

LEGISLATIVE AND ORDINANCE COMMITTEE

February 21, 2019 AT 5:30 PM

CITY HALL Room 207, Council Chambers

Municipal Building, 59 Court Street, Westfield, MA



Agenda:

- 1) Anyone taping or recording this meeting?
- 2) Public Participation.
- 3) Approval of January 28, 2019 minutes.
- 4) 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. (2/7/19)
- 5) Resolution of the City Council for the Mayor to sign a Host Community Agreement with HEKA, Inc at 89 Sgt Tim Dion Way. (2/7/19)
- 6) Upon motion of Councilor Paul, it was VOTED: That the betterment process and the method of assessment be REFERRED TO LAW DEPARTMENT, LEGISLATIVE AND ORDINANCE COMMITTEE and ENGINEERING.
"All Sewer Betterment costs to residents will be waived by the City. 51% of residents in a "project area", as defined by City Engineer, would be required before the city could assess the fees to be waived. When the "project area" has obtained the 51% signatures on a document the City Law department would prepare a MOA that residents hook up to city sewer within 1 year following "project completion. When hook up to the public sewer is made their Septic is disconnected City Agrees , that following receipt of signed MOA from residents who achieve 51% majority, the Betterment Project will be complete in 14 months or less. Homeowner is responsible for the hook up between home and sewer access connection." (8-20-15)
- 7) Upon motion of Councilor Bean relative to City Council rule changes to Charter Section 29; Rules of Council Section 25, Rules of Council Section 33, Rules of Council Section 36, Rules of Council Section 37, Rules of Council Section 38(a) be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and ad hoc Charter and Rules Committee. (4-7-16)
- 8) Upon motion of Councilor Flaherty, it was VOTED: To edit the Code of Ordinances in several places to change the term of appointed department heads from "a period of three years" to "a period not to exceed three years" and that this matter be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and upon motion of Councilor Figy, it was also voted to REFER TO LAW DEPARTMENT. 10/18/18 REMAIN IN COMMITTEE 11/15/18 REMAIN IN COMMITTEE (2-1-18).
- 9) Upon motion of Councilor Surprise, (Emmershy, Babinski, Burns, Morganelli, Allie, and Flaherty), it was VOTED: That an Order ACCEPTING THE FOURTH PARAGRAPH OF MGL CHAPTER 40 SECTION 5B (Sample document was provided prior to meeting of January 18th) be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE. (3-1-18)

- 10) Upon motion of Councilor Surprise, (Emmershy, Babinski, Burns, Morganelli, Allie, and Flaherty), it was VOTED: That an Order ESTABLISHING A SPECIAL PURPOSE STABILIZATION FUND TITLED "ROAD AND SIDEWALK REPAIR AND MAINTENANCE STABILIZATION FUND", (Sample document was provided prior to meeting of January 18th) be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE. (3-1-18).
- 11) Upon motion of Councilor Surprise, (Emmershy, Babinski, Burns, Allie, and Flaherty), it was VOTED: That for an order DEDICATING LOCAL OPTION MEALS TAX TO THE ROAD AND SIDEWALK REPAIR AND MAINTENANCE STABILIZATION FUND (Sample document was provided prior to meeting of January 18th) be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE. (3-1-18)
- 12) Upon motion of Councilor Surprise, (Emmershy, Babinski, Burns, Allie, and Flaherty), it was VOTED: That an order DEDICATING LOCAL OPTION OCCUPANCY TAX TO THE ROAD AND SIDEWALK REPAIR AND MAINTENANCE STABILIZATION FUND (Sample document was provided prior to meeting of January 18th) be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE. (3-1-18)
- 13) Upon motion of Councilor Flaherty, (Emmershy, Morganelli, and Surprise), it was VOTED: That the Law Department prepare appropriate orders and/or resolutions, within 20 days, for the City Council to rescind the Local Option Meals Tax and be REFERRED LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT. (3-1-18)
- 14) Upon motion of Councilor Morganelli, for the Public Health and Safety Committee, it was VOTED: That the review/amending of Ordinance 16-14 Removal of Snow and Ice; Fire hydrants, storm drains, sidewalks (2/1/18, 4/5/18) be FAVORABLY REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT with amendments. Councilor Harris requested clarification of the motion. Councilor Morganelli informed the Council that the motion is to look at the existing language of the ordinance and give it clarification.
- 15) Adjourn.