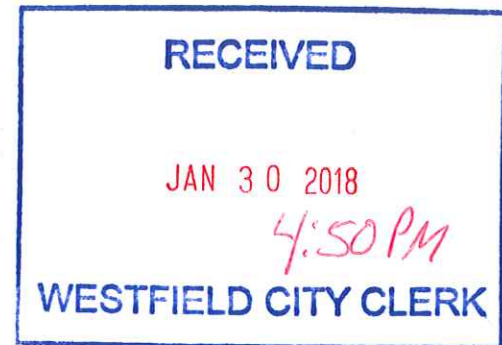


AGENDA OF CITY COUNCIL
59 COURT STREET
MUNICIPAL BUILDING
CITY COUNCIL CHAMBERS
WESTFIELD, MASSACHUSETTS
FEBRUARY 1, 2018



6:30 PM

Mayor briefing to Full Council of items on current agenda under
"Communications from the Mayor"

7:00 PM

Roll Call

Pledge of Allegiance

Reading of record of meeting of January 18, 2018

Public Participation

Communications from the Mayor

- A. Requesting immediate consideration on the acceptance of a Grant in the amount of \$2,813.00 to the Fire Department from the Executive Office of Public Safety and Security, Department of Fire Services for the FY2018 Senior Awareness Fire Education (S.A.F.E.) program.
- B. Requesting immediate consideration on the acceptance of a Grant in the amount of \$5,407.00 to the Fire Department from the Executive Office of Public Safety and Security, Department of Fire Services for the FY2018 Student Awareness Fire Education (S.A.F.E.) program.
- C. Requesting immediate consideration on a correction to vote of the City Council on December 21, 2017 to appropriate \$136,000.00 from Community Preservation Undesignated Balance account #2410-340000 to the CPA Maturing Principal on Long Term Debt account #24101770-591000, the appropriation should have been instead to the Hangar 2 Principal on Short Term Debt account #45199727-497000-2692.
- D. Appropriation of \$175,000.00 from Free Cash to the Police Department, Overtime, account #12100000-513000.
- E. Appropriation of \$41,723.82 from Free Cash to the Technology Center, Purchase of Services, account #11550000-520000.
- F. Transfer of \$11,000.00 from the Technology Center, Full-Time Salary account #11550000-511000 to the Technology Center, Purchase of Services, account #11550000-520000
- G. Transfer of \$29,400.00 from the Engineering Department from Full-Time

Salary account #14110000-511000 to the following:

- \$26,755.00 to Engineering Department, Purchase of Services account #14110000-520000
- \$2,645.00 to Flood Control Commission, Purchase of Services account #12990000-520000.

- H. Submitting a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD TO CONCUR WITH THE DEPARTMENT OF THE AIR FORCE, HEADQUARTERS 104TH FIGHTER WING (ANG), BARNES AIR NATIONAL GUARD BASE PROPOSAL DATED JANUARY 14, 2016 TO EXPLORE ADDING 21.643 ACRES TO THE EXISTING LAND LEASE, DACA 33-5-06-004 BETWEEN THE CITY OF WESTFIELD AND THE UNITED STATES OF AMERICA".
- I. Submitting the appointment of Douglas A. Morash, 9 Gloria Drive as a member of the Parks and Recreation Commission, Ward 6, for a term to expire the first Monday of February, 2021, replacing Renee Roth.

Reports of City Officers

- A. Councilor Figy, Liaison to the School Department, to present the Superintendent's Report.
- B. City Solicitor Susan Phillips submitting a memo relative to MGL Chapter 44 Section 5B regarding whether action solely by the legislative branch is effective without any action by the Mayor.

Petitions, Remonstrances and Other Papers

- A. Attorney Brad Moir submitting a Notice of Intent for William Reed and James Reed, Trustees of the William F. Reed Family Nominee Trust to Convert land to other use pursuant to MGL 61A Section 14 for land on Furrowtown Road, as follows: Lot D, Parcel 48R-2, Lot E, Parcel 48R-2, Lot F, Parcel 48R-2, Lot G, Parcel 48R-2, into Residential use, for City's First Right of Refusal.
- B. Attorney Brad Moir submitting a Notice of Intent for William Reed and James Reed, Trustees of the William F. Reed Family Nominee Trust to Sell land for other use pursuant to MGL 61A Section 14 for land on Furrowtown Road, as follows: Lot C, Parcel 48R-2 for Residential use, for City's First Right of Refusal.

Reports of Committees

- A. Finance Committee:
1. 12/21/17 - Notification from PERAC (Public Employee Retirement Administration Commission) submitting the Fiscal Year 2019 appropriation of \$10,457,590.00
 2. 1/04/18 - Motion of Councilors Surprise and Flaherty to establish a Special Purpose Stabilization Fund in accordance with Chapter 40 Section 5B of the Mass General Laws, and dedicated to the purposes of road and

sidewalk repair and maintenance on city-owned roads and sidewalks, to be funded by use of the total revenues of the Westfield Local Option Meals Tax and Room Occupancy Tax as instituted under Mass General Laws Chapter 64L and Chapter 64G Section 3.

3. 1/18/18 - Transfer of \$54,891.45 from Police Special Towing and Storage for purchase of 2018 Ford Edge \$30,535 for unmarked detective vehicle, and 2018 Transit connect van \$24,356.45 for Animal Control vehicle.
4. 1/18/18 - Mayor's requested acceptance of authorization to use remaining appropriation of \$1800 from PEG funding for Internet and Fiber in order to use this amount towards FY18 general PEG operation expenses.

B. Legislative and Ordinance Committee:

1. 12-6-12, a motion by Councilor Beltrandi, submitting a Resolution setting forth a petition to the Senate and House of Representatives of the General Court of the Commonwealth of Massachusetts to authorize the City of Westfield to use certain parkland for general municipal purposes.
2. On 6-5-14, a motion by Councilors Sullivan, Bean, Keefe, and Figy, that a proposed ordinance relative to confidential communications and data be created.
3. On 2-18-16, a motion by Councilor O'Connell for Councilor Figy, that the 2500 foot length known as the Little River Dike be declared as Flood Control Commission property.
4. On 5-5-16, a presentation relative to the Westfield Ban the Bag Project.
5. On 6-6-16, a motion by Councilor Flaherty regarding fee adjustments for FY

C. Personnel Action Committee:

1. Submitting the appointment of Eileen Rockwal, 5 Blueberry Ridge, as a member of the Council on Aging for a term to expire the first Monday of February, 2021, replacing Barbara Sokolowski, resigning.
2. Submitting the appointment of Kerry Ann Kielbasa, 31 Crescent Ridge Road, as a member of the Council on Aging for a term to expire the first Monday of February, 2021, replacing John Leary, Jr. resigning.
3. Submitting the appointment of Jeffrey L. 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, 2019, replacing Paul V. Condarcuri, resigned.

D. Zoning, Planning and Development Committee:

1. Motion by Councilors Allie, Onyski, Paul, Morganelli, Surprise, Flaherty to strengthen the abutter notification ordinance (Zoning Section 1-40.3 paragraph 2(a)).
2. Flag lots - Councilor Beltrandi, 10/6/2011
3. Unregistered vehicles - Councilor O'Connell, 5/7/2015
4. Temporary Sign Ordinance (campaign signs and the like) - Councilor Allie, 6/4/2015

5. Cultural Overlay District - Councilor Surprise, 1/21/2016
6. Clothing Drop Boxes and Newspaper vending machines - Councilors Figy & Bean, 9/7/2017

Unfinished Business

- A. TABLED: first reading of an Ordinance to repeal the City's sex offender ordinance
- B. Second Reading and Final Passage of an Order entitled "AN ORDER TRANSFERRING CARE, CUSTODY, MANAGEMENT AND CONTROL OF A CERTAIN PARCEL IN THE CITY OF WESTFIELD" (located on Montgomery Road known as the West Farms Schoolhouse, from the control of the Westfield School Department to the care and control of the Historic Commission)

Motions, Orders or Resolutions

- A. TABLED (from 1/4/18 rescheduled to 1/8/18) Motion of Councilor Flaherty for an Order to enable Internet web browser access on the city council workstation computers.
- B. Motion by Bean and Beltrandi to move the start time of the regular scheduled City Council meetings from 7:00pm to 6:30pm. Note: Mayor's briefing would start between 6:00-6:15pm.
- C. Motion of Councilors Figy, Flaherty, and Surprise to review and potentially amend Ordinance "Sec. 16-14 - Removal or snow, ice". Requesting clarification of responsibilities, enforcement, and the treatment of sidewalks, fire hydrants, stormwater drains, and other obstacles or property considerations that may be appropriate. Refer to Public Health and Safety Committee.
- D. Motion of Councilor Flaherty to edit Code of Ordinance Section 12.5 (c) to eliminate the automatic acceptance of a job description if the City Council does not act within 2 meetings. Refer to L&O.
- E. Motion of Councilor Flaherty 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". Refer to L&O.
- F. Motion of Councilor Flaherty requesting a new section in the Personnel Section of the Code of Ordinances for "Personal Service Agreements" that specifies common elements that must be included in Personal Service Agreements, such as: position being subject to annual appropriation, expectations of performance and annual performance reviews by appointing authority, termination clause, consolidation clause, change in scope of duties clause, and other such items as deemed appropriate. Refer to Government Relations for investigation prior to referral to L&O.
- G. Motion of Councilor Flaherty requesting the Law Department to explain in

writing, within 30 days, how the Massachusetts Supreme Judicial Court ruling - that unused accrued sick time does not constitute "wages" that must be paid upon termination under the Massachusetts Wage Act - affects Westfield's employees and Westfield's severance obligations. Refer to Law Department and Government Relations.

- H. Motion of Councilor Surprise and Emmershy requesting Director of Facilities, Bryan Forrette, to present a summary of last year's activities and accomplishments, and discuss plans for potential future costs savings and operational improvements with the Finance Committee. Refer to Mr. Forrette and Finance Committee.