

MEETING OF CITY COUNCIL  
WESTFIELD, MASSACHUSETTS  
SEPTEMBER 5, 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 the meeting of August 5, 2019 be ACCEPTED. Upon motion of Councilor Flaherty, it was  
VOTED: That the acceptance of the April 22, 2019 Executive Session Minutes be TABLED until the next regular meeting of the City Council. He explained that he has an amendment to the minutes presented and that it cannot be discussed in public at this time.

Under "Public Participation" the Councilors were addressed by Ms. Julie Barnes, Director Veterans' Services. She informed the Council that according to MGL Chapter 115, Section 9 every City shall have a veteran's graves inspector appointed by the Mayor and that Mayor Sullivan has appointed Mr. Gene Theroux. Mr. Theroux has been volunteering as the veteran's graves inspector for years. Councilor Burns thanked Mr. Theroux for his volunteer service to the Veterans. Ms. Barnes informed the Council that there is no stipend for the position, but with the Mayor officially naming Mr. Theroux the City will be in compliance. Mr. Theroux, also present, informed the Council that it is important to protect the history and legacy of the Veteran's graves and humbly accepted the appointment.

Under "Public Participation" the Councilors were addressed by Mr. Matt Roman. He commented on a newspaper article relative to a need for professionalism on the City Council as it has had in the past. He commented that current problems were due to professional people on past Councils and that what is needed is common sense. He also commented that the "Senior Snoopers" are still waiting for the report cards of incumbent City Councilors for the upcoming election.

Under "Public Participation" the Councilors were addressed by Mr. Dan Welch, President of Westfield Babe Ruth. He thanked the Councilors and the City for all their support in the 13 Year-Old Babe Ruth World Series held at Bullens Field from August 8<sup>th</sup> to 15<sup>th</sup>, 2019. There were many accolades received relative to the facilities. There was a special tribute to Kevin Sullivan and there is a bronze plaque at the field in his honor. There was a team from Westfield and the New England Regional champion Pittsfield, along with the other U.S. teams in the tournament coming from Wisconsin, North Dakota, Mississippi, Pennsylvania, North Carolina, Washington, Hawaii and also a team from Calgary, Alberta, Canada. The Fargo, ND team captured the 2019 13-year-old Babe Ruth World Series title over Greenville, NC.

Under "Public Participation" the Councilors were addressed by Mr. Brian Hoose, 60 Arnold Street. He whole-heartily thanked everyone that helped in the clean-up of his property. He informed the Council that he has limited physical ability and limited fiscal resources due to depression and expressed his appreciation to those that helped him. He reminded everyone that next week is Suicide Presentation Week and hoped everyone support the programs being offered.

Under "Public Participation" the Councilors were addressed by Ms. Kristen Mello, 27 Moseley Avenue. She informed the Council that the ATSDR exposure assessment started. She encouraged anyone that received a letter to call and participate in the program. She informed the Council that the PFAS health study that was held at UMass has money to be distributed and on September 30, 2019 the list of communities to receive money will be announced. She informed the Council that she attended the Board of Health meeting and the Water Commission meeting relative to the dangers of turning on wells 7 and 8 and she will give that information to the Councilors.

Under "Public Participation" the Councilors were addressed by Nick Morganelli, 34 Prospect Street. He informed the Councilors of the 9/11 ceremonies as follows: 9:30 AM at the Fire Station, Noon at the 9/11 Memorial on North Elm Street and at 6:00 PM at the Sons of Erin.

Upon motion of Councilor Onyski, it was VOTED: Under immediate consideration, that a Grant in the amount of \$64,355.00 from MassDOT Aeronautics Division under the Airport Vegetation Management Program (VMP) to the Airport Department be ACCEPTED.

The vote on the foregoing was as follows:

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
Michael Burns	Yes

Upon motion of Councilor Harris, it was  
VOTED: That the rules of the City Council be SUSPENDED in order to act upon items received at tonight's meeting.

Upon motion of Councilor Harris, it was  
VOTED: That the appointment of Patricia Conant, 13 Heritage Lane to the Cultural Council for a term to expire the first Monday of September 2022, filling a vacancy, be CONFIRMED.

The vote on the foregoing was as follows:

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
Michael Burns	Yes

Prior to the vote, Councilor Harris informed the Council that Ms. Conant has a Masters of Fine Arts Degree from Tufts University in Conjunction with the Boston Museum of Fine Arts School. She is a Professor of Art at Westfield State University and has pages and pages and pages of documented Exhibitions, Publications Written, Honors Received, and Venues where she was a Juror of Arts. Artist Conant is known by

the entire Council for her fantastic Mural right outside the Council Chambers to commemorate Westfield 350<sup>th</sup>. The Mural was funded by the Cultural Council. Councilor Bean informed the Council that he works with Ms. Conant and she will be a great addition to the Cultural Council. Councilor Surprise informed the Council that she is very involved in Westfield Artworks and she will be a great addition to the Cultural Council.

Upon motion of Councilor Beltrandi, it was VOTED: Under immediate consideration, that the Order for Polling Locations for the 2019 Elections submitted Clerk Karen Fanion be given first reading by title only. The Order was given first reading by title and upon motion of Councilor Beltrandi, it was

VOTED: That the Order be passed to second reading.

Upon motion of Councilor Beltrandi, it was

VOTED: That the Order be given second reading by title only.

The Order was given second reading by title and PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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
Michael Burns	Yes

Upon motion of Councilor Beltrandi, it was VOTED: Under immediate consideration, that the Order for the Call of the City Preliminary Election for September 24<sup>th</sup>, 2019 submitted Clerk Karen Fanion be given first reading by title only.

The Order was given first reading by title and upon motion of Councilor Beltrandi, it was

VOTED: That the Order be passed to second reading.

Upon motion of Councilor Beltrandi, it was

VOTED: That the Order be given second reading by title only.

The Order was given second reading by title and PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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
Michael Burns	Yes

Upon motion of Councilor Bean, it was  
VOTED: That the FY19 year-end sweeping of accounts summary as submitted by City Auditor Christopher Caputo be ACCEPTED AND PLACED ON FILE.

Upon motion of Councilor Bean, it was  
VOTED: That the FY20 Order of Appropriation, as amended at the August 15<sup>th</sup>, 2019 City Council meeting, be given first reading by title only.

The Order was given first reading by title and upon motion of Councilor Bean, it was

VOTED: That the Order be passed to second reading.

The Order was given second reading by title and PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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
Michael Burns	Yes

Upon motion of Councilor Beltrandi, it was VOTED: That the notification from the State Lottery Commission informing the City of its right to object, within in 21 days of notice, to the issuance of a Keno license at Westfield Shell, 259 North Elm Street be ACCEPTED AND PLACED ON FILE.

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

VOTED: That a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD" for an Intergovernmental Agreement with Westfield State University relative to the provision of public, educational and government (PEG) access services be ADOPTED.

The vote on the foregoing was as follows:

Matt Emmershy	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
Michael Burns	Yes

The President declared the motion PASSED.

Prior to the vote, Councilor Onyski informed the Council that it's a three year agreement at \$40,000.00 per year which includes the recording and archiving regularly scheduled City Council, School Committee and Planning Board meetings and other governmental meetings as requested by the Mayor with a two week prior notice. Councilor Emmershy questioned if there was a discussion relative to a Special meeting that would not have a two week notice. Councilor Onyski informed the Council that was not discussed. Councilor Emmershy informed the Council that in doing the math, each meeting is about \$500.00 for coverage. Councilor Surprise informed the Council that the City should start doing more of its recordings. Councilor Onyski informed the Council that it begins this July 1<sup>st</sup>, 2019 and right now they are working without a contract. Councilor Surprise informed the Council that there are options and so the City does not have to extend to the option years and can only do the agreement for one year and look at it again next year. Councilor Emmershy informed the Council that it's a three year agreement with an extension of up to two years and that the language should be cleaned up. Councilor Bean informed the Council that PEG money is under the control of the Mayor and he would prefer that the item remain in committee. He clarified that it's a two year agreement and then option years not to exceed three

additional years. Councilor Onyski questioned what the reason to have it remain in committee. Councilor Bean informed the Council that the monies out there are for public access and not sure if that's happening yet and that the Gas and Electric began taping their meeting and that it's unfair in the schedule because there are more costs moving forward and equipment is needed. Councilor Bean concluded that as he talks about it he's changing his mind and that it is good for two years. Councilor Burns informed the Council that the PEG money is for the recording of the meetings and for a hire of a teacher for one year to be able to fill in. Councilor Onyski informed the Council that in previous agreements the cost was \$75,000.00 and it's lower because there is no longer an obligation for Westfield State University facilities. He reminded the Councilors that there are termination clauses within the agreement. Councilor Babinski informed the Council that this was a way to separate out from WSU and now it's at Westfield Technical Academy and to include a teacher and students that can do the work and have it part of a program. Councilor Surprise informed the Council that he discussed this with the Media Specialist and wants someone part time to get more cameras out there. Councilor Flaherty informed the Council that per the agreement, it's about \$550.00 per meeting to be recorded and that if a student is doing it that would be an hourly rate of \$100.00. Councilor Figy informed the Council that it's more than just coming to a meeting, it's for the equipment also.

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

VOTED: That a Resolution entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTFIELD" 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 be ADOPTED.

Prior to the vote, Councilor Onyski informed the Council that this is for a marijuana production operation and they have received a special permit from the Planning Board, it has nothing to do with retail and the 3% of the revenue will go to the City.

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

VOTED: That the petition for Zoning Amendment at 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.

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

VOTED: That the matter of reviewing the Mayor's compensation be REMOVED FROM COMMITTEE.

Councilor Flaherty informed the Council that this matter should still be looked at because there may be qualified candidates that are not running because the salary is too

low.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That 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, to fill a vacancy, be CONFIRMED.

The vote on the foregoing was as follows:

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
Michael Burns	Yes

Prior to the vote, Councilor Harris informed the Council that Ms. Slozak has been a Westfield resident for over 40 years and has participated in and attended the various events that the Cultural Council and has helped with their funds and encouragement. She is a member of the Westfield Theater Group. For Westfield's 350th Celebration, she was part of the Time in Westfield performances and visited all the elementary schools in Westfield with that group. Ms. Slozak is president of the Western Hampden Historical Society which emphasizes the history of our area. In addition she is involved with the Dewey House and teaches third graders about life in Westfield during the early 18th Century. Lastly, she is President of the Friends of the Athenaeum. She is looking forward to being involved with the Cultural Council and helping to enrich the lives of our Westfield Citizens.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That 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, to fill a vacancy, be CONFIRMED.



The vote on the foregoing was as follows:

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
Michael Burns	Yes

Prior to the vote, Councilor Harris informed the Council that Ms. McLennan has a BA in Art History and is most interested in learning about all cultures – their history, music, their food and people. She believes that the knowledge brings awareness and understanding to our local community. Since her retirement from MassMutual (in which she worked in Life Insurance and related Tax Implications), her travels have taken her to many places which enriches her understanding of the applications that the Cultural Council receives in the many diverse areas of all forms of Art and Expression which is then shared with all of our citizens. Another area she contributes her time and efforts is by being on the board of the Sarah Gillette Services for the Elderly. Her knowledge and background in the Arts and her compassion for others will be an asset to the Cultural Council’s mission in decisions made in regards to the applications they receive for monies towards projects.

Councilor Babinski informed the Council that Ms. McLennan also is an advocate for the environment in her support of the bottle bill and ban the bag projects and she fully supports the appointment.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That 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, to fill a vacancy, be CONFIRMED.

The vote on the foregoing was as follows:

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
Michael Burns	Yes

Prior to the vote, Councilor Harris informed the Council that Mr. Henderson is currently involved in the Westfield Theater Group and has been writing and directing Senior Theater and inter-generational theater at the Senior Center for 2 years. He has his own business, Have Comedy-Will Travel, and is well known throughout MA. He was a speaker in Washington D.C. at the National Council on Aging Conference on the topic of Senior Theater this past spring. He has a BA from UMASS in Playwriting and many of his plays have been published and produced in professional theater. He has an impressive listing of plays written and has directed in many area Senior Centers, High Schools and Theater Companies stretching to NYC and Vermont. He has acted in a multitude of venues - and has won many awards in regards to theater. In addition, he has taught theater for years as the owner of Steve Henderson Entertainment including for the Hampshire Shakespeare Company 2008 to present as their Education Director and previously at Pioneer Valley Performing Arts School.

Upon motion of Councilor Morganelli, it was VOTED: That the Report from Zoning, Planning and Development Committee: 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 REMOVED FROM THE TABLE.

Councilor Morganelli, for the Zoning, Planning and Development Committee, reported that the Committee gave a positive recommendation on the zoning ordinance to be amended to allow for the creation of "Flag Lots" that presently do not meet frontage requirements under the zoning ordinance. He presented the amendment as follows, Sizable lots having less than the required frontage, may be built upon with a Special permit from the Board of Appeals, provided the lot: a) was in existence on August 15, 2019; b) has frontage and width of at least 40 feet, and a lot area of at least three times that otherwise required, but not less than 120,000 square feet; c) is located in

a residential district, with no portion located in the Water Resources Protection District; d) will be used only for a single or two family dwelling, with such structure having a setback of at least 60 feet from all lot lines and at least 120 feet from any pre-existing principal structure on an abutting lot. Councilor Emmershly, for the Zoning, Planning and Development Committee, reported that the intent was to create a path to open up these lots and setback and in order to keep the zoning ordinances intact this process would be by special permit of the zoning board of appeals. Councilor Flaherty questioned if there are offsets for the driveway or do they go to the lot line. Councilor Emmershly informed the Council that currently there are not setbacks for driveways. Councilor Morganelli informed the Council that the applicant still has to go through the permitting process and will have to show the layout. Councilor Flaherty questioned if the neighbors can oppose an application when it goes before the ZBA or is it a by-right. Councilor Emmershly informed the Council that neighbors would be notified and that the applicant would have to prove a hardship. Councilor Babinski questioned how many are in existence. Councilor Surprise informed the Council that there are very few, maybe five or six lots. Councilor Flaherty informed the Council that this issue has been around for about six years and there are a lot more lots around that people are interested in and want addressed. Councilor Surprise informed the Council that the few lots that meet the criteria can go through the ZBA and the other lots people may be concerned with can go under open space. Councilor Harris questioned Councilor Babinski if this process being proposed is detrimental to the residents of Ward 1. Councilor Babinski informed the Council that residents have concerns relative to this issue. Councilor Beltrandi informed the Council that it has become too restrictive and that it resolves some but needs to be revisited. Councilor Flaherty informed the Council that this item has been in committee a long time and at this time it's the recommendation of the committee to recommend the proposed amendment and that because it's a zoning ordinance amendment there needs a public hearing and that he's ok with moving the process forward. Councilor Bean informed the Council that he's not a huge fan of this but would vote to move the process forward.

Upon motion of Councilor Morganelli, it was VOTED; That the above proposed amendment to the Zoning Ordinance relative to Flag Lots be REFERRED TO PLANNING and that a Public Hearing be scheduled at the earliest practicable date.

The vote on the foregoing was as follows:

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

President Figy declared the motion PASSED and informed the Council that in order for the Public Hearing to be scheduled, a member of the Zoning, Planning and Development Committee will need to file an application with the City Clerk and Planning Board.

Upon motion of Councilor Morganelli, it was VOTED: That the report from Zoning, Planning and Development Committee: 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 REMOVED FROM THE TABLE.

Councilor Morganelli, for the Zoning, Planning and Development Committee, offered a motion that the matter to delete multiple sections from section 3, of the city code of ordinance zoning laws (dimensional special permits) and replace with new 4-20.3 be combined on the same application as the Flag Lot application.

Upon motion of Councilor Flaherty, it was VOTED: That the above motion to combine the application be REFERRED TO THE LAW DEPARTMENT to be reviewed if the two items can be combined into one application and one public hearing.

Upon motion of Councilor Morganelli, it was VOTED: That the motion of Councilor Morganelli (and Surprise) (from the 8/15/19 meeting) 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 be REMOVED FROM THE TABLE.

Councilor Morganelli informed the Council that he had requested this information a year ago from the Director of Public Works and the answer was that there

was a new foreman and he wasn't really up to speed on the routes, therefore, he is again asking for this information. Councilor Beltrandi questioned Councilor Morganelli if he has spoken to the Director of Public Works. Councilor Morganelli informed the Council that he has spoken with the Director and nothing has happened. Councilor Burns informed the Council that this item was in Public Health and Safety Committee and the Director came before the Committee, it was reported on and the item was then disposed of. Councilor Flaherty questioned if the motion should go to the Board of Public Works because they oversee the Department of Public Works. Councilor Morganelli agreed.

Upon motion of Councilor Morganelli, it was VOTED: That the trash and recycle truck routes be evaluated, reconfigured for efficiency, and that innovative ideas for saving fuel, mileage, and employee hours be presented to the City Council and that the matter be REFERRED TO THE BOARD OF PUBLIC WORKS.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Upon motion of Councilor Surprise (and Emmershay), it was VOTED: That the Marijuana Zoning Ordinances be reviewed and make recommendations for changes and the matter be REFERRED TO ZONING, PLANNING AND DEVELOPMENT COMMITTEE.

The vote on the foregoing was as follows:

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

The President declared the motion PASSED.

Prior to the vote, Councilor Surprise informed the Council that there are only four licenses because it's limited for zoning and the City needs more revenue. Councilor Bean informed the Council that he's concerned with enforcement relative to where these licenses can be and not be and that the State has done nothing for education and enforcement and that it could be reckless in the downtown. Councilor Babinski informed the Council that it was voted on to have four licenses and there are none operational as this time and it should not be extended and that the Planning Board chose Industrial first and that should be put into practice before any changes are made. Councilor Flaherty informed the Council he would support to send to committee to talk about. Councilor Emmershly informed the Council there are a wide array of types and should be talked about. Councilor Surprise informed the Council that there are delays on the State level but zoning is under the purview of the City Council. Councilor Onyski informed the Council that it's a good idea, just a year or two too early that once there an establishment opens the matter can then be reviewed based on how it's operating. Councilor Emmershly informed the Council that other communities have establishments open and the City cannot keep saying to wait.

Upon motion of Councilor Beltrandi, it was VOTED: To end discussion and move the question.

The vote on the foregoing was as follows:

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
Michael Burns	Yes

The President declared the motion PASSED.

Upon motion of Councilor Morganelli (Surprise, Allie, and Emmershly), it was VOTED: That the Police Commission and Mayor review and clarify the procedure for Notifications through the Municipal Public Alert System, and report findings and recommended changes back to City Council Public Health and Safety Sub-Committee and be REFERRED TO THE MAYOR, POLICE COMMISSION and PUBLIC HEALTH AND SAFETY COMMITTEE.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

Prior to the vote, Councilor Morganelli informed the Council that there were discrepancies with an alert that went out and he would like to know the protocol as to what department sends out alerts for what reasons.

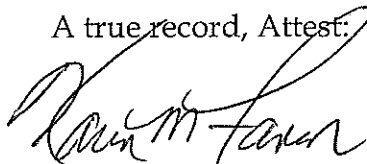
Councilor Emmershly, (and Surprise, Allie, and Morganelli) offered a motion, which was duly seconded, to review filtration efforts for Wells 1, 2, 7, and 8. Councilor Emmershly informed the Council that he spent time with the Director of Public Works and the Assistant Director and would like to have Director give information on what's happening on the north side with the water and give an overview. Councilor Babinski informed the Council that the item was removed from the Public Health and Safety Committee because it was discussed and decided that the public would be better served if the Director came to a City Council meeting to give a report on the water under "Reports of City Officers" because City Council meetings are televised and recorded whereas Committee meetings and the Water Commission meetings are not recorded and televised. Councilor Flaherty suggested that a Water Commissioner come in rather than the Director because the Water Commission oversees the Department. Councilor Emmershly informed the Council that he would like to know how much of the \$18 million bond has been spent. Councilor Morganelli informed the Council that the public wants this information and it's confusing to read and would like regular updates. Councilor Surprise suggested that the Commission and the Director come to give the update. Councilor Babinski reiterated that the Public Health and Safety Committee removed it in order to have the Director come to a City Council meeting but did not know the protocol of inviting a department head to a City Council meeting. President Figy informed the Council that the Council can request the presence of a department head then as President he would send the invitation. Councilor Emmershly informed the Council that Heather Stayton of the Water Department gave information at a Water Commission meeting that there was a contaminated sample, not necessarily was the water contaminated, it was the sample that was contaminated and that another test was done and it was fine.

Upon motion of Councilor Flaherty, it was VOTED: That the Water Commissioners and Director be invited to the first meeting in October and that Councilors submit questions to the President to be given to the Water Commissioners at their first meeting in October.

Councilor Bean was opposed.

At 9:04 PM and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

A true record, Attest:

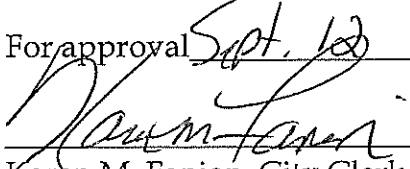


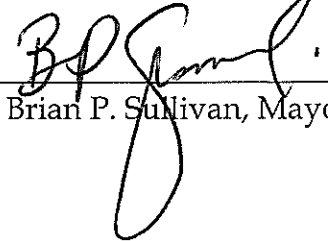
Karen M. Fanion  
City Clerk/Clerk of the Council



Presented to the Mayor

Approved by the Mayor

For approval Sept. 12 2019  
  
Karen M. Fanion, City Clerk

9 - 13 2019  
  
Brian P. Sullivan, Mayor