

AGENDA OF CITY COUNCIL
59 COURT STREET
MUNICIPAL BUILDING
CITY COUNCIL CHAMBERS
WESTFIELD, MASSACHUSETTS
MARCH 21, 2019
7:00 PM



Roll Call

Pledge of Allegiance

Reading of record of meeting of March 7, 2019

Public Participation

Communications from the Mayor

- A. Requesting acceptance of a Grant in the amount of \$7,811.84 from the Commonwealth of Massachusetts, Office of Grants and Research Highway Traffic Safety Division to the Westfield Police Department for the FFY 2019 Pedestrian and Bicyclist Safety Grant Program.
- B. Appropriation of \$200.00 from Reserve for Unforeseen account #19500000-570900 to Engineering Department, Construction account #14110000-589200.
- C. Transfer of \$16,666.66 within the Police Department from Police Settlement account #12100000-485400 to the Special Revenue 111F Police Insurance Reimbursement account #24002101-485200.
- D. Transfer of \$778.91 from Department of Public Works, as follows, in order to pay for a prior year FY18 employee payroll retroactive payments due to a contractual step increase:
 - \$587.98 from DPW, Sewer Division, Full Time Hourly FY19 account #67004490-511100 to DPW, Sewer Division, Full Time Hourly FY18 account #67004490-511100
 - \$150.94 from DPW, Sewer Division, Overtime FY19 account #67004490-513000 to DPW, Sewer Division, Overtime FY18 account #67004490-513000
 - \$39.99 from DPW Highway Division, Overtime FY19 account #14210000-513000 to DPW Highway Division, Overtime FY18 account #14210000-513000
- E. Submitting the reappointment of Attorney Jeffrey R. Krok, 195 Falmouth Road, West Springfield as City Labor Counsel for a term of three years.
- F. Submitting the reappointment of Attorney Meghan Bristol, 5 Marcel Street, South Hadley as Assistant City Solicitor for a term of three years.
- G. Submitting the reappointment of Attorney Shanna Reed, 44 Miller Avenue,

Southampton as First Assistant City Solicitor for a term of three years.

Reports of City Officers

Petitions, Remonstrances and Other Papers

- A. PUBLIC HEARING on a petition for Zoning Amendment at Section 4-90, submitted by the Planning Board, to strengthen regulation of marijuana establishments by prohibiting them within 500 feet of any park.
- B. Rotary Club of Westfield requesting a waiver to the "open container" regulation on Elm Street on Friday, August 23rd, 2019 from 5:00 PM to 10:00 PM and Saturday August 24th, 2019 from noon to 9:00 PM for the Westfield Food Fest.
- C. Verizon New England Inc. and Westfield Gas and Electric submitting the following petitions, Public Hearings are required:
 - Requesting permission to place one jointly owned pole on Westwood Drive
 - Requesting permission to place six jointly owned poles on Western Avenue and to relocate six jointly owned poles at several locations on Western Avenue.
- D. Notification from Attorney General's Office RE Open Meeting Law complaint filed by from Kristen Mello on February 1, 2019.

Reports of Committees

A. Finance Committee:

1. Appropriation of \$172,000.00 from Free Cash to Westfield Fire Department, Capital Project account #12200000-580000.
2. Transfer of \$37,634.96 from Westfield Police Department Towing and Storage of Motor Vehicles account #2400-330210 to Westfield Police Department Special Account for Towing and Storage account #24210714-585001.
3. Transfer of \$1,500.00 from FY19 Public Safety Communications, Dispatch, Full Time Salary account #12250000-511000 to FY18 Public Safety Communications, Dispatch, Education account #12250000-514300.
4. Transfer of \$2,000.00 from Westfield Public Schools-Business Office, FY19 Out of Grade account #50081230-514200 to Westfield Public Schools-Business Office, FY18, Principal Salary account #52977221-511000.
5. Transfer of \$46,535.44 from the Airport, Capital Project account #11990000-580000 to Airport, PAPI Redesign account #11990000-580000-4870.

B. Legislative and Ordinance Committee:

1. Information relative to the Papermill Road heavy commercial vehicle exclusion (1/17/19)

2. Submitting an amendment to Westfield Code of Ordinances, Chapter 10, Section 10-23 RE: Consumption of alcoholic or malt beverages in public; open container. (3-7-19).
3. Orders relative to the 99 Springfield Road Traffic Signal Project
 - An Order of Taking of Easements of real estate for roadway, traffic and related improvements by right of eminent domain (3-7-19)
 - An Order appropriating the sum of one hundred thirty-eight thousand five hundred dollars (\$138,500.00) for the purpose of taking land for roadway, traffic, parking and related improvements. (3-7-19)
4. School Committee submitting a recommendation to have all coaches, referees and mentors be deemed Special Municipal Employees under the Conflict of Interest statute.(3-7-19)
5. An Order ACCEPTING THE FOURTH PARAGRAPH OF MGL CHAPTER 40 SECTION 5B (Sample document was provided prior to meeting of January 18th) (3-1-18)
6. 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) (3-1-18).
7. 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) (3-1-18)
8. 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) (3-1-18)
9. Request, per a motion, to investigate and recommend Zoning Ordinances for short-term residential rentals (3/15/18)
10. Ordinance amendments as requested by Chief Camerota, Chair of the Traffic Commission:
 - Chapter 17-73 Stop Intersections designated, add the following:
 - Hampden Street for northbound operations at Jefferson Street;
 - Madison Street for southbound operators at Jefferson Street;
 - Westfield Industrial Park Road for southbound traffic at Westfield Industrial park Road.
 - Chapter 17-115 Parking Prohibited:
 - Add Fowler Street west side of street from Meadow Street to a point 158' northerly;
 - Delete Sycamore Street both sides for a distance of 50' northerly from intersection of Meadow Street;
 - Chapter 17-36 Markings:

- Approval of crosswalk on Pleasant Street at intersection with Pearl Street;
- Chapter 17-82 Speed Limits:
 - Add business district 25 MPH:
 - North Elm Street starting at 911 memorial southerly to Elm Street;
 - Elm Street from Main Street northerly to Union Avenue ending at the 911 memorial;
 - Elm Street from North Elm Street southerly to Court Street and Broad Street;
 - Franklin Street from Elm Street westerly to Washington Street;
 - Franklin Street from Washington Street easterly to Elm Street;
 - Court Street from Washington Street easterly to Broad Street;
 - Court Street from Elm Street westerly to Washington Street;
 - Main Street from State Street westerly to Elm Street;
 - Main Street from Broad Street easterly to State Street;
 - Broad Street from Elm Street southerly to East and West Silver Street;
 - Broad Street from East and West Silver Street northerly to Main Street.
 - Add Long Pond Road - both directions 25 MPH
- Resolution to accept Massachusetts General Law Chapter 90 Section 17C, for the ability to establish a 25-miles-per-hour speed limit in thickly settled or business district.
- C. License Committee:
 1. Requesting approval for permission to serve beer and wine and to waive the “open container” regulation on Elm Street, from Main Street to Franklin Street, on Saturday, May 18, 2019 from 12:00 PM to 6:00 PM for the Westfield 5K Kooldown Block Party.

Unfinished Business

Motions, Orders or Resolutions

- A. A motion by Councilors Figy and Harris to review section 10-19 of the city ordinances related to smoking by minors to ensure consistency with state laws, the city ordinance for smoking on public property (section 8-160 which do include vaping/e-cigarette) and the Board of Health Regulations (which address the same thing as section 10-19 but are updated). Please refer to Health Department, L&O, and Legal.