

MINUTES OF
LEGISLATIVE AND ORDINANCE COMMITTEE
April 3, 2019 AT 5:30 PM
CITY HALL Room 207

L&O Chair Onyski and Member Burns in attendance. Member Morganelli absent.
Other Councilors in attendance: Babinski, Lefebvre, Emmershy, Harris
Meeting started at 5:30 PM.

1. Anyone recording or taping the meeting?

--No

2. Public Participation

--None

3. Approval of minutes of March 14, 2019.

--Approved 2-0

4.

1/19/17

Upon motion of Councilor Harris, it was

VOTED: To increase the limit of the additional compensation by \$6,000.00 to \$10,000.00 for the City Clerk serving as Clerk of the Council, (MGL 41 Section 19F) per Home Rule petition, (stipend has remained the same since 1998) and be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT; 5/4/17 REMAIN IN COMMITTEE 1/17/19 REMAIN IN COMM and REF TO LAW DEPT for legislation for home rule petition

--This is a resolution for a Home Rule Petition to allow City Clerk, serving as Clerk of Council, to receive a stipend increase from \$4,000.00 per year to \$10,000.00 per year.

--This is NOT giving the City Clerk a raise. It does allow for a raise through the proper channels.

--If passed, a letter stating City's intent is sent to Senator Humason and Representative Velis to get state approval.

--Councilor Emmershy questioned whether or not salary was compared to other cities.

Councilor Burns responded that it was not compared but we can't compare salaries knowing that Clerks of different cities have different responsibilities.

--Again, reiterated that this is not a raise.

--Approved 2-0

5.

7/6/17

Heavy Truck Exclusion Ordinance for Paper Mill Road from the hours of 6:00 PM to 7:00 AM

--Discussed 24 hour exclusion last week, this is for a 13 hour exclusion.

--Councilor Onyski indicated the a lot of night truck traffic is going through Holyoke Road to get to road jobs.

--If this passes full Council, a letter is sent to MassDOT and the exclusion begins



--Discussion on raising the EM Road bridge by Walmart. Councilor Onyski committed to trying but even finding the right people to come to the table is difficult.

--Approved 2-0

6.

1/18/18

Upon motion of Councilor Burns, and Councilors Bean and Paul, it was VOTED: That the matter of allowing the Board of Public Works to set the sewer rates for the City of Westfield be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and the LAW DEPARTMENT. 3/15/18 REMAIN IN COMMITTEE

--This would allow DPW Board to set sewer rates

--This has nothing to do with storm water fees

--Councilor Burns indicated there isn't the current atmosphere where this would be successful and approved at this time

--Voted to Remove from Comm. without action 2-0

7.

3/1/18

Upon motion of Councilor Surprise, (Emmershy, Babinski, Burns, Allie, and Flaherty), it was VOTED: That an order DEDICATING LOCAL OPTION OCCUPANCY TAX TO THE ROAD AND SIDEWALK REPAIR AND MAINTENANCE STABILIZATION FUND (Sample document was provided prior to meeting of January 18th)

--This was voted to be removed from Comm. without action 3-0 last L&O meeting.

--City Council rejected this and is back in Comm.

--Law Dept. and MassDOR advised that funneling direct from occupancy taxes is not allowed for Westfield because monies needed to be appropriated by Mayor

--Some councilors disagree with above recommendation

--Voted to Remove from Comm. without action 2-0

8.

5/17/18

Upon motion by Councilor Allie (Beltrandi, Emmershy and Flaherty), it was VOTED: That an ordinance regarding road repairs be established and that the matter be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE. Councilor Allie informed the Council that this would address issues relative to requirements of digging up the road, repaving of the road after being dug up, patching and sealing and to ensure that the road is fixed to the integrity it should be. President Beltrandi relinquished the Chair to Councilor Figy. Councilor Beltrandi informed the Council that this was in the process in the past with the trench permits and this would be something that would be added to that.

--Invited Councilor Allie Beltrandi, Emmershy and Flaherty to attend

--There are currently ordinances regarding patching roads that are opened for various reasons code of ordinances in section 16-66 through 16-80.

- Suggestions by Councilor Emmershay include requirements for infrared patching (Agawam), cutting all the way across the road (West Springfield), crack sealing around the edges, and notification to someone in the city that the hole is being backfilled.
- Possible longer term (3 months?) bond or deposit to be sure that patch stays solid.
- This meeting was a start. Next time, will request DPW Director to attend and, eventually Law Department if changes are made.
- Voted to leave in Comm 2-0

Adjourned at 6:18 PM.

