

MEETING OF CITY COUNCIL  
WESTFIELD, MASSACHUSETTS  
AUGUST 22, 2016  
(rescheduled from August 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 Knapik 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 meetings of June 16, Special Meetings of June 27, 28 and 30, 2016 and July 7, 201 be ACCEPTED.

President Bean asked if anyone, other than Channel 15, was taping the meeting. No one was taping the meeting.

Under "Public Participation" the Councilors were addressed by Ms. Carol Shannon, 25 Cara Lane. She spoke in opposition of the acquisition of property and demolition of homes in Barnes Airport area relative to the Noise Mitigation Program. She informed the Council that empty lots within a neighborhood would devalue abutting property.

Under "Public Participation" the Councilors were addressed by Ms. Jean Carpenter, Barbara Street. She expressed her concern relative to the high cancer rates in and around the Otis Air Force Base at Cape Cod where the F15's were previous stationed and now are stationed at Barnes. She also expressed her concerns with the water pollution in and around the Barnes Airport. She submitted information to the Clerk relative to this topic.

Under "Public Participation" the Councilors were addressed by Mr. Dan Welch, 72 Pineridge Drive, President of the Greater Westfield Babe Ruth League. He thanked everyone involved in the hosting of the Fourteen Year Old Babe Ruth World Series that took place from August 10<sup>th</sup> to August 18<sup>th</sup>, 2016. He expressed his sincere gratitude for a successful event and the participation of Westfield residents. He specifically thanked former Mayor Knapik, Mayor Sullivan, City Councilors, DPW, School

Department, Westfield Gas and Electric, Whip City Wi-Fi, EMS, Police and Fire Departments. He concluded by presenting each Councilor with a commemorative program and baseball.

Under "Public Participation" the Councilors were addressed by Ms. Marcia Orlandi, for her father William Callahan of 344 Holyoke Road. She spoke in favor of the acquisition of property and demolition of homes in Barnes Airport area relative to the Noise Mitigation Program.

Under "Public Participation" the Councilors were addressed by Ms. Jayne Mulligan, 362 Granville Road, member of the Board of Directors of the Westfield Athenaeum. She requested immediate consideration and Councilors favorable approval on the appropriation of the CPA money for the Athenaeum project.

Under "Public Participation" the Councilors were addressed by Mr. Matt Roman. He spoke in support of having an airport in Westfield.

Under "Public Participation" the Councilors were addressed by Mr. Brian Hoose, 60 Arnold Street. He expressed his continued concerns relative to fire pits/cooking areas for Whitney Playground and creating a stairway down from the levy.

Upon motion of Councilor Flaherty, it was  
VOTED: That the creation of a stairway down from the levy at the Whitney be reviewed and be REFERRED TO CITY PROPERTY COMMITTEE.

Under "Public Participation" the Councilors were addressed by Mr. Robert Matysek, 22 Deepwoods Drive spoke in favor of the Noise Mitigation Project at Barnes Airport and spoke in favor of the Air Force.

Upon motion of Councilor Paul, it was  
VOTED: Under immediate consideration that the corrected Budget Order #2772 dated June 30, 2016 for the Stormwater Management be ACCEPTED.

The vote on the foregoing was as follows:

Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Absent
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: Under immediate consideration that the following be appropriated to CPA Athenaeum Accessibility Improvements account #24101770-580200-5118:

- \$55,000.00 Community Preservation Historic (FY17) acct #24101770-580200
- \$245,000.00 Community Preservation Undesignated (FY17) acct #24101770-580000.

And that the appropriation of \$550,000.00 from Community Preservation Undesignated (Reserve Balance) #2410-340000 to CPA Athenaeum Accessibility Improvements account #24101770-580200-5118 be REFERRED TO FINANCE COMMITTEE.

The vote on the foregoing was as follows:

Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Absent
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 he would like to review in Finance Committee the request for the appropriation of \$550,000.00 but would approve the above portion at this time. Councilor O'Connell requested

permission from the President to allow Jay Vinskey City Planner/CPA Administrator be allowed to address the Council. Mr. Vinskey addressed the Council and informed them that the \$550,000.00 appropriation could wait for a later date. Councilor Harris questioned if there would be any negative ramifications by voting it this way. Mr. Vinskey informed there would be no negative ramifications.

Upon motion of Councilor Paul, it was  
VOTED: That an appropriation in the amount of \$200,000.00 from the Community Preservation Housing account #2410-340300 to the CPA Moseley Apartments account #24101770-580300-5205 be REFERRED TO FINANCE COMMITTEE.

Prior to the vote, Councilor Paul informed the Council that he would like to review the item in Finance Committee and per a letter from Mr. Jay Vinskey City Planner/ CPA Administrator there was no urgency.

Upon motion of Councilor Paul, it was  
VOTED: Under immediate consideration that a Grant in the amount of \$6,927.00 from the Massachusetts Emergency Management Agency to the Fire Department be ACCEPTED.

Prior to the voice vote, Councilor Paul informed the Council that it will be used for the International Association of Fire Chiefs Annual Conference and Expo and update the Hazardous Material Training Program.

Upon motion of Councilor Paul, it was  
VOTED: Under immediate consideration that a Grant in the amount of \$4,901.46 from the Executive Office of Public Safety to the Police Department be ACCEPTED.

Prior to the voice vote, Councilor Paul informed the Council that it will be used for pedestrian and walker safety enforcement.

Upon motion of Councilor Paul, it was  
VOTED: Under immediate consideration that a Resolution entitled "A RESOLUTION APPROVING AND ACCEPTING GRANT FUNDING FOR THE WESTFIELD BARNES REGIONAL AIRPORT LAND ACQUISITION FOR AIRPORT IMPROVEMENT PROJECT (Noise Mitigation Program)" be ADOPTED.

The vote on the foregoing was as follows:

Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Absent
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 it is for approximately \$2.2 million and it's critical that it be voted on at tonight's meeting because it is due in Boson tomorrow (August 23, 2016). Councilor O'Connell expressed her understanding relative to the neighbors concerns relative to acquisition of property and that may devalue their properties as well as her concern with those waiting to have their properties acquired. Councilor Onyski expressed his concerns on how to handle properties to keep them on the tax rolls and the maintenance of the vacated properties. Councilor Babinski expressed her concerns that the neighbors did not have knowledge of the program and requested that going forward there is a better public outreach program and develop an advisory committee. Councilor Allie expressed his concern that the program affects people differently and that there needs to be plan as to what is acceptable to do with vacant lots such as they may be bought by abutting neighbors or have a neighborhood park.

Upon motion of Councilor VanHeynigen, it was VOTED: Under immediate consideration that a Resolution entitled "A RESOLUTION APPROVING AND ACCEPTING GRANT FUNDING FOR THE WESTFIELD BARNES REGIONAL AIRPORT LAND ACQUISITION FOR AIRPORT IMPROVEMENT PROJECT (drainage improvements)" be ADOPTED.

The vote on the foregoing was as follows:

Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Absent
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 it's approximately \$290,000.00 and there is a 5% City match that is already in the budget.

Upon motion of Councilor Paul, it was  
VOTED: Under immediate consideration that the establishment of a Special Revenue Opiate Crisis Fund be APPROVED.

The vote on the foregoing was as follows:

Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Absent
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 Harris, it was  
VOTED: Under immediate consideration that the job description for the Airport Manager be ACCEPTED.

The vote on the foregoing was as follows:

Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Absent
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 Babinski expressed her concerns that the position needs to be responsible for protecting the aquifer. Councilor Flaherty questioned if the position has a license requirement and if it needs to be in the description. Councilor Allie informed the Council that the person may have to be in the position as an Airport Manager to apply for certain licenses. Councilor O'Connell informed the Council that the Airport Commission would have the license requirement as part of the parameters of the interview process. Councilor Figy informed the Council that the license requirement may be part of the contract. Councilor Paul reiterated that the Airport Commission is doing a fantastic job and they can take care of the license requirement.

Upon motion of Councilor Harris, it was  
VOTED: Under immediate consideration that the job description for the Personnel Director be ACCEPTED.

The vote on the foregoing was as follows:

Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Absent
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 this position

needs to be filled as soon as possible and that there have been additional educational requirements added. Councilor O'Connell questioned if the department currently has an Assistant Personnel Director. Councilor Harris informed her that there is an Assistant. Councilor Figy informed the Council that the current Personnel Director's last day of employment is August 26<sup>th</sup>, 2016 and she will submit her formal resignation on that day and she currently is not working in the office. He also informed the Council that the employees have been directed to contact the Mayor and/or Attorney Krok relative to Personnel issues during this time.

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

The Clerk read from the Agenda:

- K. Transfer of \$46,254.00 within the Police Department from Towing and Storage of Motor Vehicles account #2400-1330210 to the Special Account Towing and Storage Motor Vehicles account #24210714-585001.
- L. Transfer of \$2,211.00 within the Law Department from General Expense account #11510000-578000 to Full Time Salary Employees account #11510000-511000.
- M. Transfer of \$399.00 within the Personnel Department from Continuing Ed-Career Incentive FY17 account #1152000-570700 to Continuing Ed-Career Incentive FY16 account #1152000-570700.
- N. Transfer of \$36,925.00 within the Engineering Department from Purchase of Services FY17 account #14110000-520000 to Purchase of Services FY16 account #14110000-520000.

Upon motion of Councilor Paul, it was  
VOTED: That the rules of the City Council be SUSPENDED in order to act upon items on tonight's Agenda.

Upon motion of Councilor Paul, it was  
VOTED: Under immediate consideration that two Grants from the MA 911 Department to the Public Safety Communications Department for the following:

- \$114,840.00 for reimbursement of personnel/overtime and equipment costs
- \$21,914.00 for training reimbursement for Emergency Telecommunication Dispatchers

be ACCEPTED.

The vote on the foregoing was as follows:

Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Absent
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: Under immediate consideration that a gift donation in the amount of \$1,300.00 from the Westfield Elks Lodge to the Police Department Marine Patrol Gift account be ACCEPTED.

Prior to the voice vote, Councilor Figy informed the Council that the donation will be used for the repairs and equipment for the police boat named the Patti Andras and he thanked Steve Andras for continuing to raise money for this project.

Upon motion of Councilor Flaherty, it was VOTED: That the meeting return to regular order.

Upon motion of Councilor Paul, it was VOTED: That the Bond Order in the amount of \$4,000,000.00 for the purpose of a Water Meter Replacement Project be REFERRED TO FINANCE COMMITTEE.

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

The Clerk read from the Agenda:

R. Requesting approval of the recently signed International Brotherhood Police Officers, Local S574 (Superior Officers) contract which became effective on July 1, 2016 through June 30, 2019.

S. Requesting approval of the recently signed Westfield Professional Municipal Employee Association contract which became effective on July 1, 2016 through June 30, 2019.

Councilor Flaherty ABSTAINED due to a personal conflict.

Prior to the vote, Councilor Figy announced that all contracts in Committee will

be coming out at the September 15, 2016 meeting. Councilor Flaherty informed the Council that he would abstain from voting because state law requires that funding be attached to contracts.

Upon motion of Councilor Figy, it was VOTED: That the Order designating the Voting Places for September 8, 2016 and November 8, 2016 Elections submitted by City Clerk Karen Fanion be given first reading by title only.

The Order was given first reading by title only and upon motion of Councilor Figy, it was VOTED: That the Order be PASSED TO SECOND READING.

Upon motion of Councilor Figy, it was VOTED: That the Order calling the State Primary to be held September 8, 2016 submitted by City Clerk Karen Fanion be given first reading by title only.

The Order was given first reading by title only and upon motion of Councilor Figy, it was VOTED: That the Order be PASSED TO SECOND READING.

Upon motion of Councilor Figy, it was VOTED: That the following recommendations for crosswalks submitted by Chief Camerota for the Traffic Commission be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

1. Abner Gibbs School at Day Avenue
2. North Elm Street southbound in front of Westfield Electroplating Company

Upon motion of Councilor Figy, it was VOTED: That the request for an Ordinance amendment at Chapter 4 Section 4-26, subsection (c) submitted by Chief Camerota, for the Animal Control Unit of the Police Department be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion of Councilor Figy, it was VOTED: That the Conservation Restriction located on the West Side of Montgomery Road submitted by Conservation Coordinator Karen Leigh be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion of Councilor Figy, it was VOTED: That the response submitted by Assistant City Solicitor Shanna Reed, per motion of Council (4/7/16), relative to terms, term limits and staggered terms be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion of Councilor O'Connell, it was VOTED: That the rules of the City Council be SUSPENDED in order to act upon an item on tonight's Agenda.

At this point Councilor VanHeynigen left the meeting.

Upon motion of Councilor O'Connell, it was VOTED: Under immediate consideration that the request from Principal Planner/CPA Administrator Jay Vinskey requesting Council approval to authorize the repurposing of CPA funds (originally appropriated \$25,000.00 11/7/13) for the West Farms Schoolhouse balance of \$7,405.00 (original appropriation was for the securing of the building and the new proposed work is for the restoration of the building's entry and woodshed) be APPROVED.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor O'Connell informed the Council that in order to restore the schoolhouse to its original condition special wood and materials have to be used and there is a long lead time for the materials, therefore immediate consideration is being requested.

At this point Councilor VanHeynigen returned to the meeting.

Upon motion of Councilor Figy, it was VOTED: That the review and update of zoning fees submitted by City Planner Jay Vinskey be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

A Public Hearing was held on a petition submitted by Mr. Rob Levesque of R. Levesque Associates for a Special Permit/Site Plan Approval/Stormwater Permit for a contractor's yard for his client Dale Unsderfer, Western Mass Demolition Corporation, 0

Medeiros Way (Parcel 70R lot 1). Mr. Levesque presented a map of the property consisting of 20.77 acres in Business B. The project is to develop 4.7 acre portion of the site as a contractor's yard, proposed construction of an 11,000 sq. ft. office/garage building, a paved driveway/parking area and a gravel surfaced storage yard. The project area will be on the south eastern corner of the parcel. There will be 11 vehicle parking spaces with and overflow for other vehicles. Councilor Babinski questioned if this project is related to the zone change application for Medeiros Way on tonight's Agenda. Mr. Levesque informed her it was a separate piece of property, but it was previously owned by Mr. Virgillio. Councilor Babinski questioned if the parcel is in the Water Resource Protection District. Mr. Levesque informed her that he did not believe it was but would look it up and confirm that with her. Councilor Flaherty expressed his concern that the area has a lot of contractors' yards and would like to see other types of businesses there. Mr. Levesque informed him that it's a good location for contractor's yards because the land is developable and it's near the highways.

Mr. Joe Mitchell, City Advancement Officer, spoke in favor of the application.

Councilor Allie questioned what type of material will be demolished. Mr. Levesque informed him that there will be multiple materials and will be demolished at the job site, the contractor's site will be for the storage of the equipment, it's not a processing site. Mr. Levesque addressed Councilor Babinski's question relative to the site being in the Water Resource Protection area, and informed her that the Water Resource Protection District clips only the edge of the property.

Mr. Matt Roman spoke in favor of the application.

With no others appearing to be heard, the Public Hearing was CLOSED.

Upon motion of Councilor O'Connell, it was

VOTED: That the application be REFERRED TO LICENSE COMMITTEE.

Upon motion of Councilor Figy, it was

VOTED: That the application submitted by Sherri and Richard Morini for a Special Permit pursuant to Section 3-40.4(8) for a Bed and Breakfast at 164 Susan Drive (Rural Residential) be REFERRED TO LICENSE COMMITTEE and that a Public Hearing be scheduled at the earliest possible convenience.

Upon motion of Councilor Figy, it was

VOTED: That the petition resubmitted by the Zoning Board of Appeals (previous petition expired) to amend the zoning ordinance relative to administrative and minor clarifications/revisions be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and ZONING, PLANNING AND DEVELOPMENT COMMITTEE and that a Public Hearing be scheduled at the earliest possible convenience.

Upon motion of Councilor Figy, it was

VOTED: That the petition resubmitted by Sandra and Kenneth Boyd, owners and Todd Cellura, Agent for a Zone Change at 710 Southampton Road from Business A and Rural Residential to Business A and Industrial A (Map 257, Lot 27) be REFERRED TO

LEGISLATIVE AND ORDINANCE COMMITTEE and ZONING, PLANNING AND DEVELOPMENT COMMITTEE and that a Public Hearing be scheduled at the earliest possible convenience.

Upon motion of Councilor Figy, it was  
VOTED: That the Notice of Intent from Mark and Evelyn Strasfeld to Convert land to other use pursuant to MGL 61A for 6.00 acres on West Road for City's First Right of Refusal and the Notice from Planning Not to Recommend that the City pursue the purchase of this property be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion of Councilor Figy, for the Legislative and Ordinance Committee, it was  
VOTED: That the motion by Councilor Beltrandi that the existing ordinance regarding issuance of licenses be amended to include enforcement language (11/15/12) be REMOVED FROM COMMITTEE with no action.

Councilor Figy informed the Council that former Councilor Beltrandi informed the Committee that he has spoken with Public Works Director Dave Billips relative to establishing a policy relative to street cuts rather than putting it into Ordinance form.

Upon motion of Councilor Figy, for the Legislative and Ordinance Committee, it was  
VOTED: That the motion of Councilor Bean that a Stop Sign be established at Dickinson Place and Mountain View Street (9/5/13) be REMOVED FROM COMMITTEE with no action.

Upon motion of Councilor Figy, for the Legislative and Ordinance Committee, it was  
VOTED: That the motion of Councilor Flaherty that the City Charter be changed to extend the terms of Mayor and City Councilors to four years (12/4/14) be AMENDED by deleting the City Councilors to four year terms and keeping only the Mayor for four year terms and that a nonbinding referendum question be placed on the next convenient election.

Upon motion of Councilor Flaherty, it was further  
VOTED: That the Law Department be requested to develop the language for the nonbinding referendum question and submit it back to the City Council by the first meeting of November 2016. Councilor Harris questioned if there would be an option not to change the term to four years. Councilor Figy informed her that a no vote on the referendum would be a vote for no change. Councilor Surprise questioned if term limits could be incorporated in the referendum. Councilor Figy informed him that term limits is a separate issue and will not be included in this referendum question.

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

VOTED: That the motion of Councilor Figy to investigate the need for an anti-fracking ordinance in the city of Westfield (5/7/15) be REMOVED FROM COMMITTEE with no action. Councilor Figy informed the Councilors that the State is developing fracking regulations. Councilor Babinski requested that the issue be revisited after the State develops its regulations and that Westfield support those communities that suffer from the fracking industry.

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

VOTED: That the 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 Joseph Keenan) (12/17/15) be given first reading by title only.

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

VOTED: That the Order be PASSED TO SECOND READING.

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

VOTED: That the 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 Bernard Romani ) (12/17/15) be REMOVED FROM COMMITTEE with no action. Councilor Figy informed the Council that there will be a new item to replace this one.

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 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 (3/3/16) be REMOVED FROM COMMITTEE with no action. Councilor Flaherty informed the Council that it was funded from another source.

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

VOTED: That a motion of Councilors O'Connell and Surprise to request the Law Department to provide a LEGAL RULING outlining who or what party (lot owners or City of Westfield) is responsible for the maintenance (including snow removal) of the planned multi use trail along the northern side of the Western Avenue corridor

(5/5/16) that the response (received 5/19/16 which was referred to City Properties at that time) be PLACED ON FILE. Discussion was held involving Councilors Babinski, O'Connell, Surprise and Allie relative to the size path that has to be plowed.

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

VOTED: That an Order entitled an "ORDER ESTABLISHING A REVOLVING ACCOUNT TITLED "OFF-STREET PARKING LOT MAINTENANCE COSTS ACCOUNT" (6/2/16) be given first reading by title only.

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

VOTED: That the Order be PASSED TO SECOND READING.

Councilor Harris was OPPOSED.

Councilor O'Connell informed the Council that the Order allows for repairing of the parking lots with funds collected. President Bean informed the Council that the parking stickers and permits are the source of revenue and tightens up what the fund can be used for.

Upon motion of Councilor Flaherty, it was

VOTED: That the rules of the Council be SUSPENDED in order to take an item out of order of the Agenda and that the item appropriating \$6,230.00 for the taking of 0 Church be taken prior to the eminent domain taking of 0 Church.

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

VOTED: That an Order entitled "An Order appropriating the sum of six thousand two hundred thirty (\$6,230.00) dollars for the purpose of fee taking by right of eminent domain for roadway, traffic and related improvements" (0 Church Street in connection with the Gas Light District) be given first ready by title only.

The vote on the foregoing was as follows:

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

President Bean declared the tie vote is a LOST vote.

Prior to the vote, Councilor O'Connell informed the Council that there was no communication with the property owner and the City treated him poorly and that she would not support the Order.

Upon motion of Councilor Flaherty, from the nonprevailing side, it was VOTED: That the above item be RECONSIDERED at the next regular City Council meeting. Councilors Harris and O'Connell were OPPOSED.

Upon motion of Councilor Flaherty, it was VOTED: That an Order entitled "An Order of Taking of real estate taken for roadway, traffic and related improvements by right of eminent domain" (0 Church in connection with the Gas Light District" (7/7/16) be TABLED to the next regular meeting of the City Council.

The vote on the foregoing was as follows:

Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Absent
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 Onyski, for the Legislative and Ordinance Committee, it was

VOTED: That the Noise Compatibility Program (NCP) submitted by Airport Manager Brian Barnes (6/16/16) be PLACED ON FILE.

Councilor Onyski informed the Council that it's a complicated issue, that the Airport Commission voted to stop the noise mitigation portion and only do buy outs of property and the report is for information for the Council as it is an Airport Commission vote. Councilor Onyski also informed the Council that he would get those recommendations from the Airport Commission for the Council to read.

Upon motion of Councilor Flaherty, it was VOTED: That the Noise Compatibility Program (NCP) report be posted on the City's webpage and that the Airport Commission's recommendation be linked together with it.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the appointment of Susan Carmichael, 12 Alice Burke Way #509, as a member of the Westfield Housing Authority, for a term to expire the first Monday of June 2018, replacing Richard Meyer, deceased be CONFIRMED.

The vote on the foregoing was as follows:

Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Absent
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. Carmichael would like to give back to the community and help the senior tenants of the housing authority. She is hard working, wants to be involved and loves to spend time with her grandchildren and would be an asset to the Housing Authority.

Councilor Harris, for the Personnel Action Committee, informed the Council of the Committee's process of providing information to the whole Council on appointments and reappointments and upon motion of Councilor Figy, it was VOTED: That the item be PLACED ON FILE.

Councilor O'Connell requested that Councilor Harris put the information on the share file. Councilor Harris informed her that it is included in the Personnel Action Committee minutes.

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" (Zone Change 0 and 86 Medeiros Way (Parcels 70R-17 & 26) from Business B to Industrial A) 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:

Ralph Figy	Yes
Dave Flaherty	No
Cindy Harris	Yes
Daniel Knapik	Absent
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

Prior to the vote, Councilor Babinski expressed her concerns that a contractor's yard is not compatible with the aquifer and therefore would not support the zone change. Councilor Flaherty expressed his concerns with the list of "by right" things that are allowed in Industrial A and therefore would not support the zone change.

Upon motion of Councilor Figy, it was VOTED: That That a Bond Order entitled "A BOND ORDER FOR THE EXPANSION AND UPGRADE OF THE SANITARY SEWER SYSTEM" (\$3,000,000.00) be given second reading by title only.

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:

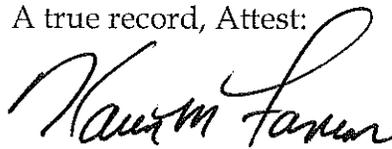
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Daniel Knapik	Absent
Mary O'Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes

Councilor Figy, liaison to the School Department, gave an update from the Superintendent, as follows: the School Department has been awarded a \$60,000.00 grant for the STEM program, interim Principal for WHS closed July 28, 2016 with 21 applicants, application has been submitted for a \$500,000.00 equipment grant, a Meet and Greet will be Sept 19, 2016 from 4:30 PM to 6:00 PM in Room 201; visit to WTA by the FAA went very well; Central Office Open House will be August 24, 2016 from Noon to 3:00 PM, Annual Convocation will be August 29, 2016, Westfield Public School radio show will debut in September 2016 and will be held every Thursday from 9:00 AM to 10:00 AM., dual enrollment classes with WSU at WTA are being offered.

Councilor Flaherty informed the Council that the Junior Achievement is looking for volunteers to teach students Business Finance.

At 9:27 PM, and upon motion of Councilor Paul, it was VOTED: To ADJOURN.

A true record, Attest:

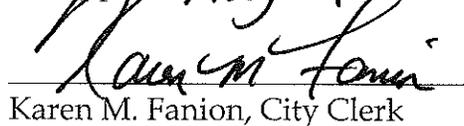


Karen M. Fanion  
City Clerk/Clerk of the Council

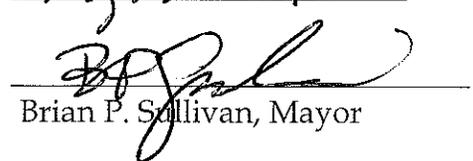
Presented to the Mayor

Approved by the Mayor

For approval Aug 29 2016

  
Karen M. Fanion, City Clerk

August 29 2016

  
Brian P. Sullivan, Mayor

