilor Babinski informed the Council that it was a collaborative effort in revising the Resolution to include unusual circumstances and the whole City not just Ward 1. Councilor Onyski informed the Council that the Resolution was developed by taking the facts from the letter and putting those facts into the Resolution. Councilor Allie commended Councilors Onyski and Babinski for producing the clean document.

Upon motion of Councilor O'Connell, it was VOTED: That the 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" be REMOVED FROM THE TABLE.

A letter was received earlier in the meeting from Westfield Gas & Electric General Manager Dan Howard giving clarification on the matter.

Councilor O'Connell offered a motion which was duly seconded that the above item be referred back to Legislative and Ordinance Committee.

Councilor Babinski expressed her reservations about referring the item back to Legislative and Ordinance Committee. Councilor O'Connell informed the Council that the item would remain in Committee until it has a definite reason to bring it out. Councilor Paul informed the Council that it makes no sense to put it back into Committee. Councilor O'Connell expressed her appreciation to Dan Howard for

clarifying the confusion of the two different letters that were received. Councilor Babinski informed the Council that the two letters were mutually exclusive. Councilor Babinski informed the Council that the pipeline was solely intended for Pioneer Valley Energy Center and that it would only come back out of committee if another opportunity comes along that would need that size pipeline. Councilor Paul informed the Council that if something else comes up for the use of a pipeline then put that in Committee at that time. Councilor Figy informed the Council it either goes back to Committee or be tabled.

Upon motion of Councilor Flaherty, it was
VOTED: That the above Interdepartmental Ground Lease with the G&E item be tabled until the first meeting of January 2017.

The vote on the foregoing was as follows:

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

President Bean declared the motion LOST.

Upon motion of Councilor O'Connell, it was
VOTED: That the above Interdepartmental Ground Lease with the G&E item be REFERRED BACK TO LEGISLATIVE AND ORDINANCE COMMITTEE.

The vote on the foregoing was as follows:

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

President Bean declared the motion PASSED.

Upon motion of Councilor Figy, it was VOTED: That the rules of the City Council be SUSPENDED in order to offer a motion not appearing on tonight's Agenda.

Upon motion of Councilor Figy, it was VOTED: That the City Council meeting of April 21st, 2016 be CANCELLED and RESCHEDULED to April 28th, 2016.

The vote on the foregoing was as follows:

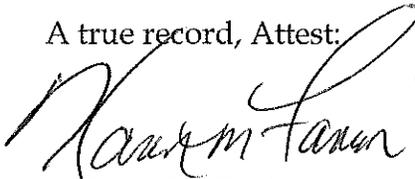
Cindy Harris	Yes
Daniel Knapik	Yes
Mary O'Connell	No
William Onyski	Yes
Robert Paul, Sr.	No
Andrew Surprise	No
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	No
Brent Bean II	No
Steve Dondley	Yes
Ralph Figy	Yes
Dave Flaherty	Yes

President Bean declared the motion PASSED.

Prior to the vote, Councilor Figy informed the Council that April 21st, 2016 is during School Vacation week and that many Councilors will be away that week and he personally will be out of town also. Councilor Flaherty informed the Council that he will be out of town also. Councilor O'Connell informed the Council that she made plans around the Council schedule and will not be in town on April 28th, 2016. Councilor Paul informed the Council that he made his business travel schedule around City Council meetings so that he would be available on April 21st, 2016 and he will not be available on April 28th, 2016. Councilor Harris informed the Council that she would support this motion this time but would not vote to change a Council meeting date just because of a school vacation week.

At 9:01 PM, and upon motion of Councilor Knapik, it was VOTED: To ADJOURN.

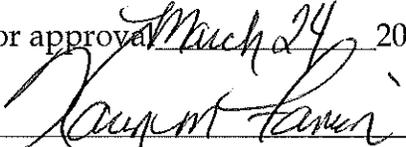
A true record, Attest:

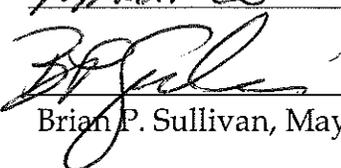


Karen M. Fanion
City Clerk/Clerk of the Council

Presented to the Mayor

Approved by the Mayor

For approval March 24 2016

Karen M. Fanion, City Clerk

March 25 2016

Brian P. Sullivan, Mayor