



MINUTES OF CITY COUNCIL

59 COURT STREET

MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS

WESTFIELD, MASSACHUSETTS

MAY 18, 2023 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 Beltrandi.

The Clerk called the roll. All twelve Councilors were present.

The Pledge of Allegiance was led by President Beltrandi.

Upon motion of Councilor Onyski, it was

VOTED: That the 2023 committee reassignments be accepted and placed on file.

Upon motion of Councilor Bean, it was

VOTED: That the reading of the record of the meeting of May 4, 2023 and Special Meeting of April 27, 2023 be ACCEPTED.

PUBLIC PARTICIPATION

Under "Public Participation" the Councilors were addressed by Dan Call, 78 Granville Road. He thanked all of the individuals who worked on the Post 124 American Legion project going back to January, 2022.

Under "Public Participation" the Councilors were addressed by Tina Gorman, Director of Council on Aging (COA). She informed the Council that the proposed income change requirement was given a unanimous recommendation from the COA Board of Directors. She stated that the pool of applicants has been diminishing due to the income limitation requirement and that many are just over the income threshold. She added that many surrounding communities run their programs with no limit requirement and that the change won't affect the budget. She also informed the Council that the Westfield Pride Committee has planned a number of events for the Community during Pride Month. She stated there would be an educational panel discussion on Wednesday, June 14th in the Rinnova Building; four experts in the field will be sharing their knowledge and providing resources for all ages in the LGBTQIA+ community.

Under "Public Participation" the Councilors were addressed by Dave Flaherty, 7 Marla Circle. He urged the Council to move forward with the Charter and Mary O'Connell's appointment that evening. He reminded the Council to think about November when looking at the budget numbers. He stated that if the budget went through as presented, there would be a 2.5% tax increase, which was roughly 3 million in new taxes. He further stated that it included a lot of one time money including ARPA and ESSR funds and at some point that money would have

to be replaced. He stated that mandatory spending was growing faster than new growth. He gave the Mayor credit for how hard he worked on the budget.

Under "Public Participation" the Councilors were addressed by Councilor Mello. She stated she received an overwhelming list of submissions after a request for LGBTQIA+ contributions to the community and read a list into the record (Appendix A).

COMMUNICATIONS FROM THE MAYOR

1. Mayor McCabe presented the Fiscal Year 2024 Budget and reviewed his budget overview (Appendix B). He reiterated that pavement, parks and people were his priorities. Roads and infrastructure continue to be the driving factor of the FY24 budget. He stated that Severance saw a significant increase of 28.62% that will likely go down and become a more reasonable number. Once an employee says they might retire, the City has to encumber that money. He stated that Flood Control saw an increase of 374% due to dedicated efforts on all things flood control including work on dams, levees and culverts. He stated there was no City money increase in terms of the School Department budget. He stated there was a 30.59% increase to Engineering for construction and ongoing projects. He stated the Sanitary Landfill, DPW and Water also saw increases, adding that there would hopefully be a request in the near future for legislative change on a city ordinance with regard to those departments. He stated that they are 6 million dollars short of the City's limit. He stated that \$500,000.00 was put into OPEB and noted that the OPEB liability was trending in the right direction, down 60 million dollars from last year. He informed the Council that he met individually with Department Heads several times and that the budget went through several iterations. He gave his profound respect to City Auditor Vicki Moro for all the work she has done and continues to do. He stated that each department submitted narratives in February that presented goals, objectives and any new spending. He highlighted the table of contents and split sections that will hopefully make it easier to find numbers. He stated that the budget was very transparent and there will be continued efforts and improvements to get to a Gold Standard Budget next year.

Upon motion of Councilor Matthews-Kane, it was VOTED: That items 2., 3. and 4. 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 in the amount of \$155,000.00 from the Free Cash (1000-359000) to the Engineering Department's Purchase of Service Account #14110000-520000 to fund design services for improvements at the Western Ave and Bates Road Intersection.
3. Appropriation in the amount of \$30,000.00 from Free Cash (1000-359000) to Sanitary Landfill-Transfer Station Purchase of Service Account #14390000-520000 to cover unforeseen costs associated with a telephone system upgrade, scale repairs and increased rates in hauling costs.
4. Submitting an Order of Appropriation in the amount of \$39,760.00 from the Flood Control Purchase of Service Account #12990000-520000 to various property owners

along the Westfield River Levee for the purpose of taking permanent easements, temporary (5-year) easements, and fee takings by right of Eminent Domain to complete the Westfield River Levee Multi-Use Path project.

Upon motion of Councilor Onyski, it was

VOTED: That items 5. And 6. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE LEGISLATIVE ORDINANCE COMMITTEE and LAW DEPARTMENT.

The Clerk read from the Agenda as follows:

5. Submitting an Order of Taking by right of eminent domain of several parcels of land along the Westfield River Levee to acquire permanent easements, temporary (5-year) easements and fee takings in order to complete the Westfield River Levee Multi-Use Path project.
6. Submitting a Confirmatory Order of Taking of real estate by eminent domain of Williams Riding Way for the purpose of constructing, installing, maintaining, replacing, and using a flood control levee and a multi-use trail.

Upon motion of Councilor Harris, it was

VOTED: That item 7. Under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE PERSONNEL ACTION COMMITTEE.

7. Submitting a change to the job description for the Executive Director of the Council on Aging.

REPORTS OF CITY OFFICERS

8. Upon motion of Councilor Figy, it was

VOTED: That the resignation letter from At-Large City Councilor Dave Flaherty effective May 5, 2023 submitted by City Clerk Kaitlyn Bruce be PLACED ON FILE.

9. Upon motion of Councilor Harris, it was

VOTED: That City Clerk Kaitlyn Bruce submitting the name of Mary Lawry O'Connell as the defeated candidate who received the highest number of votes for the At Large City Council position at the November 2, 2021 City Election be ACCEPTED.

Upon motion of Councilor Mello, it was

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

Prior to the vote, Councilor Mello stated that it made sense to affirm Mary O'Connell with budget season quickly approaching.

Upon motion of Councilor Mello, it was

VOTED: That Mary O'Connell be appointed as the At-Large City Councilor effective for the next City Council meeting.

The vote on the foregoing was as follows:

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

10. Upon motion of Councilor Onyski, it was

VOTED: Under immediate consideration that the Order for Polling Locations for the 2023 Elections submitted by City Clerk Kaitlyn Bruce be given first reading by title only.

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

Upon motion of Councilor Onyski, it was

VOTED: That the order be given second reading and PASSED TO BE ORDAINED:

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Figy informed the Council that the passage of this Order was time sensitive. Ward 2 is moving back to the Senior Center and the sooner the polling locations were approved, the voters could be notified.

Upon motion of Councilor Onyski, it was

VOTED: That the meeting return to regular order.

PETITIONS, REMONSTRANCES, AND OTHER PAPERS

11. A PUBLIC HEARING was held on applications for Junk Dealer and Junk Collector Licenses for Camile Hannoush, Inc., 99 Springfield Road, Suite 2, Camile A. Hannoush (owner). The President called the Public Hearing to order. Mark Sikand was present to represent Camile Hannoush Inc. He informed the Council that they operate several different businesses at this location. They have other Junk Dealer and Collector licenses under other names to keep them structured properly and organized as well as to comply with local, state and federal laws. President Beltrandi asked for questions from the Council. Councilor Onyski asked for a brief description of the business. Mr. Sikand stated that 99 Springfield Road is the company headquarters for several different businesses. He stated they own Richard's Jewelers in town as well as all of the Michael's Jewelers throughout Connecticut. As they grow and develop, they have to comply with different buying laws for reporting. Councilor Harris stated this was a reputable company. She stated that although they are called junk licenses, these licenses were to purchase diamonds, gold and silver. She added that all of the purchases were all recorded by police. Mr. Sikand confirmed. President Beltrandi opened the Public Hearing up to the audience and asked if there was anyone present to speak in favor of the application. Dave Flaherty, 7 Marla Circle spoke in favor of the application adding that the Hannoush family deserves credit for what they've done in town. President Beltrandi asked if there was anyone to speak in opposition. There was no one to speak in opposition.

With no others appearing to be heard and upon motion of Councilor Figy, it was VOTED: That the Public Hearing be CLOSED and the petition be REFERRED TO THE LICENSE COMMITTEE.

12. A PUBLIC HEARING was held on an application for a Special Permit, Site Plan Approval and Stormwater Permit for a Truck Terminal with associated site improvements pursuant to Sections 3-130.3(1), 4-110 and 6-10 to be located at 70 Lockhouse Road, Westfield MA. Submitted by BEK REALTY, LLC c/o Mr. Muradbek Usmonov. President Beltrandi opened the Public Hearing. Rebecca Li from R. Levesque Associates was present to represent the application. She stated that the proposed 'Truck Terminal' title of the project was where it fell within the zoning definitions but referred to it as a glorified parking lot. It has access off of Lockhouse Road, and is zoned Industrial A, which requires a Special Permit by City Council. She stated that it would be home base for his trucking fleet of 12-15 Tractor Trailers coming onsite late Thursday night/Friday early morning and leaving on Sunday. They are within the 100 foot wetland buffer and they did file a notice of intent with the Conservation Commission. She informed the Council that the peer review with Engineering has been completed and they have addressed all of their comments. President Beltrandi opened the Public Hearing up to the Councilors for questions. Councilor Onyski asked what the business would be, if the trucks would be empty or full and what would be in the trucks. Ms. Li stated that the drivers were all local and needed a home base site for their tractor trailers over the weekend before getting dispatched to their next job. Councilor Onyski asked if there was a lighting plan submitted that met the existing ordinances. Ms. Li confirmed. Councilor Figy asked where the application was with Conservation. Ms. Li stated a site visit was conducted three weeks prior

with the Conservation Commission and that they had reviewed the plans and stormwater reports; they had not expressed any concerns. She stated they are also going through the necessary steps with the Department of Environmental Protection (DEP). Councilor Mello asked for the number of truck trips per day. Ms. Li responded that currently 12 trucks were intended to be stationed at the location. The trucks would arrive sometime past 8:00 PM Thursday night and before 6:00 AM Friday morning. The drivers would be parking the trucks and leaving in their personal vehicles. They would return late Sunday night into early Monday morning. Councilor Sullivan asked where the 12 trucks were currently parked. Ms. Li stated that she was unsure but could get that information. Councilor Allie asked if personal vehicles would be there during the week and if there were security cameras or fencing. Ms. Li replied that personal vehicles would be there and there wasn't currently fencing as it would be difficult at that location but stated the applicant wasn't opposed to enhancing security if requested. Councilor Burns asked if the area needed to be paved. Ms. Li stated that the access drive and parking lot would be paved and it would transition to a hard packed gravel. The tractor trailers would be parked on both. Councilor Burns asked if the plans were for only up to 15 trucks. Ms. Li stated that she would follow up on that. Councilor Adams asked who owned the trucks. Ms. Li replied that Mr. Usmonov owned the trucks and property. Councilor Onyski asked what the name of the Trucking Company was. Ms. Li stated Muradbek Usmonov was the owner and she believed it was going to be under B.E.K Realty but that she would confirm that information. Councilor Mello asked what would be hauled in the trucks, questioning how they would know if it was hazardous materials. She further asked if the lot was curved so that anything that washed off the truck or fell out of the truck wouldn't end up in the brook. Ms. Li confirmed that it was curved and that there were low points to account for run off. She stated she was unsure of materials in the truck but that she would obtain that information. Councilor Burns asked if there were plans to clean the tractors. Ms. Li stated she would also get that question answered.

President Beltrandi opened the Public Hearing to the audience for questions of fact. Melvin Levesque, 56 Lockhouse Road, asked how big the trucks were and if they would be full tractor trailers or just rigs. He voiced his concern of the trucks going over the small bridge. He stated that this was in his backyard and that Thursday through Sunday were peak hours. Maryann Babinski, 114 Rogers Ave, asked if all of the trees had been cleared. Ms. Li replied that no tree clearing had commenced. The ones within the limit of work, will be. Ms. Babinski asked if the peer review questions had been reviewed. Ms. Li stated that they received confirmation from Joe Keitner that everything had been addressed. She added that they submitted a revised plan set and stormwater report. She stated that the new plans provided access for maintenance vehicles on the side of the extended detention basin. They truncated some of the parking lot to stay out of 200 foot riverfront area and changed the pipe size that went from one side of the road to the other. Ms. Babinski stated that stormwater concerns were mentioned at Conservation Commission.

President Beltrandi opened the Public Hearing for anyone wishing to speak in favor. There was no one. He opened the public hearing for anyone wishing to speak in opposition.

Melvin Levesque, 56 Lockhouse Road, spoke in opposition. He stated that this would not help the condition of the road. He voiced his concerns about an increase in traffic and that there was a school bus stop in front of the house.

Ms. Babinski, 114 Rogers Ave spoke in opposition. She was not in favor of clearing the trees for a Truck Terminal to park 14 trucks. She hoped the body would continue the Public Hearing until after Peer Review and DEP comments were reviewed and Conservation Commission had approved the project. She stated that the Powdermill and Arm Brook Reservoirs were nearby and would like clear answers about what is going to be in the trailers and if there would be expansion.

Dave Flaherty, 7 Marla Circle spoke in opposition. He stated that the City didn't need another truck terminal on the Northside. He stated that there were no benefits to the City, only noise, pollution, loss of trees and roadway damage. He stated that the Council has required people to park on hard surfaces to catch run off and although the trucks will only be there for two days, the cars will be sitting on pervious surface throughout the week.

Charlotte Oleksak, 136 Cabot Road, spoke in opposition to anymore trucks on the North side of town. She stated that trucks travel down the road multiple times a day and use her property as a turnaround. She stated that that the hours are not off hours if you live there and that the trucks were loud.

Ms. Babinski reminded the Council about the truck terminal moratorium. She informed the Councilors that the draft of the City's Master Plan stressed a lot of information about protecting natural resources.

Councilor Adams asked if trucks could be parked on pervious surfaces. Ms. Li stated that it was a hard packed material of concrete dust mixed with gravel and is allowed per the zoning ordinance. She stated the surface would be suitable for tractor trailers and that any runoff would go to the designed catch basins. Councilor Allie asked for the route the trucks would take in and out of the location. Ms. Li replied that they would come off the Turnpike, go directly onto Lockhouse Road and turning into the site. He asked if they would travel on the small bridge and she replied no. Councilor Mello asked for clarification on containments and if the hard packed material was permeable. Ms. Li stated it was more permeable than pavement but runoff would not get to the underlying soils and explained the process of how runoff would be treated. The question was added to the list of follow up questions. Councilor Morganelli stated that the Ward 1 residents do not want more trucks in the area. He stated the gravel parking lot was almost a third of the cost of pavement. He echoed the reasons the hard packed material were not the best option for a truck parking lot including durability.

Councilor Onyski asked for clarification on what a bio retention area was. Ms. Li stated it was a stormwater management term for a shallow basin with different plantings that would treat the stormwater runoff, prior to discharging back to wetlands north of the sight. Councilor Onyski asked how the plants treat runoff. Ms. Li stated that the Massachusetts Stormwater Handbook had a list and chart of different plant species and that she would find out more information for him. Councilor Onyski asked what an extended dry retention basin does and how it differed from a retention pond. Ms. Li stated that the extended dry basin would collect stormwater runoff and explained the process using the diagram. She added that they went

with a bigger basin because of the high water table and that the basin is longer so the stormwater runoff has longer travel time to get to outlet control structure before being metered out. She stated that the plan was designed per the stormwater handbook following Massachusetts and federal regulations. Councilor Mello asked if it would be discharging where Arm Brook and Powdermill meet. Ms. Li confirmed. Council Mello voiced her concerns about the out of date flood control structures and the high water table. She asked for follow up on the number of and types of trees that would be removed as well as what the water difference would be once the trees were removed and there was extra impervious surface. Ms. Li stated that she would get a tree count but that the calculations do consider that it was wooded before and it would be paved now. Per Massachusetts Stormwater Handbook, it is not allowed to discharge more than was previously discharged. She informed the Council the land had been historically disturbed, in early 2000s it was all cleared and a lot of the plants there now are invasive species.

With no others to be heard and upon motion of Councilor Figy, it was VOTED: That the Public Hearing be CONTINUED until the conclusion of the Conservation Commission's investigation.

13. Upon motion of Council Onyski, it was VOTED: That a Petition for Street Acceptance for Pineridge Drive submitted by President Beltrandi be PLACED ON FILE.

REPORTS OF COMMITTEES

Finance Committee

14. Upon motion of Councilor Bean for the Finance Committee, it was VOTED: That the sum of \$356,771.00 from the Community Preservation Undesignated Reserve Account #2410-340000 and \$243,229.00 from the Community Preservation Undesignated FY23 Account #24101770-580000 be appropriated to the CPA American Legion Building Account #24101770-580200-5211 to preserve, restore and rehabilitate the circa 1870 American Legion Building.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Burns recused himself because he was a longtime member of the American Legion. The Finance Committee recommended approval. Councilor Bean informed the Council that both the CPA and Historical Commissions gave favorable approval. He stated the American Legion is an iconic building in the downtown area near the Fire Station on Broad Street. He stated without rehabilitation, it would reach a point where they would not be able to be in the building and the City would lose another historical building in town. He shared that the organization is dedicated to the citizens of Westfield and has honored the veterans through many services. He stated some of the construction projects included structural work, roof work, adding a lift and handicap accessibility. He added that they would be working on access to upstairs to open up the facility which would help them raise funds and offer community events for non-members. He spoke with architect Chris Carey who wholeheartedly supported the project and stated it would meet all historical requirements. Councilor Sullivan added that they are not subject to the same bidding regulations as municipalities but they did receive three quotes and arrived at these numbers from a contractor who is willing to take on the project. Councilor Onyski stated it was a perfect use of CPA Funding and an important organization to the City of Westfield. Councilor Bean added that the American Legion has pledged specific money to this endeavor and there is ongoing fundraising to keep the building in good condition once the construction is completed. Councilor Allie shared that the organization has given so much to the Country and is also very involved within the local community. Councilor Harris stated that although it is not housing, it is a home to many of the Veterans in many ways and that they are the most deserving group of having a place to go to. She thanked them for their service. Councilor Mello stated that she has learned a lot of the building's history and about the organization. She is happy to ensure the second home is a safe and welcoming place. Councilor Beltrandi also spoke in support of the appropriation.

15. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That the sum of \$6,557.44 from the Community Preservation Historic FY23 Account #24101770-580200 and \$528.56 from the Community Preservation Historic Reserve Account #2410-340200 for a total sum of \$7,086.00 be appropriated to the CPA Old Burying Ground Account #24101770-580200-5112 for repairs to the gates that were damaged in a hit-and-run accident.

The vote on the foregoing was as follows:

Michael Burns	Yes
Ralph Figy	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes

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

The Finance Committee recommended approval. Prior to the vote, Councilor Matthews-Kane informed the Council that in October of 2022, there was a car accident that destroyed the fence. The Council recently accepted a gift for the restoration. The fence is City property and the funds will reimburse the additional expenses for repairs.

16. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That the sum of \$65,957.44 from the Community Preservation Undesignated Reserve Account #2410-340000 and \$43,442.56 from the Community Preservation Historic FY23 Account #24101770-580200 for a sum totaling \$109,400.00 be appropriated to the CPA Pine Hill Cemetery Account #24101770-580200-5210 for the preservation and restoration of the stone entry gates.

The vote on the foregoing was as follows:

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

The Finance Committee recommended approval. Prior to the vote, Councilor Matthews-Kane informed the Council that the appropriation was to repair the three large stone gates that front Pine Hill Cemetery along Court Street and Western Avenue. The three gates were gifted to the cemetery in the 1940s and they are starting to fall into disrepair. She stated that the cemetery is not only historic and one of the earliest garden cemeteries in the country, they have been open to burying anyone without reference to race or creed. They also have an indigent burial program where they donate plots to those in need. The Friends of Pine Hill Cemetery have donated \$5,000.00 and an anonymous donor has stepped up to cover any potential cost overruns. Councilor Sullivan stated that he would support the appropriation but noted that it was the second significant appropriation to Pine Hill Cemetery. He suggested that the City look into spending CPA money on housing projects. He stated that at this time,

the State is willing to match, giving opportunities for new growth and to leverage dollars the City already has.

17. Upon motion of Councilor Bean for the Finance Committee, it was VOTED: That the sum of \$20,000.00 be appropriated from Free Cash (1000-359000) to the Department of Public Works Supplies Account #14990000-540000 to upgrade fifteen (15) irrigation systems and controllers among the City's athletic fields, parks and greens.

The vote on the foregoing was as follows:

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

The Finance Committee recommended approval. Prior to the vote, Councilor Bean informed the Council that this project has been in the works for several years. There will be a complete overhaul of the sprinkler systems, upgrading to a remote system, resulting in efficiency. He thanked Acting DPW Director Fran Cain and his staff for getting this project in front of Council.

18. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That the sum of \$108,000.00 be appropriated from the Community Preservation Undesignated Reserve Account #2410-340000 to the Hampton Ponds Playground Account #24101770-580400-5315 for rehabilitation work at the playground.

The Finance Committee recommended approval. Prior to the vote, Councilor Matthews-Kane informed the Council that the rehabilitation work at the Hampton Ponds Playground included demolition and replacement of an existing basketball court, repurposing of two tennis courts to install four pickleball courts and preparation and paving of a new sidewalk to meet ADA requirements. The project is scheduled to be completed in the late summer of 2023. Councilor Onyski stated it was the only playground in that area of Ward 6 and it would be well utilized. Councilor Morganelli shared that the Park and Rec Commission stated at their last meeting that the playground gets a lot of use. Councilor Sullivan echoed Councilor Onyski stating it was the only playground in that quadrant of the City, noting it was a good investment.

19. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That the sum of \$19,050.00 be appropriated from Free Cash (1000-359000) to City Clerk's Office Purchase of Services Account #11610000-520000 to purchase 12 Electronic Poll Pads.

The vote on the foregoing was as follows:

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

The Finance Committee recommended approval. Prior to the vote Councilor Matthews-Kane stated that the purchase was part of the City Clerk Office Capital Plan. The office currently has four electronic poll pads that have been used during early voting and at the City's busiest polling locations. They are purchasing twelve poll pads now in preparation for the 2024 Elections. The poll pads speed up the check in process and provide multiple benefits, including checking voter status, assisting with language barriers or rerouting voters who are in the wrong polling location. She added that if in the future, same day registration is allowed, the poll pads would be used to assist with that. The poll pads will improve the accuracy of processing voters throughout the day and eliminate the need to spend hours at the end of Election Day reconciling paper check-in and tally numbers with ballot scanner totals. The systems are commonly used across the Commonwealth.

20. Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED: That the sum of \$158.42 from the Airport Overtime FY23 Account #11990000-513000 to the Airport Overtime FY22 Account #11990000-513000 and \$850.00 from the Airport FT Hourly FY23 Account #11990000-511100 be appropriated to the Airport FT Hourly FY22 Account #11990000-511100 for retroactive pay to cover a step raise awarded, but not paid to Airport Motor Equipment Operator Patrick Dillon.

The vote on the foregoing was as follows:

Michael Burns	Yes
Ralph Figy	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes

Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes

The Finance Committee recommended approval. Prior to the vote, Councilor Sullivan informed the Council that the contract called for him to receive a step increase and it was missed. He is currently paid correctly in this budget and it's budgeted appropriately for FY24.

21. Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED: That a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD FOR ACCEPTANCE OF A GIFT PURSUANT TO M.G.L. 44 SECTION 53A TO ANIMAL CONTROL DEPARTMENT (\$1,308.00 from ProAmpac to the Westfield Animal Shelter to be used for improvements) be ADOPTED.

All in favor, voice vote.

The Finance Committee recommended approval. Prior to the vote, Councilor Sullivan thanked the employees of ProAmpac for holding a fundraiser at their company and donating the money to the Shelter.

22. Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED: That the sum of \$38,538.14 be transferred from the Reserve for Future Salary Increases Account #19500000-519999 to various accounts to fund the recently signed AFSCME 35-Hour Unit Successor Agreement for the period of July 1, 2022 through June 30, 2025.

The vote on the foregoing was as follows:

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

The Finance Committee recommend approval. Prior to the vote, Councilor Sullivan informed the Council that the money had been set aside and the total amount being transferred to pay for the FY 23 contract was \$38,538.14. The cost of the contract for FY 24 will be \$55,735.00 (included in the submitted budget) and will be \$58,913.00 for FY 25. He thanked the Mayor for supplying the information and walking the Committee through questions for non-salary related items. Councilor Matthews-Kane informed the Council that in previous years the Council had approved the contract and then approved the transfer. They started receiving the contract and transfer simultaneously. For this contract, they received the transfer only and approving the transfer also approves the contract.

23. Upon motion of Councilor Bean for the Finance Committee, it was VOTED: That the in-lieu-of-taxes contribution from Westfield Gas and Electric in the amount of \$556,001.00 for FY24, with payments to be made monthly in the amount of \$46,333.00 commencing after July 1, 2023 be ACCEPTED and PLACED ON FILE.
All in favor, voice vote.

The Finance Committee recommended approval. Prior to the vote, Councilor Bean stated that although he has been critical over the last 20 years about this number, there are other in-kind contributions that are not tied to this expenditure.

24. Upon motion of Councilor for the Finance Committee, it was VOTED: That the list of properties in tax title and a total of back taxes that are owed to the city, residential and commercial, submitted by Treasurer/Collector Matthew Barnes be PLACED ON FILE.
All in favor, voice vote.

Prior to the vote Councilor Bean stated this request was simply to get the list and push the process along. Councilor Mello asked if in the future the Council received numerical data, in an excel format.

25. Discussion on tax title process and cash management options for city budget.

Councilor Sullivan informed the Council there would be no vote on this item, the motion was for a discussion on tax title process and cash management options. He thanked the Treasurer for giving the Finance Committee his time. They held the discussion at an open meeting. He stated that he wanted to know what the City's process of managing cash was and whether or not they were leveraging the City's cash flow and getting a return. He stated that Mr. Barnes was reassuring and that the City does move the money into a higher earning account. Mr. Barnes told the Committee he was going to look into other options to benefit the City. He also stated he would reach out to other communities as well as the Statewide Treasurer/Collector Associations to get some best practices. Councilor Sullivan stated it was a great conversation and assured everyone the City was in good hands. Councilor Bean stated

he wanted to ensure that the Council was doing their due diligence. During the tax title process in the past, back taxes accumulated. He stated that the City is currently in good hands with our current Treasurer/Collector. He informed the Council that the process is governed by statute and there is only so much the City can do to push residents and businesses along. He noted that the total amount of back taxes owed to the City had decreased by \$500,000.00 within the month or two of the motion being made. Councilor Sullivan added that once it goes into the tax title process, interest starts accumulating and there is no ability to lessen that amount. He stated that the City does a great job with payment plans and only taking businesses/homes as a last resort. Councilor Bean noted that Attorney Meghan Bristol works directly with the Treasurer on this process daily and commended her hard work.

Legislative and Ordinance Committee

26. Upon motion of Councilor for the Legislative and Ordinance Committee, it was VOTED: That a Resolution entitled "A RESOLUTION AUTHORIZING THE CITY TO LEASE REAL ESTATE FOR SCHOOL ADMINISTRATION OFFICE SPACE" (to allow the Mayor to negotiate and enter into a lease agreement with North Elm LLC for Administrative Office Space for the School Department.) be ADOPTED.

All in favor, voice vote.

The Legislative and Ordinance Committee recommended approval. Prior to the vote, Councilor Onyski stated that the reason this is before the Council is because the contract the City will sign for the School Department is in excess of three years. It is a three year initial lease with three (2) year extension opportunities. The other six years is at the City's discretion. The current lease ends in October. The City only received one response to the bid. The lease includes utilities, maintenance, and trash pick-up. The School Department has been there since 2014. Councilor Adams asked for the total amount per year. Councilor Onyski responded that it was around \$100,000.00 per year. The Committee thought it was financially more effective to lease opposed to building, staffing and maintain a building. Councilors Bean and Morganelli asked if there had been any talk in Committee of using other City buildings. He stated that hiring a custodian would be roughly \$55,000.00 plus benefits and retirement. When factoring that in with the costs of heat and electricity the Committee thought the lease was a good deal. He stated that the School Committee also recommended approval.

27. Upon motion of Councilor 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" (Amendment to Senior Citizen Property Tax Work-Off Program to remove Section 11-94. Requirements, etc. by deleting subsection h.(1) income guidelines.) be given first reading by title only.

The Ordinance was given first reading and upon motion of Councilor , it was VOTED: That the Ordinance be PASSED TO SECOND READING.

All in favor, voice vote.

The Legislative and Ordinance Committee recommended approval. Prior to the vote, Councilor Burns echoed what Council on Aging Director Tina Gorman had stated during public participation. He added that out of twenty available volunteer slots, they were only able to fill eight. Councilor Figy, as liaison for Council on Aging for ten years, stated that he watched the program develop and that it has been a helpful program to those able to participate but that qualified candidates have been shut out. The Council on Aging unanimously approved the Ordinance Amendment and he urged the Councilors for their support.

28. Upon motion of Councilor Burns for the Legislative and Ordinance Committee, it was

VOTED: That the Mayor's objections to Resolution 3154, entitled "A Resolution setting forth a petition to the Senate and House of Representatives of the General Court of the Commonwealth of Massachusetts to revise and restate the Charter of the City of Westfield" REMAIN IN COMMITTEE.

All in favor, voice vote.

Prior to the vote, Councilor Burns stated that they will be leaving this item in Committee and will be revisiting it at the next meeting.

29. Upon motion of Councilor Burns for the Legislative and Ordinance Committee, it was

VOTED: That Terry W. Beauregard, owner of 170 Loomis Street offering the City right of first refusal to convert part of the property out of the 61-A program REMAIN IN COMMITTEE.

All in favor, voice vote.

Prior to the vote Councilor Burns stated that they voted to leave in committee because there was no purchase and sale agreement. Councilor Onyski stated that there had been some confusion and that what was submitted was not a complete application. He informed the Council that he spoke with the applicant today and they're working with the Mayor's office to straighten it out. Councilor Sullivan asked for confirmation that the time requirement had not started. Councilor Onyski confirmed.

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

VOTED: That an Ordinance entitled "AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF WESTFIELD, APPENDIX B-ZONING, ADOPTED SEPTEMBER 3, 1987" (Sec. 4-121 to exempt certain fixtures from the exterior lighting standards.) be given first reading by title only.

The vote on the foregoing was as follows:

Michael Burns	Yes
Ralph Figy	Yes

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

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

VOTED: That the Ordinance be PASSED TO SECOND READING.

All in favor, voice vote. Councilors Matthews-Kane and Mello were OPPOSED.

The Legislative and Ordinance Committee recommended approval. Prior to the vote, Councilor Onyski informed the Council that the Planning Board met and recommended changes. He read aloud the proposed amendment at Article IV, Sec 4-121.2 - Exemptions: to replace item c. with *"was installed prior to May 1, 2023, except that replacement of such fixtures shall be subject to the provisions of this section unless the replacement results in an equal or lesser illumination level and glare, and conforms to the light trespass standards described in 4-121.1(2)"*. He informed the Council that if a light was installed prior to May 1, 2023 it could be left as it was. If they need to change a light fixture, that light fixture could be changed but would need to maintain the light in the property bounds. Councilor Mello questioned the number of lights they were talking about. Councilor Onyski replied that the number of fixtures were the same. If there is a light that exceeds the ordinance, the fixture can be replaced but it can't extend the number of foot candles listed in the Ordinance. He stated it includes all of the lights in the City. Councilor Mello asked who was responsible for measuring foot candles. She further asked what options residents had if a light was grandfathered in and didn't need to be replaced. Councilor Onyski stated that if the light was installed prior to 2017, it was already grandfathered in under the current ordinance. A Lighting Ordinance violation would be handled by the Building Department for enforcement. Councilor Mello asked if the date would change from 2017 to 2023 if the amendment on the floor was adopted. Councilor Onyski confirmed. He didn't know exactly how many lights were installed between 2017 and 2023, but stated he believed it was around 173. Councilor Matthews-Kane stated she was grateful the Planning Board identified that light trespass was a central issue and that people were listening to others concerns. She voiced her concerns that they posted the Public Hearing under different language. Councilor Adams noted that lots of buildings had been built in the last few months that were out of compliance. He agreed with Councilor Onyski that something needed to be done now for this to stop and stated that changing the date and moving forward with a plan was the right way. Councilor Allie stated he was surprised by the Planning

Board's recommendation. The Building Department and Westfield Gas and Electric were not involved when the Lighting Ordinance was created. He stated if the City grandfathered them all in, it would be like not having a Light Ordinance at all. He thought there were other things the Council could do to help small businesses and quality of life. Councilor Sullivan stated that this was not just a WGE problem and if the concern was about light pollution and trespass, it had to include all of the lights. He believed there were ways to craft a grandfathering definition so it didn't go on indefinitely. He asked if there was a larger plan from Council to try to address this issue holistically. President Beltrandi informed the Council that he would be bringing back the Ad-Hoc Zoning Review Committee (Councilors Sullivan, Figy and Adams) to review the whole Ordinance and intelligently go through it to make the corrections that need to be made. Councilor Onyski stated that the Planning Board spent two meetings on this. They mentioned that this amendment is not perfect but necessary. They suggested going through the Ordinance taking into account everyone's input including Dark Sky who was also not part of the discussion in 2017. Councilor Onyski stated the proposed Ordinance Amendment would fix an immediate need but agreed that a good step would be involving all parties and taking time to do it. Councilor Bean stated that the new growth was down and part of that number is associated with new businesses. He stated that he would not support anything that would make it harder for businesses to flourish in Westfield. He stated that this ordinance was an expensive ordinance and added undue stress for current businesses. Councilor Burns stated that he attended the Planning Board meetings and they did their due diligence. He stated if the motion didn't pass, it would revert back to the original and it would be two years before it could be brought back before the Council. Councilor Mello agreed that things needed to be addressed but that she had a hard time saying yes if residents didn't have recourse of action. She asked for clarification on the vote before the Council. She was in support for giving the businesses a way forward where they didn't have to spend extra money and noted that emergency lighting was paramount but if the residents weren't protected, she could not support it. President Beltrandi stated that they were voting on the proposed ordinance amendment and then the Ad-Hoc Committee would work on the entire Ordinance moving forward. He added that the WGE is not currently fixing lights.

Personnel Action Committee

31. Upon motion of Councilor Harris for the Personnel Action Committee, it was VOTED: That the appointment of Lani Ching as a member of the Youth Commission for a term to expire February, 2026 be CONFIRMED.

The vote on the foregoing was as follows:

Michael Burns	Yes
Ralph Figy	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes

Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes

City Properties Committee

32. Upon motion of Councilor Allie for the City Properties Committee, it was VOTED: That a Resolution entitled "A RESOLUTION DECLARING A PORTION OF 0 CHURCH STREET AS SURPLUS AND AUTHORIZING THE MAYOR TO ENTER INTO A LEASE" be ADOPTED. (Howie Realty Trust)
All in favor, voice vote.

Prior to the vote, Councilor Allie informed the Council that this was passed at the last meeting under Legislative and Ordinance and being brought out by the City Properties Committee. Councilor Sullivan asked what the purpose of the lease at 0 Church Street was. Councilor Allie stated that it was for outdoor dining. Councilor Onyski stated that Community Development Director stated it would be for a full calendar year.

UNFINISHED BUSINESS

33. Upon motion of Councilor Burns 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" (Chapter 17-73 Stop Intersections Designation by adding the following: Foss Street, northbound at Lawton Avenue, Angelica Drive, westbound at Northwest Road and Old Quarry Road, eastbound at Northwest Road.) be given second reading and be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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

34. Upon motion of Councilor Burns 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" (Chapter 17-115 Parking Prohibited at all times on certain

streets by adding Kellogg Street, West Side from Orange Street, beyond Belmont Street to the base of the dike.) be given second reading and be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

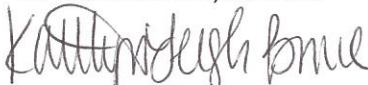
Michael Burns	Yes
Ralph Figy	Yes
Cindy Harris	Yes
Bridget Matthews-Kane	Yes
Kristen Mello	Yes
Nicholas Morganelli, Jr.	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes
John Beltrandi III	Yes

ANNOUNCEMENTS

Councilor Morganelli reminded everyone about the Memorial Day Remembrance Services and Parade on Monday, May 29, 2023.

President Beltrandi congratulated Councilor O'Connell on her return to the City Council.

At 9:39PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

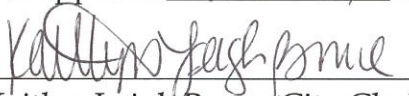
A true record, Attest:

 Kaitlyn Leigh Bruce
 City Clerk/Clerk of the Council

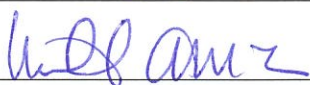
Presented to the Mayor

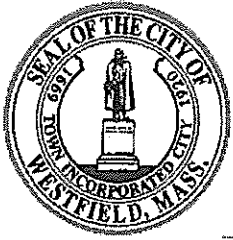
Approved by the Mayor

For approval June 2, 2023

6-2 2023


 Kaitlyn Leigh Bruce, City Clerk


 Michael A. McCabe, Mayor



City of Westfield
OFFICE OF THE MAYOR



59 Court Street Suite 200
Westfield, MA 01085
413-572-6201
Mayor Michael McCabe

Greetings everyone,

During the calendar year 2022, our administration's focus was on improving roads, recreation and resources. Emerging from the pandemic presented some challenges. Fortunately, there was significant progress made on all fronts. By realigning and refocusing our financial priorities in FY '23, each of these areas have seen marked improvement. Our administration will continue to do what it takes to make roads safer to travel, city parks better places to spend time, and assure commitments to deliver exemplary customer service. The FY '24 budget will reflect these common themes.

The proposed City budget this year is \$171,916,438.97, which represents a 1.56% increase over the adjusted FY '23 budget, and a 6.02% increase over the original FY '23 budget. The increases are primarily due to increases in petroleum-based products, utility costs and labor. We balanced the budget by assessing the needs and services for our community, and using a 2.5% tax increase (approx. \$2.1 million) and estimated new growth of \$900,000. New growth continues to be a problem which we hope to rectify in the future. We also used \$1.2 million in free cash and 1.5 premium holidays. The focus of this budget remained steadfast in its commitment to pavement, people and parks. There are no new positions or new vehicles in this budget.

The challenges we faced were numerous, but with focused effort not insurmountable. Overall our roads were not in the best shape due to lack of maintenance and funding. We placed an emphasis on this early on and dedicated nearly 5 million dollars to road improvements. We had a difficult summer season weather-wise that put extra pressure on our division of land and natural resources to maintain our city parks. Due to labor shortages, we fell short and some of our fields became difficult to manage. We responded by refocusing efforts there and by this upcoming spring we should see positive change.



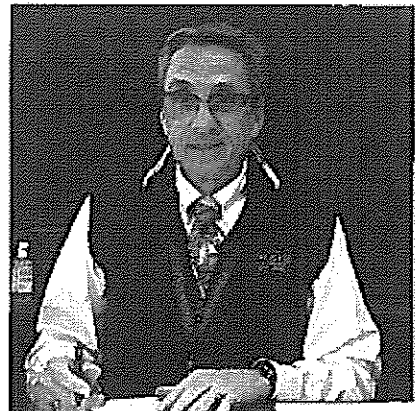
We also asked all city departments to put together a 5-year Capital Projects Plan (CPP) for their operations. Year 1 alone saw nearly \$93 million dollars in requests for ongoing projects, preventative maintenance and potential liability concerns. Over the 5-year span that number increased to \$245 million. Those responses were sobering because the highlighted departments' deficiencies, but are invaluable because they also allow us to prioritize needs in the FY '24 budget cycle. The good news is that we were able to remove some of the requested items off of the list and complete them this year. Those projects (Table 1) totaled more than \$3.6 million dollars in improvement for our citizens.



When speaking about resources, I am really referring to human resources. Lessons learned from COVID have to be taken into consideration when creating the FY '24 budget because they impacted the FY '23 process. We had to focus on recruitment and retention more so than in years past. As we emerged from the pandemic, it was clear that we had to understand the changing dynamic in labor. Significant numbers of people simply did not come back to work. Those that did demanded higher wages which increased overall spending across the board. That is the bad news. The good news is we were able to figure it out. Our employment roles in City Hall have gone from an estimated 80% in January 2022 to nearly 100% in 2023. We have placed an emphasis on teamwork, quality leadership and customer service. By doing so, we have attracted skilled personnel and hopefully, in our inclusive environment, we will retain them.

Additionally, the year 2022 was a contract year for many of our employees. Most of the labor contracts were timing out in June of 2022. Our team worked together with union leadership and have settled all 13 of them. Each is consistent with the other in terms of duration and compensation. Union leadership understood the challenges, and I am grateful for their support.

The Mayor's Office oversees several departments directly. Community Development, Buildings and Facilities, the Superintendent of Buildings, Engineering, Media Services, the Office of the City Solicitor and Medicaid Office are all within the mayor's scope. While the mayor is responsible for the entire budget on a macro level, each of one those areas submit their own budget.



The mayor's budget (Table 2), from the Mayor's Office, includes office staff and personnel, purchase of service and supply accounts, and accounts that deal with intergovernmental transactions and ceremonial duties of the office. In the FY '24 budget, the mayor's budget will be a proposed reduction of 8%. Most of that comes from the deletion of a full year's salary for the Chief Advancement Officer's (CAO) position. The budget simply would not have supported a department head level salary range at this time.

Respectfully Submitted,


Mayor Michael A. McCabe