



**AGENDA OF CITY COUNCIL  
(TELECONFERENCE)**  
TELEPHONE CONFERENCE  
WESTFIELD, MASSACHUSETTS  
MAY 06, 2021 AT 7:00 PM



Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the City of Westfield **City Council** will be conducted via remote participation. Specific information can be found on the City of Westfield website at [www.cityofwestfield.org](http://www.cityofwestfield.org). For this meeting, members of the public who wish to listen to the meeting may do so by tuning into Channel 15 or Channel 12 or online at [westfieldtv.org](http://westfieldtv.org) or online at Youtube.com - Westfield Community Programming Channel. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the City's website an audio recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Access information for the meeting is as follows:

Join Zoom Meeting

<https://cityofwestfield-org.zoom.us/j/83675723980?pwd=NEdNUENRemRGVHpRdHpCOE92bG92QT09>

Meeting ID: 836 7572 3980

Passcode: XXv7.1pe

Dial by your location

1 646 558 8656

Meeting ID: 836 7572 3980

Passcode: 74691771

## **ROLL CALL**

## **PLEDGE OF ALLEGIANCE**

## **READING OF RECORD OF MEETING OF April 1, 2021**

## **PUBLIC PARTICIPATION**

## **COMMUNICATIONS FROM THE MAYOR**

1. Requesting immediate consideration of the transfer of \$4,400.00 within the Sanitary Landfill Department from Recycling account #14390000-531004 to Part-time Hourly Employee Account #14390000-511110.
2. Requesting permission for Mayor to transfer money between and within departments to eliminate need for carryover payments into FY2022.
3. Appropriation of \$76,128.24 from Community Preservation Undesignated Balance account #2410-340000 to the CPA City Park and Cemetery Monuments (Historic) account #24101770-580200-5209 AND an appropriation of \$12,871.76 from Community Preservation Undesignated (FY21) account #24101770-580000 to the

CPA City Park and Cemetery Monuments (Historic) account #24101770-580200-5209

4. Appropriation of \$50,000.00 from Community Preservation Open Space (FY21) account #24101770-580100 to CPA Yellow Stonehouse Farm APR account #24101770-580100-5124 AND an appropriation of \$19,000.00 from Community Preservation Open Space (reserved balance) account #2410-340100 to CPA Yellow Stonehouse Farm APR account #24101770-5801005124.
5. Appropriation in the amount of \$39,500.00 from Community Preservation Undesignated (FY21) account #24101770-580000 to CPA Pine Hill Cemetery Monuments (historic) account #24101770-580200-5208.
6. Appropriation \$30,300.15 from Free Cash (1000-359000) for the first year appropriation of a five year lease for the following vehicles: \$10,121.46, Animal Control, Equipment Vehicles account #12920000-585001; \$6,018.83 Assessors, Equipment Vehicles account #11410000-585001; \$6,018.83 Health, Equipment Vehicles account #15100000-585001; \$8,141.03 Police, Equipment Vehicles account #12100000-585001.
7. Transfer of \$500.00 within the Health Department from In-State Travel Account #15100000-571000 to the Overtime Account #15100000-513000
8. Transfer of \$275.80 from the Department of Public Works, Water Division, from Construction account #14210000-589200 (FY21) to Out of State Travel account #14210000-572000 (FY20), for a prior year bill.
9. Requesting acceptance of a Grant in the amount of \$180,495.00 from the Massachusetts Department of Environmental Protection to the Public Works Department for round two of the PFAS Design Grant opportunity to further reimburse the City for PFAS treatment projects for Wells 1, 2, 7 and 8.
10. Requesting the acceptance of a donation of miscellaneous furniture donated by Custom Component Sales LLC.
11. Submitting an Order of Appropriation in the amount of \$20,000.00 from Reserve for Unforeseen #19500000-570900 to Engineering Construction account #14110000-589200 for taking 0 Shaker Road AND an Order of Taking of Real Estate by right of eminent domain for 0 Shaker Road.
12. Submitting the reappointment of David Doe, 46 Tekoa Terrace, as a member of the Conservation Commission for a term to expire the first Monday of February, 2024.
13. Submitting the reappointment of Felix Otero, 28 Harvest Moon Lane, as a member of the Police Commission for a term to expire the first Monday of February, 2023.
14. Submitting the reappointment of Eileen S. Rockwal, 5 Blueberry Ridge as a member of the Council on Aging, for a term to expire the first Monday of February, 2024.
15. Submitting the appointment of Jennifer Gilbert, 65 Prospect Street, as a member of the Zoning Board of Appeals as second alternate, for a term to expire the first Monday of February, 2023, replacing Kathleen Hogan-Friguglietti, resigned.

16. Submitting the appointment of Stephen F. White, 77 Valley View Drive, as a member of the Board of Public Works, for a term to expire first Monday of February, 2024.

#### **REPORTS OF CITY OFFICERS**

17. Westfield Gas & Electric General Manager Thomas Flaherty submitting the 2021 Depreciation Appropriation for Gas and Electric Department in the amount of \$5,819,309.00.

#### **PETITIONS, REMONSTRANCES, AND OTHER PAPERS**

18. PUBLIC HEARING on a petition for a Zoning amendment submitted by the Zoning Board of Appeals to update the definition of family and related/affected residential living arrangement matters at Sections 2-20, 3-40.3 (1) and 3-50.3 (1).
19. PUBLIC HEARING on a petition for Zoning amendment submitted by the Zoning Board of Appeals to update definitions at Article II/2-20, Article III/various and Article IV/various.
20. PUBLIC HEARING on a petition for Zoning Amendment submitted by the Zoning Board of Appeals for an update on non-conforming situations at Article II/4-10, Article III/3-91.2 and Article III/3-92.2.

#### **REPORTS OF COMMITTEES**

##### Finance Committee

21. Acceptance of a gift donation of Historical Signs donated by Friends of the Columbia Greenway Rail Trail to be placed along the rail trail.
22. Acceptance of the Sewer Rate Relief Fund Grant in the amount of a \$ 1,710.00 from the Commonwealth of Massachusetts, Division of Local Services and MassDEP to the Public Works Department.
23. Transfer of \$5,562.86 from Auditor's Department, Full time salary account #11350000-511000 to Airport Department, Capital Signs Project account #11990000-58000 4880.

##### Legislative and Ordinance Committee

24. Ordinance amendment to the Senior Citizen Property Tax Work-Off Program.
25. Resolution for the acquisition of properties at 129 and 131 Franklin Street.
26. To review section 10-19 of the city ordinances related to smoking by minors to ensure consistency with state laws, the city ordinance for smoking on public property(section 8-160 which do include vaping/e-cigarette) and the Board of Health Regulations
27. Ordinance to amend the Media Systems Specialist term of office by deleting the words "for a one year term" and inserting in place thereof the words "for a three year term".

#### Zoning, Planning and Development Committee

28. Petition (#C-259-21) submitted by the Planning Board, for a zoning amendment at Sections 1-10.1,3; 1-40.6, 4-10.3; 1-50.3,9; 6-10.4,5 relative to strengthen/codify wording regarding enforcement; extend permit validity times.
29. That research be done for a potential Arts and Cultural Zoning Overlay District for Downtown Westfield (1.21.2016)
30. That there be a comprehensive review of all City zoning laws and regulations by reviewing all zones, by right and special permit uses, enforcement, and permitting process (including checklists and overlay maps) (1.3.2019)
31. A review of existing regulations pertaining to Sober Living homes, and to research and provide recommendations for local regulations for Sober Living homes in the City of Westfield (4.22.2019)
32. To review and draft language eliminating the Merger Doctrine as permitted by State law (5.16.2029)
33. That the Marijuana Zoning Ordinances be reviewed and make recommendations for changes (9.5.2019)
34. That the Zoning, Planning and Development Committee be requested to explore and report back the process of requesting a one year moratorium on any new truck terminal development on the north side of Westfield (10.17.2019)

#### **UNFINISHED BUSINESS**

35. SECOND READING AND FINAL PASSAGE of a Bond Order in the amount of \$12,257,000.00 for construction of a permanent Granulated Activated Carbon Treatment Facility for wells 1 & 2 at the Dry Bridge Road Water Treatment Plant Project.
36. SECOND READING AND FINAL PASSAGE of Ordinances amending Chapter 17: TRAFFIC AND MOTOR VEHICLES By Adding to the following sections: Section 17-73 Stop Intersections Designated; Section 17-93 Left Lane Must Turn Left; Section 17-84 Restricted Street Access designated, Section 17-115 Parking Prohibited at all times on certain streets; Section 17-42 No right turn on red; Section 17-82 Speed limits (b) School Zones for the Western Avenue Phase II Project

#### **MOTIONS, ORDERS OR RESOLUTIONS**

37. Motion of Councilor Matthews-Kane to adopt the best practices recommended by the Massachusetts Municipal Association as the social media policy for the Westfield City Council. Refer to: Government Relations, Legal.
38. Motion of Councilor Flaherty to change Westfield Code of Ordinances Section 6-66 through 6-69 (related to Zoning Enforcement). Refer to L&O.