



MINUTES OF CITY COUNCIL

59 COURT STREET
MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS
WESTFIELD, MASSACHUSETTS
SEPTEMBER 01, 2022 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 Onyski.

The Clerk called the roll. Councilor Bean was absent.

The Pledge of Allegiance was led by the President.

Upon motion of Councilor Beltrandi, it was
VOTED: That the record of the special meeting of August 10, 2022 be ACCEPTED.

Under "Public Participation" the Councilors were addressed by Planning Board member, Richard Salois, 220 Russellville Road. He was there to speak on Agenda item #26. Ordinance regarding Flag Lots by Special Permit. Councilors Flaherty and Onyski informed Mr. Salois that the Public Hearing was closed and new information could not be shared.

Under "Public Participation" the Councilors were addressed by Councilor Morganeli, 34 Prospect St. He informed the Council he was wearing gold in honor of Childhood Cancer Awareness month. He shared statistics about Childhood Cancer and a personal story of losing a 5 year old in his extended family. He encouraged everyone to wear gold this month and help spread Childhood Cancer Awareness.

Under "Public Participation" the Councilors were addressed by Kevin Wong, occupant of 32 Char Drive. He has a Host Community Agreement with Westfield that is due to expire in September. He is hopeful the Council can help bridge the 5 day gap.

COMMUNICATIONS FROM THE MAYOR

Upon motion of Councilor Matthews-Kane, it was
VOTED: Under immediate consideration that a Grant in the amount of \$233,550.00 from the Federal Aviation Administration (FAA) Airport Improvement Program to Westfield-Barnes Regional Airport to complete the Environmental Impact Report for three upcoming airport construction projects: Runway 15 Obstruction Clearing, Relocate/Construct Taxiway B South, and Construct Taxiway to Southwest Quadrant be ACCEPTED.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Absent
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

Prior to the vote, Councilor Matthews-Kane informed the Council that similar items have come before the Council for Environmental Assessments at the Airport. The three upcoming projects include removing the tree obstructions from Runway 15 and eventually removing the Runway 15 displacement, to reconstruct Taxiway B South in accordance with FAA taxiway geometry criteria and Massachusetts Air National Guard dimensional standards and to construct a Taxiway Apron in the South Quadrant area for future development. These initial assessments triggered thresholds that require an Environmental Impact Report (EIR) which is a higher level of Environmental Analysis of the projects. The Federal Funding will pay for most of this assessment. There will be a 5% State match of \$12,975.00 and a 5% of City match of \$12,975.00 which is already in the Airport budget for next year. The grant has to be executed by September 9th which is the cause for immediate consideration.

Upon motion of Councilor Matthews-Kane, it was VOTED: That items 2., 3. and 4. 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. Requesting that the remaining balance on Bond Order #3053 be rescinded as the project for which the bond order was passed (to pay the costs for water main improvements related to Phase 2 of the Western Ave Project) has been completed and the amount of \$700,000.00 remains unborrowed.
3. Requesting that the remaining balance on Bond Order #2977 be rescinded as the project for which the bond order was passed (To pay the costs for the Franklin Avenue Elementary School feasibility study) has been completed and the amount of \$275,753.00 remains unborrowed.
4. Appropriation of \$70,945.00 from the Reserve for Debt Decline account (8303-345000) to the Interest on Long Term Debt account #17510000-591500.

Upon motion of Councilor Figy, it was VOTED: That items 5. and 6. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE AND LAW DEPARTMENT.

The Clerk read from the Agenda as follows:

5. Requesting approval of a Resolution for the acceptance of a gift donation in the amount of \$5,000.00 from the Estate of Richard L. Lebeau to the Westfield Animal Shelter.

6. Submitting an Ordinance amendment at Article II of Chapter 18, Division of Wastewater, Section 18-65.

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.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Absent
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

Prior to the vote, Councilor Figy informed the Council that the time constraint was no fault of the applicant, the extension request was submitted in July but it didn't make it to Council until this meeting. They initially had trouble acquiring capital but have resolved that issue. Clean Technique Labs is a processing facility, located on Airport on Char Drive, near Gulfstream.

7. Upon motion of Councilor Figy, it was

VOTED: Under immediate consideration, that a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE OF WESTFIELD" to amend the Clean Technique Labs Host Community Agreement to extend their deadline one year to September 10, 2023 be ADOPTED.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Absent
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.	No

The President declared the motion LOST.

Prior to the vote, Councilor Figy informed the Council approving the Resolution would extend the Host Agreement for one year, allowing them to operate under same conditions that were voted on by Council a year ago. He noted they came to the City in good faith and believed the City should reciprocate that. Councilor Harris asked for an explanation of the product. Councilor Figy explained that they are a production facility, they turn the raw plant into products like gummies or candies that are then sent to a distributor similar to Cannabis Connection.

Upon motion of Councilor Figy, it was

VOTED: That item 7. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE AND LAW DEPARTMENT.

The Clerk read from the Agenda as follows:

7. Submitting a Resolution to amend the Clean Technique Labs Host Community Agreement to extend their deadline one year to September 10, 2023.

Councilor Sullivan offered a motion that was duly seconded to amend the motion to extend the existing Host Community Agreement to the end of September, 2022. Councilor Flaherty stated Section 29 of the Charter states if any one member opposes, the matter has to be put through the process.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Absent
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.	No

8. Upon motion of Councilor Figy, it was

VOTED: Under immediate consideration, to APPROVE the job description for the Personnel Director.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Absent
James Adams	Yes
Dan Allie	Yes

Brent Bean II	Absent
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

Prior to the Vote, Councilor Figy stated that the Council reviewed this job description 18 months ago. The changes suggested by members of the body at that time were made.

PETITIONS, REMONSTRANCES, AND OTHER PAPERS

9. Upon motion of Councilor Figy, it was

VOTED: Under immediate consideration, that the reappointment of Assistant City Clerk Kaitlyn Bruce as Interim City Clerk for a 60 day term to expire November 8, 2022 be CONFIRMED.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Absent
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

Councilor Figy stated that Mrs. Bruce had been doing a good job and this will allow for her to continue until the position can be filled. It will allow the office to continue to operate, which is important with the upcoming Election. Councilor Harris added that Mrs. Bruce and the whole office were doing a fantastic job with the election process and highly recommended the reappointment.

Upon motion of Councilor Figy, it was

VOTED: That the meeting return to regular order.

10. Upon motion of Councilor Beltrandi, it was VOTED: that a notification of an application for a KENO license by Westfield West Springfield Lodge of Elks #1481, 56 Franklin Street from the Massachusetts State Lottery Commission be ACCEPTED and placed on file.

Prior to the vote, President Onyski informed the Council that he received an email from the Massachusetts State Lottery Commission about the Keno License and it was forwarded to the License Commission Chair on August 23rd. There is nothing the City Council can do, it should have gone to the License Commission.

REPORTS OF COMMITTEES

Finance Committee

11. Upon motion of Councilor Matthews-Kane, for the Finance Committee it was VOTED: That One (1) Military style Humvee from University of Massachusetts Police Department through the Department of Defense be transferred to the Westfield Emergency Management Agency.

The vote on the foregoing was as follows:

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

Prior to the Vote, Councilor Matthews-Kane informed the Council that the Finance Committee voted 1-2 against the transfer. She stated that although Finance Committee is appreciative of the department for finding free equipment, they had concerns about acquiring long term costs of the aging vehicle as well as concerns about maintenance and upkeep. Steve Malochleb, The Emergency Management Director stated he had adequate funding but did not share a plan or estimates of what the cost would be to maintain upkeep or find parts for the vehicle. It was built in 1980, making it 42 years old. Military Drivers have to obtain a special license based on special trainings in a variety of conditions to operate a military style Humvee. There will be no special training requirements for Westfield. She added that because the concerns of the Committee were not adequately addressed, they recommend the City does not acquire the vehicle. Councilor Sullivan, the one 'yes' vote on the committee, added Mr. Malochleb said he would not be requesting additional funds and would be able to do much of

repair work. In the event of a flood, this would be utilized as an Emergency Response vehicle. Councilor Flaherty spoke in favor of the request, which he stated came from the Mayor who is in control of the budget and that the City has looked at these before. He believed we should accept the Humvee as it's no cost to the City and surplus it if necessary. Councilor Harris asked for clarification on whether a yes was for or against the motion. Councilor Sullivan clarified that a yes vote was for the transfer, a no vote was against it. Councilor Mello spoke in favor, stating she was sure the City would be able to sell the metal if necessary and thought the City could utilize the local Armory if training or surplus materials were needed. She added that if the levee were to go or a natural disaster were to hit, this might be needed. Councilor Burns stated there was a whole fleet of Humvees on Franklin Avenue. He noted the age of the vehicle and shared that when he was in Kuwait, they had newer vehicles that they couldn't get parts for. Although well intended, he questioned if the City tried to surplus it, who else would take it. Councilor Allie stated most Military vehicles are also this old and agreed that the metal alone was probably worth the money. Councilor Morganelli echoed Councilor Allie and Mello, noting at \$0.40 cents a pound, the City could make a profit. However, he would like to see a limit of how much money is spent on fixing it. President Onyski stated he didn't like the idea of relying on a 42 year old vehicle for an emergency. In addition, he didn't like relying on only 1 person being able to fix this vehicle. He informed the Council the City was in possession of the vehicle. He visited the Communications Center to view the Humvee, the inside is bare metal and it would need more than fixing.

12. Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED: that the sum of \$86,188.11 be appropriated from Stabilization (8303-34000) to the Barnes-Westfield Airport Additional Capital Equipment account #11990000-585000 for the initial payment towards the purchase of a new John Deere 744 Loader.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Absent
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

Prior to the vote, Councilor Sullivan informed the Council the cost to repair the current vehicle, exceeded its value and a new purchase was necessary. The loader is used for repairs to the runway and for snow removal. It was recommended by the Mayor to take the money from Stabilization. The original vehicle was purchased by a grant but there is no State or Federal funding for this, therefore it must be a City purchase. All future lease payments are in the

Airport budget. Councilor Figy offered an amendment to the motion that was duly seconded to replace the money from Stabilization once Free Cash was certified. President Onyski informed the Council that they could request the Mayor replace with Free Cash but could not change the Appropriation before them. Councilor Flaherty offered a motion which was duly seconded to bifurcate since the vote for stabilization would require 9 votes and the motion to request the Mayor to replenish the account would require 7 votes. Councilor Burns questioned if this was a lease to buy. Councilor Sullivan confirmed, noting they will hopefully own it for up to 35 years with no payment similar to the last one.

Upon motion of Councilor Figy, it was VOTED: to request that the Mayor replenish the Stabilization Account (8303-34000) in the amount of \$86,188.11 for the initial payment towards the purchase of a new John Deere 744 Loader, once Free Cash is certified.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Absent
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

13. Upon motion of Matthews-Kane for the Finance Committee, it was VOTED that the sum of \$7,000.00 be appropriated from City Special Revenue Account #1000-330175 to DPW Highway Division Supplies Account #14210000-540000 to enhance pedestrian traffic safety with new signage.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Absent
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

Prior to the vote, Councilor Matthews-Kane informed the Council that this money comes out of the City Special Revenue Account, established under Chapter 187 of the Acts of 2016 titled Transportation Infrastructure Enhancement Trust Fund under the Department of Public Utilities Transportation Network Company. This account assesses Uber and Lyft drivers a \$0.20 cent fee, half of which goes to the State and half of which goes to Westfield. The funds can only be used for specific transportation needs, including enhancing pedestrian safety. Twelve (12) pedestrian crossing pancake signs will replenish signs lost or damaged over the years and twenty-four (24) traditional crossing signs that go on polls on the sides of the roads will replace existing signage that no longer meets reflectivity standards. Councilor Figy questioned if any new signage would be purchased. Councilor Matthews-Kane responded that they're for replenishing lost or damaged signs as well as signs that no longer meet standards. She believed some of the 24 traditional signs may go into storage.

14. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That the sum of \$25,000.00 be appropriated from Community Preservation Undesignated Account #24101770-58000 to the CPA Skatepark (Recreation) Account #24101770-580400-5312 to fund the design phase of renovations to Westfield's Skate Park.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Absent
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

Prior to the vote, Councilor Matthews-Kane stated the \$25,000.00 is CPA funding for design phase of the skate park located behind Boys and Girls Club. The current park is an early generation design and due for replacement to accommodate current standards and to offer appeal for a wider range of skill levels. Jeff Burke, a Westfield native and skateboarder is spearheading the project. The plans are to take down the current skate park and build new one on the same location. The original park was paid for by Albert and Amelia Ferst and sits on school land. In April of 2021, Parks and Rec approved investigation into the feasibility of the project. The funding which qualifies as a rehabilitation effort for recreation has been approved by Westfield's Community Preservation Committee. President Onyski commended Jeff Burke

for all the work he's done for the Westfield community.

Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED that a Grant in the amount of \$50,000.00 from the Massachusetts Department of Environmental Protection to the City of Westfield to complete an engineering analysis for a total rehabilitation of the Little River Levee be ACCEPTED.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Absent
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

Prior to the vote, Councilor Sullivan informed the Council that City Engineer Allison McMordie and Purchasing Director Tammy Tefft attended the Finance Committee Meeting. They stated originally this had been funded through the Army Corps of Engineers who inspect it annually. The last report indicated significant problems with twin culverts so the City is required to do investigations. This grant is coming from the Department of Environmental Protection (DEP) to fund that. There is not a contract at this time so there may be additional costs. Councilor Mello noted the grant said total rehabilitation of the levee. She questioned if that meant the 500 foot section that was historically Westfield or the additional area Westfield purchased that requires rehabilitation. Councilor Sullivan responded that it was the 500 foot section that was covered under the original construction by the Army Corps that includes the two culverts. Councilor Morganelli informed the Council that he toured the culvert with former Flood Commissioner Al Giguere and it is in desperate need of repair. He was happy to see this funding. Councilor Figy thanked whoever was involved in getting this grant. Ward 2 has been concerned about this for many years. He shared that he also surveyed the site and has worked with Mr. Giguere and Mr. Leary. It was his understanding that this was just for the Engineering Analysis and there would be another bill for the repair and maintenance. Councilor Sullivan noted that the current City Engineer made it clear to thank the Flood Commission tonight and that this grant was originally submitted by former City Engineer Mark Cressotti.

16. Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED: That the recently signed City of Westfield Fire Department Supervisors Association Successor Agreement for the period of July 1, 2022 through June 30, 2025 be

APPROVED.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	No
Brent Bean II	Absent
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

Prior to the vote, Councilor Sullivan informed the Council that some his comments would be germane to items 16, 18 and 19. All three agreements have a 2/2/2% increase for a total of 6% over the three years. There are individual language items including longevity, educational incentive increases, in this specific agreement, making year one a 2.79% increase, year two a 2.785% increase and year three a 2.76% increase. The Juneteenth Federal Holiday has been added to all of the contracts as they're being renewed. In the Supervisor Agreement the uniform allowance is added into the base salary. Councilor Sullivan strongly supported the motion and stated the Mayor was present at the Finance Committee meeting and strongly supported all of the contracts. City Auditor Vicki Moro and the Fire Chief were also present. Councilor Flaherty asked for a dollar amount. He stated this year, the City is taking money out of health insurance, raising taxes to the maximum 2.5%, using free cash and relying on some ARPA money and Grant money to pay for some Capital stuff. He questioned how the City would come up with 2.8 million dollars in the future. Councilor Sullivan responded the total dollar amount for the increases would be as follows - year one would be \$20,814.18, year two would be \$21,230.46 and year three would be \$21,655.07. He highlighted that the Mayor is the one who presents the budget and stated this was a good deal. Councilor Figy spoke in favor of the agreement but expressed his reservations and concerns on unanswered questions he's had about fiscal ramifications on pending legal issues. Councilor Allie asked for clarification that the numbers stated were for the Supervisor's contract only. Councilor Sullivan confirmed. Councilor Allie echoed Councilor Flaherty's concern about covering this amount of money in the future. Councilor Flaherty noted the extra holiday covers .4%. He reiterated the cost of the increase. He agreed that the employees need it but stressed the need to address labor contracts and pension obligations in the future.

17. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That the recently signed Westfield Professional Municipal Employees Association Successor Agreement for the period of July 1, 2022 through June 30, 2025 be APPROVED.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	No
Brent Bean II	Absent
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

Prior to the vote, Councilor Matthews-Kane informed the Council that this Union represents the Department Heads who do not have PSAs, Assistant Department Heads and other salaried employees at City Hall. The agreement is different than the others being voted on. The Union was offered a 2/2/2% raise but negotiated a slightly lower pay increase for the Union as a whole to solve issues. Wage discrepancies were addressed and some positions will receive a slightly larger pay increase than the rest of the Union. Comp time will be available for salaried individuals who are required to work prolonged excessive hours during long-term emergencies and vacancies need to be filled within a specific time or the acting head will be compensated. The goal was that longevity would be increased within the Union creating stability. The Juneteenth Holiday was also included.

18. Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED: That the recently signed United Public Service Employees Union Local 424 Unit MADIV 103 Successor Agreement for the period of July 1, 2022 through June 30, 2025 be APPROVED.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	No
Brent Bean II	Absent
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

Prior to the vote, Councilor Sullivan informed the Council that this Union represents the Dispatchers. This agreement is a 2/2/2% increase over the three years. The dollar amount for the increases would be as follows - year one would be \$6,274.63, year two would be \$11,526.11 and year three would be \$23,748.39 for a total estimated cost of \$47,049.02. A representative from the Union gave a presentation of a cost analysis comparing other dispatch organizations and Westfield falls in the middle. He noted that Westfield took on additional responsibilities with Southwick.

19. Upon motion of Councilor Sullivan the recently signed Westfield Fire Fighters Local 1111 Successor Agreement for the period of July 1, 2022 through June 30, 2025 be APPROVED.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Sullivan informed the Council that this agreement includes the Juneteenth Holiday and has a 2.5/2/2% increase over the three years. The dollar amount for the increases would be as follows for the Fire Fighters: year one would be \$119,041.17, year two would be \$89,900.04 and year three would be \$91,698.04. This includes increases to the EMT stipend, longevity, holiday pay and increases to the education incentive due to the salary adjustment. The Ambulance side increases are as follows: year one would be \$39,417.19, year two would be \$40,206.55 and year three would be \$41,010.68. Councilor Adams voiced his concerns with the education incentive wording that states it can be 'reasonably related to firefighting'. Councilors have asked the Fire Department what the degrees are that qualify and the information has not been provided. The education incentive is 20% and is compounded every year, going into retirement. At the end of a contract it could be up to \$100,000. He didn't think the Chief should have the authority to decide what constitutes as reasonably related to firefighting. Councilor Sullivan responded that it isn't the

Chief that makes the decision, the Fire Commission votes to decide if a degree is reasonably related. The Chief informed the Finance Committee that no one is currently being paid an incentive that isn't fire fighter related. The Union president who presented to the Finance Commission explained that his planning degree was denied. Councilor Sullivan stated that although it's contractually different than the Police Officers, there is a process in place. Councilor Burns echoed that he would like to see the degrees listed for transparency. Councilor Flaherty agreed with Councilors Adams and Burns. He noted the incentive is now up to 20% for a bachelor's degree which most people have upon starting. He would like to see people paid based on their job level. He read aloud from the contract, 'The department will maintain an updated list of degrees previously approved by the fire commission that are not specifically listed in the CBA.' Councilor Burns stated when he requested the list he was told he had to go through the legal. Councilor Harris spoke in favor of the contracts. She shared her stance on having the companies pay a little more in taxes, so the residents could receive a break. She gave her support to the Westfield Municipal Workers and emphasized the importance of our Firefighters, Police and Dispatchers.

Legislative and Ordinance Committee

20. Upon motion of Councilor Figy for the Legislative and Ordinance Committee, it was VOTED: that requesting the Legal Department to explore avenues available to modify the City Charter in the following area, powers of a lame duck mayor be REMOVED FROM COMMITTEE WITH NO ACTION.

He informed the Council that he worked on this with the law department and they were unable to find any other examples or verbiage in any other City Charter.

21. Upon motion of Councilor Figy for the Legislative and Ordinance Committee, it was VOTED: that an Ordinance Amendment to add two additional handicapped spaces on the northeastern corner of Holland Avenue to accommodate the increased demand for said parking at the Westfield Women's Club be REMOVED FROM COMMITTEE WITH NO ACTION.

Prior to the vote, Councilor Figy informed the Council that this was first talked about at a Traffic Commission meeting in April. He worked with Sgt. Mejias and Police Chief Valliere on a solution. The DPW put a hole in the ground for a temporary handicap sign that will be given to Women's Club to be used during their productions. This will allow them two (2) handicap parking spots. There is also a loading zone area that is no longer used as a loading zone and will be looked into. This will be presented to the Traffic Commission next week. There is no need for an Ordinance, this change can be done through the Chief of Police emergency traffic sign powers. Councilor Harris commented that this was an excellent way to handle the situation. Councilor Matthews-Kane noted that they initially requested for an additional two (2) handicap parking spots. Councilor Figy responded that the Chief agreed to one to see how it goes and an additional spot could be given if necessary under the same

process. Councilor Matthews-Kane, the Ward Councilor for this area, questioned why they couldn't have 2 permanent spots. Councilor Figy replied that if two additional spots were designated for handicap parking 24/7 it would take up spots that people use. Councilor Burns spoke to people in the area who were not in favor of doing that. The church and funeral homes also utilize those spaces for services. The committee believed this was a way to solve the Women's Club issue during productions and meetings. Councilor Adams added that it was also about the precedent of putting too many handicap spots along roadways. If every business requested them in front of their establishment, it would be taking the ability from everyone to use the parking spots. There are businesses that use Holland Ave parking. This seemed like the best alternative for all. Councilor Mello asked what they are supposed to do if there are people parked there before an event. Councilor Figy responded that no one could be towed because they are parked legally. The Women's Club could put the sign up from the morning to evening of the performance. Councilor Mello questioned if they could they put it up for several days. Councilor Figy responded that he hoped they wouldn't abuse the privilege that is being offered to them. Councilor Mello asked if this could be revisited if it doesn't work. Councilor Figy stated yes.

All in favor, voice vote.

22. Upon motion of Councilor Adams for the Legislative and Ordinance Committee, it was VOTED that an Ordinance that creates involuntary resignation for appointed board and commission members who are absent without leave for more than 20% of meetings in any fiscal year be REMOVED WITH NO ACTION.

Prior to the vote, Councilor Adams informed the Council this motion was originally brought forward because the City was having issues with boards and commissions gathering a quorum. The Mayor has the authority to remove people so the Committee's recommendation at this time is to remove with no action. Councilor Flaherty stated he sent this in after hearing feedback from additional councilors. The proposed Ordinance allows for a leave of absence with the benefit of allowing the Mayor to appoint someone to temporarily fill in their spot. He explained it was not his intention to insult any Board or Commission member but to ensure Boards and Commissions, especially those who meet once a month or quarter could meet to get their work done. He noted the process to exercise the Mayor's authority with a Council vote is cumbersome and would be a tough vote. He believed an auto rule like many things in HR made the most sense.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	No
Brent Bean II	Absent
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	No

Cindy Harris	Yes
Bridget Matthews-Kane	No
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes

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

VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993" (That the sewer rate setting authority be changed from City Council to Water Commission) be given first reading by title only.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	No
Brent Bean II	Absent
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

The Ordinance was given first reading by title and upon motion of Councilor Burns, it was

VOTED: That the Ordinance be PASSED TO SECOND READING.

Prior to the vote, Councilor Burns informed the Council that Jeff Gamelli presented this at the Legislative and Ordinance (L&O) Committee. It is an Enterprise Fund and has the support of Vicki Moro, our City Auditor. It was suggested that the Commission be changed from 3 to 5 members in the future. Councilor Figy informed the Council this would be a First Reading by title only. Mr. Gamelli gave the L&O Committee some facts and figures including what others surrounding towns do. Amherst, Pittsfield and Chicopee all have their water commissions setting the rates. He added he believed having them set the sewer rates and water rates brings consistency. Councilor Mello stated although it makes logical sense, she has no faith in our Water Commission. Councilor Flaherty believed as an enterprise fund they should operate similar to Westfield Gas and Electric. There was mention of requirements to be on commission and potentially extending the body count. He reminded everyone that the Council was elected to approve these votes and the Mayor is elected to nominate these votes. They have the ability to express their thoughts on commission. Councilor Matthews-Kane also believed as an enterprise fund should be self-sustaining and the people running it would do

the best job. Councilor Harris spoke in opposition of 3 unelected people being able to determine the rates for the whole City. She believed the elected Councilors represent the whole City. Although other communities run this way, she believed Westfield should do what is best for Westfield. Councilor Flaherty noted that some cities and towns elect commissions and is an avenue Westfield could explore that if they wanted to. Councilor Allie stated that the Council had negotiated with previous Director of Public Works Dave Billips when he had come forth with a sewer rate plan. He questioned if the same would happen with the Water Commission and noted that a lot of Westfield doesn't have sewer. Councilor Morganelli reminded everyone that it came from the State that the City had to fund the water and sewer systems. He echoed Councilor Harris' concern about appointing unelected officials to set the rates. He shared his belief that it would be the Council's duty to speak with Water Commissioners moving forward and help them understand what is appropriate for rates. Councilor Burns reiterated that the people on this commission are nominated by the Mayor and approved by the Council. He added that they live in Westfield and also pay sewer fees. President Onyski spoke in favor of taking it out of City Council and removing the politics from it. He added non sewer users have subsidizing sewer users when the sewer fund runs short. He also noted that it can be undone if the Council sees that it is not working.

24. Upon motion of Councilor Adams for the Legislative and Ordinance Committee, it was VOTED: That a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD" authorizing approval of the lease of property at Westfield-Barnes Regional Airport to JimBob Aviation be ADOPTED.

Prior to the vote, Councilor Adams informed the Council that this was a 20 year lease with JimBob Aviation to rent property at Westfield Barnes Regional Airport with two optional 10 year terms, for a potential of 40 years. The Airport Commission selected JimBob Aviation to build one or two buildings of hangar space. It will generate \$39,000.00 a year for the City plus property tax. In addition there will be extra aircraft. Councilor Figy added that the Airport Commission can sign a lease for up to 20 years. The only reason Council is approving is because there are the two options for additional 10 year extensions. All in favor, voice vote.

25. Upon motion of Councilor Burns for the Legislative and Ordinance Committee, it was VOTED: That a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD" authorizing the Mayor to sign all documents including the Purchase and Sale Agreement for the sale of 17 Sackett Street be ADOPTED.

Prior to the vote, Councilor Burns informed the Council that this property was surplused from the Water Department to the Fire Department who then surplused it back to the City. It sold for \$45,000.00 to Next Gen Construction Services and is back in the tax roll. Councilor Matthews-Kane asked what type of business this would be. Councilor Burns responded it would be Construction and stated it was originally owned by Westfield Gas and Electric. Councilor Matthews-Kane voiced her concerns of selling to a noisy business in a

residential area. Councilor Burns noted it was zoned Industrial and located next to the Water Department.

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

Zoning, Planning and Development Committee

26. Zoning Ordinance Change at Section 4-20.3 to allow for Flag and/or Estate Lots by special permit.

A motion was made by Councilor Flaherty and duly seconded for first reading of the Ordinance entitled "Flag Lots Allowed by Special Permit" as presented. He informed the Council that Zoning Planning & Development (ZPD) had prepared a bullet list of items they deemed appropriate to allow flag lots by special permit from Planning Board. After Council approval, both the Planning Board and City Council held Public Hearings. Councilor Flaherty stated he attended the Planning Board Public Hearing. ZPD reviewed the recommended edits from Planning Board as well as a letter from City Planner Jay Vinskey and deliberated at length. (Ordinance language is bolded for clarity) **The lot is located in the Rural Residential or Residence A District, including entirety of its frontage;** He informed the Council that ZPD wanted to allow Flag lots on Rural Residential or Residential A if the lot was the right size. Planning Board recommended not allowing them in Residential A. The Committee felt if someone owned a giant piece of land in Residential A, such as a 20-30 acre farm and wanted to split for a family member, it would be appropriate and up to the Planning Board to determine. Under Special Permits, Planning Board has the right of discretion. **Minimum frontage and width is 40 feet which was the original presentation.** The Planning Board had recommended 50 feet but after deliberation, ZPD settled on 40 feet. **Minimum lot area requirement is 5 acres.** The lot size in the Ordinance refers to the flag portion of the lot not the front lot that might still be remaining. More than five acres is required to split off a lot size that is 5 acres. The lot size you need for the front depends on which zone the property is in. There are specific zoning requirements in Rural Residential and Residential A. **The lot is used for residential purposes with the dwelling structure having a minimum setback of 50 feet from the side and rear lot lines.** The Planning Board recommended 100 feet from the lot lines on the flag portion. ZPD spent a lot of time, drawing different scenarios and determined 50 feet should satisfy the goals that City Council and the Planning Board were looking for. An applicant can request a dimensional special permit to reduce the setback. The person who spoke at the Public Hearing didn't have opinion on 50 feet but was concerned about 100 feet. **No more than two flag lots may abut at the frontage.** Councilor Flaherty gave an example of a 40 acre lot, in order to create several flag lots, no more than two could be side by side. The Planning Board recommendation was no more than one flag lot could be created from the parent parcel. ZPD discussed this at length and decided in some cases if a person owned enough land, it should be fair to let them split it multiple times. **A flag lot Special Permit shall be deemed to have been substantially used upon the recording of the subject lot plan at the Hampden County Registry of Deeds.** Once the Special Permit is approved and the person modifies their deed, the special permit has been used. There is no requirement for them to build within a certain

time frame.

A motion was made by Councilor Beltrandi and duly seconded to amend the motion on the floor to change the minimum lot area requirement from 5 acres to 4 acres. He commended ZPD on their work, adding he originally thought 3 acres was good and hopes 4 acres serves everyone's purpose. Councilor Morganelli shared that he was hoping for a 4 acre minimum as well. He thanked Councilor Flaherty for all his work and the synopsis of the ZPD meeting. He noted that the frontage of 40 feet is for a driveway and that most driveways are only 15-20 feet. Councilor Matthews-Kane shared that she was the ZPD member who felt strongly about keeping a 5 acre lot requirement. When looking at a 3 acre minimum, plenty of lots in Ward 3 could be developed and she didn't believe that was good for downtown areas. She emphasized how great the Planning Board discussion was and her concerns with how many recommendations ZPD didn't take. The Planning Board voted unanimously on a 5 acre minimum. City Planner Jay Vinsky stated many lots in the Aquifer Protection District could be split into flag lots if there was a 3 acre minimum lot requirement; she was unaware if that was the same for 4 acres. There would be more impervious surfaces and more chemicals on lawns. She stressed her belief on how critical it was for the Councilors to protect the Aquifer and requested the minimum lot requirement stay at 5 acres. Councilor Flaherty responded that he originally requested 3 acres and believed that was sufficient because it's 3 acres plus the lot that will be split off. He reiterated that this would not be by-right. Planning Board can use their discretion, if it doesn't fit the neighborhood they can deny, or add conditions. He spoke in favor of modifying down to 4 acres. Councilor Mello agreed with Councilor Matthews-Kane. She stated that if the frontage only needs to be 40 or 50 feet and a driveway is 20 feet, there is already 50% impervious surface in that one section. She stated you need a 2 acre minimum over the Aquifer and noted in addition to the driveway, once you separate the lot, laying a house, patio etc. will create additional impervious surfaces. The 5 acre minimum is there to protect against unintended consequences. Councilor Burns stated he was okay with it because it would go through the Special Permitting process. He believed this was spot zoning. He would like to see 1 flag lot, per lot, regardless of acreage. Councilor Adams agreed. He thought this started off as one flag lot and was unclear how it got to two. Councilor Figy commended ZPD for the hard work on the Ordinance. He voiced his concerns about having three different setback requirements for Rural Residential, Residential A and Flag lots. He questioned if it was possible to keep the setback requirements the same as Rural Residential or Residential A. Councilor Flaherty answered some of the proposed questions. He stated the Aquifer District has its own set of rules and restrictions. In response to the 2 acre minimum, a flag lot positioned over the Aquifer would increase restrictions, requiring a 3-5 acre minimum, based on what the Council decides. Nothing can be put there that will increase the impervious surface beyond what is already allowed in the Aquifer District. He stated that splitting and number of lots were two different things. The Ordinance does not say land can be split into multiple flags. If someone owned 50 acres and chopped it into five separate 10 acre lots and sold them, those owners could later come and ask for flag lots. The Ordinance does say that there couldn't be two flag lots side by side on the same street frontage, regardless of

ownership. He stated the original proposal for setbacks was to follow the underlying zoning but there wasn't support from the committee or the Planning Board. Councilor Matthews-Kane read the Planning Board recommendation that "Not more than one flag lot may be created from each parent parcel existing as of notice day 2022 is maintained City Assessor records." She said Mr. Vinskey informed the Committee at length what could happen if they took this out. If there is a lot of land in the back of a lot, four driveways could be made and there would need to be more restrictions. It could also become a safety issue. Mr. Vinskey also said using underlying setbacks for specific zones doesn't work because they're meant for front yards and backyards. He recommended sticking with 50 feet because the lots can be inverted. She shared that ZPD was a long meeting and that drawing out some of these details helped put things into context. Councilor Allie spoke in support of the 4 acre amendment to the motion. Councilor Mello spoke in opposition. She didn't think the Council should be asking Planning for this information and then disregarding it. She brought up storm water issues in the Munger Hill and Shaker Road. She stressed that the Council needed to listen to the Planning Board recommendations. Councilor Adams followed up on Councilor Flaherty's response regarding the 5, ten acre lot example and questioned the fairness in allowing only two flag lots. Councilor Flaherty clarified there could be more than two but they couldn't abut. He shared that he understood the concerns for the Aquifer but spoke in opposition of letting it stop the process for the entire City. He reiterated the Planning Boards ability to deny or set conditions. Councilor Sullivan asked for confirmation that the Planning Boards recommended a 5 acres minimum. It was confirmed. Councilor Burns asked if the City Clerk could read the proposed Ordinance as it was written. President Onyski noted the motion on the floor was to vote on the Ordinance with the proposed amendment.

Upon motion of Councilor Beltrandi, it was

VOTED: That an amendment be made to section b. replacing 'minimum lot area is 5 acres' with 'minimum lot area is 4 acres'.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Upon motion of Councilor Flaherty, for the Zoning Planning and Development Committee, it was

VOTED: That an Ordinance entitled "Flag Lots Allowed by Special Permit" as amended, be given first reading by title only.

The vote on the foregoing was as follows:

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

The order was given first reading by title only and upon motion of Councilor Flaherty, it was

VOTED: That the Order be PASSED TO SECOND READING by voice vote. No-one was in opposition.

27. Councilor Matthews-Kane, for the Zoning, Planning and Development Committee, offered a motion which was duly seconded for a Zoning Ordinance Change to allow projecting signs by right in the CORE district. Councilor Matthews-Kane informed the Council that there are some projecting signs sticking out or hanging from the buildings downtown. This will add clarity to what is and is not allowed. This would allow signs by right instead of trying to get a special permit. If they wanted a sign that didn't fit what was outlined in the Ordinance change, they could apply for a special permit. Councilor Morganelli noted the allowable distance from the building that was discussed in Zoning, Planning & Development was missing. Councilor Matthews-Kane agreed and noted this was not a final vote. This would still need to go before Planning Board and City Council for a Public Hearing and could be added. Councilor Morganelli offered a motion that was duly seconded to amend the motion to include 'not more than six square feet of signage.' Councilor Harris questioned if there would be any liability as far as insurance for the City or business owners because of icicles forming during the winter. Councilor Matthews-Kane answered that there is a regulation on the books, that awnings, canopies and signs on or overhanging a public right of way must also be approved by the Board of Public Works as per section 16-5 code of Ordinances. She believed any safety issues would be addressed when it went before the board. Councilor Figy questioned the max of 6 square foot, noting it seemed small. Councilor Matthew-Kane stated they looked at existing

signs on School Street and that is currently the average size. A larger sign could be obtained through a special permit.

Upon motion of Councilor Morganelli, it was
VOTED: to amend the motion, to include not more than six square feet from the side of the building. No-one was in opposition.

Upon Motion of Councilor Flaherty for the Zoning, Planning and Development Committee it was
VOTED : to schedule a Public Hearing before City Council and Planning Board on a Zoning Voice vote, all in favor.

UNFINISHED BUSINESS

28. Upon motion of Councilor Flaherty, it was
VOTED: That an Ordinance to allow Maker Shops by Special Permit from Planning Board in Business A Zoning be given second reading.

The Ordinance was given second reading and upon motion of Councilor Flaherty, it was

VOTED: That the Ordinance be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Absent
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

MOTIONS, ORDERS OR RESOLUTIONS

Upon motion of Councilor Figy, it was
VOTED: to have the Personnel Director create interview questions for the City Clerk Position prior to the next Council meeting. All in favor, Voice vote.

Upon motion of Councilor Beltrandi, it was
VOTED: to review the present Lighting Ordinance for possible amendment be REFERRED to the PLANNING BOARD and WESTFIELD GAS AND ELECTRIC.

Councilor Beltrandi informed the Council there was clarification needed on 6,000-8,000 new lights that have been put throughout the City by Westfield Gas and Electric. The ordinance is not clear on who enforces this and if they have been put in correctly, specifically to their projection and height. The G&E is collecting \$58.00 a month per unit on income on these lights. He wanted to have the Original Ordinance reviewed to see if it needed to be amended. Councilor Morganelli thanked Councilor Beltrandi for this motion. When the Ordinances were first developed, they didn't have LED lights. Councilor Matthews-Kane noted this is coming before the Council because in her Ward, a residential district, there was a complaint on a huge light that was replaced in a parking lot. It was shining on one of her constituent's home. It broke all 5 of the requirements of the light Ordinance. There are thousands of these same lights all over the City. We have some in the back of City Hall, shining on the houses. She stated she hoped reviewing the Ordinance would not loosen restrictions. She stated this was a quality of life issue and emphasized the health issues associated to bright shining lights. Councilors Mello and Flaherty also thanked Councilor Beltrandi and noting that light pollution is a big problem. All in favor, voice vote.

ANNOUNCEMENTS

Councilor Morganelli informed the Council that North Elm Butcher Block would be celebrating 75 years of business tomorrow at 9:00AM, giving accolades to the Puza family and the longevity of their business. He noted that 9/11 was coming up. There would be three ways to remember those who fell on that day: 9:45 AM at the Firehouse, 11:00 AM at the 9/11 Memorial and 2:00 PM at the Sons of Erin.

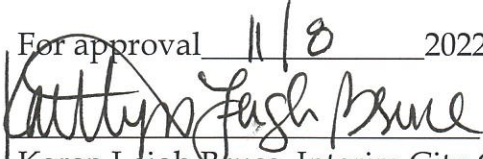
At 9:23 PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.


A true record, Attest:

Kaitlyn Leigh Bruce
Interim City Clerk/Clerk of the Council

Presented to the Mayor

Approved by the Mayor

For approval 11/8 2022

Karen Leigh Bruce, Interim City Clerk

11-8 2022

Michael A. McCabe, Mayor