



MINUTES OF CITY COUNCIL

59 COURT STREET

MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS

WESTFIELD, MASSACHUSETTS

FEBRUARY 02, 2023 AT 7:00 PM

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 Clerk called the roll. All thirteen Councilors were present.

The Pledge of Allegiance was led by President Beltrandi.

Upon motion of Councilor Bean, it was

VOTED: That the reading of the record of the meeting of January 19, 2023 be ACCEPTED.

Under "Public Participation" the Councilors were addressed by former City Councilor MaryAnn Babinski, 114 Rogers Avenue. She spoke in opposition of the eliminating the Flood Control Commission. She stated that the need to implement and have oversight on matters involving flood plain management and flood prevention were important responsibilities of the commission. She informed the Council that the Municipal Vulnerability Preparedness (MVP) document completed in 2020 was on the City website. As a MVP core team member she stated that some of the relevant natural hazard risks that were identified for the City were major flooding, localized flooding, culvert failure or dam failure. She emphasized that flooding was a major concern both now and for the future. She believed it would best serve the City to build back the Flood Control Commission to implement, oversee and enforce flood control and flood plain protection.

COMMUNICATIONS FROM THE MAYOR

Upon motion of Councilor Matthews-Kane, it was

VOTED: That items 1., 2., 3., 4., 5., 6., 7. and 8. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE FINANCE COMMITTEE.

The Clerk read the Agenda as follows:

1. Submitting a Bond Order in the amount of \$3,000,000.00 to Department of Public Works Wastewater Division for Dewatering Equipment Upgrades at the Wastewater Treatment Facility.
2. Appropriation of \$500,000.00 from Free Cash (1000-359000) to the Department of Public Works, Waste Collection Division Purchase of Services Account #41330000-520000 to fund anticipated waste disposal expenses for the remainder of FY23.
3. Appropriation of \$203,310.00 from Free Cash (1000-359000) to Technology Center Replacement Equipment Account #11550000-587000 to replace the original power and battery backup rack component located at the Technology Center, installed in 2007.

4. Appropriation of \$60,000.00 from the Community Preservation Open Space Reserved Balance Account #2410-340100 and \$50,000.00 from the Community Preservation Open Space FY23 Account #24101770-580100 for a total sum of \$110,000.00 to the CPA Tekoa Narrows Conservation Area account #24101770-580100-5014 to acquire approximately 17 acres of riverfront land along Russell Road for the proposed "Tekoa Narrows Conservation Area".
5. Appropriation of \$77,190.00 from Free Cash (1000-359000) to Purchasing Repair Maintenance Fund Account #11380000-524001 for tank removal and clean-up services for the following property addresses: 129 Southampton Road, 34 Broad Street, and 15 Washington Street.
6. Transfer of \$7,000.00 from the Conservation PT Hourly Employee Account #11710000-511110 as follows: \$5,000.00 to Purchase of Service Account #11710000-520000 and \$2,000.00 to Supplies Account #11710000-540000 for services and supplies related to the annual Earth Day Clean-Up.
7. Requesting acceptance of a Grant in the amount of \$3,662.50 from Massachusetts State Historical Records Advisory Board to the Department of Veteran Affairs to fund the installation of a Gulf War/War on Terror Monument at Parker Park.
8. Appropriation of \$3,700.00 from FY23 Community Preservation Committee Undesignated account #24101770-580000 to the CPA Gulf War Monument account #24101770-580400-5314 to install a Gulf War/Global War on Terror Monument at Parker Park.

Upon motion of Councilor Onyski, it was

VOTED: That item 9. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT.

The Clerk read the Agenda as follows:

9. Submitting a Resolution authorizing the acquisition of approximately 13.25 acres of land from the Department of Conservation and Recreation of the Commonwealth of Massachusetts and authorizing the Mayor to execute any documents on behalf of the City.

Upon motion of Councilor Onyski, it was

VOTED: That item 9. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT.

All in favor, voice vote. Councilors Allie and Mello were OPPOSED.

The Clerk read the Agenda as follows:

10. Submitting an amendment to the Code of Ordinances removing Chapter 13, Planning and Development, Article III, Flood Control Commission, Sections 51-59 and transferring the duties and responsibilities of the Flood Control Commission to the Engineering Department.

Prior to the vote, Councilor Mello spoke in opposition of taking this item into Committee. She stated that although she has complete confidence in the City Engineer and Engineering Department, eliminating the Flood Control Commission (FCC) is problematic on many levels. She informed the Council that Westfield has numerous residences and expensive community assets in harm's way including the Boys and Girls Club, Amelia Park, the Skate Park, the Middle School and the new school on Franklin. She believed that the City needs more people with eyes focused on flood control, not fewer. She suggested addressing the issue by amending the ordinance (for example) to require that the City Engineer and Stormwater Coordinator act as two FCC members, and that the other three members reside in flood prone areas of the city. She stated that Westfield has flood prone areas in every single ward and volunteered to help find commissioners to serve on this commission. She stated that Flood Control Commission meetings offer public participation, project updates, and flood control infrastructure inspection findings to residents who would otherwise have no access to that information. She believed this item would decrease their access and result in an injustice to residents across the city.

Upon motion of Councilor Mello, it was
VOTED: to amend the motion to send to Legislative and Ordinance, and for item 10. to be placed on file.
The motion lost.

Councilor Sullivan asked that the subcommittee take in the suggestion of reorganizing rather than eliminating. Councilor Matthews-Kane thanked Councilor Mello for raising those points but stated that she would be voting yes to send to Committee for the item to be fully vetted. Councilor Morganelli noted the number of Commissions that provide oversight and advisement. He spoke in support of the Flood Commission, noting that the entire city is a flood plain and referenced past flooding. He read aloud a line from the Communication of the Mayor that stated *"This presents the argument that if duties of the Flood Control were to be transferred to the Engineering Department as allowed by Chapter 10 of the Charter, we could reduce redundancy within the city's operations. It is also noteworthy that the Flood Control Commission because inactive in June of 2022 and that the Engineer has successfully assumed all responsibilities and carried out the duties of the inactive Commission since she began in July 2022."* He thanked City Engineer Allison McMordie for assuming all responsibilities and acting out the duties of the Flood Commission but questioned where the advisory people were. He argued that if redundancy was an issue, then all Boards and Commissions could be eliminated. He echoed Councilor Matthews-Kane in regards to sending to committee to hear both sides. Councilor Allie agreed with Councilor Mello and former Councilor Babinski. He informed the Councilor that Westfield is one of the lowest places in the Connecticut Valley. He commended former Flood Control Commissioners John Leary and Al Giguire for all the hard work they did on their own time, including following up with Federal Government and Agencies. He noted that flood control needed to be taken seriously and added that the Engineering Department has a lot of big projects that need their attention and mentioned incorporating them. Councilor Bean agreed he would like to hear both sides. Councilor Adams he shared that the Mayor has a plan to make this issue better and believed someone would be hired in the Engineering Department

soon. He stated that if this is placed on file, nothing happens. He agreed with Councilor Sullivan that everyone could come together and have discussions in subcommittee. Councilor Flaherty agreed with the other Councilors that it should go to L&O and the importance of the Commission. He believed that Section 10 that former City Solicitor Sue Phillips was referencing in the memo attached to the Communication from the Mayor was now section 11 and that gives the City Council the ability to organize Government from time to time, not the Mayor's Office. He stated that the FCC was set up for good reason and served the City well. He recognized Henry Warchol for dedicating a significant portion of his life to the City. Councilor Mello gave her appreciation for all comments. She reiterated her opposition. She stated she believed this was an injustice to the City Engineer for handling entire commission duties and voiced her concerns on not having public meetings and project updates. Councilor Onyski asked the Councilors to email suggestions and arguments. He reminded the Councilors that they needed to abide by Open Meeting Laws.

Upon motion of Councilor Harris, it was
VOTED: That item 11. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE PERSONNEL ACTION COMMITTEE.

The Clerk read the Agenda as follows:

11. Submitting the reappointment of Jane DeBarbieri of 54 Lindbergh Boulevard to the Parks and Recreation Commission for a term to expire February 2024.

PETITIONS, REMONSTRANCES, AND OTHER PAPERS

12. Upon motion of Councilor Figy, it was
VOTED: That the scheduled public hearing on the petition of Big Factory, LLC & Cycle Street Redevelopment, LLC c/o Robert Bacon, 68 Union Street, Westfield, for a Zoning Amendment at 21 and 0 Cycle Street (Parcels 21-32 & 21-32-1A) from Rural Residential and Residence C-1 (portions), respectively, to all Industrial A be WITHDRAWN WITHOUT PREJUDICE at the request of the applicant.
All in favor, voice vote.

Prior to the vote, Councilor Figy read the withdrawal letter aloud in its entirety. Councilor Sullivan acknowledged the work that Councilor Figy did, calling it a really good example of local government at its best. Councilor Figy held a Ward meeting the previous Friday, in advance of the public hearing so that people were aware of what was happening. Over 50 people attended and it turned into a discussion on public safety, traffic and infrastructure repairs. Councilor Mello echoed the sentiments.

13. Upon motion of Councilor Bean, it was
VOTED: That the Petitions for Street Acceptance for Jeanne Marie Drive and Janelle Drive be REFERRED TO THE PLANNING BOARD, THE BOARD OF PUBLIC WORKS, CITY ENGINEER AND THE LAW DEPARTMENT.

All in favor, voice vote.

14. Upon motion of Councilor Burns, it was

VOTED: That the Petition for Street Acceptance for Caitlin Way be REFERRED TO THE PLANNING BOARD, THE BOARD OF PUBLIC WORKS, CITY ENGINEER AND THE LAW DEPARTMENT.

All in favor, voice vote.

15. Upon motion of Councilor Harris, it was

VOTED: That Westfield Public Schools Employee Carrie Hildreth-Fiordalice 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 a member of the Board of Health be APPROVED.

All in favor, voice vote.

Upon motion of Councilor Figy, it was

VOTED: That the rules of the City Council be SUSPENDED in order to act upon Item 16 received at tonight's meeting.

16. Upon motion of Councilor Figy, it was

VOTED: That the request for City Clerk Kaitlyn Bruce to receive the budgeted clerk of the council pay per Resolution No. 2940 passed on April 4, 2019 / Special Legislation passed February 6, 2020 be APPROVED.

All in favor, voice vote.

Prior to the vote, Councilor Figy informed the Council that the vote was to approve that the current City Clerk receive the previously approved clerk of council stipend. The current City Clerk has not been paid for attending meetings and doing City Clerk work. It is not a Union negotiation and will be handled between Personnel and the Law Department. He stated that the share drive has the pertinent information, the Resolution was passed in 2019.

REPORTS OF COMMITTEES

Finance Committee

17. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was

VOTED: That the sum of \$550,000.00 be appropriated from the Department of Public Works, Stormwater Division's Undesignated Fund #6850-359000 to the Purchase of Service Account #68504550-520000 to fund a necessary sewer system modification on the upper portion of West Silver Street.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes

Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Prior to the vote, Councilor Matthews-Kane informed the Council this work to address an illicit connection from last century when sewer was tied into stormwater lines. The stormwater line drains into the Little River at South Street. The issue was discovered through testing of stormwater and needs to be addressed so the City can continue to receive the MS4 permit. This item was previously on an agenda in October for an appropriation of \$655,000.00 from Stabilization. Acting DPW Superintendent Fran Cain and City Engineer Alison McMordie worked to lower costs. The funds will be taken out of stormwater which has a remaining balance of roughly \$430,000.00. There are six connections that need to be fixed. The funding allows for roads to be paved curb to curb with some funding available in case sidewalks are damaged. Councilor Sullivan determined that any unused funds will return to Stormwater.

18. Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED: That the sum of \$154,577.07 be appropriated from Free Cash (1000-359000) to Engineering Purchase of Service Account #14110000-520000 to fund the purchase and implementation of StreetScan, a pavement and sidewalk asset management program.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	No
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	No
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	No
Cindy Harris	No
Bridget Matthews-Kane	Yes

The President declared the motion PASSED.

Prior to the vote, Councilor Sullivan informed the Council that this was a computer

system for pavement management including roads, sidewalks, and ADA ramps. It provides cost estimates for the work and prioritizes projects based on condition of the pavement. He noted there will always be desecration and roads could be moved on the list based on volume of traffic. This is the professional way to manage all 251 miles of road in the City of Westfield. This is a system that the Engineer is familiar with and the continuing maintenance fee of \$1500.00/year will be included in the Engineering budget moving forward. Currently the process involves the staff making lists and going out to assess, this will be more professional, easier and a time saver. Councilor Flaherty stated that the City did this a couple of years ago and spent tons of money. The presentation at the end showed that Westfield needed 75 million dollars of roadwork to bring our roads up to standards. He understood that it's newer technology but believed until an effort could be made to fix the roads he didn't believe any more money should be spent on this. Councilor Morganelli echoed Councilor Flaherty. Councilor Figy stated the proposal that was presented to the Council has not been updated. He was in support of having an active piece of software that would provide a condition of the roads at any point in time. Councilor Allie stated that the Engineering Department has made reports going back 20 years. When the presentation Councilor Flaherty was referring to was made, it was shared that 5-7 million per year needed to be allocated for the roads for 15 years. He applauded the Mayor on allocating 5 million in for roads last year. He didn't believe this was necessary. Councilor Mello asked if this was the kind of expenditure that would streamline the process, allowing us to do the work and line up projects in house and coordinate with funding, thus giving a higher return on investment than doing piecemeal studies. Matthews-Kane responded yes, basically. The \$1,500.00 maintenance fee will be required. She added that the Committee talked about previous pavement plans. The last presented plan was at least over 3 years ago. She stated that that roads deteriorate differently and that the City doesn't have inventory on accessibility ramps and sidewalks. She believed the City needed to be making data-driven decisions and noted that data is not free. This would allow the City to make an effective plan and better investments moving forward. Councilor Flaherty agreed with needing data but argued that the City hadn't addressed the issues from the last time they did this. He stated that they drive around on the streets and they have smart computers in the cars that look at the road conditions and give you a snapshot. He believed the company would charge the City more money to do an analysis on 250 miles of road for an update in a few years. He believed their annual maintenance fee was updating the pricing of the cubic yard of concrete, pavement and labor rates not rescanning the mileage. He stated he would be a no until there is a realistic plan to fund roads this moving forward.

19. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That the sum of \$120,000.00 be appropriated from the Department of Public Works, Highway Division's FT Hourly Account #14210000-511100 to the Purchase of Service Account #14210000-520000 to cover costs associated with vendor contracts.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	No

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Prior to the vote Councilor Matthews-Kane informed the Council these expenses have occurred due to vacancies in staffing, causing an inability to meet the City's needs. The transfer would pay for off-duty traffic, patching asphalt and roadside mowing. Councilor Sullivan added that the DPW is significantly understaffed.

20. Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED: That the sum of \$100,000.00 be appropriated from Free Cash (1000-359000) to the Department of Public Works, Highway Division Account #14210000-540000 to handle anticipated fuel expenses for the remainder of FY23.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	No
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Prior to the vote, Councilor Sullivan informed the Council this appropriation was due to the increased cost of gas and fuel. The DPW serves as the city gas station for the fleets across the City. This is the best price quote they have received and they believe it will get them through the fiscal year. Councilor Mello asked if each department was putting money into this fund. Councilor Matthews-Kane responded they will but there is a lag that it needs to be fully

funded now. Councilor Allie noted the cost of diesel has significantly increased as well.

21. Upon the motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That the sum of \$38,325.18 be appropriated from Free Cash (1000-359000) to Engineering Purchase of Service Account #14110000-520000 to fund a contract with Overland Engineering for the purpose of subsurface and utility investigations for the CSX underpass on East Mountain Road.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Prior to the vote, Councilor Matthews-Kane informed the Council that it's important to note this is \$5,000.00 more than the initial amount sent to Finance. The CSX underpass at East Mountain Road is a choke point the trucks cannot pass through due to the 10' 3" clearance. Original drawings from when it was built indicate the earliest clearance was 12 feet but that over the years pavement has built up and reduced the clearance height of the overpass by slowly raising the road overtime. Trucks can no longer fit under the bridge and cannot access East Mountain Road from Route 20. The City would like to investigate if it's possible to remove the build up to increase the clearance height of the overpass to its original 12 feet. This appropriation would pay for the study needed. The additional \$5,000.00 is a requirement by CSX to cover any additional costs that may be incurred as well as insurance. Councilor Onyski stated that this was very important to Ward 6. Trucks have been going down other roads because they're not small enough to fit under the underpass. He emphasized how long they've been working on this and stated that if this goes well, it is a starting point to solving that problem. Councilor Morganelli questioned why this wasn't foreseen in the budgeting process and is now coming out of Free Cash. Councilor Sullivan responded that this was not anticipated and there has been a lot of negotiations with the company on East Mountain Road and CSX railroad. There were additional conversations with the Mass Highway to see if this was feasible and what would need to happen at the intersection on the State Highway. All parties needed to be in agreement that this was something that made sense. Councilor Bean - shared that this has been plaguing the City for years. He stated that prior City Engineer Mark

Cressotti submitted a number of white papers to the federal delegation to work with the railroad. He would still like to see if the Federal Delegation can get involved and help get CSX to come to the table. He added that the company on East Mountain Road has indicated they're willing to pay for some of this down the road. He noted that this is a great step forward for residents and a major tax payer in the City and commended Ward 6 Councilor Onsyki. Councilor Flaherty stated he thinks this is needed as a Ward 6 resident. He wasn't sure if there was a solution that could happen because of geography but was okay with funding this to find out. He thought maybe a long term solution was to raise the tracks and that it should have been done when they raised the other bridges. Councilor Sullivan stated that for every foot you go up, you have to go back in each direction a mile. He stated that CSX was not easy to work with and they will not pay for it. He emphasized the point Councilor Bean made, there are discussions with a company on East Mountain road to help because it does benefit their company. It also allows the City down the road to look at truck exclusions on Holyoke Road. He noted if this works out, it will be a long project and cautioned that it will also open trucks to come up East Mountain Road. The next choke point on East Mountain Road is the Pioneer Valley Railroad so it needs to be a well thought out plan. He stated that the Mayor who presented this to Finance did have that on his radar. He echoed Councilor Bean and commended Ward 6 Councilor Onyski for the good work on this project. Councilor Mello stated she was happy to support this item but believed if you dig things out, they're going to fill with water. This is not the end or the answer but she was willing to support the beginning of the study. Councilor Allie agreed with Councilor Mello. Councilor Onyski stated he's been working on this for 7 years. The person who owns the quarry is involved. There is possibly money from the State available. He believed this was worth trying and getting information from professional engineers.

22. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That the sum of \$8,940.00 be appropriated from Free Cash (1000-359000) to the Community Development Department Purchase of Service Account #11820000-520000 for unforeseen expenses related to an environmental assessment at a municipally owned property at 47 School Street.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes

Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Prior to the vote, Councilor Matthews-Kane informed the Council that in 1991 there was a tax taking of 47 School Street which was previously a dry cleaners and previous to that, a filling station. In 2005 the deed was transferred, at the time the City had exempt status. That status has now lapsed and the City is responsible for the contamination at the site. In June of 2022, there was a statewide assessment and possible contamination at 29 School Street. There was TCE in the air of the Hangar's basement. The State is requiring additional testing at 29 and 22 School Street. The Department of Environmental Protection (DEP) wants the testing to take place in winter as the indoor air results will be more accurate. The Committee discussed using the Off Street Parking account for testing as there is enough money, however, there are restrictions on what the money could be used for. This testing is the first step to comply with DEP guidance. Councilor Sullivan suggested that the City look to Environmental Protection Agency (EPA) Brownfield Funds for future funding as this issue has the potential to be expensive to resolve. Councilor Morganelli asked what the estimated figure was to complete the project. Councilor Matthews-Kane responded they wouldn't know until the testing comes back. Councilor Morganelli stated he would have liked a figure. Councilor Beltrandi stated that until an environmental assessment is done there is no way to know what is there, so there is no way to calculate an estimate. Councilor Mello stated that she reached out to Community Development Director Peter Miller about this. DEP knew this site was contaminated. This money is for a licensed site professional to do the evaluation. She confirmed what Councilor Matthews-Kane had previously explained. She highly recommended the Council supports this appropriation.

23. Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED: That the sum of \$427.92 be appropriated from Free Cash (1000-359000) to the Public Property Department Out of Grade Account #11920000-514200 to pay Chris Cesar out of grade salary for performing the job duties of Senior Building Custodian per Memorandum of Agreement.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes

Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Prior to the vote, Councilor Sullivan informed the Council that when Tommy Curran retired, the position was moved to a different union. This is from work done out of grade in FY 22 and was the determination by the Law Department and Building.

Legislative and Ordinance Committee

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

VOTED: That a Resolution entitled "A Resolution to Accept Chapter 269 of the Acts of 2022 to allow the Local Retirement Systems with a Local Option to Increase the Cost-Of-Living Adjustment" be ADOPTED.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	No
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	No
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	No
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Prior to the vote, Councilor Onyski informed the Council this allows retirement to be increased by 5% Cost-of-Living Increase for this year only, for the first \$13,000.00. It is allowable because a state law was passed in December. Councilor Flaherty asked about the funding of the liability. It is an additional year of funding the liability for the City. Councilor Flaherty stated that the City doesn't have a realistic way to fund this. When he started on Council the unfunded liability was in the 60 million dollar range. There have been 3-4 revisions from PERAC that claimed we would be on track if we paid more each year. The target was 2030, it moved out to 2034, then 2035 and this puts it at 2036. He noted the unfunded pension liability is over \$100 million. He believed adding anymore to this isn't a good thing until there is a plan to pay off pensions owed to employees. Councilor Morganelli concurred. Councilor Mello questioned if adjusting these numbers to match what other people are doing fundamentally a wrong thing. Councilor Flaherty responded that every year going forward the City has to pay \$650,000.00 - \$700,000.00 a year to until 2035. The City could take that amount out of Free Cash to save adding on one year but that is not a City Council

decision. He added that the hundred million dollar liability was before doing the stock market took a dive. Councilor Mello stated that this is not an appropriation and the money is not in the budget. She asked what happens if this number is adjusted. Councilor Onyski stated that it extends it, the City pays more money in the end. Councilor Sullivan stated it increases liability. It doesn't impact today's budget. It will show up when the next PERAC review is there. It gives a 5% increase on the first \$13,000.00. It is a significant number to many people and has been recommended across the State. Councilor Allie shared that this would increase the benefit about \$650.00 per individual. The State provides so many local options instead of increasing aid. He echoed Councilor Flaherty that the City was not heading in the right direction. Councilor Figy wanted to make it clear for residents, that the first \$13,000.00 of any City retiree's pension automatically gets a 3% increase. This Resolution would allow for an additional 2% to the first \$13,000.00 for a one time deal. Councilor Onyski read the Resolution aloud in its entirety. Councilor Allie questioned if the Retirement Board gave a cost of the figure for this year. Councilor Onyski stated he asked how long it would extend liability and they stated for 1 year.

25. Upon motion of Councilor Burns for the Legislative and Ordinance Committee, it was

VOTED: That requesting acceptance of a Memorandum of Understanding between the City of Westfield and City of Northampton regarding the integrated bike share system, ValleyBike REMAIN IN COMMITTEE.

Prior to the vote, Councilor Burns informed the Council that the Law Department spoke against this at L&O and the Committee decided to leave the item in Committee. He recommended that all of the Councilors look into this because there is a lot more to it than was voted on a few months ago.

All in favor, voice vote.

26. Request the Legal Department to review "Committee of the Whole" meetings.

Councilor Figy offered a motion, which was duly seconded to place the legal memo on file. Councilor Figy read the memo from the Law Department on this item into the record. Councilor Flaherty stated that he wrote letters to the Law Department and had conversations with First Assistant Solicitor Shanna Reed. He stated that there is no power or rules that allow committee chairs to determine that they are going to act as a Committee of the Wholes. He stated that the rules of voting would change because Committees only require a majority of people present where Committees of the Whole/Full Council requires seven or nine votes. He believed it was not appropriate unless they followed Robert's Rules of Order and the President created a Committee of the Whole and the entire Council agreed to it. That it was the Finance Committee's job to analyze the Budget and Personnel Action Committee's job to evaluate people and it couldn't be expanded to everybody. Councilor Figy responded that until there is a specific rule, the body can go by a motion of the Council according to Robert's Rule or by a

call of the Council President. Councilor Flaherty agreed but added that the Chairperson of Committee can't decide to have a Committee of Whole. He believed it had to be established by the President in January. Councilor Figy disagreed. He stated in past years, Finance Committee of the Whole meetings were called through the President. Councilor Flaherty stated they weren't voted on by the full Council. Councilor Mello stated that if the budget wasn't done as a Committee of the Whole, Councilors would not be allowed to ask questions. She wanted to be able to ask Department Heads questions. If they needed to make a motion for Committee of the Whole meetings, she was in support of that.

Councilor Flaherty stated that Council could ask questions through the chair in advance. Councilors could also attend meetings and ask questions if they speak during public participation. As a member of Committee of the Whole, Councilors are able to vote, discuss and ask questions. Councilor Mello strongly voiced her opinion on wanting to be able to do her due diligence to understand what is going on in the budget.

Councilor Sullivan made a motion, which was duly seconded, to amend the motion to place on file and to allow the Finance Committee to meet as a Committee of the Whole if directed by the Chair. He stated that this is only happening because the Committee system that worked well for decades has been broken. Participation from other Councilors has been shut out and questions have to be emailed in advance opposed to showing up at a meeting and asking themselves. He believed that all thirteen Councilors were entitled to ask whatever questions they want to whichever department they want during the finance committee meetings and full supported it. He stated that he preferred how it worked for decades when it was an open committee system where Councilors could ask questions at a public meeting, publicly posted but that has been broken. Committee of the Whole is the only way to allow Councilors to ask the questions they want during the budget process. Councilor Flaherty stated he wasn't opposed to it. He questioned if every person gets to participate fully and if their vote will count in the meeting or if it's just the vote of the committee. He suggested the language stating the Finance Committee's role in the budget process be amended if it's going to be done as a Committee of the Whole. He shared that he like the old process of the Committee doing most of the work and reporting out to the full Council. Councilor Sullivan stated that the answer is everyone that is a member of the Committee of the Whole has equal power and equal votes. He added that there has been great attendance at the Finance Committee of the Whole meetings. Councilor Burns stated that there is a new Attorney General and suggested requesting the Law Department to ask for new legal advice.

Upon motion of Councilor Flaherty, it was
VOTED: To suspend the rules to take action on Councilor Sullivan's motion.
All in favor, voice vote.

Upon motion of Councilor Sullivan, it was
VOTED: To allow the President to call for the Finance Committee to be conducted as a Committee of the Whole for the review of the annual budget.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Upon motion of Councilor Figy for the Legislative and Ordinance Committee it was VOTED: To accept the memo from the Law Department regarding "Committee of the Whole" meetings and PLACE ON FILE.

All in favor, voice vote.

Upon motion of Councilor Burns, it was VOTED to return to regular order.

27. Upon motion of Councilor Figy for the Legislative and Ordinance Committee it was VOTED: To accept the memo from the Law Department regarding "Rule #9 - Motions to be read by presiding officer; withdrawal be PLACED ON FILE.

All in favor, voice vote.

Prior to the vote, Councilor Figy read the memo from the Law Department regarding Rule #9 aloud in its entirety. Councilor Flaherty shared that in the past there were a couple of Presidents not recognizing motions on the floor. He stated that note from the attorney says that it's in possession of the Council once the motion has been made and read. He stated that the President has no discretion to decide a motion is not recognized. Councilor Figy added, a motion is not recognized if it is not seconded. Councilor Bean stated, during his previous times as President, if people yelled out motions and they hadn't yet been recognized, he wasn't not acknowledging the motion. His thought and understanding was he didn't call on that individual. It's not about the motion, it's about the individual not being recognized.

28. Upon motion of Councilor Figy for the Legislative and Ordinance Committee, it was VOTED: That Amendments to Code of Ordinances Sec 2-36 and 2-37 to clarify that Special Meetings and Committee of the Whole meetings shall begin no earlier than 7:00PM be REMOVED FROM COMMITTEE WITH NO ACTION.

All in favor, voice vote. Councilor Morganelli was OPPOSED.

Prior to the vote, Councilor Figy shared that the Committee believed Special Meetings and Committees of the Whole needed to have flexibility as other Boards and Commissions use Council Chambers for their meetings and it's not always available. Currently the Ordinance states meetings cannot begin before 5:00 PM. There are other exceptions in that Ordinance for other Boards and Committees. Councilor Flaherty stated that this came up because people were complaining they couldn't get here for 5:00 PM. He fully agrees with the memo from the Law Department.

Personnel Action Committee

29. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the appointment of Peter A. Velis, as a member of the Police Commission for a term to expire in February, 2026, replacing Felix Otero be CONFIRMED.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Prior to the vote, Councilor Harris stated that Judge Peter Velis is extremely well-respected throughout Massachusetts. His reputation in fairness, and his knowledge of the Law, combined with his decade's long work with Enforcement Officers at every level, makes the City most fortunate to add him to our Police Commission. He stated that it is an honor to serve our Community. She stated that our city can be proud of, and have confidence in the Commission who still serve our Citizens and work with our Police Department in a most positive manner. Judge Velis will serve with Attorney Richard Sypek and James Irwin. She stated that all of the Councilors gave their appreciation to Felix Otero for his service and all he has done for the City. Councilor Adams, as liaison to the Police Commission, echoed what Councilor Harris stated about Felix Otero. He noted how great this appointment was for the City. He stated that having someone who knows the laws for citizens and the Police Department is a huge asset and they are fortunate to have him a phone call away. Councilor Adams added that Judge Velis is excited for the new police station and that he strongly supports the appointment. President Beltrandi also thanked Felix Otero for his many years of service.

30. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the appointment of Timothy Reynolds, 24 Woodland Road, as a member of the Board of Assessors for a term to expire in February, 2026, replacing Suzanne Bergeron be CONFIRMED.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Prior to the vote, Councilor Harris informed the Council that Timothy Reynolds is an Attorney and Managing Partner at the law firm Reynolds & Werman in West Springfield. His practice is primarily Real Estate Law, since 2002. Also, since 2007, he formed a company TM Properties for the purpose of acquiring, renting and flipping properties. TM Properties is also a receiver and has worked with the cities of Springfield, Chicopee and Holyoke as well as the State Attorney's office in rehabbing distressed properties. He believes his experience with real estate law and as a buyer, seller and owner of numerous properties and the various methods used to determine their market value, would be beneficial to our Assessor's Department and Board. He has a law degree from Washington University and a B.S. from Tulane University in Finance. He also was a Westfield YMCA Board Member for 9 years and Board President for 2 years. He stated that he is looking forward to being on this Board. She stated that all of the Councilors gave their appreciation to Suzanne Bergeron for her many years of service. President Beltrandi also thanked Suzanne Bergeron for her years of service.

31. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the appointment of Alexander D. Fagnand, 187 Granville Road, as a member of the Board of Public Works for a term to expire in February, 2026, replacing Stephen White be CONFIRMED.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes

Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Prior to the vote, Councilor Harris informed the Council that Alex Fagnand was appointed to the Conservation Commission on December 16, 2018 and was reappointed September 3, 2020. Instead of serving another term on that Commission, he and the Mayor decided that a move to the Board of Public Works would serve the City well. His skills and expertise are very transferable. He is a registered Professional Civil Engineer, working with the Wetlands Protection Act and Stormwater Management Standards, and he is a Licensed Envision Sustainability Professional. He belongs to several professional organizations including the American Society of Civil Engineers, the Institute for Sustainable Infrastructure and Institute of Transportation Engineers. He has OSHA Construction and Health Knowledge. He is especially knowledgeable in roadway design and construction, MASSDOT project delivery, site design, multi-modal transportation and Complete Streets regulations and stormwater best management practices. His experience includes multi-modal accommodations, context sensitive design and incorporation of sustainable construction processes and materials. He has done several culvert and stormwater management projects, parking lot studies, building expansion site layouts, worked on FEMA Hazard Mitigation Program Grants from origination through implementation and general utility projects. He brings a blend of practicality and an awareness of the need to serve the residents of Westfield. His demeanor and attitude are positive and an asset to our City. Councilor Figy stated Mr. Fagnand is highly qualified.

32. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the appointment of Calaeb Vieweg as a member of the Youth Commission for a term to expire in February, 2026 be CONFIRMED.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes

Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

The Youth Commission is an important way of gaining insight to our younger population and their views of our city. During the COVID pandemic, this group was unable to meet due to health parameters. The Mayor has now appointed and our Council recently confirmed Diana McLean to once again lead this group. Due to the members of the Youth Commission being minors and the dangers of releasing any information on them, she stated that the Council should trust Advisor McLean to choose those individuals who have shown interest. Ordinance #1585 states the Advisor and Mayor is to choose members but the Council must confirm. The Council should look for a way to protect these minors and not release any information, not even names. To recognize them and their service would be up to the Advisor, the students and their parents or guardians, to decide the release of any private information. The Council should examine this ordinance for a way to modify it. The Personnel Action Committee does support this appointee.

Upon motion of Councilor Burns, it was
VOTED: To suspend the rules to do voice votes on the reappointments.
All in favor, voice vote.

33. Upon motion of Councilor Harris for the Personnel Action Committee it was
VOTED: That the reappointment for Ronald Cole, 71 Zephyr Drive as a member of the Water Commission for a term to expire in February, 2026 be CONFIRMED.
All in favor, voice vote. Councilor Mello was OPPOSED.

Prior to the vote, Councilor Harris informed the Council that Ron Cole is a lifelong resident with over 20 years of experience on the Water Commission. His knowledge is extensive. He has a calm way overseeing the various water concerns. As a resident, he takes his duties on this commission seriously and is genuinely concerned for the safety in all aspects of the Water Systems from maintenance to delivery systems for the citizens. He has served as Chairperson. He has strong managerial background, employed by Pepsi and an MBA in Finance. He was Assistant Ski Coach at WHS and Scout Leader for over 10 years. At his last reappointment, March 5, 2020, Councilor Flaherty highly supported him, Councilor Beltrandi thanked him for his dedication on the water issues, Councilor Burns stated that the spent 8 years on the Water Commission with Cole and highly recommended him and Councilor Sullivan spoke in favor of his reappointment. Councilor Mello thanked the Committee for their hard work. She approved Mr. Cole the last time his reappointment was before the Council. She

believed that with scientific information being confirmed, things would change but they did not. She stated that this commission has an incredibly important responsibility and the people who voted for her wanted change in this area of the City's management.

34. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Phillip McEwan, 153 Western Avenue as member of the Planning Board for a term to expire in February, 2027 be CONFIRMED.
All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Phil McEwan was Chair of this Board for many years. He has a vast knowledge of every aspect of procedure regarding this Board as well as historical data that can only come with being on this Board for 30 plus years. We thank him for his dedication to our city with his long service. The knowledge he brings to this Board not only benefits this group, but all of our citizens benefit, as he provides insight for balancing all matters before this Board while analyzing facts and laws, but always keeping citizens in mind.

35. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Robert Florek, 171 City View Road as a member of the Conservation Commission for a term to expire in February, 2026 be CONFIRMED.
All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Robert Florek is a local business owner with more than 30 years of experience of running and maintaining a successful landscaping company. As president of Cobble Mountain Landscaping and Nursery in Westfield, he oversees employees from all walks of life, marketing and advertising, budgets and sales productions, ensuring plant designs and materials are suitable for the environment. He is a Stone Mason, has a Hoister's license and is a licensed pesticide applier always respecting the land in his decisions. His background includes Law Enforcement education and Degree, and continued training and accreditation in regulations and product updates in regards to his business.

36. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Sophia Bitzas, 354 Falley Drive as a member of the Zoning Board of Appeals for a term to expire in February, 2026.
All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Sofia Bitzas has been a member of the ZBA since 2015. She has a Law degree and is director of an engineering firm. She continues to acquire more knowledge of permitting and its effects that are required for design and compliance as she feels it is helpful to understand all aspects of a project in order to assess what relief, if any, can be granted.

37. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Jennifer Gilbert, 65 Prospect Street as a member of the Zoning Board of Appeals, moving from second to first alternate, for a term to expire in February, 2025.

All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Jennifer Gilbert is a registered Civil Engineer in Massachusetts and has been employed by Tighe and Bond in Westfield for approximately 13 years. She graduated from Worcester Polytechnic Institute and belongs to the American Society of Civil Engineers. Her projects include evaluation of existing utilities, bidding, administration and contract awarding. She has worked on wastewater projects, water resource projects and transportation projects with DOT coordination. At her initial appointment it was stated that there would be no conflict of interest issues as she had discussed it with her supervisor.

38. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Scott LaBombard, 626 Western Ave as a member of the Parks & Recreation Commission for a term to expire in February, 2026 be CONFIRMED.

All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Scott LaBombard was initially appointed in 2018. He has been a leader in Westfield Babe Ruth and also served on the Westfield Little League Board as Treasurer and Player Agent. Serving as President of Little League he was instrumental in gifting the City a new scoreboard. He is very familiar with the Parks Programs and Services. He is concerned with keeping our youth active and engaged in positive programs. He is a valuable member of this commission and an active participant. At his 2020 reappointment, Councilor Flaherty spoke in favor saying that Mr. LaBombard goes above and beyond for this Commission. Councilor Morganelli also spoke in favor, and he was unanimously reappointed.

39. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Peter Lurgio, 51 Overlook Drive as a member of the Parks & Recreation Commission for a term to expire in February, 2026 be CONFIRMED.

All in favor, voice vote.

Prior to the vote, Councilor Harris stated that Peter Lurgio was appointed to fill a position in 2022 after Robert Veronesi passed away. He has worked for the Westfield Public Schools for over 29 years and works daily with Middle School students who thrive from their connection to the activities that the Parks and Rec Department provides. Prior to being an administrator for the past 19 years, he was a physical education teacher emphasizing the

benefits of physical activity every day. He also has been involved in the Parks Department running soccer camps for Westfield's youth for 20 years.

40. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Vincent Olinksi, 34 1/2 Noble Avenue as a member of the Parks & Recreation Commission for a term to expire in February, 2026 be CONFIRMED. All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Vincent Olinski is a lifelong resident. He was employed at the Westfield YMCA before being Director of the Holyoke YMCA. He has a B.A. in Physical Education from UMASS. He is well-known and well-liked throughout the community. He has been on the Commission over 30 years and is important to the Commission with his wealth of knowledge of Westfield, in general, in sports, recreation and history of the parks.

41. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Richard E. Clark, Jr., 456 Russellville Road as a member of the Traffic Commission for a term to expire in March, 2026 be CONFIRMED. All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Richard Clark is the Business Representative on this Commission, first appointed in 2018. He has owned and operated Whip City Cleaners since 1989, he also was actively involved as Board Member at the Boys and Girls Club. The Mayor supports this reappointment as Clark is very familiar with the downtown area and traffic situation, there, and throughout the city. On his initial appointment, Councilor Beltrandi spoke in support of this appointment.

42. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Joseph Gadbois, 20 Deer Path Lane to the Traffic Commission for a term to expire March 20, 2024 be CONFIRMED. All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Joseph Gadbois was appointed May 2020. He has a B. S. in Civil Engineering and recently retired 2018. His work experience consists of being the Resident Engineer and Construction Supervisor on numerous projects for Mass DOT. Notable projects were the reconstruction of Boston Road in Springfield, I91 over East Street Bridge Replacement in Easthampton, Twin Bridge Replacement on Route 20 in Westfield, and the construction of Main and Broad Streets in Westfield.

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

VOTED: That the reappointment of Elizabeth Boucher, 150 Hillside Road, Unit 6 as a member of the Council on Aging for a term to expire in February, 2026 be CONFIRMED.
All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Elizabeth Boucher has been on the Board of Directors since March 2011 and been the Secretary. Council on Aging, Director Tina Gorman stated at Boucher's last reappointment in 2020 that she is thoughtful in her assessment of issues brought before the Board balancing practicality with empathy, and highly recommended her reappointment. Mrs. Boucher was involved in writing the Senior Center's Political Activity Policy and created the Seniors' Novel Book Group, facilitating that group and bringing in guest authors to speak. She has lived her whole life except for six years for Air Force Deployment. She was on other City Commissions before this one and was a Benefits Manager for the Westfield School System. Councilors Adams and Figy state she was a great Secretary and fully support the reappointment.

44. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Alice M. Dawicki, 159 Holyoke Road as a member of the License Commission for a term to expire in February, 2029 be CONFIRMED.
All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Alice Dawicki was first appointed in 2013 and then reappointed. She worked for Mass Mutual as the Director of Operations, Retirement Services which included supervising a 17 member service team and servicing 401 (K) plans. She worked with the Department of Labor and Internal Revenue Service and Mass Mutual Law Department to follow compliance. She managed a \$1.6 million budget and was responsible for producing \$10 million in gross revenue. As a lifelong resident, she also owned a small business in Westfield, Soup's On.

45. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Cindy Gaylord, 35 Butternut Road as a member of the Historical Commission for a term to expire in February, 2026 be CONFIRMED.
All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Cindy Gaylord, first appointed in 2010, is Chair of the Commission and is passionate about preserving, restoring and promoting the education of Westfield History. The list is long regarding this Commission's contribution to Westfield. She has been involved in many activities including: the creation of Historical Walking Tours on downtown, created a historic downtown trip for 5th graders, created a Historical Scavenger Hunt for the Westfield Schools, creator of the Historical Ghost Tours, organized gravestone cleanings at the Old Burying Ground, was a guide for walking tours downtown, was Westfield 350th Celebration/Historic Education Committee Co-Chair, worked on restoring the Old Burying Ground and the One Room School

House and is the member of the Community Preservation Committee. Preserving Historical documents and restoration of historical buildings are top priorities. Councilor Mello as liaison to this Historical Commission added that the Commission hosts some of the most educational and well attended cultural events in the City without a budget. They do an amazing job preserving and sharing Westfield's History. She strongly supported the reappointment of Mrs. Gaylord.

46. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Carlene Bannish, 72 Laro Road as a member of the Historical Commission for a term to expire in February, 2026 be CONFIRMED.
All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Carlene Bannish, first appointed in 2014, is an active member and has been Secretary and Treasurer of the Commission. She attends all functions and events. She created the 'Whipping Around Westfield' App, helped organize and run the Historic Cemetery Ghost Tours of Downtown, was a 350th Anniversary subcommittee member and volunteer, and worked on the restoration of the Old Burying Ground and the One Room School House. As a teacher, she has contributed much to this Commission and looks forward to continuing. Councilor Mello strongly supported the reappointment of Mrs. Bannish.

47. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Kathleen Palmer, 608 Pochassic Road as a member of the Historical Commission for a term to expire in February, 2026 be CONFIRMED.
All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Kathleen Palmer was appointed in 2021 and at that time Councilor Flaherty informed the Council that she was a great person and does so much for the Commission that he thought she was already on it! Councilor Allie stated she gives 100% and is very involved. She has a vast knowledge of the history of Westfield and has shared that with citizens in many ways over many years. She brought Historical Productions into the Public Schools and presented them to the Public at the 350th celebration. Before she was appointed she was very involved in all the events of this Commission, including Ghost Tours. She is a lifelong resident of Westfield, a teacher for 40 years, conducted theater for the Parks & Rec Department and productions at the Westfield Woman's Club. She is interested in protecting, preserving and promoting Westfield's history for generations to come. Councilor Mello strongly supported the reappointment of Mrs. Palmer.

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

VOTED: That the reappointment of Linda Saltus, 17 Hillside Road as a member of the Board of Registrars for a term to expire in February, 2025 be CONFIRMED.

All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Linda Saltus was appointed to the Board of Registrars September 2014. She is a registered Republican which meets the requirements of this Board. She worked in government for over 30 years including working for Governor Weld and State Rep Pierce. Westfield is fortunate to have someone with this background and experience on this Board. She is an active member and well-versed in the Help America Vote Act, supported and participated in the first time Early Voting in 2016. City Clerk, Kaitlyn Bruce recommends her, as did former City Clerk, Karen Fanion. Councilor Harris informed the Council that the Mayor's Office notified her that the term expiration should be in 2025 to accommodate a correction and service expiration dates according to the Mass General Law. This was also confirmed by the City Clerk.

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

VOTED: That the motion be amended to expire February, 2025.

All in favor, voice vote.

49. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Daniel Smith, 15 Hamilton Way as a member of the Board of Registrars for a term to expire in February, 2026 be CONFIRMED.

All in favor, voice vote.

Prior to the vote, Councilor Harris informed the Council that Dan Smith is a registered Democrat which meets the requirements of this Board, being first appointed in 2005. Mr. Smith is well respected and known by many citizens. A lifelong resident he has been on many Boards and Commissions. He has many degrees in higher education including on Honorary Doctorate Degree from Westfield State. Councilor Figy stated at Smith's last reappointment "Westfield is lucky to have someone of Dan's caliber working for it.", referring to him being a popular educator, and having a long history of being a member of various State and Municipal Boards. The previous Chair/City Clerk recommended him as does our City Clerk, Kaitlyn Bruce. Councilor Sullivan wanted to add how lucky the City is to have Mr. Smith and everyone else here tonight. He recognized Mr. Smith and thanked him for his service to the Community and the Country. President Beltrandi echoed Councilor Sullivan.

50. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Stanley Strzempko, 31 Ridge Trail Road as a member of the Board of Health for a term to expire in February, 2026 be CONFIRMED.

All in favor, voice vote. Councilor Morganelli was OPPOSED.

Prior to the vote, Councilor Harris informed the Council that Dr. Strzempko served on the Board of Health from 1998 to 2015 when he had to leave due to his professional

responsibilities. When he had to leave due to his professional responsibilities, Dr. Mitchell then served. He was able to come back to serve September, 2020, when Dr. Mitchell had to leave for professional obligations. He was reappointed until 2023 and now is looking forward to continuing to serve on this Board. He believes his background and experience is an asset to this Board, and he knows all the workings of the Health Department, the employees of the Department and understands all the issues they are facing now. He has been the Westfield School Physician, the Medical Director for the boys and Girls club and Medical Consultant for the Student Health Services at Westfield State, and President of Westfield Emergency Physicians, P. C. He states he loves our city and would like to continue to help our citizens. The Health Department supports his reappointment and the Health Department Director stated at Dr. Strzempko's last reappointment that he is an invaluable asset to this Board.

51. Upon motion of Councilor Harris for the Personnel Action Committee it was VOTED: That the reappointment of Juanita Carnes, 57 Holland Avenue as a member of the Board of Health for a term to expire in February, 2024 be CONFIRMED. All in favor, voice vote. Councilors Allie, Mello and Morganelli were OPPOSED.

Prior to the vote, Councilor Harris informed the Council that Juanita Carnes has been on this Board and Chair for nearly 30 years. She worked as a Registered Nurse at Noble Hospital. She continued her education attaining a Master's Degree and Post Masters becoming a Nurse Practitioner working in the Noble Hospital Emergency Ward. She currently works for Urgent Care located in Northampton and Connecticut. Her work is involved with Public Health. She states during the Pandemic that like many communities, decisions to protect citizens was of deep concern, although some disagreed with them. The Health Director supports her continuing on, and adds that she is well-versed in the Department's inspection services programs such as housing, restaurants and recreational camps. She took the lead on vaping issues in schools and advises the Board on immunizations, communicable diseases and flu outbreaks. She rarely misses a Board meeting and is actively involved in the Health Department issues. Councilor Figy stated his appreciation for her writing a weekly article on Health issues in the Westfield News newspaper. Councilor Mello thanked the Committee for their hard work. She stated that before Covid she witnessed this Board member ignore a Public Health crisis and she believed thousands of residents have been poisoned with immune system toxicants. During Covid, Dr. Carnes avoided direct and scientific conversations that left frustrated residents protesting in the Chamber. She felt that the City needs a fresh set of eyes on the Board of Health and would not be supporting this reappointment. Councilor Allie also spoke in opposition of the reappointment. He didn't agree that the mask mandate in December 2021 was logical or reasonable and gave his reasoning. The Board of Health prolonged the school mask mandate. He stated that no public participation was allowed at that meeting. Health Director Joe Rouse stated they wouldn't read all letters submitted due to time constraints. He stated that Dr. Carnes made a false statement that people against and for masks was split 50/50. He stated he made a Public Records Request which revealed each Board Member received 28 letters (2 in favor and 26 in opposition). The Director received 33

letters (2 in favor and 31 opposed). He believed the Board's vote implemented the mask mandate was predetermined and they produced no data or evidence. He spoke about various comments and statistics for/against masks by the public, CDC and scientists throughout December. On January 15th the Board of Health rescinded the mask mandate with over 100 people present at their meeting. Councilor Allie stated he believed the Government engaged in unprecedented mandates and overreaches for over three years. Councilor Adams stated that Dr. Carnes did her best job for the City. He emphasized that she did her best job to keep people alive while she witnessed people dying every day. He stated that both Dr. Carnes and Dr. Strzempko are professionals and experts at what they do. He strongly gave his support to both reappointments. Councilor Flaherty added that these people are part time board members. They don't have the time to independent research to contradict the standards set by Center for Disease Control and Department of Public Health. These people have to represent Westfield on guidance they are receiving. He noted that although 50% of the emails may not have been in favor of masks, as a public servant people call and speak to you in person. The statement that people were 50/50 when it came to being for or against masks wasn't necessarily a false statement. He added that the last thing he wants is his health decisions determined by the popular opinion of an audience and they did the best they could under the situation. Councilor Sullivan whole heartedly supported these appointments. He was not willing to debate masks or vaccines. He pointed out that many of the people the Council is appointing have to make tough calls that a lot of people don't agree with. He gave his appreciation for the caliber of all of the Board and Commission members. He stated that the PAC Chair does a great job reading the resumes of these people. They make these calls for no other reason than to do what is in the best interest of the City. He stated that the City has been fortunate to have such a high caliber Board of Health and that Dr. Carnes did what was in the best interest of the community given the professional background she has. Councilor Mello clarified that she was not pleased with Dr. Carnes' job performance, mostly pre-Covid. She spoke to the Board of Health about PFAS. She stated that the Board of Health and Health Department did not engage with ATSDR and that PFAS were immune system toxicants. She stated the Council Chambers was full in high transition health times because Dr. Carnes didn't engage with the public. Her stance wasn't about masks or Covid. She believed the ball was dropped and more could have been done preventatively. Board and Commission members are unelected and she believed the Council was the checks and balances. Councilor Bean stated that the members of the Commission at the time, Dr. Strzempko, Dr. Carnes and Ms. Doody did the best they could under the circumstances. They took the politics out of it and in the end, acted appropriately. He gave them his full support. Councilor Morganelli - agreed with the Councilors Allie and Mello. He also agreed they have had a tough job and appreciates their work and time over the years. He quoted the Mayor's appointment letter, that states "*I certify in my opinion he/she is a person specifically fitted by education, training or experience to perform the duties of said office, and that I make this appointment solely in the interest of the City*". He is not supporting these reappointments because he believes more diversity is needed on the board. He acknowledged that they were highly educated but didn't believe they were trained in infectious disease, immune system response or PFAS. He stated they didn't have experience.

He believed members need to listen to all sides and to dedicate time to make educated votes. Councilor Allie added that he didn't just do a Public Records Request, he also read the letters and there were letters from extremely credible people. Councilor Onyski stated that there are differing opinions from Doctors on Cancer, Covid and most illnesses. He noted that Covid got political. He trusts Councilor Adams' opinion as someone who saw firsthand.

Upon motion of Councilor Burns, it was VOTED to return to regular order.

UNFINISHED BUSINESS

52. Upon motion of Councilor Bean for the Finance Committee, it was VOTED: That a Bond Order, entitled "A BOND ORDER FOR HVAC UPGRADES TO THE BLOWER SLUDGE PROCESSING BUILDING AT THE WASTEWATER TREATMENT FACILITY." be given second reading and be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

ANNOUNCEMENTS

Councilor Sullivan congratulated Ward 2 Councilor Figy on his new grandson.

Councilor Mello shared that it was World Wetlands Day.

Councilor Morganelli shared that tomorrow would be the coldest day of the winter and reminded residents to check on seniors.

At 9:33 PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

A true record, Attest:

Kaitlyn Leigh Bruce
City Clerk/Clerk of the Council

Presented to the Mayor

For approval February, 2023

Kaitlyn Leigh Bruce
Kaitlyn Leigh Bruce, City Clerk

Approved by the Mayor

2-21 2023

Michael A. McCabe
Michael A. McCabe, Mayor