



## MEETING OF CITY COUNCIL

59 COURT STREET  
MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS  
WESTFIELD, MASSACHUSETTS  
MARCH 19, 2020 AT 7:00 PM

The meeting was called to order in the City Council Chamber, Municipal Building, 59 Court Street, Westfield, MA at 7:00 PM.

President Bean announced that due to the State of Emergency that exists in the Commonwealth of Massachusetts as of March 10, 2020 due to the outbreak of the Coronavirus (COVID-19) Governor Baker issued an Order (March 12, 2020) suspending certain provisions of the Open Meeting Law allowing remote participation by members of a public body.

The City Clerk called the roll. The following Councilors were present in the Chamber: Harris, Matthews-Kane, Onyski, Sullivan, Allie, Bean and Burns. The following Councilors were participating remotely: Figy, Flaherty, Mello, Morganelli, Adams and Beltrandi.

The Pledge of Allegiance was led by the President.

Upon motion of Councilor Beltrandi, it was  
VOTED: That record of the meeting of March 5, 2020 be ACCEPTED.

The President asked if anyone, other than Channel 15 was recording the meeting and if so to state whether it is an audio or video recording and whether the recording is being live streamed. No one responded to taping.

President Bean announced that due to the Order of Mayor Humason, the City Hall is closed to the public, therefore, the meeting is being live streamed on Channel 15 and YouTube. He announced that the public may call 413-572-6200 ext 9 with their comments for Public Participation.

Under "Public Participation" the Councilors were addressed by Councilor Dan Allie, 38 Union Street. He spoke in support of the Resolution entitled A RESOLUTION OPPOSING THE TCI GAS TAX AND THE TRANSPORTATION AND CLIMATE INITIATIVE. He informed the Council that it's important to have money for roads but should not be done the way Governor Baker is proposing because it's unfair to Western Mass residents.

Under "Public Participation" the Councilors were addressed by State Representative John Velis relative to the Resolution entitled A RESOLUTION OPPOSING THE TCI GAS TAX AND THE TRANSPORTATION AND CLIMATE INITIATIVE. He informed the Council that this is driven by the Administration and not in the Legislature.

Under "Public Participation" the Councilors were addressed remotely by Ms. Kathy Hillman, 179 Susan Drive. She spoke in opposition of the changes to Council Rule 38 relative to voting on financial matters.

City Clerk Karen Fanion read an email submitted by Ms. Gabriella Michaliszyn, 304 Sackett Road (Ward 4) relative to opposition to changes to Council Rule 38 relative to voting on financial matters. She also expressed her opposition to one voting location for the upcoming Special State Election on March 31<sup>st</sup>, 2020 for the Senate seat.

Upon motion of Councilor Harris, it was  
VOTED: That the rules of the Council be SUSPENDED to take item #30 out of order.

Upon motion of Councilor Harris, for the Committee of the Whole for the Personnel Action Committee (all subcommittee meetings were cancelled due to the State of Emergency due to COVID-19 pandemic), it was

VOTED: That the appointment of John M. Fitzgerald, Esq., 56 Meadow Road, East Longmeadow, MA, as Assistant City Solicitor, Labor Specialist, for a term of three years from confirmation date, be CONFIRMED.

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Harris informed the Council that Attorney Fitzgerald has significant municipal experience, having worked in Springfield and Chicopee. He is familiar with the various Courts and Tribunals that the Law Department appears before and is capable of immediately managing a caseload. Along with having a private practice since 2003, Attorney Fitzgerald has an extensive background which includes performing much of the same duties required for this position. In the past three years he was the Associate City Solicitor in Chicopee in which his duties mirrored those needed for this position. Such as advising Mayor and Department Heads on legal issues including interpretation of collective bargaining agreements, dealing with complaints to the Department of Labor Relations, authorizing memorandum of agreements, settling grievances and working with Human Resources Department on issues of enforcement of labor obligations. Prior to that Attorney Fitzgerald was the Associate City Solicitor in Springfield in which his duties included litigating matters in Superior, District and Housing Courts, defending Police Department in

firearm license appeals, litigated citizen complaints before the Springfield Police Commission and conducted research on various municipal issues and rendered legal opinions. He was also Chief of Staff, Office of the Mayor for the City of Springfield where he advised the Mayor in all aspects of conducting the administration of Municipal government and supervising the Mayoral staff and represented the Mayor at various functions. Attorney Fitzgerald's Bar Membership includes the Commonwealth of Mass and U.S. District Court for the District of Mass and Professional Association include the Hampden County Lawyers for Justice and Hampden County Bar Association. His volunteer interests include Ice Hockey as Coach and Tournament Worker and Knights of Columbus member. City Solicitor Sue Phillips highly recommends Attorney Fitzgerald.

Upon motion of Councilor Sullivan, it was  
VOTED: To REMAIN under suspension to act upon an emergency late item received at tonight's meeting and other regular items received at tonight's meeting.

Upon motion of Councilor Sullivan, it was  
VOTED: Under immediate consideration, that the sum of \$15,000.00 be appropriated from Free Cash to the Technology Department, COVID-19 Expense account #11550000-529999 for the purchase of emergency technology equipment to be used for continuity of government operations. This may include, but not limited to laptops, desk tops, remote access points and virtual conferencing. This will allow the City to function with little to no disruption in services.

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Sullivan thanked the Mayor for his transparency and that this is the absolute right thing to do under the current circumstances. Councilor Harris agreed. Councilor Flaherty also agreed 100% and supported the motion.

Upon motion of Councilor Figy, it was  
VOTED: Under immediate consideration, that a gift donation of a "Heart Save" unit from Susan Canning, Director of KEVS Foundation Inc. to be installed at the Municipal Playground be ACCEPTED per voice vote.

Upon motion of Councilor Figy, it was

VOTED: Under immediate consideration, that a gift donation of \$997.00 for black windscreens with ties to be installed at the Municipal Playground from Nancy Stolpinski, Westfield Pickle Ball Coordinator be ACCEPTED per voice vote.

Upon motion of Councilor Figy, it was

VOTED: Under immediate consideration, that the sum of \$60,000.00 be appropriated from Free Cash to Veterans Services, Veterans Benefits, account #15430000-578005.

The vote on the foregoing was as follows:

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
James Adams	Abstained
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Councilor Adams abstained due to a professional conflict.

Upon motion of Councilor Figy, it was

VOTED: That item 4. under "Communications from the Mayor" be read by the Clerk and REFERRED TO THE FINANCE COMMITTEE.

The Clerk read from the Agenda as follows

4. Transfer of \$20,000.00 from the Department of Public Works, Waste Collection Division, Full Time Hourly account #14330000-511100 to the Department of Public Works, Solid Waste Recycling Division, Purchase of Services account #14340000-520000.

Upon motion of Councilor Onyski, it was

VOTED: That item 5. 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

5. Resolution allowing consolidation of school and city functions; an Ordinance amending the Department of Facilities to create a stand-alone Department; and an updated job description of the Director of Facilities.

Upon motion of Councilor Harris, it was

VOTED: Under immediate consideration, that the appointments to the Youth Commission as follows: Brina Lopez, Jake LaBombard, Maya Guillotte, Cynthia Francis, Raeana Edwards,

Ethan Thompson, Nicholas Boisseau, Chaeli Mackey, Quinn O'Brien, Grace Riga and Annika Jensen all for a term to expire the first Monday of March, 2022, be CONFIRMED.

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Harris informed the Council that before Mayor Brian Sullivan left he was enthusiastic about Leanne Cloutier, then Assistant to the Mayor and now the City's Community Development Block Grant Coordinator, and Holly Lurgio, Administrative Assistant in Mayor's Office, then and now, who stepped forth to be liaisons to the Youth Commission, which had slowly lost members and was not as active as one would hope. Mayor Humason agrees and supports this endeavor. The purpose of the Youth Commission is to identify the need for social, cultural and recreational activities for the youth of the City and to provide information on programs providing such activities. The number of members shall be between 11 to 20 members. Ms. Cloutier and Ms. Lurgio reached out to Guidance Counselors at the Middle School and High Schools for interested students. All students who were interested filled out a simple application which gave them an opportunity to express why they wanted to be involved in the Commission, they were then interviewed in a caring and friendly way by Cloutier and Lurgio, and then approved by Mayor Humason. Also to note that Pamela Krzyzek, an individual therapist for youth and adults, is still the Adult Member.

Upon motion of Councilor Onyski, it was VOTED: Under immediate consideration, that the Resolution, submitted City Clerk Karen Fanion, entitled "A RESOLUTION DESIGNATING A TEMPORARY CENTRALIZED VOTING LOCATION (Westfield Middle School, 30 West Silver Street) FOR THE SPECIAL STATE ELECTION (Senate Seat) ON MARCH 31, 2020" be ADOPTED.

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Onyski informed the Council that due to the COVID-19 situation, it is safer to have one polling location instead of opening up several schools, which are all closed at this time. Councilor Allie questioned if one polling location could handle the volume of voters and shouldn't there be two, one on the north side and one on the south side. Councilor Onyski answered that due to the circumstances having one location is the best option. Councilor Figy informed the Council that all the schools are closed and have been cleaned and agreed that one location was the best option. Councilor Sullivan questioned if Early Voting was an option. The Clerk, per permission of the Chair, answered that Early Voting was not an option for this election, but that anyone that is quarantined may apply for an absentee ballot.

Upon motion of Councilor Onyski, it was

VOTED: Under immediate consideration, that the Order, submitted City Clerk Karen Fanion, entitled "an ORDER CALLING THE SPECIAL STATE ELECTION (Senate Seat) FOR MARCH 31, 2020" be given first reading by title only.

The Order was given first reading by title and upon motion of Councilor Onyski, it was VOTED: That the Order be passed to second reading.

Upon motion of Councilor Onyski, it was

VOTED: That the Order be given second reading by title only.

The Order was given second reading by title and upon motion of Councilor Onyski

VOTED: That the Order be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Upon motion of Councilor Beltrandi, it was  
VOTED: That the annual Junk Dealer and Junk Collector license renewals for 2020 submitted City Clerk Karen Fanion be REFERRED TO THE LICENSE COMMITTEE.

Upon motion of Councilor Harris, it was  
VOTED: Under immediate consideration, that DPW, Highway Division employee Frankie Gonzalez submitting a G.L. Disclosure to also serve as an Auxiliary Police Officer with the Westfield Police Department be APPROVED.

Upon motion of Councilor Onyski, it was  
VOTED: That the amendment submitted by Community Development Director Peter Miller, for the Off-Street Parking Commission, for the Off-Street Parking Commission ordinance be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE. (This item was previously referred to L & O at the 3-5-20 meeting.)

Councilor Sullivan, and all others, reminded the public to shop local takeout and support local charities during the COVID-19 pandemic. Councilor Sullivan reminded the public that this is a good time to support local not-for-profits and local restaurants for take-out while still staying within the social distancing guideline.

A PUBLIC HEARING that was scheduled on layout orders for Devon Terrace, Gloria Drive, Hillary Lane, Nancy Circle, Frank Circle, Rachael Terrace and Hillcrest Circle, so-called, as City Ways has been cancelled and will be rescheduled.

A PUBLIC HEARING that was scheduled on an application submitted by Kantany, LLC (Big Y) for a gas storage license at 330 East Main Street for the storage of 20,000 gas in one tank underground, 12,000 gallons gas in one underground tank, 8,000 gallons diesel in one compartment tank and above ground containers of 20# propane has been cancelled and will be rescheduled.

Councilor Sullivan announced that the Finance Committee did not meet because all subcommittee meetings were cancelled due to the State of Emergency due to COVID-19 pandemic and the Finance Committee report will be a Committee of the Whole.

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That the sum of \$271.60 be appropriated from Waste Collection Division, Fiscal year 2020 Purchase of Services account #14330000-520000 to Waste Collection Division, Fiscal year 2018 Purchase of Services account #14330000-520000 (prior year bill).

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Sullivan informed the Council that the prior year bill is for an EZ Pass transponder and that there was confusion on the billing process.

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That the sum of \$3,825.18 be appropriated from Water Division, Fiscal year 2020 Purchase of Services account #68004500-520000 to Water Division, Fiscal year 2019 Purchase of Services account #68004500-520000 (prior year bill).

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes



Prior to the vote, Councilor Sullivan informed the Council that the prior year bills were received after the purchase order was closed.

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That the sum of \$740.35 be appropriated from Solid Waste Recycling Division, Fiscal Year 2020 In-State Travel account #14340000-571000 to Solid Waste Recycling Division, Fiscal Year 2018 In-State Travel account #14340000-571000 (prior year bill).

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Sullivan informed the Council that the prior-year bill is for an EZ Pass responder bill.

Councilor Sullivan offered a motion, which was duly seconded, for the transfer of \$18,945.00 from DPW, Stormwater Division, Fiscal Year 2020 Construction account #68504550-589200 to Stormwater Division, Fiscal Year 2016 Construction account #68504550-589200 (prior year bill). He informed the Council that it was an oversight because there were two departments involved and they each thought the other paid the bill. The bill was for regulatory work done on Elm Street and that the work was completed. Councilor Beltrandi questioned why the bill is four years old. Councilor Sullivan agreed that that is a concern. Councilor Figy informed the Council that it was an oversight because there were two departments involved, Engineering and DPW, Stormwater Division. Councilor Flaherty informed the Council that he will vote no on this because the Council has been told by the department that this would not happen again. Councilor Beltrandi agreed that the department told the Council that this would not happen again. Councilor Morganelli agreed that this is unacceptable. Councilor Harris agreed that this prior bill of four years is unacceptable, but informed the Council that the vendor still needs to be paid for the work that was completed. Councilor Allie agreed the vendor has to be paid and that this matter should have been caught sooner.

Upon motion of Councilor Sullivan, it was VOTED: That the transfer of \$18,945.00 from DPW, Stormwater Division, Fiscal Year 2020 Construction account #68504550-589200 to Stormwater Division, Fiscal Year 2016 Construction account #68504550-589200 (prior year bill) be TABLED.

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That the sum of \$328.63 be appropriated from DPW, Water Division, Fiscal Year 2020 Other Personal Services account #68004500-516000 to Water Division, Fiscal Year 2019 Other Personal Services account #68004500-516000 (prior year bill).

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Sullivan informed the Council that the prior year bills came in after the purchase orders were closed.

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That the sum of \$150.00 be appropriated from DPW, Land and Natural Resources Division, Fiscal Year 2020 Purchase of Services account #14990000-520000 to Land and Natural Resources Division, Fiscal Year 2019 Purchase of Services account #14990000-520000 (prior year bill).

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Sullivan informed the Council that the prior year bill came in after the purchase order was closed.

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That the sum of \$1,080.07 be appropriated from the DPW, Wastewater Division Fiscal Year 2020 Purchase of Services account #67004400-520000 to Wastewater Division Fiscal Year 2019 Purchase of Services account #67004400-520000 (prior year bill).

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Sullivan informed the Council that the prior year bill came in after the purchase order was closed

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That the sum of \$25,475.00 be transferred from the Police Towing and Storage account #2400-330210 to Police Towing and Storage account #24210714-585001.

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Sullivan informed the Council that the transfer is for the purchase of a replacement of the 1994 boat currently being used, known as the Patti Andras Boat, for Hampton Ponds.

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That the sum of \$1,150.00 be appropriated from PEG Undesignated fund to PEG Access Fund-Full Time Salary account #21106940-51100.

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Sullivan informed the Council that this is a shortfall and required per the contract.

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That the sum of \$79,177.00 be appropriated from PEG Fund Balance-Designated for PEG Access, account #2110-340000 to PEG Access Fund-Full Time Salary, account #21106940-511000

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Sullivan informed the Council that the appropriation is for the salary of the radio and television broadcasting teacher. Councilor Flaherty informed the Council that it is not a good idea to use PEG funds to pay school department staff. Councilor Sullivan informed the Council that for future years the position will be funded by the School Department.

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That a check in the amount of \$30,926.52 from the Westfield Redevelopment Authority External Account XXXXXX4723 to Westfield Redevelopment Authority Internal Account (Fund 9200) be ACCEPTED.

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Upon motion of Councilor Sullivan, for the Finance Committee, it was VOTED: That 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 be APPROVED.

The vote on the foregoing was as follows:

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
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes

Prior to the vote, Councilor Sullivan informed the Council that the appropriation is for the Health Department to enter into a contract with Tighe & Bond for consultation services regarding the City's long-term management of solid waste and recyclables.

Councilor Onyski announced that the Legislative and Ordinance Committee did not meet because all subcommittee meetings were cancelled due to the State of Emergency due to COVID-19 pandemic and the Legislative and Ordinance Committee report will be as a Committee of the Whole.

Councilor Onyski, for the Legislative and Ordinance Committee, informed the Council that the Resolution OPPOSING THE TCI GAS TAX AND THE TRANSPORTATION AND

CLIMATE INITIATIVE was in committee for discussion and then remained in committee and now will come out for discussion of the whole Council. Councilor Onyski informed the Council that the committee dissected the original Resolution as submitted to remove anything that was not factual. He reviewed several of those items that were removed. Councilor Allie, the original submitter of the Resolution, reviewed all of the proposed changes. He referred to several different items that were submitted to the Council relative to the proposed changes and why they should be removed or should remain in the Resolution. Councilor Burns requested that his name be removed from supporting the original motion. Councilor Matthews-Kane expressed her concerns that the Resolution may contain some untruth statements. Councilor Onyski informed the Council there were substantial changes to the Resolution and it's confusing as to what the final Resolution essentially will say.

Upon motion of Councilor Onyski, it was  
VOTED: That the Resolution be REFERRED BACK TO LEGISLATIVE AND ORDINANCE COMMITTEE. Councilor Allie was OPPOSED.

Councilor Onyski, for the Legislative and Ordinance Committee, informed the Council that the motion of Councilor Bean to review and amend City Council Rule 38 - Majority Vote on Certain Financial Measures is a housekeeping issue to get the rule to coincide with the way financial matters have always been done with one vote. Councilor Flaherty was opposed to changing the rule and expressed his opinion that there should be two votes. Councilor Morganello questioned what other cities do. President Bean informed the Council that the City of Westfield has been doing financial votes with one vote for years and he's not concerned with what other cities do. Councilor Flaherty informed the Council that Rule 39 also says Orders and Resolutions need two votes. Councilor Sullivan questioned why Rule 39 has to change, the discussion is about financial items in Rule 38 and agreed it's been done that way for years.

Upon motion of Councilor Flaherty, it was  
VOTED: That The above item REMAIN IN COMMITTEE.

Councilor Onyski, for the Legislative and Ordinance Committee, informed the Council that, per the Attorney Shanna Reed in the Law Department, the motion of Councilor Figy to add a section to the City Council Agenda for Council updates does not need to be added to the Council Agenda. It was suggested that any announcement be given to the President, in writing, before the meeting to be reviewed by the President to be sure it is not of a political nature. Councilor Sullivan informed the Council that typically 99% of announcements are for charity groups but cautioned the Council that there could be an announcement from a group that may not agree with the City's values. Councilor Beltrandi and Burns agreed with Councilor Sullivan that it could be a fine line.

Councilor Figy withdrew the motion without prejudice.

Upon motion of Councilor Flaherty, for the Zoning, Planning and Development Committee (which held their meeting March 12, 2020), it was  
VOTED: That the 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 (#253-19). On March 12th, ZPD voted 3-0 to recommend removal

from committee without action (matter timed-out and was replaced by #257-20 above) be REMOVED FROM COMMITTEE because the time lapsed and it has been replaced by application #257-20.

Upon motion of Councilor Flaherty, for the Zoning, Planning and Development Committee (which held their meeting March 12, 2020), it was VOTED: That the 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) be given a positive recommendation. Councilor Beltrandi informed the Council that this needs to move forward and reminded the Council there was no opposition at the Public Hearing.

Upon motion of Councilor Flaherty, it was VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, APPENDIX B-ZONING, ADOPTED SEPTEMBER 3, 1987" (Amend Section 1-10.2 to give broader authority to the Building Department) be given first reading by title only.

The Ordinance was given first reading by title and upon motion of Councilor Onyski, it was

VOTED: That the Ordinance be PASSED TO SECOND READING.

Upon motion of Councilor Flaherty, for the Zoning, Planning and Development Committee (which held their meeting March 12, 2020), it was VOTED: That the 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) be given a positive recommendation. He informed the Council that the other issue was if the Columbia Greenway is a park and that it needs to be clarified and that included is an amendment to include the Columbia Greenway Rail Trail in the amendment. Councilor Figy informed the Council that he is opposed to including the Columbia Greenway Rail Trail in the amendment. Councilor Flaherty informed the Council that it's a park under zoning but not under the general ordinance and with the amendment to include it, it specifies it clearly. Councilor Morganelli informed the Council that he would be a no vote and that it is not the responsibility of the committee to include it in the amendment. Councilor Matthews-Kane informed the Council that a yes vote would be to clarify that the Greenway is to be included in the 500 feet to have a public hearing, it's not to define it as a park. Councilor Onyski informed the Council that per the law department to list the Greenway separately. Councilor Harris informed the Council that it's not saying it's a park, it's saying the Greenway is included within the 500 feet of a marijuana establishment has to have a special permit. Councilor Morganelli informed the Council that the petition from the Planning Board is asking for within 500 feet of parks and this is giving them something different. Councilor Sullivan thanked the committee for their work on the matter and informed the Council that the Columbia Greenway is a linear park based on where the funds came from. Councilor Onyski informed the Council that it's irrelevant whether it's a park or not it's whether or not a marijuana establishment within 500 feet of the Greenway, no matter what it's called, should trigger a special permit. Councilor Mello informed the Council that it's whether or not it should be by special permit or by-right use.

Upon motion of Councilor Flaherty, it was VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, APPENDIX B-ZONING, ADOPTED SEPTEMBER 3, 1987" (amend Section 4-90 to strengthen regulation of marijuana establishments by requiring special permit if within 500 feet of a park and include Columbia Greenway Rail Trail) be given first reading by title only.

The Ordinance was given first reading by title and upon motion of Councilor Onyski, it was

VOTED: That the Ordinance be PASSED TO SECOND READING.

Councilor Figy was opposed.

Councilor Sullivan thanked President and the IT Department for setting up the technology in order to allow Councilors and the public to participate remotely.

At 9:09 PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

A true record, Attest,

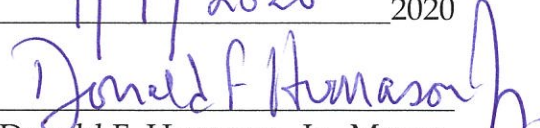


Karen M. Fanion  
City Clerk/Clerk of the Council

Presented to the Mayor

Approved by the Mayor

For approval April 2 2020  
  
Karen M. Fanion, City Clerk

4/9/2020 2020  
  
Donald F. Humason, Jr., Mayor