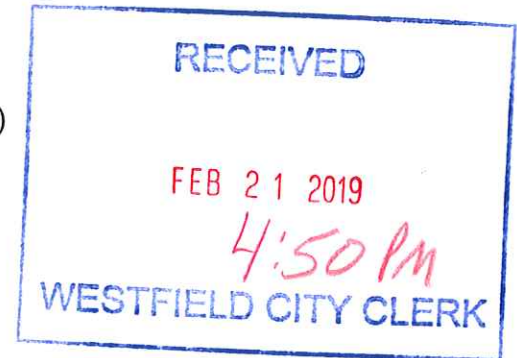


AGENDA OF CITY COUNCIL
59 COURT STREET
MUNICIPAL BUILDING
CITY COUNCIL CHAMBERS
WESTFIELD, MASSACHUSETTS
FEBRUARY 25, 2019
(rescheduled from February 21, 2019)
7:00 PM



Roll Call

Pledge of Allegiance

Reading of record of meeting of February 7, 2019

Public Participation

Communications from the Mayor

- A. Appropriation of \$172,000.00 from Free Cash to Westfield Fire Department, Capital Project account #12200000-580000.
- B. Appropriation of \$115,000.00 from Free Cash to Engineering Department, Construction account #14110000-589200 (pickle ball courts).
- C. 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.
- D. 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.
- E. 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.
- F. Submitting a reallocation of Bond Order #2455 for the creation of pickle ball courts at the Municipal Playground.
- G. Submitting a Resolution authorizing the Superintendent of Schools to submit a Statement of Interest (SOI) with the Massachusetts School Building Authority (MSBA) for funding of an addition and renovation to Westfield High School.
- H. Submitting a Resolution authorizing the Superintendent of Schools to submit a Statement of Interest (SOI) with the Massachusetts School Building Authority (MSBA) for funding of an addition and renovation to Westfield Technical Academy.
- I. Submitting a G.L. Disclosure for Daniel Tenero, School Employee, for a Soccer Specialist with the Parks and Recreation Department.

- J. Submitting a G.L. Disclosure for Tyler Wingate, School Employee, for a Volleyball Specialist with the Parks and Recreation Department.
- K. Submitting a G.L. Disclosure for Lori Bowen, School Employee, for a Preschool Specialist with the Parks and Recreation Department.
- L. Submitting the reappointment of Barbara Taylor, 150 Hillside Road #17, as a member of the Council on Aging for a term to expire the first Monday, June 2021.
- M. Submitting the reappointment of Leonard Osowski, 7 Wintergreen Lane as a member of the Police Commission for a term to expire the first Monday of February, 2022.
- N. Submitting the reappointment of John E. Sullivan, 18 Crestwood Circle as a member of the Board of Public Works for a term to expire the first Monday of February, 2022.
- O. Submitting the reappointment of Joseph Popielarczyk, 31 Southview Terrace as a member of the Water Commission for a term to expire the first Monday of February, 2022.
- P. Submitting the reappointment of Kenneth Magarian, 131 Llewellyn Drive as a member of the Park and Recreation Commission for a term to expire the first Monday of February, 2022.
- Q. Submitting the appointment of Rissa Larsen, 6 Lathrop Avenue as a member of the Westfield Cultural Council for a term to expire the first Monday of February, 2022 replacing Susan Kingra, resigned.

Reports of City Officers

Petitions, Remonstrances and Other Papers

- 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 (a Public Hearing is required).

Reports of Committees

- A. Finance Committee:
 1. 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. (9/20/18)
 2. 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. (1/3/19)
 3. Acceptance of the following two gifts from the Friends of the Westfield

350th to the City of Westfield. (2/7/19)

- 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.
 - Donation of two time capsules from Firtion-Adams Funeral Services and a stone marker in the flag plaza in front of City Hall explaining location and directions under which the time capsule would be opened.
4. Appropriation of \$525,000.00 from Free Cash to Department of Public Works, Wastewater Division, Purchase of Services account #67004400-520000. (2/7/19)
 5. 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. (2/7/19)
- B. Legislative and Ordinance Committee:
1. 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)
 2. 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)
 3. Motion of Councilor Paul RE: Betterment process and the method of assessment that "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)
 4. Motion of Councilor Bean RE: 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) (4-7-16)
 5. Motion of Councilor Flaherty RE: 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" (2-1-18).
 6. Motion Councilor Surprise, (Emmershy, Babinski, Burns, Morganelli, Allie, and Flaherty) RE: 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)

7. Motion of Councilor Surprise, (Emmershy, Babinski, Burns, Morganelli, Allie, and Flaherty) RE: 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).
 8. Motion of Councilor Surprise, (Emmershy, Babinski, Burns, Allie, and Flaherty) RE: 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)
 9. Motion of Councilor Surprise, (Emmershy, Babinski, Burns, Allie, and Flaherty) RE: 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)
 10. Motion of Councilor Flaherty, (Emmershy, Morganelli, and Surprise) RE: the Law Department prepare appropriate orders and/or resolutions, within 20 days, for the City Council to rescind the Local Option Meals Tax (3-1-18)
 11. Motion of Councilor Morganelli, for the Public Health and Safety Committee RE: That the review/amending of Ordinance 16-14 Removal of Snow and Ice; Fire hydrants, storm drains, sidewalks (2/1/18, 4/5/18)
- C. Personnel Action Committee:
1. 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.
 2. 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.
 3. 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.
 4. 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.
 5. 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, 2022.

Unfinished Business

A. Second Reading and Final Passage of the following:

1. Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993"
(Chapter 11 Section 11-68 relative to the consumption of alcohol on school, park or playground property; only authorized by lease or agreement)
2. Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, APPENDIX B-ZONING, ADOPTED SEPTEMBER 3, 1987" (Special Permit Granting Authority)

Motions, Orders or Resolutions