

MEETING OF CITY COUNCIL
WESTFIELD, MASSACHUSETTS
JUNE 7, 2018

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

The Assistant City Clerk called the roll. Councilors Allie and Paul were absent.

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

President Beltrandi asked if anyone, other than Channel 15 was recording the meeting and if so to state whether it is an audio or video recording and whether the recording is being live streamed. No one responded.

Upon motion of Councilor Bean it was
VOTED: That the record of the meeting of May 17, 2018 be ACCEPTED.

Under "Public Participation" the Councilors were addressed by Mr. Robert Pearson, 53 McKinley Terrace. He requested that Lindbergh Blvd be designated as a No Truck route. He also requested that the playground on Cross Street be a splash playground and be turned back into a useable playground.

Under "Public Participation" the Councilors were addressed by Mr. Dan Call, 78 Granville Road. He spoke in favor of the \$13 million water bond. He requested that the Council put the health of the citizens first and worry about the cost later.

Under "Public Participation" the Councilors were addressed by Mr. Tom Conlon, 17 Avery Street. He informed the Council that the weekend of the Westfield State University graduation was chaos in his neighborhood. He informed the Council that those college students moved out and another crew moved in within seven hours of moving in they had a party. He called the police and they broke up the party. He again requested help of the Councilors to resolve this issue.

Under "Public Participation" the Councilors were addressed by Mr. Scott Kaddy, 137 Northwest Road. He requested the Council to do a pilot study on the proposed water filtration system. He informed the Council that the benchmark sample may not have been representative of all of the water and its contaminants. He expressed his concern that the proposed filters may not filter out all of the contaminants.

Under "Public Participation" the Councilors were addressed by Ms. Kristen Melo, 27 Moseley Avenue. She presented a graph showing the bench scale test in

comparison to other samples and that the bench scale test is not representative of the other samples. She requested that the Council give a second look to the proposed filters to make sure those filters will protect the citizens and not pass the \$13 million bond at this time.

Under "Public Participation" the Councilors were addressed by Mr. Christopher Clark, 98 Roosevelt Avenue. He suggested that the City be proactive and issue limits on water usage. He expressed his concern with waste oil contamination. He requested access to wells 7 and 8 to take samples to be looked at in a lab, in which he works at, by persons with PHD's.

At this point Councilor Bean left the meeting.

Upon motion of Councilor Surprise, it was VOTED: Under immediate consideration, that a gift donation in the amount of \$1,000.00 from the Thunderbolt Council, Inc. to the Westfield Park and Recreation Department-Youth Scholarship Fund be ACCEPTED.

The vote on the foregoing was as follows:

Brent Bean II	Absent
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
Andrew Surprise	Yes
Dan Allie	Absent
Mary Ann Babinski	Yes

Upon motion of Councilor Surprise, it was VOTED: Under immediate consideration, that a Grant in the amount of \$1,000.00 from Missing Dogs Massachusetts Board to the Westfield Animal Shelter be ACCEPTED.

The vote on the foregoing was as follows:

Brent Bean II	Absent
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
Andrew Surprise	Yes
Dan Allie	Absent
Mary Ann Babinski	Yes

At this point Councilor Bean returned to the meeting.

Upon motion of Councilor Surprise, it was VOTED: Under immediate consideration, that a Grant in the amount of \$9,473.80 from the Executive Office of Public Safety and Security/Office of Grants and Research/Highway Safety Division with a FFY 2018 Sustained Traffic Enforcement Program grant award to the Westfield Police Department be ACCEPTED.

The vote on the foregoing was as follows:

Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
Andrew Surprise	Yes
Dan Allie	Absent
Mary Ann Babinski	Yes

Upon motion of Councilor Surprise, it was VOTED: Under immediate consideration, that a Grant in the amount of \$31,550.00 from the Executive Office for Administration and Finance through the Community Compact Cabinet's (CCC) Information Technology grant program to the Westfield Technology Center be ACCEPTED.

The vote on the foregoing was as follows:

Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes

William Onyski	Yes
Robert Paul, Sr.	Absent
Andrew Surprise	Yes
Dan Allie	Absent
Mary Ann Babinski	Yes

Upon motion of Councilor Surprise, it was
VOTED: Under immediate consideration, that the sum of \$988,896.35 be appropriated from Free Cash to the following Snow & Ice accounts:

\$2,600.99 to Snow & Ice Temp Hourly Employee, #14230000-512100
\$7,180.66 to Snow & Ice Overtime, #14230000-513000
\$393,961.24 to Snow & Ice Purchase of Services, #14230000-520000
\$569,777.25 to Snow & Ice Supplies, #14230000-540000
\$15,376.00 to Snow & Ice Capital Equip/ Addit., #14230000-585000
\$0.21 to Snow & Ice Equipment Vehicles, #14230000-585001

The vote on the foregoing was as follows:

Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
Andrew Surprise	Yes
Dan Allie	Absent
Mary Ann Babinski	Yes

Prior to the vote, Councilor Flaherty expressed his concern how using Free Cash will affect the next year's budget.

Upon motion of Councilor Surprise, it was
VOTED: That item F. under "Communications from the Mayor" be read by the Clerk and REFERRED TO THE FINANCE COMMITTEE

F. Appropriation of \$60,000.00 from Free Cash to Police Department Motor Vehicle account #12100000-585001.

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 THE LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT.

- G. Submitting a Resolution of the City Council of the City of Westfield authorizing a three year inter-governmental agreement between the City of Westfield and Westfield Gas and Electric Light Department for fifteen 1 Gigabit (Gb) Wide Area Network (WAN) connections to the Westfield Technology Center via the Fiber Optic Ring.
- H. Submitting a Resolution of the City Council of the City of Westfield authorizing a three year inter-governmental agreement between the City of Westfield and Westfield Gas and Electric Light Department for a 10 Gigabit (Gb) Fiber Optic Ring with twelve 1 Gigabit Wide Area Network (WAN) connections to the Westfield Technology Center via the Fiber Optic Ring for school sites.
- I. Submitting a Resolution of the City Council of the City of Westfield authorizing a three year inter-governmental agreement between the City of Westfield and Westfield Gas and Electric Light Department for a 1 Gigabit (Gb) Fiber Optic Internet connection for the City of Westfield.

A Public Hearing was held on an Ordinance amendment relative to Chapter 7 - Fire Prevention and Protection, Section 7-1 - Fire Pits, Chimineas, Outdoor Fireplaces. Councilor Morganelli informed the Council the amendment is to the local Ordinance Chapter 7-1 and that the State statute relative to open burning includes fire pits, chimineas and outdoor fire places. The local amendments include that the fire pit, chiminea or outdoor fireplace must be 20 ft away from any structure and shall not be used on decks and porches. Also being amended from the State statute are the fines, under noncriminal fines, which would be amended to \$50.00 first offense, \$75.00 second offense and \$100.00 for third offense from \$1,000.00 first offense and \$5,000.00 second offense. The Fire Department is the enforcing authority. He informed the Council that as long as a fire pit is being used for cooking there wouldn't be a fine. Councilor Surprise thanked Councilor Allie for his work on this ordinance and that it wasn't easy going through the bureaucracy of the state. He informed the Council that a major amendment was reducing the fines. The State had fines at thousands of dollars and they have been reduced to fines that people can actually pay. The amendments are mostly for the health purposes for neighbors and be aware if it's a windy day not to have a fire that could affect others with allergies or asthma. Councilor Figy informed the Council that nothing will go into effect until approved by the DEP. Councilor Bean thanked those that worked on the ordinance, but that it's a ridiculous ordinance because it won't be enforced. Councilor Flaherty questioned the open burning of weeds. Councilor Figy informed the Council that is permitted by the Fire Department under an open burning permit. Attorney Brad Moir and his wife Mary, 203 Western Avenue spoke in opposition of the petition. He informed the Council that a neighbor of theirs was burning construction material and that he called the Fire Department and that the Fire Department does not give citations. He informed the Council that according to the regulations if the fire is used for cooking it cannot be a roaring fire and

once the food is cooked must be put out. He requested that the amendments be looked at closer. He expressed his concern that some State regulations are not being looked at and that a chiminea or fire place can also be a nuisance by emitting smoke. He questioned how this was going to be enforced. He suggested the fee for the 3rd offense should be the cost of sending a fire truck. He informed the Council that he is the victim because when his neighbors have a fire they have to go inside because of their allergies and asthma. He informed the Council that there are three categories relative to burning/fires - 1. Open Burning which is only allowed January to May, with a permit from the Fire Department, from 10:00 AM to 4:00 PM, 2. A fire for cooking 3. Burning using a chiminea or fire place that have stacks, but still comes under the nuisance clause and that a fire pit open burning is not allowed and that this amendment is encouraging fire pit open burning as long as it's being used to cook a hot dog. He requested that the Fire Department be given a clear standard relative to enforcing this ordinance.

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

Upon motion of Councilor Figy, it was

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

Upon motion of Councilor Bean, it was

VOTED: That the petition submitted by Verizon for a joint or identical pole location for Verizon New England Inc. and Westfield Gas & Electric Light to relocate one jointly owned pole numbered T.3 ½ /E.3-50 to a point on the westerly side of Birch Bluffs Drive approximately 529 feet northerly from the centerline of Shaker Road to accommodate a new development be REFERRED TO LICENSE COMMITTEE and that a Public Hearing be scheduled for the June 21st, 2018 City Council meeting.

Upon motion of Councilor Bean, it was

VOTED: That the applications submitted by Jim and Sam's, 200 Southampton Road for a Junk Dealer and Junk Collector's license be REFERRED TO LICENSE COMMITTEE and that a Public Hearing be scheduled for the June 21st, 2018 City Council meeting.

Upon motion of Councilor Bean, it was

VOTED: That the invitation to Councilors from Hampton Ponds Association Inc. inviting Councilors to march in the Annual July 4th Parade on Wednesday, July 4th, 2018 at Hampton Ponds Plaza, 1029 North Road at 9:00 AM be ACCEPTED AND PLACED ON FILE.

Upon motion of Councilor Emmershy, for the Finance Committee, it was

VOTED: That the sum of \$77,625.00 be appropriated from Community Preservation Housing-Reserve Balance account (2410-340300) to the CPA Down Payment Assistant Program-Community Housing account number (24101770-580300-5206).

The vote on the foregoing was as follows:

Brent Bean II

Yes

John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
Andrew Surprise	Yes
Dan Allie	Absent
Mary Ann Babinski	Yes

Prior to the vote, Councilor Emmershly informed the Council that the appropriation is for low income qualifying buyers. Councilor Figy informed the Council that other communities do this program as well.

Upon motion of Councilor Emmershly, for the Finance Committee, it was VOTED: That the Grant in the amount of \$39,424.00 for the Gap II Grant for Municipal drinking Water and Wastewater Facilities t from the Mass DEP Clean Energy Result Program (CERP) with the support of the Department of Energy Resources to Westfield's Department of Public Works Wastewater Division be ACCEPTED.

The vote on the foregoing was as follows:

Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
Andrew Surprise	Yes
Dan Allie	Absent
Mary Ann Babinski	Yes

Prior to the vote, Councilor Emmershly informed the Council that the Grant will be used for removing, rebuilding refurbishing and reinstalling four influent wastewater pumps and the City's share will be \$4,381.00 and there will be an expected cost savings for the City of \$7,820.00.

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

VOTED: That a Resolution entitled "A RESOLUTION AUTHORIZING THE

COMMONWEALTH SITE READINESS PROGRAM GRANT AGREEMENT AND LAND ACQUISITION" (Cabot Road properties for readiness at the 99 Turnpike Industrial Road project) be ADOPTED.

The vote on the foregoing was as follows:

Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
Andrew Surprise	Yes
Dan Allie	Absent
Mary Ann Babinski	Yes

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

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

VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993" (Amending Code of Ordinances at Section 17-115 Parking Prohibited at all times on certain streets as follows: By Amending: Root Road on both sides from North Road to Woodsong Road) be given first reading by title only.

The vote on the foregoing was as follows:

Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
Andrew Surprise	Yes
Dan Allie	Absent
Mary Ann Babinski	Yes

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

VOTED: That the Ordinance be PASSED TO SECOND READING.

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

VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993" (Amending Code of Ordinances at Section 17-115 Parking Prohibited at all times on certain streets as follows: By Deleting: Main Street (h) Northerly side, from a point 125 feet west of the westernmost corner of Free Street, for a distance of 50 feet westerly. This area to be designated as "No Parking Senior Center Passenger Drop-Off only be given first reading by title only.

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

VOTED: That the Ordinance be PASSED TO SECOND READING.

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

VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993" (Amending Code of Ordinances at Section 17-115 Parking Prohibited at all times on certain streets as follows: By Adding: Chapel Street, North side from the intersection of Elm Street and Chapel Street to a point 124 feet easterly to a point 160 feet easterly and from a point 324 feet easterly to a point 368 feet easterly, Parking to be prohibited be given first reading by title only.

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

VOTED: That the Ordinance be PASSED TO SECOND READING.

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

VOTED: That a Bond Order entitled "A BOND ORDER FOR WATER WELLS, CONNECTOR AND WATER TANK" (\$13,000,000.00 to be used for the filtration and improvements to wells 1 and 2, completion of filtration and improvements to wells 7 and 8, connection to Springfield water system and replacement of the water tank on East Mountain Road) be given first reading in its entirety.

The vote on the foregoing was as follows:

Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershay	No
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
Andrew Surprise	No
Dan Allie	Absent
Mary Ann Babinski	Yes

The President declared the motion PASSED.

Prior to the vote, Councilor Onyski informed the Council that the panel of experts presented information relative to the proposed project for the bond and that his mind is made up to support the bond. Councilor Morganelli informed the Council that he supports the 1st reading of the bond and is not committed relative to the 2nd reading because he does not agree with the plan for wells 7 and 8. Councilor Emmershly informed the Council that he would not rehash this topic and informed the Council that he does not support the bond because there are no guarantees that the process will work. Councilor Babinski informed the Council that the issue with water has been going on since 2016 and that she has been very involved in the process and agrees that there are no guarantees, but according to the experts, this is the way to go and that something has to be done for the residents. Councilor Surprise informed the Council that his concern is still regarding wells 7 and 8 and also how the benchmarking samples were taken. He informed the Council that costs should be secondary and the City should spend more money for Holyoke water or look at reverse osmosis systems that are being used by other communities. Councilor Flaherty expressed his concern with the sample testing and accepts the reality of the differences. He informed the Council that there will be flexibilities built into the system to run it in a series or in parallel to deal with future contaminants. Councilor Burns informed the Council that the Water Commission has done a great job on this issue and that the lesson to be learned from all of this is that the Council needs to look at bonds more carefully. Councilor Morganelli expressed his concern that the Mayor would not split the bond to get wells 1 and 2 up and running and deal with wells 7 and 8 at a later time. He informed the Council that another water source is needed for the north side.

Upon motion of Councilor Bean, it was

VOTED: That the Order be PASSED TO SECOND READING.

Councilors Emmershly, Morganelli and Surprise were opposed.

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

VOTED: That the appointment of Scott LaBombard of 626 Western Avenue to the Westfield Parks and Recreation Commission, At-Large Commission, for a term to expire on the First Monday of February 2020, be CONFIRMED.

The vote on the foregoing was as follows:

Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes

Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Robert Paul, Sr.	Absent
Andrew Surprise	Yes
Dan Allie	Absent
Mary Ann Babinski	Yes

Prior to the vote, Councilor Harris informed the Council that Mr. LaBombard is very interested in serving on the Parks and Recreation Commission and is concerned with keeping the youth active and engaged in various, positive programs. He is employed by Checkwriters and is responsible for client retention and satisfaction. He is currently the Vice President for Westfield Babe Ruth, and also has served on the Westfield Little League Board as Treasurer and player agent. He is very familiar with the Parks programs and services. He served on Southwick's Park and Rec Commission, and therefore is familiar with the duties and obligations of being a Commissioner.

Upon motion of Councilor Morganelli, for the Public Health and Safety Committee, it was
 VOTED: That the need for a crosswalk or signage at Munger Hill Road and Harvest Moon Lane intersection be reviewed and be REFERRED TO THE TRAFFIC COMMISSION.

Councilor Morganelli, for the Public Health and Safety Committee, offered a motion, which was duly seconded, that the review the city's trash pick-up routes be REFERRED TO PUBLIC WORKS DIRECTOR DAVE BILLIPS. Councilor Morganelli informed the Council that Mr. Billips was at the Public Health and Safety Committee meeting and he informed the Committee that he will look at the routes. Mr. Billips informed the Committee that it may be difficult to have trash pick-up only on one side of the street in all areas, but that he would check it. Councilor Bean offered a motion, which was duly seconded, that the DPW be required to report back to the Council on the findings of the review within three months. Councilor Flaherty informed the Council that three months is unreasonable for DPW to report back because they do not have the time to do this right now, due to the water issue and they would have to outsource this task and it would cost money. Councilor Bean questioned the reason for referring this to the DPW if there is no report back deadline.

Upon motion of Councilor Morganelli, it was
 VOTED: That the above motion be amended to have the city's trash pick-up routes REFERRED TO PUBLIC WORKS DIRECTOR DAVE BILLIPS and REMAIN IN COMMITTEE.

Upon motion of Councilor Morganelli, for the Public Health and Safety

Committee, it was

VOTED: That the request of a schedule of flushing of fire hydrants and to request for flow testing be REMOVED FROM COMMITTEE with no action.

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

VOTED: That the review and update on the public on the safety of the city's drinking water supply REMAIN IN COMMITTEE.

Upon motion of Councilor Flaherty, it was

VOTED: That the following items be TABLED until the next regular City Council meeting to be held June 21, 2018.

- A. TABLED: Resolution DEDICATING LOCAL OPTION MEALS TAX TO THE ROAD AND SIDEWALK REPAIR AND MAINTENANCE STABILIZATION FUND.
- B. TABLED: Resolution DEDICATING LOCAL OPTION OCCUPANCY TAX TO THE ROAD AND SIDEWALK REPAIR AND MAINTENANCE STABILIZATION FUND.

Upon motion of Councilor Burns, (and Figy), it was

VOTED: That a City Ordinance dealing with rental properties within the City of Westfield be reviewed and/or created and be REFERRED TO LAW DEPARTMENT, BUILDING DEPARTMENT, COMMUNITY DEVELOPMENT DEPARTMENT, CITY ADVANCEMENT OFFICER, PLANNING BOARD and LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion of Councilor Babinski, it was

VOTED: That the possible need to post signs restricting truck traffic and thruway traffic on Michael Drive and Woodsong Road be reviewed and be REFERRED TO TRAFFIC COMMISSION.

Upon motion of Councilor Babinski, it was

VOTED: That the need to post speed limit signs or other speed control devices on Michael Drive and Woodsong Road be reviewed and be REFERRED TO TRAFFIC COMMISSION.

Councilor Flaherty congratulated all the 2018 graduates of St. Mary's, Westfield Technical Academy and Westfield High.

Councilor Flaherty encouraged everyone to go play pickleball this weekend at the Municipal Courts.

Councilor Figy congratulated everyone on their Westfield Technical Academy awards.

At 8:45 PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

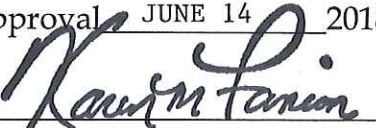
A true record, Attest:

Karen M. Fanion
City Clerk/Clerk of the Council

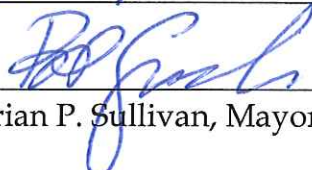
Presented to the Mayor

Approved by the Mayor

For approval JUNE 14 2018



Karen M. Fanion, City Clerk

6-14 2018


Brian P. Sullivan, Mayor

Handwritten signature