



City of Westfield, Massachusetts

MINUTES OF MEETING

NAME OF COMMITTEE: Legislative and Ordinance
DATE: March 3, 2020
TIME: 5:30 PM
LOCATION: Municipal Building, 59 Court Street, Westfield, MA
ROOM NO: 201



Attending-Chair Onyski, Member Burns, Member Adams
Meeting called to order at 5:30 PM

1. Anyone taping or recording the meeting?
--Yes, Jill Adams 171 Debbie Lane Westfield MA
2. Public Participation.

Prior to Public Participation, Onyski read the following:

1. Received guidance of best practices from City Law Department today.
2. The best practice was that only members of a subcommittee participate in the discussion.
3. One of the cases cited in an old case allows for Councilors to speak in public participation the same as the public and to speak as a member of the public, not a City Councilor.
4. The Councilor can speak as providing opinion only.
5. There will be no response from LO at all. This includes clarifications, questions of fact, etc.
6. Three minute limit to public participation.
7. No questions or comment beyond public participation by the public (CCs included).
8. When an agenda item comes up, the subcommittee can discuss. Subcommittee can call on Department Heads and City Staff during discussion since they are not subject to OML.
9. No conversations between Councilors at meeting other than Councilors on subcommittee

--Dan Allie 38 Union Street Westfield MA

--All members should have rec'd legal opinion from law today. This can be discussed at full CC meeting on March 19.

--Any Councilor can meet with the Law Department

--After meeting with Law this afternoon, it was determined that the resolution doesn't need to go back to LO. It can be brought to full council floor.

--Allie would suggest modifying resolution

Here are items i would like to add to resolution opposing TCI. I would like this to appear after the third paragraph that starts with Whereas. Three shall be the number of paragraphs that will come before.

WHEREAS, TCI is no longer a regional initiative as neighboring states New Hampshire, Vermont, Rhode Island and Connecticut have withdrawn from this plan, TCI will have an adverse effect on gas, Lottery tickets, cigarettes, restaurant, grocery and other retail sales as consumer and driver's behavior and shopping patterns shift hurting businesses in towns along our state border, resulting in lost revenue from sales and income tax.

the next paragraph will become the eighth one.

WHEREAS, the Massachusetts Constitution states all taxes must originate in the State Legislature;

3. Approval of minutes of February 19, 2020.
--Approved 3-0
4. A motion by Councilor Figy to review and possibly increase the rate of compensation for the members of the Westfield School Committee according to Ordinance 1279, and refer to L&O and Legal.5/1/14
--Onyski informed that the School Comm. met yesterday but did not send the results of the meeting referencing the proposed increase
--Expecting an email from Vice Chair of School Comm prior to next LO meeting
--Voted 3-0 to leave in Comm
5. Motion of Councilors Allie, Morganelli, Adams, Bean, Beltrandi, Burns, Figy, Flaherty and Onyski requesting approval of a Resolution OPPOSING THE TCI GAS TAX AND THE TRANSPORTATION AND CLIMATE INITIATIVE, and refer to L&O and Legal.
--Onyski stated that he would like to go through each item and get Comm input on each item -remove or modify
--Agreed that it would be best to remove or modify items that were opinionated and not substantiated
--Used resolution that was in our CC drive from CC meeting and worked from there

TOWN OF Westfield, MASSACHUSETTS RESOLUTION OF THE WESTFIELD CITY COUNCIL OPPOSING THE TCI GAS TAX AND THE TRANSPORTATION AND CLIMATE INITIATIVE

The CITY OF WESTFIELD adopts a resolution opposing the TCI gas tax and the Transportation and Climate Initiative as follows:

WHEREAS, Governor Baker is advocating for the Commonwealth of Massachusetts to join a multi-state compact called the Transportation & Climate Initiative (TCI), a regional cap-and trade scheme that would impose a carbon tax on gasoline and diesel;
CHANGED TO:

WHEREAS, Governor Baker is advocating for the Commonwealth of Massachusetts to join a multi-state compact called the Transportation & Climate Initiative (TCI) that would impose a carbon tax on gasoline and diesel;

WHEREAS, the TCI gas tax is expected to initially raise the cost of automobile gasoline and diesel fuel at the pump by as much as 17 cents per gallon on our cities' families and businesses and then gradually increase over the years;

---Adams to confirm this is accurate and report at next meeting

WHEREAS, TCI seeks to punish Massachusetts motorists for using their vehicles in the normal course of living their lives or in operating their businesses by making the cost of fuel so expensive that citizens will be forced to drive less often;

CHANGED TO:
Deleted

WHEREAS, for all municipalities, like Westfield the TCI Gas Tax will result in increased costs for the use of its city and town trucks and vehicles, putting even more upward pressure on local property taxes;

CHANGED TO:
Deleted

WHEREAS, TCI's own memorandum states, even without its proposed gas tax, that regional greenhouse-gas emissions are expected to be reduced by 19% over the next 10 years due to existing technological innovations and fossil-fuel regulations;

Burns to confirm for next meeting

WHEREAS, the high costs imposed by TCI would only yield another 1-6% reduction in carbonbased gases, which will result in no measurable decline in global temperatures;

CHANGED TO:
Deleted

WHEREAS, by joining the TCI compact, Massachusetts would be ceding its taxing sovereignty to an out-of-state non-government, comprised of unelected ideologues, who would be granted the power to further increase the price of fuel in our state without any approval by our own duly elected officials;

CHANGED TO:

Deleted

WHEREAS, Massachusetts is already participating in another cap-and-trade carbon tax system on electricity, the Regional Greenhouse Gas Initiative (RGGI), which studies have shown to have unnecessarily raised residential and commercial electric bills without any significant reduction in greenhouse gas emissions, and to have weakened the economies of participating states;

CHANGED TO:

Deleted

ADDED:

WHEREAS, TCI is no longer a regional initiative as neighboring states New Hampshire, Vermont, Rhode Island and Connecticut have withdrawn from this plan, TCI will may have an adverse effect on gas, Lottery tickets, cigarettes, restaurant, grocery and other retail sales as consumer and driver's behavior and shopping patterns shift hurting businesses in towns along our state border, resulting in lost revenue from sales and income tax.

POSSIBLY ADD:

WHEREAS, the Massachusetts Constitution states all taxes must originate in the State Legislature;

Onyski to check accuracy for next meeting

NOW, THEREFORE, BE IT RESOLVED that the CITY OF WESTFIELD hereby calls on all Senators and Representatives representing our town, as well as the entire legislature, to reject the expected TCI legislation or any other legislation that would force Massachusetts to pay artificially increased prices for fuel or energy.

CHANGED TO:

NOW, THEREFORE, BE IT RESOLVED that the CITY OF WESTFIELD hereby calls on all Senators and Representatives representing our town, as well as the entire legislature, to reject the expected TCI legislation or any other legislation that ~~would~~ may force Massachusetts to pay artificially increased prices for fuel or energy.

--Discussion to investigate items that were discussed but not backed by any data in original motion (three items noted above)

--Voted 3-0 to leave in Comm

6. Adjourned at 6:05 PM

--Voted 3-0

