

MEETING OF CITY COUNCIL
WESTFIELD, MASSACHUSETTS
JANUARY 5, 2017

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.

Councilor Harris nominated Councilor Bean as President for 2017.

With no other nominations being offered, and upon motion of Councilor Knapik, it was

VOTED: That nominations be CLOSED.

The vote on the election for Councilor Bean as Council President for 2017 resulted as follows:

Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes
Ralph Figy	Yes
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

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 December 15, 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. Matt Roman.

He wished everyone a Happy New Year and updated the Councilors on the LED light progress. He expressed his concern with abandon property behind Auto Zone in reference to receivership and questioned why 1291 East Mountain Road property was knocked down and that property was not.

Under "Public Participation" the Councilors were addressed by Mr. Frank Mills, 47 Overlook Drive. He expressed his concern with the recent activities of the Water Department and the water issues of Westfield such as the contamination, loss of water pressure and wells taken off line. He questioned why the Tekoa Reservoir in Montgomery has not been identified as a water source for Westfield. Councilor Flaherty informed him that there has been a discussion to use that reservoir but that it does not have the capacity that the City needs and that there would be extensive licenses needed to have it certified as drinking water. Mr. Mills questioned if the upcoming \$5 million bond could be used to pay for these expenses. Councilor Flaherty informed him the \$5 million bond has already been accounted for and gave him the breakdown. Mr. Mills then questioned how much of the \$1 million "fish" money is left and could be used. Councilor Knapik gave Mr. Mills the balance in that account which is in the Receipts Reserved for Conservation Rights account in the amount of \$494,241.00.

Under "Public Participation" the Councilors were addressed by Mr. Brian Hoose, 60 Arnold Street. He informed the Council that he agrees with Ward 4 Councilor O'Connell on her position relative to the Complete Streets policy.

Upon motion of Councilor Paul, it was
VOTED: Under immediate consideration, that the Resolution entitled "A RESOLUTION ADOPTING THE CITY OF WESTFIELD LOCAL HAZARD MITIGATION PLAN UPDATE" be ADOPTED.

Prior to the vote, Councilor Figy read the Resolution in its entirety.

Also prior to the vote, Emergency Management Director Jim Wiggs addressed the Council. He informed the Council that it is necessary for the Council to adopt the Resolution in order that the City remains eligible for reimbursements from FEMA. Councilor Babinski requested clarification relative to when the City is reimbursed. Mr. Wiggs informed the Council that the City is reimbursement when a disaster is declared a Federal Disaster. Mr. Wiggs explained that the mitigation plan has a plan for fixing things in preparation of a disaster, some may be far reaching and others may be easily obtainable. He informed the Council there is a process to apply for Grants for some of the bigger fixes. He informed the Councilors that members from the following departments were present in developing the plan: Flood Control, Fire, Police, Engineer, Water, DPW, Health, Mayor and Noble Hospital and that the Pioneer Valley Planning Commission was the facilitator of putting the plan together. Councilor Flaherty questioned if the higher risk items that need to be fixed would take priority in the budget. Mr. Wiggs informed the Council that is the plan to have working groups to

identify the priority list to develop action plans where needed. Councilor O'Connell questioned why the automated emergency phone calls were not activated during past issues of the water contamination and lost water pressure. Mr. Wiggs informed the Council that he is working with the Mr. Billips to reinstate those automated "robo" calls.

Upon motion of Councilor Figy, it was
VOTED: Under immediate consideration that the request to donate surplus hand towel dispensers to not for profit organizations be APPROVED.

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

The Clerk read from the Agenda:

- C. Transfer of \$10,992.40 within the Westfield Public Schools Business Department from the current FY17 Leases, account #50093535-527001 to prior year FY16 Purchase of Services, account #55482422-520000.
- D. Transfer of \$32,700.00 from Reserve for Unforeseen account #19500000-570900 to Police, Purchase of Services, account #12100000-520000.
- E. Transfer of \$44,102.00 within the Police Department from Police Department Towing and Storage of Motor Vehicles account #2400-1330210 to Police Department Special Account for Towing and Storage account #24210714-585001.
- F. Submitting a Bond Order in the amount of \$15,000,000.00 for the Westfield Gas & Electric Whip City Fiber Expansion.

Upon motion of Councilor Harris, it was
VOTED: That the rules of the City Council SUSPENDED in order to act upon an item received at tonight's meeting.

Upon motion of Councilor Harris, it was
VOTED: Under immediate consideration, that the appointment of Carissa Lisee, Building Superintendent as the appointed official of the Commission for Citizens with Disabilities for a term to expire the first Monday of June, 2018, replacing Karin Decker, be CONFIRMED.

The vote on the foregoing was as follows:

Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes
Ralph Figy	Yes
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

Prior to the vote, Councilor Harris informed the Council that Ms. Lisee was recently before the PAC for her appointment as Building Superintendent, therefore, she is comfortable bringing out her appointment as the appointed official to the Commission for Citizens with Disabilities under immediate consideration and requested that the Council support her decision for immediate consideration and support the Mayor's appointment of Ms. Lisee. Councilor O'Connell questioned the number of members on the Commission and if the appointed official has voting rights on the Commission. The City Clerk presented a copy of the Commission's Ordinance to the President and it was determined that there are a total of seven members with one member being the appointed official.

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

Upon motion of Councilor Harris, it was
VOTED: That the invitation to Councilors to march in the St. Patrick's Day Parade on March 19th, 2017 be ACCEPTED AND PLACED ON FILE.

Upon motion of Councilor Dondley, it was
VOTED: That the application submitted by the City of Westfield, Airport Commission applying for a zone change at 89 Sgt. T.M. Dion Way from Industrial A to Airport District 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, it was
VOTED: That the Public Employee Retirement Administration Commission (PERAC) submitting the required Fiscal Year 2018 appropriation of \$9,884,301.00 be REFERRED TO FINANCE COMMITTEE.

Upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That items 1. and 2. REMAIN IN COMMITTEE.

1. Motion of Councilor Flaherty regarding fee adjustments for FY17. Refer to Finance and L&O. 6/16/16
2. Appropriation of \$250,000.00 from Community Preservation Undesignated (Reserve Balance) account #2410-340000 to the CPA Hotel Bismark Façade account #24101770-580200-5119. 10/20/16
11/3/16 REMAIN IN COMM 11/17/16 REMAIN IN COMM

Upon motion of Councilor VanHeynigen, for the Finance Committee, it was VOTED: That a Bond Order entitled "A BOND ORDER FOR WATER TREATMENT AND DISTRIBUTION (\$5,000,000.00)" be given first reading by title only.

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

VOTED: That the Order be PASSED TO SECOND READING.

Upon motion of Councilor Flaherty, for the Finance Committee, it was VOTED: That the transfer of \$249,335.73 to FY16 Engineering, Construction account #14110000-589200 from the following:

- \$155,670.49 from FY17 Engineering, Construction account #14110000-589200;
- \$80,000.00 from FY17 Public Works, Construction account #14210000-589200;
- \$13,665.24 from FY17 Engineering, FT Salary Employees account #14110000-511000 REMAIN IN COMMITTEE.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the appointment of Michael Tirrell, (Ward 5) 36 Darby Drive as a member of the Park and Recreation Commission for a term to expire the first Monday of February, 2017, replacing Martin Nunez, be CONFIRMED.

The vote on the foregoing was as follows:

Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes
Ralph Figy	Yes
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

Prior to the vote, Councilor Harris informed the Council that Mr. Tirrell is employed by NBC Universal as Director of Data Services. He has coached various Westfield sports teams over the past 8 years so is very familiar with the City's parks. He believes he can provide insight to the Commission regarding the use and maintenance of Westfield's facilities. He also served as the Website Administrator and Board member for Westfield Little League for the past 4 years. Mr. Tirrell served on the Westfield School Committee (2012-2013), thus he has experience on committee procedures.

Councilors Onyski and Figy supported the appointment.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the appointment of Hipolito Nunez, 41 Washington Street as a member of the Public Safety Communications Commission for a term to expire the first Monday of June, 2018, replacing Ana M. Nunez, be CONFIRMED.

The vote on the foregoing was as follows:

Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
Steve Dondley	Yes
Ralph Figy	Yes
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

Prior to the vote, Councilor Harris informed the Council that Captain Nunez has

been a police officer for over 32 years, the last six as the Administrative Captain. He, along with City Attorney Shanna Reed wrote the City Ordinance which set the requirements of the Public Safety Communications Commission. One of his first accomplishments as Captain was to work with the Fire Department in creating this Commission. Captain Nunez has trained officers, as well as dispatchers to work as 911 call takers. He has been trained in incident command, prevention and response to suicide bomb incidents, homeland security, school safety and mitigation, and as a public information officer. His objective as a Commissioner would be to give guidance to the dispatch center and help the dispatchers maintain a high level of professionalism and integrity as well as a positive approach in assisting the City, Police and Fire Departments. Councilor Harris concluded by thanking Captain Hipolito Nunez for his brilliant service to the City of Westfield and its citizens, and for offering his service to this Commission which he has been involved with from the beginning. Although he will be retiring from the Police Department shortly, the City will continue to benefit from his expertise as a member of this Commission.

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

VOTED: That an Ordinance amendment at Chapter 4 Section 4-26, subsection (c) Limit on number of dogs or cat, submitted by Chief Camerota, for the Animal Control Unit of the Police Department be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE with no recommendation.

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

VOTED: That the amendment to the Ordinance regarding Notification of Property Owners REMAIN IN COMMITTEE.

Councilor Onyski, Liaison to Airport reported that a Public Meeting regarding the Airport Noise Mitigation Program will be at the North Middle School, 350 Southampton Road, on January 11, 2017 at 6:00 PM (Wednesday).

Councilor Flaherty requested that the meeting be videotaped for future broadcast on the local access channel. The President requested the City Clerk to contact Mark St. Jean and Pete Cowles to check their availability.

Upon motion of Councilor Allie, it was

VOTED: To review existing issue/conditions by Planning Board on amendments to site plan approval and be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE. Councilor Allie informed the Council that the Planning Board is not able to look at previous issues set on a project when the same project comes in for an amendment. He is requesting that the Planning Board be able to look at those existing conditions. Councilor O'Connell questioned who checks on projects to see if conditions are being met. Councilor Allie informed the Council that it is ultimately the Building

Superintendent's responsibility to enforce zoning. Councilor Harris questioned if the Planning Board is concerned with this issue. Councilor Allie informed the Council that this motion is a request from the Planning Board. Councilor Babinski also requested clarification on whose responsibility it is to check on conditions.

Upon motion of Councilors Bean and Flaherty, it was VOTED: That the proper steps be taken to raise the Council salary by \$3,000.00, effective January 1, 2018 and the matter be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT.

Councilor Harris was OPPOSED.

Councilor Bean relinquished the Chair to Councilor Figy in order to comment on the motion. Councilor Bean informed the Council that the Council's salary has not been adjusted in over 16 years. It has been discussed in the past three years and did not get passed. He informed the Council that Councilors work really hard, it's time consuming and time away from family. Councilor Flaherty informed the Councilors that he was the one that killed the vote the last time, but that the Councilors do deserve the increase. He informed the Council that it's a total of \$39,000.00 which is not a significant amount in a \$125 million budget. Councilor Dondley informed the Council that \$10,000.00 was worth a lot more in 2000 than it is today. Councilor Surprise informed the Council that a Council raise may be good in help increase involvement in politics, but may be hard to justify when it's only been one year for taxes to be level.

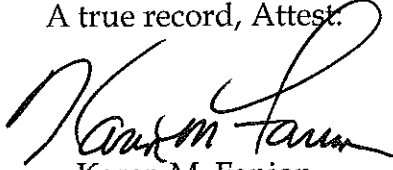
Upon motion of Councilor Flaherty, it was VOTED: To request brief monthly Executive Summary style status reports regarding the concerns, activity, plans, upcoming events, and/or budgets related to the Water Treatment and Distribution projects, and separately, the Sewer System upgrade / expansion projects. Requesting these be posted on the City website, along with links to any supporting documents, on the appropriate department's page and distributed to the City Council by the Tuesday before the 2nd regularly scheduled City Council meeting as "Reports of City Officers" and that this matter be REFERRED TO GOVERNMENTAL RELATIONS COMMITTEE. The goal is to provide information to citizens in a recurring concise single-source manner, and to alleviate the issues created by multiple people asking the same questions to various representatives and city employees.

Councilor Figy announced that Captain Nunez will enjoy his last day tomorrow (January 6th, 2017) and wished him a very Happy Retirement and thanked him for his service to the City of Westfield.

Councilor Flaherty informed the Council that his neighborhood has received fiber optics from the G & E and that's a fantastic service and encouraged everyone to support it.

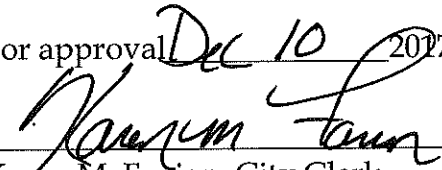
At 8:11 PM, and upon motion of Councilor Harris, it was
VOTED: To ADJOURN.

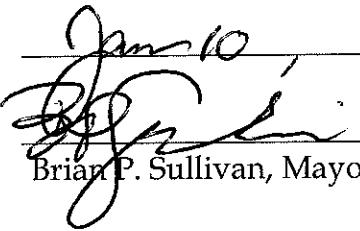
A true record, Attest.


Karen M. Fanion
City Clerk/Clerk of the Council

Presented to the Mayor

Approved by the Mayor

For approval Dec 10 2017

Karen M. Fanion, City Clerk

Jan 10 2017

Brian P. Sullivan, Mayor