

MEETING OF CITY COUNCIL
WESTFIELD, MASSACHUSETTS
SEPTEMBER 1, 2016

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

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

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

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

Mayor Sullivan requested and was granted permission from Chair to address the Council.

Mayor Sullivan requested a "Moment of Silence" in honor of former Councilor Martin "Marty" Canty who recently passed away. Marty Canty served as the Ward 5 Councilor in 1990-91; 1992-93; 1994-95; 1996-97; 2002-03; and 2004-05.

Upon motion of Councilor O'Connell, it was VOTED: That the record of the meetings of August 22, 2016 (rescheduled from August 18, 2016) 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 Mr. Ed Ziskowski, 34 Northridge Road. Mr. Ziskowski expressed his concern with the tractor trailer trucks that come into the Knollwood neighborhood that mistake Summit Drive from Summit Lock Road which has been changed to Medeiros Way. Mr. Ziskowski informed the Council that he saw a bill of lading from one of the truck drivers and it said Summit Drive. City Engineer Mark Cressotti expressed his concern with Mr. Ziskowski concerns, but informed him that if the company has the wrong street address on the bill of lading that is an issue of the company, not of the City. He informed Mr. Ziskowski that the City changed the name of Summit Lock Road to Medeiros Way to avoid that confusion. Councilor Dondley questioned if there is a way to contact Google and other GIS search engines to have them update the new name of the street. President Bean informed him that that would not be a function of the Engineering Department.

Under "Public Participation" the Councilors were addressed by Mr. Matt Roman. He informed the Council that the vendor doing the trimming of vegetation along the roadways is doing a great job and that he is concerned that the stripping of the roadways is not complete and that winter is approaching.

Under "Public Participation" the Councilors were addressed Councilor Steve Dondley. Councilor Dondley recognized and thanked all the volunteer of WOW for their work on the Music Fest concerts on the Green this past Summer.

Upon motion of Councilor O'Connell, it was VOTED: Under immediate consideration that an Order entitled "AN ORDER ESTABLISHING A SPECIAL ACCOUNT TITLED "SPECIAL ACCOUNT TO RECEIVE DONATIONS FOR THE OPIATE CRISIS FUND" (The Order was inadvertently not attached to the vote of August 22nd, 2016 meeting) be APPROVED.

The vote on the foregoing was as follows:

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

Upon motion of Councilor O'Connell, it was VOTED: Under immediate consideration that a Resolution of the City Council of the City of Westfield for acceptance of a gift pursuant MGL 44 & 53A to the Parks and Recreation Department for a donation from Paul Aldrich a "Client Trust" in the amount of \$600.00 be ADOPTED.

The vote on the foregoing was as follows:

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

Upon motion of Councilor O'Connell, it was VOTED: That the recently endorsed Memorandum of Agreement between the City of Westfield and Public Employee Committee for the acceptance of MGL Chapter 32B Section 19 for the purpose of changes to health insurance and other benefits and contributions be REFERRED TO FINANCE COMMITTEE.

Upon motion of Councilor O'Connell, it was VOTED: Under immediate consideration that the Assistance to Firefighters Grant of behalf of the Department of Homeland Security for equipment covering from August 11, 2016 through August 10, 2017 in the amount of \$141,205.00 to the Fire Department (with a 10% City share) be ACCEPTED.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor O'Connell expressed her concern with the item being passed under immediate consideration when there is a City share.

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

The Clerk read from the Agenda:

- E. Submitting the reappointment of William Carellas, 16 Wildflower Circle as a member of the Planning Board for a term to expire on the first Monday of February, 2021.
- F. Submitting the appointment of Mark M. Goodniss, 230 Old County Road as a member of the Flood Control Commission for a term to expire the first Monday of February, 2018.

Upon motion of Councilor O'Connell, it was
VOTED: That the vote of the Conservation Commission submitted by Conservation Coordinator Karen Leigh relative to the City's option of first right of refusal to recommend the City pass on the option to acquire the 61A property located on West Road, Parcel 45R-1, Mark Strasfeld be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion of Councilor Dondley, it was
VOTED: That items A. and A.1. under "Petitions, Remonstrances and Other Papers" be read by the Clerk and REFERRED TO ZONING, PLANNING AND DEVELOPMENT COMMITTEE.

The Clerk read from the Agenda:

- A. Attorney Brad Moir, for his client, William Reed, Trustee, submitting Notice of Intent to Convert land to other use pursuant to MGL 61A for Furrowtown Road Parcel 48R2 for City's First Right of Refusal.
 - A.1. Conservation Coordinator Karen Leigh submitting the vote of the Conservation Commission relative to the City's option of first right of refusal to recommend the City pass on the option to acquire the 61A property located on Furrowtown Road, Parcel 48R-2 William Reed Family Trust.

Upon motion of Councilor Knapik, it was
VOTED: That the application submitted by Mr. William Monty Geer of Monty's Motorsports LLC, 518 Southampton Road applying for Junk Dealer's and Junk Collector's licenses be REFERRED TO LICENSE COMMITTEE and that a Public Hearing be scheduled at the earliest practicable date.

Upon motion of Councilor Knapik, it was
VOTED: That the application submitted by Mr. John Beltrandi, Agent for petitioners Gerald and Suzanne Tracy, submitting a zone change application for 255 Southampton Road (Map 254-1) from Residence A to Business A be REFERRED TO ZONING, PLANNING AND DEVELOPMENT COMMITTEE and that a Public Hearing be

scheduled at the earliest practicable date.

Upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That the sum of \$550,000.00 be appropriated from Community Preservation Undesignated (Reserve Balance) #2410-340000 to CPA Athenaeum Accessibility Improvements account #24101770-580200-5118.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Flaherty informed the Councilors that the funds from CPA will be available after November but that the appropriation needs to be approved in order to get the bid process going.

Upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That the sum of \$200,000.00 be appropriated from the Community Preservation Housing account #2410-340300 to the CPA Moseley Apartments account #24101770-580300-5205.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Harris informed the Council that the project is \$8.8

million which comes out to be approximately \$384,000.00 per unit which should be sufficient to house those that need it and will not support the use of \$200,000.00 of tax payers money. Councilor Flaherty informed the Council that this is an appropriate use for CPA money which is going to a DOMUS housing project. If not for DOMUS rehabilitating this old building it would just sit there and that it's a good project for the neighborhood.

Upon motion of Councilor VanHeynigen, for the Finance Committee, it was VOTED: That the sum of \$46,254.00 be transferred 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.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor VanHeynigen informed the Council that the appropriation is for the purchase of two SUV Cruisers.

Upon motion of Councilor VanHeynigen, for the Finance Committee, it was VOTED: That the sum of \$2,211.00 be transferred within the Law Department from General Expense account #11510000-578000 to Full Time Salary Employees account #11510000-511000.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor VanHeynigen informed the Council that the transfer is for the 1% increase for the three Attorneys for FY17 that was an inadvertently omitted from the FY17 budget.

Upon motion of Councilor VanHeynigen, for the Finance Committee, it was VOTED: That the sum of \$399.00 be transferred within the Personnel Department from Continuing Ed-Career Incentive FY17 account #1152000-570700 to Continuing Ed-Career Incentive FY16 account #1152000-570700.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor VanHeynigen informed the Council that the transfer was for a seminar.

Upon motion of Councilor VanHeynigen, for the Finance Committee, it was VOTED: That the sum of \$36,925.00 be transferred within the Engineering Department from Purchase of Services FY17 account #14110000-520000 to Purchase of Services FY16

account #14110000-520000.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor VanHeynigen informed the Council that the funding was a prior year bill for work on the Columbia Greenway north section. Councilor Paul expressed his dissatisfaction with the prior year bills and would like to have all departments get all their prior year bills in and they will be done all at once. Councilor Flaherty expressed his concern that money was spent on this project at this time because the north section of rail trail does not lead to anywhere, it stops there and that bikes can go over the green bridge rather than having work be done to the old railroad. Councilor Allie echoed Councilor Flaherty's comments. Councilor Surprise expressed his concern with redundant spending relative to having bikes on sidewalks and a bike lane on Western Avenue.

Upon motion of Councilor Paul, for the Finance Committee, it was VOTED: That the Bond Order in the amount of \$4,000,000.00 for the purpose of a Water Meter Replacement Project REMAIN IN COMMITTEE.

Upon motion of Councilor O'Connell, it was VOTED: That the Order entitled "ORDER DESIGNATING THE VOTING PLACES FOR SEPTEMBER 8, 2016 AND NOVEMBER 8, 2016 ELECTIONS" be given second reading by title only.

The Order was given second reading by title only and upon motion of Councilor O'Connell, it was VOTED: That the Order be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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

Upon motion of Councilor O'Connell, it was
VOTED: That the Order entitled "ORDER CALLING THE STATE PRIMARY TO BE HELD SEPTEMBER 8, 2016" be given second reading by title only.

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

VOTED: That the Order be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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

Upon motion of Councilor O'Connell, it was
VOTED: That the 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)" be given second reading by title only.

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

VOTED: That the Order be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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

Upon motion of Councilor O'Connell, it was

VOTED: That the Order entitled "AN ORDER ESTABLISHING A REVOLVING ACCOUNT TITLED "OFF-STREET PARKING LOT MAINTENANCE COSTS ACCOUNT" be given second reading by title only.

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

VOTED: That the Order be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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

Councilor Flaherty offered a motion, which was duly seconded, to TABLE the reconsideration of the Order appropriation \$6,230.00 for eminent domain taking of 0 Church Street. Councilor O'Connell acknowledged a point of order that a

reconsideration vote must take place at the next meeting from the vote of the reconsideration. Councilor Flaherty informed the Council that the Rules say that the Council must take action at the next meeting and that tabling the item is taking action. Councilor O'Connell informed the Council that she discussed this issue previously with the City Solicitor and it was agreed by the City Solicitor that a reconsideration cannot be tabled. Councilor Flaherty withdrew his motion.

Upon motion of Councilor Flaherty, it was VOTED; Under reconsideration, 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 reading by title only.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

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

Upon motion of Councilor Flaherty, it was VOTED: That the 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) be REMOVED FROM THE AGENDA WITH NO ACTION.

The vote on the foregoing was as follows:

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

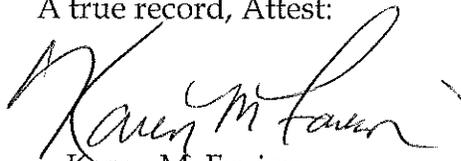
The President declared the motion LOST.

Upon motion of Councilor Flaherty, it was VOTED: That the 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) be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Councilor O'Connell reminded everyone that Thursday, September 8th, 2016 is the State Primary election and also a reminder to Ward 4A voters that their voting location has changed from Juniper Park School to the Second Congregational Church at 487 Western Avenue and that all voters of 4A have been sent a postcard from the City Clerk informing them of this change.

At 7:43 PM and upon motion of Councilor Harris, 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 Sept. 8 2016
Karen M. Fanion
Karen M. Fanion, City Clerk

9.8 2016
Brian P. Sullivan
Brian P. Sullivan, Mayor