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MAR 31 2023

WESTFIELD CITY CLERK



MINUTES OF LEGISLATIVE AND ORDINANCE COMMITTEE MEETING  
59 COURT ST, WESTFIELD, MA  
ROOM 201  
February 15, 2023 at 5:00 PM

The meeting was called to order by Councilor Onyski at 5:00 PM.

Councilor Onyski called the Roll. The following committee members were present: Chair, Councilor Bill Onyski, Councilor Ralph Figy and Councilor Michael Burns. Also in attendance Councilor Bridget Matthews-Kane, Councilor Cindy Harris, Councilor Kristen Mello, Mayor Michael McCabe, City Engineer Allison McMordie and Scribe of the Legislative and Ordinance Committee Sue Gallo.

Councilor Onyski opened the meeting for public participation.

Under "Public Participation" the Committee was addressed by Councilor Bridget Matthews-Kane 81 Court Street there to clarify some points that were made at the January 31, 2023 L&O meeting about Valley Bikes. Councilor Kane called The Northampton City Planner to clarify that the fee that The City would not cover if a bike is lost or stolen. The bikes issued to The City of Westfield are part of the system of the Municipalities. If Westfield loses a bike the system loses a bike. The loss is built into the system. If the bike has been borrowed with a credit card the Customer who rented the bike is charged. Broken bikes are kept in the system and used for parts. No Municipality in the past has been charged extra because of the loss or damage of a specific bike, the loss is shared thru the System. Councilor Kane also addressed the Code Enforcement issue that was discussed in the previous meeting. The bikes issued all have a GPS on them and Valley Bike offered to pick them up , however stating that the majority are returned to the charging stations. If the bikes are not returned they are easily findable. This is all part of the original fee that The City would pay. Councilor Matthews-Kane stated that the funding may change but she wanted to clarify some of the points that were raised at the last meeting.

Councilor Onyski offered for anyone else to speak during public participation. There were no other speakers. He also brought forth that Councilor Babinski sent him an email wanting to keep the Flood Commission intact. It was her discussion in the last Full City Council Meeting.

Upon Motion of Councilor Figy it was  
VOTED: That the L&O Minutes of the November 9, 2022 meeting be accepted.

Motion seconded by Councilor Burns

Approved by Roll Call 2-0

The vote on the foregoing was as follows

Michael Burns	Yes
Ralph Figy	Yes
Bill Onyski	Abstained

Councilor Onyski abstained as he was not at the meeting.

Upon Motion of Councilor Figy it was

VOTED: That the L&O Minutes of the January 31, 2023 meeting be accepted.

Motion seconded by Councilor Burns

Approved by Roll Call 3-0

The vote on the foregoing was as follows

Michael Burns	Yes
Ralph Figy	Yes
Bill Onyski	Yes

Upon motion of Councilor Figy, it was

VOTED: to Keep in Committee an amendment to The Code of Ordinance removing Chapter 13, Planning and Development , Article III, Flood Control Commission, Sections 51-59 and transferring the duties and responsibilities of the Flood Control Commision to The Engineering Department

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

The Chair declared the motion Stay in Committee

Prior to the vote Mayor Michael McCabe request for your consideration and approval of an Ordinance Amending the Code of Ordinances, City of Westfield, Adopted June 17, 1993, by deleting Chapter 13, Article III, Flood Control Commission, and transferring the duties and responsibilities of the Flood Control Commission as outlined, to The Engineering Department. Mayor McCabe discussed finding the most efficient way to make this happen. He specifically was talking of DPW, Flood Control Commission and the Water Department to see if there was a way to merge those departments. Mayor McCabe read a letter that he presented at The City Council Meeting, as this is a City Council issue not a Mayoral one. The proposal to change by combining the DPW, The Water Commission and The Office of The City Engineer as one. The action would put Flood, Water Resources and Maintenance all in the same room. By combining the Boards The City will have the ability to do the work. To create a more efficient workflow, and have a Board that will be responsible for that. Councilor Burns responded that The Water Commission has to be separate as it is an Act. It is not in The Cities Charter it is a regulation from The State and The Feds. Councilor Figy stated that the item on the agenda is to eliminate The FCC, not combine the three. The above should be under a different motion. Councilor Figy thought coming into the meeting was to reorganize the FCC not dissolve it, using The City's Traffic Commission's model that has City Employees, DPW Director, and The City Engineer sit on The Board. This would ensure the information flow, and responsibility. The idea of changing the composition of the board so the issues faced with quorum not being met could be addressed. Mayor McCabe voiced that an advisory group that can't direct, fund, set policy or discipline when things go wrong is just another board that needs to be attended if consolidated it would be one.

The Engineering department is currently and has been working on Flood Control Commission. Dams, Levees and Culverts are being worked on. The jobs are getting done, even when there has been no Flood Commission since January.

Upon motion of Councilor Figy it was Voted to submit a Resolution authorizing the acquisition of approximately 13.25 acres of land from The Department of Conservation and Recreation of Commonwealth of Massachusetts and authorizing The Mayor to execute any documents on behalf of The City with POSITIVE RECOMMENDATION. Motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows

Michael Burns Yes

Ralph Figy Yes

Bill Onyski Yes

Prior to the vote Councilor Onyski read a note from Assistant City Solicitor Shanna Reed. City Engineer Allison McMordie reiterated the information. Land for the levee/flood control systems was transferred to The Department of Conservation and Recreation. The DCR is in favor of the multi use path project and wants to transfer ownership to The City so the project can proceed.

Upon motion of Councilor Figy it was Voted to LEAVE IN COMMITTEE Memorandum of Understanding between the City of Westfield MA and City of Northampton regarding the integrated bike share system in Committee. Voted to Keep in Committee until we get additional information The Motion was seconded by Councilor Burns. Approved by Roll Call 3-0

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote City Engineer Allison McMordie discussed a meeting she attended with The City of Northampton. There are some shifts in the Bowegan System they are currently doing some layoffs and have approached The City of Northampton to make an amendment to the current contract that will be expiring in 2025. This amendment proposed to modify the operational component, currently the \$4,000.00-\$5000.00 to buy the bikes would shift to \$10,000.-\$11,000.00 and The City would take on the operational component. Based on this, Allison would like to speak further to Bewegen and The City of Northampton to get a better understanding before The City signs the MOA with the City of Northampton. She recommends to Leave in Committee until that meeting happens.

Upon motion of Councilor Figy, it was VOTED TO LEAVE IN COMMITTEE: to expand the demolition delay for properties of historical significance by extending the wait time for the issuance of a demolition permit from 90 days to 180 days. The motion was seconded by Councilor Burns.

The vote on the foregoing was as follows: 2-1

Bill Onyski	Yes
Michael Burns	No
Ralph Figy	Yes

Prior to the vote, Councilor Onyski stated there is another item in Council Committee, having homeowners applying their property to the Historical Register that may or may not affect the ordinance from 90 to 180 days. Councilor Bridget Matthew-Kane will be assisting to go through the details.

At 5:37PM, and upon motion of Councilor Burns, it was VOTED to ADJOURN. Motion was seconded by Councilor Figy

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Respectfully submitted, Sue Gallo, Scribe for the Legislative and Ordinance Subcommittee

