



## AGENDA OF CITY COUNCIL

59 COURT STREET  
MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS  
WESTFIELD, MASSACHUSETTS  
NOVEMBER 17, 2022 AT 7:00 PM

### ROLL CALL

### PLEDGE OF ALLEGIANCE

### READING OF RECORD OF MEETING OF October 20, 2022

### PUBLIC PARTICIPATION

### COMMUNICATIONS FROM THE MAYOR

1. Requesting acceptance of a Grant in the amount of \$539,800.00 from the Massachusetts Executive Office of Public Safety & Security Military Division under the Air National Guard Award for Facility Sustainment, Restoration and Modernization Program to the Westfield Barnes Regional Airport.
2. Requesting acceptance of a Grant in the amount of \$38,000.00 from the Massachusetts Department of Transportation to the Engineering Department to develop a Complete Streets Prioritization Plan (Tier 2).
3. Submitting the appointment of Diana L. McLean, 88 Wildflower Circle, as an advisor to the Youth Commission for a three-year term to expire in December 2025, replacing a vacancy.

### REPORTS OF CITY OFFICERS

4. City Planner Jay Vinskey submitting the Planning Board's review of Lighting Ordinance (Zoning Sec. 4-121) for possible amendment.

### PETITIONS, REMONSTRANCES, AND OTHER PAPERS

5. Vote on Fiscal Year 2023 Tax Rate
6. Parks & Rec Commission and Community Preservation Commission Member Michael Tirrell submitting a Disclosure as a Municipal Employee of Financial Interest in a Municipal Contract per MGL Chapter 268A Section 20(b) to also serve as School Committee Member.

### REPORTS OF COMMITTEES

#### Ad-Hoc Charter and Rules Committee

7. Councilor Flaherty - Status report. Ad-Hoc Charter Committee meetings likely 11/30/22, 12/7/22, 12/21/22, 1/4/23, 1/18/23, 2/1/23 at 5PM.
8. Motion of Councilor Flaherty to schedule a Public Hearing on Charter Amendment Topics during the December 15, 2022 City Council meeting.

**REVISED**

By City Clerk's Office at 11:39 am, 11/17/22

9. Motion of Councilor Figy for Ad-hoc Charter Committee to investigate the topic "Edit gender specific pronouns" and make appropriate recommendations for potential Charter amendment.
10. Motion of Councilor Figy for Ad-hoc Charter Committee to investigate the topic "Change term of Mayor to four years beginning January 2026" and make appropriate recommendations for potential Charter amendment.
11. Motion of Councilor Figy for Ad-hoc Charter Committee to investigate the topic "Job Descriptions shall include pay range. Appointing authority and HR will negotiate salary and personal service agreements with appointees consistent with annual appropriations and guidelines that will be set by ordinance and/or labor contract." and make appropriate recommendations for potential Charter amendment.
12. Motion of Councilor Figy for Ad-hoc Charter Committee to investigate the topic "Clarify that City Council may create an Annual budget process by ordinance." and make appropriate recommendations for potential Charter amendment.
13. Motion of Councilor Figy for Ad-hoc Charter Committee to investigate the topic "Procedure for future Special Act Charter Amendments" and make appropriate recommendations for potential Charter amendment.
14. Motion of Councilor Figy for Ad-hoc Charter Committee to investigate the topic "Recurring review of Charter based on calendar year (every ten years for years ending in '2')" and make appropriate recommendations for potential Charter amendment.
15. Motion of Councilor Figy for Ad-hoc Charter Committee to investigate the topic "Local elections to allow early voting and vote by mail the following same procedures as State and Federal elections" and make appropriate recommendations for potential Charter amendment.
16. Motion of Councilor Flaherty for Ad-hoc Charter Committee to investigate the topic "Allow Mayor to appoint a chairman of School Committee if he/she desires not to serve directly" and make appropriate recommendations for potential Charter amendment.
17. Motion of Councilor Flaherty for Ad-hoc Charter Committee to investigate the topic "Four year terms for City Councilors (staggered like School Committee)" and make appropriate recommendations for potential Charter amendment.
18. Motion of Councilor Flaherty for Ad-hoc Charter Committee to investigate the topic "Clarify that a job title is not necessarily a full-time job and that one person may have multiple roles" and make appropriate recommendations for potential Charter amendment.
19. Motion of Councilor Flaherty for Ad-hoc Charter Committee to investigate the topic "change language for appointments for terms of 'up to three years' not 'of three years'" and make appropriate recommendations for potential Charter amendment.

20. Motion of Councilor Flaherty for Ad-hoc Charter Committee to investigate the topic “Addressing unfunded obligations” and make appropriate recommendations for potential Charter amendment.
21. Motion of Councilor Flaherty for Ad-hoc Charter Committee to investigate the topic “Procedure for reviewing and approving Labor Contracts” and make appropriate recommendations for potential Charter amendment.
22. Motion of Councilor Flaherty for Ad-hoc Charter Committee to investigate the topic “Establish regular expenses that shall be charged to enterprise (and similar) funds” and make appropriate recommendations for potential Charter amendment.
23. Motion of Councilor Bean for Ad-hoc Charter Committee to investigate the topic “Review Civil Service list” and make appropriate recommendations for potential Charter amendment
24. Motion of Councilor Bean for Ad-hoc Charter Committee to investigate the topic “Guidelines for taxpayer or ratepayer monies used as ‘Donations’ or ‘Sponsored By’” and make appropriate recommendations for potential Charter amendment.
25. Motion of Councilor Bean for Ad-hoc Charter Committee to investigate the topic “Threshold for write-ins equal to number of signatures required for nomination papers” and make appropriate recommendations for potential Charter amendment.
26. Motion of Councilor Bean for Ad-hoc Charter Committee to investigate the topic “ILOT Payments from City-owned utilities (minimum 2.5% of assessed value or 2.5% of gross revenue)” and make appropriate recommendations for potential Charter amendment.
27. Motion of Councilor Bean for Ad-hoc Charter Committee to investigate the topic “Clarify ability of council, or duly authorized committee thereof, to investigate matters (all departments without Public Records requests)” and make appropriate recommendations for potential Charter amendment
28. Motion of Councilor Bean for Ad-hoc Charter Committee to investigate the topic “Water Commission & Board of Public Works” and make appropriate recommendations for potential Charter amendment.

#### Finance Committee

29. Requesting acceptance of a Gift donation in the amount of up to \$125,000.00 from the Friends of the Westfield Senior Center, Inc. to the Council on Aging.
30. Requesting approval to accept the Massachusetts Executive Office of Elder Affairs FY23 State Formula Allocation in the amount of \$128,808.00 to fund positions at the Council on Aging.
31. Appropriation of \$48,071.00 from the FY23 Community Preservation Undesignated Account #24101770--580000 to the CPA Grandmothers Garden (recreation) Account #24101770-580400-5313 to replace a deteriorating rose arbor at Grandmothers Garden
32. Appropriation of \$2,091.00 from City Clerk Full Time Salary Account #11610000-511000 to Purchase of Service Account #11610000-520000 to cover unforeseen Election cost increases.

#### Legislative and Ordinance Committee

33. A motion to revise the City Charter with clarification of what a defeated candidate is.
34. A motion to revise the City Charter with a way to fill a Councilor vacancy.
35. A motion requesting a section entitled "Amending the Charter" be added to our City Charter.
36. A motion to allow homeowners to apply to have their property added to the Historical Registry maintained by the Historical Commission for Westfield's demolition delay.
37. Requesting consideration to approve Home Rule Legislation for an Act allowing Greg Heath, a retired member of the Westfield Fire Department, an accidental disability retirement option.

#### Zoning, Planning and Development Committee

38. Zoning ordinance change to allow projecting (protruding) signs by right in the CORE district.

#### **UNFINISHED BUSINESS**

39. SECOND READING AND FINAL PASSAGE of an Ordinance entitled "An Ordinance Amending the Code of Ordinances, City of Westfield, Adopted June 17, 1993" (Chapter 18, Sections 182-183, Setting sewerage system rates and Review of Charge).
40. SECOND READING AND FINAL PASSAGE of a Bond Order in the amount of \$307,500.00 to be used for Lead Service Line Inventory and Replacement Plan Assistance.

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

41. Motion by Councilors Mello and Flaherty to request an update at the City Council's first December 2022 meeting on the status, progress, timeline, and funding parameters for the rehabilitation projects for the Arm Brook Flood Control Dam and the Powdermill Brook Flood Control Dam. Refer to Engineering, DPW, and Mayor.