



MINUTES OF CITY COUNCIL

59 COURT STREET
MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS
WESTFIELD, MASSACHUSETTS
AUGUST 18, 2022 AT 7:00 PM

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

The Clerk called the roll. All Councilors were present.

The Pledge of Allegiance was led by the President.

Upon motion of Councilor Beltrandi, it was
VOTED: That the record of the special meeting of August 10, 2022 be ACCEPTED.

PUBLIC PARTICIPATION - None

COMMUNICATIONS FROM THE MAYOR

Upon motion of Councilor Matthews-Kane, it was
VOTED: That items 1., 2., 3., 4., 5., 6., 7. and 8. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE FINANCE COMMITTEE.

The Clerk read from the Agenda as follows:

1. Appropriation of \$86,188.11 from Stabilization (8303-34000) to the Barnes-Westfield Airport Additional Capital Equipment account #11990000-585000 for the initial payment towards the purchase of a new John Deere 744 Loader.
2. Appropriation of \$7,000.00 from City Special Revenue Account (1000-330175) to DPW Highway Division Supplies Account #14210000-540000 to enhance pedestrian traffic safety with new signage.
3. Appropriation of \$25,000.00 from Community Preservation Undesignated Account (24101770-58000) to the CPA Skatepark (Recreation) Account #24101770-580400-5312 to fund the design phase of renovations to Westfield's Skate Park.
4. Requesting acceptance of a Grant in the amount of \$50,000.00 from the Massachusetts Department of Environmental Protection to the City of Westfield to complete an engineering analysis for a total rehabilitation of the Little River Levee.
5. Submitting for approval, the recently signed City of Westfield Fire Department Supervisors Association Successor Agreement for the period of July 1, 2022 through June 30, 2025.
6. Submitting for approval, the recently signed Westfield Professional Municipal Employees Association Successor Agreement for the period of July 1, 2022 through June 30, 2025.
7. Submitting for approval, the recently signed United Public Service Employees Union Local 424 Unit MADIV 103 Successor Agreement for the period of July 1, 2022 through June 30, 2025.

8. Submitting for approval, the recently signed Westfield Fire Fighters Local 1111 Successor Agreement for the period of July 1, 2022 through June 30, 2025.

Upon motion of Councilor Figy, it was

VOTED: That items 9., 10. and 11. under "Communications from the Mayor" be read the Clerk and be REFERRED TO THE LEGISLATIVE AND ORDINANCE COMMITTEE

The Clerk read from the Agenda as follows:

9. Submitting an Ordinance Amendment removing Chapter 7 Fire Prevention and Protection, Article IV, Public Safety Communications Department, Sections 7-50 through 7-52 and replacing it with Chapter 2, Administration, Article III, Officers & Employees, Division 5.
10. Submitting a Resolution for approval to authorize the Mayor to sign all documents including the Purchase and Sale Agreement for the sale of 17 Sackett Street.
11. Submitting a Resolution for approval of the lease of property at Westfield-Barnes Regional Airport to JimBob Aviation.

Upon motion of Councilor Bean, it was

VOTED: That item 12. under "Communications from the Mayor" be read by the Clerk and be REFERRED TO THE PERSONNEL ACTION COMMITTEE.

The Clerk read from the Agenda as follows:

12. Submitting the re-appointment of Linda Slozack, 115 Susan Drive, as a member of the Cultural Council, for a three year term to expire in August, 2025.

REPORTS OF CITY OFFICERS

Upon motion of Councilor Figy, it was

VOTED: That a letter, submitted by Interim City Clerk Kaitlyn Bruce requesting the assignment of police officers at polling locations be designated to the Police Chief was ACCEPTED and placed on file.

Upon motion of Councilor Figy, it was

VOTED: That the rules of the City Council be SUSPENDED in order to allow for immediate consideration of items 14. and 15.

The vote on the foregoing was as follows:

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

Bridget Matthews-Kane	Yes
Kristen Mello	Yes

Upon motion of Councilor Figy, it was VOTED: Under immediate consideration that the Order calling the September 6th, 2022 State Primary Election submitted by Interim City Clerk Kaitlyn Bruce be given first reading and it was further voted that the Order be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Figy, it was VOTED: Under immediate consideration that the Order designating the polling locations for the September 6th, 2022 and November 8th 2022 State Elections by Interim City Clerk Kaitlyn Bruce be given first reading and it was further voted that the Order be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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

Upon motion of Councilor Figy, it was VOTED to return to regular order.

PETITIONS, REMONSTRANCES, AND OTHER PAPERS

16. A PUBLIC HEARING was held on a petition for a Zoning Amendment to amend

Business A Zoning to allow maker shops by special permit from the Planning Board, submitted by Councilor Flaherty.

Councilor Flaherty informed the Council that this was in Zoning Planning and Development, brought out of ZPD to City Council and then sent to Planning Board. Planning Board gave a unanimous recommendation to allow Maker Shops in Business A by special permit. They are already allowed in Business B by right. Councilor Morganelli commended Councilor Flaherty for working on this, stating he believes it opens the door for other contractors, especially in his Ward on Southampton Road. President Onyski opened the Public Hearing to the audience. With no others to be heard and upon motion of Councilor Flaherty, it was VOTED: That the Public Hearing be CLOSED.

The Order was given first reading by title only and upon motion of Councilor Flaherty, it was VOTED: That the Order be PASSED TO SECOND READING.

The vote on the foregoing was as follows:

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

17. A CONTINUED PUBLIC HEARING was held on a Zoning Petition to amend Section 4-20.3 to add provisions to allow for residential flag lots by special permit, submitted by Councilor Flaherty for the Zoning, Planning and Development Committee

Councilor Flaherty informed the Council, that the City Council Public Hearing was left open to allow time for Planning Board to meet. The Planning Board gave feedback that is on the Council Share Drive. He proposed to close the Public Hearing and send the item to Zoning Planning and Development (ZPD) to work on it. President Onyski opened the Public Hearing to the audience. Richard Clark, 456 Russellville Road gave his appreciation to the Planning Board and City Council for their work. He requested in the final language that the access for the flag lot be 30 feet and they stick with the current zoning regulations in Rural Residential, specifically regarding setbacks. Councilor Morganelli clarified that the 30-40 feet would be for a driveway. Councilor Flaherty confirmed, noting the Planning Board asked for something different. Councilor Figy stated he liked what Planning Board has done but agreed with Mr. Clark. Councilor Adams asked for clarification if Planning Board could change or waive these requirements. Councilor Flaherty stated they have to follow the requirements Council sets for Special Permits but has the discretion on whether or not it applies to the lot. Councilor Adams

stated his concerns with the wording, 'for existing lots only' being used. He believed if someone meets the requirements and is able to create a flag lot in the future, they should be able to. Councilor Flaherty confirmed he would take that feedback to ZPD. Councilor Beltrandi suggested also looking at the current minimum lot size requirement of 5 acres and echoed Mr. Clark regarding frontage requirements. Councilor Morganelli noted ZPD initially started with 3 acres. Councilor Flaherty informed the Council that Planning Board recommended not to allow shared driveways. The way it was originally submitted, shared driveways were allowed, subject to approval. With no others to be heard and upon motion of Councilor Flaherty, it was VOTED: That the Public Hearing be CLOSED and the petition be referred to ZONING PLANNING AND DEVELOPMENT.

REPORTS OF COMMITTEES

City Properties Committee

18. Upon motion of Councilor Allie, for the City Properties Committee it was VOTED: that a gift of a bench donation from Sonia Pease on behalf of the Elm Pizza family members in memory of a coworker to be placed at Women's Temperance Park be ACCEPTED.

The vote on the foregoing was as follows:

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

Prior to the vote, Councilor Harris asked for confirmation that Park and Rec has accepted the gift donation. Councilor Morganelli, liaison to the Park and Rec Commission stated the Commission is anxious to move to the next step and upon Council approval, it will be placed on the next Park and Rec Agenda in September. Councilor Figy informed the Council there was a letter on the share drive. Councilor Flaherty echoed Councilor Figy, adding it was accepted on April 11th and they are working with Department of Public Works for Installation.

19. Transferring Care, Custody and Control of the Twiss Street Transfer Station from the Board of Health to the Board of Public Works.

Councilor Allie, for the City Properties Committee, offered a motion which was duly seconded, to Transfer Care, Custody and Control of the Twiss Street Transfer Station from the

Board of Health to the Board of Public Works. He informed the Council that Health Director Joe Rouse was at the City Properties meeting and stated this was attempted 8 years ago. The Department of Public Works (DPW) has the resources to manage the Transfer Station and Board of Health voted to surplus it at their last meeting. He stated the language needed to be cleaned up and suggested referring to Legal and Legislative and Ordinance. He informed the Council that the Mayor is in support of the transfer and hopes to do this by September 1st. Councilor Adams stated the Council shouldn't transfer until there is a DPW Department Head. He emphasized how much this work this is putting on someone coming into a new job. Councilor Flaherty added that the scope of duties for Board of Public Works and that Department is in Ordinance form and it clearly states that the Recycling Program Twiss Street is under the care and custody of the Department of Health. This would require changes to the Ordinance. Councilor Burns echoed Councilors Adams and Flaherty. He stated the DPW isn't ready for transfer, emphasizing that they are short staffed for the departments they have. It was budgeted under Health and he believed it should stay there until fiscal year 2024. Councilor Matthews-Kane echoed the previous Councilors on timing and budgeting. She shared that she keeps hearing there is a labor force shortage in DPW and believes now would be an inopportune time to add to their workload. She questioned if the Board of Public Works approved this as well. Councilor Allie responded that they had not, it would be going to them next. He shared with the Council that Director Rouse stated money and personnel were budgeted and would be moving over to DPW with the transfer. He stated that the Board of Health has a lot going on with Covid. This is an important function, but doesn't belong under the Board of Health. Councilor Bean agreed with Councilor Adams, to put in committee as to not slow the process and keep it moving forward. He echoed the other Councilor's statements that the DPW was not ready for this.

Upon motion of Councilor Figy it was,

VOTED: That the original motion be amended to REFER TO LEGISLATIVE AND ORDINANCE.

Councilor Mello agreed with the logic of the transfer and that it needed to go to Legislative and Ordinance. Councilor Sullivan was unsure the transfer station could be surplusd and still run as a transfer station. He believed Ordinance changes would be a better channel to follow. Councilor Morganelli concurred with the timing of the transfer. He would have liked to see this earlier in the year. He echoed the previous Councilors, noting it was not as simple as originally thought. Councilor Flaherty informed the Council he also found it in the City Charter and believed it would require a Charter change. Councilor Bean asked if the City Properties Committee discussed the Ordinance and Charter changes that would need to happen. Councilor Flaherty replied that it went to the City Properties Committee because it came in as a surplus property request. They discussed the Ordinance changes but weren't aware of the Charter at the time. During the discussion with Mr. Rouse, they were informed this was the process that was suggested to make the change after a previous failed attempt. This would only be for the transfer station, not the capped landfill. The landfill is required, by law, to stay under the Health Department.

Upon motion of Councilor Figy, it was

VOTED: to amend the amendment and that Transferring Care, Custody and Control of the Twiss Street Transfer Station from the Board of Health to the Board of Public Works REMAIN IN CITY PROPERTIES COMMITTEE.

The vote on the foregoing was as follows:

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

Prior to the vote President Onyski clarified that the vote before the Council would leave the item in the City Properties Committee to hash out the issues discussed by the Council.

UNFINISHED BUSINESS

Upon motion of Councilor Figy, it was
VOTED: That an Ordinance amending Chapter 16 Section 16-135 - Driving on Sidewalks be given second reading.

The Ordinance was given second reading by title only and upon motion of Councilor Flaherty, it was

VOTED: That the Ordinance be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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

MOTIONS, ORDERS OR RESOLUTIONS

21. Motion of Councilors Matthews-Kane and Figy to allow projecting signs by right in the CORE district (downtown.) Refer to L&O and Law.

Prior to the vote, Councilor Matthews-Kane informed the Council that City Planner Jay Vinskey and Community Development Director Peter Miller were in support of the motion. They believe it will improve downtown. The signs will project out slightly from building. She used Vivid Hair Salon's sign as an example, which was granted by a special permit as it is not currently by-right. She highlighted the traditional New England feel, livening up the streetscape. She noted there was an open Economic Development Grant for signs, so this was time sensitive. Councilor Flaherty clarified it was for signs projecting from the scape of the building and not light emitting signs. Councilor Bean spoke in favor but noted the whole sign ordinance needed to be reviewed and questioned if it would be addressed. Councilor Matthews-Kane acknowledged there might be benefits to looking at the whole ordinance. She added that a School Street Business was looking to install a sign soon. Councilor Figy stated L&O Committee would review the sign ordinance. Councilor Mello asked if ground level and projection had been reviewed by planning. Councilor Flaherty stated because it was a Zoning Ordinance it would be required to go to Zoning and be approved by the Planning Board. Councilor Morganelli added that the current sign ordinance doesn't touch on distance from the building so that would need to be defined. He would also like to see some uniformity similar to the photos on the share drive that give an Old New England feel.

Upon motion of Councilor Flaherty, it was
VOTED: That the motion to refer to Legislative and Ordinance be amended to REFER TO ZONING, PLANNING AND DEVLOPMENT.

All in favor by voice vote.

ANNOUNCEMENTS

Councilor Morganelli shared that there was standing room only at the Planning Board continued Public Hearing on the Target Warehouse project. He thanked the Councilors that were present. He has received lots of feedback in Ward 1 that they don't want more trucks.

Councilor Mello stated if anyone didn't go to Intermediate School to hear information about the planes at Barnes Air National Guard base, they will be posting the link for the virtual meeting next Wednesday on their website, on Monday. No registration is required.

Councilor Flaherty shared two highlights from the Mayor's envisioning session: that there will be a Grand Opening for the Rail Trail on April 4th and the empty lot is being converted into Public Space for fall of 2023.

At 7:44PM and upon motion of Councilor Harris, it was
VOTED: To ADJOURN.

A true record, Attest:

Kaitlyn Leigh Bruce
Interim City Clerk/Clerk of the Council

Presented to the Mayor

For approval October 11, 2022

A handwritten signature in black ink, appearing to read "Kaitlyn Leigh Bruce", written over a horizontal line.

Kaitlyn Leigh Bruce, City Clerk

Approved by the Mayor

10-17 2022

A handwritten signature in blue ink, appearing to read "Michael A. McCabe", written over a horizontal line.

Michael A. McCabe, Mayor