



## AGENDA OF CITY COUNCIL

59 COURT STREET  
MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS  
WESTFIELD, MASSACHUSETTS  
MARCH 05, 2020 AT 7:00 PM

RECEIVED

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3:45 PM

WESTFIELD CITY CLERK

### ROLL CALL

### PLEDGE OF ALLEGIANCE

### READING OF RECORD OF MEETING OF February 20, 2020

### PUBLIC PARTICIPATION

### COMMUNICATIONS FROM THE MAYOR

1. Transfer of \$25,475.00 from the Police Towing and Storage account #2400-330210 to Police Towing and Storage account #24210714-585001.
2. Appropriation of \$1,150.00 from PEG Undesignated fund to PEG Access Fund-Full Time Salary account #21106940-51100.
3. Appropriation of \$79,177.00 from PEG Fund Balance-Designated for PEG Access, account #2110-340000 to PEG Access Fund-Full Time Salary, account #21106940-511000.
4. Requesting acceptance of check in the amount of \$30,926.52 from the Westfield Redevelopment Authority External Account XXXXXX4723 to Westfield Redevelopment Authority Internal Account (Fund 9200).
5. An Order entitled "AN ORDER APPROPRIATING THE SUM OF NINETEEN THOUSAND SEVEN HUNDRED FIFTY (\$19,750.00) DOLLARS FOR THE PURPOSE OF RECORDING RELEASE DEEDS TO BE ABLE TO ACCEPT CERTAIN STREETS A PUBLIC WAYS" from Free Cash to Law Department, Intergovernmental account #11510000-560000.
6. An Order entitled "AN ORDER APPROPRIATING THIRTY THOUSAND (\$30,000.00) DOLLARS FOR THE PURPOSE OF OBTAINING OPTIONS FOR THE LONG-TERM MANAGEMENT OF SOLID WASTE AND RECYCLABLES" from Free Cash to Sanitary Landfill, Purchase of Services account #14390000-520000.
7. Submitting the appointment of John M. Fitzgerald, Esq., 56 Meadow Road, East Longmeadow, MA, as Assistant City Solicitor, Labor Specialist.
8. Submitting the appointment of Robert Florek, 171 City View Road, as a member of the Conservation Commission for a term to expire the first Monday of February, 2023.
9. Requesting 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 16th, 2020 from 12:00 pm to 6:00 pm in coordination with Run Westfield 5K Kooldown Block Party.

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#### **REPORTS OF CITY OFFICERS**

10. Community Development Director Peter Miller, for the Off-Street Parking Commission, submitting an amendment for the Off-Street Parking Commission ordinance.
11. First Assistant City Solicitor Shanna Reed submitting an opinion regarding the designation of the Columbia Greenway Rail Trail as a park.

#### **PETITIONS, REMONSTRANCES, AND OTHER PAPERS**

12. PUBLIC HEARING on a Zone Change petition for 150 Tannery Road (Map 144 Parcel 4 and Parcel 38) from Rural Residential (RR) to Residence B (RB) submitted by Sarah A. Kannas and Brian H. Seibert (#C-55-20).
13. PUBLIC HEARING on a petition for a Zoning Amendment petition submitted by the Planning Board to amend Section 4-90 to strengthen regulation of marijuana establishments by requiring special permit if within 500 feet of a park (#257-20). (time lapsed on previous submission)
14. PUBLIC HEARING on a petition for a Zoning Amendment at Section 1-10.2 to give broader authority to the Building Department to require more detailed information (specifically site grading) as part of the building permit process submitted by the Planning Board (#C-256-20). (time lapsed on previous submission)

#### **REPORTS OF COMMITTEES**

##### Finance Committee

15. An Order entitled "ORDER AUTHORIZING THE TRANSFER OF FUNDS TO FULLY FUND THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF WESTFIELD AND THE WESTFIELD MUNICIPAL EMPLOYEES ASSOCIATION (40-HOUR UNIT)" in the amount of \$33,437.05. This Order is to fully fund the collective bargaining successor agreement between the City of Westfield and the Westfield Municipal Employees Association (40-Hour Unit) for a term of three (3) years from July 1, 2019 through June 30, 2022.
16. Transfer of \$34,395.00 from the City and Towing and Storage account #2400-330210 to the Police Towing and Storage account #24210714-585001.
17. Appropriation of \$510,000.00 from the DPW, Wastewater Division Undesignated Funds account #6700-359000 to the following DPW, Wastewater Division accounts as follows: \$380,000.00 to Purchase of Services account #67004400-520000; \$80,000.00 to Supplies account #67004400-540000; \$25,000.00 to Overtime account #67004400-513000; \$25,000.00 to Interest Long Term Debt account #67004400-519500.
18. Appropriation of \$768,700.00 from Department of Public Works, Water Division Undesignated Funds account #6800-359000 to the following DPW Water Division accounts as follows:\$545,700.00 to Purchase of Services account #68004500-

19. Appropriation of \$41,477.85 from Free Cash to Airport Capital Project account #11990000-580000-4870 to reconstruct runway 15/33.
20. A Resolution to approve the acceptance of a non-federal reimbursable agreement between the Department of Transportation Federal Aviation Administration and the City of Westfield, Westfield-Barnes Airport (for the appropriation of \$41,477.85).
21. Appropriation of \$207,349.51 from Free Cash to Stabilization account #8303-392000 to return funds to Stabilization account that was used for the Cross Street Playground Renovation.

#### Legislative and Ordinance Committee

22. To review and possibly increase the rate of compensation for the members of the Westfield School Committee according to Ordinance 1279.

#### Personnel Action Committee

23. Reappointment of Scott LaBombard, 626 Western Avenue as an At-Large member of the Parks & Recreation Commission for a term to expire the first Monday of February, 2023.
24. Reappointment of Robert Veronesi, 24 Heritage Lane as the Ward 4 member of the Parks & Recreation Commission for a term to expire the first Monday of February, 2023.
25. Reappointment of Vincent Olinski, 34 1/2/ as the Ward 3 member of the Parks & Recreation Commission for a term to expire the first Monday of February, 2023.
26. Reappointment of Ronald Cole, 71 Zephyr Drive as a member of the Water Commission for a term to expire the first Monday of February, 2023.

#### **UNFINISHED BUSINESS**

27. TABLED (from Oct 3, 2019 meeting): Matter of Recording and Broadcasting of Committee meetings

#### **MOTIONS, ORDERS OR RESOLUTIONS**

28. Motion of Councilor Bean to review and amend City Council Rule 38 - Majority Vote on Certain Financial Measures
29. Motion of Councilor Figy to add a section to the City Council Agenda for Council updates and refer to Legislative and Ordinance Committee and Law Department.
30. Motion of Councilor Flaherty requesting OML trained scribes for all City Council committee meetings (my thought is to use low-cost part-time employees or contractors). Refer to Government Relations, Mayor, and City Clerk's Office.
31. Motion of Councilor Flaherty requesting a Legal Opinion by the April 2nd City Council meeting clarifying that "the only measure not subject to a referendum is a revenue loan order" as detailed on Page 15 of the 1995 version of the "Election Resource Handbook".
32. Motion of Councilor Flaherty requesting Law Department, Audit Department, and Public Access staff to determine by the April 2nd City Council meeting whether or not PEG funds may be used to cover the costs of preparing minutes of committee

meetings that are made available to the public and that may enhance the public access experience for concerned citizens.

33. Motion of Councilor Flaherty requesting a new City Council Rule that requires DRAFT OML compliant minutes of committee meetings to be delivered electronically to the City Clerk's Office within 7 calendar days of a meeting, and FINAL minutes to be approved within the shorter of 2 meetings or 30 days. Rule should allow the chairman of the committee to approve the draft minutes. Refer to L&O.
34. Motion of Councilor Flaherty requesting the Mayor to dedicate the Hotel and Meals taxes to the Road and Sidewalk Stabilization Account. Refer to Mayor's Office.
35. Motion of Councilor Flaherty requesting sidewalk repairs or replacement on Holland Ave due to safety concerns for students and families who walk along that primary thoroughfare to Westfield Middle School and Abner Gibbs School. Refer to Mayor's Office, Engineering, and DPW.