

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

Minutes dated July 13, 2020

Meeting was called to order by Council President Johnson at 7:01pm via remote telephone conference as well as in person sitting 6-10 feet apart as required by Governor Baker. Per Governor Baker's order suspending certain provisions of the Open Meeting Law, M.G.L. Chapter 30A, Section 20, the public is not allowed to physically access this meeting. Because of a Zoning Board of Appeals scheduling issue and related advertised public hearing notices, The City Council meeting would be held in the Veterans' Hall at the Agawam Senior Center. Members of the public would be able to access the meeting on Cable Access Channel 15 and on the town website as soon as practicable.

Item A. Roll Call

ROLL CALL – 11 PRESENT, 0 ABSENT

Roll Call was taken with the following councilors both physically and remotely present: Cecilia Calabrese, Paul Cavallo, Christopher Johnson, Gina Letellier, Dino Mercadante, Robert Rossi, Rosemary Sandlin, Gerald Smith, Anthony Suffriti and Mario Tedeschi. Councilor Bitzas was out of town. With ten present, there was a quorum.

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

There was a moment of silence and the Pledge of Allegiance led by Councilor Rossi.

Item C. Citizen's Speak Time

*SUSPENDED *

Only electronically submitted comments from members of the public that are received prior to the meeting will be read into the record of the meeting. There were three emails were read into record.

An email from Corinne Wingard, 194 Elm Street read as follows: "Agawam spoke about the need for rental and mortgage assistance in Agawam. Only 13 households from Agawam applied to Wayfinders for RAFT rental or mortgage assistance during COVID through June 24, 2020. This is of great concern because a recent Metropolitan Area Planning Council study found that 494 Agawam households need assistance in an estimated amount of \$432,383 (<https://www.mapc.org/planning101/update-the-covid-19-layoff-housing-gap/>). These Agawam residents are in danger of losing their homes when the moratorium, on evictions and foreclosures ends August 18, 2020 if they do not get help. Rental and Mortgage Assistance is available through two state programs, RAFT, which assists households with incomes up to 50 % of the Area Median Income, and the newly created ERMA, which assists households with incomes up to 80% of the Area Median Income. Both are administered by Wayfinders and both look at current income. Since one reason there have been so few applications from Agawam to Wayfinders may be that people are not aware of the program, or know that they may qualify for help, I am asking you as our City Council to work with the Town Administration to publicize this to get the word out to those who may need help. Some possibilities include putting flyers in with school lunch distribution and any communications sent out by the town, posting flyers at public locations, and asking the Parish Cupboard to help. Also robo calls, and a post and possible interview on our cable TV with a representative of Wayfinders. Another possibility would be to reach out to landlords in town to get information to their tenants. 20,000 evictions in Massachusetts are predicted by the Housing Court system and landlord advocates when the moratorium ends. The Cares Act Unemployment supplement ends July 30, 2020, and it is uncertain how or if it will be replaced. The need is immense and there is great concern among housing advocates that there will not be sufficient funds to help all. A growing number of communities in Massachusetts are creating local emergency rental assistance funds through Housing Trusts, CPA funds, CBDG, and private donations. As of January 22, 2020, Agawam had \$806,667.40 in Community Housing, and \$1,434,673.25, in the Unreserved Fund Balance which can be used for emergency rental assistance for households

earning up to 80% of the Area Median Income. So I also ask you to work with the administration to create a local emergency rental assistance program for Agawam people who need help, so they can safely stay in their homes.”

The next email was submitted by Will Clark, 26 High Meadow Road, Feeding Hills. It read: “Today, Agawam City Council is voting to spend \$187,500 for new Golf Carts for the Municipal Course. First Time this appropriation has been brought up at Any City Council meetings. First Time on the Agenda. Should take One month of press and meetings, not one day. Two Weeks ago, the Council approved the Fiscal Budget. Golf Carts are not in the Fiscal Budget or in the 5 year Capital Plan proposed by mayor and approved by Council. With no plan, how did the Carts evolve in 2 weeks? With Covid19 shutting down work, schools and businesses; Agawam has seen lost revenue in Motor Vehicle excise Tax, Meals Tax, Dog licenses, permits, property tax. State Revenue to Agawam is also down, Less School Aid, Lottery Revenue, and MGM may not pay the \$100,000 owed to Agawam. In Nov, Agawam may have a \$10million to \$20 Million budget shortfall to fund; there could be massive layoffs. Next Fiscal Agawam may not have the \$15 million in Stabilization money to avoid massive layoffs of teachers, fire, police, DPW. Agawam Municipal did not pay back the \$285,000 for 2014 for the new golf carts. even though the money was owed to the Agawam Tax Payer. These golf carts had a 5 yr service agreement which kept the golf carts in Great working order. A Golf Cart is worth \$1000 on trade in, these well maintained carts are going to receive \$2325 for trade in. Times the 66 carts. Over \$156,000. These 66 Carts cost \$11,000 a year to maintain in 2020. Cost could increase next year. The New Golf Carts are going to cost **\$35,355** per year in payments with a 5 year service agreement. Agawam will see an increase of \$25,355 per year in expenses when taking \$11,000 in maintenance from the \$35K payment. For the golf carts with the payments starting in 2021. Carts will be delivered Aug 17th 2020. A new Verizon Cell Tower installed in a couple of months will bring \$21,600 in revenue to the Agawam general fund, not the golf course. Golf Cart revenue for the course is \$220,000. The \$35,355 is 16% of the \$220,000 in revenue. The Carts should use the Golf Cart Revenue to pay for the new Carts. Not the Verizon revenue, which should go to the Town of Agawam, b/c in 2014 Agawam tax Payers spent close to \$600,000 in expenses to fix the Golf Course that was poorly managed financially by the past Golf Pro. The new Golf Pro took over a course that was greatly improved. We need to run the course like an Enterprise Fund, not a slush fund as run under the former mayor and golf pro. Send the Verizon Revenue to the General Fund, to pay back the money owed by the Golf Course. Use the Cart revenue to pay for the new Carts. Or, untable Phase II sewers for South West Feeding Hills that would generate revenue to pay for the \$10 million to \$20 Million budget shortfall.”

The third email from Dave Fleury: “Dear City Council Members, On behalf of the ownership groups of Crestview Country Club, Oakridge Golf Club, and St. Anne Country Club we would like the following concerns/objections read into the record under the Citizens Speak Comments regarding the Emergency Preamble TR-2020-54 being considered under new business at the July 13, 2020, Agawam City Council Meeting. While we appreciate and understand that many of the town councilors feel obligated to continue subsidizing the Agawam Municipal Golf Course, we firmly believe it is in complete contradiction of a City Counselor’s first duty, which is to represent all town citizens and therefore, the best interests of the town as a whole. This emergency preamble states that it is in the best interest of the Town of Agawam to assist the municipal golf course. Considering the fact that there are three other privately held and family run golf courses owned by Agawam citizens, why, would it become in some way more of an interest to assist a municipal golf course than the other three publically accessible golf courses in town. Furthermore, this proposal sponsored by Mayor William Sapelli states that TR-2020-54 “will provide much needed relief with the immediate replacement of the entire golf course fleet.” We would question why after previously purchasing golf carts, brand new, no more than 5 years ago with taxpayer money (that was never repaid) with a commensurate service agreement during that entire period, there would be an immediate need of an entire golf cart fleet replacement. Many of the carts at the three other golf courses in the Town of Agawam are older than the carts that are currently at the municipal golf course, and each of our three facilities maintains and operates them without a professional maintenance contract in place with no apparent issue. The way most golf courses (which are not subsidized by the taxpayers) keep carts in good working order is to stagger retirement in multiples of 5 by trading them in for newer vehicles. To suggest the fact that the entire golf cart fleet (again less than five years old and that have been maintained under a professional contract), needs to be retired in full, seems to be absurd. Additionally, to consider this proposal to be an emergency need during the current COVID crisis with the future unknown, and certainly the Town Budget and tax revenues in limbo, would seem to us to be short-sited and of self-interest to those involved with the Municipal Golf Course. Over approximately the last 5 years, the golf course has been “loaned” almost \$600,000 with the initial publicized concept that those monies would be repaid to the Town coffers, but in fact they were never intended to be repaid and after 2

years were forgiven by the Town of Agawam. For this agenda item to be derived out of thin air this past Thursday as an emergency need and put on the Town Council agenda as new business with no time or possible allowance of appropriate public discussion and debate, is at a minimum unfair to the citizens of Agawam and the other tax paying, family-owned and operated Golf Courses in the Town. The idea that the town would continue to take money from the taxpayers to subsidize the golf course during a financial crisis and the concept that the money for the cell tower will fund the golf cart purchases is illogical. While the cell tower sits on the property that the golf course is situated upon, it is town land and owned by the tax payers; accordingly, the funds will be put into the General Fund of the Town. There is no direct association between the cell tower revenue and how that revenue impacts the golf course finances. To add insult to injury, the town taxpayers have already fully funded golf carts at the municipal course; the carts that are now being replaced. As you can surmise the value of the carts in “disrepair” belong to the taxpayers. As three of the largest landowners, taxpayers, and employers in the Town of Agawam, we would revel to receive such financial gifts from the Town especially considering the fact that the Town pays no tax dollars on the land at the Agawam Municipal Golf Course. Finally, any taxpayer considering the most important way to spend taxpayer dollars would have to wonder why the Town of Agawam would continue to own and operate a golf course while there are 3 other family-owned golf courses in the same Town. Most municipal golf courses are maintained by a town to meet an underserved community need. Certainly in the case of Agawam there is not an underserved need in regards to the game of golf. City Councilors, thank you in advance for your appropriate and due consideration and doing what is truly best for all of the taxpayers of Agawam. The Town Council needs to take a stand and do what is fiscally responsible for the Town of Agawam. Signed Crestview Country Club, Oak Ridge Golf Club, and St. Anne Country Club”

Item D. Minutes

Council President asked if the Council wished to take these five meeting minutes in a lump sum or individually. A voice vote was taken on the meetings in their entirety with a Motion to approve made by Councilor Cavallo and seconded by Councilor Smith. It was voice vote unanimous approving each of the following meetings.

1. Special Council Meeting – March 23, 2020

Voice vote approved.

2. Special Council Meeting – April 2, 2020

Voice vote approved.

3. Regular Council Meeting – April 21, 2020

Voice vote approved.

4. Regular Council Meeting – May 4, 2020

Voice vote approved.

5. Regular Council Meeting – May 18, 2020

Voice vote approved.

Item E. Declaration of Council President

None.

Item F. Presentation of Resolutions

1. TR-2020-48 - A Resolution accepting a gift of an Outdoor Clock and Temperature Display Unit from the Agawam Lions Club (Mayor Sapelli)

Motion to approve made by Councilor Mercadante and seconded by Councilors Letellier and Calabrese. Council President Johnson stated for the public's information the Lions Club has agreed to donate a clock and temperature unit to go on the School Street Park pavilion. Councilor Mercadante asked what the approximate cost to install this would be and Council President Johnson stated there shouldn't be an outside cost as it would be installed by one of our town employees during regular working hours. Councilor Rossi asked why this being placed at School Street Park was – wouldn't there be other places it could go? Council President Johnson stated that that is where the Lions Club wanted it to go. The estimated cost of the unit is under \$3,000.

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

2. TR-2020-49 - A Resolution appropriating from the Community Preservation Fund and authorizing the expenditure of Community Preservation Funds (\$14,720.00) for the rehabilitation of Borgatti Field (CPA)

Council President Johnson said during the Agenda Review, the Mayor asked that this item be tabled as the CPA Committee has not been able to hold meetings due to technical and scheduling issues. Motion to table made by Councilor Sandlin and seconded by Councilor Suffriti.

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

Item G. Elections

None.

Item H. Public Hearings

None.

Item I. Old Business

1. TO-2020-15 - A Budgetary Transfer (\$50,000.00) from Reserve Fund (#16605-57300) to Building Maintenance Elec & Heat (#11922-52110) (Mayor Sapelli)

Motion to approve made by Councilor Rossi and seconded by Councilor Tedeschi. Councilor Tedeschi asked "as the new guy" why is this needed and why wasn't it budgeted? Council President Johnson explained that figures are based on last year's usage so the budget was underestimated. Councilor Suffriti thought this item had been cut last year. Councilor Mercadante corrected him saying that was two years ago that this budget line item was cut. Councilor Sandlin said that next year they will base this budget on what they had and what they've got. They should probably take this under consideration.

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

Item J. New Business

1. TR-2020-50 - A Resolution confirming the reappointment of Vincenzo Ronghi, 55 Avalon Place, Feeding Hills, MA 01030 to the Agawam Liquor License commission to a term expiring the first Monday in June 2025 (Mayor Sapelli)

Next Agenda.

- 2. TR-2020-51 - A Resolution confirming the reappointment of Daniel Michael, 84 Pineview Circle, Agawam, MA 01001 to the Agawam Municipal Golf Commission for a term expiring on December 31, 2020 (Mayor Sapelli)**

Next Agenda.

- 3. TR-2020-52 - A Resolution authorizing the appropriation of Thirty One Thousand and Eight Hundred Ninety Five Dollars and Zero Cents (\$31,895.00) from the Energy Management Project Stabilization Fund for electric motor vehicle charging stations (Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

- 4. TR-2020-53 - An Emergency Preamble for TR-2020-54 for the appropriation and authorization to enter into a lease purchase agreement in the amount of One Hundred and Eighty Eight Thousand and Five Hundred and Sixty Three Dollars and Twenty Cents (\$188,563.20) to pay costs of the purchase of Club Car golf carts from Country Club Enterprises for the Agawam Municipal Golf Course (Mayor Sapelli)**

Motion to approve the Emergency Preamble made by Councilor Tedeschi and seconded by Councilor Cavallo. Councilor Suffriti asked what qualifies this resolution for recreational golf carts as an emergency for our residents. Council President Johnson said quite frankly that it was so we wouldn't have to call a Special Meeting to vote on this one item. Councilor Sandlin said we shouldn't do that and should be following protocol. She would not be voting for the emergency. Councilor Letellier agreed that it was not an emergency. We would need time to look into this item and figure out how it affects budgets. Councilor Smith believed it was an emergency because of the timing of the trade-in carts and lease pricing. Councilor Rossi agreed it should be moved to the next Agenda as it appears to be more of a convenience than emergency.

The vote was **4 YES** (Councilors Cavallo, Johnson, Smith and Tedeschi), **6 NO** (Councilors Calabrese, Letellier, Mercadante, Rossi, Sandlin and Suffriti) and **1 ABSENT** (Councilor Bitzas) defeating the Emergency Preamble.

- 5. TR-2020-54 - A Resolution to appropriate and authorize a Lease Purchase Agreement in the amount of One Hundred and Eighty Eight Thousand and Five Hundred and Sixty Three Dollars and Twenty Cents (\$188,563.20) to pay costs of the purchase of Club Car golf carts from Country Club Enterprises for the Agawam Municipal Golf Course (Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

- 6. TOR-2020-4 - An Ordinance to amend Section 49-7(D) of the Code of the Town of Agawam by adding Law Department Clerk (Mayor Sapelli) (Two Readings Required)**

Referred to Legislative Committee, next Agenda.

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

Councilor Sandlin discussed the letter about the signalization at Suffield and Silver Streets. It is a very dangerous intersection and wondered if there would be any consideration about this? Council President Johnson reminded her that when that letter came in, it was immediately forwarded to the Mayor who got the ball rolling. Councilor Sandlin then asked a second question is to the Mayor since that road was upgraded by a state grant, can we ask the state to appropriate money to get this done. Councilor Cavallo added that this problem has been going on for quite some time and we need to approach the State Department of Public Utilities because it is a state road. Council President Johnson corrected him that that is NOT a state road. At this point, the Town Engineer is researching the two options to see if the existing equipment can be upgraded to allow for this and if no, then we need to get this in the queue to get this done. She wanted to know how long this would take because winter is coming. Council President Johnson stated we would send a reminder out to the Mayor to get more information. Councilor Suffriti said the town is looking great

with all the construction projects being completed. Traffic seems to be flowing smoothly although school has not been in session. It is nice to see our infrastructure coming together to provide some relief. Councilor Cavallo relayed the message from his recent dinner visit to Murphy's. The owner asked him to convey his gratitude and cooperation of the City Council and appreciates that the Mayor and Council did to get them going. Councilor Tedeschi welcomed our new Assessor Carolyn Reed and wished her well. He did not know Councilor Mineo very well but added that his service was quite touching and there were so many nice stories said about him. One of the reasons, Councilor Tedeschi became a City Councilor was to increase the business and industrial front as well as the sewer issues in town. He would like to sit with any councilors interested in helping him understand the background of the sewer issues. Councilor Rossi echoed the sentiments about Joe Mineo and how dedicated he was - he will be sorely missed. He also stated that when he addressed the intersection of Suffield and Silver Streets years ago it was an issue of timing of those lights. At that time, they would have had to get that light timing changed and that might adversely affect the traffic flow through there. Councilor Cavallo stated that it is an accident waiting to happen there. Councilor Rossi said that was his point that the timing is a real issue – add a pedestrian light and then that would stop traffic all four ways and cause more issues. Council President Johnson said last week was such a tough week for us all with the passing of Joe Mineo. Many of us served with him for the better part of two decades of the continuous service he spent on the Council. He will be missed by all of Agawam. He was a special person, a committed family man and cared so much about the community that he called home for the last 30+ years of his life. Our condolences go out to his wife Anna and their children. He will be greatly missed. Council President Johnson echoed Councilor Cavallo's words about local restaurants and they've expressed gratitude that the Mayor and Building Inspector got them to open as quickly as possible. Councilor Suffriti asked about a dedication for Councilor Mineo and Council President Johnson acknowledged that he has had a couple conversations and can discuss thoughts for something that was very close to Joe's heart.

Item M. Adjournment

Motion to adjourn moved and seconded all around. Meeting was adjourned at 7:40pm.

Please note that this meeting will be recorded and be available on the town's website (www.agawam.ma.us) as soon as practicable

TR-2020-48

Approved

A RESOLUTION ACCEPTING A GIFT OF AN OUTDOOR CLOCK AND TEMPERATURE DISPLAY UNIT FROM THE AGAWAM LIONS CLUB

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Agawam Lions Club is a long standing charitable foundation within the community; and

WHEREAS, the Agawam Lions Club has generously offered to purchase and donate to the Town of Agawam a Datatime DF-1012 clock and temperature display unit; and

WHEREAS, the cost of the unit is approximately \$2,950.00; and

WHEREAS, the unit will be attached to the pavilion at School Street Park; and

WHEREAS, the Town will be in charge of installing the unit; and

WHEREAS, the Town of Agawam and the Parks and Recreation Department desire to accept said gift from the Agawam Lions Club; and

WHEREAS, it is in the best interests of the Town of Agawam to accept said gift.

NOW THEREFORE, the Agawam City Council resolves, pursuant to G. L. c.44, §53A, to accept the gift from the Agawam Lions Club of a Datatime DF-1012 clock and temperature display outdoor unit.

Dated this 10th day of July, 2020.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti, City Solicitor

*Orig - Tn CLK
cc - Council
cc - Auditor
cc - Treasurer
cc - Park & Rec*

BUDGETARY TRANSFER FORM

TO-2020-15
approved

Department: Building Maintenance

Amount: \$ 50,000.00

Date: June 10, 2020

From: Reserved Fund

16605-57300

Title of Account

Account Number

To:

Building Maint. Elec. & Heat

11922-52110

Title of Account

Account Number

Reason for Transfer:

The Building Maintenance Electricity and Heat account does not have funds to support May/June solar, heat/cooling and electrical invoices. The requested amount is an estimate based on previous bills of what will be needed for FY20

B Sapelli

Department Head

I hereby certify that funds are available to make the above-stated transfer.

Date: 6-11-20

Cheryl St. John
Cheryl St. John, Auditor

I hereby approve placement of the above-stated transfer on the Council agenda.

Date: 6/11/20

William P. Sapelli
William P. Sapelli, Mayor

Approved as to form and legality.

Date: 6/14/20

Steven Bouriconti
Steven Bouriconti, Solicitor

PER ORDER OF THE AGAWAM CITY COUNCIL - APPROVED ON July 13, 2020

Date: 7/13/20

Christopher Johnson
Christopher Johnson, President

APPROVAL OF LEGISLATION: Pursuant to Section 3-6 of the Agawam Home Rule Charter, I hereby approve the Council passage of the above-stated transfer.

Date: 7/15/20

William P. Sapelli
William P. Sapelli, Mayor

DISAPPROVAL OF LEGISLATION: Pursuant to Section 3-6 of the Agawam Home Rule Charter, I hereby disapprove the Council passage of the above-stated transfer.

Date:

William P. Sapelli, Mayor

TR-2020-53

defeated

AN EMERGENCY PREAMBLE FOR TR-2020-54 FOR THE APPROPRIATION AND AUTHORIZATION TO ENTER INTO A LEASE PURCHASE AGREEMENT IN THE AMOUNT OF ONE HUNDRED AND EIGHTY EIGHT THOUSAND AND FIVE HUNDRED AND SIXTY THREE DOLLARS AND TWENTY CENTS (\$188,563.20) TO PAY COSTS OF THE PURCHASE OF CLUB CAR GOLF CARTS FROM COUNTRY CLUB ENTERPRISES FOR THE AGAWAM MUNICIPAL GOLF COURSE.

(Sponsored by Mayor William P. Sapelli)

WHEREAS, it is in the best interests of the Town of Agawam to assist the Agawam Municipal Golf Course; and

WHEREAS, TR-2020-54 will provide much needed relief with the immediate replacement of the entire golf cart fleet; and

WHEREAS, the proposed terms of a lease agreement with a private vendor, Country Club Enterprises, will change to the detriment of the Town of Agawam if not executed in a short window of time.

NOW THEREFORE, the Agawam City Council hereby declares pursuant to Section 2-9(b) of the Agawam Home Rule Charter that an emergency exists and hereby approves this Emergency Preamble for TR-2020-54 allowing the Agawam City Council to act on this agenda item at its July 13, 2020 Meeting.

DATED THIS ____ DAY OF _____, 2020.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti, City Solicitor