

MEETING OF CITY COUNCIL
WESTFIELD, MASSACHUSETTS
AUGUST 15, 2019

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

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

The Pledge of Allegiance was led by the President Figy.

President Figy asked if anyone, other than Channel 15 was recording the meeting and if so to state whether it is an audio or video recording and whether the recording is being live streamed. No one responded.

Upon motion of Councilor Bean, it was
VOTED: That record of meetings of Special meeting of June 25, 2019, July 8, 2019 and Special meeting of August 5, 2019 be ACCEPTED.

Under "Public Participation" the Councilors were addressed by Ms. Amy Beluzo, 372 Montgomery Road. She questioned the status of geosphere done on the Cabot Road property. President Figy suggested checking with the Department of Public Works. Ward 1 Councilor Babinski informed the Council that she has posed the question to DPW and that she will follow up on it.

Under "Public Participation" the Councilors were addressed by Mr. Tony Contrino, General Manager of the Westfield Gas & Electric requested Council approval of the Intergovernmental Agreement between the City of Westfield and the Westfield Gas & Electric Light Department regarding the Federal Communications Commission Connect America Fund II Grant.

Under "Public Participation" the Councilors were addressed by Mr. Tom Smith, 211 Apremont Highway, Holyoke, and a taxpayer in Westfield. He suggested that the City make a correction to its open space recreation plan by either placing recreational land under conservation or recreation departments, making it part of an ordinance or by using federal funds on the land to make it part of recreational land under Article 97. He informed the Council that it's his opinion based on Massachusetts General Laws that the Council has the power to reduce items presented by the Mayor for the budget and that Councilors and the Mayor may only receive their salary. They may not accept stipends and that the Mayor should not be getting a vehicle stipend. He also expressed his opinion about political signs that were assuming a position rather than being asked to be elected to a position.

Under "Public Participation" the Councilors were addressed by Ms. Barbara Rokosz, 272 Lockhouse Road. She requested that air monitors be placed at Southampton Road School.

Under "Public Participation" the Councilors were addressed by Mr. Robert Pearson, 53 McKinley Terrace. He questioned why the Cross Street playground has not be restored.

Under "Public Participation" the Councilors were addressed by Mr. Brian Hoose, 60 Arnold Street. He requested that the schools keep up the changes in the world and adapt quickly.

Upon motion of Councilor Bean, it was VOTED: That the rules of the City Council be SUSPENDED in order to take item A. under Petitions, Remonstrances and Other Papers, a Public Hearing on a petition submitted by Baystate Noble Hospital Corporation for a Hospital Zone out of order.

Upon motion of Councilor Bean, it was VOTED: That a letter from Mr. Rob Levesque representing the applicant, Baystate Noble Hospital Corporation, requesting TO WITHDRAW, WITHOUT PREJUDICE, be ACCEPTED on the petition for a zone change at 91 & 115 West Silver Street and 86 Court Street from Residential A to Hospital District and an amendment for the addition of a new section 3-190 Hospital District.

The vote on the foregoing was as follows:

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

Prior to the vote, Mr. Levesque informed the Council that he learned today that there is a petition circulating requesting changes to the application and that the changes are significant that it would cause the application to be refilled and therefore is requesting to withdraw without prejudice at this time and then reapply with the changes.

At 7:21 PM the President called for a two minute recess.

At 7:23 PM the meeting was again called to regular order.

Upon motion of Councilor Onyski, it was VOTED: Under immediate consideration, that the following Airport Grants be ACCEPTED. Councilor Onyski informed the Council that the City's share of the Grants were included in the recently passed bond order (Bond Order #2944).

1. FAA Grant in the amount of \$41,940.00 for the Design of Runway 15-33 Navajids (PAPI) to the Airport Department. State Share is \$2,330.00 (5%). City Share is \$2,330.00 (5%).

The vote on the foregoing was as follows:

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

2. FAA Grant in the amount of \$74,696.00 for the Construction of Runway 15-33 Navajids (PAPI) to the Airport Department. State Share is \$4,150.00 (5%). City Share is \$4,150.00 (5%).

The vote on the foregoing was as follows:

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

3. FAA Grant in the amount of \$6,773,052.00 for the Reconstruction of Runway 15-33 to the Airport Department. State Share is \$464,577.00 (6.084%). City Share is \$398,355.00 (5.217%).

The vote on the foregoing was as follows:

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

Upon motion of Councilor Bean, it was VOTED: Under immediate consideration, that a Resolution entitled "A RESOLUTION APPROVING WESTFIELD GAS AND ELECTRIC TO SERVE AS PROJECT MANAGER FOR THE BUILDOUT OF BROADBAND SYSTEMS AND ACCEPTANCE OF FEDERAL COMMUNICATIONS CORPORATION ("FCC") AND MASSACHUSETTS BROADBAND INSTITUTE ("MBI") GRANTS" (Interdepartmental Agreement Federal Communications Commission (FCC) Connect America Fund (CAF) II Grant)

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Bean informed the Council that the Westfield Gas & Electric has been working with the hilltowns to set up internet connections and that the FCC will provide a revocable grant to the Westfield Gas & Electric and that there needs to be a fund set up by the City to accept the Grant money to be under the care and

custody of the City Treasurer. There will be no cost to the City. Councilor Surprise questioned what the benefit to Westfield will be. Councilor Bean informed the Council that the major benefit is that it will strengthen the Westfield Gas & Electric which helps all ratepayers. With the permission from President Figy, Mr. Contrino, General Manager of the Westfield Gas & Electric, addressed the Council. He informed the Council that everything is in place for the fiber, the Westfield Gas & Electric has good relationships with the towns and that each town will manage their own debt. Councilor Emmershy informed the Council that there were hiccups when rolling out Otis and will there be any liabilities to Westfield. Mr. Contrino informed the Council that he was not aware of any hiccups and there will be no liability to Westfield.

Upon motion of Councilor Bean, it was
VOTED: That items C., D. and E. under "Communications from the Mayor" be read by the Clerk and REFERRED TO THE FINANCE COMMITTEE. Councilor Flaherty abstained due to a professional relationship with State 911 Department.

- C. Submitting a Grant in the amount of \$25,016.87 from the Commonwealth of Massachusetts, State 911 Department to the Public Safety Communications Center for the FY2020 State 911 Department Training Grant Program.
- D. Submitting a Grant in the amount of \$640.92 from the Commonwealth of Massachusetts, State 911 Department to the Public Safety Communications Center for the FY2020 State 911 Department Medical Dispatch Grant Program.
- E. Submitting a Grant in the amount of \$139,840.00 from the Commonwealth of Massachusetts, State 911 Department to the Public Safety Communications Center for the FY2020 State 911 Department Support and Incentive Grant Program.

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

- F. Submitting an Intergovernmental Agreement with Westfield State University relative to the provision of public, educational and government (P.E.G.) access services.
- G. Submitting a Resolution of the City Council authorizing approval for the Mayor to sign a Host community Agreement with clean Technique, LLC for the proposed Adult Use Marijuana Establishment to be operated at 32 Char Drive.

Upon motion of Councilor Harris, it was
VOTED: That items H., I. and J. under "Communications from the Mayor" be read by the Clerk and REFERRED TO THE PERSONNEL ACTION COMMITTEE.

- H. Submitting the appointment of Linda Slozak, 115 Susan Drive as a member of the Cultural Council for a term to expire the first Monday of August, 2022.

- I. Submitting the appointment of Margaret McLennan, 15 Country Club Drive as a member of the Cultural Council for a term to expire the first Monday of August, 2022.
- J. Submitting the appointment of Steve Henderson, 36B Moseley Avenue as a member of the Cultural Council for a term to expire the first Monday of August, 2022.

Upon motion of Councilor Onyski, it was VOTED: That the response submitted by Assistant City Solicitor Shanna Reed to the Office of the Attorney General relative to the Open Meeting Law complaint filed by Mr. David Flaherty be ACCEPTED AND PLACED ON FILE. Councilor Flaherty abstained.

Councilor Bean, for the Finance Committee, informed the Council that the Finance Committee meet on the FY20 Supplemental Budget submitted by the Mayor to restore some of the cuts that were made at the meeting of June 27th, 2019. Councilor Bean informed the Councilors that there are 30 separate cuts to be restored and each one will be taken individually.

Upon motion of Councilor Bean, for the Finance Committee, it was VOTED: That \$3,893.42 be RESTORED to FY20 Budget, Mayor’s Department, Full Time Salary account #11210000-511000.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Prior to the vote, Councilor Surprise explained that the cut was for an increase in the salary. Councilor Flaherty explained that the cut was made to the line item, not necessarily the Mayor’s salary. Councilor Flaherty explained that the Council has the power to cut any line item regardless of the consequences. He explained that at the budget meeting in June he had a goal in mind of the amount that needed to be cut in order to avoid hitting the levy ceiling. He explained that the line item contains a vacant position of the City Advancement Officer. Councilor Emmershly agreed with Councilor

Flaherty. Councilor Surprise also agreed with Councilor Flaherty. He offered a motion to amend the Ordinance in order that the Mayor's salary can be reduced. President Figy did not recognize the motion. Councilor Allie informed the Council that the original cut was to the salary line item and it was the Mayor's choice to take it out of his own salary. Councilor Bean informed the Council that the Mayor has the right to submit a supplemental budget and if the votes for restoration pass they pass.

Upon motion of Councilor Bean, for the Finance Committee, it was VOTED: That \$485.00 be RESTORED to FY20 Budget, Mayor's Department, Full Time Hourly account #11210000-511100.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Prior to the vote, Councilor Emmershly informed the Council that the cut was to hold to FY19 numbers.

Upon motion of Councilor Bean, for the Finance Committee, it was VOTED: That \$168.00 be RESTORED to FY20 Budget, Mayor's Department, Part Time Hourly account #11210000-511110.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Prior to the vote, Councilor Flaherty informed the Council that cuts that were made should be able to be made up within the budget and should not have to be restored.

Councilor Bean, for the Finance Committee, offered a motion which was duly seconded to restore \$1,500.00 within the Mayor's budget, Travel Stipend. Councilor Flaherty informed the Council that there are plenty of ways to come up with that money. Councilor Surprise informed the Council that in a Memo from the Auditor, it was stated that the City is 3 to 5 years away from hitting the levy ceiling. He expressed his concern that the budget is going up \$2 to \$3 million a year. Councilor Emmershly informed the Council that a 2.5% increase was factored into the budget and questioned how much of the travel stipend was padded. Councilor Allie informed the Council that the FY20 budget has an increase of \$3.7 million and that is a tremendous amount of money to come up with. Councilor Bean requested to pose the question and asked why these concerns were not brought up at the other meeting. Councilor Allie reminded Councilor Bean that he was not at the 9 hour budget meeting and it's up to the Finance Committee to look at these types of concerns. Councilor Surprise informed the Council that in April there was report submitted relative to the need of \$5 million a year that is needed to fix the roads and that's what people want and there is no money for the road. Councilor Onyski expressed his concern that this discussion is turning into a sales pitch because it's an election year.

Upon motion of Councilor Onyski, it was VOTED: That the rules of the City Council be SUSPENDED in order to end the discussion.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Upon motion of Councilor Bean, for the Finance Committee, it was VOTED: That \$1,500.00 be RESTORED to FY20 Budget, Mayor's Department, Travel Stipend account #11210000-519061.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Upon motion of Councilor Bean, for the Finance Committee, it was VOTED: That \$350.00 be RESTORED to FY20 Budget, Mayor's Department, Purchase of Services account #11210000-520000.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Prior to the vote, Councilor Emmershly informed the Council that teachers have to pay for their own licenses and that he could use this license anywhere. Councilor Flaherty informed the Council that the Mayor can move money around to pay for that license and that it is disingenuous to claim that the City will have to contract out to have these services performed. Councilor Onyski informed the Council that the private sector pays for licenses that are needed for their employees. Councilor Bean informed the Council that the employee has a PSA and needs the certification to do his job. Councilor Morganelli reiterated that nurses have to pay for their own certification and that he had to pay for his licenses in broadcasting. Councilor Babinski questioned if this certification was part of the job description. Councilor Bean informed the Council that it was an add-on to his job description.

Upon motion of Councilor Bean, for the Finance Committee, it was VOTED: That \$500.00 be RESTORED to FY20 Budget, Mayor's Department, Ceremonial Expense account #11210000-577002.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Flaherty informed the Council that this money should be used for roads, not a pancake breakfast, a Big E banner or Christmas lights. He did agree that it is important to be used for a 911 wreath. Councilor Onyski informed the Council that it is a disservice to take away the 911 wreath. Councilor Babinski informed the Council that this is a request from the Mayor to be restored, not a requirement that he could figure out another way to pay for these items. Councilor Emmershly informed the Council that there is \$2,500.00 left in that line item if the \$500.00 is not restored and that options should not have to be paid for by the taxpayers. Councilor Harris requested if she could make a motion to pay for the 911 wreath only and take everything else out. Councilor Flaherty reiterated that there is \$2,500.00 in that account to pay for the 911 wreath.

Upon motion of Councilor Bean, for the Finance Committee, it was VOTED: That \$5,000.00 be RESTORED to FY20 Budget, Mayor's Department, Economic Development account #11210000-580500.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Bean informed the Council that this is for the "Joe Mitchell" position who has left the position and it's being funded for half a year and that it's a position that is needed. Councilor Flaherty informed the Council that it's not the salary position it's an expense for initiatives such as the Cabot Road industrial development project, the Urban Renewal plan and the Turnpike Industrial project. Councilor Emmershly informed the Council that the Cabot Road project should not go anywhere until the geosphere results come in for that property. Councilor Bean informed the Council that it's irresponsible to take money out of economic development.

Upon motion of Councilor Bean, for the Finance Committee, it was VOTED: That \$2,500.00 be RESTORED to FY20 Budget, Auditor's Department, Full Time Salary account #11350000-511000.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Emmershly informed the Council that this is for the Assistant City Auditor's position and that position has been vacated and it's being offered at a lower salary and therefore does not need this amount in the line item.

Upon motion of Councilor Bean, for the Finance Committee, it was VOTED: That \$1,312.15 be RESTORED to FY20 Budget, Auditor's Department, Full Time Hourly account #11350000-511100.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Emmershly informed the Council that due to personnel changes within the department the Auditor can transfer money within the department to make up the difference. Councilor Flaherty informed the Council that the labor contracts have not been given to the Council and the Council does not know what the contracts will net out at and per Chapter 150E the Council should receive the contracts within 30 days.

Upon motion of Councilor Bean, for the Finance Committee, it was VOTED: That \$2,000.00 be RESTORED to FY20 Budget, Assessor's Department, Full Time Salary account #11410000-511000.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Surprise informed the Council that this is for a contact that has not been voted on by the Council.

Upon motion of Councilor Beltrandi, for the Finance Committee, it was VOTED: That \$750.00 be RESTORED to FY20 Budget, Assessor's Department, Full Time Hourly account #11410000-511100.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Prior to the vote, Councilor Surprise informed the Council that this is for a contact that has not been voted on by the Council. Councilor Bean questioned what mechanism does the Council have to put money in the budget once the contracts have been approved. Councilor Flaherty informed the Council that the Mayor can request to transfer from other line items that may have surplus money.

Upon motion of Councilor Beltrandi, for the Finance Committee, it was VOTED: That \$31,200.00 be RESTORED to FY20 Budget, Assessor's Department, Purchase of Services account #11410000-520000.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Bean informed the Council that this is for software for the Assessor's office. The company of the current software is going out of business and soon there will be no service for the software. Councilor Emmershly informed the Council that he met with the City Assessor. He informed the Council that the ZPD Committee is discussing software issues and now everything goes through MUNIS and it's not working the greatest because it does not communicate well with GIS. He informed the Council that the Building Department is looking for new software as well and at this time he is not comfortable with approving money now for software until it is known if it will all be compatible.

Upon motion of Councilor Beltrandi, for the Finance Committee, it was VOTED: That \$1,000.00 be RESTORED to FY20 Budget, Treasurer's Department, Full Time Salary account #11450000-511000.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Upon motion of Councilor Beltrandi, for the Finance Committee, it was VOTED: That \$600.00 be RESTORED to FY20 Budget, Treasurer's Department, Full Time Hourly account #11450000-511100.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Upon motion of Councilor Beltrandi, for the Finance Committee, it was VOTED: That \$31,200.00 be RESTORED to FY20 Budget, Treasurer's Department, Social Security account #11450000-517002.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Emmershly informed the Council that the City is required to pay this mandatory payroll tax but not at this time because it depends on the contracts and salaries. Councilor Beltrandi informed the Council that it has to be paid now or later down the road. Councilor Flaherty informed the Council that this number is large because of the large payroll of the City and that increases in salaries are not acceptable because things have to be cut otherwise the City is going to crash the levy ceiling.

Upon motion of Councilor Beltrandi, for the Finance Committee, it was VOTED: That \$200.00 be RESTORED to FY20 Budget, Collector's Department, Full Time Salary account #11460000-511000.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Upon motion of Councilor Beltrandi, for the Finance Committee, it was VOTED: That \$100.00 be RESTORED to FY20 Budget, Law Department, Stipend/ Admin. account #11510000-519060.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Prior to the vote, Councilor Beltrandi informed the Council that this is to cover the contractual obligation of the records access clerk and hearings officer. Councilor Emmershly informed the Council that the minimum stipends for the records access clerk is \$2,000.00 and the hearing officer is \$2,500.00 and the line item is for \$6,000.00 and even with the cut it is still above the minimum. Councilor Flaherty expressed his concern that this \$100.00 item made it to the list to restore and that \$100.00 can be found within the departmental budget and does not need to be restored. Councilor Allie expressed his concerns that without a hearings officer citations could not be issued.

Upon motion of Councilor Beltrandi, for the Finance Committee, it was VOTED: That \$1,000.00 be RESTORED to FY20 Budget, Personnel Department, Full Time Salary account #11520000-511000.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Upon motion of Councilor Beltrandi, for the Finance Committee, it was VOTED: That \$2,500.00 be RESTORED to FY20 Budget, Personnel Department, Continuing Education account #11520000-570700.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Emmershly informed the Council that with personnel turnovers in departments and there will not be a need for this line item.

Upon motion of Councilor Beltrandi, for the Finance Committee, it was VOTED: That \$400.00 be RESTORED to FY20 Budget, Community Development Department, Full Time Salary account #11820000-511000.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

At 9:21 PM a recess was declared.

At 9:30 PM the meeting was again called to order.

Upon motion of Councilor Beltrandi, for the Finance Committee, it was VOTED: That \$5,000.00 be RESTORED to FY20 Budget, Community Development Department, Intergovernmental account #11820000-560000.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Babinski informed the Council that she asked the Mayor about this and it's a request to be restored, not a requirement. Councilor Emmershly informed the Council that if a project comes up the Mayor can come back and ask for an appropriation at that time.

Upon motion of Councilor Allie, for the Finance Committee, it was VOTED: That \$712.00 be RESTORED to FY20 Budget, Building & Public Property Department, Full Time Salary account #11920000-511000.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Emmershly informed the Council that the increase is for a contractual increase for a contract the Council has not approved yet.

At this point Councilor Bean left the meeting.

Upon motion of Councilor Allie, for the Finance Committee, it was VOTED: That \$150.00 be RESTORED to FY20 Budget, Airport Department, Part Time Hourly account #11990000-511110.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

At this point Councilor Bean returned to the meeting.

Upon motion of Councilor Allie, for the Finance Committee, it was VOTED: That \$6,580.00 be RESTORED to FY20 Budget, Fire Department, Longevity account #12200000-514000.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Prior to the vote, Councilor Emmershly informed the Council that with a lot of personnel turnover in the department there is not a need for this amount for longevity.

Upon motion of Councilor Allie, for the Finance Committee, it was VOTED: That \$26,322.40 be RESTORED to FY20 Budget, Fire Department, Education account #12200000-514300.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Upon motion of Councilor Allie, for the Finance Committee, it was

VOTED: That \$8,000.00 be RESTORED to FY20 Budget, Highway Department, Other Capital Outlay account #14210000-589000.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Beltrandi informed the Council that it's for a trailer to move equipment.

Upon motion of Councilor Allie, for the Finance Committee, it was VOTED: That \$20,000.00 be RESTORED to FY20 Budget, Highway Department, Judgment account #14210000-576000.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Upon motion of Councilor Allie, for the Finance Committee, it was VOTED: That \$250,000.00 be RESTORED to FY20 Budget, Contributory Retirement, Intergovernmental Expense account #19110000-560000.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Prior to the vote, Councilor Allie informed the Council that this is a required payment and there is a 12% penalty if not funded. Councilor Flaherty informed the Council that the City is obligated to pay it and that by cutting it at the budget meeting it sent a message to the retirement board. He disagreed with the 12% penalty because the Auditor would pay it before the penalty kicks in. He informed the Council that he would support restoring it because it would cause a lot of headaches for the Auditor if not restored. Councilor Surprise agreed with Councilor Flaherty that it does not need to be restored, but would also support it.

Upon motion of Councilor Allie, for the Finance Committee, it was VOTED: That \$271,248.98 be RESTORED to FY20 Budget, Health Insurance account #19140000-519400.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Allie informed the Council that health insurance is an obligated cost. Councilor Flaherty agreed it's an obligated cost, but the Council is entitled to cut and Mayors in the past have cut it and gave the employees a premium holiday. He informed the Council that it's not a significant amount in the big scheme of the account that has \$10 million.

Upon motion of Councilor Allie, for the Finance Committee, it was VOTED: That \$50,000.00 be RESTORED to FY20 Budget, Future Salary Fund account #19500000-519999.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Upon motion of Councilor Surprise, for the Zoning, Planning and Development Committee, it was VOTED: That the petition for Zoning Amendment: Section 4-90, submitted by the Planning Board, to strengthen regulation of marijuana establishments by prohibiting them within 500 feet of any park be REMOVED FROM COMMITTEE. The petition has timed out.

Councilor Morganelli, for the Zoning, Planning and Development Committee, informed the Council that the Committee gave a positive recommendation on a Special Permit Application submitted by D.F. Chase Inc. for a Business B Trucking Terminal for Old Dominion Freight Lines (ODFL), Zoning Ordinance Sec. 3-120.3(5) located at Medeiros Way (Assessors Map 70R, Lots 23 & 24) with conditions. He informed the Councilors that the Committee approved the following conditions: (1) the specific site is an appropriate location for the proposed truck terminal facility. (2) The use as developed will not adversely affect the non-residential neighborhood. (3) Adequate and appropriate facilities will be provided for the proper operation of the use. (4) The plan, as approved, conforms to all other rules and regulations.

Councilor Emmershly, for the Zoning, Planning and Development Committee,

reviewed following conditions.

Upon motion of Councilor Emmershly, for the Zoning, Planning and Development Committee, it was

VOTED: That (1) the proposed site plan will be in conformance with the intent of this non-residential zoning district and does not take precedence over specific provisions of the zoning ordinance. Councilor Babinski was opposed.

Upon motion of Councilor Emmershly, for the Zoning, Planning and Development Committee, it was

VOTED: That (2) all buildings, structures, uses, equipment and materials are readily accessible for police and fire protection, as no exception has been taken. Councilor Babinski was opposed.

Upon motion of Councilor Emmershly, for the Zoning, Planning and Development Committee, it was

VOTED: That (3) adequate off-street parking and loading spaces are provided to prevent on-street and off-traffic congestion; that all parking spaces, maneuvering areas are suitably identified and designed to meet standards specified within this ordinance; and that provision is made for safe pedestrian movement within and adjacent to the property by the installation of parking lot sidewalks. Councilor Babinski was opposed.

Upon motion of Councilor Emmershly, for the Zoning, Planning and Development Committee, it was

VOTED: That (4) all proposed pedestrian access ways do not create traffic hazards and are: adequate, but not excessive in number; adequate in width, grade, alignment, and visibility; adequate distance from the street corners, places of public assembly and other access ways; and of adequate design for other safety considerations. Councilor Babinski was opposed.

Upon motion of Councilor Emmershly, for the Zoning, Planning and Development Committee, it was

VOTED: That (5) the general landscaping of the site complies with the purpose and intent of this ordinance; that existing trees, particularly at the rear of the site, are preserved to the maximum extent possible; that parking, storage, refuse and service areas are suitably screened during all seasons from the view of adjacent residential areas and public rights-of-way. Councilor Babinski was opposed.

Upon motion of Councilor Emmershly, for the Zoning, Planning and Development Committee, it was

VOTED: That (6) lighting of the site will be adequate at ground level for the protection and safety in regard to pedestrian and vehicular circulation; that any glare or illumination from the installation of outdoor lights will be in conformance with the lighting ordinance performance standards. Councilor Babinski was opposed.

Upon motion of Councilor Emmershly, for the Zoning, Planning and Development Committee, it was

VOTED: That (7) all utility systems are suitably located, adequately designed and properly installed to serve the proposed use, to protect the property from adverse pollution. More specifically, and following review by the City Engineer the Council

found: (a) stormwater management and erosion and sediment control measures are consistent with the purposes and objectives of the Stormwater Management Ordinance (Chapter 16, Article II, Division 4 of the Westfield Code of Ordinances); (b) the stormwater management plan meets the performance standards described therein; (c) the erosion and sediment control plan meets the design requirements (d) and will adequately protect the water resources of the community and is in compliance with the requirements of the Stormwater Management Ordinance. Councilor Babinski was opposed. Upon motion of Councilor Emmershly, for the Zoning, Planning and Development Committee, it was

VOTED: That (8) the development of the site will not impact sensitive environmental land features such as steep slopes, wetlands, and large rock outcroppings; no public scenic views or historically significant features will be affected. Councilor Babinski and Morganelli were opposed.

Upon motion of Councilor Emmershly, for the Zoning, Planning and Development Committee, it was

VOTED: That (9) the location and size of proposed buildings, uses or structures, as well as the nature and intensity of the operations involved or conducted in connection therewith, will be in general harmony with the surrounding non-residential neighborhood. Councilor Babinski was opposed.

Councilor Emmershly, for the Zoning, Planning and Development Committee, offered a motion which was duly seconded to approve special condition (1) No trucks exiting the site may turn right (westbound) on Medeiros Way. Driveway design and radii shall be made to dictate and support such restriction. Councilor Onyski informed the Council that the Council cannot dictate that they do not turn right, but they can dictate the design of the exit not to turn right. Councilor Babinski questioned what happens if the trucks do turn right. Councilor Surprise informed the Council that if they do turn right out of the exit and go over the curbs it will damage the truck so they probably won't do that too often and it will be a violation of the special permit.

Upon motion of Councilor Figy, it was
VOTED: That the above motion be amended as follows, special condition (1) That the driveway design and radii shall be made to dictate and support such restriction that trucks exiting the site may not turn right (westbound) on Medeiros Way. Councilor Babinski was opposed.

Councilor Emmershly, for the Zoning, Planning and Development Committee, offered a motion which was duly seconded to approve special condition (2) No truck access to the site from Medeiros Way eastbound is permitted. Driveway design and radii shall be made to dictate and support such restriction.

Upon motion of Councilor Figy, it was
VOTED: That the above motion be amended as follows, special condition (2) That the driveway design and radii shall be made to dictate and support such restriction that no truck access to the site from Medeiros Way eastbound is permitted. Councilor Babinski and Surprise were opposed.

Upon motion of Councilor Emmershly, for Zoning, Planning and Development, it was VOTED: That special condition (3) The sanitary sewer line connection shall be made on Medeiros Way.

The vote on the foregoing was as follows:

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

The President declared the motion LOST and that Special Condition #3 be deleted.

Councilor Flaherty was ineligible due to he was not present at the Public Hearing.

Prior to the vote, Councilor Beltrandi informed the Council that Old Dominion has made arrangements with White Oak School to connect into their sewer line and that White Oak School will be compensated for the connection. Councilor Bean informed the Council that the City Engineer has no issues with the sewer connections as presented on the plan and was opposed to the proposed condition. Councilor Onyski, as a former member of the Planning Board, informed the Council that the sewer plan needs to be addressed in the site plan, not in conditions.

Upon motion of Councilor Emmershly, for Zoning, Planning and Development, it was VOTED: That special condition (4) An air quality monitoring station shall be installed and maintained on site, with reporting information provided to the appropriate governmental authority.

The vote on the foregoing was as follows:

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

The President declared the motion LOST and that Special Condition #4 be deleted.

Prior to the vote, Councilor Emmershly informed the Council that he did not support this in Committee. Councilor Beltrandi informed the Council that Old Dominion should not be required to have air monitors because no other trucking companies have that requirement. Councilor Morganelli informed the Council that he supported the condition in Committee, but since has changed his mind because the air comes from where the wind is blowing. Councilor Surprise informed the Council that the neighbors have asked for this and it is within the authority of the Council to put this condition on it. Councilor Babinski informed the Council that there are a lot of trucks in the area and she is concerned with the air monitoring especially near the schools and that if the company wants it could be part of a community agreement and help defray the costs of air monitoring. Councilor Emmershly informed the Council that the Board of Health is the appropriate body to discuss air monitoring. Councilor Babinski expressed her concerns relative to the promises that were made to the north side of no more trucks and there is a new trucking company that was just recently approved by the Planning Board that will have 30 trucks a day and that the message to the neighbors is that the City is not listening and that the trucks do not use the designated truck routes and that there is air, noise and water pollution on the north side. She informed the Council that the neighbors fought not to have Cabot Road changed to Industrial and it was changed anyway and it makes no sense not to listen the neighbors. Councilor Emmershly informed the Council that if the north side has been promised no trucks why not put a moratorium or change the zones for no more trucks or industry, but not to stonewall Old Dominion for this issue. President Figy requested that the discussion get back to the condition of air monitors and that the motion be voted on.

Upon motion of Councilor Emmershly, for Zoning, Planning and Development, it was

VOTED: That special condition (5) The approval is limited the generation of 60 daily truck trips (based on a quarterly average); such limit may only be exceeded with an amendment to this special permit. Actual truck trips generated shall be reported to the City Council on a quarterly basis.

The vote on the foregoing was as follows:

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

The President declared the motion LOST and that Special Condition #5 be deleted.

Prior to the vote, Councilor Beltrandi informed the Council that trips per day are not a requirement for other trucking companies. Councilor Babinski questioned if it says 26 trips per day is that to and from. Councilor Beltrandi informed the Council that it's 60 round trips per day. Councilor Surprise informed the Council that Old Dominion currently has two trucks in Westfield now that make 26 stops within Westfield.

Upon motion of Councilor Emmershly, it was
VOTED: That the application by D.F. Chase, Inc. (Old Dominion Freight Lines) for a for a Special Permit/Site Plan Approval/ Stormwater Management Permit per Sections 3-120.3(5), 4-110 and 6-10 of the zoning ordinance to allow for a truck terminal at 0 Medeiros Way (a.k.a. Parcels 70R-23, -24 Deed Reference: Book 8564 Page 437) in the Business B district, the Westfield City Council voted as follows on a motion for approval, with the findings and conditions herein described.

The vote on the foregoing was as follows:

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

Findings

After giving due consideration to the application and testimony at the public hearing, including study in the ZPD subcommittee, the Council found that, (1) the specific site is an appropriate location for the proposed truck terminal facility, (2) The use as developed will not adversely affect the non-residential neighborhood, (3) Adequate and appropriate facilities will be provided for the proper operation of the use, (4) The plan, as approved, conforms to all other rules and regulations.

In reviewing the site plan, the Council found that (1) the proposed site plan will be in conformance with the intent of this non-residential zoning district and does not take precedence over specific provisions of the zoning ordinance; (2) all buildings, structures, uses, equipment and materials are readily accessible for police and fire protection, as no exception has been taken; (3) adequate off-street parking and loading spaces are provided to prevent on-street and off-traffic congestion; that all parking spaces, maneuvering areas are suitably identified and designed to meet standards specified within this ordinance; and that provision is made for safe pedestrian movement within and adjacent to the property by the installation of parking lot sidewalks; (4) all proposed pedestrian access ways do not create traffic hazards and are: adequate, but not excessive in number; adequate in width, grade, alignment, and visibility; adequate distance from the street corners, places of public assembly and other access ways; and of adequate design for other safety considerations; (5) the general landscaping of the site complies with the purpose and intent of this ordinance; that existing trees, particularly at the rear of the site, are preserved to the maximum extent possible; that parking, storage, refuse and service areas are suitably screened during all seasons from the view of adjacent residential areas and public rights-of-way; (6) lighting of the site will be adequate at ground level for the protection and safety in regard to pedestrian and vehicular circulation; that any glare or illumination from the installation of outdoor lights will be in conformance with the lighting ordinance performance standards. (7) all utility systems are suitably located, adequately designed and properly

installed to serve the proposed use, to protect the property from adverse pollution. More specifically, and following review by the City Engineer the Council found: (a) stormwater management and erosion and sediment control measures are consistent with the purposes and objectives of the Stormwater Management Ordinance (Chapter 16, Article II, Division 4 of the Westfield Code of Ordinances); (b) the stormwater management plan meets the performance standards described therein; (c) the erosion and sediment control plan meets the design requirements (d) and will adequately protect the water resources of the community and is in compliance with the requirements of the Stormwater Management Ordinance. Additionally, (8) the development of the site will not impact sensitive environmental land features such as steep slopes, wetlands, and large rock outcroppings; no public scenic views or historically significant features will be affected; and (9) the location and size of proposed buildings, uses or structures, as well as the nature and intensity of the operations involved or conducted in connection therewith, will be in general harmony with the surrounding non-residential neighborhood.

Conditions

1. That the driveway design and radii shall be made to dictate and support such restriction that trucks exiting the site may not turn right (westbound) on Medeiros Way.
2. That the driveway design and radii shall be made to dictate and support such restriction that no truck access to the site from Medeiros Way eastbound is permitted.

Appeal and Validity

Any person aggrieved as a result of the Council's actions has the right of court appeal if that appeal is filed in Superior, Housing or Land Court within 20 days of the filing of this decision with the City Clerk's Office of the City of Westfield, as pursuant to M.G.L. Chapter 40A, Sec. 17.

This Special Permit shall not take effect until such time as the applicant has recorded in the Hampden County Registry of Deeds a copy of this decision bearing the certification of the City Clerk that twenty days have elapsed after the decision has been filed in the office of the City Clerk and no appeal has been filed or that if such appeal has been filed, that it has been dismissed or denied.

Unless exception is made, this Special Permit shall lapse if the substantial use or construction subject to this approval has not commenced within two years.

This permit and its conditions are enforceable by the Superintendent of Buildings, pursuant to Section 1-10.1 of the Zoning Ordinance and the penalties authorized therein.

Upon motion of Councilor Morganelli, for the Zoning, Planning and Development Committee, it was

VOTED: That the Zoning by-laws amended to allow for the creation of "Flag Lots" that presently do not meet frontage requirements under the zoning ordinance be TABLED to the next regular meeting of the City Council to be held September 5, 2019.

Upon motion of Councilor Morganelli, for the Zoning, Planning and Development Committee, it was VOTED: That the matter to delete multiple sections (from section 3, 6/5/19) of the city code of ordinance zoning laws (dimensional special permits) and replace with new 4-20.3 be TABLED to the next regular meeting of the City Council to be held September 5, 2019.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was VOTED: That the 10-Year Budget Forecast (referred 3/7/13). Discuss strategy and financial issues related to OPEB, Pension, and Prop 2 1/2 Levy Ceiling. Discuss issues related to FY20 and future budgets with City Auditor and Pension board representative REMAIN IN COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was VOTED: That Review Annual Reports and make recommendations to improve public's ability to access and understand information about City operations and finances (referred 3/7/13) REMAIN IN COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was VOTED: That Compensation for Elected Officials (referred 9/4/14) be REMOVED FROM COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was VOTED: That the item to discuss the need for scribes to take and publish minutes for all City Council sub-committee meetings (referred 9/4/14) REMAIN IN COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was VOTED: That the item to discuss requirements for standard information that should be submitted with all requests for Employee Contract approvals from Executive Branch (referred 3/5/15) REMAIN IN COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was VOTED: That the Compensation for Mayor (referred 2/5/18) be REMOVED FROM COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview

Committee, it was

VOTED: That Contracts and Compensation for Police and Fire Chiefs (referred 3/1/18) be REMOVED FROM COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was

VOTED: That the request to dedicate Hotel and Meals Tax for Roadwork Bond (referred 3/15/18) be REMOVED FROM COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was

VOTED: That the item to investigate options to fully fund OPEB within 30 years (referred 4/5/18) REMAIN IN COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was

VOTED: That the item to discuss order, ordinance, or resolution that net proceeds from Water Pollution lawsuits be dedicated to paying off water bonds and/or providing water bill credits for customers (referred 4/19/18) REMAIN IN COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was

VOTED: That the Chief Financial Officer position (referred 4/19/19 and 8/16/18) be REMOVED FROM COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was

VOTED: That the request to acquire a list of current term expiration dates of all boards and commissions (referred 4/4/19) be REMOVED FROM COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was

VOTED: That the request of a summary of total residential and commercial property values for FY19 (referred 5/17/18) be REMOVED FROM COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was

VOTED: That the review of an annual financial impact for Cost of Living Adjustments on Pension obligations (referred 4/4/19) REMAIN IN COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was

VOTED: That the review end of third-quarter FY19 YTD reports of revenue and

expenses (referred 4/4/19) be REMOVED FROM COMMITTEE.

Upon motion of Councilor Flaherty, for Long Range Financial Overview Committee, it was VOTED: That the review of a report detailing significant road and sidewalk improvement projects for FY18 and FY19 (referred 4/4/19) be REMOVED FROM COMMITTEE.

Upon motion of Councilor Bean, it was VOTED: That a council rule or city ordinance be created pertaining to all city councilors being CORI (Criminal Offender Record Information) checked once in office and be REFERRED TO CHARTER AND RULES COMMITTEE.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Upon motion of Councilor Bean, it was VOTED: That a Code of Ethics ordinance be created for the City Council and be REFERRED CHARTER AND RULES COMMITTEE.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Upon motion of Councilor Morganelli, it was VOTED: That speed and no parking signs be reviewed on Foch St. (no parking here to corner) and that the intersection of Foch and Montgomery be reviewed for speed signage, possible traffic signal (blinking yellow) be REFERRED TO TRAFFIC COMMISSION.

Upon motion of Councilor Morganelli, it was VOTED: That signage and road markings (arrows) be reviewed and possibly added to the west bound lanes on Route 202 at the intersection of Route 202 and East Mountain Road be REFERRED TO TRAFFIC COMMISSION.

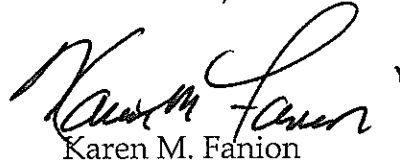
Councilor Onyski, Councilor for Ward 6, was opposed and informed the Council that this is a matter that should have come to the Ward 6 Councilor. Councilor Bean was opposed.

Upon motion of Councilor Morganelli (and Surprise), it was VOTED: That trash and recycle truck routes be evaluated, reconfigured for efficiency, and that innovative ideas for saving fuel, mileage, and employee hours be presented by Oct. 11, 2019 and that the matter be TABLED to the next regular meeting of the City Council to be held September 5, 2019.

President Figy thanked Assistant City Auditor Jennifer Gallant and Attorney Jeff Krok for their service to the City and wished them the best in their new jobs.

At 11:51 PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

A true record, Attest:

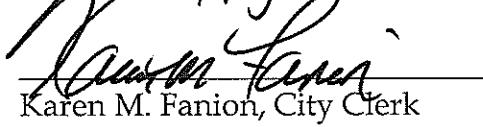


Karen M. Fanion
City Clerk/Clerk of the Council

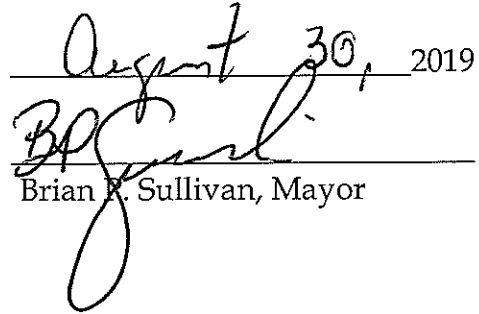
Presented to the Mayor

Approved by the Mayor

For approval August 30 2019



Karen M. Fanion, City Clerk

August 30, 2019

Brian P. Sullivan, Mayor