

MEETING OF CITY COUNCIL  
WESTFIELD, MASSACHUSETTS  
OCTOBER 6, 2016

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

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

The City Clerk called the roll. All thirteen Councilors were present.

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

Upon motion of Councilor O'Connell, it was VOTED: That the record of the meeting of September 15, 2016 be ACCEPTED as amended by Councilor Flaherty. Councilor Flaherty's amendment was as follows: on page 7 delete the words "opinion that the information is not correct and illegal for not providing all the cost items associated with the contracts." And replace with the words "opinion that the information is not correct, and the information provided does not comply with the law that says 'the mayor... shall provide... a request for an appropriation necessary to fund the cost items contained therein.'"

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. Matt Roman. He informed the Council that Papermill Road now has the new LED lights and thank you to the Westfield Gas and Electric. He informed the Council that he read in the paper that the City will be getting a new asphalt truck which will help with getting the roads fixed and that the excise taxes should be used to pay for the truck. He also informed the Council that there are large cracks on Elm and Main Streets that need to be fixed prior to winter.

Under "Public Participation" the Councilors were addressed by Mr. Don Podolski, 317 Birch Bluff Drive. He informed the Council that the future project of Franklin Street for restriping and resurfacing will have only one travel lane and a center lane for turns and a shoulder lane. He requested that the shoulder be designated as a bike lane with all the proper signage to inform drivers and bicyclists of the proper intersections and cross streets and merge areas. He invited all Councilors to attend the after party at Sons of Erin after the fall ride of about 300 riders that will be using

Franklin Street. He invited them to talk to the riders relative to their concerns about Franklin Street. Councilor Flaherty expressed his concern why the Council has not heard about this Franklin Street project.

Under "Public Participation" the Councilors were addressed by Joe Giffune, 49 Colony Drive, Chair of the Board of Directors of the Friends of the Columbia Greenway Rail Trail. He requested the Council accept the brick donation from the Friends on tonight's Agenda and also requested the Council approve the motion of Councilor Surprise requesting permission to Friends of the Columbia Greenway to host an event titled Glow-Walkcon the Rail Trail to be held October 15<sup>th</sup>, 2016 from 6:30 PM to 7:30 PM.

Upon motion of Councilor VanHeynigen, it was VOTED: Under immediate consideration, that a Grant in the amount of \$2,000.00 from the Secretary of State's Office, Election Division to the City Clerk's Office for the 2016 Early Voting Weekend Hours Incentive be ACCEPTED.

The vote on the foregoing was as follows:

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

Prior to the vote Councilor VanHeynigen informed the Council that the grant will pay for expenses associated with Early Voting that will be held on Saturday, October 29<sup>th</sup>, 2016. He informed the Council that this is a new program mandated by the State.

Upon motion of Councilor VanHeynigen, it was VOTED: Under immediate consideration, that the gift donations for the annual brick campaign for the Friends of the Columbia Greenway Rail Trail be ACCEPTED.

Upon motion of Councilor Paul, it was VOTED: Under immediate consideration, that a gift donation of a Security Camera System in the amount of \$11,533.68 from Nabil and Julie Hannoush to the Westfield Police Department Headquarters on 15 Washington Street be ACCEPTED.

The vote on the foregoing was as follows:

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

Councilor Flaherty abstained due to a professional conflict.

Prior to the vote Councilor Paul thanked the Hannoush's for their generous gift.

Upon motion of Councilor Paul, it was

VOTED: That items D., E. and F. under "Communications from the Mayor" be read by the Clerk and REFERRED TO FINANCE COMMITTEE.

The Clerk read from the Agenda:

D. Appropriation of \$75,000.00 from Stabilization account to the following:

- \$30,000.00 to Public Works, Land and Natural Resources Full Time Hourly account #14990000-511100
- \$45,000.00 to Public Works, Land and Natural Resources Purchase of Services account #14990000-520000.

E. Transfer of \$708.37 within the Fire Department from Full Time Hourly account #12200000-511100 FY17 to Full Time Hourly account #12200000-514200 FY16.

F. Submitting the recently AFSCME Council 93, Local 1676 (AFSCME Foreman) contract which became effective July 1, 2016 through June 30, 2019.

Upon motion of Councilor Figy, it was

VOTED: That items G. H. and I. under "Communications from the Mayor" be read by the Clerk and REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT.

The Clerk read from the Agenda:

G. Submitting an Order Laying Out Flynn Meadow, so-called, as a City Way.

H. Submitting an Order Transferring Care, Custody, Management and Control of the Twiss Street Transfer Station from the Board of Health to the Board of Public Works.

I. Submitting an Order of Taking for 0 Church Street, one temporary and one permanent easement of real estate for roadway, traffic and related

improvements by right of eminent domain against the proper owner (Bernard J. Romani).

Upon motion of Councilor Knapik, it was  
VOTED: Under immediate consideration, that the Order calling the State (Presidential) Election to be held November 8, 2016 submitted Clerk Karen Fanion be given first reading by title only.

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

VOTED: That the Order be passed to second reading.

Upon motion of Councilor Knapik, it was

VOTED: That the Order be given second reading by title only.

The Order was given second reading by title and 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.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Upon motion of Councilor Harris, it was  
VOTED: Under immediate consideration, that a Resolution to make the position of Aviation Coordinator a Special Municipal Employee per a disclosure form submitted by Krysten Renihan be ADOPTED.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Figy read the Resolution in its entirety. Councilor Harris informed the Council that the special designation is needed in order that Ms. Renihan may hold the position as Aviation Coordinator as well as an Aviation Shop Assistant.

Upon motion of Councilor Harris, it was VOTED: Under immediate consideration, that the Disclosure form submitted by Police Chief John Camerota for Matthew Hartmann, a dispatcher with the Public Safety Communications Department to also be able to work as an Auxiliary Officer for the Police Department be APPROVED.

Upon motion of Councilor Figy, it was VOTED: That the positive recommendations from the Planning Board submitted by Principal Planner Jay Vinskey on the following applications be referred as follows:

1. Administrative/minor revisions (C#221-16) be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE
2. 710 Southampton Road, zone change from Rural Residential & Business A to Industrial A & Business A (C#222-16) BE REFERRED TO ZONING, PLANNING AND DEVELOPMENT

Mr. Jeremy Beltrandi representative for tonight's scheduled Public Hearing on the application submitted by Mr. John Beltrandi, Agent for petitioners Gerald and Suzanne Tracy, applying for a zone change for 255 Southampton Road (Map 254-1) from Residence A to Business A (Petition of opposition submitted 9/28/16 - 17 names.) requested that the application be withdrawn without prejudice.

Upon motion of Councilor Knapik, it was VOTED: That the application submitted by Mr. John Beltrandi, Agent for petitioners Gerald and Suzanne Tracy, applying for a zone change for 255 Southampton Road

(Map 254-1) from Residence A to Business A be ALLOWED TO BE WITHDRAWN WITHOUT PREJUDICE.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Knapik, it was VOTED: That the applications for Junk Dealer's and Junk Collector's license for Blended Vintage Market Place, 48 Elm Street 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 applications for Junk Dealer's and Junk Collector's license for The Spare Room LLC, 47 Southwick Road be REFERRED TO LICENSE COMMITTEE and that a Public Hearing be scheduled at the earliest practicable date.

Councilor Paul, for the Finance Committee, reported that the following items will be discussed at the next Finance Committee meeting to be held October 12<sup>th</sup>, 2016: (the Finance Committee scheduled for October 5<sup>th</sup>, 2016 was cancelled due to a lack of a quorum).

1. 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.
2. Bond Order in the amount of \$4,000,000.00 for the purpose of a Water Meter Replacement Project

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

VOTED: That the petition from the Zoning Board of Appeals to amend the zoning ordinance relative to administrative and minor clarification/ revisions submitted on June 16, 2016 be REMOVED FROM COMMITTEE due to the fact the petition expired.

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

VOTED: That the resubmission from the Zoning Board of Appeals to amend the zoning ordinance relative to administrative and minor clarifications/ revisions on an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, APPENDIX B-ZONING, ADOPTED SEPTEMBER 3, 1987" 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.

Councilor Figy reported for the Legislative and Ordinance Committee that the following item was discussed and approved in Committee, and it was later discovered that the item was never referred to Legislative and Ordinance Committee therefore no action can be taken on the item.

The item was as follows: the recently endorsed memorandum of agreement between the City of Westfield and the Public Employee Committee for the acceptance of MGL Chapter 32-B Section 19 for the purpose of changing to health insurance and other benefits.

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

VOTED: That the Westfield Employee Association contract which became effective on July 1, 2016 through 6-30-2019 be APPROVED.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Prior to the vote, Councilor Flaherty informed the Council that he would not support the contract because he did not have all the cost factors.

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

VOTED: That a motion for term limits to be a ballot question with the extension of terms for Mayor and City Council (4-7-16) be REMOVED FROM COMMITTEE. Councilor Figy informed the Council that the term limits motion was for both term limits for Mayor and Council and that a previous vote of the Committee voted to only have the Mayor have an extension of terms, therefore, the maker of the original motion for term limits needs to make a motion for only term limits for the Mayor. Councilor Harris was OPPOSED.

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

VOTED: That a motion by Councilor's O'Connell and Surprise to amend Chapter 17 of the Code of Ordinances to read Chapter 17-89A, engine brake prohibited Western Avenue entire length Court Street to Russell town line (6-16-16) be REFERRED TO LAW DEPARTMENT and TRAFFIC COMMITTEE.

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

VOTED: That a request for Council consideration and approval of an order laying out Massey Street as a city way (9-15-16) REMAIN IN COMMITTEE.

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

VOTED: That a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD (accepting the deed conveying the streets to the city of Westfield from Cowles and Cowles, LLC for the property known as Flynn meadow Road and Massey Streets) be ADOPTED.

Prior to the vote, Councilor Figy informed the Council that the process now with subdivisions is that the developer maintains ownership of the streets and upon completion conveys the property to the City, whereas in the past the owners/residents each owned a portion which caused a lot of problems in trying to convey the land back to the City for acceptance of the City way. Councilors Bean and O'Connell expressed their concerns that the process of accepting streets as City ways is not a uniform process. Councilor O'Connell informed the Council that Assistant City Solicitor Shanna Reed explained that the process has changed over the years and it's like comparing apples to oranges. Councilor Flaherty agreed that it is a difficult, varied process depending upon several variables. He requested that a flow chart be developed. Councilor Paul agreed the process is complicated and varied and that there are several cul-de-sacs and retention ponds in subdivisions that have unknown ownerships or privately owned and are becoming a public nuisance because no one is taking care of them.

Upon motion of Councilor Knapik, for the License Committee, 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) (8/22/16 – Public Hearing 9/15/16) REMAIN IN COMMITTEE.

Councilor Knapik informed the Council that there was confusion among the neighbors from the Public Hearing relative to the traffic from horse trailers that would be traveling the roadway and whether or not East Mountain Road could be used as an access. Councilor Knapik informed the Council that the Police will be requested to do a traffic study and more information will be gathered relative to how much additional traffic a two bedroom bed and breakfast may generate. Councilor Onyski informed the Council that the neighbors were opposed to additional traffic in the area because there a lot of twists and turns in the roadway that may difficult for nonresidents to maneuver especially in the dark.

Upon motion of Councilor Dondley, for the License Committee, it was VOTED: That the application submitted by Dale Unsderfer, Western Mass. Demolition Corp. for a Special Permit/Site Plan Approval for 0 Medeiros Way a.k.a. Parcel 70R-1 (portion) (Deed Reference: Book 21169 Page 147) pursuant to Sections 3-120.3(5) and 6-10 of the zoning ordinance and a Stormwater Management Permit per Sec. 16-109 to allow for a contractor’s yard and associated office/ garage building in the Business B district, be APPROVED with the following findings and conditions.

The vote on the foregoing was as follows:

Daniel Knapik	Ineligible (not present at the Public Hearing)
Mary O’Connell	Yes
William Onyski	Yes
Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Matthew VanHeynigen	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes
Ralph Figy	Yes
Dave Flaherty	No
Cindy Harris	Yes

### Findings

After giving due consideration to the application and testimony at the public hearing, including study in the License subcommittee, the Council found that (1) the specific site is an appropriate location for contractor yard, being adequate sized and proximate to a main thoroughfare (Southampton Rd.). (2) The use as developed will not adversely affect the neighborhood, generally undeveloped but consisting of non-residential

Business and Industrial zoned lands (3) Adequate and appropriate facilities will be provided for the proper operation of the use, as depicted on the plan (4) The plan, as approved, conforms to all other rules and regulations.

In reviewing the site plan, the Council found that (1) The proposed project and site plan is in conformance with the intent of the district and does not take precedence over other specific provisions of the Ordinance; (2) All structures and equipment are readily accessible for police and fire protection, having not been objected to by public safety Departments. Adequate (3) parking, (4) pedestrian concerns, (5) landscaping, screening from adjoining properties and public ways by way of distance and existing vegetation, (6) and security lighting will be provided as appropriate to this use.

(7) Utility systems will meet the approval of the appropriate boards, departments and agencies, and will protect the environment from adverse pollution. More specifically, the Council found: (a) the stormwater management plan and the erosion and sediment control plan are consistent with the purposes and objectives of the Stormwater Management Ordinance (Chapter 16, Article II, Division 4 of the Westfield Code of Ordinances); (b) the stormwater management plan meets the performance standards described therein; (c) the erosion and sediment control plan meets the design requirements (d) and will adequately protect the water resources of the community and is in compliance with the requirements of the Stormwater Management Ordinance.

Additionally, (8) No sensitive environmental land features, public scenic views or historically significant features will be negatively impacted by this project. (9) The location, design and size of the project as well as the nature and intensity of the uses involved or conducted in connection therewith, are in general harmony with the adjacent industrial and undeveloped neighborhood. (10) No part of the lot is located in the Water Resource Protection District and no review or approval relative to Section 3-170 was performed or granted.

### **Conditions**

The Council found valid cause and authority pursuant to Article I, Section 1-50.7 of the Zoning Ordinance, to impose the following as conditions of this approval:

1. The project shall be in accordance with the approved site plan, entitled "Site Development Plan" sheet C-1 as prepared by R Levesque Associates dated 6/16/16, and signed and sealed by Robert Levesque, RLA., (with the submitted supporting site plan documents and stormwater design/calculations as prepared by Stantec, Inc.) and as may be amended herein.
2. No vegetation removal or grading activities shall commence until a pre-construction conference has been held between the applicant, the contractor, City Stormwater Coordinator (DPW) and other appropriate city officials and project personnel.
3. Maintenance of the stormwater management system shall be in compliance with the submitted "Operation & Maintenance Plan, Virgilio Operations Facility" prepared by Stantec Consulting, Services Inc., dated December 2013 (responsible party shall be the applicant/landowner). The City Stormwater Coordinator is

hereby authorized to serve as an agent of the Council in the administration of the Stormwater Management Permit component of this permit.

4. This Special Permit is issued specifically a contractor yard/outdoor storage. It does not permit for the processing of materials.
5. To comply with Sec. 3-120.4(5d), at least 4 shade/large-growing trees (2.5" min. caliper at planting) shall be installed and maintained along the frontage/front yard. Alternatively, existing mature trees may be retained along the frontage to the maximum extent practicable.

**Appeal and Validity**

Any person aggrieved as a result of the Council's actions has the right of court appeal if that appeal is filed in Superior, Housing or Land Court within 20 days of the filing of this decision with the City Clerk's Office of the City of Westfield, as pursuant to M.G.L. Chapter 40A, Sec. 17.

This Special Permit shall not take effect until such time as the applicant has recorded in the Hampden County Registry of Deeds a copy of this decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the office of the City Clerk and no appeal has been filed or that if such appeal has been filed, that it has been dismissed or denied.

Unless exception is made, this Special Permit shall lapse if the substantial use or construction subject to this approval has not commenced within two years.

This permit and its conditions are enforceable by the Superintendent of Buildings, pursuant to Section 1-10.1 of the Zoning Ordinance and the penalties authorized therein.

Upon motion of Councilor Dondley, for the License Committee, 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 APPROVED.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Babinski, for the License Committee, it was VOTED: That the following items be REMOVED FROM COMMITTEE.

- Boarding Houses/Single Room licenses to be reviewed (1/21/10)(4/5/12)
- Communication from Westfield Police Dept. Traffic Bureau regarding Taxi & Livery vehicles (4/19/12) (5/3/12)
- A PUBLIC HEARING held (2/7/13) on an application submitted by Verizon New England and Westfield Gas and Electric requesting permission to place one jointly owned pole number T.12S/E.4S on the northwesterly side of Western Avenue at a point approximately 33 feet northwesterly from the centerline of Highland Avenue.
- That the petition submitted by Verizon New England Inc. requesting permission to place one (1) four (4) inch conduit on Cross Street beginning at Pole T.12 (2/7/13)
- Petition submitted by Verizon New England Inc. requesting permission to place one (1) four (4) inch conduit on Ashley Street beginning at the intersection of Cross Street and Ashley Street (2/7/13)

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the appointment of Carl W. Grobe of 314 Russell Road to the Conservation Commission for a term to expire on the first Monday of February 2019 (replacing Cheryl Koval, resigned) be CONFIRMED.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Harris informed the Council that Mr. Grobe is a professor in the Biology Department at Westfield State University since 1998. He has knowledge of and experience working in wetlands. He has a PHD in Botany from the University of California, Davis. He has been a member of the Westfield River Watershed Association since 1999, and served 9 years on the Board of Directors which has given him experience addressing local environmental and conservation issues.

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

VOTED: That the Adoption of Stretch Code be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE. Councilors Allie and Flaherty were opposed to referring the item to Committee.

A lengthy discussion was held involving Councilors Knapik, Allie and Flaherty relative to the Stretch Code. Councilor Knapik informed the Council that the Stretch Code will be an add-on to the new Building Code that will take effect on January 1<sup>st</sup>, 2017. He informed the Council that the Stretch Code gives builders options relative to the energy codes within the new Building Code. Councilor Flaherty expressed his concern that the Stretch Code will cost the builders more to build a home and that will be passed on to the homeowner. Councilor Allie expressed his concern that the Stretch Code was written at the international level not a state or regional level.

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

VOTED: That the Complete Street Policy be REFERRED TO LEGISLATIVE AND ORDINANCE with the following recommendations and also be REFERRED TO LAW DEPARTMENT:

The committee voted 3-0 to make a negative recommendation on:

1. Appointees to each Board/Commission should include at least one member who demonstrates or pledges specific support for bicycle, pedestrian or Complete Streets principles and facilities.

The committee voted 2-1 to make a negative recommendation on:

2. Cost alone shall not be considered a valid reason for rejecting further pursuit of such principles or options

The committee vote 2-1 to make a negative recommendation on:

3. Complete Streets design recommendations shall be incorporated into all phases of all publicly and privately funded projects, as appropriate.

Councilor Allie and Councilor Flaherty requested that every Councilor read the 64 page report. Councilor Flaherty informed the Council that it's a carrot and sledgehammer, it sounds nice but is really is not.

Upon motion of Councilor Dondley, for the Zoning, Planning and Development Committee, it was

VOTED: That the petition submitted 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 FAVORABLY REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Dondley informed the Council that it is a continuous use of the property. Councilor Babinski informed the Council that she would vote no on the zone change because there are too many by-right uses in that zone, and that she doesn't know the intent of that property after the zone change and with Arm Brook at the back of the property it's a concern. Councilor Flaherty agreed with Councilor Babinski and will be voting no also. Councilor Dondley informed the Council that the applicant will have to get a special permit for what will be done on the premises. Councilor Flaherty informed the Council that there are many by-right uses that do not need a special permit.

Councilor Dondley, for the Zoning, Planning and Development Committee, offered a motion 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.

Upon motion of Councilor Figy, it was  
VOTED: That the above motion be amended to be PLACED ON FILE because Legislative and Ordinance Committee already acted upon it.

Upon motion of Councilor Figy, it was  
VOTED: That the proper steps be taken to have the City adopt an Energy Reduction Plan and that this matter be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT.

Upon motion of Councilor Figy, it was  
VOTED: That the proper steps be taken to have the City adopt a Fuel Efficient Vehicle Policy and that this matter be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT.

Upon motion of Councilors O'Connell and Bean, it was VOTED: That the process of accepting Private Ways as Public Ways to include any and all current private ways be reviewed and that this matter be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion of Councilors Babinski, Onyski and O'Connell, it was VOTED: That the Article III, Section 3-170 - The Water Resources Protection District. Specific attention to but not limited to Section 3-170.3, 3-170.5 and Section 3-170.6 be reviewed and that this matter be REFERRED TO NATURAL RESOURCES.

Upon motion of Councilors Babinski and Allie, it was VOTED: That the options needed to implement additional safeguards for protecting the Barnes Aquifer water resource be reviewed and be REFERRED TO PUBLIC HEALTH AND SAFETY COMMITTEE.

Upon motion of Councilor Surprise, it was VOTED: That the rules of the City Council be SUSPENDED in order to allow for action to be taken on a motion on tonight's Agenda.

Upon motion of Councilor Surprise, it was VOTED: That the Friends of the Columbia Greenway be ALLOWED to host an event titled Glow-Walkcon on the Rail Trail to be held October 15<sup>th</sup>, 2016 from 6:30 PM to 6:30PM.

Prior to the vote Councilor Harris questioned if the Police have been notified to ensure safety during the event. Councilor Surprised informed her that the Friends will be working the Community Police.

Upon motion of Councilor Surprise, while under suspension, it was VOTED: That the proper steps be taken for the term limits for the Mayor to be 8 years and that this matter be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

The vote on the foregoing was as follows:

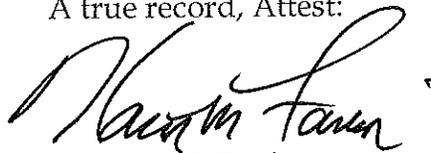
Daniel Knapik	No
Mary O'Connell	Yes
William Onyski	No
Robert Paul, Sr.	No
Andrew Surprise	Yes
Matthew VanHeynigen	No
Dan Allie	No
Mary Ann Babinski	No
Brent Bean II	No
Steve Dondley	No
Ralph Figy	No
Dave Flaherty	No
Cindy Harris	No

The President declared the motion LOST.

Councilor O'Connell announced that the Community Preservation Committee will conduct a public informational hearing on October 13<sup>th</sup>, 2016 at 7:00 PM in Room 201 at City Hall to solicit the needs, possibilities and resources of the City regarding projects locally funded through the Community Preservation Act.

At 8:47 PM and upon motion of Councilor Knapik, it was VOTED: To ADJOURN.

A true record, Attest:



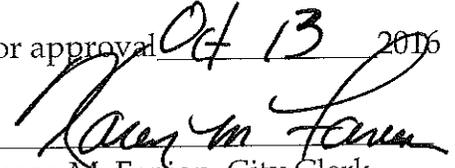
Karen M. Fanion

City Clerk/Clerk of the Council

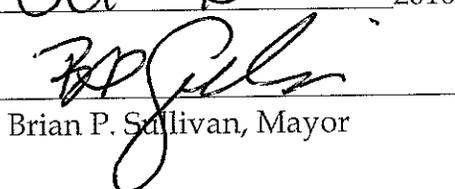
Presented to the Mayor

Approved by the Mayor

For approval Oct 13 2016

  
Karen M. Fanion, City Clerk

OCT 13 2016

  
Brian P. Sullivan, Mayor