

MINUTES OF LEGISLATIVE AND ORDINANCE
COMMITTEE MEETING 59 COURT ST, WESTFIELD, MA
CITY COUNCIL CHAMBERS ROOM 207
MARCH 16, 2023 at 5:00 PM

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The meeting was called to order by Councilor Onyski at 5:00 PM. CITY CLERK

Councilor Onyski called the Roll. The following committee members were present: Chair, Councilor Bill Onyski, Councilor Michael Burns and Councilor Ralph Figy will be in attendance later. Also in attendance Councilor Bridget Matthews-Kane, Councilor City Engineer Allison McMordie, G&E GM Thomas Flaherty Community Development PJ Miller, City Planner Jay Vinskey

Councilor Onyski opened the meeting for public participation.

Under "Public Participation" the Committee was addressed by Councilor Bridget Matthews-Kane 81 Court Street explained she was looking for a clear legal transparent way for names to be added to the inventory of historic homes for the demolition delay. Because it was voted in as a motion The Legal Department has research and there is a State form that The City can use as an application and they have requested that The Historic Commission put it up on their section of The City's Website. This allows The City Council to Withdraw with No Action. Item 2, Councilor Matthews-Kane Looking for support as many neighborhood people came to a prior meeting supporting this issue. Item 3, Councilor Matthews-Kane would like to see Valley Bike Share System to either remain in Committee or Make a Motion to withdraw while we wait and see what is happening with Valley Bike. She feels no decision needs to be made right now. Item 4, Planning Boards' review of the Lighting ordinance. Councilor Matthews-Kane stated Motions are sent to Committee to make sure that they are thoroughly vetted. She hopes all will understand these questions. What kind of lights are these and do they comply with the current ordinance? How many are there? Where are they located? When were they installed before or after the ordinance went into effect? Who maintains these lights and how much money is made off of them? Councilor Matthews-Kane stated these items should not Come out of Committee until facts are met and investigated. Data driven decisions need to be made. This item should be kept in Committee until all of the above is done.

Councilor Onyski offered for anyone else to speak during public participation. There were no other speakers.

Upon Motion of Councilor Burns it was VOTED: That the L&O Minutes of the February 15, 2023 meeting be accepted. Motion seconded by Councilor Onyski

Approved by Roll Call 2-0

The vote on the foregoing was as follows

Michael Burns Yes

Bill Onyski Yes

Upon motion of Councilor Burns it was voted to REMOVE FROM COMMITTEE WITHOUT ACTION

Allow homeowners to apply to have their property added to the Historical Registry maintained by the Historical Commission for Westfield's Demolition delay. Motion was seconded by Councilor Onyski. Approved by Roll Call 2-0

The vote on the foregoing was as follows

Michael Burns Yes

Bill Onyski Yes

Upon motion of Councilor Burns for POSITIVE RECOMMENDATION To expand the demolition delay for properties of historical significance by extending the wait time for the issuance of a demolition permit from 90 to 180 days. Motion was seconded by Councilor Onyski. Approved by Roll Call 2-0

The vote on the foregoing was as follows

Michael Burns Yes

Bill Onyski Yes

Upon motion of Councilor Burns it was Voted to LEAVE IN COMMITTEE Requesting acceptance of Memorandum of Understanding between the City of Westfield and City of Northampton regarding the integrated bike share system. The motion was seconded by Councilor Onyski. Approved by Roll Call 2-0

The vote on the foregoing was as follows:

Bill Onyski Yes

Michael Burns Yes

Prior to the vote, City Engineer Allison McMordie stated that Bewegan has asked to amend the contract with The City of Northampton for the bike share system. There are 2 years left and they are asking to modify the operational component. Which would mean the City's would have to find their own sponsorship MGM and UMASS have been mentioned in recent emails. She feels that there are things that need to be figured out before going forward. The City's original cost of \$4000.00 could go up to around \$12000.00 if the City did not find sponsorship. Councilor Burns and Onyski mention The City doesn't have experience at this. MS McMordie stated that it could be funded for the whole system, not individual Municipalities. Discussions other components and if there is an end date. Allison stated there is an end date of June 30th, which she can get an extension on. Grant States it needs to be built by June 30th.

Upon Motion of Council Burns to Remove from Committee without Action, City Planner Jay Vinsky Submitting the Planning Board's review of the Lighting Ordinance (Zoning Sec 4-121) for possible amendment. The motion was seconded by Councilor Figy. Approved by Roll Call 3-0

The vote on the foregoing was as follows:

Bill Onyski Yes

Michael Burns Yes

Ralph Figy Yes

Prior to the vote Councilor Onyski stated that this came about from lights that were installed on Washington Street that didn't meet the Ordinance. The Ordinance was created in 2017. It went through The Planning Board, City Council but G&E was not informed. G&E continued to put up lights not aware of this ordinance. It has caused a problem, lights have been removed on Washington Street. This issue has been in Committee, has been discussed by The Planning Board and currently a separate Motion on the full City Council Agenda of 3/16 to have a Public Hearing. Councilor Onyski and Tom Flaherty the General Manager of G&E met to discuss last week. There are 603 existing rental lights. Communication to bring to everyone's attention, getting input from the public and G&E is how to move forward. General Manager of G&E Tom Flaherty spoke that he is looking for the change to only be for existing lights. Many existing are the orange lights that G&E are looking to change to more efficient white LED lights. Moving forward all lights will have to adhere to the 2017 ordinance. G&E is running into customers calling and their light has burnt out or their fixture failed. The customer is now running into a security issue. Councilor Figy arrived and was made aware that this was on the Agenda for the 3/16 City Council Meeting. GM Flaherty would like to state there was a recommendation by the planning board that the cutoff that the existing lights are acceptable then G&E can maintain them and change them out accordingly as long as there is no light trespassing. Any light going forward would have to apply through the waiver process through The Planning Board. Councilor Burns asked GM Flaherty about the expense to the customer and G&E. He stated it is a significant amount. The ordinance also states that a light can be no higher than 16 ft. which means it is in the communication part of the poles. This means everyone working on it will have to be electrified space certified.

Upon motion of Councilor Figy it was voted to Approve Resolution to amend the Pioneer Valley Trading Company, Inc. Host Community Agreement to allow for a change in the location of the real portion of the business to extend the time allowed to begin operation by 12 months. The motion was seconded by Councilor Burns. Approved by Roll Call 3-0

Michael Burns Yes

Ralph Figy Yes

Bill Onyski Yes

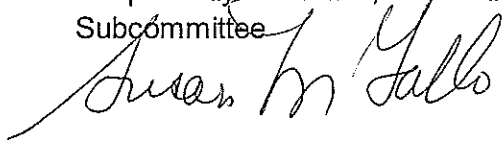
Prior to the vote, Michael Albert and Jason Fiore of The Pioneer Valley

Trading Company are looking for approval of a change of location of the retail portion of business, and extend the time allowed to begin operations by 12 months. The supply chain issues during Covid brought on delays. In the middle of construction the opportunity to acquire the Dunkin Donuts on 475 Southampton Rd was presented to the business. They do not believe they will need the 12 months to remodel and are pinpointing an August 1, 2023 opening date. Councilor Figy asked what the Special Permit they acquired was for. Mr Albert answered it was for 475 Southampton Rd as a Cannabis use property, for just retail. Issued as the business is within 300 feet of a residence.

At 542 PM and upon motion of Councilor Burns It was VOTED TO ADJOURN.
Motion was seconded by Councilor Figy
The vote on the foregoing was as follows

Bill Onyski Yes
Michael Burns Yes
Ralph Figy Yes

Respectfully submitted, Sue Gallo, Scribe for the Legislative and Ordinance
Subcommittee

A handwritten signature in cursive script, appearing to read "Sue Gallo", written in black ink over the typed name.