

MEETING OF CITY COUNCIL  
WESTFIELD, MASSACHUSETTS  
APRIL 7, 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. Councilors Paul and Surprise were absent.

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

Upon motion of Councilor Knapik, it was VOTED: That the City Councilors move to Room 201 to go into Executive Session: to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares; for Case of R & L Golden Acres vs City of Westfield and that the City Council meeting will reconvene in open session after Executive Session.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Knapik, it was VOTED: That the regular City Council meeting reconvene.

The vote on the foregoing was as follows:

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

Upon motion of Councilor O'Connell, it was  
VOTED: That the record of the meeting of March 17, 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 Mr. Matthew Ryan, 14 Sunbriar Drive and his son Jack. Mr. Ryan informed the Council that he is a single father that enjoys sitting by the fire on his weekends with his son. He informed the Council that the requirement that a fire pit/chiminea be 50 ft. from any structure is unacceptable. He informed the Council that the requirement would make his fire pit non-compliant. He requested the Council not support this proposed requirement.

Under "Public Participation" the Councilors were addressed by Ms. Michelle Lesieur, 101 Hubbard Street. She also spoke in opposition to the 50 ft requirement. She informed the Council that many of her neighbors have fire pits or chimineas and she enjoys hearing them laugh around the fire.

Under "Public Participation" the Councilors were addressed by Mr. Matt Roman, Westfield. He agreed with the previous speakers relative to the 50 ft requirement. He supported leaving the terms of Mayor and Councilors to two year terms. He gave an update to the Council relative to the LED lights. He submitted the Annual Street Lighting Report from the G & E to the City Councilors.

Under "Public Participation" the Councilors were addressed by Ms. Laura Pisano, 28 Caitlyn Way. She spoke in favor of allowing fire pits and not to restrict them

with the 50 ft requirement.

Under "Public Participation" the Councilors were addressed by Mr. Brian Hoose, 60 Arnold Street. He informed the public that the proposed ordinance relative to fire pits was proposed by him as the former Councilor of Ward 3 because he was inquiring about putting fire pits at playgrounds and during the research it was brought to his attention that fire pits in Westfield were not legal. The purpose of the ordinance was to legalize the fire pits and that it was the recommendation of the Fire Department to have them 50 ft away from a structure. He thanked the Public Works Department for their work in filling the pot holes on Charles and West School Street.

Councilor Surprise arrived at 7:32 PM and was recorded as being present.

Under "Public Participation" the Councilors were addressed by Councilor Dan Allie. He gave information to the Councilors relative to Common Core and presented his Black Squirrel newsletter.

Under "Public Participation" the Councilors were addressed by Ms. Gail Bean, 66 Sherwood Avenue. She thanked the Council for their support of the Resolution that was passed as the last meeting (3/17/16) relative 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.

Upon motion of Councilor VanHeynigen, it was VOTED: Under immediate consideration, that the request for permission to serve beer and wine and to waive the "open container" regulation on Elm Street from the intersection of Franklin Street south to School Street on Friday, August 26, 2016 to Sunday, August 28, 2016 to the Rotary Club of Westfield to host the Westfield Food Fest be APPROVED.

Upon motion of Councilor VanHeynigen, it was VOTED: Under immediate consideration, that a gift of technology equipment (Technology from Cellebrite, Inc.) from Firtion-Adams Funeral Service to the Westfield Police Department Detective Bureau totaling \$10,583.55 to assist with ongoing investigations be ACCEPTED.

Upon motion of Councilor VanHeynigen, it was VOTED: Under immediate consideration, that a gift donation from Short Stop Bar and Grill to the Westfield Fire Department in the amount of \$5,000.00 to be put towards a Sea-Doo SAR Watercraft be ACCEPTED.

Councilor Flaherty thanked Firtion-Adams Funeral Home and Short Stop Bar and Grill for their generous and continuous donations to the City as well as to the many

other organizations and sports teams they donate to.

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

The Clerk read from the Agenda:

- D. Appropriation of \$358,528.00 from Stabilization Account #8303-340000 to the Westfield Redevelopment Authority, Intergovernmental account #11890000-560000.
- E. Transfer of \$151,322.00 from Short Term Interest account #17520000-592500 to Westfield Redevelopment Authority, Intergovernmental account #11890000-560000.
- F. Transfer of \$2,378.02 from the Emergency Management Department as follows:
  - \$1,697.00 from Purchase of Services account #12910000-520000
  - \$680.12 from Supplies account #12910000-540000to Police Department, Additional Small Equipment account #1210000-585500.
- G. Transfer of \$2,024.70 from Police Department Towing and Storage of Motor Vehicles account #2400-330210 to Police Department Special account for Towing and Storage account #24210714-585001.
- H. Transfer of \$122.68 within the Fire Department from FY16 Medical/Testing Services account #21002310-530006 to FY15 Medical/Testing Services account #21002310-530006.
- I. Transfer of \$18,179.00 within the Engineering Department from FY16 Sewerage and Wastewater Treatment-Infiltration & Inflow account #67004400-580841 to FY15 Sewerage and Wastewater Treatment-Infiltration & Inflow account #67004400-580841

Upon motion of Councilor VanHeynigen, it was VOTED: That item J. 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:

- J. Reappropriate Water System Bonds No. 2410, 2238, 2342, 2151 for a total of \$92,950.91 to repurpose these bonds to fund water main repair replacement projects.

Upon motion of Councilor Figy, it was VOTED: Under immediate consideration, that a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD AUTHORIZING THE MAYOR TO ENTER INTO A FIVE YEAR CONTRACT FOR SCHOOL BUS SERVICES" (Lecrenski Brothers Inc.) be ADOPTED.

The vote on the foregoing was as follows:

Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
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
Cindy Harris	Yes

Prior to the vote, Councilor Figy informed the Council that this is a time sensitive item, the School Committee has approved it and there is no money involved. Councilor Allie questioned if this needs to go to Finance Committee. Councilor Figy informed the Council that the School Committee finance committee approved it. Councilor Flaherty questioned why it is for five years rather than three years. He also questioned if the contract has provisions for late buses or if there is a restructure of the bus routes in the contract. Councilor Figy informed the Council that the rates were better with five years rather than three years. Councilor Allie informed the Council that last year during budget time Mr. Ron Rix was asked those questions and at that time he did not have any flexibility with the contract and with the new contract there will be that flexibility. Councilor Figy informed the Council that as liaison to the School Committee he has attended many workshops to review the bus schedule and that this contract is a good contract.

Upon motion of Councilor Figy, it was  
VOTED: That items L. and M. 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:

- L. Submitting a 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 the Stabilization Account and a transfer from the Short Term Interest to advance the Elm Street Urban Renewal Project.
- M. Submitting a Resolution of the City Council of the City of Westfield to authorize the City to purchase a ¼ acre parcel of land (72R-41) from Oak Realty Corporation for the sum of \$700.00 to acquire property for the Airport Industrial Park.

Upon motion of Councilor Figy, it was  
VOTED: Under immediate consideration, that a Resolution entitled "Resolution of the City Council of the City of Westfield authorizing the Mayor to accept the lease (five years) of a pothole patcher" be ADOPTED.

The vote on the foregoing was as follows:

Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
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
Cindy Harris	Yes

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

The Clerk read from the Agenda:

- O. Submitting the appointment of Shanna R. Reed to the position of 1<sup>st</sup> Assistant City Solicitor for a term of three years.
- P. Submitting the appointment of Carissa M. Lisee, 78 Austin Street, Chicopee for the Superintendent of Building for a term of three years.
- Q. Submitting the appointment of Thomas H. Pereira, 150 Hillside Road as a member of the Board of Public Works for a term to expire the first Monday of February, 2018.
- R. Submitting the appointment of Jack Labbe, 103 Woodcliff Drive, as a Westfield Technical Academy representative of the Youth Commission, for a term to expire the first Monday of June, 2017, filling a vacancy.
- S. Submitting the appointment of Eleanor (Elli) Meyer, 54 Llewellyn Drive as a member of the Off-Street Parking Commission for a term to expire the first Monday of February, 2020,
- T. Submitting the appointment of Katherine Zavrzas-Bentrewicz, 95 Llewellyn Drive as a member of the Cultural Council replacing a vacancy.

Upon motion of Councilor Figy, it was  
VOTED: That the communication submitted by Chief Camerota, for the Traffic Committee, for the following Ordinance amendments Parking Prohibited on

Woodmont Street-delete; Parking Prohibited at Certain Times-Dartmouth Street-delete; Twenty minute Parking-Dartmouth Street-delete be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion of Councilor Figy, it was VOTED: That the communication submitted by City Clerk Karen Fanion submitting the following City Council licenses to be renewed for 2016 be REFERRED TO LICENSE COMMITTEE.

2016 LICENSES				
NAME OF BUSINESS	TYPE OF LICENSE	OWNERS OF BUSINESS	ADDRESS	TAX OBLIGATION
Alternative Furniture	Junk Collector	Wayne & Marie Petlock	170-172 Elm Street	Current
Game City	Junk Collector	Truong Nguyen	82 Elm Street	Current
Game Stop	Junk Collector	Game Stop Inc.	423 East Main Street	Current
I Buy Stuff	Junk Collector	Bob & Sue Plummer	53 Pontoosic Road	Current
Meadowbrook Antiques	Junk Collector	Susan & Timothy Crane	658 Montgomery Road	Current
My Favorite Place	Junk Collector	Lori & Irvan Hooten	48 Elm Street	Current
Restore	Junk Collector	Greater Springfield Habitat for Humanity	301 East Main Street	Current
Richard's Fine Jewelers	Junk Collector	Michael Rinaldi	461 East Main Street	Current
Rte 202 Antiques	Junk Collector	Edwin T Odabashian	869 North Road	Current
Whip City Music	Junk Collector	Douglas Cotton	126 Elm Street	Current
Yellow Bear	Junk Collector	Vicki Benford	98 Southwick Road	Current
Alternative Furniture	Junk Dealer	Wayne & Marie Petlock	170-172 Elm Street	Current
Eastern Vehicle Recycling	Junk Dealer	Donald George & John Freedman	88 Neck Road	Current
EcoATM, Inc.	Junk Dealer	EcoATM, Inc.	141 Springfield Road - Walmart	Current
Ezra's Mercantile	Junk Dealer	Lou Sirois	34 Elm Street	Current
Game City	Junk	Truong Nguyen	82 Elm Street	Current

	Dealer			
	Junk		423 East Main	
Game Stop	Dealer	Game Stop Inc.	Street	Current
	Junk			
I Buy Stuff	Dealer	Bob & Sue Plummer	53 Pontoosic Road	Current
Meadowbrook	Junk		658 Montgomery	
Antiques	Dealer	Susan & Timothy Crane	Road	Current
	Junk			
My Favorite Place	Dealer	Lori & Irvan Hooten	48 Elm Street	Current
New England Coins	Junk			
& Collectibles	Dealer	David Fisk	7 Day Avenue	Current
	Junk	Greater Springfield	301 East Main	
Restore	Dealer	Habitat for Humanity	Street	Current
Richard's Fine	Junk		461 East Main	
Jewelers	Dealer	Michael Rinaldi	Street	Current
	Junk			
Rte 202 Antiques	Dealer	Edwin T Odabashian	866 North Road	Current
	Junk			
Whip City Music	Dealer	Douglas Cotton	126 Elm Street	Current
	Junk		98 Southwick	
Yellow Bear	Dealer	Vicki Benford	Road	Current
Luxe Limo's - 5	Limo	Michael Regensburger &	37 South Meadow	
Limo's	License	Kenneth Welker	Road	Current

THE FOLLOWING BUSINESSES HAVE NOT RENEWED FOR 2016:

	Taxi		23-25 Orange	Tax
City Cab Co. - 1 Taxi	License	Alice A Venne	Street	Obligation
	Junk		261 East Main	
Game Play	Collector	Jacob Hannoush	Street	Current
	Junk		261 East Main	
Game Play	Dealer	Jacob Hannoush	Street	Current

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

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

Upon motion of Councilor Flaherty, 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.

Upon motion of Councilor VanHeynigen, for the Finance Committee, it was VOTED: That the sum of \$100,000.00 be appropriated from DPW Water Division Undesignated Funds account #6800-3590000 to DPW Water Division, Purchase of Service account #68004500-520000.

The vote on the foregoing was as follows:

Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
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
Cindy Harris	Yes

Prior to the vote, Councilor Flaherty, informed the Council that the detail of the breakdown of the appropriation is on the share file and all are acceptable expenses.

Upon motion of Councilor VanHeynigen, for the Finance Committee, it was VOTED: That the sum of \$1,204.00 be appropriated from Reserve for Unforeseen account #19500000-570900 to Board of Registrars, Purchase of Services account #11620000-520000.

Prior to the voice vote, Councilor VanHeynigen, informed the Council that the appropriation is needed to send out mandated Confirmation Notices to anyone that did not respond to the Census.

Upon motion of Councilor VanHeynigen, for the Finance Committee, it was VOTED: That the 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 REMAIN IN COMMITTEE.

Upon motion of Councilor VanHeynigen, for the Finance Committee, it was VOTED: That the sum of \$18,000.00 be transferred within the Department of Public Works from Solid Waste Division, Full-Time Hourly account #14340000-511100 to Waste Collection, Overtime account #14330000-5130000.

The vote on the foregoing was as follows:

Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
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
Cindy Harris	Yes

Prior to the vote, Councilor VanHeynigen informed the Council that the transfer is for the payment of overtime.

Upon motion of Councilor VanHeynigen, for the Finance Committee, with no recommendation, it was

VOTED: That the request 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 be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Prior to the vote, Councilor VanHeynigen informed the Council that Purchasing Director Tammy Tefft provided a few details, but more information is needed and that those details can be worked out in Legislative and Ordinance Commission. Councilor Flaherty informed the Council that some money was left over in the bond from the building of the Senior Center and now it is being requested that those funds be allowed to be used for the Fire Substation renovation. He informed the Council that there are more questions to be answered but that Finance did not want to hold it up and those questions can be answered in Legislative and Ordinance Committee.

Upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That a Bond Order in the amount of \$3,000,000.00 for the expansion and upgrade of the sanitary sewer system be FAVORABLY REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

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

VOTED: That the motion by Councilor Flaherty (12-4-2014) that the city charter be changed to extend the terms for the Mayor and City Councilors to four (4) years REMAIN IN COMMITTEE and also be REFERRED LAW DEPARTMENT.

Prior to the vote, Councilor Onyski informed the Council at the last Legislative

and Ordinance Committee meeting there were many Councilors present as well as residents that would like to have it as a referendum question. Councilor Allie informed the Council that most people at the meeting wanted to leave the terms at two years. He informed the Council that a change to four years would change the City's form of government. He informed the Council that having to campaign every two years is not an argument to change the terms nor is sign pollution a good argument to change the terms. Councilor Flaherty, as the original motion maker, informed the Council that he is not a huge fan for changing the terms to four years, but can see a need to change the Mayor's term to four years. Councilor Harris questioned if the Committee would remove the item from Committee. Councilor Figy informed the Council that the message from the meeting was to have the question placed on the ballot therefore the item needs to stay in committee to have the Law Department look at the process to put a referendum question on the ballot. Councilor O'Connell informed the Council that it was a great committee meeting and that a lot came out of the meeting such as a referendum question and possibility of term limits and that the Committee is not ready to give up the issue. Councilor Harris thanked Councilor O'Connell and Figy for their information relative to keeping the item in committee and that she supports keeping it in Committee. Councilor Babinski informed the Council that some residents have expressed to her that they are frustrated and feel disconnected and that by having this item as a referendum question would keep the public involved. Councilor Surprise informed the Council that it is the job of a Councilor to reach out to citizen and hold neighborhood meetings. He also informed the Council that he would support term limits, but at this time has no specific recommendation, but that it needs to be linked with the four year terms to allow for accountability.

With permission from the President, Chief Camerota addressed the Council. Chief Camerota informed the Council that the following Traffic ordinances are worded incorrectly:

- From the Traffic Commission, Chapter 17, Section 17-119, one hour parking on School Street, northerly side from Elm to a point 106 feet easterly of Washington Street be deleted.
- From the Traffic Commission, Chapter 17 section 17-115 Parking prohibited on the westerly side of Coleman Avenue from East Silver to a point 500 feet southerly.

At this point Councilor Flaherty left the meeting.

Upon motion of Councilor Figy, for the Legislative and Ordinance Committee, it was  
VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993" (Chapter 17 Section 17-119, one hour parking on Arnold Street be deleted) be given first reading by title only.

The Ordinance was given first reading 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 proposed Ordinance amendment at Chapter 17, Section 17-119, one hour parking on School Street, northerly side from Elm to a point 106 feet easterly of Washington Street to be deleted REMAIN IN COMMITTEE due to incorrect wording.

Upon motion of Councilor Figy, for the Legislative and Ordinance Committee, it was  
VOTED: That an Ordinance entitled ""AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993"" (Chapter 17 Section 17-119 one hour parking on Summer Street, on westerly side from a point 25 feet southerly from Franklin to a point 66feet northerly from Arnold Street) be given first reading by title only.

The Ordinance was given first reading 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 an Ordinance entitled ""AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993"" (Chapter 17 Section 17-115, Parking prohibited on Arnold Street by deleting existing language and replacing with "both sides entire length.") be given first reading by title only.

The Ordinance was given first reading 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 an Ordinance entitled ""AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993"" (Chapter 17 Section 17-115, parking prohibited on Summer Street, delete existing language and replacing with Easterly side entire length) be given first reading by title only.

The Ordinance was given first reading 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 proposed Ordinance amendment at Chapter 17 section 17-115 Parking prohibited on the westerly side of Coleman Avenue from East Silver to a point 500 feet southerly REMAIN IN COMMITTEE due to incorrect wording.

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

VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993" (Chapter 17 Section 17-73 by adding a stop sign on Clifton Street for Westbound travelers at Delmont Street) be given first reading by title only.

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

VOTED: That the Ordinance be PASSED TO SECOND READING.

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

VOTED: That a motion by Councilors Babinski for the Natural Resources Committee (2-4-2016) that the city ordinance Chapter 16 Section 16-152, public shade trees be favorable referred to the L&O Committee REMAIN IN COMMITTEE.

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

VOTED: That a motion by Councilors Babinski and O'Connell (2-18-2016), a resolution for the City to accept and support a request made to the Department of Public Utilities and assorted State Agencies for the review of new and unusual circumstances related to the proposed siting of the Pioneer Valley Energy Center, Inc. be REMOVED FROM COMMITTEE because it was done by the Public Health and Safety Committee at the last meeting.

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

VOTED: That a Resolution of the City Council of the City of Westfield to authorize an Inter-Municipal Agreement with the Pioneer Valley Transit Authority REMAIN IN COMMITTEE.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That 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. REMAIN IN COMMITTEE.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was

VOTED: That 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 Randy Racine, resigned.

The vote on the foregoing was as follows:

Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
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	Absent
Cindy Harris	Yes

Prior to the vote, Councilor Harris informed the Council that Mr. Goyette was previously on the Airport Commission, he is President and Owner of Heritage Homes Inc., he has an educational background in finance, he served ten years on the Board of Directors of the Greater Westfield Boys & Girls Club and is a lifelong resident of Westfield.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the appointment of Rene Laviolette, 7 Victoria Circle as a Republican member of the Board of Registrars, for a term to expire the first Monday of February, 2019, replacing Barbara Lynn Premny, deceased.

The vote on the foregoing was as follows:

Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
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	Absent
Cindy Harris	Yes

Prior to the vote, Councilor Harris informed the Council that Mr. Lavoilette has 34 years of developing computer software for manufacturing companies worldwide,

was Rotary Club President in 2007-2008 and currently on the organization's Board of Director's, was previously a Rotary District 7890 Assistant Governor for four years, previously served as Chair of the Westfield Republican Committee, and in 2007 was named Western Mass Republicans Chairman of the Year.

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 17, Article II Section 17-36 Erection and maintenance of signs, signals, markings and zones; compliance with State Standards) be given second reading by title only.

The Ordinance was given second reading by title and upon motion of Councilor Figy, it was

VOTED: That the Ordinance be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
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	Absent
Cindy Harris	Yes

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" (Article III-Section 2-236 by adding Section 2-236(4) Community Outreach Coordinator) be given second reading by title only.

The Ordinance was given second reading by title and upon motion of Councilor Figy, it was

VOTED: That the Ordinance be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
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	Absent
Cindy Harris	Yes

Upon motion of Councilor Figy, it was VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, APPENDIX B-ZONING, ADOPTED SEPTEMBER 3 1987" (Section 4-110 relative to the Planning Board Special Permit for Alcohol sales/service within 500 feet of a church or school) be given second reading by title only.

The Ordinance was given second reading by title and upon motion of Councilor Figy, it was

VOTED: That the Ordinance be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Abstained
Robert Paul, Sr.	Absent
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	Absent
Cindy Harris	Yes

Councilor Onyski abstained due to a legal conflict.

Councilor Figy offered a motion, which was duly seconded, that an amendment to an Ordinance at Chapter 7 Fire Prevention and Protection Sec. 7-1. Open Burning/Fire Pits be given second reading.

Councilor O'Connell informed the Council that the Fire Department came to the Legislative and Ordinance Committee meeting and supported this Ordinance because it's a safety issue. Councilor Allie informed the Council that he researched manufacturers of chimineas and fire pits and the recommendation is that it be 10 ft away from a dwelling. He informed the Council that 50 ft away from a structure is too big of a distance and it may prohibit people from being able to have a fire pit or chiminea. He suggested that 20 to 25 ft away from a structure is ample. Councilor Figy informed the Council that at this time all fire pit burning in Westfield is illegal and this Ordinance is trying legitimize fire pit burning. He informed the Council that originally the Fire Department wanted the distance from a structure to be 75 ft and compromised to 50 ft. Councilor Knapik suggested that the distance can be amended on floor, that it does not have to be sent back to Committee. He suggested a distance of 15 to 20 ft. Councilor Onyski informed the Council that the Fire Department made a distinction whether or not the fire pit has a screen on it would make a difference as to how far from a structure it need to be. He suggested that the item go back into Committee to look at the issue of the screen or spark arrestor. Councilor O'Connell informed the Council that the secondary issue is the smoke and how it affects others in the neighborhood. Councilor Babinski agreed that 50 ft is too much and suggested that neighbors could file a complaint pursuant to the newly adopted Nuisance Ordinance if the smoke is causing a problem. Councilor Surprise informed the Council that if the argument to ban outdoor fire pits is due to smoke then all fireplaces would have to be banned because of smoke and he agreed that 50 ft is too much.

Councilor Allie, offered a motion, that the above Ordinance relative to fire pits/chimineas be amended from 50 ft of a structure to 20 ft of a structure and include the screening issue.

Councilor Harris suggested that it go back to Legislative and Ordinance Committee relative to the issue of the screening. Councilor Dondley questioned how strictly is the current ordinance enforced. Councilor O'Connell informed the Council that the Fire Department is not going around looking for fire pit fires, they only respond if they get a call. Councilor Dondley questioned if this is making it less restrictive. Councilor Figy informed the Council that it is giving it much more structure and also a noncriminal fee is attached.

Upon motion of Councilor Allie, it was  
VOTED: That the above Ordinance relative to fire pits/chimineas be amended from 50 ft of a structure to 20 ft of a structure.

The vote on the foregoing was as follows:

Daniel Knapik	Yes
Mary O'Connell	No
William Onyski	No
Robert Paul, Sr.	Absent
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	Absent
Cindy Harris	Yes

The President declared the amendment PASSED.

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" (amendment to an Ordinance at Chapter 7 Fire Prevention and Protection Sec. 7-1. Open Burning/Fire Pits) be given second reading, as amended, by title only.

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

VOTED: That the Ordinance, as amended, be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

Daniel Knapik	Yes
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
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	Absent
Cindy Harris	Yes

Upon motion of Councilor Figy, 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 second reading by title only.

Councilor Harris was OPPOSED.

The Order was given second reading by title and upon motion of Councilor Figy,  
it was

VOTED: That the Order be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Figy, 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 second reading by title only.

Councilor Harris was OPPOSED.

The Order was given second reading by title and upon motion of Councilor Figy,  
it was

VOTED: That the Order be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Babinski, it was VOTED: That Westfield State University students Michele Brooks, Michelle Coombs and Caleb Alvord be ALLOWED to give a 10-12 minute presentation on their *Westfield Ban the Bag Project* at the May 5, 2016, City Council meeting the students will summarize information garnered from their research in an effort to educate citizens of Westfield on the benefits of implementing a plastic bag ban and that the information presented be REFERRED TO PUBLIC HEALTH AND SAFETY COMMITTEE.

President Bean relinquished the Chair to Councilor Figy.

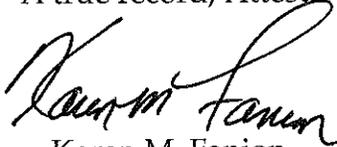
Upon motion of Councilor Bean relative to City Council rule changes to Charter Section 29; Rules of Council Section 25, Rules of Council Section 33, Rules of Council Section 36, Rules of Council Section 37, Rules of Council Section 38(a) be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and ad hoc Charter and Rules Committee.

Upon motion of Councilor Surprise, it was VOTED: That term limits be included on the ballot question with extension of terms for Mayor and City Council be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT.

Councilor Allie was OPPOSED.

At 9:06 PM, and upon motion of Councilor Knapik, it was VOTED: To ADJOURN.

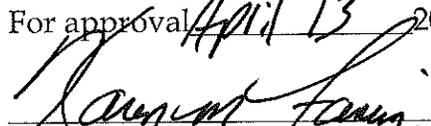
A true record, Attest:

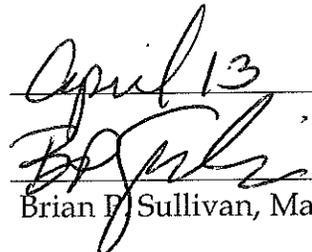


Karen M. Fanion  
City Clerk/Clerk of the Council

Presented to the Mayor

Approved by the Mayor

For approval April 13 2016  
  
Karen M. Fanion, City Clerk

April 13 2016  
  
Brian P. Sullivan, Mayor