



## AGENDA OF CITY COUNCIL

59 COURT STREET

MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS

WESTFIELD, MASSACHUSETTS

MAY 05, 2022 AT 7:00 PM

RECEIVED

By City Clerk's Office at 5:06 pm, 5/3/22

### ROLL CALL

### PLEDGE OF ALLEGIANCE

### READING OF RECORD OF MEETING OF April 21, 2022

### PUBLIC PARTICIPATION

### COMMUNICATIONS FROM THE MAYOR

1. Presentation of Fiscal Year 2023 Budget by Mayor McCabe.
2. Appropriation of \$110,000.00 to restore the fence around the perimeter of Pine Hill Cemetery from the following: \$75,000.00 from Community Preservation Undesignated FY22 account #24101770-580000 to CPA Pine Hill Cemetery Fence (Historic) account #24101770-580200-5210 and \$35,000.00 from Community Preservation Historic (FY22) account #24101770-580200 to CPA Pine Hill Cemetery Fence (Historic) account #24101770-580200-5210.
3. Requesting acceptance of a Federal Emergency Management Agency COVID Project Application reimbursement grant in the amount of \$40,714.55 for 100% of COVID staffing costs at the vaccination clinic in West Springfield.
4. Requesting acceptance of a Grant in the amount of \$380,521.00 from the Massachusetts Electric Vehicle Incentive Plan (MassEVIP) to the Westfield Gas & Electric to obtain 9 charging stations under the MassEVIP Public Access Charging Program.
5. Requesting approval to allow the Mayor to transfer money between and within departments and between personal services and expenses for the purpose of expediting transfers and eliminating the need to carryover payments into FY2023.
6. Submitting a Resolution of the City Council of the City of Westfield that the Mayor be authorized to sign all documents to enter into a project funding agreement with Massachusetts School Building Authority (MSBA) for the Franklin Avenue School Project.
7. Submitting a Resolution to grant an easement over a portion of the Right of Way known as Old County Road to authorize Holyoke Gas and Electric to maintain infrastructure in the right of way.
8. Submitting a Confirmatory Order of Taking of real estate to provide public access and safety to the Westfield River Levee now and formerly known as Town Dike by right of eminent domain for the purpose of Columbia Greenway Rail Trail

## **REPORTS OF CITY OFFICERS**

9. Westfield Gas & Electric General Manager Thomas Flaherty submitting the 2022 Depreciation Appropriation for Gas and Electric Department in the amount of \$6,278,082.00.
10. Personnel Director Robert Bishop submitting the job description for the City Clerk position.

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

11. Invitation from the Hampton Ponds Association inviting Councilors to march in the 4th of July Parade at 9:00 am for line-up and 10:00 am for step-off at the Hampton Ponds Plaza parking lot.
12. DPW, Land and Natural Resources Division employee Frankie Gonzalez submitting a G.L. Disclosure to also serve as an Auxiliary Police Officer with the Westfield Police Department.

## **REPORTS OF COMMITTEES**

### Finance Committee

13. Transfer of \$497.55 within the Police Department from FY22 Part Time Hourly, account #1293000-511110 to FY21 Part Time Hourly, account #12930000-511110 to cover step raises not paid in FY 2021 to Traffic Control Supervisors
14. Transfer of \$429.10 from the Department of Public Works, Highway Division from the FY22 Purchase of Services, account #14210000-520000 to FY21 Purchase of Services, account #14210000-520000 for a prior year bill.
15. Transfer of \$3,602.04 from Department of Public Works, Water Division, FY22 Purchase of Services, account #68004500-520000 to FY21 Purchase of Services, account #68004500-520000 for a prior year bill.

### Legislative and Ordinance Committee

16. Job description of the City Engineer.
17. Ordinance change relative to the job description of the City Engineer. The change removes the job description language from the ordinance since it is covered by the job description which is subject to Council approval.
18. Resolution recognizing June 2022 as LGBTQIA+ Pride Month.

### Personnel Action Committee

19. Reappointment of Diane Snow, 13 Country Club Drive, as a member of the Board of Assessors for a term to expire the first Monday of February, 2025.

### License Committee

20. Annual Junk Dealer and Junk Collector License Renewals for 2022.
21. Permission to serve beer and wine and to waive the "open container" regulation in the Central Street Parking Lot on Saturday, June 4, 2022 from 11:00 AM to 7:00 PM for the Whip City Brewfest.

22. Permission to serve beer and wine and to waive the “open container” regulation on Elm Street, from School Street from Main Street to Franklin Street, on Saturday, May 21, 2022 from 11:00 AM to 7:00 PM for the Run Westfield Flat Fast 5K.

#### Natural Resources Committee

23. The Westfield Taxpayers Association relative to water production and increase in billing (6/17/21) Item to REMAIN IN COMMITTEE
  - Motion by the Natural Resources Committee to request that Senior Discounts or Credits be fully displayed on the bill/stub for consumer clarity. Refer to Water Department and Water Commission.
24. To investigate potential avenues and mechanisms for sewer rate rebates or reductions for Westfield residents experiencing financial hardship (12/16/21) Item to REMAIN IN COMMITTEE.
  - Motion by the Natural Resources Committee to request a review of the Water and Sewer Accounting to correct accounts inadvertently deactivated when attempting to remove Senior Discount upon property transfer. Refer to Water Department and Water Commission.
  - Motion by Natural Resources Committee to request Water Commission consider implementation of a pollution/betterment fee as outlined in Sections 18-52 and 18-53 of the code of ordinances. Refer to Water Commission.

### **UNFINISHED BUSINESS**

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

25. Motion of Councilor Flaherty for a Resolution approving the submission of the following measure to the voters at the next Regular or Special City Election as allowed under Charter Section 50: "Shall the City Council create Ordinances that restrict the use of all City Flag Poles for the exclusive display of the American Flag, Massachusetts State Flag, City of Westfield Flag, POW/MIA Flag, and the official flags of any United States' States, Commonwealths, or Territories?" Refer to Law Department and City Clerk.
26. Motion of Councilor Flaherty for a Resolution approving the submission of the following measure to the voters at the next Regular or Special City Election as allowed under Charter Section 50: "Shall the School Committee create Policies that restrict the use of all Flag Poles on School Department property for the exclusive display of the American Flag, Massachusetts State Flag, City of Westfield Flag, Westfield Public Schools Flag, POW/MIA Flag, and the official flags of any United States' States, Commonwealths, or Territories?" Refer to Law Department and City Clerk.
27. Motion of Councilor Flaherty for a Resolution approving the submission of the following measure to the voters at the next Regular or Special City Election as allowed under Charter Section 50: "Shall the City Council create an Ordinance that

specifically excludes City Flag Poles from facilities open to 'Public Forums'?" Refer to Law Department and City Clerk.

28. Motion of Councilor Figy to review Chapter 16 Section 16-135 of the City Ordinance regarding the use of bicycles on sidewalks. Refer to L & O and Law.