

MEETING OF CITY COUNCIL  
WESTFIELD, MASSACHUSETTS  
MAY 3, 2018

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

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

The Pledge of Allegiance to the Flag of the United States was led by the President.

President Beltrandi asked if anyone, other than Channel 15. Channel 22 announced they were taping the meeting.

Upon motion of Councilor Bean, it was  
VOTED: That the record of the meeting of April 19, 2018 be ACCEPTED.

Under "Public Participation" the Councilors were addressed by Ms. Anne Aylward, 34 Kane Brothers Circle. She submitted a petition in support of the second reading of the water bond.

Under "Public Participation" the Councilors were addressed by Mr. Tim Wing, 3 Delancey Street. He submitted a petition in support of the second reading of the water bond. Councilor Surprise questioned Mr. Wing who provided him the petition. Mr. Wing declined to answer.

Under "Public Participation" the Councilors were addressed by Ms. Dawn McCann, 61 Meadow Street. She read and submitted a letter to the Councilors describing her adverse health conditions in the past 10 years and concluded that being exposed to PFAS and PFOS can lead to idiopathic neurological issues.

Under "Public Participation" the Councilors were addressed by Kristen Melo, 27 Moseley Avenue. She informed the Council that she submitted a letter from Silent Spring and maps from Natural Resources and they are in the Council share file. She informed the Council that it has been a little over a year since she first came before the Council relative to the contaminants in the water and the filtration of the water. She informed the Council that she will not let the issue go if the Council spends money for filters that do not remove all of the contaminants. She informed the Council that she is furious that contaminated water could have been coming out for years. She requested the Council reconsider the plan and adopt a plan to deliver PFAS free water. She informed the Council that if a plan is not voted on to deliver PFAS free water WRAFT

will submit referendum and initiative petitions for PFAS free water in the City. Councilor Allie informed the Council that the documents are on the share file.

Under "Public Participation" the Councilors were addressed by Mr. Tom Woodson, 112 Squawfield Road. He spoke in support of the passage of the water bond.

Under "Public Participation" the Councilors were addressed by Ms. Gail Bean, 66 Sherwood Avenue. She spoke in support of the passage of the water bond.

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

- A. Appropriation of \$400,000.00 from the Department of Public Works (DPW) Stormwater Division Undesignated Fund account #6850-359000 to the DPW Stormwater Division, Construction account #68504550-589200.

Upon motion of Councilor Harris, 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 Harris, it was VOTED: Under immediate consideration, that the reappointment of Karl Hupfer, 76 Scenic Road, as a member of the Police Commission for a term to expire the first Monday of February, 2021 be CONFIRMED.

The vote on the foregoing was as follows:

Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes

Prior to the vote, Councilor Harris informed the Council that Mr. Hupfer has had 25 years of service to the City, a retired Major from the State Police and is invaluable in regards to his wealth of knowledge regarding rules, regulations, policies and practices for the Police Department.

Upon motion of Councilor Harris, it was VOTED: Under immediate consideration, that the reappointment of Jayne Mulligan, 362 Granville Road #201, as a member of the Westfield Housing Authority for a term to expire the first Monday of June, 2022 be CONFIRMED.

The vote on the foregoing was as follows:

Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes

Prior to the vote, Councilor Harris informed the Council that Ms. Mulligan has had 15 years of service to the City, she was with the Police Department and has served on the Housing Authority as a Governor's appointee for 12 years and Mayor's appointee for three years, is knowledgeable with all the rules and regulations relative to the Housing Authority.

Upon motion of Councilor Bean, it was VOTED: Under immediate consideration, that permission be GRANTED to serve beer and wine and to waive the "open container" regulation on Park Square Green from 6:00 PM to 9:30 PM, for concerts on the Green sponsored by Westfield on Weekends (WOW) and MusicFest Committee on the following dates:

Thursday, June 21, 2018 - Mowtown review

Thursday, July 19, 2018 - Heart Media/KIX Radio Concert

Thursday, August 16, 2018 - Western Mass All-Star Jazz Band

Upon motion of Councilor Bean, it was VOTED: That the meeting be returned to regular order.

Upon motion of Councilor Figy, it was VOTED: That the request from Conservation Coordinator Karen Leigh requesting Council approval on a Conservation Restriction at 0 Southampton Road (Assessor's Parcel 70R-10), Paul Dion, owner be APPROVED AND PLACED ON FILE.

A PUBLIC HEARING was held on the application submitted by Blue Umbrella Books, 2 Main Street applying for a Junk Collector's license, Russell Atwood, owner.

Mr. Atwood was present to represent the application. He informed the Council that the book store buys and sells used books. He informed the Council that the store hosts local events with authors, ghost story events and book clubs and that all events are free. He informed the Council that he is taking over the store from his friend, the previous owner. Councilor Harris informed the Council that she has been to the store and it is a wonderful store. Councilor Surprise informed the Council that it's a great store and does a lot of free events for the community and encouraged anyone wanting a new book to have the book store order it for them. Councilor Allie asked if anything was changing from the previous owner and is the reason the application is in front of the Council is because of the change of ownership. Mr. Atwood answered that the store will be the same as with the previous owner and that because he is the new owner he needs to have the Junk Collector's license in his name. Councilor Morganelli spoke in favor of the application. Ms. Estelle Streeter, 88 Furrowtown Road, a retired librarian, spoke in favor of the application. Mr. Jay Pagluica, 42 Sylvan Avenue spoke in favor of the application. Mr. Mark Cressotti, 12 Furrow Street, spoke in favor of the application. With no others appearing to be heard the Public Hearing was CLOSED and upon motion of Councilor Bean, it was VOTED: That the application be REFERRED TO LICENSE COMMITTEE.

Upon motion of Councilor Allie, for the Finance Committee, it was VOTED: That the request to re-appropriate the balance of Bond Order 2455 for the creation of pickle ball courts REMAIN IN COMMITTEE.

Councilor Paul questioned how much was left over in Bond #2455. Councilor Allie informed the Council that there is \$70,907 left in the bond and that the bids have not been accepted yet and still waiting for the total cost of the project. Councilor Paul questioned why a bond is being re-appropriated because usually once a bond clears out the bond is closed out. Councilor Allie informed the Council that it was a request from the Mayor and then it was referred to Finance Committee.

Upon motion of Councilor Allie, for the Finance Committee, it was VOTED: That the appropriation of CPA Funds (voted June 1, 2017) for the West Farms/Wyben Schoolhouse (Historic) located at 605 Montgomery Road due to change of care and custody be REAFFIRMED.

Upon motion of Councilor Allie, for the Finance Committee, it was VOTED: That the appropriation of CPA Funds (voted May 19, 2016) for the Old Town Hall (Historic) located at 20 Broad Street due to new ownership be REAFFIRMED.

Upon motion of Councilor Surprise, for the Finance Committee, it was VOTED: That the motion of Councilors Flaherty and Allie requesting annual OPEB contributions based on gross payroll by department to be included in the Annual Budget (4/19/18) REMAIN IN COMMITTEE.

Upon motion of Councilor Surprise, for the Finance Committee, it was VOTED: That the motion of Councilor Allie to rescind bond for Cross Street School (4/19/18) be REMOVED FROM COMMITTEE WITH NO ACTION.

Upon motion of Councilor Emmershly, for the Finance Committee, it was VOTED: That the motion of Councilor Allie to request and review contract with Saint Peter & St. Casimir Church for use of parking lot (4/19/18) REMAIN IN COMMITTEE.

Councilor Emmershly, for the Finance Committee, offered a motion that the motion of Councilors Emmershly, Allie, and Surprise to review water production costs, and make recommendations be removed from Committee. Councilor Surprise informed the Council that the questions relative to the water bond that were on the May 2<sup>nd</sup>, 2018 Agenda is what is being removed from committee and that the motion relative to water production costs is to remain in committee. Councilor Onyski reiterated that the original motion was to withdraw the item. Councilor Paul questioned Councilor Emmershly as to what the motion is.

Upon motion of Councilor Surprise, it was VOTED: That the review of water production costs, and make recommendations REMAIN IN COMMITTEE.

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

VOTED: That an Order entitled "AN ORDER TRANSFERRING CARE, CUSTODY, MANAGEMENT AND CONTROL OF CERTAIN PARCELS IN THE CITY OF WESTFIELD" (Airport Commission to Water Commission on behalf of the Department of Public Works, Water Division)" 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 rules of the City Council be SUSPENDED in order to allow second reading and final passage at this meeting.

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 PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershay	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes

Prior to the vote, Councilor Onyski informed the Council that on March 15<sup>th</sup>, 2018 the Airport Commission, after obtaining approval from the FAA, voted to surplus the land. He informed the Council that the land was transferred to Water but was not done correctly and was never officially transferred. Councilor Onyski informed the Council that Wells 7 and 8 are located on this property. Councilor Onyski informed the Council that this needs to pass through all readings tonight because the FAA wanted it complete by the end of April but has extended it to May 3<sup>rd</sup>, 2018. Councilor Flaherty informed the Council that he does not like to do all readings in one meeting on land transfers. Councilor Surprise informed the Council that all readings should be done tonight and that it will not affect the wells and that the FAA has signed off on the transfer.

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

VOTED: That an Order entitled "AN ORDER TRANSFERRING CARE, CUSTODY, MANAGEMENT AND CONTROL OF A CERTAIN PARCEL IN THE CITY OF WESTFIELD ON SOUTHAMPTON ROAD" (1090 Southampton Road (Map 70R, parcel 19) from the City Treasurer to be declared surplus and be disposed) be given first reading by title only.

The Order was given first reading by title and upon motion of Councilor Morganelli, it was

VOTED: That the Order be PASSED TO SECOND READING.

The vote on the foregoing was as follows:

Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes

Prior to the vote, Councilor Morganelli informed the Council that the property has been delinquent in taxes since 1995 and was taken for non-payment in 1997 and in 2016 the City received final judgment on the foreclosure for the tax taking. He informed the Council that once it's declared surplus and sold an RFP will go out to sell the property and get the property back on the tax rolls. Councilor Flaherty questioned if the property was polluted since the property was a storage yard. Councilor Beltrandi informed the Council that there was dry storage at the property. Councilor Morganelli informed the Council that there are a lot of storage trailers on the property. Councilor Figy informed the Council that there is no inventory of the storage trailers and that the trailers would be cleaned before the property is sold. Councilor Flaherty questioned if there would be a cost for the clean-up. Councilor Paul also questioned if there would be soil tests on the property. Councilor Figy informed the Council that he would get those answers prior to second reading.

Upon motion of Councilor Flaherty, it was  
VOTED: That the Order of Appropriation be taken prior to the Order of Taking relative to the Western Avenue Roadway Reconstruction-Central project.

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

VOTED: That an Order entitled "AN ORDER APPROPRIATING THE SUM OF TWENTY-TWO THOUSAND FOUR HUNDRED FORTY (\$22,440.00) DOLLARS FOR THE PURPOSE OF TAKING PERMANENT AND TEMPORARY (FIVE YEAR) EASEMENTS BY RIGHT OF EMINENT DOMAIN FOR ROADWAY, TRAFFIC AND RELATED IMPROVEMENTS" (Western Avenue Roadway Reconstruction-Central) be given first reading by title only.

The Order was given first reading by title and upon motion of Councilor Figy, it was

VOTED: That the Order be PASSED TO SECOND READING.

The vote on the foregoing was as follows:

Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	No
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes

Prior to the vote, Councilor Figy informed the Council that the Finance Committee has approved the appropriation. Councilor Flaherty informed the Council that he will vote no because he hates the project because it will cause trees to be chopped down and the roadway on Lloyds Hill will be narrowed. He informed the Council that he wants Western Avenue fixed but not in this way. Councilor Surprise informed the Council that he will support the project because the road needs to be fixed and that there are hundreds of thousands of dollars coming from the State for this project and that the State has tied the City's hands relative to the design, but the City was able to get the 11 foot bike path changed to a 10 foot sidewalk. Councilor Bean seconded Councilor Surprises' comments and requested that this project not be delayed. Councilor Burns echoed Councilor Surprise and Bean's comments and also requested the project not be delayed even though the project is not perfect, it needs to be done. Councilor Allie commended the people that were able to have the bike path the plan changed to have the bike path narrowed and expressed his concern relative to the lighting that will be used for the project. Councilor Emmershly agreed with Councilor Flaherty about certain aspects of the project, but overall the scheme of the project is good and needs to be done and the neighbors want it fixed and want a safer turn lane. Councilor Paul questioned if the stormwater system will be fixed. Councilor Surprise informed the Council that it will be fixed. Councilor Babinski informed the Council that she has attended many meetings relative to this project and looked at the plans and that the plans have been vetted out for quite a long time.

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

VOTED: That an Order entitled "AN ORDER OF TAKING OF EASEMENTS OF REAL ESTATE FOR ROADWAY, TRAFFIC AND RELATED IMPROVEMENTS BY RIGHT OF EMINENT DOMAIN" (Western Avenue Roadway Reconstruction-Central) be given first reading by title only.



The Order was given first reading by title and upon motion of Councilor Figy, it was

VOTED: That the Order be passed to second reading.

The vote on the foregoing was as follows:

Robert Paul, Sr.	Yes
Andrew Surprise	Yes
Dan Allie	Yes
Mary Ann Babinski	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershay	Yes
Ralph Figy	Yes
Dave Flaherty	No
Cindy Harris	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes

Prior to the vote, Councilor Figy informed the Council that the taking of temporary easements (five years) and permanent easements for the project.

Upon motion of Councilor Bean, for the License Committee, it was VOTED: That the following list of City Council annual licenses for 2018 be APPROVED and that Luxxe Limousine Service, 37 South Meadow Road, Limo License and GG's United Transmission, 247 Elm Street, Taxi License REMAIN IN COMMITTEE until their missing information is submitted.

2018 City Council annual license renewals

NAME OF BUSINESS	ADDRESS OF BUSINESS	TYPE OF LICENSE	OWNERS OF BUSINESS	NOTES
Westfield Precious Metals	15 Malone Avenue	Junk Collector	Xavier Hillman	
Eastern Vehicle Recycling	88 Neck Road	Junk Dealer	Paul Ferretti	
The Spare Room	47 Southwick Road	Junk Dealer/Collector	Sarah Tobias	
Meadowbrook Antiques	658 Montgomery Road	Junk Dealer/Collector	Susan & Timothy Crane	
Route 202 Antiques	869 North Road	Junk Dealer/Collector	Sean Odabashian	
EcoATM	141 Springfield	Junk Dealer	EcoATM, LLC	

	Road			
Monty's Motorsports	518 Southampton Road	Junk Dealer/Collector	William Monty Geer	
Andrew Grant Diamond Center	55 Southwick Road	Junk Dealer/Collector	Robert Grant	
I buy Stuff	53 Pontoosic Road	Junk Dealer/Collector	Bob & Sue Plummer	
Jdog Removal & Hauling	30 Toledo Avenue	Junk Collector	Wade Rivest	
Restore	301 East Main Street	Junk Dealer/Collector	Greater Springfield Habitat for Humanity	
Game City	77 Elm Street	Junk Dealer/Collector	Truong Nguyen	
Blended Vintage Market Place	48 Elm Street	Junk Dealer/Collector	Andrea Bruno	
Richard's Fine Jewelers	461 East Main Street	Junk Dealer/Collector	Michael Rinaldi	
T-Mobile	261 East Main Street	Junk Dealer	Mobile Store Operators LLC	
Yellow Bear Indoor Tag Sale	98 Southwick Road	Junk Dealer/Collector	Vicki Benford	
Black Hole Guitars	1029 North Road Suite 11	Junk Dealer/Collector	Michael J Flynn	
Whip City Music	126 Elm Street	Junk Dealer/Collector	Douglas Cotton	
New England Coins & Collectibles	7 Day Avenue	Junk Dealer	David Fisk	
Game Stop	423 East Main Street	Junk Dealer/Collector	Game Stop, Inc.	
Rosewood	34 Elm Street	Junk Dealer	Jillian Knapp	

Upon motion of Councilor Figy, it was

VOTED: That a Bond Order entitled "A BOND ORDER FOR WATER WELLS, CONNECTOR AND WATER TANK" (\$13,000,000.00) be given second reading by title only.

The vote on the foregoing was as follows:

Robert Paul, Sr.	Yes
Andrew Surprise	No
Dan Allie	No
Mary Ann Babinski	Yes
Brent Bean II	Yes
John Beltrandi III	Yes
Michael Burns	Yes
Matt Emmershly	No
Ralph Figy	Yes
Dave Flaherty	No
Cindy Harris	Yes
Nicholas Morganelli, Jr.	No
William Onyski	Yes

President Beltrandi declared the motion LOST (9 votes are needed for a bond order).

Prior to the vote, a lengthy discussion was held. Councilor Figy informed the Council that there has been a ton of information and research to get to the bottom of this matter. He informed the Council that the bond does not give any specifics as to how the money would be spent, specifically relative to carbon filters. He informed the Council that if there is a different treatment available that treatment would not be prohibited. Councilor Onyski read an email from Beverly Lucey, 7 Sadie Lane relative to health issues of residents in that area and she supported the need for filtration but does not think the taxpayers should have to pay for it. Councilor Surprise informed the Council that the petitions submitted at Public Participation in support of the bond order originated from former Councilor Steve Dondley. He informed the Council that per a document submitted by Kristen Melo (from Silent Spring Institute, Newton, MA) that carbon filters do not remove all contaminants from the water and that the City should not rush forward with filters and should tap into the Holyoke water system. Councilor Emmershly informed the Council that he spoke with Holyoke's water manager and informed the Council that Holyoke was willing negotiate with Westfield. Councilor Paul expressed his concern that this would put Westfield's water supply under Holyoke's management. Councilor Emmershly informed the Council that Holyoke's water is unfiltered and is good, clean water. He informed the Council that it's a 300 ft line needed for hookup, not miles and that there would be an initial investment of \$365,000.00, not millions. Councilor Onyski informed the Council that this is a political issue. Councilor Paul expressed his concern that he would not want to be dependent upon Holyoke for water, that he trusts in the City he lives in. Councilor Burns agreed that it is not a good idea to be dependent upon another City for water. Councilor Babinski informed the Council that the bond issue has been kicked around the block,

there are lots of different opinions as to what the options should be and how money should be spent, but that the bond needs to be passed and options will continuously be looked in the future. Councilor Allie expressed his concern that the filtering may not work, that the residents did not make this mess and the City may not be reimbursed. Councilor Emmershy expressed his concern that the bond should not be rushed through because it's not certain on how the money will be spent. He suggested tabling the motion. Councilor Flaherty thanked the Mayor and Water Department for answering most of the questions. He expressed his concern that the engineers may have not looked at all options as to what is the best solution. Councilor Bean informed the Council that he is comfortable voting on the bond because all the questions have been answered. Councilor Emmershy informed the Council that the information from Tighe and Bond relative to connecting to Holyoke water came in today and needs to be reviewed. Councilor Babinski informed the Council that there are no details or guarantees relative to connecting to Holyoke and that the bond needs to go forward. Councilor Figy informed the Council that Ward 1 Councilor Babinski has been following the water issue on the north side for years and that everyone should be listening to her. Councilor Harris informed the Council that options have been explored by the professionals in the Water Department and that they are doing the best for the City. Councilor Morganelli concurred with Councilor Harris. He informed the Council that he met with the Mayor, Water Department and Mr. Billips and he learned a lot about water systems and one thing in particular he learned was that not all of the chemicals get caught by the filters. He informed the Council that there is new science relative to filters and that the City needs to take a step back and give time for new research on other methods. He informed the Council that a study should be done relative to tapping into Holyoke water. He informed the Council that the industrial park project on Cabot Road would produce fast dollars for the City and that a well on Cabot Road would disrupt that project. He informed the Council that the Public Health and Safety Committee will have updates from the Water Department at their meetings going forward and he will have forthcoming motions relative to information from departments on bond communications. Councilor Flaherty informed the Council that reverse osmosis is the best method to remove the contaminants but that it was too costly so carbon filters were chosen instead.

Upon motion of Councilor Flaherty, it was  
VOTED: That the TABLED Resolution DEDICATING LOCAL OPTION MEALS TAX TO THE ROAD AND SIDEWALK REPAIR AND MAINTENANCE STABILIZATION FUND be TABLED AGAIN to the May 17<sup>th</sup>, 2018 agenda.

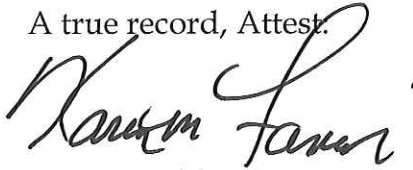
Upon motion of Councilor Flaherty, it was  
VOTED: That the TABLED Resolution DEDICATING LOCAL OPTION OCCUPANCY TAX TO THE ROAD AND SIDEWALK REPAIR AND MAINTENANCE STABILIZATION FUND be TABLED AGAIN to the May 17<sup>th</sup>, 2018 agenda.

Upon motion of Councilor Flaherty (and Surprise), it was VOTED: That, upon request from the Greater Westfield Chamber of Commerce and concerned local businesses, to increase the time allowed for free parking in the downtown area and that the matter be REFERRED TO TRAFFIC COMMISSION, OFF-STREET PARKING COMMISSION and AD-HOC BUSINESS DEVELOPMENT COMMITTEE.

Councilor Figy congratulated Judge Contant on his recent retirement.

At 9:05 PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

A true record, Attest.

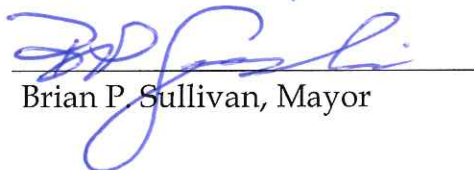


Karen M. Fanion  
City Clerk/Clerk of the Council

Presented to the Mayor

Approved by the Mayor

For approval May 14 2018  
  
Karen M. Fanion, City Clerk

MAY 18, 2018  
  
Brian P. Sullivan, Mayor