

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

Minutes dated January 22, 2019

Meeting was called to order by Council President Johnson at 7:00pm in the Auditorium at the Agawam Junior High School, 1305 Springfield Street, Feeding Hills.

Item A. Roll Call

ROLL CALL – 10 PRESENT, 1 ABSENT

Roll Call was taken with the following councilors present: George Bitzas, Council Vice President Cecilia Calabrese, Paul Cavallo, Council President Christopher Johnson, Gina Letellier, Robert Magovern, Dino Mercadante, Joseph Mineo, Robert Rossi and Rosemary Sandlin. Councilor Suffriti was absent. With ten present, there was a quorum.

Item B. Moment of Silence and the Pledge of Allegiance.

Council President Johnson asked for a moment of silence and the Pledge of Allegiance.

Item C. Citizen's Speak Time

None.

Item D. Minutes

1. Regular Council Meeting – January 7, 2018

Motion to approve the minutes made by Councilor Sandlin and seconded by Councilors Rossi and Cavallo. Council President Johnson noted the abstention of Councilor Cavallo. Voice vote approved.

Item E. Declaration from Council President

None.

Item F. Presentation of Resolutions

- 1. TR-2019-1 - A Resolution confirming the appointment of Gladys L. Fernandez-Largay, M.D., 187 Edgewater Road, Agawam, MA. to the Board of Health to a term expiring the first Monday in February, 2022 (Mayor Sapelli)**

Motion to approve made by Councilor Letellier and seconded by Councilors Mercadante and Sandlin.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) confirming the re-appointment. Council President Johnson thanked Dr. Fernandez-Largay for her service.

Item G. Report of Council Committees

None.

Item H. Elections

None.

Item I. Public Hearings

- 1. TR-2018-106 - A Resolution authorizing the application and acceptance of a Massachusetts Community Development Block Program (Mayor Sapelli) –Public Hearing date set for February 4, 2019 (Referred to Community Relations Committee)**

The Public Hearing is on February 4th; next Agenda.

- 2. TO-2019-4 (PH-2019-2) - An Order granting a LICENSE for gasoline/propane storage tanks located at OMG, Inc., 153 Bowles Road, Feeding Hills, MA– Public Hearing date set for February 4, 2019 (Referred to Administrative Committee)**

The Public Hearing is on February 4th; next Agenda.

Item J. Old Business

- 1. TOR-2018-17 - An Ordinance to amend Chapter 49 of the Code of the Town of Agawam regarding camera and audio operations (Mayor Sapelli) (2 of 2 Readings) (Referred to Legislative Committee)**

Motion to approve the second reading made by Councilor Sandlin and seconded by Councilors Rossi and Cavallo.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) approving the second and final reading.

- 2. TOR-2018-18 - An Ordinance to amend Chapter 49 of the Code of the Town of Agawam by creating a Cable Access Television Manager/Technician position (Mayor Sapelli) (1 of 2 Readings) (Referred to Legislative Committee) Tabled 1/7/19**

The Mayor has asked that this remain on the table as they are working on the concerns raised at the Legislative Committee meeting.

- 3. TO-2019-1 - An Order granting or renewing a PERMIT for Weekly Amusement for Teresa’s Enterprises, Inc. d/b/a Towne Taproom, 378 Walnut Street Ext., Agawam, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Mineo and seconded by Councilor Rossi. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this item and the committee sent a positive recommendation to the Full Council.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) approving the item.

- 4. TO-2019-2 - An Order granting or renewing a LICENSE for Automatic Amusement Device(s) for Teresa’s Enterprises, Inc. d/b/a Towne Taproom, 378 Walnut Street Ext., Agawam, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Rossi and seconded by Councilors Mineo and Sandlin. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this item and the committee sent a positive recommendation to the Full Council.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) approving the item.

- 5. TO-2019-3 - An Order granting or renewing a Class 2 Dealer’s LICENSE to Richard Conlon Jr. d/b/a Motor City Car Co., 91 Ramah Circle, Agawam, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Rossi and seconded by Councilors Cavallo, Mineo and Sandlin. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this item and the committee sent a positive recommendation to the Full Council.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) approving the item.

- 6. TO-2019-5 - An Order granting or renewing a PERMIT for Weekly Amusement for Wilson Thompson Post 185- The American Legion, 478 Springfield Street, Agawam, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Rossi and seconded by Councilor Cavallo. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this item and the committee sent a positive recommendation to the Full Council.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) approving the item.

- 7. TO-2019-6 - An Order granting or renewing a LICENSE for Automatic Amusement Device(s) for Wilson Thompson Post 185- The American Legion, 478 Springfield Street, Agawam, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Rossi and seconded by Councilors Magovern and Cavallo. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this item and the committee sent a positive recommendation to the Full Council.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) approving the item.

- 8. TO-2019-7 - An Order granting or renewing a PERMIT for Weekly Amusement for N. Liquori, Inc., d/b/a The Back Room, 827 Springfield Street, Feeding Hills, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Mercadante and seconded by Councilor Cavallo. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this item and the committee sent a positive recommendation to the Full Council.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) approving the item.

- 9. TO-2019-8 - An Order granting or renewing a LICENSE for Automatic Amusement Device(s) for N. Liquori, Inc., d/b/a The Back Room, 827 Springfield Street, Feeding Hills, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Rossi and seconded by Councilor Cavallo. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this item and the committee sent a positive recommendation to the Full Council.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) approving the item.

- 10. TO-2019-9 - An Order granting or renewing a PERMIT for Weekly Amusement for OMS Hospitality d/b/a Chez Josef, 176 Shoemaker Lane, Agawam, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Rossi and seconded by Councilor Cavallo. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this item and the committee sent a positive recommendation to the Full Council.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) approving the item.

- 11. TO-2019-10 - An Order granting or renewing a PERMIT for Weekly Amusement for FMLB, Inc., d/b/a Casa di Lisa Restaurant, 801 Springfield Street, Feeding Hills, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Sandlin and seconded by Councilors Mineo and Rossi. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this item and the committee sent a positive recommendation to the Full Council.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) approving the item.

12. **TO-2019-11 - An Order granting or renewing a LICENSE for Automatic Amusement Device(s) for FMLB, Inc., d/b/a Casa di Lisa Restaurant, 801 Springfield Street, Feeding Hills, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Cavallo and seconded by Councilors Rossi and Sandlin. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this item and the committee sent a positive recommendation to the Full Council.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Suffriti) approving the item.

Item K. New Business

1. **TR-2019-2 - A Resolution confirming the appointment of AnneMarie LeGrand BSN, MHS, PA-C, 661 Barry Street, Feeding Hills, MA. 01030 to the Board of Health to a term expiring the first Monday in February, 2022 (Mayor Sapelli)**

Next Agenda.

2. **TR-2019-3 - A Resolution to appropriate and authorize a Lease Purchase Agreement in the amount of Two Hundred, Forty Seven Thousand Dollars (\$247,000.00) to pay costs of the purchase of a PL Custom Ambulance from New England Fire Equipment & Apparatus Corporation (Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

3. **TR-2019-4 - A Resolution to appropriate \$4,222,590.00 from Free Cash for a transfer of \$3,000,000.00 to the Stabilization Fund; the funding of additional paving of roads in the amount of \$500,000.00 and additional sidewalk improvement in the amount of \$400,000.00; unforeseen building improvement needs for repairs and replacement in the amount of \$173,492.00 and for additional capital equipment and budgetary items for the Agawam Municipal Golf Course totaling \$149,098.00 (Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

4. **TR-2019-5 - A Resolution to appropriate \$24,630.00 from Water Enterprise Fund Retained Earnings to pay the Water Fund Share of the rooftop HVAC system at the Department of Public Works building (Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

5. **TR-2019-6 - A Resolution to appropriate \$24,630.00 from Wastewater Enterprise Fund Retained Earnings to pay the Wastewater Enterprise Share of the rooftop HVAC system at the Department of Public Works building (Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

6. **TR-2019-7 - A Resolution authorizing a Statement of Interest for the Accelerated Repair Program for the Agawam Junior High School (Mayor Sapelli)**

Next Agenda.

7. **TOR-2019-1 - An Ordinance to amend Chapter 3, Article III of the Code of the Town of Agawam (Two Readings Required) (Mayor Sapelli)**

Referred to Legislative Committee, next Agenda.

8. **TO-2019-12 - An Order granting or renewing a Class 2 Dealer's LICENSE to Paul J. LaPointe d/b/a/ The Car Connection, 820 Springfield Street, Feeding Hills, MA (Clerk)**

Referred to Administrative Committee, next Agenda.

9. **TO-2019-13 - An Order granting or renewing a PERMIT for Weekly Amusement for El Forestero Mexican Restaurant, 360 North Westfield Street, Feeding Hills, MA (Clerk)**

Referred to Administrative Committee, next Agenda.

10. **TO-2019-14 - An Order granting or renewing a PERMIT for Weekly Amusement for Crestview Country Club, 281 Shoemaker Lane, Agawam, MA (Clerk)**

Referred to Administrative Committee, next Agenda.

11. **TO-2019-15 - Budgetary Transfer for the Agawam Municipal Golf Course form Property & Liability Insurance (#65262-57500) for \$10,000.00; Water Purchase (#65262-56670) for \$10,138.00; Pro Shop Supplies (#65263-54200) for \$2,000.00 to Regular Salaries (#65261-51010) for a total transfer of \$22,138.00 (Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

12. **TO-2019-16 - Budgetary Transfer for Capital Improvements/Building Maintenance from Junior High Roof Air Condition C/O (#16619-58510) to Building Improvements (#11922-58250) for \$155,104.10 (see attached) (Mayor)**

Referred to Finance Committee, next Agenda.

13. **TO-2019-17 - Budgetary Transfer for Capital Improvements/ Fire Department from Fire Station Improvements Repairs (#16619-58947) to Equipment, Repair, Maint. Replace (#12202-52030) for \$179,220.00 (see attached) (Mayor)**

Referred to Finance Committee, next Agenda.

Item L. Any other matter that may legally come before the City Council.

Councilor Magovern told everyone to stay warm. He also noted that it was nice when people who have been nominated come to the meetings and asked Council President Johnson if he could extend the invitation. (Barbara explained to Councilor Magovern that letters are sent to every appointee informing them of the meeting date extending the invitation to attend). Councilor Cavallo talked about the recreational marijuana ordinance and the need to make a decision as the moratorium expires this December. Councilor Letellier agreed we need to do something and recently attended a presentation at WNU regarding both medical and recreational marijuana. She also had several questions regarding the Finance Agenda items and would like them addressed prior to the sub-committee meeting. Councilor Letellier also mentioned attending the Women's Club fundraiser at the Parthenon. Councilor Sandlin congratulated Council Vice President Calabrese on being voted in as Vice Chair of the Massachusetts Municipal Association. We are so proud of her! Councilor Mineo congratulated Council Vice President Calabrese as well and also asked for an update on the old VFW on South Street. Council President Johnson noted that he and Council Vice President Calabrese have had several conversations with the Mayor and Solicitor regarding recreational marijuana. While he can't speak for the Mayor, the conversations were that this question should go on the November ballot. The hope is that we will need to plan accordingly and have something in place prior to it going on the ballot so that depending on the outcome, we will have something in place. Council President Johnson thought maybe he would challenge the Legislative Committee to work on this – don't have to recreate the wheel – we could simply mirror the medical marijuana ordinance. Councilor Rossi disagreed stating that the voters already said they don't want marijuana in Agawam. Why would it need to go on the ballot again? Council President Johnson explained that Agawam voted on legalizing marijuana in Massachusetts – not recreational or medical – and now that it is legal in Massachusetts, then we should put it to the voters to decide if they now want recreational marijuana allowed in Agawam. Councilor Rossi said the voters already said no and the only legal way is for the City Council to put it to a vote. Councilors Mineo asked for a ruling from the Solicitor. Council President Johnson stated that is why he hasn't brought this to the Council yet because the Solicitor is doing research on our options. Councilor Letellier noted that it is important to have something in place early on so after the November vote, we could get something on the agenda. Council President Johnson wished early birthdays wishes to Councilors Bitzas and Cavallo. The next meeting will be busy with the State of the City by the Mayor along with two Public Hearings and regular business.

Item M. Adjournment.

The Motion to adjourn was moved and seconded around the house. Meeting was adjourned at 7:35pm.

1st Reading 1/7/19
2nd Reading 1/22/19
approved

approved

TOR-2018-17

AN ORDINANCE TO AMEND CHAPTER 49 OF THE CODE OF THE TOWN OF AGAWAM REGARDING CAMERA AND AUDIO OPERATORS


(Sponsored by Mayor William P. Sapelli)

TR-2019-1

A RESOLUTION CONFIRMING THE APPOINTMENT OF GLADYS L. FERNANDEZ-LARGAY, M.D., 187 EDGEWATER ROAD, AGAWAM, MA 01001 TO THE BOARD OF HEALTH TO A TERM EXPIRING THE FIRST MONDAY IN FEBRUARY, 2022

WHEREAS, the term of Gladys L. Fernandez-Largay, M.D., on the Agawam Board of Health has expired; and
WHEREAS, in accordance with Chapter 111, § 26, the appointee must be a physician; and
WHEREAS, the Mayor has reappointed Gladys L. Fernandez-Largay, M.D., 187 Edgewater Road, Agawam, MA to the Board of Health to a term expiring the first Monday in February, 2022;
NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves to confirm the appointment of Gladys L. Fernandez-Largay, M.D., 187 Edgewater Road, Agawam, MA 01001 to the Board of Health to a term expiring the first Monday in February, 2022.

DATED THIS 22nd DAY OF January, 2019

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher Johnson, President, Agawam City Council

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buñicanti, Solicitor

Org- Clerk
cc - Council
cc - Mayor
cc - Health

WHEREAS, the City Council/School Committee Camera & Audio Personnel is a listed position under the City of Agawam Code §49-7(C)(10) (Part time positions with a salary calculated by the year); and

WHEREAS, §49-7(C)(10) states: "City Council/School Committee camera and audio personnel: \$549.45 per year plus \$60 for the first three hours of extra work and \$15 for each additional hour after that, but not to exceed the amount of \$2,000 per fiscal year"; and

WHEREAS, it is the Town's intention to increase the utilization of the above described personnel beyond just City Council and School Committee hearings and to increase content on the Town's television channel, website, and other sources of social media with additional noteworthy events and/or hearings; and

WHEREAS, The Town of Agawam Data Processing Department recommends that the Camera & Audio Operator positions be compensated for a minimum of three hours for all events requiring their services due to the preparation time with the equipment before and after the event; and

WHEREAS, The Town of Agawam Data Processing Department recommends that the Camera & Audio Operator positions be compensated at a minimum rate of \$60.00 (sixty dollars and zero cents) for the first three hours of the event where services are performed and \$20.00 (twenty dollars and zero cents) for each additional hour thereafter; and

WHEREAS, the proposed compensation rate will allow the Town of Agawam to hire and retain Camera and Audio Personnel who run the audio and visual equipment; and

WHEREAS, the Agawam City Council has the authority amend the Code of the Town of Agawam.

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves and ordains to amend Chapter 49 of the Code of the Town of Agawam Code by:

Org- Clerk
cc - Council
cc - IT dept
cc - Quatrus
cc - Personnel
cc - Treasurer

Also approved license/permit TO-2019-1 through TO-2019-11 (not including TO-2019-4)