

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

Minutes dated June 17, 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 – 8 PRESENT, 3 ABSENT

Roll Call was taken with the following councilors present: George Bitzas, Council Vice President Cecilia Calabrese, Paul Cavallo, Council President Christopher Johnson, Robert Magovern, Dino Mercadante, Rosemary Sandlin and Anthony Suffriti. Councilors Gina Letellier, Joseph Mineo and Robert Rossi were absent. Council President Johnson noted that Councilor Mineo was on his way and would arrive shortly. Councilors Letellier and Rossi were home recovering. With eight present, there was a quorum. Councilor Mineo arrived at 7:01pm.

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

The following people spoke about the FY20 budget:

Danielle Wagoner – Oak Hill Avenue
Jill Simpson – 24 Pleasant Valley Road
Marjorie Savoie - 374 Meadow Street
Christin Wilson – 59 Maynard Street
Tara Witte – 418 Meadow Street
Austin Kimball – 110 Parkview Drive
Barbara Goyette – 330 North Street
Shelley Borgatti-reed – 10 Shelley Lane
Mary Bonavita – 8f Castle Hills Road
Debbie King – 40 Mountainview Street
Linda DeGray – 337 South Street
Wendy Rua – 173 North Westfield Street
Anthony Bonavita – 683 Cooper Street
Jocelyn Foti – 1 Rising Street
Kerri O'Connor – 15 Clematis Road
William Clark – 26 High Meadow Road
Sarah White – 117 Paul Revere Drive

Item D. Minutes

1. Regular Council Meeting – June 3, 2019

Motion to approve the minutes was moved by Councilor Magovern and seconded by Councilor Cavallo. Voice vote approved.

Item E. Declaration from Council President

None.

Item F. Presentation of Resolutions

1. TR-2019-41 - A Resolution adopting the Fiscal Year 2020 Annual Operating Budget for the Town of Agawam (Mayor Sapelli) (Tabled 6/3/19)

Motion to take the item off the table made by Councilor Sandlin and seconded by Councilors Cavallo and Magovern. Voice vote approved. Motion to approve made by Council Vice President Calabrese and seconded by Councilor Bitzas. Discussion began with Councilor Bitzas who thanked all the speakers for coming tonight. He responded to one of the speakers who asked if the Council did their homework and Councilor Bitzas said yes, he did do his homework. He noted that small cuts don't affect the taxes too much but they do affect the schools. Education is very important to him. Councilor Mercadante appreciated everyone's concern and wanted to be crystal clear that the Council's intent was not to hurt anyone. All departments need proper funding however each councilor is sworn to represent the entire town. 26.4% of the town's population is over 60 years old. The City Council needs to do what's best for the entire town and funds are limited – not limitless. Councilor Bitzas made the Motion to go into Committee as a Whole to continue to hear from the Mayor, the Superintendent and people. His Motion was not seconded. Council Vice President Calabrese stated that she would like to see the Police Department locker room not carried forward. Councilor Sandlin supported that item being closed out. It would put \$136,000 back into the budget. Council President Johnson explained that this item was carried forward from FY18 budget and to date is still unspent – it cannot be cut – just noted. Councilor Bitzas made a Point of Information that he wanted it known he did not support a new police station and City Hall complex but did support Council Vice President's statement.

Amendment #1

Council President Johnson made the Motion to cut \$100,000 from Line #16602 52425 entitled "Stormwater Management" located in the Line Items Section (Tab 30) of the FY20 Operating Budget. This would reduce the amount from about \$225,000 to \$125,000 which should be sufficient. The Motion was seconded by Council Vice President Calabrese and Councilor Mercadante. Council President Johnson stated that in all his years in all his areas he has served the town, this year he's heard the largest outcry from residents about increases in taxes. As the budget currently sits, it represents a 2 ½ % increase in the tax levy. With the recent passage of the local Meals Tax option, the town looks to receive \$200,000 - \$250,000 in FY20 and nearly \$500,000 - \$600,000 the following fiscal year. This should help offset some of the tax levy. He is trying to be receptive to everyone. The budget is the primary responsibility of the City Council and we must remember what happens this evening will take effect six months from now when the tax factor has to get voted on. Councilor Bitzas stated this made sense and agreed.

The vote was **9 YES, 0 NO, 2 ABSENT** (Councilors Letellier and Rossi) approving the amendment.

Amendment #2

Councilor Cavallo made the Motion to take \$157,400 from Line #16610 58441 entitled Parks & Recreation Shea Field Parking Lot located in the Capital Improvement Section (Tab 31) of the budget. Motion was seconded by Councilors Sandlin and Magovern. Councilor Cavallo said it is simply putting it off for a year by taking it out of this year's capital improvement line item. Councilor Bitzas asked how this would affect the Park & Recreation budget. Council President Johnson said the line item was to pave the parking lot and doesn't affect the Park & Rec budget at all.

The vote was **9 YES, 0 NO, 2 ABSENT** (Councilors Letellier and Rossi) approving the amendment.

Amendment #3

Councilor Sandlin made the Motion to cut the sum of \$250,000 from the Agawam Public Schools appropriation (Tab 28) of the fiscal year 2020 budget. The Motion was seconded by Council Vice President Calabrese. Councilor Sandlin said this cut represents only one quarter of one percent and noted the City Council needs to be responsible to all the citizens of Agawam not just the schools. She emphasized her value of education but reemphasized the need to be responsible to all residents. Councilor Magovern thanked all the teachers for coming this evening and for speaking.

Be assured that he is 100% in favor of education and comes from a family of teachers. He is a firm believer of education however he supports this cut and feels it can be done without hurting the teachers. If he thought for one minute that it would impact a teacher then he wouldn't support it in any way, shape or form. Councilor Mineo agreed with the cut as well noting that especially after approving the Meal Tax option, this cut wouldn't affect the schools and would basically be a wash. Councilor Bitzas argued that if you supported education then you wouldn't cut the budget – any cuts will hurt the school system. Like you said, it is such a small percent, then why cut it? It won't even be noticed by the taxpayers. He felt it was a political maneuver and would not tell everyone how to vote but \$250,000 is nothing in such a big budget – it is a fraction of a penny – so why cut it? Councilor Cavallo agreed with his colleagues stating that there was room to cut in this budget. The Mayor won't cut teachers – there are always places to cut and the school budget is the biggest part of the operating budget. He empathizes with the teachers who spoke this evening but we have to also think of the town side and the entire town. He has concerns with the school budget this year.

The vote was **8 YES** (Councilors Calabrese, Cavallo, Johnson, Magovern, Mercadante, Mineo, Sandlin and Suffriti), **1 NO** (Councilor Bitzas), **2 ABSENT** (Councilors Letellier and Rossi) approving the amendment.

The vote for the main Motion *as amended* was **9 YES, 0 NO, 2 ABSENT** (Councilors Letellier and Rossi) adopting the Fiscal Year 2020 Operating Budget *as amended*.

2. TR-2019-45 - A Resolution authorizing the reservation and appropriation of funds from the Community Preservation Fund (CPA)

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

The vote was **9 YES, 0 NO, 2 ABSENT** (Councilors Letellier and Rossi) approving the item.

Item G. Report of Council Committees

None.

Item H. Elections

None.

Item I. Public Hearings

None.

Item J. Old Business

None.

Item K. New Business

1. TR-2019-46 - A Resolution confirming the reappointment of Kenneth Largay, 187 Edgewater Road, Agawam, MA to the Agawam Liquor License Commission to a term expiring the first Monday in June, 2024 (Mayor Sapelli)

Next Agenda.

2. TR-2019-47 - A non-binding Resolution encouraging the Mayor to enhance spending for road and sidewalk repairs with Local Option Meals Tax funds (Councilors Bitzas and Johnson)

Next Agenda.

3. **TR-2019-48 - A Resolution authorizing the adoption of Orders of Taking for the Feeding Hills Right-of-Way Project under the authority of Section 14 of Chapter 40, Chapter 79 and Chapter 84 of the Massachusetts General Laws for the construction and maintenance of Mass DOT Project #600513: Transportation Improvement Project South Westfield Street (Route 187) (Mayor Sapelli)**

Next Agenda.

4. **TR-2019-49 - A Resolution confirming the appointment of Mary Lee Bertrand, BSN, 926 North West Street, Feeding Hills, MA. to the Board of Health to an unexpired term expiring the first Monday in February, 2022 (Mayor Sapelli)**

Next Agenda.

5. **TO-2019-25 - Budgetary transfer of \$58,395.29 from DPW Ice Control Materials (#14203-52210) and \$66,366.62 from DPW Snow & Ice Overtime (#14201-51031) for a total transfer of \$124,761.91 to Equip Rentals – Snow 14202-52071) (Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

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

Councilor Suffriti thanked everyone on the Council for the small debate and the efforts to keep everyone fiscally responsible. He thanked everyone for their mindfulness. Councilor Mercadante also thanked the City Council for trying to do the right thing for the residents of Agawam.

Item M. Adjournment.

The Motion to adjourn was moved and seconded around the house. Meeting was adjourned at 8:07pm.

Approved as amended

TR-2019-41

A RESOLUTION ADOPTING THE FISCAL YEAR 2020 ANNUAL OPERATING BUDGET FOR THE TOWN OF AGAWAM

WHEREAS, Under the provisions of Chapter 44, Section 32 of the Massachusetts General Laws and Section 5-1 of Article 5 of the Agawam Home Rule Charter, the proposed FY2020 Annual Operating Budget was submitted on May 9, 2019; and

WHEREAS, Under the provisions of Section 5-2(a) of Article 5 of the Charter, a public hearing on the proposed annual operating budget was held on June 3, 2019, notice thereof having been published in one issue of a newspaper of general circulation in the Town of Agawam more than fourteen (14) days before such hearing; and

WHEREAS, It is in the best interests of the Town of Agawam to adopt the attached Fiscal Year 2020 Annual Operating Budget; and

NOW THEREFORE, THE AGAWAM CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

- That pursuant to the provisions of Chapter 44 of the Massachusetts General Laws and Article 5 of the Agawam Home Rule Charter, the Annual Operating Budget for Fiscal Year 2020 which begins July 1, 2019 a copy of which is attached hereto and incorporated herein by reference, is hereby adopted, and the several sums therein set forth to be raised by the levy of a tax upon all taxable property within the corporate limits of the Town of Agawam, Massachusetts, all other funds and receipts are hereby appropriated for the several purposes therein stated.
- The Fiscal Year 2020 Annual Operating Budget is adopted according to the departmental and line item categories contained therein. Said adoption allowing administrative transfer of funds from any line item within any category of any departmental or the line item budget to any other line item within the same category of the same departmental or line item budget.
- There is hereby appropriated in the Line Item - Contributory Retirement an appropriation to the credit of the Hampden County Retirement Board to satisfy the Town of Agawam's share of the Pension and Expense Credit Funds.
- Consideration has been given for anticipated receipt of funds from the Commonwealth of Massachusetts for street reconstruction purposes as set forth in the Highway portion of the budget which is attached hereto.

*copy - to City Council
cc - Auditor
cc - Treasurer
cc - Auditor*

Police Department	\$ 6,107,196
Fire Department	\$ 4,248,806
Inspection Services	\$ 313,956
Health Department	\$ 762,972
Community Development	\$ 197,117
Library	\$ 1,117,015
Parks & Recreation	\$ 231,452
Council on Aging	\$ 436,707
DPW Administration	\$ 129,435
Highway & Grounds	\$ 2,374,052
Motor Vehicle Maintenance	\$ 539,375
Engineering	\$ 219,189
Building Maintenance	\$ 4,180,591
Agawam Public Schools	\$ 46,405,771 -- \$ 2,500,000
Emergency Management	\$ 40,381
Line Items	\$ 25,433,649 -- \$ 100,000
TOTAL - GEN. OPERATING BUDGET	\$ 95,033,600 <i>(10,602 - 5425)</i>
CAPITAL IMPROVEMENT BUDGET	\$ 1,831,400 <i>(1674,000 - 187,400)</i>
TOTAL GENERAL FUND	\$ 96,865,000 <i>(16,317,400)</i>
SELF SUSTAINING DEPARTMENTS	
Wastewater Department	\$ 3,893,043
Wastewater Capital Improvement Budget	\$ 47,174
TOTAL - WASTEWATER	\$ 3,940,217
Water Department	\$ 5,326,704
Water Capital Improvement Budget	\$ 204,750
TOTAL - WATER	\$ 5,531,454
Golf Course	\$ 620,783
Golf Course Equipment	\$ 0
TOTAL - GOLF	\$ 620,783
TOTAL - SELF SUSTAINING DEPTS	\$ 10,092,454

- In addition to any specific appropriation, revolving, gift and grant funds are hereby established under Massachusetts General Laws Chapter 40, S 3 and Chapter 44 S 53A, S 53D and S 53 E1/2 for the fiscal year beginning July 1, 2019, with the specific receipts credited to each fund, the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year, as described in Exhibit A.
- There is hereby appropriated all money from the Commonwealth of Massachusetts, the United States of America, as well as, from any grants or donations received for public purposes.
- There is hereby appropriated all money received from the interest income on short term investments including the interest earned on funds in interest bearing bank accounts.
- That the Assessor use not more than \$3,500,000 of "Certified Free Cash" to reduce the Fiscal 2020 Tax Rate.
- The Agawam City Council hereby resolves, authorizes and appropriates \$18,456 from the Wastewater Retained Earnings, account 22500-31510 to fund a balance appropriations account 22510-48500 and \$1,124,646 from the Water Retained Earnings, account 60100-31510 to Fund Balance Appropriations, account 60110-48500.
- The Fiscal Year 2020 Annual Operating Budget for the Town of Agawam is hereby adopted as follows:

GENERAL OPERATING BUDGET

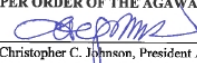
Council	\$ 175,866
Mayor	\$ 349,020
Administration Building	\$ 192,485
Law Department	\$ 166,500
Auditor	\$ 167,333
Clerk/Elections	\$ 252,996
Assessor	\$ 294,521
IT Department	\$ 344,282
Treasurer/Collector	\$ 375,703


TOTAL - ALL DEPARTMENTS \$ 1,069,777,514

- There is hereby levied upon all taxable property within the corporate limits of the Town of Agawam, Massachusetts upon each dollar of assessed value thereof, taxes in an amount to be determined.
- The following available funds are transferred/appropriated for use in the Fiscal Year 2020 Annual Operating Budget to help reduce the tax burden:

Ambulance Fees	\$ 160,788
Police Outside Detail Administrative Revenue	\$ 110,000
- Authorize the Western Hampden District Veteran's Service to exceed its assessment limitation by \$3,322.00 (Agawam's share) pursuant to Massachusetts General Laws, Chapter 59, Section 20B.

Dated this 17th day of June, 2019.

PER ORDER OF THE AGAWAM CITY COUNCIL

 Christopher C. Johnson, President Agawam City Council

APPROVED AS TO FORM AND LEGALITY

 Stephen Bironicanti, City Solicitor

MAYORAL ACTION

Received this 18th day of June, 2019 from Council Clerk.
Signed by Council President this 17th day of June, 2019.

APPROVAL OF LEGISLATION

By the powers vested in me pursuant to Article 3, Section 3-6 of the Agawam Charter, as amended, I hereby approve the passage of the above legislation on this 18th day of June, 2019.

William P. Sapelli
William P. Sapelli, Mayor

DISAPPROVAL OF LEGISLATION

By the powers vested in me pursuant to Article 3, Section 3-6 of the Agawam Charter, as amended, I hereby veto the passage of the above legislation on this _____ day of _____, 2019 for the following reason(s):

William P. Sapelli, Mayor

RETURN OF LEGISLATION TO COUNCIL CLERK

Returned to Council Clerk this 18th day of June, 2019.

approved

TR-2019-45

A RESOLUTION AUTHORIZING THE RESERVATION AND APPROPRIATION OF FUNDS FROM THE COMMUNITY PRESERVATION FUND

WHEREAS, the voters of Agawam chose to form a Community Preservation Committee, and

WHEREAS, one of the Community Preservation Committee's requirements is that it reserves funds for specific uses under the Community Preservation Act;

WHEREAS, the Community Preservation Committee has recommended that \$59,082.14 should be reserved for Open Space from the Community Preservation Fund estimated annual fund revenue for fiscal year 2020

WHEREAS, the Community Preservation Committee's has recommended that \$59,082.14 should be reserved for Historic Resources from the Community Preservation Fund estimated annual fund revenue for fiscal year 2020

WHEREAS, the Community Preservation Committee's has recommended that \$59,082.14 should be reserved for Community Housing from the Community Preservation Fund estimated annual fund revenue for fiscal year 2020

WHEREAS, the Community Preservation Committee's has recommended that \$29,541.07 should be appropriated for Administrative Expenses from the Community Preservation Fund estimated annual fund revenue for fiscal year 2020

WHEREAS, the Community Preservation Committee's has recommended that \$384,033.91 should be reserved for Budgeted Reserve from the Community Preservation Fund estimated annual fund revenue for fiscal year 2020

NOW THEREFORE, BE IT RESOLVED BY THE AGAWAM CITY COUNCIL that funds from the Community Preservation Fund estimated annual fund revenue For Fiscal Year 2020 shall be reserved as follows:

- \$59,082.14 reserved for Open Space;
- \$59,082.14 reserved for Historic Resources;
- \$59,082.14 reserved for Community Housing;
- \$29,541.07 reserved for Administrative Expenses
- \$384,033.91 reserved for Budgeted Reserve

Distribution
Org. TH CR
CC - Council
CC - CPA
CC - Auditor
CC - Treasurer

⌚ Dated this 17th day of June, 2019

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson
Christopher C. Johnson, City Council President

APPROVED AS TO FORM AND LEGALITY

Stephen Buoniconti
Stephen Buoniconti, City Solicitor

CERTIFIED AS TO FUNDS AVAILABILITY

Cheryl St. John
Cheryl St. John, Auditor