

MINUTES OF CITY COUNCIL

59 COURT STREET

MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS

WESTFIELD, MASSACHUSETTS

MARCH 16, 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 are 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 March 2, 2023 be accepted.

PUBLIC PARTICIPATION

Under "Public Participation" the Councilors were addressed by Leslie Clark-Yvon, 18 Holland Avenue. She spoke in support of expanding the demolition delay and highlighted Westfield's rich history. She stated that the demolition delay doesn't change the outcome but allows the Council to take a measured look at the buildings and what they mean to the history of Westfield.

Under "Public Participation" the Councilors were addressed by James Homan, 9 West Silver Street. He spoke in support of expanding the demolition delay. He noted the impressive array of architecture in Westfield. His home is one of the four oldest homes in Westfield, a colonial cape built in 1760. As the Columbia Greenway Rail Trail nears completion he stated Westfield will become a destination. He believed that as elected officials, it was City Council's responsibility to protect and preserve Westfield's treasures.

Under "Public Participation" the Councilors were addressed by Betty Faulhaber, 7 Hawthorne Ave. She spoke in support of expanding the demolition delay. She stated her family moved back to Westfield, in part for historic homes. Her home was built in 1887 and was the former home of the Atwater family. She strongly believes in preserving integrity in historic homes and requested that Council consider the future of the beautiful old homes in Westfield.

Under "Public Participation" the Councilors were addressed by Patricia Steele-Perkins of 67 Forest Glen Drive. She spoke in support of expanding the demolition delay to six months. She stated an extension would give current owners more time to search for ways to preserve their historic properties.

Under "Public Participation" the Councilors were addressed by Kathy Hillman, 179 Susan Drive. She was present to speak about the added name of New Haven and Greenway Canal Greenway to the Columbia Greenway Rail Trail. She spoke in support of this and questioned if there would be a letter sent to the board. President Beltrandi stated that the City Clerk will have record of it once it is voted.

Under "Public Participation" the Councilors were addressed by Cindy Gaylord, 35 Butternut Road. As the Historical Commission Chair, she spoke in support of the demolition delay extension. She asked Council to review Dr. Brown's history presentation on the lost mansions of Westfield:
https://www.youtube.com/watch?v=Wm_zhE_pEOQ. Gorgeous properties that once existed in Westfield, were torn down, and replaced with gas stations, fast food restaurants and parking lots. She stated that they were asking for the extension so they had time to work with buyers to come up with alternatives to saving the homes. She referenced the Easthampton Savings Bank on Broad Street and shared how grateful the Historic Commission was that they listened to the community and saved the home.

Under "Public Participation" the Councilors were addressed by George Lang, 92 West Silver Street. He spoke in support of the demolition delay extension. He stated that he had thought about the people who may have found themselves in a bind and the delay limiting the ability of a homeowner to sell. He stated that in those situations the taking probably happens earlier. This proposal to extend is like a giving to find more time to find someone who wouldn't demolish the home.

Under "Public Participation" the Councilors were addressed by Linda Kibe, 23 Holland Avenue. Her home was built in 1775 and is currently on the Properties of Historical Significance List. She spoke in support of historic homes, over a hundred years old being eligible to be put on the list. It would allow them to be eligible for assistance to retain their homes should it be necessary. She spoke in support of extending the demolition delay from 3 to 6 months or even longer, stating it would help devote the time needed and necessary to properly explore all options and resolve potential solutions. She suggested that houses damaged by flood, fire etc. be dealt with through a caveat or amendment for public safety.

Councilor Matthews-Kane read a letter submitted by Chris Carey that was in support of the demolition delay extension into the record. She added that Tommy and James Stanziola, 16 Perkins Street and Agma Sweeney, 14 Pleasant Street also wrote in support of expanding the demolition delay.

Councilor Figy read a letter submitted by Bob Plasse, 9 West Silver Street that was in support of the demolition delay extension into the record.

Councilor Harris stated that she received a letter from Jack and Agma Sweeney, 14

Pleasant Street, supporting the 180 day extension. She also spoke in support of the demolition delay extension, stating that her house on South Maple Street was built in 1860.

Under "Public Participation" the Councilors were addressed by Shelley Gutowski, 69 Western Avenue. She spoke in support of the 180 day extension. She gave her appreciation for the architecture of the old homes and noted the value they added to the whole City.

COMMUNICATIONS FROM THE MAYOR

Upon motion of Councilor Matthews-Kane, it was VOTED: That items 1., 2. and 3. 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. Requesting acceptance of a Grant in the amount of \$1,000,000.00 from the State and Tribal Assistance Grant (STAG) to the Department of Public Works, Wastewater Division for the construction of a new Operations Building at the Water Recovery Facility.
2. Submitting a Bond Order in the amount of \$3,250,000.00 to the Department of Public Works, Wastewater Division for the construction of a new Operations Building at the Water Recovery Facility.
3. Appropriation of \$130,000.00 from Free Cash Account (1000-359000) to the Department of Public Works Highway Division Supplies Account #14210000-540000 for upgrades for standard roadway structures.

Upon motion of Councilor Harris, it was VOTED: That items 4., 5., 6. and 7. 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:

4. Submitting the reappointment of Kate Phelon, 150 Hillside Road as a member of the Airport Commission for a term to expire in February, 2026.
5. Submitting the appointment of Finn Chisholm-Godshalk to the Youth Commission for a term to expire in February, 2026.
6. Submitting the appointment of Jillian Battles to the Youth Commission for a term to expire in February, 2026.
7. Submitting the appointment of Lincoln VanHeynigen to the Youth Commission for a term to expire in February, 2026.

REPORTS OF CITY OFFICERS

8. Upon motion of Councilor Onyski, it was VOTED: That City Planner Jay Vinskey submitting a recommendation from the Planning Board to accept Caitlin Way, Janelle Drive and Jeanne Marie Drive as public

ways be REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE.
All in favor, voice vote.

PETITIONS, REMONSTRANCES, AND OTHER PAPERS

9. PUBLIC HEARING on applications for a Junk Dealers license and a Junk Collectors license for MJ's Buy Sell Trade, 24 North Elm Street, Michael Ventrice, owner.

Michael Ventrice, 140 Wyben Road was present to represent the application. He stated that he would be selling "tools, silver, anything". He stated nothing would be under \$50-\$100.00. Councilor Figy asked if he has thought of any ways to improve parking. Mr. Ventrice stated there was a City owned parking lot across the street and available parking behind the building. Councilor Figy suggested adding signage for parking in the rear. Councilor Mello asked if there would be any hazardous materials stored. Mr. Ventrice stated if he had a chainsaw or tool with fluids, then yes. Councilor Mello asked if the storage for that material would be up to Mass DEP codes for spillage. Mr. Ventrice confirmed. Councilor Morganelli questioned if there was adequate space for a large vehicle to pull up and drop off large items. Mr. Ventrice stated yes, anything under 36". Councilor Sullivan asked if abutters were notified. President Beltrandi confirmed. Councilor Allie asked what type of tools would be sold. Mr. Ventrice stated similar tools found at pawn shops. He added coins, collectables, cards etc. Councilor Mello questioned how he would know whether or not the items brought into the store were stolen. Mr. Ventrice stated that all of the items would be put into a state database. Councilor Flaherty asked for his business hours. Mr. Ventrice stated it would probably be from 11:00 AM to 6:00 PM. Councilor Morganelli asked why he chose to open this business in Westfield. Mr. Ventrice stated he has had that location for 12 years and had tried an ice cream shop but that didn't work. With no others appearing to be heard and upon motion of Councilor Figy, it was VOTED: That the Public Hearing be CLOSED and the application be REFERRED TO THE LICENSE COMMITTEE.

REPORTS OF COMMITTEES

Ad Hoc Charter Review Committee

10. Councilor Flaherty gave a status update for the Ad-hoc Charter Committee using the following index:

1. *Filling vacancies on City Council, Municipal Light Board, and School Committee*
2. *Edit gender specific pronouns.*
3. *Four-year term of Mayor beginning with the term that starts January 2026. Recall provision.*
4. *Edits to civil service list.*
5. *Allow Mayor to appoint a chairman of School Committee if he/she desires not to serve directly.*
6. ~~*Four-year terms for City Councilors*~~
7. *Review Water Commission / Board of Public Works.*
8. *In general, clarify that a job title is not necessarily a full-time job and that one person may have multiple roles.*
9. *Appointments for terms "up to three years" not "of three years".*

10. 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.
11. City Council may create an Annual Budget process by ordinance.
12. How to address unfunded obligations in annual budget process.
13. Guidelines for taxpayer or ratepayer monies used as "Donations" or "Sponsored By".
14. Threshold for write-ins equal to number of signatures required for nomination papers.
15. Clarify ability of council, or duly authorized committee thereof, to investigate matters (all departments without Public Records requests).
16. Procedure for future Special Act Charter Amendments (public hearings, 2 readings for each proposed order to amend, two-thirds vote required for each proposed order to amend).
17. Recurring review of Charter based on calendar year (every ten years for years ending in "2").
18. Procedure for Labor Contracts.
19. ILOT Payments from City-owned utilities (minimum 2.5% of assessed value or 2.5% of gross revenue).
20. Expenses charged to enterprise (and similar) funds.
21. Local elections to allow early voting and vote by mail the following same procedures as State and Federal elections.

He reported that item 6 was not referred to committee and was removed from the list:

6. Four year terms for City Councilors

The Resolutions related to items 1, 2 and 4 were approved by the City Council:

1. Filling vacancies on City Council, Municipal Light Board, and School Committee
2. Edit gender specific pronouns.
4. Edits to civil service list.

The Resolutions related to items 5, 9 and 11 were not approved by the City Council:

5. Allow Mayor to appoint a chairman of School Committee if he/she desires not to serve directly.
9. Appointments for terms "up to three years" not "of three years".
11. City Council may create an Annual Budget process by ordinance.

Items 7, 12, 19, and 20 would remain in committee:

7. Review Water Commission / Board of Public Works.
12. How to address unfunded obligations in annual budget process.
19. ILOT Payments from City-owned utilities (minimum 2.5% of assessed value or 2.5% of gross revenue).
20. Expenses charged to enterprise (and similar) funds.

Upon motion of Councilor Bean for the Ad-Hoc Charter Review Committee, it was VOTED: That items 8, 13, 14, 17, 18, and 21 be REMOVED FROM COMMITTEE WITH NO ACTION.

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

8. In general, clarify that a job title is not necessarily a full-time job and that one person may have multiple roles.
13. Guidelines for taxpayer or ratepayer monies used as "Donations" or "Sponsored By".
14. Threshold for write-ins equal to number of signatures required for nomination papers.
17. Recurring review of Charter based on calendar year (every 10 years for years ending in "2").
18. Procedure for Labor Contracts.
21. Local elections to allow early voting and vote by mail the following same procedures as State and Federal elections.

Prior the vote, Councilor Bean stated that some of these would be Ordinance form or there was lack of support from the Council.

Upon motion of Councilor Figy for the Ad-Hoc Charter Review Committee, it was VOTED: To extend the term of the mayor to four years beginning in 2026 with a recall provision subject to approval by the voters in the November 2023 election.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Figy stated that the Ad-Hoc Committee worked with legal for proper wording to go on the ballot in November. Councilor Flaherty stated the last time this was discussed there was feedback from the public and Council to clarify the process and to find a way to make it a binding ballot question. The committee met with the City Solicitor and determined the best way to do that would be through a second special act request, contingent upon passing by popular vote at the November 2023 Election. He read aloud the Resolution in its entirety. Councilor Sullivan stated that this was just before the voters, and the vote was overwhelmingly opposed. Councilors Allie, Mello and Morganelli echoed Councilor Sullivan. Councilor Adams added that the Mayor is present every day and has a very important position. If after the first year, the Mayor doesn't do a good job, the City would be stuck with them for three more years. If a Mayor is doing a great job, they would get reelected. Councilor Matthews-Kane stated although she agrees with a 2 year term for Mayor, she would be willing to vote to send it as a binding question to finalize it. Councilor Flaherty stated that the Committee was tasked with finding a way to make it a binding question and the Law Department recommended the path being presented tonight. He stated that he brought this item forward so a long term vision of a Mayor could be implemented, adding that turning over that person every 2 years doesn't provide the best outcome for the City. Councilor Mello stated if a Mayor had a four year term and it was going

poorly, going through a recall would be extra victimization. She echoed Councilor Adams regarding reelection. Councilor Harris gave her appreciation to the Ad-Hoc Committee for their work but also agreed that the voters have already spoken.

Upon motion of Councilor Figy for the Ad-Hoc Charter Review Committee, it was

VOTED: That a Resolution amending the proposed 2023 version of the Charter of the City of Westfield, entitled "Appointing Authority to Set Salary" be ADOPTED.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Prior to the vote, Councilor Figy informed the Council that the discussion was around the ability of the hiring authority to negotiate and authorize the pay scale. He stated that if a Mayor doesn't agree with the committee, he could lowball the contract and sabotage the hire. Councilor Flaherty stated that there were 18 paragraphs in this section of the Charter about who appoints each position. This would add a new paragraph at the end stating that the appointing authority should be able to negotiate the salary. He stated that sometimes the Mayor gets involved after the selection is made by the Committee that is authorized to do the hire. Councilor Harris asked if that has ever happened. Councilor Flaherty confirmed. Councilor Onyski asked for logistics of who has the authority to negotiate the salary, using the City Clerk as an example. Councilor Flaherty responded that the hiring authority does, within the confines of the budget and the labor contract. The labor unions have pay scales that have to be complied with. In the event of the hiring of the City Clerk, they would work with PAC and Personnel. Councilor Onyski stated that when multiple people are involved, it becomes unclear on the logistics of who makes the offer. Councilor

Burns stated that in Section 11 of the Charter, the City Council has a lot of authority that they don't use. Councilor Flaherty stated this would give the authority to all the appointing boards and commissions, such as Water Commission, Fire Commission and Police Commission. Councilor Sullivan asked how this related to the budget. He questioned letting the Boards and Commissions negotiate the salaries outside the potential budget control of the Mayor and City Council. Councilor Figy read aloud part of the Resolution that read "subject to appropriations and any applicable labor agreements" stating he interpreted that to say they could only spend what was in the budget. Councilor Mello questioned why she should be trusting the Mayor for a 4 year term but not trusting the Mayor to make an appropriation. Councilor Flaherty stated that the Mayor makes requests for appropriations and the Council votes on the appropriations. He stated that the Council also votes on the Board and Commission members. He believed that having the Mayor in the middle of negotiations, defeated the purpose of delegating the authority to the Boards and Commissions. This would clarify that they would be able to complete the hire within the appropriations and labor contracts. Councilor Allie asked if the Mayor was acting as the check on the appointing authority. Councilor Bean responded that in the past, when an offer has been made to an applicant by a Board, Commission or Council and there was a salary range, the Mayor has offered less money because they didn't like the chosen candidate. This Resolution would prevent that. Councilor Matthews-Kane stated she was on the Auditor Search Committee and asked how this would change for someone that is not in a Union. She asked who would negotiate the salary. Councilor Bean responded, for the Auditor, it would be the Council.

Upon motion of Councilor Bean for the Ad-Hoc Charter Review Committee, it was

VOTED: That a Resolution amending the proposed 2023 version of the Charter of the City of Westfield, entitled "City Council Investigations" be ADOPTED.

The vote on the foregoing was as follows:

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

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

Prior to the vote Council Bean stated there was a minor change to the title of Section 26 from "Investigations by Council" to "Investigations by City Council". Councilor Bean read the Resolution in its entirety. He stated that one of the items that was brought up in Committee as an example was the water issue. Many City Councilors fought for information on that project and at times weren't getting that info. This Resolution would clarify that Council has the ability and authority to investigate. He stated the Ad-Hoc Committee spoke to the Law Department about the Resolution and they are comfortable. Councilor Flaherty stated that the language "upon majority vote of the City Council" was added to clarify that individual Councilors could not inundate Department Heads. Councilors Matthews-Kane clarified that the process would entail making a motion, receiving a majority vote and sending the item to a committee for further investigation. Councilor Mello asked if she could continue to contact the Department Heads for information to answer questions posed to her by constituents. President Beltrandi responded that this would be the avenue to take if the information was not available. Councilor Flaherty stated that this section originally had two sections in it, including appearance before the Council. The second paragraph was to obtain information on any matter. There was a clause in the first paragraph that the Law Department assumed was in the second paragraph. The committee broke this into two pieces, left the appearance by Council section alone and added this new section, "Investigations by Council" to clarify that the Council could investigate.

Upon motion of Councilor Flaherty for the Ad-Hoc Charter Review Committee, it was

VOTED: That a Resolution amending the proposed 2023 version of the Charter of the City of Westfield, entitled "Charter Amendment Process" be ADOPTED.

The vote on the foregoing was as follows:

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

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

Prior to the vote, Councilor Flaherty stated there is currently nothing in the Charter outlining how to amend the Charter. The committee followed how they thought the process should go, including allowing public input. Currently, there is no requirement for public input. He read the Resolution aloud in its entirety. He stated that this is formalizing the process and making it harder to change the Charter. The current process for a Special Act can be done with one Resolution vote which is easier to change than an Ordinance or Zone Change. Councilor Allie stated that the Charter isn't a living document and that the Ordinances are where changes should be made but he would vote for this simply because of the higher threshold. Councilor Morganelli asked if 2/3 (9 votes) were required on this vote. The answer was no. Councilor Onyski stated that a Resolution typically allows the Mayor to move something somewhere. He asked where this Resolution goes from here. Councilor Flaherty stated that the header on the Resolutions read "a Resolution amending the proposed 2023 version of the Charter of the City of Westfield". There is a working document, incorporating all of the edits. This Resolution allows the Law Department and the Committee to create the document for the Special Act.

Finance Committee

11. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That two Grants in the amounts of \$12,717.38 and \$106,478.16 from the Federal Emergency Management Agency (FEMA) to the City of Westfield to cover costs incurred during the COVID pandemic be ACCEPTED.

The vote on the foregoing was as follows:

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

Prior to the vote Councilor Matthews-Kane stated that these were reimbursement Grants from FEMA for the Covid Public Assistance Grant Program to cover the City's costs related to Covid in 2020. Originally they were to be reimbursed at 75% but per Presidential directive they are being awarded at 100%. The City has applied for five Federal Grants. Although this was the first grant to be submitted, because of volume of grants submitted, and its complexity, this took longer to be awarded. Councilor Morganelli asked if there were any projections for 2021. Councilor Matthews-Kane stated that they were awarded out of order and this is the final Covid money the City should be receiving.

12. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That a Grant from the Commonwealth of Massachusetts Executive Office of Technology Services and Security (EOTSS) that will provide cybersecurity training to the City of Westfield and Westfield Public School Employees be ACCEPTED.

The vote on the foregoing was as follows:

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

Prior to the vote Councilor Matthews-Kane informed the Council that this was the fourth year that the City has received this grant to cover cybersecurity training for school and city employees, including City Councilors. If the Grant is not accepted, the City will have to purchase the training. There is no dollar amount listed for the Grant because it is full funded and managed by the State. They do not apply any costs per person back to the municipalities. There is no local match.

13. Upon motion of Councilor Bean for the Finance Committee, it was VOTED: That the sum of \$46,672.42 be transferred within the Police Department from the Towing and Storage Account #24210714-585001 to the Equipment Vehicle Account

#12100000-585001 to upgrade an upcoming vehicle purchase to the Hybrid model to save on fuel costs.

The vote on the foregoing was as follows:

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

Prior to the vote Councilor Bean informed the Council that Captain Pitoniak came to the Finance Committee and they're looking to move to Hybrid vehicles for cost savings. He stated that the cost of a Hybrid vehicle up front is roughly \$3,400.00 more than a regular gas powered vehicle but the City will see cost savings over time. Prior to this submission there was about \$80,000.00 in the Towing Account. Two of the three cruisers being replaced will be reused by the Building and Conservation Departments and one will be going to the auction. Councilor Figy stated as the prior Finance Chair, he was happy to see this because he always asked Captain Pitoniak when the Police were going to Hybrid vehicles. He clarified that \$46,672.42 was the total cost of the vehicle, and not an additional \$46,672.42 for the upgrade. Councilor Flaherty asked who currently had the towing contract with the City. Councilor Bean replied Interstate and Councilor Sullivan added that he believed there was roughly a year and a half remaining.

14. Upon motion of Councilor Bean for the Finance Committee, it was VOTED: That the sum of \$1,905.00 be transferred from the City Clerk's FT Salary Account #11610000-511000 to the City Council Purchase of Service Account #11110000-520000 to cover costs associated with required legal advertisements.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Bean informed the Council that City Clerk Kaitlyn Bruce came to the Finance Committee meeting. There has been an increase in the cost and amount of legal advertisements.

15. Upon motion of Councilor Bean for the Finance Committee, it was VOTED: That the sum of \$950.00 be transferred within the Department of Public Works Water Division from Workman's Comp FY23 Account #68004500-519200 to the Workman's Comp FY22 Account #68004500-519200 to cover previously incurred costs recently billed to the department by Personnel.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Bean informed the Council that this was a prior year bill due to the provider sending the bill late. Councilor Sullivan added that the bill itself was for the medical report that the City sent the employee out for.

Legislative and Ordinance Committee

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

VOTED: To allow homeowners to apply to have their property added to the Historical Registry maintained by the Historical Commission for Westfield's demolition delay be REMOVED FROM COMMITTEE
All in favor, voice vote.

Prior to the vote, Councilor Matthews-Kane stated she initially made this motion with a goal to find a transparent and legal way to add homes to the inventory of historic buildings. Attorney Bristol found a form used by the Massachusetts Historical Commission to document historical buildings. Attorney Bristol recommended that the Westfield Historical Commission use that form as an application and that they post a clear application process on the City's webpage. Councilor Matthews-Kane stated that because both recommendations fell under the power of the Historical Commission she was in support of removing without action. She thanked Legal and the Council for helping this move forward. Councilor Allie noted this process was followed with the Wyben School.

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

VOTED: That an Ordinance entitle "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, APPENDIX B-ZONING, ADOPTED SEPTEMBER 3, 1987" (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.) be given first reading by title only.

The Ordinance was given first reading by title and upon motion of Councilor Onyski, it was VOTED: That the Ordinance be PASSED TO SECOND READING.
All in favor, voice vote.

Prior to the vote Councilor Burns stated that they heard from the public tonight and that he was in support of the proposed Ordinance. Councilor Morganelli asked why Westfield was only requesting a 180 day delay. Matthews-Kane, would welcome a motion to amend. Councilor Adams stated he had no problem with 180 days but would like to see an out if certain circumstances were to arise where the delay could be a hardship or hold up a project that would be beneficial to the City and the owner. Councilor Matthews-Kane stated that there were two circumstances where it could come down before the 180 day delay. The first was if it was dangerous, the Building Department could tear it down right away. The second was if the Historical

Commission went into the building and decided it was not worth preserving, they could issue the demolition permit before the six months was over. Councilor Flaherty agreed with the goal but questioned how potential buyers would know that the property was protected and fell under the 180 demolition delay. Councilor Beltrandi stated that the homes would be listed on the Historical Significance List. Councilor Mello stated this would have an added benefit of keeping predatory buyers from buying the older homes in Westfield. Councilor Figy added that a delay would allow the Historical Commission a chance to view the property to see if there were artifacts or anything of historic value in the homes. Councilor Harris asked for clarification that this was only for homes on the Historical Significance List and that it is a choice of the homeowner to be put on the list. Councilor Matthews-Kane replied that the current Historical Significance List is the list and to be added on moving forward, would be owner initiated. Councilor Flaherty offered a motion to amend the language from "properties of historical significance" to "properties on the Historic Registry". There was no second. Councilor Harris stated she believed that people should have been notified if they were on the list. Councilor Sullivan shared that the same discussion was had when the original Historical List was compiled and the homeowners at the time had to come forward. Initially it was known but at this point people could have unknowingly purchased properties that are on the list. Councilor Allie stated that it was a fairly complicated process to get on the list. Councilor Sullivan clarified the local list, not the State list, was before the Council and getting on that list was an easy process.

18. Upon motion of Councilor Onyski 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.

All in favor, voice vote.

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

VOTED: That City Planner Jay Vinskey submitting the Planning Board's review of Lighting Ordinance (Zoning Sec. 4-121) for possible amendment be REMOVED FROM COMMITTEE WITHOUT ACTION.

All in favor, voice vote. Councilor Matthews-Kane was OPPOSED.

Councilor Onyski stated that there had been discussion on the Lighting Ordinance for several months. In order to move the item forward, the next step would be to hold a Public Hearing for further discussions. Those discussions could lead to a Zoning Amendment. Councilor Mello stated that darkness is a Natural

Resource and requested enough time so she could contact Natural Heritage and Mass DEP. Councilor Onyski stated there were rental lights out throughout the City, causing a safety concern. The Councilors agreed to hold the public hearing in three weeks. Councilor Mello asked if they could replace the lights with something that met the Ordinance. Councilor Onyski stated that they couldn't get parts for the sodium lights. If a light failed, the bulbs were no longer available. They can't take the fixture off and replace it with the LED lights under the current Ordinance. Councilor Matthews-Kane stated that it couldn't be replaced with something in stock or on hand but she believed they could be replaced. Councilor Onyski stated that a customer, rate payer or tax payer would have to dig up their parking lot to put in multiple poles for the downward facing lights.

20. Upon motion of Councilor Figy for the Legislative and Ordinance Committee it was,

VOTED: That a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD" to amend the Pioneer Valley Trading Company, Inc. Host Community Agreement to allow for a change in the location of the retail portion of the business and to extend the time allowed to begin operations by 12 months be ADOPTED.

All in favor, voice vote. Councilors Flaherty and Morganelli were OPPOSED.

Prior to the vote, Councilor Figy stated that similar to recent HCA extensions, this company has had trouble with supply chain issues due to Covid. Pioneer Valley Trading Company, Inc. feels a one year extension to their contract would give them time to begin operating. The second piece to the Resolution allows for a change in location for the retail store, to the former Dunkin Donuts on Southampton Road. They have a permit from the Planning Board to begin renovations. The retail piece could be in operation by August, 2023. Councilor Matthews-Kane asked if this was Pioneer Valley Trading Company's first 12 month extension. Councilor Figy confirmed. She voiced her concerns on the extensions for HCA's and stated that a two year extension was her limit. Councilor Figy stated that the Covid supply chain continues to be a trend and suggested looking at extensions on a case by case basis. Councilor Flaherty stated that he would be a no vote but spoke in support of the team working on the project.

City Properties Committee

Upon motion of Councilor Figy for the City Properties Committee, it was VOTED: to amend the motion to allow the Columbia Greenway Rail Trail to join the umbrella organization name New Haven & Northampton Canal Greenway.

Voice vote, all in favor.

Prior to the vote, Councilor Figy stated that upon discussion with the president of the Rail Trail, the committee discovered that the motion was not worded properly. It was a request to join an organization, not a name change. It will connect the Columbia Greenway Rail Trail to all of the trails. Councilor Sullivan stated that he appreciated the amendment. He urged that the signage for the New Haven & Northampton Canal Greenway did not over power the Columbia Greenway Rail Trail signage in Westfield.

22. Upon motion of Councilor Allie for the City Properties Committee, it was VOTED: That an Order Transferring Care, Custody, Management and Control of the Skate Park property on 28 West Silver Street (behind Westfield Middle School) from the School Committee to the Parks and Recreation Commission be TABLED until the next meeting on April 6, 2023.
All in favor, voice vote.

MOTIONS, ORDERS OR RESOLUTIONS

23. Upon motion of Councilor Onyski it was VOTED: That a Public Hearing be set by the Planning Board and City Council on a petition for a zoning amendment to amend the zoning ordinance at Sec. 4-121 to exempt certain fixtures from the exterior lighting standards.
All in favor, voice vote. Councilors Matthews-Kane, Mello and Morganelli were OPPOSED.

Prior to the vote, Councilor Onyski stated he would like to save the discussion for the Public Hearing so everyone could get public input. Councilor Matthews-Kane informed the Council that this issue was brought to her attention in June of 2022 by a constituent who was complaining of bright lights installed on Washington Street. The new lights broke all five of the requirements standards in the Lighting Ordinance that the City adopted in 2017. She stated she was able to have the lights removed. She stated that Westfield Gas and Electric has installed 600 of these non-compliant lights throughout the City. She stated that many were installed after the Light Ordinance went into effect. She noted all the good Westfield Gas and Electric does for the community but expressed her disappointment on how they have handled the non-compliant lights, stating ignorance of the law is no excuse. She voiced her concerns that City Hall has not come up with a guiding policy to tackle the issue. She read aloud the proposed amendment. She stated that in the proposed amendment the date has been changed and would effectively grandfather in all of the illegal non-compliant lights. She stated that she was approaching this as a Ward Councilor who cared about the quality of life issues in her Ward and the negative environmental impacts the proposed ordinance amendment would cause. She hope that they could amend to the original date that the Planning Board had endorsed which was October 2, 2017. She stated that

she would vote against Public Hearings because she felt it lets Westfield Gas and Electric continue to profit on light pollution in environmental justice neighborhoods, instead off of fixing a problem they have created. Councilor Flaherty echoed support for both Councilors, stating that light pollution is a real serious problem. He added that enforcement concerns have been brought up and complained about for years. He suggested maybe this will encourage enforcement to be taken more seriously. Councilor Adams stated that the issue goes beyond the G&E, noting other businesses who have lights that don't follow the code. He stated it was on the whole City and not just the G&E. Councilor Onyski stated that the reason the date was switched was because he thought having a date forward of what the Planning Board had proposed was a better option. He stated that the incident at Roots created a lighting ordinance. Westfield Gas and Electric was never notified of the Lighting Ordinance by the Planning Board or City Council in 2017. He stated that it isn't any one person or departments fault. Before this conversation he didn't realize that Westfield Gas and Electric rented lights out. He stated that his goal was to put a date forward that was reasonable. He was just given a list of all the lights that would be placed on the Share Drive. He stated that the 603 lights are all over the City, not concentrated in one Ward. His goal was to make these places safe and try to make it so local establishments and non-profit groups didn't have to spend the money to dig up their parking lots in order to be compliant. He stated that there was no ill intent, he just wanted to bring it out to a Public Hearing. Councilor Mello echoed Councilor Matthews-Kane and spoke in opposition of changing the date, ignoring light pollution and holding Westfield Gas and Electric accountable. Councilor Figy commended Councilor Onyski for taking the proper steps to working on a zoning amendment and getting a Public Hearing going so all sides can express their opinions. Councilor Mello asked if there was a Public Hearing and significant changes were made, would another Public Hearing be required. Several Councilors confirmed.

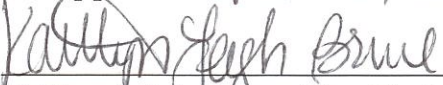
At 9:12 PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

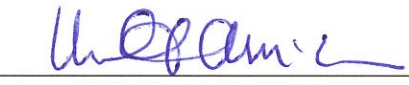
A true record, Attest:

Kaitlyn Leigh Bruce
City Clerk/Clerk of the Council

Presented to the Mayor

Approved by the Mayor

For approval April 10, 2023

Kaitlyn Leigh Bruce, City Clerk

4-12 2023

Michael A. McCabe, Mayor