

MEETING OF CITY COUNCIL

WESTFIELD, MASSACHUSETTS

APRIL 2, 2020 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 remotely called to order at 7:00 PM.

The City Clerk called the roll. Councilor Adams was absent. All other Councilors were present remotely.

The Pledge of Allegiance was led by the President.

President Bean called for a "Moment of Silence" to remember all those lost to the Coronavirus and to keep in everyone in their prayers that are experiencing the Coronavirus and to especially pray for all first responders and doctors and nurses that are on the front line during this time of crisis.

Upon motion of Councilor Beltrandi, it was VOTED: That record of the meeting of March 19th, 2020 be ACCEPTED.

President Bean announced that the traditional Public Participation is not being held at this time, but asked if any Councilors received any emails from constituents that they would like to present.

Councilor Onyski informed the Council that he has received questions from applicants that have items in Committee and how will those meetings be held going forward. President informed the Council that if this completely remote meeting is successful other boards/commissions and committees will be brought forward to have

a remote meeting.

Upon motion of Councilor Figy, it was VOTED: Under immediate consideration, that the Grant in the amount of \$32,346.77 from Mass DOT Aeronautics Division under Airport Safety and Maintenance Program (ASMP) to the Airport Department for the purchase of two new tow-behind mower decks to maintain grass height which is compliant with the FAA safety requirements be ACCEPTED. The Airport share of (20%) \$8,086.70 is budgeted in expense account #11990000-587000 replacement equipment.

The vote on the foregoing was as follows:

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	Absent
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes

Upon motion of Councilor Figy, it was VOTED: Under immediate consideration, that the sum of \$100,000.00 be transferred from the Ambulance Designated Fund Account #2100-340000 to the Ambulance Overtime Account #21002310-513000 for overtime for the hiring of off-duty firefighters and paramedics during this current COVID-19 pandemic situation.

Prior to the roll call vote, City Clerk Karen Fanion lost connection to the meeting.

Upon motion of Councilor Flaherty, it was VOTED: That the rules of the City Council be SUSPENDED to go out of order with the roll call.

President Bean read the roll call for the vote on the foregoing as follows:

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

Prior to the vote, Councilor Burns informed the Council that he spoke with Fire Chief Egloff and at this time there are 10 firefighters out either quarantined or with the virus. And, also the Chief is in collaboration with other communities for mutual aide. Councilor Allie questioned how long that would last. Councilor Figy informed the Council that he's not sure and that this appropriation is in addition to the previous appropriation so as to have a safety net and he commended Chief Egloff for his endeavor of mutual aide with other communities.

City Clerk Karen Fanion regained connection to the meeting.

Upon motion of Councilor Figy, it was VOTED: Under immediate consideration, that the sum of \$40,000.00 be appropriated from Free Cash to the COVID-19 Technology account #1550000-529999 for additional purchases of equipment and remote licenses.

The vote on the foregoing was as follows:

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	Absent
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes

Upon motion of Councilor Figy, it was
VOTED: That the rules of the City Council be SUSPENDED in order to act upon items received at tonight's meeting.

Upon motion of Councilor Figy, it was
VOTED: Under immediate consideration, that a Grant in the amount of \$5,663.00 from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security through the Department of Fire Services to the Fire Department for the S.A.F.E. (Student Awareness of Fire Education) program for the Westfield schools be ACCEPTED. There are no matching funds.

The vote on the foregoing was as follows:

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	Absent
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes

Upon motion of Councilor Figy, it was
VOTED: Under immediate consideration, that a Grant in the amount of \$2,730.00 from the Commonwealth of Massachusetts, Executive Office of Public Safety and Security through the Department of Fire Services to the Fire Department for the S.A.F.E. program to run in partnership with the Senior Center be ACCEPTED.

The vote on the foregoing was as follows:

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	Absent
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes

Upon motion of Councilor Figy, it was
VOTED: That the meeting return to regular order.

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. Appropriation of \$113,821.66 from Department of Public Works, Water Division, Undesignated Fund Balance, account #6800-359000 to the following: \$22,821.66 to Department of Public Works, Water Division, Long Term Principal, account #68004500-591000 and \$91,000.00 to Department of Public Works, Water Division, Temporary Interest, account #68004500-592500.

Upon motion of Councilor Figy, for the Finance Committee of the Whole, it was
VOTED: That the sum of \$20,000.00 be transferred 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.

The vote on the foregoing was as follows:

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	Absent
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes

Upon motion of Councilor Onyski, for the Legislative and Ordinance Committee of the Whole, it was

VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993" (Chapter 17 Off-Street Parking Commission) 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.

Prior to the vote, Councilor Onyski informed the Council that Community Development Director Peter Miller requested an amendment to the number of members from seven to three due to the fact it is difficult to get a quorum with a membership of seven. And also included in the amendment is the addition of the Central Street Lot. Councilor Allie questioned who the three members would be. Councilor Onyski informed the Council that there are only three members that participate so they would be the members.

Upon motion of Councilor Onyski, for the Legislative and Ordinance Committee of the Whole, it was

VOTED: That a Resolution entitled "A Resolution OPPOSING THE TCI GAS TAX AND THE TRANSPORTATION AND CLIMATE INITIATIVE" be ADOPTED.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Onyski informed the Council that the Committee reviewed the Resolution and amended it by removing what they believed to be untruths or information that could not be substantiated. Councilor Allie questioned the 3rd whereas on the Resolution and informed the Council that it is true that the gas tax would be raised and why was that taken out. Councilor Onyski informed the Council that the Committee was not sure it would be raised in the amounts that were provided. Councilor Flaherty suggested to vote on the Resolution as presented or send it back to Committee because it is too difficult to go over each whereas given the meeting is being done remotely. Councilor Burns informed the Council that he is opposed as to how the Resolution is written and per Representative Velis this is not part of the Legislature at this time, it is on the Governor's desk. Councilor Morganelli informed the Council that it's self-explanatory by its title and that it's the Council's duty to advocate for the residents no matter if it's before the Legislature or the Governor. Councilor Onyski was opposed to having it be referred back to Committee. Councilor Allie agreed not to send it back to Committee. He informed the Council that Agawam passed a similar Resolution last week and he hopes others will follow. Councilor Mello expressed her concern that the Council's attention should not be on this matter at this time while dealing with the COVID-19 situation. Councilor Morganelli thanked Councilor Allie for spearheading this motion and Councilor Onyski for his work done on it in committee and to move forward and vote on it. Councilor Matthews-Kane informed the Council that she will be voting no on the Resolution and she read the following: I want to share that I will be voting against the TCI resolution. First, I question the wisdom of dealing with this resolution when it eats up the valuable time and resources of the council. This is an issue best decided at the state level and is simply not within our purview. Second, there are parts of the resolution that are still, in my opinion, not accurate. While it is true that the Massachusetts Constitution states that all taxes must originate in the state house, this implies that somehow the state house has not already authorized such

agreements. However, in August 2008 the Massachusetts legislature passed the Global Warming Solutions Act, which requires that Massachusetts achieve reductions in greenhouse gas emissions. Through this act, the legislature has authorized the governor to engage in such agreements, so the TCI, in my opinion, did actually originate in the state house. Thirdly, the TCI resolution has been backed by many business groups throughout the state, including Associated Industries of Massachusetts, the Massachusetts Competitive Partnership, the Massachusetts Business Roundtable and the Massachusetts Taxpayers Foundation. They argue that it will be a good idea and allow Massachusetts to expand and fix its aging transportation system. Fourth, this resolution focuses on the costs associated with passing the TCI, but it neglects to mention the cost of doing nothing. Doing nothing will be very, very expensive. In a 2017 report, experts predict quote "the economic losses from extreme weather combined with the health costs of air pollution spiral upward to at least \$360 billion annually, potentially crippling U.S. economic growth." We must remember that while there are indeed costs associated with the TCI, there are also costs associated with not passing the TCI. And my final point is perhaps not my strongest but is the most important to me personally. When I decided to run for City Council, I thought long and hard about what kind of City Councilor I wanted to be. And for me, I decided that my model would be Barbara Swords. I know a few of you were lucky enough to serve with her, and you might be thinking those are pretty big shoes to fill Bridget, but indeed, that is my goal as a city councilor. I know Councilor Swords always stood up as a defender of the environment, and I've heard she took many tough votes because of it. I also know she stood up and urged Westfield to protect its aquifer and warned what would happen if we did not have clean drinking water. Sadly, we all know how that went for Westfield. As Councilor Swords stood up and urged Westfield to protect the aquifer, I stand in front of you tonight and I urge you to protect our environment and reject this resolution. There are many arguments to be made against this resolution, but the clear and concrete example of failing to protect the aquifer and its resulting financial and health consequences should give you pause in voting for this resolution that would fail to protect our environment.

Councilor Harris requested Councilor Sullivan give his input on the matter. Councilor Sullivan informed the Council that he completely agrees with Councilor Matthews-Kane's comments and that this matter is probably going nowhere and won't work. Councilor Morganelli thanked the Councilors that worked on this and informed the Council that he is not sure how Barbara Swords would have voted on this because of its debate on carbon dioxide and carbon credits.

Councilor Onyski, for the Legislative and Ordinance Committee of the Whole, informed the Council that the matter of the Department of Facilities, it is a three-part process. The overview is to have single person/department oversee all the City buildings. Councilor Figy informed the Council that in 2015 the Department of Facilities came to be and was part of the Mayor's office with the hopes it would become a stand-alone department to take care of all City buildings. Right now the schools take

care of their buildings and the City takes care of their buildings and this would consolidate several people and tradesmen. The first part, is a Resolution consolidating functions between the City and Schools which has been approved by the School Committee. Councilor Flaherty expressed his concern that the School Committee can undo this agreement and there is no guarantee that future School Committees will continue this agreement. He informed the Council that right now the school has money in their budget to maintain their schools and will that money come out of the school's budget and come to the City's budget. He expressed his concern as to who will be in charge of the employees because principals are each in charge of their own schools. Councilor Figy informed the Council that by doing this before the budget those issues will be dealt with at budget time and that it's always a complaint that there is not enough money for the maintenance of buildings and the best way to do it is to consolidate. Councilor Allie questioned if personnel from the school would be in the City's budget. Councilor Figy informed the Council that the idea is that the skilled tradesmen be transferred to the City side for a coordinate effort. Councilor Bean questioned if this would include the grounds also. Councilor Figy informed the Council that the grounds issue has not come up in the discussion but logically it should be included. Councilor Mello questioned the security of City employees working in the schools. Councilor Figy informed the Council that all school employees are CORI checked and any City employee working in the schools would be CORI checked also. Councilor Morganelli questioned if there is a model used by other communities. Councilor Figy informed him that in Agawam maintenance includes school custodians and are under the DPW. Councilor Flaherty expressed his concern that the unions would all have to agree on the consolidation and that pensions would be affected which may be a sticky point. Councilor Burns questioned if it will change supervisors. Councilor Figy informed the Council that Bryan Forrette currently is the Director of Facilities as the department stands now and that he would have to reapply because it's a new position. Councilor Onyski reiterated that there are three parts to this process and the Council could vote on one and send the other two back to Committee. Councilor Figy informed the Council that the hope is to get this settled by budget time to have it go into effect July 1st. He reminded the Council that the job description must be accepted or rejected within two meetings of its submission and the Ordinance needs two readings. Councilor Mello questioned what the financial issue to the City would be relative to pensions. Councilor Figy informed the Council that it is unknown because no one knows the retirement piece yet. Councilor Matthews-Kane questioned if there is a cost savings. Councilor Figy informed the Council that there would be a savings because there would be more efficiency and right now there is a lot of work that is contracted out. Councilor Flaherty informed the Council he is ok with voting on the Resolution and doing first reading on the ordinance but there are a lot of questions about pensions, who are the supervisors and other long term consequences that need to be answered prior to accepting the job description and final passage of the ordinance.

Upon motion of Councilor Onyski, it was

VOTED: That a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD CONSOLIDATING FUNCTIONS BETWEEN CITY AND SCHOOL" be ADOPTED.

The vote on the foregoing was as follows:

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	Absent
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes

Upon motion of Councilor Onyski, for the Legislative and Ordinance Committee of the Whole, it was

VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993" (Chapter 2 Administration Division 8 Department of Facilities) 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 Onyski, it was

VOTED: That the job description for the Director of Facilities be TABLED.

Councilor Onyski informed the Council that there will be a meeting of the Committee of the Whole to discuss the outstanding questions.

Upon motion of Councilor Harris, for the Personnel Action Committee of the Whole, it was

VOTED: That 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 be CONFIRMED.

The vote on the foregoing was as follows:

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	Absent
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes

Prior to the vote, Councilor Harris informed the Council that Mr. Florek is a local business owner with more than 30 years of experience of running and maintaining a successful landscaping company. He is the President of Cobble Mountain Landscaping and Nursery, Inc., in Westfield, overseeing employees from all walks of life, marketing and advertising, budgets and sales projections, ensuring planting designs and materials are suitable for the environment. He is a stone mason, has a Hoister's license and a licensed pesticide applicator. His background includes Law Enforcement education and Degree, ongoing seminar training and accreditation in regulations and product updates in regards to his business and is a past member of the Advisory Boards at Westfield Bank and then Westfield Vocational High School and volunteered in Westfield Youth Sports. He is a member of the Massachusetts Nursery and Landscaping Association and the National Association of the Self-Employed. Councilor Burns informed the Council that Mr. Florek spoke very highly of Councilor Harris and her professionalism in gathering his background information for the appointment.

Upon motion of Councilor Figy, 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 REMOVED FROM THE TABLE.

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

The vote on the foregoing was as follows:

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	Absent
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Ralph Figy	Yes

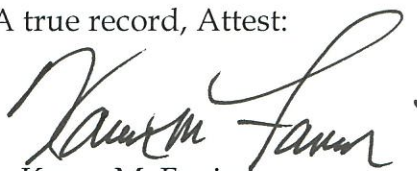
Prior to the vote, Councilor Figy informed the Council that after numerous calls he figured out went wrong. He informed the Council that legally the City is responsible to pay off construction invoices in 30 days and if not paid in 30 days the vendor may charge interest. The invoice was sent in within 30 days, but it involved two departments and each thought the other was taking care of it. The vendor is being patient, but could charge the City interest from the original date of the bill if not paid immediately and it was poor management of the departments. He informed the Council that it was for work done at the Notre Dame/North Elm Street intersection reconstruction which included milling, paving and stormwater work. Councilor Beltrandi, liaison to both the DPW and Engineer department, informed the Council that the vendor submitted the bill and then lost track of it for a couple of years and that the work was done and the bill needs to be paid. Councilor Morganelli questioned what the interest is and that it is not on the bill. Councilor Figy informed the Council that there is no interest added to the bill yet, but the vendor has the right to add it if this does not get paid immediately.

Councilor Flaherty questioned why the second reading and final passage was not on the Agenda for the Zoning applications relative to marijuana establishments within 500 ft of a park and the additional information needed on a building permit. President Bean informed the Council that they were originally scheduled to be on the Agenda but he requested them to be removed due the fact this was the first time the meeting was being held completely remotely and he did not want a long agenda. He informed the Council that the remote meeting went well and they will be on the next regular agenda.

Councilor Beltrandi thanked Lenore Bernashe, Director of IT and Peter Cowles, Media Specialist for setting everything up for this remote meeting.

At 8:18 PM, and upon motion of Councilor Harris, it was
VOTED: To ADJOURN.

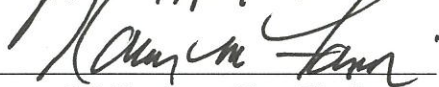
A true record, Attest:



Karen M. Fanion
City Clerk/Clerk of the Council

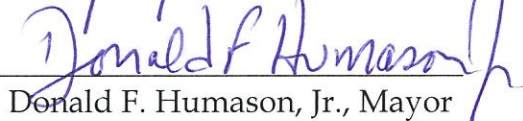
Presented to the Mayor

For approval April 9 2020


Karen M. Fanion, City Clerk

Approved by the Mayor

4/9/2020 2020


Donald F. Humason, Jr., Mayor