

AGENDA OF CITY COUNCIL  
59 COURT STREET  
MUNICIPAL BUILDING  
CITY COUNCIL CHAMBERS  
WESTFIELD, MASSACHUSETTS

May 16, 2019  
7:00 PM



Roll Call

Pledge of Allegiance

Reading of record of meeting of May 2, 2019

Public Participation

Communications from the Mayor

- A. Requesting immediate consideration of a contribution in the amount of \$66,500.00 through the Military Construction Cooperative Agreement (ANG) to the Airport Department for the repair of the frost heave(s) on Runway 2-20.
- B. Requesting immediate consideration of the acceptance of Grant in the amount of \$50,187.00 from the Massachusetts Department of Conservation and Recreation Working Forest Initiative to the Public Works, Water Division, this is a reimbursable grant.
- C. Requesting immediate consideration of the acceptance of a Site Readiness Grant in the amount of \$150,000.00 for Westfield Turnpike Industrial Park (Cabot Road).
- D. Appropriation of \$350,000.00 from Free Cash to the Overlay account #1000-123000 to reduce the FY2019 overlay deficit in order to prevent having to raise the deficit on the FY20 Recap.
- E. Submitting the appointment of William J. Brown, 1618 East Mountain Road as a member of the Council on Aging, for a term to expire the first Monday of February, 2022, replacing Cynthia Anderson.
- F. Submitting the appointment of Dennis Miles, 25 Timber Ridge Road, West Springfield as the Personnel Director for a three year term, with a start date after June 1, 2019.

Reports of City Officers

- A. City Auditor Christopher Caputo submitting a report of stormwater expenses for the past five years as requested per motion of 4/22/19.

## Petitions, Remonstrances and Other Papers

- A. Special Permit application submitted by D.F. Chase Inc. for a Business B Trucking Terminal for Old Dominion Freight Lines (ODFL) pursuant to Zoning ordinance section 3-120.3(5) to be located at Medeiros Way (Assessors Map 70R, lots 23 & 24). A Public Hearing is required.

## Reports of Committees

- A. Finance Committee: No Report
- B. Legislative and Ordinance Committee:
  1. Submitting a Resolution of the City Council of the City of Westfield authorizing a Tax Increment Financing agreement (TIF) for James Hardie Building Products Inc., 70 Turnpike Industrial Road. (5-2-19)
  2. Zoning Ordinances for short-term residential rentals
  3. Order of Appropriation in the amount of \$90,000.00 from Community Preservation Undesignated (Balance) account #2410-240000 to CPA Columbia Greenway Project (Recreation) account #24101770-580400-5304
- C. Government Relations Committee:
  1. The matter of recording and broadcasting of Committee meetings
    - a. Positive Recommendation for a proposed ordinance to add under APPENDIX A - RULES OF COUNCIL - ARTICLE 1 - ORGANIZATION; MEETINGS; PROCEDURES of the Westfield code of Ordinances be and is hereby amended by: ADDING: Sec 29- Transparency in Government.
    - b. Positive Recommendation requesting that costs of Broadcast Recording Equipment previously provided by the Media Systems Specialist be reviewed, and that the Finance Committee and Mayor work to provide funding for those costs in the FY20 Budget.

## Unfinished Business

- A. TABLED from 4.22.19 RE : That the motion to request a monthly report from DPW Director of daily logs of Wells 1 and 2 showing amount of water being filtered from each well and be referred to the Department of Public Works be TABLED to the 2<sup>nd</sup> meeting in May (May 16, 2019).
- B. TABLED from 4.22.19 RE: Motion to increase stormwater fees. (Report received 5.16.19)
- C. Second Reading and Final Passage of the following:
  1. AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993 (amending Chapter 2-260 RE: employee working at place of business in Westfield may serve on the Historical Commission, the Conservation Commission or the Cable Commission)

2. AN ORDER OF TAKING FOR A PERMANENT AND TEMPORARY EASEMENTS (FIVE YEAR) OF REAL ESTATE TO CONSTRUCT AND PROVIDE PUBLIC ACCESS TO COLUMBIA GREENWAY RAIL TRAIL BY RIGHT OF EMINENT DOMAIN
3. AN ORDER OF APPROPRIATING THE SUM OF NINE HUNDRED SEVENTY-FIVE DOLLARS (\$975.00) FOR THE PURPOSE OF TAKING LAND FOR ACCESS TO CITY OF WESTFIELD DRAINAGE EASEMENT AND SANITARY SEWER STRUCTURES" (appropriated from Engineering, Construction account #14110000-589200 and allocated for the purpose of taking real estate by eminent domain for Wielgus property, 146 Main Street)
4. AN ORDER OF TAKING FOR A PERMANENT EASEMENT OF REAL ESTATE FOR ACCESS TO THE CITY OF WESTFIELD DRAINAGE EASEMENT AND SANITARY SEWER STRUCTURES BY RIGHT OF EMINENT DOMAIN (for William's Riding Way Flood Control Pump Station, Wielgus property, 146 Main Street)

#### Motions, Orders or Resolutions

- A. Motion of Councilor Figy to amend the motion from Councilor Flaherty to have the report in question be submitted when free cash is certified.
- B. Motion of Councilors Emmershly, Surprise, and Morganelli to delete the following Sections (dimensional special permits, replaced by new 4-20.3) from the City Code of Ordinance zoning laws: 3-40.4(13), 3-50.4(5), 3-60.4(2), 3-70.4(9), 3-90.3(4), 3-91.3(2), 3-92.3(2), 3-110.3(9), 3-120.3(9), 3-130.3(3). Refer to ZPD, City Planner, and Legal
- C. Motion of Councilors Emmershly, Allie, Beltrandi, Morganelli, and Surprise to review and draft language eliminating the Merger Doctrine as permitted by State law. This would eliminate the default consolidation of non-conforming lots after 5 years. Refer to ZPD, City Planner, Assessor, and Legal
- D. Motion of Councilors Emmershly, Allie, Morganelli, and Surprise for a review of all Boards and Commissions and to make a recommendation on adding a Councilor as a voting member to each Board and Commission. Along with the creation of adding adjunct positions which count towards a quorum but are not voting members. Refer to Government Relations and Legal