



**MEETING OF CITY COUNCIL
TELEPHONE CONFERENCE
WESTFIELD, MASSACHUSETTS
MAY 07, 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. All other Councilors were present remotely.

The Pledge of Allegiance was led by the President.

Upon motion of Councilor Beltrandi, it was

VOTED: That record of the meeting of April 16th, 2020 be ACCEPTED.

Upon motion of Councilor Harris, it was

VOTED: That the rules of the City Council be SUSPENDED in order to take the scheduled public hearing out of order.

The PUBLIC HEARING was called to order 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. (To participate in the Public Hearing, please Call 1 929 205 6099; Meeting ID: 858 1358 1117 Password: 054253)

Mr. Larry Webster was present to represent the application. He informed the Council that the project consists of a convenience store and gas station on East Main Street across from the Big Y grocery store. It will include 2000 square feet and 6 fueling dispensers. There will be two underground tanks and a charging station. There is work presently being done on the property and the tanks are in the ground but are not hooked up and do not contain fuel. He informed the Council he is working with the Massachusetts DOT relative to a signals for a left hand turn in the east bound side. Councilor Bean questioned where in the process of the project is the DOT. Mr. Webster informed the Council that the DOT that they have submitted their 3rd set of comments and it is 75% complete. Councilor Onyski questioned the make of the tanks and how many fueling pumps there will be. Mr. Webster informed the Council that the

tanks are double walled high-end tanks within the industry and there are thousands in service presently. He explained it's a tank within a tank with a salt water solution in between. If there is a leak an alarm will go off and the tanks are continuously monitored. The pipes to dispensers are also double walled state of the art they are continuously monitored also. Councilor Onyski questioned with the six dispensers does that mean there are 12 fueling positions and have any other establishments ever had any problems. Mr. Webster informed the Council that yes, there are 12 fueling positions and no there have never been any problems that he knows of. Councilor Beltrandi questioned that since there has been a lot of work done with the site what will happen if the tanks have to be moved if there is a change with final DOT approval and how are the tanks being secured since the location is in a flood plain. Mr. Webster informed the Council that they have applied to the Building Department and were allowed to commence with the work site and that there was a requirement to hold the City harmless if the project couldn't go forward for some reason and that the tanks are anchored down in the event of a flood. Councilor Beltrandi questioned if there is fuel in the tanks. Mr. Webster informed the Councilor that there is absolutely not fuel in the tanks. They are filled with water. Councilor Mello questioned what kind of fire suppression is being used and will that contaminate the environment and how will it be kept out of the river. Mr. Webster informed the Council that the State mandates that a dry chemical be used, it is not foam. He explained it's a baking soda type material and is not harmful to the environment. And if there was a large spill there is a containment area with a separator tank to prevent outflow to ground stormwater. Mr. Webster informed the Council he will submit a fact sheet relative to the suppression system to the City Clerk for distribution to the Council. Councilor Sullivan informed the Council that his question does not have to do with the tanks, but questioned where the left hand turn was to be located and are the chargers rapid chargers. Mr. Webster informed the Council it is in the eastbound lane and the chargers are not rapid chargers. The chargers were requested by the Planning Board. Councilor Matthews-Kane questioned what are the precautions be taken if there was a flood. Mr. Webster informed the Council that the project has been before the Flood Control Commission and the Conservation Commission and the project has met all of those requirements. The dumpster is anchored down and all tanks underground are anchored down. Councilor Adams questioned if the left hand turn will squeeze the other lane. Mr. Webster informed the Council that it's taking from the center island, not from the other lanes. Mr. Ryan ????? shared his screen with the Councilors showing the lane and the center island. Councilor Mello informed the Council that May 30, 2019 there was a report out of Boston that a fire suppression system used yellow foam and expressed her concerns that if fire suppression systems are regulated how could this happen. Mr. Webster informed the Council that he has never seen yellow foam used. He reiterated that it's a dry, safe substance that resembles baking soda. Tony Capola ??? an employee of Big Y was on remotely on the meeting. He informed the Council he did not have a question and he was there to listen in case someone had a question relative to Big Y. With no other calls on the line and upon motion of Councilor Beltrandi, it was
VOTED: That the Public Hearing be CLOSED and the application be REFERRED TO LICENSE COMMITTEE.

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

Upon motion of Councilor Figy, it was
VOTED: Under immediate consideration, that the gift donations for operational support during the Coronavirus (COVID-19) pandemic be ACCEPTED per voice vote.

Upon motion of Councilor Figy, it was
VOTED: Under immediate consideration, a Grant in the amount of \$76,946.28 to the Fire Department from the Department of Health and Human Services per the Coronavirus Aid, Relief and Economic Security Act (CARES Act) be ACCEPTED.

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Prior to the vote, Councilor Figy informed the Council that the Grant will for healthcare related expenses due to COVID-19 relative to ambulance service costs.

Upon motion of Councilor Figy, it was
VOTED: That items 3., 4., 5. and 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

3. Appropriation of \$6,000.00 from the Reserve for Unforeseen Account #19500000-570900 to the City Clerk Department, Election Personnel account #11610000-512410.
4. Transfer of \$2,100.00 within the Personnel Department from Continuing Ed Incentive account #1520000-570700 to Other Personal Services account #1520000-516000.
5. Transfer of \$20,000.00 within the Airport Department, as follows: \$7,560.00 from Full Time Hourly account #11990000-511100 and \$12,440.00 from Part Time Hourly Employee account #11990000-511110 to Purchase of Services account #11990000-520000.
6. Appropriation of \$625.00 from Reserve for Unforeseen account #19500000-570900 to the following Weights and Measurers accounts: \$475.00 to Stipend account #12440000-519060 and \$150.00 to Travel Stipend account #12440000-519061.

Upon motion of Councilor Onyski, it was
VOTED: That item 7. under "Communications from the Mayor" be read by the Clerk and REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE.

The Clerk read from the Agenda as follows

7. Submitting a Resolution of the City Council of the City of Westfield approving an agreement between the City of Westfield and the Massachusetts Department of Transportation for work on the Route 20 (Springfield Road) Traffic Signal Improvement Project.

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 Lenore Bernashe, 100 South Street, Granby, MA as Information Technology Manager for a term to expire on July 7, 2023 be CONFIRMED.

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Prior to the vote, President Bean informed the Council that since the expiration date is not until July, as well as for other appointments, it will become the norm to vet out the department heads since the expiration date is not until July. Councilor Flaherty informed the Council that it is an important process of reviewing department heads and since the appointments are being submitted two months ahead of time there is time for this process. Councilor Harris informed the Council she spoke with Ms. Bernashe and requested that she put something in writing summarizing her accomplishments which has been provided to all Councilors. Councilor Harris informed the Council that Ms. Bernashe and her department has been a vital piece during this current COVID-19 pandemic. She informed the Council she was appointed as manager in 2011, she serves on advisory boards and at her last appointment many spoke in favor of her reappointment. She has worked on many projects with no complaints. Councilor Flaherty and Councilor Morganelli agreed. Councilor Flaherty informed the Council that Ms. Bernashe does a lot in her department with very few bodies and it is wise to invest in the IT department. Councilor Mello questioned the process of reappointments. She questioned if the position is advertised or posted. Councilor Harris informed the Council that she is an appointment of the Mayor with confirmation of the Council. President Bean informed the Council that some appointments are from the Mayor

others are direct appointments of the Council and usually reappointments are not opened up to the public.

Upon motion of Councilor Figy, it was VOTED: That the General Manager of the Westfield Gas & Electric, Anthony Contrino, submitting the 2020 Depreciation appropriation for the Gas and Electric Department in the amount of \$5,356,644.00 be REFERRED TO FINANCE COMMITTEE.

Upon motion of Councilor Onyski, while still under suspension, it was VOTED: Under immediate consideration, that the amendment to the Resolution submitted by City Clerk Karen Fanion designating one centralized polling location, the Westfield Middle School, 30 West Silver Street, for the Special State Election (Senate Seat) amending the date of the election to May 19, 2020 from the originally scheduled date of March 31, 2020 be ADOPTED per voice vote and it was further Voted upon motion of Councilor Flaherty that signage be provided at the other voting locations directing voters to the new location and be REFERRED TO THE CITY CLERK. President Bean questioned the City Clerk if it would be possible to put a sign on the doors of the polling locations directing the voters to the Westfield Middle School on May 19th, 2020. City Clerk Karen Fanion informed the Council that putting up signs is already part of the plan. Councilor Morganelli suggested signs at grocery stores and to use the DPW sign. Councilor Harris reminded everyone that voting by mail is highly encouraged either by absentee or early voting and that opening up all the schools during this time of a pandemic is not the correct thing to do and there is not enough election staff to work at all the polling locations and consolidating it is the appropriate option. Councilor Matthews-Kane questioned if the barrel signs could be used for notices. Councilor Figy informed the Council that the portable signs of the DPW can be used. President Bean requested City Clerk Karen Fanion inform the Council and the public the process of voting by early ballot by mail. City Clerk Karen Fanion responded as follows:

For anyone that does not want to go to the Polling Location may apply for an Early Ballot application on the City's webpage at www.cityofwestfield.org/vote and download the application. Fill out the application, scan it and email back to k.fanion@cityofwestfield.org or Fax it to 413-564-3114. Or, print it and mail it to the City Clerk's Office, 59 Court Street, Westfield, MA 01085. Or, drop it in the drop box at City Hall. If you are unable to download the application simply write a letter requesting an Early Ballot, state your name, address, sign it and mail it or put it in the Drop Box.

Upon motion of Councilor Beltrandi, while still under suspension, it was VOTED: That the 2020 Junk Dealer/Collector licenses as submitted City Clerk Karen Fanion for renewals for as follows: New England Coins & Collectibles and Route 202 Antiques be APPROVED.

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Prior to the vote, Councilor Beltrandi informed the Council that these licensees are in business and the renewals were sent in late.

Upon motion of Councilor Onyski, it was

VOTED: That the Resolution submitted by 1st Assistant City Solicitor Shanna Reed, for the Traffic Commission, a Resolution to approve an agreement between the City and Mass DOT for the Safety Improvement Project on Southwick and Ordinance amendments related to the project be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion of Councilor Harris, while still under suspension, it was

VOTED: Under immediate consideration, that the reappointment of Purchasing Director Tammy Tefft, 371 College Highway, Southampton, MA submitting request for reappointment for a term to expire July 4, 2023 be CONFIRMED.

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Prior to the vote, Councilor Harris informed the Council that Ms. Tefft has been the Purchasing Director for 15 years and per own document to the Council, which everyone has a copy of, she states that her department is made up of herself and one employee that are

responsible for a multitude of things, she is part of the new school building project, bond projects for sewer and water and the Western Mass Procurement Team. Her department brought in over \$111,000.00 through surplus sales which is deposited in the General Fund or to Water/Sewer accounts. Councilor Beltrandi spoke in favor of the reappointment.

Upon motion of Councilor Figy, for the Finance Committee, it was VOTED: That the sum of \$500.00 be appropriated, per voice vote, from Free Cash to City Council, Purchase of Services, account #11110000-520000 for legal ad costs.

Upon motion of Councilor Figy, for the Finance Committee, it was VOTED: That the sum of \$175,000.00 be appropriated from the Department of Public Works, Stormwater Undesignated account #6850-359000 to the Department of Public Works, Stormwater Division, Purchase of Services, account #68504550-520000 for drainage repairs at Crescent Circle.

The vote on the foregoing was as follows:

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
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Prior to the vote, Councilor Beltrandi informed the Council that this is a Ward 5 issue that has been around for a long time and thanked the Council for their support of the project.

Upon motion of Councilor Onyski, it was VOTED: That the tabled Second Reading and Final Passage: Ordinance amending the Department of Facilities to create a stand-alone Department be WITHDRAWN WITHOUT PREJUDICE. President Bean informed the Council that the School Department voted to withdraw it at this time and look at it again next year.

Councilor Burns announced that he spoke with the Chief of Police and the manager of Stanley Park relative to the parking issues on Granville Road and Kensington Avenue and there is a plan forthcoming.

Upon motion of Councilor Flaherty, it was VOTED: That the rules of the City Council be SUSPENDED in order to offer a motion that was not on tonight's Agenda as it was information received at a conference call related to the School budget that was held this afternoon.

Upon motion of Councilor Flaherty and Figy, it was VOTED: That a Special Purpose Schools of Westfield Stabilization Fund be established and be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE and it was further voted, upon motion of Councilor Onyski to be also REFERRED TO LAW DEPARTMENT.

Councilor Flaherty informed the Council that this is to establish a stabilization account for the schools. Councilor Figy informed the Council that the school budget is looking bleak and by creating this account it would allow schools money unspent from this budget would go into a fund specifically for schools. Councilor Sullivan questioned what the conference call was about and who got invited. Councilor Figy informed the Council that it was set up by the Auditor and Mayor and he was not privy to the invitation list. Councilor Flaherty informed the Council that he saw the article in the paper and asked to be invited. Councilor Sullivan informed the Council to be careful who talks and who gets invited and that everyone should get the same information. He questioned why it is going to Legislative and Ordinance Committee and not Finance Committee. Councilor Flaherty informed the Council that it was one person per committee and it's going to L & O because it needs an Order to be established. He informed the Council that the School has \$400,000.00 to preserve and with the account it would go there instead of Free Cash. Councilor Sullivan informed the Council that it's not the School Committee that votes the money out. It will need nine votes of the Council to get funds out of the account. Councilor Onyski questioned why this did not come in as a communication from the Mayor. Councilor Figy informed the Council that this was an idea that came out of the conference call and the Mayor supports the establishment of the fund. Councilor Mello questioned if the Auditor considers these funds to be used for next year. Councilor Flaherty informed the Council that this allows money, that is surplus from this year, to be put into the account and it becomes accessible rather than having to wait for Free Cash to be certified which takes until about September. Councilor Sullivan requested that the committee explore a mechanism that would allow the School Department to control this money because a stabilization fund is control by the City Council. Councilor Adams expressed his concern that taxpayers money that was intended to be spent for a certain department in one fiscal year can be put in another fund to be spent in another fiscal year and that it should go back to the general fund. Councilor Matthews-Kane questioned if these funds were unable to be spent due to COVID-19. Councilor Flaherty informed the Council that it may be the reason and the fund would allow for the funds to be put there and it's the establishment of the fund at this time, there is no request at this time for an appropriation. He informed the Council that the City Auditor and Mayor agree with the establishment of the fund. Councilor Onyski questioned if this fund is intended to have a one year expiration. Councilor Figy informed the Council that once it's set up it stays and that it takes seven votes of the Council to put money in the fund and nine votes to get it out. Councilor Onyski questioned if the money going into the fund would just be from the School Department. Councilor Flaherty informed the Council that the Mayor can put money from whatever departments he wants. He informed the Council that the City Treasurer advised not to use the regular stabilization account for ongoing business.

At 8:27 PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

A true record, Attest:

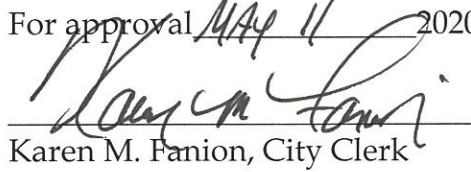


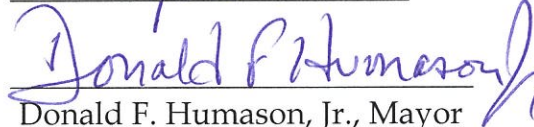
Karen M. Fanion
City Clerk/Clerk of the Council

Presented to the Mayor

Approved by the Mayor

For approval MAY 11 2020


Karen M. Fanion, City Clerk

5/13 2020

Donald F. Humason, Jr., Mayor