



MEETING OF CITY COUNCIL
59 COURT STREET
MUNICIPAL BUILDING, CITY COUNCIL CHAMBERS
WESTFIELD, MASSACHUSETTS
OCTOBER 17, 2019 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.

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

The Pledge of Allegiance was led by the President.

The President 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 October 3, 2019 be ACCEPTED.

Under "Public Participation" the Councilors were addressed by Mr. John Rheaume, Sr. 1089 Shaker Road. He informed the Council that he spoke at a Finance Committee meeting in opposition of the \$13 million water bond a few months ago and after that meeting the police came to his house questioning him whether or not he had carried a weapon to that meeting. He showed the police report to President Figy and Councilor Burns. President Figy and Councilor Burns confirmed they were contacted by the police, but they did not initiate the investigation.

Under "Public Participation" the Councilors were addressed by Mr. Brian Hoose, 60 Arnold Street. He informed the Council of the following: Westfield Technical Academy Tiger Pride is now open for lunch on Wednesdays, Thursdays and some Fridays; he congratulated Fran Cain and Dave Billips from the Water Department on their work; he thanked Channel 22 for responding back to him when he had trouble with his TV connection and he congratulated Patrick Berry and Jay Pagliuca on their organizing of the upcoming Westfield Concert Series beginning in November through May to be held at the Westfield Women's Club.

Under "Public Participation" the Councilors were addressed by Mr. Robert Pearson, 53 McKinley. He requested that Councilors speak into their microphones so everyone can hear.

Upon motion of Councilor Harris, it was
VOTED: Under immediate consideration, that the reappointment of Pamela Krzyzek, 168 Montgomery Road, as a member of the Youth Commission for a term to expire the first Monday of October, 2022 be CONFIRMED.

The vote on the foregoing was as follows:

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
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Prior to the vote, Councilor Harris informed the Council that Ms. Krzyzek has a Master's Degree in Clinical Social Work and has worked with children and teens as a Licensed Social Worker for years. She has been a part of the Youth Commission since 2011. She and Mayor Sullivan know how important it is to continue this important group of young people for many reasons, including the concern of opioid use, 3 cigarettes and vaping, teenage depression. This gives a very positive outlet for our youth to voice their opinions and concerns, and to learn civics and governmental process. Executive Assistant to the Mayor Leanne Cloutier and Assistant Holly Lurgio have volunteered to help also with this Commission as they too know the importance of this group and our City is very fortunate to have them working together to support our youth.

Upon motion of Councilor Bean, it was

VOTED: That items 2., 3., 4. and 5. under "Communications from the Mayor" be read by the Clerk and REFERRED TO THE FINANCE COMMITTEE.

The Clerk read from the Agenda as follows:

2. Transfer of \$3,801.60 from the Reserve for Future Salary Increase account #19500000-519999 to the Police-Out-of-Grade account # 12100000-514200 pursuant to the signed and ratified collective bargaining agreement between the City of Westfield and the International Brotherhood Police Officers Local S574-Superior Officers through the period of July 1, 2019 through June 30, 2019.
3. Transfer of \$14,449.32 from the Reserve for Future Salary Increase account #19500000-519999 to the following accounts: Public Safety Communications accounts: \$10,449.32 to Full Time Salary account #12250000-511000, \$1,000.00 to Out-of-Grade account #12250000-514200, Lead Dispatcher account #12250000-514700 pursuant to signed and ratified collective bargaining agreement between the City of Westfield and the United Public Service Employee Union Local 424 Unit MADIV for period from July 1, 2019 through June 30, 2022.
4. Submitting a supplemental budget in accordance with MGL Chapter 44, Section 22 to restore \$271,249.98 to Health Insurance that was cut at the June 27th, 2019 meeting.

5. Appropriation of \$207,349.51 from Stabilization account #8303-397000 to the Community Development-Cross Street Playground Renovation account #11820000-585005.

Councilor Onyski offered a motion, which was duly seconded, that a Resolution of the City Council of the City of Westfield supporting the City of Westfield's grant application for the Cross Street Playground Renovation and All-Abled Playground Project be referred to Legislative and Ordinance Committee. Councilor Bean offered a motion, which was duly seconded, to suspend the rules. Per voice vote, the rules were suspended. Councilor Bean offered a motion, which was duly seconded, for immediate consideration now that the rules have been suspended. Councilor Morganelli informed the Council that a year ago a plan was presented to the Park and Recreation Commission for a grant for the playground but the land that was supposed to be for the school was not part of it so the size of the park may have changed and he questioned if the playground would have to be built according to that plan and would like an answer to that question before acting on the grant. He informed the Council that accepting the grant before the plans are complete is putting the horse before the cart. Councilor Surprise questioned if the grant was time sensitive. Councilor Allie questioned again if it was time sensitive or if the work needs to be done before the end of the year. Councilor Bean informed in the Council that this is a piece of the puzzle and that this is grant money and that it's not about the design of the park. Councilor Beltrandi reminded the Council it's supporting the application only. Councilor Morganelli informed the Council that the application is due in December. Councilor Flaherty read from the Communication from the Mayor that the "Resolution is also accompanied by a request for additional City funding in the amount of \$207,349.51 and in order to execute a grant agreement with the Commonwealth, funding must be in place and an authorization vote from the City Council by December 21, 2019". Councilor Flaherty informed the Council that the request for funding is Item 5. On the Agenda and that if that does not pass, there is no need for the grant application. Councilor Bean reiterated his motion for immediate consideration. Councilor Emmershy informed the Council that there is a breakdown of the funding sources but there is no plan attached on how what the money will be spent and agreed that it is putting the horse before the cart. Councilor Flaherty reiterated that the appropriation of \$207,349.51 is contingent upon the grant application. Councilor Surprise read the breakdown of the funds. Councilor Surprise informed the Council that he would like to send it to committee to find out why CPA cut the request from \$500,000.00 to \$300,000.00. Councilor Babinski agreed there is no rush and would like to have it referred to L and O. Councilor Onyski informed the Council that the L and O Committee will not be discussing the plans or the taking of the school property. The committee will only act upon what is in front of the committee which is the request for acceptance of a grant. Councilor Flaherty suggested that maybe it should go to City Properties Committee. Councilor Flaherty offered a motion to refer to City Properties Committee. Councilor Babinski questioned if the motion for immediate consideration must be voted on first.

Upon motion of Councilor Flaherty, it was

VOTED: That the grant application for the Cross Street Playground Renovation and All-Abled Playground Project be REFERRED TO CITY PROPERTIES COMMITTEE.

The vote on the foregoing was as follows:

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	No
Michael Burns	No
Matt Emmershly	Yes
Ralph Figy	No
Dave Flaherty	Yes
Cindy Harris	No

The President declared the motion LOST.

Upon motion of Councilor Bean, it was

VOTED: To have immediate consideration.

The vote on the foregoing was as follows:

Leslie LeFebvre	Yes
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
Michael Burns	Yes
Matt Emmershly	No
Ralph Figy	Yes
Dave Flaherty	No
Cindy Harris	Yes

The President declared the motion Passed. Councilor Flaherty raised a point of order. He informed the Council that per the Charter Section 29, "Unless prohibited by the General Laws, any order or resolution may be passed through all of its stages of legislation at 1 session; if no member of the council objects thereto. If any member of the council objects, the measure shall be postponed for that meeting." Councilor Bean informed the Council that the motion was for the immediate passage of the Resolution of the City Council of the City of Westfield supporting the City of Westfield's grant application for the Cross Street Playground Renovation and All-Abled Playground Project. Councilor Flaherty informed the Council that the President declared the motion as a motion for immediate consideration only. Councilor Bean disagreed with the President's interpretation of the motion at hand. Councilor Bean requested that the meeting go on to the next item due to the fact a motion was made and a vote taken and passed on the passage of the Resolution. President Figy apologized that the motion was misspoken and agreed with Councilor Flaherty that he did not present the motion

as voting on the Resolution. President Figy suggested that due to the misunderstanding of the motion, the Resolution should be referred to committee.

Upon motion of Councilor Flaherty, it was

VOTED: That the Resolution of the City Council of the City of Westfield supporting the City of Westfield's grant application for the Cross Street Playground Renovation and All-Abled Playground Project be REFERRED TO LEGISLATIVE AND ORDINANCE COMMITTEE.

Upon motion of Councilor Onyski, it was

VOTED: Under immediate consideration, that the Order for the Call of the City Election for November 5, 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 Onyski, it was

VOTED: That the Order be passed to second reading.

Upon motion of Councilor Onyski, it was

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

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

The vote on the foregoing was as follows:

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
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Upon motion of Councilor Surprise, it was

VOTED: That the meeting return to regular order.

Upon motion of Councilor Figy, it was

VOTED: That the report from Veterans' Director Julie Barnes regarding Veterans' Benefits statistics be ACCEPTED AND PLACED ON FILE.

Upon motion of Councilor Figy, as liaison to the School Department, it was

VOTED: That the Superintendent's report be ACCEPTED AND PLACED ON FILE.

Councilor Figy highlighted the following items from the report: Westfield High School's dropout rate was the lowest since 1993, new career pathways for Westfield High School in Criminal Justice, Hospitality, and Engineering have been introduced, STEM week is from October 21 - 25, 2019.

Department of Public Works Director Dave Billips was present to answer questions submitted by Councilors, per motion from the 9/19/19 meeting.

President Figy asked the following questions:

1. How will residents be informed of Wells 7&8 becoming operational?

Mr. Billips answered as follows: The City currently maintains a website specifically to address this issue and any updates will be posted there immediately, as we do currently. A press release will be sent out to local news entities along with a news flash bulletin posted on the City's main website. This will be followed up with a notification to all rate payers in their quarterly billing.

2. How much of the \$18M (\$5&\$13M) bond has been spent and where?

Mr. Billips answered as follows: \$5 million dollar bond (#2806) Spent \$1.7 million to date on design, engineering and procurement for water tank, temporary treatment and work at well 7&8. Bid opening today 10/17/19 for water tank, \$2.86 million Leaves \$486,000 for contingency for water tank. \$13 million dollar bond (#2888) Spent \$4.4 million on construction of 7&8. Encumbered \$1.3 for construction of 7&8, spent \$600,000 and encumbered \$228,000 for design 7&8, spent \$398,000 and encumbered \$162,000 for design 1&2, Leaves \$6.1 million

3. Have there been any changes to the plans presented? Ex: addition or deletion of filtration capabilities, water tank size, etc.

Mr. Billips answered as follows: There have been no changes to the filtration capacity or tank sizes from what was designed for the Owen District Road Water Treatment Plant project. Field adjustments to pipe layout, construction geometry, and other items as expected in a project of this size have occurred, but none that impact the designed filtration mechanisms or capabilities.

4. What is the current status of each bond project?

Mr. Billips answered as follows: The Owen District Road Plant (wells 7&8) is 90% complete with most of the work remaining being on the building itself. East Mountain Tank replacement bid opening was today Thursday October 17th. Dry Bridge Road Water Treatment Plant (wells 1&2) is in the permitting phase of design.

5. How much funding has been set aside for GAC changeout?

Mr. Billips answered as follows: \$120,000 per year for carbon was projected based upon an average throughput of 1,100 gallons per minute. Full scale results may vary from this laboratory-scale projection. As funding is an annual budgetary item, this cannot be set aside but must be included in the annual budget.

6. When is Well 2 temp or permanent 7&8 scheduled to be changed out?

Mr. Billips answered as follows: At Well 7 and 8, based on bench scale testing, a service life of 11 months was projected based on an average throughput of 1,100 gallons per minute. But this would equate to 580 million gallons a year, almost 3 times the annual average output of these wells. Changeout will be scheduled when PFAS concentrations are detected within the filter. Current concentrations at the 50% sample port at well 2 have all been below the detection limit for all PFAS compounds.

7. Have influent PFAS levels changed enough in either direction to alter any plans?

Mr. Billips answered as follows: No. During 2019 testing of the new plant, PFAS concentrations in Well 7 and Well 8 have been monitored. The influent PFAS levels are

consistent with PFAS levels observed in 2016 and prior. The Well 2 data have shown that GAC is effective for removing the PFAS compounds present and the influent concentrations are extremely consistent.

8. What plans are in place to address premature or total GAC failure?

Mr. Billips answered as follows: Premature or total GAC failure is not expected given the successful performance of the GAC filter at Well 2, so changeout can be responsive to the actual conditions found, not scheduled based on projected or estimated timelines. The GAC vessels are arranged in a lead-lag configuration, meaning that water from the wells enters the top of the lead vessel, flows downward contacting with the GAC bed, and then is directed upward to the top of the lag vessel where water flows downward contacting with the second GAC bed. Each vessel individually is designed to fully treat to non-detect for all PFAS compounds. Given the redundancy and state-required monitoring, systems are in place to avoid a "total GAC failure" scenario.

9. Has the filter at Well 2 provided additional insight to the overall project?

Mr. Billips answered as follows: There have been some valve adjustments or additions at the Owen District Road WTP given operational lessons learned at Well 2. The GAC filter at Well 2 has treated over 150 MG of water, with no detectable concentration of any PFAS at the 50% bed depth sample port.

Upon motion of Councilor Beltrandi, it was

VOTED: That the application submitted by Massachusetts Department of Transportation (MassDOT) for the storage of 10,000 gallons gasoline and 10,800 gallons diesel to be located at Massachusetts Turnpike Westbound MM 41/Sgt. T.M. Dione Way to be used at the Maintenance Depot/State Police Barracks be REFERRED TO LICENSE COMMITTEE and that a Public Hearing be scheduled at the earliest practicable date.

Upon motion of Councilor Morganelli, it was

VOTED: That the Zone Change petition submitted by R. Levesque Associates Inc. for his client Patrick Berry for a zone change at 62 School Street (Map 55, Parcel 22) from Business A to CORE (#C-254-19) be REFERRED TO ZONING, PLANNING AND DEVELOPMENT COMMITTEE, PLANNING and LAW DEPARTMENT and that a Public Hearing be scheduled at the earliest practicable date.

Upon motion of Councilor Morganelli, it was

VOTED: That the Zoning Amendment petition submitted by the Planning Board to amend Section 4-90 to strengthen regulation of marijuana establishments by requiring special permit if within 500 feet of a park (#253-19) be REFERRED TO ZONING, PLANNING AND DEVELOPMENT COMMITTEE, PLANNING and LAW DEPARTMENT and that a Public Hearing be scheduled at the earliest practicable date. Councilor Emmershy informed the Council that the previous application for this matter timed out because there was no action by the City Council within the mandatory action time of 90 days. Councilor Onyski questioned why the petition is being sent to Planning Board since they are the ones submitting the application. Upon motion of Councilor Morganelli, it was

VOTED: That the above motion be amended by deleting the referral to Planning because they do not need a public hearing because they already had a public hearing on the matter and gave their opinion.

Councilor Bean, for the Finance Committee, offered a motion, which was duly seconded to approve a transfer of \$389.00 from Reserve for Future Salary Increase account #19500000-519999 to Traffic Control, Part Time Hourly account #12930000-511110 pursuant to the signed and ratified agreement between Westfield Crossing Guards, IBPO Local 359 and the City of Westfield from the period of July 1, 2019 to June 30, 2022. He reported that this item, as well as several other items relative to union contracts were discussed in Committee and with a 2 to 1 positive recommendation from Committee it was voted to approve the items and bring them forward to the City Council. He informed the Council that these are contracts that have been ratified. Some are relative to transfers of funds that were cut by the Council during the budget time and some transfers are for contracts that were ratified after the budget. The transfers are coming from a Reserve for Future Salary Increase account which is a new account used this year for this purpose and if the transfers are not approved the contracts become null and void. Councilor Surprise informed the Council that voting for the transfers, regardless of the amounts, would be voting for the contracts and he noted that the severance amounts on the City side are substantially higher than the School side. Councilor Figy reminded the Councilors that the Council does not negotiate contracts. He informed the Council that the School side negotiated the severance out of the contract. Councilor Flaherty informed the Council that the Council is to approve or reject contracts for whatever reason and that City Solicitor Sue Phillips clarified that was true. The Council cannot tell the Mayor how to negotiate contracts. He informed the Council that his arguments are finance related. He expressed his concern relative to how much the contracts will cost and the affect it has on the budget. He reminded the Council that on September 19, 2019 the Council voted to request a legal opinion, in writing, from the Law Department based on the documentation provided by Councilor Flaherty from Methuen as well as the email documentation provided by Sue Phillips regarding contracts whether all contracts can be voted on up or down by the Council and further where in the Charter does it authorize the Mayor to execute contracts. He informed the Council that the legal opinion was not received by law. He acknowledged the receipt of Orders, for the first time ever, that have showed up, but with no legal explanation and he agreed that there should be orders authorizing the Mayor to sign the contracts. He read parts of the Inspector General's response to Methuen relative to Councilors not understanding what they were approving and not analyzing the cost of contracts. He expressed his concern that Councilors have not read the contracts or realized the full financial obligations and are acting wreck less if they vote on something they did not read or do not understand. He explained that the approving of the \$389.00 for the Crossing Guards as well as all the other financial transfers may be insignificant amounts, but that approving those transfers, the Council is also approving multi-year contracts that have other financial obligations attached and the council should know the consequences of the voting for the contracts.

Upon motion of Councilor Flaherty, it was

VOTED: That the transfers relative to contracts be TABLED to the second meeting of January, 2020 when the new Mayor will be in office.

The vote on the foregoing was as follows:

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
Matt Emmershly	Yes
Ralph Figy	No
Dave Flaherty	Yes
Cindy Harris	No

The President declared the motion LOST.

Councilor Bean expressed his frustration with the inability for discussion after a motion to table. President Figy informed him that once a motion is made to table and it's seconded, debate must stop and the item has to be voted on. He expressed his understanding of Councilor Bean's frustration. President Figy informed the Council that discussion is back to the original motion relative to the transfer of the \$389.00 for the Crossing Guards. Councilor Emmershly informed the Council that the \$389.00 increases in the second year of the contract to \$1,100.00 and in the third year to \$1,945.00 and the City's payroll has increased 17.1% over the past three years. He expressed his concern that the Police contract relative to having the Police carry Narcan does not have a financial component this year but in the second and third years it will have a financial increase. He informed the Council that the Orders are new information that was received tonight and that no one had an opportunity to read them and should not vote on something they haven't read. Councilor Harris objected to being called wreck less. She informed the Council that she supports the crossing guards as well as the Police and Fire and that maybe in five years the ceiling may be reached but that doesn't mean that the levy cannot be changed. Councilor Surprise informed the Council that it is wreck less to have the City's payroll go up 17% in three years and that no one has had time to read the contracts. Councilor Bean informed the Council that many things have been approved that have not been read. And that a 17% increase does not mean employees are getting 5% or 6% raises, there are many factors that go into the payroll, it could be departments adding new people and everyone deserves what they get. He informed the Council that all Councilors had the opportunity to read what they needed to read in the budget, that it may not be easy to find, but it was there. And that the documents (the Orders) that came in late were address to him as Chair of Finance and not to the whole Council. Councilor Emmershly informed the Council that the payroll number came from the Medicare account that is due based on the salaries of the employees. Councilor Flaherty informed the Council that including the contract affects reaching the ceiling limit earlier and that employees do deserve it but the City cannot afford it. And that new business does little to increase the levy ceiling and Prop 2 ½ will not go away and won't become Prop 3. Councilor Allie informed the Council that Prop 2 ½ came in by the vote of the voters and that's how it would have to be changed. He explained that there is a lot

of vacant business properties and the City cannot grow its way out and that residents cannot be taxed anymore. Councilor Surprise informed the Council that if the contracts are approved tonight it's for three years and the City cannot afford it based on getting close to the ceiling. President Figy repeated the original motion which is for the transfer of \$389.00 for the Crossing Guards contract. Councilor Flaherty requested a point of order. He informed the Council that the vote is for an Order that was received tonight and that he is opposed to immediate consideration on for the Order and offered a motion to refer it to Legislative and Ordinance Committee. Councilor Bean informed the Council that Finance Committee can do Orders and it's for a first reading and if anything comes into play before the second reading it can be dealt with at that time. President Figy informed the Council that he has to take the side of what the Charter says. Councilor Flaherty informed the Council that only if there is someone here from the Mayor's office can this item be taken as an emergency item at tonight's meeting. Councilor Allie informed the Council that the document was not posted to the share file until 6:39 this evening. Councilor Babinski suggested that the first reading be done tonight and that if anything needs to be corrected or clarified it can be done prior to the second reading and offered a motion for first reading.

Upon motion of Councilor Flaherty, it was VOTED: That the rules of the City Council be SUSPENDED specifically rule #5 that deals with the submission of documents on the Monday prior to the meeting.

The vote on the foregoing was as follows:

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

The President declared the motion LOST.

The President informed the Council that it's now back to giving the Order first reading which cannot be done because the suspension of Rule #5 was lost. Councilor Flaherty informed the Council that the document that came in tonight is an Order and needs to be referred to a Committee. Councilor Bean disagreed and reiterated his motion for first reading. President Figy informed the Council that the suspension of Rule #5 lost, therefore, it cannot be given first reading at tonight's meeting because it was received at tonight's meeting. Councilor Bean informed the Council that the item has been in the Finance Committee since September 19th, 2019. Councilor Flaherty agreed that the financial transfer came in on September 19th, but since that time it has been changed to an Order that was received tonight. Councilor Morganelli requested clarification on the expedience of passing this tonight. President Figy informed the Council that there is retroactive money due back to July 1st, 2019

and the longer it takes to approve the more retro money will be due, therefore there will be a larger chunk of taxes deducted and there is also a factor of bargaining in good faith to act expeditiously. Councilor Allie reiterated that the City Clerk did not receive this until Wednesday and therefore it missed the deadline. Councilor Flaherty reiterated that it is not fair to have the Council act upon this Order that was received tonight. Councilor Emmershy informed the Council that it was at the Finance Committee this evening that the first year costs were realized that are contained in the Orders that were received tonight and that Councilors did not have an opportunity to review the several Orders that were received tonight.

Upon motion of Councilor Flaherty, it was

VOTED: That the Order relative to authorizing the transfer of \$389.00 for the Crossing Guards contract be REFERRED BACK TO FINANCE COMMITTEE. Councilors Onyski and Harris were opposed.

Upon motion of Councilor Bean, it was

VOTED: That the following items 15, 16, 17, 18 and 19 be REFERRED BACK TO FINANCE COMMITTEE. Councilor Bean reiterated that Finance Committee can bring out Orders and they do not have to go to Legislative and Ordinance Committee.

15. Transfer of \$1,200.00 from Reserve for Future Salary Increase account #19500000-519999 to the Fire Department Uniforms and Other Clothing account #12200000-558007, pursuant to the signed and ratified contract agreement between The International Association of Firefighters (IAFF) Local 1111 and the City of Westfield for the period from July 1, 2019 through June 30, 2022.
16. Transfer of \$2,000.00 from the Reserve for Future Salary Increase account #19500000-519999 to the Assessor, Full Time Salary account #11410000-511000 pursuant to the signed and ratified agreement between the Westfield Professional Municipal Employees Association and the City of Westfield for the period from July 1, 2019 through June 30, 2022.
17. Transfer of \$712.00 from Reserve for Future Salary Increase account #19500000-519999 to Building & Public Property, Full Time Salary account #11920000-511000 pursuant to the signed and ratified agreement between AFSCME, Council 93, Local 1676 (Foreman Unit) and the City of Westfield for the period of July 1, 2019 through June 30, 2022.
18. Transfer of \$1,312.15 from Reserve for Future Salary Increase account #19500000-519999 to Auditor, Full Time Hourly account #11350000-511100 pursuant to the signed and ratified agreement between AFSCME, Council 93, Local 346 (35 Hour Union) and the City of Westfield for the period from July 1, 2019 through June 30, 2022.
19. Transfer of \$63,814.34 from Reserve for Future Salary Increase account #19500000-519999 to the following: \$1,046.85, Police, Holiday account #1210000-514100; \$7,950.00, Police, Education account #1210000-514300; \$54,817.49, Police, Full Time Hourly account #1210000-511100 pursuant to the signed and ratified agreement between the Westfield Police Officer Coalition and the City of Westfield for the period of July 1, 2019 through June 30, 2022.

Upon motion of Councilor Bean, for the Finance Committee, it was VOTED: That the sum of \$10,000.00 be appropriated from the Reserve for Unforeseen account #19500000-570900 to the Technology Center, Part-Time Hourly account #11550000-511110.

The vote on the foregoing was as follows:

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
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Prior to the vote, Councilor Bean informed the Council that the appropriation is for a 19-hour position in the Technology Center. The position is needed due to staffing levels that have steadily decreased in that department since FY17. The position is a non-benefit position. Councilor Emmershly informed the Council that it is good for the City not to have it have benefits. Councilor Surprise agreed.

Upon motion of Councilor Flaherty, it was VOTED: That per Rule #38, all appropriations over \$2,000.00 need a first reading and 10 days later second reading and final passage, therefore the above motion be given first reading and PASSED TO SECOND READING. Councilor Harris questioned why this is being done this way because this was never the process in the past.

Upon motion of Councilor Harris, for the Personnel Action Committee, it was VOTED: That the the appointment of Jane DeBarbieri, 54 Lindbergh Boulevard as a member of the Parks and Recreation Commission for Ward 2 for a term to expire the first Monday of December, 2022, replacing Meagan Reinholz, resigned, be CONFIRMED.

The vote on the foregoing was as follows:

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
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Prior to the vote, Councilor Harris informed the Council that Ms. DeBarbieri has a Master's Degree from Boston University in Education and her profession was Library Media Specialist in the School System. She has lived in Westfield since 1980 and she participated in many recreational activities offered including tennis, biking, skiing and pickleball. She is sincerely interested in serving on this Commission, helping the Community through this medium. Parks and Re Chair Ken Magarian recommend her and is looking forward to her joining the Commission. Councilor Flaherty added that she is a wonderful asset to the City. Councilor Figy thanked Meghan Reinholz for her past service to the City.

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

VOTED: That the Petition submitted by Baystate Noble Hospital Corporation 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 be REMOVED FROM COMMITTEE because the application has been withdrawn by the applicant.

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

VOTED: That the Comprehensive review of all City zoning laws and regulations by reviewing all zones, by right and special permit uses, enforcement, and permitting process (including checklists and overlay maps) REMAIN IN COMMITTEE.

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

VOTED: That a review of existing regulations pertaining to Sober Living homes, and to research and provide recommendations for local regulations for Sober Living homes in the City of Westfield REMAIN IN COMMITTEE.

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

VOTED: That the Petition for zoning amendment at Section 4-20 to allow for (1) certain flag/estate lots (those not meeting frontage requirements) to be built upon; and (2) to consolidate the existing language allowing for reduced side/rear yard setbacks by special permit REMAIN IN COMMITTEE.

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

VOTED: That the review and draft language eliminating the Merger Doctrine as permitted by State law that would eliminate the default consolidation of non-conforming lots after 5 years REMAIN IN COMMITTEE.

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

VOTED: That the motion of Councilors Surprise and Emmershly to review Marijuana Zoning and make recommendations for changes REMAIN IN COMMITTEE.

Upon motion of Councilor Onyski, it was

VOTED: That a Bond Order entitled "A BOND ORDER IN THE SUM OF NINE HUNDRED THOUSAND (\$900,000.00) DOLLARS FOR THE PURPOSE OF FUNDING THE FRANKLIN AVENUE ELEMENTARY SCHOOL FEASIBILITY" be given second reading by title only.

The Order was given second reading by title and upon motion of Councilor Onyski, it was

VOTED: That the Order be PASSED TO BE ORDAINED.

The vote on the foregoing was as follows:

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
Matt Emmershly	Yes
Ralph Figy	Yes
Dave Flaherty	Yes
Cindy Harris	Yes

Upon motion of Councilor Babinski (and Harris), it was

VOTED; That the Zoning, Planning and Development Committee be requested to explore and report back the process of requesting a one year moratorium on any new truck terminal development on the north side of Westfield and be REFERRED TO ZONING, PLANNING AND DEVELOPMENT COMMITTEE, PLANNING and LAW DEPARTMENT.

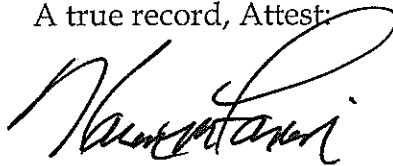
Councilor Babinski informed the Council that there have been issues with truck terminals on the north side causing congestion issues at the turnpike and that the north side needs a breather from any more trucks and to get control of the situation. Councilor Morganelli questioned what ZPD is going to do with this motion. Councilor Babinski informed the Council that the motion is requesting a moratorium similar to the crumb rubber moratorium. Councilor Emmershy suggested doing a large scale update to the master plan. Councilor Figy agreed it's a good idea to send to Committee. Councilor Beltrandi cautioned the Council on issuing a moratorium for potential businesses that might want to come to Westfield.

Councilor Flaherty announced that the 3rd Annual Pumpkin Fest, sponsored by WOW is this Saturday, October 19th, 2019 from noon to 6:00 PM on the Green and downtown.

President Figy announced that there will be Public Hearings relative to a rehabilitation plan for Powdermill Brook Dam on November 13, 2019 at City Hall, Council Chambers at 3:00 PM and again at 6:00 PM.

At 9:06 PM, and upon motion of Councilor Harris, it was VOTED: To ADJOURN.

A true record, Attest:



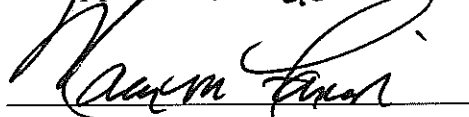
Karen M. Fanion

City Clerk/Clerk of the Council

Presented to the Mayor

Approved by the Mayor

For approval Oct 28 2019



Karen M. Fanion, City Clerk

OCTOBER 28, 2019



Brian P. Sullivan, Mayor