



MINUTES OF CITY COUNCIL

59 COURT STREET

MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS

WESTFIELD, MASSACHUSETTS

AUGUST 17, 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. Councilors Allie, Bean and O'Connell were absent.

The Pledge of Allegiance was led by President Beltrandi.

Upon motion of Councilor Bean, it was

VOTED: That the reading of record of special meetings of June 22, 2023 and meeting of July 6, 2023 be ACCEPTED.

Under "Public Participation" the Councilors were addressed by Laura Covel, 25 Thomas Street. She stated that her apartment overlooks the Thomas Street Parking lot, and she has heard loud music for 10 years. Recently a concert on the Mina's parking lot went past 9:00 PM. Last week there was loud music on the Park Square all day, the Police received enough calls that it was cut short and ended at 8:00 PM. She requested that all live music end at 8:00 PM and that police enforce the noise ordinance. She suggested that Artworks music be played across from their business.

Under "Public Participation" the Councilors were addressed by Carmel Steger, 60 Wood Road, President of the Friends of the Columbia Greenway Rail Trail. She displayed the sign for "Bob's Way" and informed the Council that the request (agenda item #14) was to place it on small section of the rail trail that is a connection from Country Club Lane, in honor of the Friends of Columbia Greenway Rail Trail Director of Maintenance, Bob Pac. She invited the Councilors to the ribbon cutting for the central section on September 7th. She added that the Friends of Columbia Greenway Rail Trail fully supported the transfer of Columbia Greenway Rail Trail to the Department of Public Works (item #29) and that Artworks conduct preventable maintenance at the Hedges Tunnel (item #28).

Under "Public Participation" the Councilors were addressed by Jessica Britton, 36 Casimir Street. She shared that she attended the School Committee Meeting that the location of the Police Station was discussed and that some people who live in the area were opposed.

COMMUNICATIONS FROM THE MAYOR

1. Upon motion of Councilor Matthews-Kane, it was

VOTED: Under immediate consideration that a Grant in the amount of \$307,500.00 from the Massachusetts Clean Water Trust to Department of Public Works Water Division for the Lead Service Line Inventories and Replacement Plan Project be ACCEPTED.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Matthews-Kane reminded the Councilors that in November, 2022, they approved a bond in the amount of \$307,500.00 for the Lead Service Plan. The City must conduct a study to ensure that the pipes comply with the Environmental Protection Agency's revised lead and copper requirements. The State is now directly releasing grants to fund the study. Language in the bond order states that acceptance of grant money would rescind the bond. If non-compliant piping is found, more funding will be required for the remediation process. Councilor Sullivan thanked the Water Department for obtaining the competitive grant.

Upon motion of Councilor Matthews-Kane, it was VOTED: That items 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 from the Agenda as follows:

2. Appropriation of \$654,393.67 from the Stabilization Account (8303-340000) to the Westfield Barnes Airport Capital Project Taxiway B South Account #11990000-580000-4899 to cover the 2% local share of the \$32,054,500.00 Taxiway B South Project.
3. Requesting acceptance of a Grant in the amount of \$1,040,343.00 from the Massachusetts Executive Office of Public Safety and Security State 911 Department Support & Incentive Grant to the Regional Public Safety Communications Department to cover equipment, annual licensing, maintenance contracts and to defray the costs of salaries & overtime for certified telecommunicator personnel.
4. Requesting acceptance of a Grant in the amount of \$106,313.00 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security State 911 Department Answering Point and Regional Emergency Communications Center Development Grant to the Regional Public Safety Communications Department for transition and equipment expenses for regionalization with the Town of Southwick.

5. Requesting acceptance of a Grant in the amount of \$10,225.84 from the Massachusetts Executive Office of Public Safety & Security State 911 Department Training Grant to the Regional Public Safety Communications Department to cover fees associated with 911 training courses, annual maintenance fees for CritiCall, the skill and ability testing software and licensing costs for the Emergency Fire Dispatch protocol card sets.
6. Requesting acceptance of a Grant in the amount of \$848.00 from the Massachusetts Executive Office of Public Safety & Security State 911 Department Emergency Medical Dispatch Grant to the Regional Public Safety Communications Center to be used for the current medical protocol system card sets and annual maintenance fee of the quality assurance software.
7. Requesting acceptance of \$100,000.00 from the Commonwealth of Massachusetts Executive Office of Public Safety and Security in Coronavirus State Fiscal Recovery Funds for the Police Department to upgrade cardio equipment, security doors and to purchase a small utility vehicle and sonar device for the boat.
8. Transfer of \$149.26 within the Police Department from the FY24 Purchase of Services Account #12100000-520000 to the FY22 Purchases of Service Account #12100000-585001 to cover a Massachusetts Turnpike Authority E-ZPass invoice for \$9.20 and seven outstanding Westfield Gas and Electric invoices, totaling \$140.06 for 12 Woodland Road which was seized by the Police Department.

Upon motion of Councilor Onyski, it was

VOTED: That items 9., 10. and 11. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE LEGISLATIVE ORDINANCE COMMITTEE and LAW DEPARTMENT.

The Clerk read from the Agenda as follows:

9. Submitting a Resolution for the acceptance of a gift donation in the amount of \$1,787.00 from CrossFit Swarm and Run Westfield, LLC. to the Animal Shelter to be used for improvements.
10. Submitting a Resolution authorizing approval of an Intermunicipal Agreement regarding the treatment and disposal of sewage and wastewater with the Town of Southwick.
11. Submitting a Resolution authorizing approval for the Airport Commission to enter into a real estate lease agreement with James Labrie for a term of 30 years.

Upon motion of Councilor Figy, it was

VOTED: That item 12. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE ZONING, PLANNING AND DEVELOPMENT COMMITTEE.

The Clerk read from the Agenda as follows:

12. Requesting acceptance of the 2023 Master Plan Update developed by City Planner Jay Vinskey, the Master Plan Committee, consultants Weston & Sampson, RKG

Associates, and the Pioneer Valley Planning.

Upon motion of Councilor Figy, it was

VOTED: That item 14. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO PARKS AND RECREATION.

The Clerk read from the Agenda as follows:

13. Requesting consideration and approval to name the ballfield at Hampton Ponds Playground the "Bruce W. Nielsen Field".

Upon motion of Councilor Figy, it was

VOTED: That item 14. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE LEGISLATIVE ORDINANCE COMMITTEE and LAW DEPARTMENT.

The Clerk read from the Agenda as follows:

14. Requesting consideration and approval to allow the Friends of the Columbia Greenway Rail Trail to install a sign on a section of the multiuse path along Shaker Road that that starts on Country Club Lane, in honor of Bob Pac.

Upon motion of Councilor Harris, it was

VOTED: That items 15., 16., 17. and 18. Under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE PERSONNEL ACTION COMMITTEE.

The Clerk read from the Agenda as follows:

15. Submitting the reappointment of Jeffrey Siegel, 56 Wilson Avenue, as a member of the Fire Commission for a term to expire February 2025.
16. Submitting the appointment of Rebecca Blackburn, 555 Russell Road #A1, as a member of the Cultural Council for a term to expire in September 2026, replacing a vacancy.
17. Submitting the appointment of Jeffrey J. Trant, 61 Yankee Circle, as a member of the Fire Commission for a term to expire February 2026, replacing Albert Masciadrelli.
18. Submitting the name Michael Squindo for the position of Executive Director for Council on Aging for a term of three years from the date of appointment.

REPORTS OF CITY OFFICERS

Upon motion of Councilor Onyski, it was

VOTED: That item 19. under "Reports of City Officers" be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE AND THE LAW DEPARTMENT.

19. First Assistant City Solicitor Shanna Reed submitting the following Ordinance Amendments as requested by Sergeant Mejias, Chair of the Traffic Commission
 - a) Section 17-116. Parking prohibited at certain times on certain streets by adding: Hamlin Place, West side; Monday - Friday 8:00 AM through 4:00 PM when school is in session.
 - b) Section 17-115. Parking Prohibited at all times on certain streets by adding Orange Street, Southerly side at Conner Avenue, 20 feet from corner; Conner Avenue,

Easterly side at Orange Street, 20 feet from corner; Shepard Street, 52 feet from Franklin Street on the West side and 42 feet on the East side; Beckwith Avenue, Easterly side, 20 feet from Franklin Street.

c) Section 17-82. Speed limits (2) by adding to Thickly settled or Business District: Twenty-five miles per hour - No person shall operate a vehicle on any city public way within thickly settled or business districts at a rate of speed greater than 25 miles per hour and such speed limit shall be posted by the Department of Public Works.

20. Upon motion of Councilor Figy, it was

VOTED: To designate the authority to assign specific police officers according to scheduling and availability to the Police Chief for the 2023 Municipal Elections and for the letter submitted by the City Clerk to be ACCEPTED and placed on file.

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 items received at tonight's meeting.

All in favor, voice vote.

21. Upon motion of Councilor Figy, it was

VOTED: That the Westfield Fair Sign zoning fees be waived, and the letter submitted by City Planner Jay Vinskey be ACCEPTED and placed on file.

All in favor, voice vote.

At 7:21 PM Councilor O'Connell arrived to the meeting and was recorded as being present.

22. Upon motion of Councilor Onyski, it was

VOTED: That City Planner Jay Vinskey submitting a recommendation from the Planning Board to accept Pineridge Drive as a public way be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE AND THE LAW DEPARTMENT.

All in favor, voice vote.

PETITIONS, REMONSTRANCES, AND OTHER PAPERS

23. Upon motion of Councilor Figy, it was

VOTED: That the CONTINUED PUBLIC HEARING on a Special Permit application submitted by A.J. Virgilio Construction, Inc. pursuant to Zoning Ordinance Sec.130.3(1) to allow the continued use of over the road trailer parking/storage on property be CONTINUED to the September 7, 2023 City Council Meeting.

Prior to the vote, the Clerk informed the Council President that the applicant was

unable to make the meeting and had requested a continuation.

24. A continued public hearing was held on a petition for a Zoning Amendment (Section 4-30.4) submitted by Councilor Figy to allow the keeping of certain domestic animals, including chickens, as a by-right accessory use. Councilor Figy, Ward 2, was present to represent the Public Hearing. He stated that the reason for continuation was to ensure the application didn't time out. President Beltrandi opened the Public Hearing up to the audience for questions of fact. The Councilors were addressed by Janice Aalton, 429 Falley Drive who spoke in opposition of the zone change. She stated she moved to Westfield to live in an urban setting. Residential zoning does not allow for the keeping of livestock, which is a part of the rural landscape. She believed it was not fair to her health and well-being, and that chickens and livestock would lower property values. She shared her concerns of increased wildlife to urban areas, the cost associated with the zone change and airborne diseases caused by chickens. She reviewed the two local town restrictions she submitted to Council at the last meeting and suggested they follow some of the licensing policies and procedures. She further suggested the city consider a community site for raising chickens and stated that once the zoning change was made, it would be impossible to reverse. Councilor O'Connell asked Mrs. Alton to submit a copy of the statement to the Clerk. The Councilors were addressed by Kseniya Covileac, 26 Pleasant Street who spoke in favor of the zone change. She stated that she didn't believe chickens would cause an increase to bear sightings. Sturdy coops could be built to protect chickens and keep wildlife away. Other household pets such as cats, dogs and bunnies can carry the same diseases as chickens. She shared that she didn't see many people wanting to put in the work that it takes to have chickens. The Councilors were addressed by Jessica Britton, 36 Casimir Street. She stated that both Ms. Aalton and Ms. Covileac had good points. She questioned if there would be limitations, permits and/or requirements. The Councilors were addressed by Janice Aalton for the second time to reiterate her opposition of chickens being permitted in highly concentrated areas of urban development. With no others appearing to be heard and upon motion of Councilor Figy, it was VOTED: That the Public Hearing be CLOSED, and the item be REFERRED TO THE ZONING, PLANNING AND DEVELOPMENT COMMITTEE.

25. Upon motion of Councilor Onyski, it was VOTED: That a Zone Change Petition for RSP Realty, LLC c/o Mr. Ronald E. Schortmann, submitted by Levesque Associates Inc. for 4 Fowler Street Extension (parcel 255-17) and 81 Union Street (parcel 223-59) from Residential C to Industrial A for a proposed parking lot expansion from abutting property be REFERRED TO THE PLANNING BOARD and that a Public Hearing be scheduled for the next City Council meeting.

REPORTS OF COMMITTEES

Finance Committee

26. Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED: That the sum of \$11,312.78 be transferred from the Department of Public Works, Water Division Purchase of Service FY24 Account #68004500-520000 to the Purchase of Service

FY22 Account #68004500-520000 for two outstanding invoices presented to the department on June 29, 2023.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Sullivan informed the Council that the invoices totaling \$11,312.78 were for emergency water work done on Arch Road and Larchley Ave at the end of June, 2022 but were submitted this June (2023) to the Department of Public Works (DPW). He noted that the reasoning for this was legitimate and that the DPW has significantly cut down on prior year bills.

MOTIONS, ORDERS OR RESOLUTIONS

27. Councilor Onyski offered a motion that was duly seconded that adding a light to the parking lot of Paper Mill Elementary School at the baseball field be referred to Parks and Recreation. He informed the Council that roughly five years ago lights were added to the field but the path to the parking lot was not visible. Councilor Mello asked for the lights to be compliant with the City Ordinance. Councilor Onyski confirmed they would have to be.

Upon motion of Councilor O'Connell, it was

VOTED: to amend the motion to add City Properties Committee.

The vote on the foregoing was as follows:

Ralph Figy	No
Cindy Harris	No
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
Mary O'Connell	Yes
William Onyski	No
Richard Sullivan, Jr.	Yes
James Adams	No
Dan Allie	Absent
Brent Bean II	Absent
John Beltrandi III	No

Michael Burns

No

The President declared the motion lost.

Prior to the vote, Councilor O'Connell stated she wanted to save the step since it would be coming back to the Council from Parks and Recreation. Councilor Onyski stated he wanted to hear from Parks and Recreation first.

Upon motion of Councilor Onyski, it was

VOTED: That adding a light to the parking lot of Paper Mill Elementary School at the baseball field be REFERRED TO PARKS AND RECREATION.

All in favor, voice vote.

28. Upon motion of Councilor Figy, it was

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

All in favor, voice vote.

Prior to the vote Councilor O'Connell asked for the purpose of immediate consideration. Councilor Figy informed the Council that he would be amending his motion to allow Artworks to conduct preventative maintenance on the bank of the tunnel. He shared that there was volunteer labor, Scott Hathaway was prepared to remove materials and there were donations of native species for new plantings to stop the water from eroding the material. Councilor O'Connell stated she wanted to be sure Scott Hathaway was on board. Councilor Figy confirmed. Councilor O'Connell questioned what was being done about liability. Councilor Figy stated that he hadn't explored that.

Councilor Figy offered an amendment to the motion, that was duly seconded to strike out Friends of the Columbia Greenway Rail Trail and replace with Artworks. He informed the Council that one side of the mural was deteriorating. Artworks was willing to remove vegetation and replace with native species and Mr. Hathaway had confirmed that all debris would be removed. The lead artist was willing come back to restore the damage to the mural. The reason for the expedited process was to prevent future damage. Councilor Morganelli stated he had full confidence in Mr. Hathaway but questioned why a Resolution would come from Council with the next motion being a transfer of custody, care, and control of the Columbia Greenway Rail Trail (CGRT) to the Department of Public Works (DPW). Councilor Figy replied that the City Council currently has care, custody, and control of CGRT. He shared the Council had discussed for many years, that the care, custody, and control of the CGRT would be transferred to the DPW once it was completed. That motion would need to be referred to the Law Department and Legislative and Ordinance Committee prior to voting, where this vote could be taken right away. Councilor Morganelli asked for a copy of the Resolution. Councilor Onyski stated that a Resolution wasn't needed, just a vote to allow Artworks would be adequate. Councilor O'Connell agreed. Councilor Mello asked for a timeframe. Councilor Figy offered an amendment to the motion, that was duly seconded to strikeout the word Resolution and replace with the word motion and to add a time frame.

Upon motion of Councilor Figy, it was

VOTED: To allow Artworks to conduct preventative maintenance on the bank of the tunnel on St. Dennis Street effective immediately until November, 2023.

All in favor, voice vote.

After the vote, Councilor Matthews-Kane shared her appreciation for Artworks. She reminded the Council that during original discussions, they were nervous the mural may fall into disrepair and thanked them for making sure it was restored. Councilor Figy thanked the residents of Ashley Street for purchasing and taking care of the flowers. He noted that there had been no vandalism to date which spoke highly of the neighborhood.

29. Upon motion of Councilor Figy, it was

VOTED: That a Resolution to transfer Care, Custody, and Control of the Columbia Rail Trail to the Westfield Department of Public Works be REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE AND THE LAW DEPARTMENT.

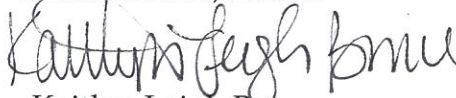
All in favor, voice vote.

Councilor Morganelli asked if Parks and Recreation should be included. Councilor Figy Councilor Figy believed that would be up to the Department of Public Works and informed the Council that the Columbia Greenway Rail Trail was never classified as a park.

At 7:53PM, and upon motion of Councilor Harris, it was

VOTED: To ADJOURN.

A true record, Attest:



Kaitlyn Leigh Bruce

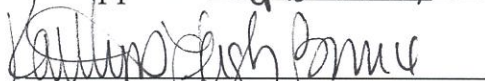
City Clerk/Clerk of the Council


Presented to the Mayor

Approved by the Mayor

For approval September 8, 2023

9.8 2023


Kaitlyn Leigh Bruce, City Clerk


Michael A. McCabe, Mayor