



MINUTES OF LEGISLATIVE AND ORDINANCE COMMITTEE
59 COURT STREET
ROOM 201
SEPTEMBER 06, 2023 AT 5:00 PM

RECEIVED

SEP 22 2023

WESTFIELD CITY CLERK

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

Councilor Onyski called the roll. The following Committee members were in attendance: Chair, Councilor Bill Onyski, Councilor Michael Burns and Councilor Ralph Figy. Also in attendance was Interim Director of Public Works Fran Cain, First Assistant City Solicitor Shanna Reid, Airport Manager Chris Willenborg, Sergeant Mejias, Councilor Cindy Harris and Scribe of the Legislative and Ordinance Committee Karisa Zerbato.

Councilor Onyski opened the meeting for public participation. There was no one present to speak.

Upon motion of Councilor Figy, it was
VOTED: that the minutes of July 6, 2023, be approved as written. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Upon motion of Councilor Figy, it was
VOTED: to take items out of order. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Upon motion of Councilor Figy, it was
VOTED: to ACCEPT the donation of a sign for a section of the multiuse path along Shaker Road that starts on Country Club Lane, in honor of Bob Pac. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote, Christopher Steger of 60 Wood Road, stated he is the Clerk of the Friends of the Columbia Greenway Rail Trail and that Bob Pac is one of the founding members of Friends of the Columbia Greenway Rail Trail. Mr. Steger stated Bob Pac removes graffiti on his own time from the trail. He further stated that it would be appropriate to recognize all the work he has done for the City. He added that the lack of graffiti on the trail is due to Bob Pac removing it before it escalates. The sign would say Bob's Way. Robert Hamil of 44 Wildflower Circle, stated Bob Pac worked extensively with Mark Cressotti to get funding to put in a pathway for the residents to access the trail safely. Councilor Onyski stated that Attorney Reed advised him that the City needs to install the sign. Fran Cain stated that can be done. Councilor Figy stated that he has known Bob Pac for many years and that this is very fitting as Bob is a very hard worker.

Upon motion of Councilor Figy, it was
VOTED: to ACCEPT an order to transfer Care, Custody, and Control of the Columbia Rail Trail to the Westfield Department of Public Works. The motion was seconded by Councilor Burns.
Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote, Fran Cain stated the DPW has been taking care of the Trail as needed including mowing and maintenance. Attorney Reed stated in the past when designating care, custody and control there is an order done. Councilor Onyski asked if the DPW Commission has discussed this transfer. Fran Cain stated there may have been discussion previously.

Upon motion of Councilor Figy, it was
VOTED: to return to normal order. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Upon motion of Councilor Figy, it was
VOTED: to APPROVE the ordinance amendment as requested by Sergeant Mejias, Chair of the Traffic Commission: 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. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote, Sergeant Mejias stated for about two years there have been complaints from residents that parents who bring and pick up their children from Fort Meadow School park on Hamlin Place. She further stated vehicles park on both sides of the street and the road is very narrow making it very hard for residents who live there to pull out of their driveway and exit the street. She requested to make the west side of Hamlin Place no parking only during school hours between 8:00 AM and 4:00 PM when school is in session. Fran Cain stated they can have a sign made with the correct verbiage. Councilor Figy stated he fielded a lot of these calls however no resolution could be worked out between the parents and residents.

Upon motion of Councilor Figy, it was VOTED: to APPROVE the ordinance amendment as requested by Sergeant Mejias, Chair of the Traffic Commission: Section 17-115. Parking Prohibited at all times on certain streets by adding Orange Street, Southerly side at Corner Avenue, 20 feet from corner. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote, Sergeant Mejias stated the roadway is narrow and cars are being parked on both sides of the street causing the roads to not be passable for emergency vehicles. Councilor Onyski stated this will give drivers more room to turn and stop by corners.

Upon motion of Councilor Figy, it was VOTED: to APPROVE the ordinance amendment as requested by Sergeant Mejias, Chair of the Traffic Commission: 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 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. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote, Sergeant Mejias stated she initially received some requests to make certain streets 25 miles per hour. She further stated this would cause confusion and essentially a

sign would have to be posted on every street so people would know what the speed limit is. She stated that after discussions it was requested that it would apply to residential areas within the bridges of the City however after this was submitted she received many requests for other Streets to be added. Sergeant Mejias stated that she pulled that request and went Citywide which is part of the 2016 Law. She stated thickly settled is residential areas where residences/businesses are within 200 feet of another. Currently any residential area that is thickly settled is 30 miles per hour, however the 2016 Law that passed gives cities and towns the option to change the speed limit from 30 miles per hour to 25 miles per hour. Sergeant Mejias stated once it passes through City Council she will advise MassDot. Councilor Onyski asked if there are signs up now that are listed as 30 miles per hour that will need to be changed to 25 miles per hour. Sergeant Mejias confirmed. She added that going from 30 miles per hour to 25 miles per hour will not supersede any special speed limits that are currently in place. Sergeant Mejias stated she will look into what streets this will affect. Councilor Onyski asked what the process will be for removing the 30 miles per hour signs. Sergeant Mejias stated she will ask DPW to remove them.

Upon motion of Councilor Figy, it was VOTED: to REMOVE WITH NO ACTION lowering speed limits in the Orange Street, Washington Street, Pearl Street, Brookline Avenue, Moseley Avenue and Meadow Street neighborhoods to take advantage of the 2016 Municipal Modernization Act, which allows communities to reduce speed limits to 25 miles per hour on thickly settled roads and on roadways in business districts. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote, Councilor Onyski stated this item is covered under item #3.

Upon motion of Councilor Burns, it was VOTED: to REMOVE WITH NO ACTION the Ordinance amendment as requested by Sergeant Mejias, Chair of the Traffic Commission: Section 17-82. Speed Limits (2) Thickly settled or Business District: Twenty-five miles per hour by adding Alice Burke Avenue, Alice Street, Allen Avenue, Arnold Street, Ashley Street, Avery Street, Bartlett Street, Bates Street, Beckwith Avenue, Belmont Street, Belvedere Gardens, Benham Street, Berkshire Drive, Birge Avenue, Bliss Street, Bowdoin Street, Brookline Avenue, Bush Street, Butler Street, Carroll Drive, Casimir Street, Central Street, Chapel Street, Charles Street, Cherry Street, Chestnut Street, Church Street, Claremont Street, Clark Street, Cleveland Avenue, Clinton Avenue, Coleman Avenue, Congress Street, Conner Avenue, Coolidge Avenue, Cortez Street, Court Street, Cowles Court, Crane Avenue, Cross Street, Cycles Street, Dana Street, Danek Drive, Day Avenue, Dewey Avenue, Duane Street, Dubois Street, Dudley Avenue, Dwight Street, Dzuris Avenue, East Silver Street, East Bartlett Street, Ellis Street, Ellsworth Street, Emery Street, Exchange Street, Fairfield Avenue, Fairview Street, Floral Avenue, Ford Avenue, Fowler Avenue, Fowler Street, Franklin Avenue, Franklin Street, Frederick Street, Free Street, Fremont Street, George

Street, Gillett Avenue, Gold Street, Grand Street, Green Avenue, Greylock Street, Hamilton Way, Hamlin Place, Hampden Street, Hancock Street, Hanover Street, Harold Avenue, Harrison Avenue, Hassler Street, Hayre Street, Hedges Avenue, High Street, Highland Avenue, Highland View Street, Holcomb Street, Holland Avenue, Howard Street, Hubbard Street, Jefferson Avenue, Jefferson Street, Kasper Drive, Kellogg Street, Kelsey Terrace, Kenwood Street, King Avenue, King Place King Street, King Street Extension, Laflin Street, Lawton Street, Leonard Avenue, Lewis Street, Lincoln Street, Lindbergh Boulevard, Linden Avenue, Littles Court, Livingstone Avenue, Logan Avenue, Lois Street, Loomis Avenue, Lozier Avenue, Madison Street, Main Street, Malone Avenue, Maple Court, Maple Street, Maple Terrace, Maplewood Avenue, Margerie Street, Mather Street, May Street, McKinley Terrace, Meadow Street, Mechanic Street, Mill Street, Miller Street, Monroe Street, Morris Avenue, Morris Street, Morse Avenue, Murphey Circle, Myrtle Avenue, Noble Avenue, Noble Street, North Cherry Street, Oak Avenue, Oak Avenue Extension, Oak Street, Oak Terrace, Old Town Ford Way, Orange Street, Otis Street, Palmar Avenue, Paper Street, Park Street, Parkside Avenue, Pearl Street, Perkins Street, Phelps Avenue, Pleasant Street, Ponders Hollow Road, Provin Terrace, Putnam Drive, Ridgeway Street, Riverside Drive, Sackett Street, School Street, Sheldon Avenue, Shepard Street, Sherman Street, Sherman Street Extension, Sibley Avenue, Smith Avenue, South Ashley Street, South Broad Street, South Maple Street, South Meadow Road, South Street, Spring Street, Squawfield Road, ST. Dennis Street, ST. James Avenue, ST. Paul Street, State Street, Sterling Street, Stratfield Avenue, Summer Street, Sycamore Street, Taylor Avenue, Thomas Street, Toledo Avenue, Union Avenue, (up to south side of bridge), Vadnais Street, Walnut Street, Washington Street, Webster Avenue, West Gate Avenue, West School Street, West Silver Street, West Street, White Avenue, White Street, William Street, Williams Riding Way, Wilson Avenue, Woodbridge Lane, Woodland Avenue, Woronoco Avenue and Yale Street. The motion was seconded by Councilor Figy. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote, Councilor Onyski stated this item is covered under item #3.

Upon motion of Councilor Figy, it was
VOTED: TO LEAVE IN COMMITTEE having the Traffic Commission investigate changing the left hand turn in front of 52 Court Street to either a two-way left turn lane or an extended painted traffic island. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote, Sergeant Mejias stated an outside company conducted a study. The company stated they require a certain amount of distance (320 feet) between the intersection of Washington Street and Court Street to the driveway. This is also required on Day Avenue for people turning. The current

intersection spacing for Day Avenue and Washington Street is 300 feet. Sergeant Mejias stated that if people are traveling at the minimum speed limit there is not enough time to pull out safely. Councilor Onyski asked if there is a left turn lane for Day Avenue. Sergeant Mejias confirmed.

Upon motion of Councilor Figy, it was
VOTED: TO ACCEPT AND MODIFY the 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. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote, Councilor Onyski stated Margaret Terkelsen was unable to make tonight's meeting. Councilor Onyski stated that Attorney Reed pointed out that the Resolution that was submitted to City Council stated that the City Council of Westfield has care, custody and control over the Animal Control Department. Councilor Figy and Councilor Onyski both stated this is inaccurate as City Council doesn't have control over the department. Attorney Reed stated that the City Council has to accept the gift donation. Councilor Onyski stated the donation would be used for the betterment of the Animal Shelter per Margaret Terkelsen.

Upon motion of Councilor Figy, it was
VOTED: TO APPROVE THE RESOLUTION authorizing approval of an Intermunicipal Agreement regarding the treatment and disposal of sewage and wastewater with the Town of Southwick. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote, Fran Cain stated Southwick has a pipe that runs down the bike trail that relays some of their sewage to the City of Westfield. This amounts to about 150,000 gallons a day. He stated Southwick has the ability to send up to 500,000 gallons a day if needed however this have never come close to happening. He added this is metered with a meter pit on the bike trail that monitors the flow of sewage and then it is billed accordingly. He stated that between 0-200,000 gallons/per day it would be billed the commercial/industrial rate of \$6.84 per thousand gallons. He further stated there is an escalator built in at different tiers. Between 200,000 and 300,000 gallons a day it would be the metered rate plus 3.3%, between 300,000 and 400,000 gallons a day it would be the metered rate plus 6.67% and between 400,000 and 500,000 gallons a day it would be the metered rate plus 10%. Mr. Cain stated he believes this is fair and equitable. Southwick sends about 150,000 gallons per day which equates to about 4.5% of needed revenue for FY24 and their average waste flow is about 5% of total daily treatment flow for the City. Attorney Reed stated the agreement started in 1998 and can go for up to 25

years and ends in October of this year. Councilor Onyski asked what happens if there are changes to EPA rules. Fran Cain stated that Southwick has to abide by the rules including fats, oils and greases. Southwick can't send stuff that isn't accepted at Westfield's own treatment facility. Attorney Reed stated this can be captured at the test pit. Fran Cain added that the pH levels can be monitored at the test pit remotely. Councilor Onyski asked where the pit is located. Fran Cain stated it is near the Shaker Farms parking area for the bike trail. It has an aluminum hatch with an antenna on top. Councilor Burns asked how the rate compares to the commercial rate that Westfield residents pay. Fran Cain stated it is the same. Councilor Onyski asked if there are escalators over the 25-year term. Attorney Reed confirmed and stated every time the rate is raised because it is tied together. Attorney Reed stated that this agreement applies specifically to the Town of Southwick, they can't hook in another community and send it to Westfield.

Upon motion of Councilor Burns, it was
VOTED: TO ACCEPT THE RESOLUTION authorizing approval for the Airport Commission to enter into a real estate lease agreement with James Labrie for a term of 30 years. The motion was seconded by Councilor Figy. Approved by Roll Call 3-0.

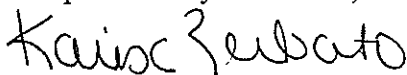
Prior to the vote, Chris Willenborg stated per M.G.L Chapter 90, section 51F the Airport Commission is allowed to approve land lease agreements up to 20 years however anything that is beyond 20 years requires Mayor and City Council approval. Mr. Willenborg stated that James Labrie has been a tenant at the Airport since the 1990's. He built a hangar years ago and is looking to build another hangar. At the August Airport Commission meeting the 30 year lease was approved pending approval of the Mayor and City Council. He further stated it is a small parcel, about a 1/3 of an acre. The annual lease rental rate is a little over \$8,000.00 a year, prior it was \$550.00 a year for one hangar. Mr. Willenborg stated that Jim is a great tenant and that his son is a pilot. Councilor Onyski asked if this lease agreement is for land only. Mr. Willenborg confirmed and stated it is strictly for aircraft storage. Councilor Onyski asked if the City will receive taxes on the building. Mr. Willenborg confirmed. Councilor Onyski asked if there are escalators. Mr. Willenborg confirmed and stated every three years there will be an index adjustment.

At 5:59 PM and upon motion of Councilor Figy, it was VOTED TO ADJOURN. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0.

The vote on the foregoing was as follows:

Bill Onyski	Yes
Michael Burns	Yes
Ralph Figy	Yes

Respectively submitted,



Karisa Zerbato, Scribe

