



MINUTES OF CITY COUNCIL

59 COURT STREET
MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS
WESTFIELD, MASSACHUSETTS
JULY 06, 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 thirteen Councilors were present.

The Pledge of Allegiance was led by President Beltrandi.

Upon motion of Councilor Bean, it was
VOTED: That the reading of the record of the meeting of June 15, 2023 be ACCEPTED.

Under "Public Participation" the Councilors were addressed by Mark Jachym, 55 South Meadow Road. He referenced an article on MassLive about the Substance Abuse Coordinator Position. He wanted to clarify that there are guidelines the City must follow regarding the opioid settlement money according to the agreement that was signed by the State and the Mayor. He informed the Council that the article also stated the position would be funded through the grant and thought it had been discussed that it would be paid through City funds. He stated that the CORE group would like to see transparency.

Under "Public Participation" the Councilors were addressed by Robert Pearson, 53 McKinley Terrace. He questioned why there was a *No Trespassing* sign at the bend of South Street, stating he has been going there for 70 years. He requested that the City consider putting in a splash pad at the Cross Street playground.

Under "Public Participation" the Councilors were addressed by Councilor Onyski to discuss the tragedy that occurred at Hampden Ponds on June 21st. He sincerely thanked the Westfield Fire Department, Westfield Police Department, State Police Department, Hampden County Sheriff's Department, and the other agencies that helped on June 21st and many days afterwards. He informed the Chamber that it could have been much worse if it wasn't for his friend, Hampden Pond resident and hero, Jack Padden. Mr. Padden rushed to a boat, navigated to the correct area, and saved a life. He shared his gratitude for Mr. Padden's selfless acts and for putting his own life at risk to save a life of someone he didn't know.

COMMUNICATIONS FROM THE MAYOR

1. Upon motion of Councilor Matthews-Kane, it was
VOTED: Under immediate consideration that a Grant in the amount of \$950,000.00 from the Mass Department of Transportation Aeronautics Division to the Westfield-Barnes Regional Airport for the construction of the new Taxiway B5 be ACCEPTED.

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
Mary O'Connell	Yes
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	Yes
Brent Bean II	Yes

Prior to the vote, Councilor Matthews-Kane informed the Council that there was no local match required. The grant is for a standalone new taxiway that will open three new parcels. One already has a hangar being constructed on it with the opportunity for two more to be constructed in the future. The Airport is asking for immediate consideration so the contractor can order parts, the project is a 45-day project that must be completed by September. Councilor Sullivan added that for the one hangar already under construction, the \$950,000.00 grant will leverage a five-million-dollar investment with the potential to be a twelve-million-dollar investment if the other parcels are developed.

Upon motion of Councilor Matthews-Kane, it was VOTED: That item 2. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE FINANCE COMMITTEE.

The Clerk read the Agenda as follows:

2. Transfer of \$11,312.78 from the Department of Public Works, Water Division Purchase of Service FY24 Account #68004500-520000 to the Purchase of Service FY22 Account #68004500-520000 for two outstanding invoices presented to the department on June 29, 2023.

REPORTS OF CITY OFFICERS

3. Upon motion of Councilor Onyski, it was

VOTED: That First Assistant City Solicitor Shanna Reed submitting the following Ordinance amendment as requested by Sergeant Mejias, Chair of the Traffic Commission: Section 17-82. Speed Limits (2) Thickly settled or Business District: Twenty-five miles per hour by adding Alice Burke Avenue, Alice Street, Allen Avenue, Arnold Street, Ashley Street, Avery Street, Bartlett Street, Bates Street, Beckwith Avenue, Belmont Street, Belvedere Gardens, Benham Street, Berkshire Drive, Birge Avenue, Bliss Street, Bowdoin Street, Brookline Avenue, Bush Street, Butler Street, Carroll Drive, Casimir Street, Central Street, Chapel Street, Charles Street, Cherry Street, Chestnut Street, Church Street, Claremont Street, Clark Street, Cleveland Avenue, Clinton Avenue, Coleman Avenue, Congress Street, Conner Avenue, Coolidge Avenue, Cortez Street, Court Street, Cowles Court, Crane Avenue, Cross Street, Cycles Street, Dana Street, Danek Drive, Day Avenue, Dewey Avenue, Duane Street, Dubois Street, Dudley Avenue, Dwight Street, Dzuris Avenue, East Silver Street, East Bartlett Street, Ellis Street, Ellsworth Street, Emery Street, Exchange Street, Fairfield Avenue, Fairview Street, Floral Avenue, Ford Avenue, Fowler Avenue, Fowler Street, Franklin Avenue, Franklin Street, Frederick Street, Free Street, Fremont Street, George Street, Gillett Avenue, Gold Street, Grand Street, Green Avenue, Greylock Street, Hamilton Way, Hamlin Place, Hampden Street, Hancock Street, Hanover Street, Harold Avenue, Harrison Avenue, Hassler Street, Hayre Street, Hedges Avenue, High Street, Highland Avenue, Highland View Street, Holcomb Street, Holland Avenue, Howard Street, Hubbard Street, Jefferson Avenue, Jefferson Street, Kasper Drive, Kellogg Street, Kelsey Terrace, Kenwood Street, King Avenue, King Place King Street, King Street Extension, Laflin Street, Lawton Street, Leonard Avenue, Lewis Street, Lincoln Street, Lindbergh Boulevard, Linden Avenue, Littles Court, Livingstone Avenue, Logan Avenue, Lois Street, Loomis Avenue, Lozier Avenue, Madison Street, Main Street, Malone Avenue, Maple Court, Maple Street, Maple Terrace, Maplewood Avenue, Margerie Street, Mather Street, May Street, McKinley Terrace, Meadow Street, Mechanic Street, Mill Street, Miller Street, Monroe Street, Morris Avenue, Morris Street, Morse Avenue, Murphey Circle, Myrtle Avenue, Noble Avenue, Noble Street, North Cherry Street, Oak Avenue, Oak Avenue Extension, Oak Street, Oak Terrace, Old Town Ford Way, Orange Street, Otis Street, Palmar Avenue, Paper Street, Park Street, Parkside Avenue, Pearl Street, Perkins Street, Phelps Avenue, Pleasant Street, Ponders Hollow Road, Provin Terrace, Putnam Drive, Ridgeway Street, Riverside Drive, Sackett Street, School Street, Sheldon Avenue, Shepard Street, Sherman Street, Sherman Street Extension, Sibley Avenue, Smith Avenue, South Ashley Street, South Broad Street, South Maple Street, South Meadow Road, South Street, Spring Street, Squawfield Road, ST. Dennis Street, ST. James Avenue, ST. Paul Street, State Street, Sterling Street,

Stratfield Avenue, Summer Street, Sycamore Street, Taylor Avenue, Thomas Street, Toledo Avenue, Union Avenue, (up to south side of bridge), Vadnais Street, Walnut Street, Washington Street, Webster Avenue, West Gate Avenue, West School Street, West Silver Street, West Street, White Avenue, White Street, William Street, Williams Riding Way, Wilson Avenue, Woodbridge Lane, Woodland Avenue, Woronoco Avenue and Yale Street be confirmed and REFERRED TO LEGISLATIVE AND ORDINANCE AND TRAFFIC COMMISSION.

PETITIONS, REMONSTRANCES, AND OTHER PAPERS

4. A Public Hearing was held on a Special Permit application submitted by A.J. Virgilio Construction, Inc. pursuant to Zoning Ordinance Sec.130.3(1) to allow the continued use of over the road trailer parking/storage on property. Mike Pietras, Professional Engineer with Engineering and Land Solutions was present to represent the application. He informed the Council that they were requesting a special permit to allow continued use of the existing trailer park on the 23.3-acre lot. They met with the Building Commissioner Carissa Lisee when it was discovered that a Special Permit was required. They also met with Conservation and had an on-site review to confirm the use and ensure they met the buffer zone criteria. The site has a non-perennial portion of Armbrook to its eastern side with an associated wetland boundary. The existing 50-foot buffer is maintained where the tree line is and there is no encroachment of the trailers within that zone. He reviewed the photos of the site that he had submitted to the Council to show that the site was well kept, maintained, and mowed. It has a six-foot chain-link fence with privacy screening. The Abutters include a marijuana grow facility, a construction company/salvage yard, a solar yard, and an assisted living facility. He informed the Council that there is no nightly travel as the site is not lit and that all the trailers are empty when parked. He stated that the Aquifer delineation line is on the site plan and almost all the trailers are kept out of the aquifer overlay or protection buffer. Councilor Mello asked Mr. Pietras why he was before Council for a Special Permit. He responded that Ms. Lisee had contacted Mr. Virgilio to inform him that he would need a special permit. After two meetings with Ms. Lisee, they went before Conservation. Councilor Mello informed Mr. Peitras that when a parcel is partially in the Aquifer Protection District, the entire parcel is considered in the district. She further explained that trailers were not allowed to be parked on non-pervious surfaces in the Aquifer District and that trailers not attached to trucks were considered vehicles in the zoning code. She questioned why the project didn't include a stormwater basin or the installation of impervious surface for parking. Mr. Peitras stated that he was following the next step he was advised to take, and those had not been mentioned prior. Councilor Figy asked for the number of proposed trailers to be stored at the property and for the type of surface they were currently on. Mr. Peitras responded that the permit was for a total of 265 trailers. He stated that they're currently parked on maintained field grass. Councilor O'Connell asked how long they had been there. Mr. Peitras replied roughly 3 years. Councilor Morganelli asked how often the trailers moved in and out of the location. Mr. Peitras stated he would follow up on that question. He noted typically he sees 30-40 trailers onsite, with the highest being one hundred at a time. Councilor Allie questioned where the trailers were coming from. Mr. Peitras replied that they were strictly storage trailers for overspill from Home Depot, which is roughly 1,000 feet from the site. At this time President Beltrandi opened the public hearing up to the audience for question of fact. There was no one to be heard. At this time, President Beltrandi opened the public hearing up for anyone to speak for or against the application.

With no-one to be heard and upon motion of Councilor Figy, it was VOTED: That the Public Hearing be CONTINUED until the August 17, 2023 City Council Meeting.

5. A Public Hearing was held on a petition for a Zoning Amendment (Section 4-30.4) submitted by Councilor Figy to allow the keeping of certain domestic animals, including chickens, as a by-right accessory use. Councilor Figy Ward 2 City Councilor was representing the application. He informed the Council that in 2011, Patty Andras tried to enact an Ordinance Amendment to allow for chickens in residential zones. She was successful in

getting them approved in rural residential with 5 acres of land. He stated that food chain issues and food awareness have all contributed to the push for chickens as a by-right accessory use. The proposed ordinance was for a lot containing at least 5,000 square feet: 6 female chickens (no roosters), 4 rabbits, 4 ducks, and 12 pigeons/doves or quail. He informed the Council that he was following up on any quail restrictions. On a lot of at least 2 acres in the Rural Residential District: twice of the quantities above may be allowed in addition to goats, pigs and/or sheep totaling six in any combination. He informed the Council that the Planning Board approved the changes before the Council on a 7-0 vote and read aloud the proposed Ordinance in its entirety. The owner or keeper of any have registered with Animal Control and follow certain requirements. He noted that this was not for egg production or raising meat hens rather giving residents the ability to produce eggs for family consumption. He shared that there is a vast amount of information online on how to handle chickens. Councilor O'Connell questioned the minimum of 5,000 square feet, stating that it didn't seem like enough land. She further asked if he had contacted the Board of Health. Councilor Figy stated that the 5,000 square feet minimum was for six chickens and was restricted to the backyard to ensure there was enough room. He stated that prior to starting the process, he met with the Animal Control Officer (ACO), Building Commissioner, Director of Board of Health, and the Law Department. Everything before the Council that evening was from that meeting. The ACO would be the inspection agent and the enforcement officer. A chicken coop is considered a barn and required by state regulations to be inspected. Anything not up to standards would be shut down. He informed the Council that specific enforcement language was still needed. Councilor O'Connell questioned what would happen if coops were shut down. Councilor Figy replied that currently the ACO handles enforcement. Councilor Mello asked what the framework for regulatory requirements would be, specifically regarding composting. She also asked what needed to be done to ensure Animal Control had the ability to handle enforcement and somewhere to put chickens in the event of failed inspections. Councilor Figy stated those specifics would be ironed out in committee. He reviewed what kind of information was accessible online. Councilor Mello was concerned that if this was allowed by-right chicken compost could be mishandled which might affect the water. Councilor Figy stated that it would only be allowed in residential or rural residential and there were only 469 lots that met the minimum of 5,000 square feet. The ordinance would not allow chickens Industrial and Business. Councilor Mello asked if they would be in communication with the acting Health Director. Councilor Figy confirmed. Councilor Adams stated that he believed there should be permits and should require public hearings to give any abutters an opportunity to weigh in, which is a requirement for rural residential in the current chicken ordinance. Councilor Figy informed the Council he was trying to eliminate that process because it's expensive. Councilor Adams replied that he didn't mind eliminating the fee, but he still would like to see a public hearing. Councilor Figy noted it would be discussed in committee. Councilor Morganello spoke in support of the ordinance. He highlighted the benefit of chickens eating deer ticks. He believed the residents should have the freedom to have chickens and regulations could be put in place to ensure everyone was respectful. Councilor Burns shared that he has received complaints in his ward regarding roosters and suggested discussing fines in committee for roosters. Councilor Figy noted that the first step was getting Animal Control fully staffed. Councilor Mello asked if there had been a conversation with the Mayor for extra funding that may be required. Councilor Figy responded that they had not discussed figures yet. Councilor Bean gave appreciation to Councilor Figy for tackling this but echoed concerns with enforcement, noting that there were other ordinances that have enforcement issues. President Beltrandi opened the Public Hearing up to the audience. Monica Melchionne, 14 Gold Street, reiterated that six chickens was not a lot of chickens. She shared that composting information could be found on mass.gov and the Massachusetts Backyard Chicken Facebook page. She questioned yearly inspections with biosecurity. Margaret Terkelsen, Westfield Animal Control Officer followed up that it was a state requirement. Robert Pearson, 53 McKinley Terrace, spoke about where he has seen chickens in Westfield. Richard Salois, 220 Russellville Road, stated that although he was a member of the Planning Board, he was before the Council only speaking for himself. He believed this was a good correction to a problem that was created

years ago. He suggested a change from two acres to one acre in Rural Residential under item b. He further suggested being allowed two cattle or two horses on one acre. He stated that the current ordinance requirement of five acres for horses was in response to a tragedy. He shared that in most of the country, horses are not turned out for pasture and kept in a stall, thus eliminating the need for that acreage. Kseniya Covileac, 26 Pleasant Street, stated that she had chickens prior to knowing they needed a special permit. They had to rehome them per instruction of the Code Enforcement Officer. She stated that chickens were very quiet and didn't smell and echoed that six chickens were not a lot of chickens. Janice Alton, 429 Falley Drive, spoke in opposition of the ordinance due to health and safety as well as enforcement. She shared that when looking for where to purchase a home she looked for an urban area not fully rural because she didn't want to hear, see, or smell chicken/livestock. She read a list of diseases that chickens can carry, sharing that she and her husband have Histoplasmosis, an infection caused by breathing in spores of a fungus found in chicken and pigeon poop. She stressed that she did not want to be at risk again. She shared a list of animals and vermin that chickens attracted. She stressed that enforcement issues need to be considered and that appropriate staff and funding were needed. She asked if a yearly license would be required as they are for cats and dogs. She asked how the waste would be handled and how dead chickens would be disposed of. She suggested the City Councilors review what Chicopee and West Springfield have done and shared some of the requirements they had in place to take into consideration the wellbeing of residents and the animals. She stated that the city must have a standard in place and reinforce the guidelines. President Beltrandi asked if there was anyone in the audience who wished to speak in favor of or against the petition. Elizabeth Jachym, 55 South Meadow Road; Jessica Bekech, 1 Ashley Street; Monica Melchionne, 14 Gold Street all spoke in favor of the petition.

With no others to be heard and upon motion of Councilor Onyski, it was VOTED: That the Public Hearing be CONTINUED until the August 17, 2023 City Council Meeting.

6. A continued Public Hearing was held on an application for a Special Permit, Site Plan Approval and Stormwater Permit submitted by BEK REALTY, LLC c/o Mr. Muradbek Usmonov 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. Robert Levesque was present to speak on the application and to present updated information that answered questions from the last Public Hearing. He shared the outcome of the analysis done by Professional Engineers Cravo and Li using the NOAA rainfall intensity data. The inputs were greater for the pre-development and the post-development and made a minimal change in the runoff. New documents were provided to the Council to clarify and show that they are required to have a match or reduction in peak flow. In response to the outstanding question about fuel, he informed the Councilors that the vehicles towing the trailers have fifty-gallon tanks and hold approximately five quarts of oil. The tractor trailer trucks have 200-gallon fuel tanks. Other than the hauling vehicles, there would only be a few passenger cars. There would be no fueling and nothing else would be stored on site. Conservation Commission issued the Order of Conditions along with a memo as to why they went with gravel. Councilor Mello thanked Mr. Levesque for the rainfall data and for answering her questions. She voiced her concern with hazardous material leakage. She questioned how many vehicles would be there at full build out and if there would be any rearranging of the cars on site. She further asked if damaged vehicles were drained of fluids prior to being brought to the site. Mr. Levesque responded that hypothetically if all spaces were utilized, at an average of seven cars than 294 could be stored with five spaces for staff. He stated that all the hauling vehicles are new and approved by the Department of Transportation (DOT). They have annual DOT required inspections which include inspection of the tank, hydraulic fluids etc. Mr. Muradbek Usmonov, owner, gave a breakdown of his fleet. He has (10) three car haulers, the oldest is from 2021. Most are 2023 trucks from Chicopee Metro. There are (4) five car haulers and (5) seven car haulers. He stated that the oldest tractor trailer truck is from 2019 and the oldest trailer is from 2022. He informed the Council that he is constantly trading in to keep the

fleet new. In response to Councilor Mello's question, he stated that reloading happens very minimally because they are typically assigned by the route and arranged at the yard. He stated that if the damage to cars is hard from the front, the cars are drained before they leave the facility. Most of the time they are moved on/off with a forklift. Councilor Burns asked Mr. Usmonov if he had a dealer or buyer's license. Mr. Usmonov replied no and stated he dealt with dedicated customers who purchased vehicles through online auctions, his company picks up and delivers the cars to the owners. Councilor Adams asked if a leak would be contained underneath on both gravel and asphalt. Mr. Levesque explained that there are reasons under the Wetlands Protection Act and local ordinances for why the Conservation Commission typically prefer low impact development. The thought process was that gravel is nearly impervious and that there are advantages to it not being asphalt from an overall impact standpoint as it relates to the buffer zone. Because the site location is in the buffer zone, they must meet the ten stormwater standards, which they have. Mr. Levesque stated that the runoff coefficient is very close for gravel versus the asphalt. He noted that they have individual different size tanks, not one giant tank so it is reasonably safe to assume that a leak would not impact. Councilor Mello voiced her concerns about the gravel in the aquifer and asked the committee to investigate what can be done to ensure the integrity of the area that can't be made impervious. Councilor Morganelli asked for Mr. Usmanov to reiterate the truck schedule for anyone who wasn't present at the first Public Hearing. Mr. Usmanov stated the drivers bring their own cars, leaving on Monday by 11:00 AM. They all return by 10:00 PM on Friday. Most of the fleet comes home by Thursday. He addressed a prior concern about idling. He stated they will never idle overnight, and no one sleeps in them. Councilor Matthews-Kane stated she would like to see a condition requiring a new special permit in the event of a new usage or new owner. Councilor Mello read a letter submitted by former Councilor Babinski, 114 Rogers Ave into the record. President Beltrandi asked if there was anyone in the audience who wished to speak against the petition. Melvin Levesque, 56 Lockhouse Road voiced his concerns of pollution and that no one would be checking the trucks. Councilor Morganelli read a letter submitted by Charlotte Oleksak, 136 Cabot Road into the record. President Beltrandi asked if there was anyone in the audience who wished to speak in favor of the petition.

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

REPORTS OF COMMITTEES

Finance Committee

7. Upon motion of Councilor Sullivan for the Finance Committee, it was VOTED: That a Grant in the amount of \$50,000.00 from the Massachusetts Governor's Military Taskforce to the Westfield Barnes Regional Airport to be used for the Taxiway B North intersection with runway 15-33 be ACCEPTED.

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
Mary O'Connell	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 Sullivan informed the Council that this was the second half of a grant. The first \$50,000.00 came from the Avionics Division. This \$50,000.00 is from

Massachusetts Governor's Military Taskforce. He stated that the money would cover the feasibility study for the intersection of Taxiway B and runway 15-33 and that there was no local match required.

8. Upon motion of Councilor Matthews-Kane for the Finance Committee, it was VOTED: That a Grant in the amount of \$48,400.15 from the Massachusetts Executive Office of Public Safety & Security Military Division to the Westfield-Barnes Regional Airport to assist with costs associated with the re-painting of airfield markings be ACCEPTED.

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
Mary O'Connell	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 Matthews-Kane Airport informed the Council that the Airport has an informal agreement with the fighter wing to split costs associated with re-painting airfield markings where there is joint use by the military for the F-15s. The grant was to cover their share of the costs.

Upon motion of Councilor Figy, it was VOTED: That the rules of the City Council be SUSPENDED to take item 10. out of order. All in favor, voice vote.

Legislative and Ordinance Committee

10. Upon motion of Councilor Figy, it was

VOTED: That "No person shall return nomination papers for more than one (1) elected position for the City of Westfield and no person shall appear more than once on any municipal election ballot." be added to Section 15 of the City Charter.

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.	No
Mary O'Connell	No
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	No
Brent Bean II	Yes
John Beltrandi III	Yes

The President declared the motion passed.

Prior to the vote, Councilor Figy informed the Council that the L&O Committee discussed adding "No person shall be a candidate for nomination for more than one City office." to the City Charter. While working with the Law Department, the verbiage was changed to "No person shall return nomination papers for more than

one (1) elected position for the City of Westfield and no person shall appear more than once on any municipal election ballot.” He stated that this motion was referred to L&O in 2021 by Councilors Figy, Adams, Burns, Flaherty, Bean, Sullivan, Onyski and Beltrandi. It had been discussed several times in L&O and most recently in Ad-Hoc Committee. Recently the City of Agawam had a potential candidate that questioned if he could be on the ballot for two offices. It was found out that running for two offices is not prohibited in the State’s Constitution and unless specifically stated in a City or Town Charter, candidates are able to. Councilor Figy explained that since filling a vacancy by Special Election was recently approved, it made sense to add this section to the charter as well prior to submitting the charter change. There will be no limit to the number of papers a candidate can pull but they will only be eligible to return nomination papers for one race. Councilor Mello questioned making a Charter Amendment that there was no public discussion on. Councilor Onyski stated that this item was tied into item 9. Councilor Figy stated there was an oversight in the Ad-Hoc Committee and was now going through the Legislative and Ordinance process. Councilor O’Connell believed it expanded resident’s liberties to be able to run for multiple elected spots. She understood the point but would like to see it amended so candidates could pull multiple papers in the preliminary. She suggested dealing with it next year and only sending in what had already been passed. Councilor Matthews-Kane shared that she was in favor of the motion but had concerns with the process. She questioned the timeline and if the change would take place before the upcoming Election. Councilor Figy stated that the House and Senate was not recessing this summer. The withdrawal date for the upcoming election was in August and unless the charter change was approved prior to that it would not affect this year’s elections. He stated his reasoning for the timing of the motion was due to the Council summer recess. Councilor Sullivan spoke in favor of the motion. He stated that candidates collect signatures to say they’re going to run for a specific office as a statement to the public on what they plan to do. He believed transparency means the candidates need to be transparent with the public. Councilor Mello agreed that having a fail-safe so there doesn’t have to be an election after an election was a good idea. She stated that withdrawing in August was how everyone thought it had to go so the change won’t make a difference to most. She suggested amending what was previously sent in and discussed already during a public hearing but couldn’t support this motion.

9. Councilor Figy explained to the Councilors 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" had been reviewed and rewritten in the proper format. All resolutions included in the current petition before the Council were previously voted on. When Councilor Flaherty gave the packet to the Council, he never delineated the changes. The Legislative and Ordinance Committee worked with the Law Department to format the proper way of sending the charter changes to Boston. Councilor O’Connell believed they needed to vote on the final product, adding that she never voted on the initial Resolution and was an equal among the thirteen. Councilor Morganelli asked if the item that was previously voted on was included in the packet. Councilor Figy confirmed.

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

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.	No

Mary O'Connell	No
William Onyski	Yes
Richard Sullivan, Jr.	Yes
James Adams	Yes
Dan Allie	No
Brent Bean II	Yes
John Beltrandi III	Yes

The President declared the motion passed.

Personnel Action Committee

11. Upon motion of Councilor Harris for the Personnel Action Committee, it was VOTED: That the appointment of Erik Valdes, Esq. of 58 Fern Street, Florence, to the position of Assistant City Solicitor for a term of three years from the date of appointment 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
Mary O'Connell	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 Harris informed the Council that Attorney Reed and Attorney Valdes attended the Personnel Action Committee meeting. Attorney Reed interviewed Attorney Valdes and discussed with him the questions and situations necessary regarding his potential employment in the City's Law Department. She stated that Attorney Valdes' experience in many courts for diverse legal situations will be an asset to the Law Department because of his wide range of experience and his ability to quickly understand new situations. He is fluent in Spanish and French, as well as English and can add Haitian Creole to his extensive language repertoire. His background includes knowledge of laws regarding bankruptcy, real estate closings, civil litigation, and title searches. He had his own law firm for many years and has experience in the business world of consulting in the private industry involving international development of IT Systems. Attorney Shanna Reed, First Assistant City Solicitor submitted a letter detailing why she recommended Attorney Valdes for appointment to the City's Law Department. Councilor Harris read it into the record. Mayor McCabe also asked the Council to approve and appoint Attorney Valdes to this position.

Zoning, Planning and Development Committee

12. Upon motion of Councilor Figy for the Zoning, Planning and Development Committee, it was VOTED: that the ordinance for home occupation and home-based business (Section 5-100.1) to be reviewed and amended REMAIN IN COMMITTEE. All in favor, voice vote.

Prior to the vote, Councilor Figy informed the Council that Councilor Morganelli was the maker of the motion and unable to make the meeting, so they voted to leave it in committee.

13. Upon motion of Councilor Figy for the Zoning, Planning and Development

Committee, it was

VOTED: That the Planning Board's review of Lighting Ordinance (Zoning Sec. 4-121) for possible amendment, submitted by Jay Vinskey be REMOVED FROM COMMITTEE WITHOUT ACTION.

All in favor, voice vote.

14. Upon motion of Councilor Figy for the Zoning, Planning and Development Committee, it was

VOTED: That investigating zoning amendments related to Special Permits REMAIN IN COMMITTEE.

All in favor, voice vote.

15. Upon motion of Councilor Figy for the Zoning, Planning and Development Committee, it was

VOTED: That investigating zoning amendments related to Public Hearings REMAIN IN COMMITTEE.

All in favor, voice vote.

MOTIONS, ORDERS OR RESOLUTIONS

16. Upon motion of Councilors Burns, it was

VOTED: that investigating the installation of video cameras in all city owned playgrounds be REFERRED TO PARKS AND RECREATION, MAYOR'S OFFICE, AND THE LAW DEPARTMENT.

Upon motion of Councilor Morganelli, it was further voted that the item be REFERRED TO THE POLICE DEPARTMENT AND LENORE BERNASHE AT THE TECH CENTER.

At 9:05PM, and upon motion of Councilor Harris, it was

VOTED: To ADJOURN.

A true record, Attest:




Kaitlyn Leigh Bruce
City Clerk/Clerk of the Council

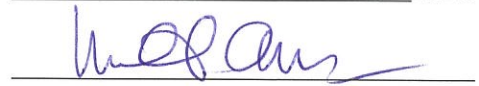
Presented to the Mayor

Approved by the Mayor

For approval August 18, 2023

8-18 2023


Kaitlyn Leigh Bruce, City Clerk


Michael A. McCabe, Mayor