



MEETING OF CITY COUNCIL
59 COURT STREET
MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS
WESTFIELD, MASSACHUSETTS
MAY 05, 2022 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 by President Onyski.

The Clerk called the roll. Councilor Morganelli was absent.

The Pledge of Allegiance was led by the President.

Upon motion of Councilor Beltrandi, it was
VOTED: That the record of the meeting of April 21, 2022 be ACCEPTED.

Under "Public Participation" the Councilors were addressed by Mark Steven Dupuis, 399 Congress Street, Boston, MA. He spoke relative to the denied applications by the City Council of Richter Extracts and Richter Cannabis. He expressed his opinion that all Councilors, except Councilor Figy, are cowards. That the Councilors are the problem with social equity as all Councilors are old, white people and that is how Westfield is run, with good old buddies. And that the Council went too far with the Dupuis' as he has filed an appeal and will end up in court. He informed the Council that every pothole he drives by and all the problems in the City is the fault of the Council. And that the Council is wasting time on personal vendettas and they are all guilty and it will come out. At this point President Onyski gaveled Mr. Dupuis out of order and ordered him to stop talking. Mr. Dupuis continued to talk over the gaveling. During this time Mr. Dupuis referenced that the City is only fast food restaurants and marijuana shops. President Onyski continued to gavel Mr. Dupuis out of order and at this time President Onyski requested that the audio and video broadcasting be stopped and that the City Council go into recess at this time. The City Council recessed at 7:03 PM.

At 7:05 PM and upon motion of Councilor Figy, it was
VOTED: That the meeting resume and return to regular order.

Upon motion of Councilor Sullivan, it was
VOTED: That Mr. Dupuis' testimony be a direct verbatim and be REFERRED TO THE LAW DEPARTMENT and it was further voted, upon motion of Councilor Mello that the video also be REFERRED TO THE LAW DEPARTMENT.

The vote on the foregoing was as follows:

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

(City Clerk's note: It was learned at the end of the meeting that while the Council was in recess the audio and video were turned off, therefore, there is no verbatim record of Mr. Dupuis' statements while in recess.)

Per motion of Councilor Sullivan, the following is direct verbatim of Mr. Dupuis' testimony:

"Mark Steven Dupuis, 399 Congress Street, Boston. I am here to address everybody on the Richter Cannabis and Richter Extract Host Community Agreements that were denied. I personally feel other than Mr. Figy you all are a bunch of cowards. You are the problem with social equity. Take a look to your left and to your right, you have all old white people and that is how Westfield is run, old buddies good old boy club. But you know what, you guys went a little too far with the Dupuis' because now I have filed an appeal and you guys are going to end up in court. And you know what, every pothole I drive by and every problem with the City it's all you guys wasting your time on personal vendettas you guys are all guilty, it's all going to come out." President Onyski speaking: "All right you are all done, thank you. You cannot" (unclear what was said). President Onyski gaveled and said "This meeting is recessed. Off-air please" The audio and video were stopped. During the time President Onyski was speaking Mr. Dupuis continued to talk saying "I look around the City and all I see is fast food and marijuana stores, what about small businesses." While the meeting was in recess and the broadcast turned off, Mr. Dupuis continued to speak at the podium. There is no recording of the time Mr. Dupuis was speaking during the recess.

Under "Public Participation" the Councilors were addressed by Richard Salois, a member of the Master Plan Committee as well as a Planning Board member. He informed the Council that the Master Plan Committee had a meeting this evening with the consultant that is doing the Master Plan. The Master Plan will be ready in about 24 months. He requested that each Councilor get involved as well as people from their wards.

Under "Public Participation" the Councilors were addressed by Kevin McClair, 7 Free Street. He thanked Westfield for being part of his life. He requested that the Resolution

relative to the LGBT flag get resolved and that the ceremony for Pride month last year was great.

At 7:08 PM and upon motion of Councilor Bean, it was VOTED: That a recess be declared.

At 7:11 PM and upon motion of Councilor Bean, it was VOTED: That the meeting return to regular order.

Under "Public Participation" the Councilors were addressed by John Plata, 47 Broad Street. He informed the Council that he has a small income and that his landlord has raised his rent. He explained that he has social security and the rent increase is too expensive for him and that the landlord should be checking W2's to know people's salaries and that the rent is too expensive. He requested that the Council freeze rents for low income residents. He also addressed the motion on tonight's Agenda relative to bikes on sidewalks and requested that the Council support not having bikes on sidewalks because as a person that is deaf/hard of hearing, he cannot hear a bike coming up behind on the sidewalk.

Under "Public Participation" the Councilors were addressed by Councilor Matthews-Kane. She read a letter from Ann Mello, President of the Westfield Woman's Club relative to a member who could not attend a function because she could not find a close parking space and questioned the status of the request for additional handicap parking spaces on Holland Avenue.

Under "Public Participation" President Onyski asked the Clerk to read a letter from Joshua Cyr, 97 Fairfield Ave. The Clerk read the letter from Joshua Cyr, a member of the LGBT community, which was not in support of flying the Pride Month flag on City property, because Westfield is already all inclusive.

COMMUNICATIONS FROM THE MAYOR

1. Mayor McCabe presented the Fiscal Year 2023 Budget. He read his letter to the Council that outlined the following: Themes for the budget were to increase road funding, keep tax rate level, pay down OPEB, avoid using Stabilization or Free Cash to fund the budget, get budget process done early, set aside funding for employees, enhance departments capabilities, recognize staffing difficulties, and start a pathway forward to presenting a Gold Standard budget. He thanked City Auditor Vicki Moro and the entire finance team for their help in putting the budget together. He informed the Council that the budget supports both the engineering and highway departments budgetary requests for this year. This was made possible due to property value assessments increasing conservatively at a rate of .06%. New growth is targeted at \$1.1 million. Tax Rate was able to be maintained at \$18.49 for this budget cycle. Recruitment and retention was looked at to meet constituent needs. A market analysis was done on specific job descriptions, work will begin with union representatives relative to wage structure and ordinances will be reviewed relative to retention and recruitment. The budget has a new format this year. It has a table of contents and has been broken down into common themes. And next year each department will provide their own budget narratives

with specifically stated future goals. The Mayor concluded by informing the Council that he is presenting the budget the first week of May so they will have the time to fully process and vet any questions they may have about the budget.

Upon motion of Councilor Matthews-Kane, it was

VOTED: That the FY23 budget be REFERRED TO FINANCE COMMITTEE.

Upon motion of Councilor Matthews-Kane, it was

VOTED: That items 2., 3., 4. and 5. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE FINANCE COMMITTEE.

The Clerk read from the Agenda as follows:

2. Appropriation of \$110,000.00 to restore the fence around the perimeter of Pine Hill Cemetery from the following: \$75,000.00 from Community Preservation Undesignated FY22 account #24101770-580000 to CPA Pine Hill Cemetery Fence (Historic) account #24101770-580200-5210 and \$35,000.00 from Community Preservation Historic (FY22) account #24101770-580200 to CPA Pine Hill Cemetery Fence (Historic) account #24101770-580200-5210.
3. Requesting acceptance of a Federal Emergency Management Agency COVID Project Application reimbursement grant in the amount of \$40,714.55 for 100% of COVID staffing costs at the vaccination clinic in West Springfield.
4. Requesting acceptance of a Grant in the amount of \$380,521.00 from the Massachusetts Electric Vehicle Incentive Plan (MassEVIP) to the Westfield Gas & Electric to obtain 9 charging stations under the MassEVIP Public Access Charging Program.
5. Requesting approval to allow the Mayor to transfer money between and within departments and between personal services and expenses for the purpose of expediting transfers and eliminating the need to carryover payments into FY2023.

Upon motion of Councilor Flaherty, it was

VOTED: That the limit for a transfer by the Mayor is \$10,000.00.

Upon motion of Councilor Figy, it was

VOTED: That items 6., 7. and 8. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT.

The Clerk read from the Agenda as follows:

6. Submitting a Resolution of the City Council of the City of Westfield that the Mayor be authorized to sign all documents to enter into a project funding agreement with Massachusetts School Building Authority (MSBA) for the Franklin Avenue School Project.
7. Submitting a Resolution to grant an easement over a portion of the Right of Way known as Old County Road to authorize Holyoke Gas and Electric to maintain infrastructure in the right of way.

8. Submitting a Confirmatory Order of Taking of real estate to provide public access and safety to the Westfield River Levee now and formerly known as Town Dike by right of eminent domain for the purpose of Columbia Greenway Rail Trail

Upon motion of Councilor Figy, it was

VOTED: That item 9. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE, LAW DEPARTMENT and PERSONNEL.

The Clerk read from the Agenda as follows:

9. Submitting a change to the job description for the Department of Public Works Director.

REPORTS OF CITY OFFICERS

10. Upon motion of Councilor Matthews-Kane, it was

VOTED: That the 2022 Depreciation Appropriation for Gas and Electric Department in the amount of \$6,278,082.00 submitted by Westfield Gas & Electric General Manager Thomas Flaherty be REFERRED TO FINANCE COMMITTEE. Councilor Flaherty informed the Council that this is usually accepted and placed on file because the Council cannot do anything about it.

11. Upon motion of Councilor Figy, it was

VOTED: That the job description for the City Clerk position submitted by Personnel Director Robert Bishop be REFERRED TO LEGISLATIVE AND ORDINANCE, LAW DEPARTMENT and PERSONNEL.

PETITIONS, REMONSTRANCES, AND OTHER PAPERS

12. Upon motion of Councilor Figy, it was

VOTED: That the invitation from the Hampton Ponds Association inviting Councilors to march in the 4th of July Parade at 9:00 am for line-up and 10:00 am for step-off at the Hampton Ponds Plaza parking lot be ACCEPTED AND PLACED ON FILE.

Upon motion of Councilor Bean, it was

VOTED: That the rules of the City Council be SUSPENDED in order to act upon item 13. at tonight's meeting.

13. Upon motion of Councilor Bean, it was

VOTED: That DPW, Land and Natural Resources Division employee Frankie Gonzalez submitting a G.L. Disclosure to also serve as an Auxiliary Police Officer with the Westfield Police Department be APPROVED.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Bean, it was
VOTED: To return to regular order.

REPORTS OF COMMITTEES

Finance Committee

14. Upon motion of Councilor Matthews-Kane, for the Finance Committee, it was
VOTED: That the sum of \$497.55 be transferred within the Police Department from FY22 Part
Time Hourly, account #1293000-511110 to FY21 Part Time Hourly, account #12930000-511110.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Matthews-Kane informed the Council that the transfer is
needed to cover step raises not paid in FY 2021 to Traffic Control Supervisors, better known as
Crossing Guards. The step raises needed to be investigated due to the closure of schools
because of COVID as to whether or not the time qualified. The calculations were checked and
approved by Personnel.

15. Councilor Bean, for the Finance Committee, offered a motion, which was duly seconded, that the transfer of \$429.10 from the Department of Public Works, Highway Division from the FY22 Purchase of Services, account #14210000-520000 to FY21 Purchase of Services, account #14210000-520000 for a prior year bill be amended to be transferred from Supplies account #14210000-540000 FY22 to Supplies account #14210000-540000 FY21. Councilor Bean informed the Council that at the Finance Committee meeting Joanne Williams, Budget Analyst for the DPW explained that the communication was sent in incorrectly and the account needs to be supplies because the invoice is for asphalt, which is a supply.

Upon motion of Councilor Bean, it was
VOTED: That the above amendment be APPROVED.

Upon motion of Councilor Bean, for the Finance Committee, it was
VOTED: That the sum of \$429.10 be transferred from the Department of Public Works, Highway Division from the FY22 Supplies, account #14210000-540000 to FY21 Supplies, account #14210000-540000 for a prior year bill.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Bean informed the Council that the transfer is for asphalt and that usually the contractor buys the asphalt but this time the City bought it and the bill was missed.

16. Upon motion of Councilor Bean, for the Finance Committee, it was
VOTED: That the sum of \$3,602.04 be transferred from Department of Public Works, Water Division, FY22 Purchase of Services, account #68004500-520000 to FY21 Purchase of Services, account #68004500-520000 for a prior year bill.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Bean informed the Council that the transfer is for a 2017 past due balance due to Eversource for service at the Southwick Treatment Plant. There was confusion on which community should be paying the invoice.

Legislative and Ordinance Committee

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

VOTED: That the job description of the City Engineer be APPROVED with the amendment changing the ability to obtain a Professional Engineer (PE) within three (3) years of the date of hire. Councilor Figy explained that the previous requirement to obtain a PE is unrealistic as the enrollment period is November of each year and examinations are held in April and October of the following year, therefore if an applicant was hired between January and October they could not meet the requirement. And if the PE is not obtained within the three years, they would not be rehired.

The vote on the foregoing was as follows:

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

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

VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, ADOPTED JUNE 17, 1993" (Amending Chapter 2, Administration, Article V, Engineering, Division 1, Section 2-453 Appointment, qualifications and term of city engineer) be given first reading by title only.

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

VOTED. That the Ordinance be PASSED TO SECOND READING.

19. Councilor Burns, for the Legislative and Ordinance Committee, offered a motion, which was duly seconded, to adopt the Resolution recognizing June 2022 as LGBTQIA+ Pride Month. Councilor Mello offered a motion, which was duly seconded, to amend the Resolution by changing some verbs and prepositions but keeping the intent the same. Prior to the meeting, she handed out a copy of the Resolution with strikeouts and replaced words on one side and a final version with the amendments on the other side. She reviewed the amendments as follows: *strikeout "April" change to "May";* *strikeout "requests that" to "invite";* *strikeout "to honor" and replace with "in remembrance".* She informed the Council that there are unsafe places in Westfield for the LGBT community and this Resolution lets them know that Westfield supports them. And that last week a trans student reached out to her for help and the Resolution shows help and support. She requested that any Councilors that do not support the Resolution to please consider abstaining. President Onyski requested a motion to vote on Councilor Mello's amendments prior to any other amendments being offered.

Upon motion of Councilor Sullivan, it was

VOTED: That the above amendments offered by Council Mello be APPROVED.

The vote on the foregoing was as follows:

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

Councilor Flaherty informed the Council that he supports the Resolution, but he doesn't support the use of City flag poles for the pride flag. The only flags that should be flown on City flag poles are the US flag, the State flag, the City flag and other government flags. He

offered an amendment, which was duly seconded, to keep the first three Whereas' and replace the NOW, THEREFORE, BE IT RESOLVED as follows: NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Westfield, as a body of elected representatives (with the understanding that this City Council resolution does not constitute official "Government Speech" for the City of Westfield), hereby recognizes June 2022 as LGBTQIA+ Pride Month in the City of Westfield, and hereby encourages private individuals, businesses, and organizations to join members of the City Council, in their own way, to recognize and celebrate diversity and inclusion. This Resolution was approved on May ____, 2022 by the Westfield Council. To be signed by William Onyski, City Council President, not the Mayor. The section of "And hereby requests that those groups and individuals that have care and custody of flag poles in the City of Westfield consider joining us in this recognition by flying the Progress Flag." was deleted. He informed the Council that at first he thought it was to invite residents and businesses to fly the Pride Flag, but with asking those government bodies that have care and custody of a flag pole to fly the Pride Flag creates government speech and that is something that should not happen and that he has motions at the end of tonight's meeting putting the question to the voters to decide. Councilor Harris offered a motion, which was duly seconded, to request Councilor Mello to offer a response relative to Councilor Flaherty's amendments. Councilor Mello responded that she began working with the Mayor and the Law department on the resolution in January and the intent of it was to provide cover for the rest of the City. The word request was changed to invite, so it's not asking, it's meant to provide cover for those departments that have care and custody of a flag pole in case they are asked. It's meant to send a message of support to the LGBT community. It's meant for the Council to take a stand in what is in their purview. Councilor Harris requested clarification from Councilor Mello that she did work with Attorney Reed on the Resolution and Attorney Reed is ok with it. Councilor Mello replied that Attorney Reed was ok with the original Resolution and that the amendment did not change the intent. Councilor Flaherty informed the Council that he supports the intent to support the LGBT community, but it was the use of the flag poles that brought this resolution forward and that there are other ways to show support without using flag poles. Councilor Sullivan informed the Council the he does not support the amendment offered by Councilor Flaherty, but will support the resolution with the first amendment offered by Councilor Mello. He added that he disagrees with a statement that this resolution does nothing. Its intent is that it shows support and welcomes the LGBT community and he agreed that it may open a slippery slope for less palatable organizations. And that the flag pole outside of City Hall, not the one used for the US flag or the State flag or the City flag, it's the one known as the community flag pole has been used by other organizations such as the Puerto Rican flag. Councilor Allie asked for clarification if there is a community flag pole. Councilor Sullivan responded yes, that historically there have been flags flown for United Way, the Red Cross, the Puerto Rican flag, the Polish flag and it's always been the judgement of the corner office. Councilor Allie informed the Council that the solution would be to have a community flag pole and a protocol to have a flag flown on it. Councilor Flaherty informed the Council that Councilor Morganelli proposed this last year. Councilor Allie questioned if there could be an amendment to use the community flag pole for

organizations. Councilor Mello replied that the Council does not have care and custody over any flag poles. The resolution is inviting those that have care and custody of flag poles to fly the Pride flag in June. Councilor Allie replied that this would cross the line into government speech if flags of organizations fly a flag at the Senior Center or any other City property. Councilor Flaherty agreed that it becomes government speech if the government allows it and has to be opened up to everyone. And the City Council does not have care and custody of a flag pole but with an ordinance the City Council can have care and custody and that his main concern is not having public speech on City flag poles.

Upon motion of Councilor Flaherty, it was

VOTED: That his amendment, offered above, be APPROVED.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Upon motion of Councilor Mello, it was

VOTED: That the Resolution recognizing June 2022 as LGBTQIA+ Pride Month, as amended, be ADOPTED.

The vote on the foregoing was as follows:

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

Personnel Action Committee

20. Upon motion of Councilor Bean, for the Personnel Action Committee, it was VOTED: That the reappointment of Diane Snow, 13 Country Club Drive, as a member of the Board of Assessors for a term to expire the first Monday of February, 2025 be CONFIRMED.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Bean informed the Council that Diane has been on the Board for 30 years and is excited to continue her work on the board. They deal with a lot of abatements and she wants to continue working.

License Committee

21. Upon motion of Councilor Harris, for the License Committee, it was VOTED: That the Annual Junk Dealer and Junk Collector License Renewals for 2022 be APPROVED.

22. Upon motion of Councilor Harris, for the License Committee, it was VOTED: That the request for permission to serve beer and wine and to waive the "open container" regulation in the Central Street Parking Lot on Saturday, June 4, 2022 from 11:00 AM to 7:00 PM for the Whip City Brewfest be APPROVED.

23. Upon motion of Councilor Harris, for the License Committee, it was VOTED: That the request for permission to serve beer and wine and to waive the "open container" regulation on Elm Street, from School Street from Main Street to Franklin Street, on Saturday, May 21, 2022 from 11:00 AM to 7:00 PM for the Run Westfield Flat Fast 5K be APPROVED.

Natural Resources Committee

24. Upon motion of Councilor Mello, for the Natural Resources Committee, it was VOTED: That the item from the Westfield Taxpayers Association relative to water production and increase in billing (6/17/21) REMAIN IN COMMITTEE

- Upon motion of Councilor Mello, for the Natural Resources Committee, it was

VOTED: To request that Senior Discounts or Credits be fully displayed on the bill/stub for consumer clarity be REFERRED TO Water DEPARTMENT AND WATER COMMISSION.

Councilor Mello explained that senior discounts are not on the bill and so for clarity it is being requested to be printed on the bill. Councilor Beltrandi informed the Council that the seniors don't know their discount and when the property is sold the bill still has the discount on it. Councilor Harris informed the Council that she has asked the Water Department as to why the senior discounts are not on the bill and was told that MUNIS is unable to do that.

25. Upon motion of Councilor Mello, for the Natural Resources Committee, it was VOTED: That the item to investigate potential avenues and mechanisms for sewer rate rebates or reductions for Westfield residents experiencing financial hardship (12/16/21) REMAIN IN COMMITTEE.

- Upon motion of Councilor Mello, for the Natural Resources Committee, it was

VOTED: to request a review of the Water and Sewer Accounting to correct accounts inadvertently deactivated when attempting to remove Senior Discount upon property transfer and be REFERRED TO WATER DEPARTMENT AND WATER COMMISSION.

Councilor Bean questioned why the Council is doing this, as it should be done by the department as they know there is a problem. Councilor Flaherty agreed and also asked that since it is being referred there needs to be a time frame for them to respond. Councilor Beltrandi agreed there should be a time frame and upon motion of Councilor Beltrandi, it was

VOTED: That the Water Commission respond to the above motion after their next meeting.

- Upon motion of Councilor Mello, for the Natural Resources Committee, it was

VOTED: That the Water Commission be requested to consider implementation of a pollution/betterment fee as outlined in Sections 18-52-Installation of sanitary sewers as betterments-Petition and 18-53-Same-Order for betterment assessment of the code of ordinances and be REFERRED TO THE WATER COMMISSION.

Councilor Mello informed the Council that when sewers are installed in an area the property values go up and there is a cost to the City for the installation and should be shared by everyone of the area, not just those that have hooked up and that the Water Commission should tell that cost and value. Councilor Beltrandi informed the Council that this has been talked about for years and that the City spends millions of dollars for the installation and it takes some homeowners 30 years to hook up and there has to be a fee incentive to hook up. Councilor Flaherty informed the Council that he would support moving this item to Water Commission but that he is not in favor of

forcing neighborhoods that have working septic systems to hook in because in his neighborhood a mistake was made with a pumping station and they should not have to be forced to pay for a mistake of the City. And that the betterments should be for new neighborhoods and not go retroactively. Councilor Mello informed the Council that the calculations will be done by the Water Commission. Councilor Figy informed the Council that once a septic system fails and there is sewer the homeowner must be required to hook up to sewer. Councilor Bean informed the Council that the holding capacity is being held for those to hook up and they should hook up and requested that the motion also be referred to the Health department because they are not making failed septic systems hook up. Councilor Beltrandi informed the Council that if Title Five fails, the health department makes the homeowner hook into sewer to sell the house. Councilor Sullivan disagreed with Councilor Flaherty and informed the Council that there is a holding capacity for those homeowners that don't hook up and the ratepayers are paying more and it should be all those that are eligible to hook up to pay and that he will see how the proposed ordinance comes back. Councilor Allie informed the Council that neighborhoods appreciate the sewers and carry the freight for everyone and that it doesn't cost much to hook up and they should hook up because it's a community investment. Councilor Burns informed the Council that Superintendent Gamelli has a list of all those that are hooked up and those that are not and to get a clarification if the health department does or does not make a failed septic system hook up. Councilor Mello informed the Council that the health department regulation about hooking up after a failed septic system was revoked by the Board of Health. Upon motion of Councilor Mello, it was

VOTED: That the above motion be amended to also be REFERRED TO THE HEALTH DEPARTMENT.

UNFINISHED BUSINESS - None

At this point President Onyski left the meeting and Councilor Bean assumed the Chair as President Pro Tempore.

MOTIONS, ORDERS OR RESOLUTIONS

26. Upon motion of Councilor Flaherty, it was

VOTED: That a Resolution approving the submission of the following measure to the voters at the next Regular or Special City Election as allowed under Charter Section 50: "Shall the City Council create Ordinances that restrict the use of all City Flag Poles for the exclusive display of the American Flag, Massachusetts State Flag, City of Westfield Flag, POW/MIA Flag, and the official flags of any United States' States, Commonwealths, or Territories?" be REFERRED TO THE LAW DEPARTMENT AND CITY CLERK.

The vote on the foregoing was as follows:

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

The President Pro Tempore declared the motion LOST. (7 votes are required for passage)

Prior to the vote, Councilor Flaherty informed the Council that this would be a nonbinding question. Councilor Sullivan questioned what committee it is being sent to for the wording. Councilor Flaherty offered a motion, which was duly seconded to refer it also to Legislative and Ordinance Committee. Councilor Mello questioned how this would be created without being discriminatory. Councilor Flaherty replied it would be an opportunity for the voters to weigh in. Councilor Harris informed the Council that she appreciates the effort but that it would be putting a lot on the citizens to have to learn all of the details of the question and the matter should stay with the Councilors. Councilor Matthews-Kane echoed the comments of Councilor Harris, but would support it going to committee.

Councilor Flaherty, from the nonprevailing side, offered a motion for reconsideration. There was no second on the motion.

Upon motion of Councilor Flaherty, it was

VOTED: That the above item be reconsidered at the next regular meeting of the City Council.

The vote on the foregoing was as follows:

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

The President Pro Tempore declared the motion LOST. (7 votes are required for passage)

Councilor Onyski returned the meeting and resumed the Chair.

27. Upon motion of Councilor Flaherty, it was

VOTED: That a Resolution approving the submission of the following measure to the voters at the next Regular or Special City Election as allowed under Charter Section 50: "Shall the School Committee create Policies that restrict the use of all Flag Poles on School Department property for the exclusive display of the American Flag, Massachusetts State Flag, City of Westfield Flag, Westfield Public Schools Flag, POW/MIA Flag, and the official flags of any United States' States, Commonwealths, or Territories?" be TABLED to the next regular City Council meeting.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Upon motion of Councilor Flaherty, it was

VOTED: That Item 27. Above, be REMOVED WITHOUT ACTION.

The vote on the foregoing was as follows:

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

28. Upon motion of Councilor Flaherty, it was VOTED: That a Resolution approving the submission of the following measure to the voters at the next Regular or Special City Election as allowed under Charter Section 50: "Shall the City Council create an Ordinance that specifically excludes City Flag Poles from facilities open to 'Public Forums'?" be REMOVED WITHOUT ACTION.

The vote on the foregoing was as follows:

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

29. Upon motion of Councilor Figy, it was VOTED: That Chapter 16 Section 16-135 of the City Ordinance regarding the use of bicycles on sidewalks be reviewed and be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and LAW DEPARTMENT. Refer to L & O and Law.

Announcements

Councilor Allie wished all mothers a Happy Mother's Day.

At 8:38 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 MAY 16 2022



Karen M. Fanion, City Clerk

Approved by the Mayor

May 16 2022



Michael A. McCabe, Mayor