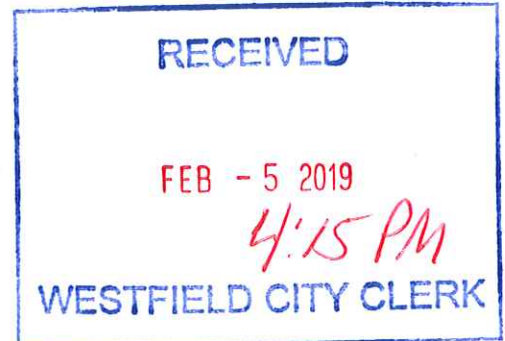


AGENDA OF CITY COUNCIL
59 COURT STREET
MUNICIPAL BUILDING
CITY COUNCIL CHAMBERS
WESTFIELD, MASSACHUSETTS
FEBRUARY 7, 2019
7:00 PM



Roll Call

Pledge of Allegiance

Reading of record of meeting of January 17, 2019

Public Participation

Communications from the Mayor

- A. Requesting acceptance of the following two gifts from the Friends of the Westfield 350th to the City of Westfield:
 1. Creation of a metallic mural, through Pat Conant, depicting signature scenes throughout Westfield's history to be placed on the wall outside the Council Chambers
 2. Donation of two time capsules from Firtion-Adams Funeral Services and a stone marker in the flag plaza in front of City Hall explaining the location and directions under which the time capsule would be opened
- B. Appropriation of \$525,000.00 from Free Cash to Department of Public Works, Wastewater Division, Purchase of Services account #67004400-520000.
- C. Appropriation of \$16,700.00 from the Westfield Police Department Receipts Reserve Towing and Storage Motor Vehicle account #2400-330210 to the Westfield Police Department Towing and Storage Equipment account #24210714-585000.
- D. Submitting a Resolution of the City Council of the City of Westfield for authorization to enter into a payment in lieu of taxes (PILOT) agreement with Sunfarm Westfield LLC and Stephen P. & Susan M. Oleksak, 994 Western Avenue.
- E. Submitting the appointment of Richard W. Salois, 220 Russellville Road as an Alternate member of the Planning Board for a term to expire the first Monday of February, 2021, replacing the vacant position left by John Bowen who moved to the Ward 1 position.
- F. Submitting the appointment of C. Lee Bennett, 57 Jaeger Drive as a member of the Fire Commission for a term to expire the first Monday of February, 2021, replacing Carlo Bonavita, resigned.
- G. Submitting the reappointment of Adam Edward Roman, 73 Glenwood Drive

as the appointed member of the Municipal Light Board for a term to expire the first Monday of February, 2020.

- H. Submitting the reappointment of Patricia Steele-Perkins, 67 Forest Glen Drive as a member of the Westfield Cultural Council for a term to expire the first Monday of February, 2022.
- I. Submitting the reappointment of Rebecca Blackburn, 225 Sackett Road as a member of the Westfield Cultural Council for a term to expire the first Monday of February, 2022.
- J. Submitting the reappointment of Jeffrey Gosselin, 330 Elm Street, Apt. 305 as a member of the Commission for Citizens with Disabilities for a term to expire the first Monday of February, 2022.
- K. Submitting the reappointment of Jim Liptak, 515 Granville Road as a member of the Council on Aging for a term to expire on the first Monday of February,

Reports of City Officers

- A. City Clerk Karen Fanion forwarding an Open Meeting Law complaint from Kristen Mello against Westfield City Council.

Petitions, Remonstrances and Other Papers

- A. PUBLIC HEARING on a Zone Change application for 14 Coleman Ave from Business B to Industrial A submitted by 14 Coleman Ave LLC, Kimberly Betts

Reports of Committees

- A. Finance Committee:
 - 1. 11/5/15 Submitting the Capital Improvement Plan for 2016-2020
 - 2. 2/4/16 Upon motion of Councilor Flaherty, it was VOTED: That the five year budget plan in Long Range Financial Overview Committee items be REFERRED TO FINANCE COMMITTEE
 - 3. 2/18/16 Upon motion of Councilor Allie, it was VOTED: That matter of the Westfield G & E PILOT be REFERRED TO THE FINANCE COMMITTEE
 - 4. 1/8/18 Upon motion of Councilor Flaherty, it was VOTED: That an updated Capital Plan Excel spreadsheet be delivered to the City Council on or before the first City Council meeting in March 2018 and be REFERRED TO FINANCE COMMITTEE, TREASURER and AUDITOR.
 - 5. 2/15/18 Upon motion of Councilor Emmershay, (and Morganelli, Surprise, and Flaherty), it was VOTED: That a review of city trash services (curbside pick-up, bulk pick-up, recycling, and Twiss Street drop-off) be REFERRED TO FINANCE COMMITTEE.
 - 6. 4/5/18 Upon motion of Councilor Flaherty (and Allie), it was VOTED: That an investigation be requested relative to options to fully fund OPEB within 30 years and that the matter be REFERRED TO LONG RANGE FINANCIAL OVERVIEW COMMITTEE, CITY TREASURER and the

HEALTHCARE TRUST and upon motion of Councilor Surprise it was further voted to also be REFERRED TO FINANCE COMMITTEE.

7. 4/5/18 Upon motion of Councilor Emmershy (Allie, and Surprise), it was VOTED: That the water production costs be reviewed and make recommendations be made and that the matter be REFERRED TO FINANCE COMMITTEE. Councilor Allie informed the Council that this would allow the Finance Committee to discuss options on a separate track. Councilor Bean questioned if they would be discussing City consumption. Councilor Emmershy informed the Council it is simply Municipal water consumption. Councilor Figy questioned why a formal motion is needed and suggested that the Councilor go to the Water Commission meetings to get answers. Councilors Babinski, Figy and Harris were OPPOSED. The President declared the motion PASSED.
8. 4/19/18 Upon motion of Councilor Allie (and Flaherty), it was VOTED: That it be requested that annual OPEB contributions based on gross payroll by department to be included in the Annual Budget and be REFERRED TO FINANCE COMMITTEE. 5/3/18 REMAIN IN COMMITTEE. Councilor Harris informed the Council that the Mayor should be involved in this instead of Finance Committee. Councilor Allie informed the Council that the Finance Committee will flush out ideas then present to the Mayor.
9. 4/19/18 Councilor Allie offered a motion to request and review contract with Saint Joseph's Church for use of parking lot. Councilor Harris informed the Council that the above motion is incorrect, it should be St. Peter's/St. Casimir's Church. Upon motion of Councilor Allie, it was VOTED: That the above motion be AMENDED to read to review contract with St. Peter's/St. Casimir's Church for use of parking lot and that the matter be REFERRED TO FINANCE COMMITTEE. 5/3/18 REMAIN IN COMM
10. 5/31/18 Upon motion of Councilor Surprise, it was VOTED: That the "Communication from the Mayor" requesting acceptance of the in-lieu-of-taxes contribution from the Westfield Gas and Electric in the amount of \$559,497.00 for FY19. Payments are to be made monthly in the amount of \$46,625.00 commencing on or after July 1, 2018 be REFERRED TO FINANCE COMMITTEE 1/17/19 REMAIN IN COMM
11. 9/6/18 Upon motion of Councilor Surprise, it was VOTED: That the following Tabled Motion of Councilor Surprise that the City of Westfield investigate procedures for joining the Municipal Open Checkbook System administered by the Commonwealth of Massachusetts be REMOVED FROM THE TABLE. Upon motion of Councilor Surprise, it was VOTED: That the motion of Councilor Surprise that the City of Westfield investigate procedures for joining the Municipal Open Checkbook System administered by the Commonwealth of Massachusetts be REFERRED TO

THE FINANCE COMMITTEE.

12. 9/20/18 Councilor Figy offered a motion that the Bond Order in the amount of \$1,000,000.00 for the rehabilitating and constructing of municipal outdoor recreational and athletic fields to include basketball courts, pickleball courts and an all-access playground be referred to Legislative and Ordinance Committee, Park and Rec and Law Department. Councilor Surprise offered a motion to refer to Finance Committee. Councilor Paul offered a motion to refer to Long Range Financial. Councilor Flaherty offered a motion to refer to Finance first and then Finance would refer it to Legislative and Ordinance Committee. Upon motion of Councilor Flaherty, it was VOTED: That the above \$1,000,000.00 bond order be REFERRED TO FINANCE COMMITTEE. Councilors Figy and Paul were opposed. 10/4/18 REMAIN IN COMMITTEE
 13. 1/3/19 Upon motion of Councilor Emmershy, it was VOTED: That the Fire Commission and Legal Department provide the Council with an accounting of all outside Counsel expenditures incurred since 1/1/2018 and what is to be reasonably expected in the future and be REFERRED TO FINANCE COMMITTEE, FIRE COMMISSION, LEGAL and AUDIT and it was further VOTED: That the above motion be amended to remove the referral to the Fire Commission.
 14. 1/17/19 Appropriation of \$442,850.00 from the Department of Public Works, Water Division, Undesignated Funds account #6800-359000 to the following DPW Water Division accounts:
 - \$327,850.00 to Purchase of Services account #68004500-520000
 - \$100,000.00 to Health Insurance Benefits account #68004500-519400
 - \$10,000.00 to Supplies account #68004500-540000
 - \$5,000.00 to Gasoline account #68004500-548001
 15. Appropriation of \$130,000.00 from the Department of Public Works, Stormwater Division, Undesignated Funds account #6850-359000 to the DPW Stormwater Division Construction account #68504450-589200.
 16. Transfer of \$75.00 within Airport Department from current FY19 Personal Services Part-time Hourly account #11990000-511110 to prior year FY18 Personal Services Board/Committee members account #11990000-512300.
- B. Legislative and Ordinance Committee:
1. Submitting an Ordinance amending Code of Ordinances, City of Westfield at Chapter 11, Section 11-68 by Deleting Section 11-68 - Consumption, possession of alcoholic beverages and Adding: Section 11-68 Consumption, possession of alcoholic beverages.
 2. Submitting a Resolution of the City Council of the City of Westfield authorizing the Mayor to enter into a lease for a certain parcel of real estate, parcel 68-26, a portion known as Billy Bullens Field, which is under the control of the Parks and Recreation Commission, to be leased to

- Starfires Baseball LLC to operate a Futures Collegiate Baseball League.
3. Submitting two Resolutions to accept a local option and establish a special fund for injury leave indemnity fund for Westfield Firefighters and one for Westfield Police Officers pursuant to MGL Chapter 41, Section 111F.
 4. Submitting a Resolution authorizing the Mayor to execute a Preservation Restriction for Pilgrim Realty Union Trust (located at 16 Union Street also known as Bismark Place).
 5. Submitting a Resolution of the City Council of the City of Westfield authorizing the Mayor to sign lease (5 years) of equipment for Public Works for a 2018 John Deere 331G.
 6. Zoning ordinance changes related to Special Permit Granting Authority (request to move granting authority from City Council to Planning Board) with amendments
- C. Personnel Action Committee:
1. Reappointment of Mark Cressotti as City Engineer for a term to expire first Monday of February 2022.
- D. License Committee:
1. Resolution of the City Council for the Mayor to sign a Host Community Agreement with HEKA, Inc at 89 Sgt Tim Dion Way.
 2. Contractors Yard at 415 North Road.
 3. Application of Game Hunter LLC d/b/a Game City, 77 Elm Street for a Pawnbrokers license.
 4. Special Permit for motor vehicle sales. Farzaan Mufeed at 66F South Broad Street.
- E. Public Health and Safety Committee:
1. Upon motion by Councilor Bean it was voted: That the Police department come in and discuss the plan for school resource officers at the schools for the rest of the academic year (1/17/19)
 2. Upon motion of Councilor Morganelli (Emmershy, and Babinski), it was voted: To review and update the public on the safety of the city's drinking water supply (5/17/18)
 3. Upon motion of Councilor Morganelli, it was voted: That the city's trash pickup routes be reviewed (5/17/18)
 4. Upon motion of Councilor Babinski, it was voted: That the need for a sidewalk extending from Southampton Road along Arch Road and Lockhouse to Twiss Street be reviewed and assessed (8/16/18)
- F. Governmental Relations:
1. UPDATE: Motion of Councilor Emmershy and Morganelli re: Broadcasting and Recording of Meetings
 2. UPDATE: Motion of Councilor Flaherty re: Closed Captioning services for City Council meetings
 3. UPDATE: Motion of Councilors Bean, and Councilors Allie, Babinski, Beltrandi, Burns, Emmershy, Figy, Flaherty, Harris, Morganelli, Onyski,

Paul and Surprise re: Request of Westfield Gas & Electric and the Municipal Light Board to broadcast and record their meetings.

G. Zoning, Planning and Development Committee:

1. Upon motion of Councilor Burns, (and Flaherty), it was VOTED: That the City Council be requested to investigate and recommend Zoning Ordinances for short-term residential rentals (3/15/18)
2. petition for a Zone Change at 798 Airport Industrial Park Road from Business B to Industrial A submitted by Oleksak Revocable Trust, c/o John Oleksak 6/21/18
3. Resolution relative to Retail sales of recreational marijuana local option excise tax 5/17/18

Unfinished Business

Motions, Orders or Resolutions

- A. Motion of Councilor Figy that the Charter and Rules Special Committee be authorized to operate for the 2019 Council year to deal with the items in committee.