

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

Minutes dated August 6, 2018

Meeting was called to order by Council Vice President Calabrese at 7:00pm in the Peirce Room at the Agawam Public Library, 750 Cooper Street, Agawam.

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, Council President Christopher Johnson, Gina Letellier, Robert Magovern, Dino Mercadante, Joseph Mineo, Robert Rossi, Rosemary Sandlin and Anthony Suffriti. Councilor Cavallo 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 – July 9, 2018

Motion to approve was moved by Council Vice President Calabrese and seconded by Councilor Sandlin. Voice vote approved noting the abstention of Councilor Letellier.

Item E. Declaration from Council President

None.

Item F. Presentation of Resolutions

1. TR-2018-48 - A Resolution confirming the reappointment of Paul A. Jenney, 367 North Westfield Street, Feeding Hills, MA. to the Agawam Housing Committee to a term expiring October 1, 2021 (Sponsored by Mayor Sapelli)

Motion to approve made by Council Vice President Calabrese and seconded by Councilors Suffriti and Sandlin.

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

2. TR-2018-49 - A Resolution authorizing the Town of Agawam to participate in the Commonwealth of Massachusetts Commercial Property Assessed Clean Energy Program (PACE Massachusetts) (Sponsored by Mayor Sapelli) (Referred to Finance Committee)

Motion to approve made by Councilors Rossi and Letellier and seconded by Councilor Suffriti. As Chair of the Finance Committee, Councilor Letellier provided the report with Solicitor Buoniconti stated this gives the property owner twenty years to repay loans for energy improvements. This is 100% voluntary. Motion to send a positive recommendation to the Full Council was moved by Councilor Calabrese and seconded by Councilor Mineo. The vote was 4 Yes, 0 No, 1 Absent (Councilor Cavallo). Councilor Bitzas said this was a win/win for the people of Agawam and was going to vote for it.

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

3. TR-2018-50 - A Resolution establishing a Special Revenue Fund known as the Transportation Network Company (“TNC”) Surcharge Fund (Sponsored by Mayor Sapelli) (Referred to Finance Committee)

As Chair of the Finance Committee, Councilor Letellier stated that in the Finance Committee meeting, Solicitor Buoniconti said there was some confusion at this time as to whether or not they needed to establish a percentage or an amount paid to the town for Ubers and Taxis and the Mayor wished to withdraw this item. Motion to withdraw made by Councilor Letellier and seconded by Councilor Sandlin.

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

Item G. Report of Council Committees

None.

Item H. Elections

None.

Item I. Public Hearings

1. TOR-2018-11(PH-2018-7) - An Ordinance to amend the Code of the Town of Agawam Zoning Ordinances to allow site plan review waivers (Sponsored by Planning Board) (1 of 2 Readings) (Referred to Legislative Committee) (Tabled 7/9/18)

Motion to remove the item from the table made by Councilor Suffriti and seconded by Councilor Sandlin. Voice vote approved. Motion to approve made by Council Vice President Calabrese and seconded by Councilors Suffriti and Rossi. Council President Johnson declared the Public Hearing open at 7:07pm. No one spoke in favor, in favor in name only or in opposition or opposition name only. Council President Johnson declared the Public Hearing closed at 7:08pm. As Chair of the Legislative Committee, Councilor Magovern provided the report stating that Solicitor Buoniconti presented the history of this ordinance. Current ordinance is very restrictive and potentially costly to business owners. Intent of waiver is to be more business friendly and is only allowed under certain circumstances. No notice to abutters when the waiver of site plan is anticipated because it is not a controversial addition or change to the property. Motion to send a positive recommendation to the Full Council made by Councilor Sandlin and seconded by Councilor Bitzas. The vote was 4 YES, 0 NO, 1 ABSENT (Councilor Rossi)

Councilor Bitzas spoke that this was great for the town and would allow less delays for businesses. He hoped the Full Council would support it. Council Vice President Calabrese stated that there is a change of use that is addressed in this ordinance. She was skeptical at first however after learning more about it, she believes this will be a great tool for the Building Inspector and with the Planning Board on board it will allow him to use his resources and business owners can make minor adjustments to their property without being delayed. Councilor Mercadante noted that this was not a carte blanche waiver but was good for businesses and cuts the red tape making it easier for businesses to come into Agawam.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Cavallo) approving the first reading.

Item J. Old Business

- 1. ZC-2018-2 - Petition for Zone Change by Owners, Thomas F. Reidy II and Sherry M. Reidy for property located at 466 South Westfield Street from Agricultural to an Age Restricted Housing District (Residence A-5) (Referred to Legislative Committee) (Tabled 7/9/18)**

Motion to remove the item from the table made by Councilor Mercadante and seconded by Councilor Sandlin. Voice vote approved. Motion to approve made by Councilor Sandlin and seconded by Councilor Suffriti. Point of Information made by Councilor Letellier just noticing the change to the petition and asked if they had to resubmit the zone change. Council President Johnson said the Solicitor said no they did not as it was a mistake and they submitted the revised petition letter. Councilor Bitzas again expressed concerns about changes in the road in that area and still sees it as a problem. Council President Johnson stated that that intersection improvement project is at the 75% design stage and will theoretically be done next year by MassDOT. Any changes at this point would take it out of the queue. He would imagine the developer is ground ready for construction this fall with construction beginning in the spring. The town is not in the driver's seat but the developer already stated that they would work with Engineering and the town to relocate that entrance if necessary. Councilor Letellier read the minutes from the Public Hearing however she still had some questions about zone changes as they are forever noting that we changed a nearby parcel several years ago to A-5 and nothing has been built to date. Motion to go into Committee as a Whole made by Councilor Letellier and seconded by Councilor Sandlin. Voice vote approved. Councilor Letellier asked Attorney Garvey why his clients thought that *this* development would be successful. Attorney Garvey stated that they searched for over eighteen months for the right property. If granted, this development is ready to go. The next step is full plans with the Planning Board and then they plan on starting. One of the developers is a real estate broker and we are committed to this. We have every expectation that we will sell out in less than two years. We don't intend to come back to the Council for anything. After it is 95% complete there is a condo association which will be made up of the homeowners. Councilor Letellier asked if elderly people were willing or able to pay the prices for these units. This development is a high quality development and people are willing to pay the higher price for these units. The attorney said once they are given the green light, they are going to start. Councilor Letellier asked if they were in agreement with the Solicitor regarding paying for the betterments. Councilor Sandlin has seen both developments in West Springfield and know people want them as she is receiving numerous calls. Councilor Bitzas asked when the expected completion date would be. Attorney Garvey stated yes they were in agreement with the betterment fees and the expected completion date is Spring/Summer 2019 as well as a temporary entrance as suggested by Michelle Chase. Council President Johnson asked the following to be placed on record: (1) The developers have agreed to pay the betterment fees as noted by the City Solicitor and (2) donate land takings for the intersection at no cost to the town provided it doesn't negatively impact the client. Motion to come out of Committee as a Whole made by Councilor Sandlin and seconded by Councilor Mineo. Voice vote approved. Councilor Rossi talked about the road improvement project being in the pipeline for several years and hopes it gets done soon.

The vote was **9 YES, 0 NO, 1 ABSENT** (Councilor Cavallo), **1 PRESENT** (Councilor Bitzas) approving the zone change.

Item K. New Business

- 1. TR-2018-51 - A Resolution authorizing the posting of the warrant for the state primary election on September 4, 2018 and the state election on November 6, 2018 (Clerk)**

This item has been placed on the Special Meeting Agenda for this Wednesday, August 8th. Councilor Letellier questioned why there wasn't an Emergency Preamble for both of the items on the Special Meeting Agenda and respectfully disagreed. Council President Johnson reminded everyone that this was agreed upon at least a month ago to do it this way and there has been ample notice to the Council.

- 2. TO-2018-30 - An Order granting or renewing a Junk Dealer's PERMIT for Baki's Fine Jewelry, 9 North Westfield Street , Feeding Hills (Clerk)**

Referred to Administrative Committee, next Agenda.

3. **TOR-2018-12 - An Ordinance to Amend Chapter 12 of the Code of the Town of Agawam (Mayor Sapelli) (Two Readings Required)**

Referred to Legislative Committee, next Agenda.

4. **TR-2018-52 - 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 and Chapter 79 and Chapter 84 of the General Laws for the construction and maintenance of project (Mayor Sapelli)**

This item has been placed on the Special Meeting Agenda for this Wednesday, August 8th.

5. **TR-2018-53 - A Resolution adopting the order that Abbey Lane be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

6. **TR-2018-54 - A Resolution adopting the order that Alice Lane be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

7. **TR-2018-55 - A Resolution adopting the order that Avalon Place be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

8. **TR-2018-56 - A Resolution adopting the order that Barden Street be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

9. **TR-2018-57 - A Resolution adopting the order that Blair's Hill Road be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date) – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

10. **TR-2018-58 - A Resolution adopting the order that Burlington Drive be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

11. **TR-2018-59 - A Resolution adopting the order that Connor's Cove be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 12. TR-2018-60 - A Resolution adopting the order that Coventry Lane be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 13. TR-2018-61 - A Resolution adopting the order that Coyote Circle be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 14. TR-2018-62 - A Resolution adopting the order that Elizabeth Street be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 15. TR-2018-63 - A Resolution adopting the order that Farmington Circle be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 16. TR-2018-64 - A Resolution adopting the order that Forest Ridge Lane be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 17. TR-2018-65 - A Resolution adopting the order that Hemlock Ridge be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 18. TR-2018-66 - A Resolution adopting the order that Jasmine Lane be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 19. TR-2018-67 - A Resolution adopting the order that Lakeview Circle be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 20. TR-2018-68 - A Resolution adopting the order that Lango Lane be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 21. TR-2018-69 - A Resolution adopting the order that Logan Place be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 22. TR-2018-70 - A Resolution adopting the order that Maple Meadows Lane be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 23. TR-2018-71 - A Resolution adopting the order that Mark Drive be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 24. TR-2018-72 - A Resolution adopting the order that Michele Lane be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 25. TR-2018-73 - A Resolution adopting the order that Plumtree Way be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 26. TR-2018-74 - A Resolution adopting the order that Spruce Circle be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 27. TR-2018-75 - A Resolution adopting the order that Stevenson Lane be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 28. TR-2018-76 - A Resolution adopting the order that Washington Avenue be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

- 29. TR-2018-77 - A Resolution adopting the order that West View Lane be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

30. **TR-2018-78 - A Resolution adopting the order that Windemere Drive be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

31. **TR-2018-79 - A Resolution adopting the order that Wisteria Lane be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

32. **TR-2018-80 - A Resolution adopting the order that Woodside Drive be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

33. **TR-2018-81 - A Resolution adopting the order that Zacks Way be laid out and accepted as a Public Way (Mayor Sapelli) (Set Public Hearing Date – Suggest September 17, 2018)**

Referred to Administrative Committee, next Agenda; however the Administrative Committee will be meeting on determining the dates of the Public Hearings on all the streets to be accepted.

34. **TO-2018-31 - Budgetary Transfer of \$5,000.00 from Municipal Golf Pro Shop Supplies (#65263-54200) to Municipal Golf Advertising & Promotions (#65262-52010) (Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

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

Councilor Mercadante thanked the Agawam Police and Fire Departments and paramedics for recent emergency calls at his home – he is very grateful to them and recognizes their constant dedication and hard work. Councilor Suffriti thanked everyone involved in the cleaning process of Caesar’s – it looks great! Now it’s time to move forward. Councilor Sandlin stated in connection with blight – 95 Garden Street is a mess with overgrowth. She has spoken with the Mayor who spoke with the owners who said this should be coming down within sixty days and a soccer field would be going there. Councilor Mineo asked Councilor Suffriti who the next target was and Councilor Letellier commented 186 Maple Street. Councilor Letellier again expressed being upset at having a Special Meeting for two items on the Council Agenda and more importantly was angry about inviting a company to speak at that meeting. She stated that we don’t invite other businesses to come and introduce themselves. This bothered her and she stated she won’t be attending the Special Meeting on Wednesday. Council President Johnson noted her opinion. Councilor Rossi asked to have a legal opinion on the removal of diseased trees on South Westfield Street near Soldier On. Apparently Mr. Czerpak spoke with Chris Golba at the DPW who informed him that they were on private property however Councilor Rossi believes these to be extremely dangerous and agreed they should be removed. Councilor Mineo also mentioned there is a living room set dumped across the street from Cumberland Farms on Springfield Street and is still there.

Item M. Adjournment.

The Motion to adjourn was moved and seconded all around. Meeting was adjourned at 7:42pm.

Approved

Approved

TR-2018-48

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF PAUL A. JENNEY, 367 NORTH WESTFIELD STREET, FEEDING HILLS, MA TO THE AGAWAM HOUSING COMMITTEE TO A TERM EXPIRING OCTOBER 1, 2021

WHEREAS, the appointment of Paul A. Jenney, 367 North Westfield Street, Feeding Hills, MA on the Agawam Housing Committee has expired; and

WHEREAS, the Mayor has reappointed Paul A. Jenney, 367 North Westfield Street, Feeding Hills, MA to the Agawam Housing Committee to a term expiring on October 1, 2021; and

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves to confirm the reappointment of Paul A. Jenney, 367 North Westfield Street, Feeding Hills, MA to the Agawam Housing Committee to a term expiring October 1, 2021.

DATED THIS 10th DAY OF August 2018.

PER ORDER OF THE AGAWAM CITY COUNCIL

[Signature]

Christopher C. Johnson, President, Agawam City Council

org- Trnk
cc- Council
cc- Housing
cc- Mayor

APPROVED AS TO FORM AND LEGALITY

[Signature]

Stephen Buoniconti, City Solicitor

TR-2018-49

A RESOLUTION AUTHORIZING THE TOWN OF AGAWAM TO PARTICIPATE IN THE COMMONWEALTH OF MASSACHUSETTS COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY PROGRAM (PACE MASSACHUSETTS)

(Sponsored by Mayor William P. Sapelli)

WHEREAS, pursuant to M.G.L. c. 23M (the "PACE Act"), the Commonwealth has established a commercial sustainable energy program known as the Massachusetts Property Assessed Clean Energy Program ("PACE Massachusetts") to provide a financing mechanism ("PACE financing") to private owners of commercial and industrial properties for certain qualifying commercial energy improvements ("improvements"); and

WHEREAS, pursuant to the PACE Act, PACE Massachusetts is administered by the Massachusetts Development Finance Agency ("MassDevelopment"), in consultation with the Massachusetts Department of Energy Resources; and

WHEREAS, under PACE Massachusetts, the owner of the commercial or industrial property benefiting from the improvements (the "benefited property") is required to repay the PACE financing through the payment of a betterment assessment (a "PACE betterment assessment") placed on such benefited property by the municipality in which the benefited property is located; and

WHEREAS, in order for an owner of commercial or industrial property to participate in PACE Massachusetts, Section 2 of the PACE Act requires that the municipality in which such property is located must elect to participate in PACE Massachusetts; and

WHEREAS, the Town of Agawam has determined that it is in the best interest of the Town to participate in PACE Massachusetts as a "participating municipality," as provided in the PACE Act, to permit the owners of commercial and industrial properties located in the Municipality to access PACE financing for qualifying commercial energy improvements through PACE Massachusetts;

NOW THEREFORE, the Agawam City Council hereby resolves pursuant to M.G.L. c.23M Section 2 that the Town of Agawam participates in PACE Massachusetts, and authorizes the Mayor to enter into a PACE Massachusetts Municipal Assessment and Assignment Agreement (the "Agreement") with MassDevelopment. The Town of Agawam will agree to (i) levy PACE betterment assessments and impose PACE betterment assessment liens on benefited properties located in the Municipality, in the amounts determined by MassDevelopment to be sufficient to repay the PACE financing, (ii) assign the PACE betterment assessment liens to MassDevelopment, which MassDevelopment may in turn assign to the providers of the PACE financing (each a "capital provider"), as collateral for such PACE financing, (iii) include on the property tax bills for the benefited properties the installment payments necessary to repay the PACE betterment assessments, in the amounts and at the times as determined by

Withdrawn per Mayor 8/16/18

TR-2018-50

AN RESOLUTION ESTABLISHING A SPECIAL REVENUE FUND KNOWN AS THE TRANSPORTATION NETWORK COMPANY ("TNC") SURCHARGE FUND

(Sponsored by Mayor William P. Sapelli)

WHEREAS the Massachusetts Legislature enacted Chapter 187 of the Acts of 2016 which established a Commonwealth Transportation Infrastructure Fund; and

WHEREAS, each Transportation Network Company ("TNC") submits to the Department of Public Utilities the number of rides from the previous calendar year that originated within each city or town and a per-ride assessment of \$0.20, which has been credited to the fund; and

WHEREAS, one-half (1/2) of the amount received from the Fund is distributed proportionately to each city and town based on the number of rides that originated in that city or town; and

WHEREAS, these funds must be used "to address the impact of transportation network services on municipal road, bridges and other transportation infrastructure or any other public purpose substantially related to the operation of transportation network services in the city of town including, but not limited to, the complete streets program established in M.G.L. Ch. 90I § 1 and other programs that support alternative modes of transportation." They are classified as special revenue funds; and

WHEREAS, an appropriation by the City Council is required to use these funds for specific statutory purposes.

NOW THEREFORE, the Agawam City Council hereby resolves pursuant to M.G.L. Chapter 187 of the Acts of 2016 that the Town of Agawam establishes a special revenue fund, known as the TNC Surcharge fund, the fund to begin operation for fiscal year 2019, which begins on July 1, 2018.

DATED THIS day of _____, 2018

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

[Signature]
Stephen Buoniconti, City Solicitor

MassDevelopment, (iv) collect and pay over to MassDevelopment or its designee, the PACE betterment assessment installment payments, as and when collected, and (v) enforce, to the extent required by the Agreement, the PACE betterment assessments and liens. The Collector/Treasurer is authorized to levy such PACE betterment assessments and impose the PACE betterment assessment liens on behalf of the City/Town without further authorization by the City Council.

Dated this 10th day of August, 2018

PER ORDER OF THE AGAWAM CITY COUNCIL

[Signature]

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

[Signature]

Stephen J. Buoniconti, City Solicitor

org- TncK
cc- Council
cc- Planning
cc- Assessor
cc- Bldg Insp
cc- Auditor
cc- Treasurer

Tabbed 7/9/18
Approved 8/6/18

ZC-2018-2

-:-

PETITION FOR ZONE CHANGE BY OWNERS THOMAS F. REIDY II AND SHERRY M. REIDY FOR PROPERTY LOCATED AT 466 SOUTH WESTFIELD STREET FROM AGRICULTURAL AND RESIDENCE A-2 TO AN AGE RESTRICTED HOUSING DISTRICT (RESIDENCE A-5)

WHEREAS, Thomas Reidy II and Sherry M. Reidy, are the Owners/Petitioners of a parcel of land (E6-1-1) situated at 466 South Westfield Street, Agawam, Hampden County, Massachusetts. (See Hampden County Registry of Deeds Book #19346, Page #213); and

WHEREAS, parcel E6-1-1 is zoned Agricultural and Residence A-2; and

WHEREAS, Thomas Reidy II and Sherry M. Reidy desire to change the zoning of the subject parcel from the current classification Agricultural and Residence A-2 to a Age Restricted Housing District (Residence A-5); and

WHEREAS, Thomas Reidy II and Sherry M. Reidy have entered into a purchase and sale agreement with Kathleen H. Sweeney and Victor J. Shibley who plan to construct forty eight (48) age restricted condominium units on the parcel; and

WHEREAS, the zoning change is being requested to allow for utilization of the property for its highest and best use; and

WHEREAS, it is in the best interest of the City of Agawam to change the zoning of the parcels located at 466 South Westfield Street, Agawam, MA from the current classification of Agricultural to an Age Restricted Housing District (Residence A-5) classification.

NOW THEREFORE, the Agawam City Council hereby resolves to change the zoning of the subject property located at 466 South Westfield Street, Agawam, MA from the current classification of Agricultural and Residence A-2 to an Age Restricted Housing District (Residence A-5) classification.

Current Owner: Thomas Reidy II and Sherry M. Reidy
Property Address: 466 South Westfield Street, Agawam, MA 01013
Assessor's Parcel ID'S: E6-1-1 which is attached hereto, described in Fiduciary Deed and incorporated herein by reference.

Dated this 06th day of August, 2018.

PER ORDER OF THE AGAWAM CITY COUNCIL


Christopher C. Johnson, President

019 - Tn CLK
CC - Council
CC - Assessor
CC - Bldg Insp.
CC - Engineering
CC - Planning