



MEETING OF CITY COUNCIL  
TELEPHONE CONFERENCE  
WESTFIELD, MASSACHUSETTS  
OCTOBER 01, 2020 AT 7:00 PM

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the City of Westfield CITY COUNCIL will be conducted via remote participation. Specific information can be found on the City of Westfield website at [www.cityofwestfield.org](http://www.cityofwestfield.org). For this meeting, members of the public who wish to listen to the meeting may do so by tuning into Channel 15 or online at [westfieldtv.org](http://westfieldtv.org). No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the City's website an audio recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

The meeting was called to order at 7:00 PM by the President.

The City Clerk called the roll. All thirteen Councilors were present.

The Pledge of Allegiance was led by the President.

Upon motion of Councilor Beltrandi, it was  
VOTED: That reading of the record of the meetings of September 17, 2020 and Special Meeting of September 23, 2020 be ACCEPTED.

The vote on the foregoing was as follows:

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

The following was read by Councilor Mello, under Public Participation:

"City Council – My name is Trevor Eckhart. I live at 5 Whispering Wind Ln, Westfield. I wish to bring attention to a troubling issue regarding the Westfield Police Department's use of drones to monitor a peaceful Black Lives Matter Protest on June 4th, 2020 at Park Square. Over 500 residents attended this protest, and public records confirm drone surveillance of the event. The area covered by the drone included Park Square and several residential streets down to West Silver Street. This deployment demonstrated a disregard for established local policy and Federal Aviation law, and potentially raises broader privacy and First Amendment concerns. This is very concerning to me for many civil, legal, and safety reasons.

First, the deployment violated the Department's own policies. The "Westfield Police Department Policy, Small Unmanned Aircraft Systems," enacted November 2019, states data will not be collected "solely for the purpose of monitoring activities protected by the U.S. Constitution." For those unaware, enterprise level drones are essentially a sophisticated flying camera. Live video is constantly being recorded and sent back to the operator, regardless of whether video is saved. Peaceful protest is protected under the First Amendment, so deployment of drones to monitor the June 4th protest is a direct violation of Department policy. Department policy also states that the public should be notified about drone flights except where officer safety is involved. Public records show over several dozen logged flights in addition to those on June 4th may have violated this policy.

Second, independent examination by the Federal Aviation Administration confirms that the Police Department's June 4th operation was careless and caused undue risk to protestors' and area residents' safety. Although FAA safety regulations are complex, there are 3 important rules every drone operator must know to be certified: 1) Do not fly over people; 2) Do not fly anywhere the drone would cause harm if it falls; and 3) Do not fly beyond the line of sight." My research leads me to believe that all of these flight basics were broken during that day. It is revealing that FAA drone experts looking at the same information also concluded the Department's flight path was unsafe and reached out to the Department for corrective action.

Third, the Police Department's responsiveness to these concerns has been disappointing. When I presented the department with the exact FAA safety laws which were broken my complaint was brushed off. When the FAA was presented with the same facts, they were easily able to spot the violation. This has led me to believe that the Westfield Police did not take my complaint seriously.

Finally, I believe the Department's use of drones implicates additional privacy and First Amendment concerns that current internal policies do not adequately address. I am currently working with the Harvard Cyberlaw Clinic to research these issues and potential mitigation strategies, since this area of the law can be difficult to navigate with respect to newer technology. I plan to have more to present to the Council on these issues at a later time. To address the above problems, I would like the Council to consider several actions to protect our civil liberties.

1. Investigate the Department's drone use in more detail and hold the Department accountable to its current policies.
2. Research and enact new Westfield City Ordinances on all drone use, potentially modeled after those enacted in Newton and Chicopee to preserve privacy and property rights.

3. Establish future accountability for drone and other civil liberties violations by ensuring that all public grievances against the department are investigated by an independent board. The board should consist of both civilians and officers.

I thank you for your time and consideration of these issues. Regards, Trevor Eckhart"

Upon motion of Councilor Figy, it was

VOTED: That the rules of the City Council be SUSPENDED in order to take Item 7. Interviews of final candidates for position of City Auditor out of order.

The vote on the foregoing was as follows:

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

Councilor Figy, for the Auditor Search Committee, informed the Council that the search committee has conducted its search and initial interviews and is now bringing forward two finalists to the Council and both finalists will be asked the same seven questions. The questions were approved by the Law Department and Personnel.

The first candidate to be interviewed was Mr. Michael Fitzsimmons, 84 Beverage Boulevard. Mr. Fitzsimmons was present remotely.

The first question, asked by Councilor Figy.

1. "Please tell us about yourself" Mr. Fitzsimmons informed the Council that he is a native from the Hudson Valley, lived in Atlanta for some years and through retail came to Western Mass and has been in Westfield the past couple years. Currently working at ARC of the Farmington Valley which is a social service organization for adults and children that are physically and mentally challenged in which his functions are accounts payable and other accounting functions as well. He has worked for the IRS, he was a past Assistant City Clerk/Treasurer in South Hadley and that he is well rounded in the public and private sector of accounting. He has worked with Municipal Auditors and the Scanlon firm.

Councilor Matthews-Kane asked the second question.

2. "What is your philosophy regarding the role of the City Auditor in the overall financial functioning of the City of Westfield?" Mr. Fitzsimmons answered to make sure whatever organization you are running to do it professionally and efficiently. If there are issues to be corrected you tend to those first and go forward to do the best and assist the client, in this case, the City in doing the best and most compliant functions. And to leave the position better than you found it.

Councilor Figy asked the third question.

3. "As the City Auditor, you will be working closely with the Mayor and other Department Heads, yet you are hired by the City Council. What potential problems do you see in this arrangement and how do you plan to navigate them?" Mr. Fitzsimmons answered that a line has to be drawn whenever you are auditing. Whomever you have to answer to you have to be diplomatic because you get better results when you are diplomatic rather than adversarial. You have to know what the rules and answer the questions.

Councilor Matthews-Kane asked the fourth question.

4. "You have just closed the fiscal year and Department X comes to you with three bills that they found under some piles of paper from two years ago. When you review with your staff, you find out that this Department has had this problem for the last three years. What do you first do with the bills that were found, and second how do you prevent this from happening again next year?" Mr. Fitzsimmons answered that to prevent it from happening again controls must be established so that it does not happen again. Consult with the department head and work with the staff to make sure they know what the process is and if there is a problem it needs to be solved efficiently and is in compliance with the regulations. Reviews should be being done all year long and if there is a known problem the differences need to be reported to the City Council.

Councilor Figy asked the fifth question.

5. "Please describe in detail how you have handled an employee who was making too many errors in the performance of his or her duties and responsibility?" Mr. Fitzsimmons answered that the first thing that needs to be done is to communicate clearly what the regulations and rules are and that they are understood by the employee. It's understood that mistakes will be made, but the worst mistake is a mistake that happens twice.

Councilor Matthews-Kane asked the sixth question.

6. "Please describe the computer software that you are currently using or previously used to perform your current job duties." Mr. Fitzsimmons answered that he is currently using an accounting software called MIT which is a nonprofit software that is used across the country. And that in the past he has used MUNIS.

Councilor Figy asked the seventh and final question.

7. "Why should you be the next Westfield's City Auditor?" Mr. Fitzsimmons answered that he has a wide range of skills to offer and a philosophy that can help the City, has worked in different areas, is motivated and willing to serve the public.

Councilor Figy thanked Mr. Fitzsimmons for his interest in Westfield and for taking the time to interview and informed him that someone will notify him as to the outcome.

Councilor Figy informed the Council that the next interview is scheduled for 7:30 pm which is in about 5 minutes. Councilor Flaherty questioned why the Councilors are not allowed to ask follow-up questions. Councilor Figy informed the Council that both candidates must be asked the same questions and that there are strict guidelines and open meeting laws that have to be followed. And the process was established by Personnel and Law. Councilor Flaherty informed the Council that this is a silly way of doing things because the Council should be able to ask a question based on an answer given and that he will look to make changes for the next hires that will be coming up. Councilor Morganelli agreed with both Councilors. He questioned how the other candidate is not able to listen to the questions from the first candidate. Councilor Figy informed the Council that they may be a possibility and that is why the first round of interviews were done in executive session.

Councilor Figy introduced the second candidate Ms. Vicki Leigh Moro, 114 Pomeroy Meadow Road, Southampton Road. Ms. Moro was present remotely.

The first question, was asked by Councilor Figy.

1. "Please tell us about yourself" Ms. Moro informed the Council that she has been living in Southampton for about 20 years, she grew up in Northampton, she has three children her husband is a Latin teacher, she is involved in Southampton soccer, is on the finance committee for her church, she's an avid runner and soccer player.

Councilor Matthews-Kane asked the second question.

2. "What is your philosophy regarding the role of the City Auditor in the overall financial functioning of the City of Westfield?" Ms. Moro answered that to ultimately follow the rules and regulations of the Department of Revenue. That anything that comes down financially is ultimately the responsibility of the Auditor and its team, making sure internal processes are followed properly. To review all the expenses and revenues to determine anomalies and trends that will help the Mayor and Council to plan the budget and to make the best financial decisions for the City with the information that is available.

Councilor Figy asked the third question.

3. "As the City Auditor, you will be working closely with the Mayor and other Department Heads, yet you are hired by the City Council. What potential problems do you see in this arrangement and how do you plan to navigate them?" Ms. Moro answered that even though the Council hires the City Auditor it is ultimately the DOR's regulations that must be followed and it is the goal of the City Auditor to convey to all parties involved those rules and to show examples and why those rules are important, no matter which side is asking the questions.

Councilor Matthews-Kane asked the fourth question.

4. "You have just closed the fiscal year and Department X comes to you with three bills that they found under some piles of paper from two years ago. When you review with your staff, you find out that this Department has had this problem for the last three years. What do you first do with the bills that were found, and second how do you prevent this from happening again next year?" Ms. Moro answered that she would review the rules for past bills for a City and would assume that a past year bill would have to go to the Council. She answered that she would keep a closer eye on that department and reiterate the importance of submitting bills on time. And if it was the same bill every year, for example a gas and electric bill would remind the department head to make sure that bill has been submitted and also stress the urgency with the department that the rules of submitting bills must be followed.

Councilor Figy asked the fifth question.

5. "Please describe in detail how you have handled an employee who was making too many errors in the performance of his or her duties and responsibility?" Ms. Moro answered that if there were instances that an employee paid the wrong vendor she would point that out to the employee in a professional manner and to review that the work must be done correctly and if it doesn't improve would take disciplinary action by potentially writing up the employee.

Councilor Matthews-Kane asked the sixth question.

6. "Please describe the computer software that you are currently using or previously used to perform your current job duties." Ms. Moro answered that she currently uses Softwrite in Southampton and in Holyoke she used MUNIS and in the private sector as a cost accountant had to teach herself the software from the ground up.

Councilor Figy asked the seventh and final question.

7. "Why should you be the next Westfield's City Auditor?" Ms. Moro answered that she is trustworthy, follows the rules and sticks to her guns relative to all rules. Will treat all departments the same in letting them know if an expense is not acceptable and will speak her mind in a professional manner to everyone. She has experience with town auditing and there may be a learning curve for city auditing but she will learn it. She's fun to work with and gets along with most departments.

Councilor Figy thanked Ms. Moro for her interest in Westfield and for taking the time to interview and informed her that someone will notify her as to the outcome.

Councilor Figy opened the floor for discussion relative to the appointment of the City Auditor. Councilor Sullivan requested Councilor Figy to give the numbers of applicants that applied. Councilor Figy informed the Council that there were a total of 14 applicants initially that were screened for qualifications, from that there were three applicants in which two were being recommended to the Council, of those two applicants, one withdrew, so then another applicant was brought forward and then of those two, one withdrew and then another applicant was brought forward and those were the two that were interviewed tonight. Councilor Figy informed the Council that the screening committee consisted of himself, Councilor Matthews-Kane, City Treasurer Matt Barnes, Community Development Director Peter Miller, City Assessor Robin Johnson, City Purchaser Tammy Tefft and John Liptak, a CPA from the community. Councilor Morganelli thanked the Committee for bringing forward two good candidates and that both candidates gave good answers. Councilor Flaherty congratulated the committee on doing a good job especially knowing how hard this process is. He informed the Council that he was hoping for a stronger candidate, someone that worked with a City of Westfield's size. He informed the Council that he felt that the first candidate did not have enough experience in a municipality. He informed the Council that the City needs a strong Auditor that can interact with the Mayor and the Council in the same way that the previous City Auditor Chris Caputo did and that he did not think either of the candidates have that but of the two thinks the second candidate is the stronger, but not sure it's the right fit for long term. President Bean informed the Council that the Council is looking to appoint a City Auditor at tonight's meeting. Councilor Morganelli informed the Council that he thinks the second candidate is better equipped. Councilor Onyski informed the Council that he believes that Ms. Moro is a good candidate. Councilor Flaherty agreed the Councilors Morganelli and Onyski but wished there were more, stronger candidates because the appointment is for three years and it is a very important position and of the two thinks Ms. Moro is the stronger. Councilor Figy informed the Council that during the committee's interviews there were 19 questions to get to this selection of two candidates. Councilor Allie commended the committee on its hard work and that it's not easy especially when there are withdrawals and would also like to see another process so that the Council can ask follow up questions and agreed Ms. Moro is the stronger candidate.

Upon motion of Councilor Figy, it was  
VOTED: That Ms. Vicki Leigh Moro be nominated as the next City Auditor for the City of  
Westfield

The vote on the foregoing was as follows:

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

Upon motion of Councilor Allie, it was  
VOTED: That the meeting return to regular order.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Sullivan, it was  
VOTED: Under immediate consideration, that the sum of \$2,500.00 be transferred within the  
Technology Center, from Purchase of Services-IRC account #11550000-520008 to Part Time  
Hourly account #11550000-511110.



The vote on the foregoing was as follows:

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

Upon motion of Councilor Sullivan, it was  
VOTED: That item 2. under "Communications from the Mayor" be read by the Clerk and  
REFERRED TO THE FINANCE COMMITTEE.

The vote on the foregoing was as follows:

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

The Clerk read from the Agenda as follows:

2. Transfer of \$274.05 within the Veterans Department from Veterans Benefits, account #15430000-578005 to Payroll, account #15430000-511000.

Upon motion of Councilor Onyski, it was  
VOTED: That item 3. under "Communications from the Mayor" be read by the Clerk and  
REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE and LAW  
DEPARTMENT.

The vote on the foregoing was as follows:

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

The Clerk read from the Agenda as follows:

3. Submitting a Resolution relative to petition the Senate and House of Representatives to convert a Seasonal License for the sale of All Alcoholic beverages not to be consumed on the premises to an Annual All Alcoholic to support the request of Gopal Krishna Convenience Inc. d/b/a Union Mart, 420 Union Street.

Upon motion of Councilor Harris, it was

VOTED: That the rules of the City Council be SUSPENDED to act upon the job description of the Personnel Director.

The vote on the foregoing was as follows:

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

Councilor Flaherty informed the Council that due to two oppositions the motion is lost. Councilor Figy informed the Council that opposition to suspension of the rules only applies to financial orders. Councilor Harris offered a motion, which was duly seconded, to accept the job description. Councilor Figy informed the Council that per First Assistant City Solicitor Shanna Reed that it had come to her attention the job description had not been accepted by the Council prior to the posting of the position and immediate consideration is being requested to continue on with the process of hiring a permanent Personnel Director. Councilor Sullivan

informed the Council that he will support the approval of the job description but it should not be coming to Council after the job has been posted as it is a function of the Council to approve job description and that the function of the Council has been ignored and that City Hall is not doing their job here. Councilor Mello informed the Council that she totally agrees with Councilor Sullivan. She questioned why it was never approved in 2017 and informed the Council that it is disrespectful to request the Council to approve it having just received it two days ago. Councilor Harris informed the Council that she is just relaying the information given to her by the Law Department to request the immediate consideration. Councilor Flaherty agreed with both Councilor Sullivan and Mello. He explained that back in 2017 when the job description was presented to the Council, the Council did not act upon it within the required 30 days, therefore, it went into effect as presented. He expressed his concern that the Law Department gave their recommendation to pass the job description with immediate consideration. He expressed his concern with the responsibility listed relative to Chapter 150E relative to collective bargaining and cost analysis of contracts which was not done by past Personnel Directors. He suggested sending it to committee and making suggestions on it. Councilor Figy expressed his concern the way in which it was presented for immediate consideration but would not want to penalize a good applicant that has already applied. Councilor Burns agreed it needs to be sent to committee. Councilor Adams questioned the timeframe if sent back or to committee. Councilor Figy informed the Council that it would cause the process to start all over again and everyone who applied would have to reapply and may lose a good applicant. Councilor Bean questioned that if it's necessary to see the job description when applying for the job and then reconsidered and agreed it is necessary. Councilor Beltrandi informed the Council that by not accepting it will delay the process of hiring someone and that people need to be hired for vacant positions. Councilor Allie expressed his concern that there is a lot of turnover in that department and the Council does not have the luxury to delay the job description. Councilor Beltrandi questioned how the applicants applied for the job without the job description. Councilor Flaherty informed the Council that there have been four or five directors within the past few years and therefore the job description needs to be looked at to see why the City can't keep a personnel director. Councilor Figy informed the Council that the job description was already part of the posting and voting it down would delay the process. Councilor Sullivan expressed his appreciation of Councilor Harris' motion to bring the item forward and assured her that the negative comments are not being directed to her. Mayor Humason joined the meeting remotely and President Bean allowed him to address the Council. The Mayor informed the Council that the Director's position is vacant which is what caused the problem relative to the posting being advertised without the job description being accepted because no one in the department realized it had not been accepted. He informed the Council that this position and other positions need to get filled because City Hall is not operating at top efficiency. Councilor Mello questioned how the Director's position was filled last time without the job description being accepted. Councilor Flaherty informed the Council that the Council did not accept it within the 30 day requirement after it was presented, therefore, it automatically went into effect. Councilor Flaherty read from the Council rules Section 39 relative to objections to immediate consideration as follows: "Section 29. - Prompt passage of order or resolution. Unless prohibited by the General Laws, any order or resolution may be passed through all of its stages of legislation at 1 session; if no member of the council objects thereto. If any member

of the council objects, the measure shall be postponed for that meeting.” Councilor Flaherty reiterated that because there were two objections to immediate consideration, the item must be postponed and referred to Personnel Action Committee. President Bean agreed and informed the Council that it is not the Council’s fault this is being held up because it was not presented to the Council in a timely manner and that the job should not have been posted or interviews scheduled. Councilor Beltrandi expressed his concern that the DPW Director’s job description, which was sent back, has had nothing done on it within the last two weeks. Councilor Adams clarified that since there were oppositions to immediate consideration that no interviews can be held. President Bean confirmed that is correct. Councilor Adams questioned who will notify the applicants that there will be no interviews. Councilor Sullivan informed the Council that it will be the person doing the interviews. Mayor Humason informed the Council that he will contact the acting personnel director and let him know what happened at tonight’s meeting with the hopes of not losing any candidates for the position. Councilor Harris reiterated that she brought this item forward for immediate consideration as requested by the Mayor and the Law Department. President Bean recognized Councilor Harris for her efforts and reassured her that the comments are not being directed to her personally. Councilor Sullivan questioned President Bean that he is ruling that due to the opposition of the immediate consideration the item cannot be voted on tonight and therefore it will be referred to Personnel Action Committee. President Bean confirmed that that is the process.

Upon motion of Councilor Onyski, it was  
VOTED: That the meeting return to regular order.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Sullivan, it was  
VOTED: That item 5. under “Communications from the Mayor” be read by the Clerk and  
REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE.

The vote on the foregoing was as follows:

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

The Clerk read from the Agenda as follows:

5. Submitting a Resolution authorizing the Mayor to execute a Preservation Restriction Koz Properties LLC for the Stowe House at 37 Broad Street.

Councilor Harris offered a motion, which was duly seconded, that the rules of the City Council be suspended in order to act upon item 6., the reappointment of Attorney John E. Garber, 18 Perkins Avenue, Northampton, MA to the position of Part-Time Assistant City Solicitor for a term of three years, from appointment date. Councilor Flaherty informed the Council that he will be in opposition of the immediate consideration. Councilor Harris informed the Council that Attorney Garber has active cases in litigation at this time and that it is imperative that his reappointment be confirmed otherwise the City may lose millions of dollars. Councilor Flaherty informed the Council that many of the Councilors have not yet met Attorney Garber. He thanked Councilor Harris for her wonderful research and write-ups on appointments but the Councilors should be able to meet him prior to his reappointment. He informed the Council that he has questions for him relative to the many challenges within the Law Department. Councilor Harris expressed her concern with holding up this reappointment and informed the Council that she will be stepping down as Chair of Personnel Action Committee. Councilor Mello thanked Councilor Flaherty for speaking up and that she will be a no vote also and requested a closed session to be able to ask Attorney Garber her questions. She thanked Councilor Harris for her incredible job as Chair of Personnel Action Committee.

The vote on the foregoing was as follows:

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

President Bean informed the Council that the motion for suspension of the rules LOST.

Upon motion of Councilor Allie, it was

VOTED: That the reappointment of Attorney John E. Garber, 18 Perkins Avenue, Northampton, MA to the position of Part-Time Assistant City Solicitor for a term of three years, from appointment date be REFERRED TO PERSONNEL ACTION COMMITTEE.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Beltrandi, it was

VOTED: That the Order calling the November 3rd, 2020 Presidential/State Election submitted by City Clerk Karen Fanion be given first reading and it was further voted that the Order be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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

Councilor Beltrandi, per the request of the License Commission, informed the Council of the Temporary Policy Change for License Commission relative to Section 12 license renewal fees. He informed the Council that due to many of the businesses struggling due to COVID regulations, the License Commission is proposing either a 50% reduction in fees, a pro-rated fee schedule or waiving all of the fees for 2021. Councilor Sullivan spoke in support of any type of reduction as long as the rules are clear to all applicants. Councilor Mello questioned if there are abatements for businesses that are already opened. Councilor Beltrandi explained that the reduction and/or waiving of the fees are for the businesses that are open now and will be renewing for 2021. The pro-rated fees will be for any business that is not open at this time but will open in 2021 and that all renewals of licenses are due by November 30<sup>th</sup> of each year. Councilor Burns questioned if there is any guidance from the State on this matter. Councilor Beltrandi informed the Council that other communities have done this and the State has no problem with it. Councilor Flaherty agreed that relief needs to be given to these businesses and asked if there needs to be an Ordinance change. Councilor Beltrandi informed the Council that the License Commission has the authority to change their own fees without an Ordinance change. They are just looking for support/feedback from the Council on the matter. Councilor Adams asked again if there needs to be an Ordinance change and informed the Council that when there were changes to the dog license fees that was an Ordinance change. Councilor Beltrandi informed the Council that he was told that there was no Ordinance change needed but he will again check with Law and the License Commission on it. He informed the Council he is not looking for a vote on anything, this is just a discussion.

Upon motion of Councilor Harris, it was  
VOTED: That the communication submitted by Gerald Tomasko, Michael Tomasko and Patricia Field, owners of 0 Timberswamp Road offering the City right of first refusal to convert part of the property out of the 61-A program be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That items 11. and 12. be REMOVED FROM COMMITTEE because there was money in the current fiscal year to pay the bills.

The vote on the foregoing was as follows:

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

The following items were removed from Committee

11. Transfer of \$140.00 from Department of Public Works, Highway Division, Purchase of Services account #14210000-520000 FY21 to Department of Public Works, Highway Division, Purchase of Services account #14210000-520000 FY20 for a prior year bill.
12. Transfer of \$140.00 from Department of Public Works, Sewer Division, Purchase of Services account #67004490-520000 FY21 to Department of Public Works, Sewer Division, Purchase of Services account #67004490-520000 FY20 for a prior year bill.



Upon motion of Councilor Figy, for the Finance Committee, it was VOTED: That the sum of \$5,218.88 be transferred from Department of Public Works, Highway Division, Purchase of Services account #14210000-520000 FY21 to Department of Public Works, Highway Division, Purchase of Services account #14210000-520000 FY20 for a prior year bill.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Figy informed the Council that this is a bill from Roberts Energy and efforts are being made to have the bills submitted in a timely manner.

Upon motion of Councilor Figy, for the Finance Committee, it was VOTED: That the sum of \$468.10 be transferred from Fire Department, Roll Call account #12200000-514400 current year to Fire Department, Roll Call account #12200000-514400 prior year.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Figy informed the Council that this is for an employee that was receiving only half of what he should have been receiving and this is the second half.

Upon motion of Councilor Figy, for the Finance Committee, it was VOTED: That the sum of \$441.75 be transferred from Ambulance, Roll Call account #21002310-514400 current year to Ambulance, Roll account #21002310-514400 prior year.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Figy informed the Council that this is for an employee that was receiving only half of what he should have been receiving and this is the second half.

Councilor Onyski, for the Legislative and Ordinance Committee, informed the Council that a draft amendment to Section 4 of the Host Community Agreement (HCA) with Heka, Inc. to allow Heka to prepay for the road repairs and lighting as well as accept the funding was discussed at the last Legislative and Ordinance Committee meeting. The Resolution was given a positive recommendation from the committee. He explained that the original agreement with the Heka marijuana facility located at 98 Sgt. TM Dion Way was required to pay a fee to the City equal to 1% of the gross sales and once there was adequate money in the fund the City would pave and install street lights. The amendment allows Heka to prepay \$150,000.00 for the road paving and \$10,000.00 for the street lights and Heka will pay the 1% perpetually for upkeep of the road. The money has not been received yet and due to the Councilor Onyski informed the Council he will offer a motion to table the item after discussion. Councilor Bean asked if the 1% will only be for that road. Councilor Onyski informed the Council that the 1% will only be for Sgt. TM Dion Road. Councilor Bean questioned what happens if Heka never opens does the City have to pay back the money. Councilor Onyski informed the Council that the City does not have to pay the money back. Councilor Beltrandi questioned how the cost numbers came about. Councilor Onyski informed the Council that the City Engineer redid the quote to current standards and the \$10,000 for the lights has not been refreshed as of yet and there are no new numbers for that part. Councilor Flaherty reiterated that no other part of the agreement is being changed. Councilor Onyski agreed no other part is being changed. Councilor Figy agreed to wait to receive the money before doing any work on the road. Councilor Adams questioned if there is still time in this year to have the road paved. Councilor Beltrandi informed the Council that typically the plant closes around December 15 weather permitting. Councilor Allie informed the Council that there is no down side to this agreement. Councilor Burns agreed with Councilor Adams to receive the money before any work is done on the road. With no other discussion and upon motion of Councilor Onyski, it was  
VOTED: That the above matter be TABLED to the October 15, 2020 City Council meeting.

The vote on the foregoing was as follows:

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

Councilor Adams, for the Legislative and Ordinance Committee, offered a negative recommendation on the motion of Councilor Figy to revise Ordinance No. 1567 Article I, Section 27(a)(2). Councilor Adams informed the Council that bond orders go to Finance Committee or Legislative and Ordinance Committee and it seems to be working by doing it that way so it shouldn't be changed. Councilor Figy informed the Council that he offered the motion to expedite the process and offered a motion to withdraw his original motion. Councilor Flaherty questioned if bond orders need to go to both committees or just one. Councilor Onyski informed the Council that it depends on each bond order and it will be decided at the time on each one.

Upon motion of Councilor Figy, it was

VOTED: That the original motion to revise Ordinance No. 1567 Article I, Section 27(a)(2) be WITHDRAWN.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Adams, for the Legislative and Ordinance Committee, it was VOTED: That the matter of increasing the number of Commissioners for Fire Commission, Airport Commission and Police Commission from 3 to 5 members be given a negative

recommendation and keep the Committees the way they are because neither the Airport or Fire Commission want any changes.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the reappointment of Adam Edward Roman, 73 Glenwood Drive as a member of the G & E Commission (Municipal Light Board) for a term to expire the first Monday of February, 2022 be CONFIRMED.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Harris informed the Council that the Municipal Light Board is made up of six members elected from each ward and the 7<sup>th</sup> member is appointed by the Mayor and confirmed by the Council. Mr. Roman has served on the Commission for the past 12 years. He has stated that it has been an honor and privilege to serve the City. He was reappointed by Mayor Brian Sullivan and Mayor Knapik after his initial appointment by Mayor Boulanger. Mr. Roman is the Chair of the Finance Committee of the MLB which he has held since 2008. His reappointment is supported fully by the General Manager of the Westfield Gas & Electric, Tony Contrino, Finance/ Account Manager of the Westfield Gas & Electric Jay Kline and all the MLB Ward Commissioners as follows: Ward 1 Kevin Kelliher, Ward 2 Ray Rivera, Ward 3 Dawn Renaudette, Ward 4 Francis Liptak, Ward 5 Thomas

Flaherty, Ward 6 Robert Sacco and Mayor Humason who is recommending his reappointment. At his last reappointment Councilor Bob Paul spoke very highly of Mr. Roman's abilities and his extreme knowledge with numbers. His background includes being Chief Financial Officer of several large health care organization including VNA & Hospice of Cooley Dickinson and Jewish Geriatric Services. He has a Master's Degree in Business Administration and Accounting. He states that he hopes to continue serving the ratepayers of Westfield in this capacity. And as Liaison the Westfield Gas & Electric President may want to speak on this reappointment. President Bean informed the Council that he had originally requested that the reappointment be sent to PAC in order that he have a chance to talk the Mr. Roman and the MLB relative to his concern how the job search was handled for the last General Manager for the Westfield Gas & Electric and even though he has not had a chance to talk to him he will support the reappointment.

Upon motion of Councilor Adams, for the License Committee, it was VOTED: That the application submitted by Neil Petrucelli, d/b/a gr8onlinestuff, 180 Root Road applying for a Junk Dealer's and Junk Collector's license be APPROVED.

The vote on the foregoing was as follows:

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

At 9:28 PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

The vote on the foregoing was as follows:

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

A true record, Attest:

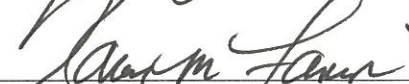


Karen M. Fanion  
City Clerk/Clerk of the Council

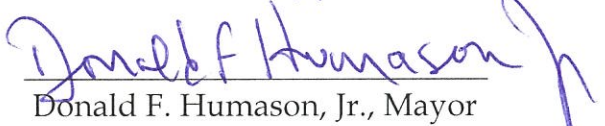
Presented to the Mayor

Approved by the Mayor

For approval October 9 2020

  
Karen M. Fanion, City Clerk

October 9, 2020

  
Donald F. Humason, Jr., Mayor