



**MEETING OF CITY COUNCIL
TELEPHONE CONFERENCE
WESTFIELD, MASSACHUSETTS
JANUARY 07, 2021 AT 7:00 PM**

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the City of Westfield CITY COUNCIL will be conducted via remote participation. Specific information can be found on the City of Westfield website at www.cityofwestfield.org. For this meeting, members of the public who wish to listen to the meeting may do so by tuning into Channel 15 or online at westfieldtv.org. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the City's website an audio recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

The meeting was called to order at 7:00 PM by the President.

The Pledge of Allegiance was led by the President.

The Clerk called the roll. All thirteen Councilors were present.

Upon motion of Councilor Harris, it was

VOTED: That the vote for Councilor Bean for President for 2021 be REAFFIRMED.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Upon motion of Councilor Beltrandi, it was

VOTED: That the reading of record of meetings of December 10, 2020 at 5:00 PM, 6:00 PM and 7:00 PM; And December 17, 2020; Also, Special Meetings and Finance Committee of the Whole minutes from June as follows: June 12, 2020, June 15, 2020, June 16, 2020, June 17, 2020, June 18, 2020, June 22, 2020, June 25, 2020 and June 29, 2020 be ACCEPTED.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Under "Public Participation" Councilor Burns referenced a letter in opposition to item 7. on the Agenda relative to an Ordinance amending to lower the speed limit on Western Avenue. He informed the Council the letter was on the Council's share file. President Bean informed the Council that it will be referenced in the Legislative and Ordinance Committee when the item is referred to that committee.

Upon motion of Councilor Figy, it was

VOTED: Under immediate consideration that a Resolution approving and accepting a Recycling Dividends Program Grant from the Massachusetts Department of Environmental Protection (MassDEP) in the amount of \$18,000.00 to the Health Department be ADOPTED.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Upon motion of Councilor Figy, it was

VOTED: That item 3. under "Communications from the Mayor" be read by the Clerk and REFERRED TO THE FINANCE COMMITTEE.

The Clerk read from the Agenda as follows:

3. Requesting acceptance of a Grant in the amount of \$20,000.00 from Massachusetts Executive Office of Energy and Environmental Affairs to the Department of Public Works for the Urban Forest Enhancements.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Upon motion of Councilor Onyski, it was

VOTED: That item 4. under "Communications from the Mayor" be read by the Clerk and REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT.

The Clerk read from the Agenda as follows:

4. Submitting an Order appropriating the sum of \$37,040.00 from the Engineering Construction account #14110000-589200 for the taking of real estate by right of eminent domain for the Western Avenue Roadway Reconstruction-East (Phase 2) and an Order of taking of real estate by right of eminent domain for the Western Avenue Roadway Reconstruction-East (Phase 2).

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Upon motion of Councilor Figy, it was
VOTED: That item 5. under "Communications from the Mayor" be read by the Clerk and
REFERRED TO THE PERSONNEL ACTION COMMITTEE.

The Clerk read from the Agenda as follows:

5. Submitting the appointment of Peter Cowles, 18 Egleston Road, as a member of the Public Safety Communications Commission, for a term to expire the first Monday of February 2024, replacing Hipolito Nunez, who wished not to be reappointed.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Upon motion of Councilor Figy, it was
VOTED: That item 6. under "Communications from the Mayor" be read by the Clerk and
REFERRED TO THE FINANCE COMMITTEE.

The Clerk read from the Agenda as follows:

6. Requesting Council approval to waive the Zoning and Permit Fee pertaining to the proposed addition to the Boys and Girls Club.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Upon motion of Councilor Onyski, it was VOTED: That item 7. under "Reports of City Officers" be read by the Clerk and REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT.

The Clerk read from the Agenda as follows:

7. Assistant City Solicitor Shanna Reed submitting the following Ordinance amendments as requested by Capt. McCabe, Chair of the Traffic Commission: Chapter 17-82 Speed Limits by adding the following: (c) Thirty miles per hour, Holyoke Road, both directions from 65 Holyoke Road to 325 Holyoke Road; Chapter 17-82 Speed Limits by adding the following: (d) Thirty-five miles per hour, Western Avenue, both directions from the intersection of Granville Road to the intersection of Bates Road; Chapter 17-115 Parking Prohibited at all times on certain streets by adding Kellogg Street: No Parking northbound from Franklin Street for a distance of 150 feet.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Upon motion of Councilor Figy, for the Finance Committee, it was VOTED: That the Department of Public Works be ALLOWED to deficit spend in the Snow and Ice account for Fiscal Year 2021.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Prior to the vote, Councilor Figy informed the Council that this was a unique motion that he has never seen before because it does not need Council approval to deficit spend in the snow and ice account so the vote is just a formality. Councilor Flaherty informed the Council that in the past it had to be voted on but due to the new rules of the Modernization Act it doesn't have to be voted on.

Councilor Figy, for the Finance Committee, offered a motion, which was duly seconded for a transfer of \$150,000.00 from the Ambulance Receipts Reserve account #2100-340000 to Ambulance, Purchase of Services account #21002310-520000.

Councilor Figy informed the Council that the transfer is to pay outside attorney fees in the lawsuits filed against the City by three firefighters that were terminated and as a result there are a total of 10 lawsuits filed. The in-house attorneys have done what they could and the plaintiffs do not want to settle and want the lawsuits litigated. Councilor Harris thanked Councilor Figy for the explanation of the transfer. Councilor Mello asked what the running total of expenses in the lawsuits are. Councilor Figy informed the Council that he does not have that amount and explained that it is very expensive and the lawsuits are not even half way through yet. Councilor Bean informed the Council that this matter has morphed into a black hole and there is lack of information from the Law Department to the Fire Commission and that he is very concerned. And that this number is scratching at the surface and there is no end game. Councilor Figy informed the Council that the City has tried to settle and that was the end game. He informed the Council that the City Council is not the appointing authority and will not get the information and that he hasn't heard that the Fire Commission is not getting information. Councilor Bean informed the Council that this is a systemic problem of not getting information. Councilor Flaherty agreed with Councilor Bean and that it is a significant problem to approve money without full disclosure and the public needs to know before money is approved and that an executive session should be held with the Law Department. Councilor Adams informed the Council that if litigation is happening then the Council cannot legally get the information. Councilor Morganelli concurred with Bean and agreed with Adams that the Council cannot get the information and has to allocate the money. Councilor Flaherty informed the Council that getting information relative to a litigation is one

of the reasons for executive session. Councilor Figy informed the Council that he did ask Assistant City Solicitor Shanna Reed for an executive session and since the Council is not the appointing authority they could not be given the information. Councilor Burns informed the Council that he is uncomfortable with using ambulance fund money. Councilor Mello questioned if there could be a joint executive session with the Fire Commission. Councilor Bean answered that there could be a joint session. Councilor Figy informed the Council that he was weary of using ambulance fund money and the Auditor said it is appropriate to use. He informed the Council that the outside attorneys must be paid and encouraged the Councilors to pass the transfer of the funds. Councilor Flaherty agreed that it is legal to use the ambulance fund and the problem is not knowing what the money will be used for and what is the game plan and it's part of the Charter and covered in the Open Meeting Laws that executive session can be held to get information relative to litigation. Councilor Mello informed the Council that it is the Council's responsibility to know how the money is being used.

Upon motion of Councilor Figy, for the Finance Committee, it was VOTED: That the sum of \$150,000.00 be transferred from the Ambulance Receipts Reserve account #2100-340000 to Ambulance, Purchase of Services account #21002310-520000.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	No
Brent Bean II	No
John Beltrandi III	No
Michael Burns	No
Ralph Figy	Yes
Dave Flaherty	No
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	No
Nicholas Morganelli, Jr.	No
William Onyski	Yes
Richard Sullivan, Jr.	Yes

The President declared the motion LOST.

Councilor Flaherty offered a motion, which was duly seconded, for reconsideration at the next meeting and an executive session be held prior. Councilor Sullivan offered a point of order that Councilor Flaherty was from the winning side and as a member of the losing side Councilor Sullivan offered to be the maker of the motion.

Upon motion of Councilor Sullivan, it was VOTED: That RECONSIDERATION be given on the transfer of \$150,000.00 from the Ambulance Receipts Reserve account #2100-340000 to Ambulance, Purchase of Services account #21002310-520000 at the next meeting and an executive session be held prior.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Upon motion of Councilor Adams, for the Legislative and Ordinance Committee, it was VOTED: That a Resolution entitled "A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONFIRMATORY DEED FOR A CERTAIN PARCEL IN THE CITY OF WESTFIELD" to Nicholas C. and Edna A. Affenito for a parcel known as 20 Clinton Avenue be ADOPTED.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Prior to the vote, Councilor Adams informed the Council that the property was conveyed to Nicholas and Edna Affenito in 1949 and the description of the parcel omitted a section of the metes and bounds description and incorrectly referred to a distance of 135' when in fact the distance should have been 165' and it needs to be corrected in order to sell the property.

Upon motion of Councilor Onyski, it was VOTED: That a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD" authorizing approval for the Mayor to sign a Host Community Agreement with Safetiva Labs, LLC at 109 Apremont Way be ADOPTED.

The vote on the foregoing was as follows:

James Adams	No
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	No
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Prior to the vote, Councilor Onyski informed the Council that this is for a testing lab for marijuana in an out building located on the property of the Berkshire Industries property. It has been through the Planning Board for a special permit and site plan approval. It will bring in 14 to 15 high paying jobs. There is no community impact fee because it is a small amount of marijuana and there will be no community impact of increased traffic as with retail and grow facilities. It is a woman-owned business and there are only two other testing sites in Massachusetts. Councilor Adams informed the Council that he would be a no vote due to the matter being about marijuana. He expressed his concern that there is no impact fee because there is another business on the property that does have an impact fee and that this facility may generate more traffic than the other business and should have an impact fee. He informed the Council that the other two testing labs for marijuana in the state do not impact fees either. Councilor Harris agreed with Councilor Adams' concerns about not receiving an impact fee and that the City would only receive taxes on the property as if from any other type of business. She was excited that it was a woman-owned business and it would bring in high paying jobs. Councilor Onyski informed the Council that the only income would be from taxes, but the benefit would be the high paying jobs it would generate. Councilor Allie asked if they would be testing medical marijuana. Councilor Onyski responded that it was not specified. And he added that the host agreement can be revisited when it ends to determine if there is an impact to the City with traffic or the need for extra police officers. Councilor Burns informed the Council that it will be sharing the building with a grow facility and they will have the security fee. Councilor Onyski informed the Council that it will not be sharing the same building as the grow facility, it will be another small building on the same property. Councilor Bean informed the Council that this is exactly the type of business the City is looking for - high paying jobs and using a vacant building. Councilor Burns informed the Council that the applicant informed the Legislative and Ordinance Committee that they chose Westfield because of its location to Route 90 and 91. Councilor Figy agreed with Councilor Bean's assessment. Councilor Flaherty informed the Council that he is ok with this host agreement because it is a test lab and protecting the public and it is a benefit to Westfield. Councilor Harris informed the Council that this testing lab has very little effects on the City and children and will support it.

Upon motion of Councilor Matthews-Kane, for the License Committee, it was VOTED: That the application submitted by Trash Fish Junk Removal LLC for a Junk Collector's license to be held at 33 Sunrise Terrace, owner Evan Charter, be APPROVED.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Prior to the vote, Councilor Matthews-Kane informed the Council that it met the requirements and it would work within the neighborhood.

Councilor Sullivan announced that he worked with Media Specialist Peter Cowles relative to closed captioning and they have received a two quotes with large disparities in cost. They will continue to look at other ways to use technology and will report back. The final conclusions could be referred to Governmental Relations for discussion.

Upon motion of Councilor Matthews-Kane, it was VOTED: to investigate restarting the Barnes Aquifer Protection Advisory Committee (BAPAC) so it can provide Westfield recommendations for planned land use and development projects over the Barnes Aquifer in Westfield and be REFERRED TO NATURAL RESOURCES, LAW DEPARTMENT and MAYOR.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

Prior to the vote, Councilor Matthews-Kane informed the Council that it is helpful to have experts to give advice on future decisions relative to the aquifer. Councilor Morganelli informed the Council that he misses having that board and would like them to come back. He also requested that his name be added to the motion. Councilor Harris informed the Council that as a past member of the Natural Resources Committee she is familiar with the concerns of planned use and development on the aquifer and that business and environmental issues must be balanced as done within Conservation Commission and that the motion is a wonderful idea. Councilor Flaherty agreed it is important to get this group back together and that in some Ordinances the BAPAC is still mentioned.

President Bean asked if there were any announcements from the Council. Councilor

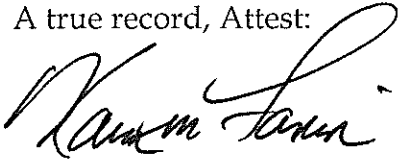
Adams asked why there are no free COVID testing sites in Westfield. Councilor Bean informed the Council that some other communities use the CARES Act money for testing sites.

At 8:13 PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

The vote on the foregoing was as follows:

James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

A true record, Attest:



Karen M. Fanion
City Clerk/Clerk of the Council

Presented to the Mayor

For approval JAN 15 2021

Karen M. Fanion
Karen M. Fanion, City Clerk

Approved by the Mayor

JAN. 19 2021
Donald F. Humason Jr.
Donald F. Humason, Jr., Mayor