

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

Minutes dated June 6, 2011

President Rheault – Welcome to the June 6th Monday City Council meeting. For the record, there was an accident in front of the Council chambers which destroyed microphone and lighting capabilities so our secretary will record as best as possible.

Item 1. Citizen's Speak Time

President Rheault – There are no citizens wishing to speak this evening.

Item 2. Roll Call

President Rheault – Barbara, will you please call the roll?

ROLL CALL – 10 PRESENT, 1 ABSENT (Councilor Mineo)

President Rheault – Ten present, one absent, we have a quorum even though it's very dark.

Item 3. Moment of Silence and the Pledge of Allegiance

President Rheault – Please rise for a moment of silence and the Pledge of Allegiance.

Item 4. Minutes

(a) **Regular Council Meeting – May 16, 2011**

President Rheault – Moved by Councilor Perry, seconded by Councilors Messick and Letellier. Voice vote is sufficient. All those in favor? Opposed? Councilor Rossi abstains. The minutes have been approved.

Item 5. Declaration from Council President

None.

Item 6. Presentation of Petitions, Memorials & Remonstrances

(a) **Resolutions**

1. **TR-2011-23 - A Resolution Adopting Massachusetts General Law Chapter 32B, Section 18 (Tabled 5/16/11) (Referred to Ordinance Committee) (Mayor)**

President Rheault – The item remains on the table.

2. **TR-2011-28 - A Resolution Establishing a Resident Only No Parking Zone (Referred to Public Safety Committee) (Councilors Cichetti, Rossi and Perry)**

President Rheault – Moved by Councilor Perry and seconded by Councilor Simpson. Is there a committee report? Councilor Cichetti?

Councilor Cichetti – Yes. The Public Safety Committee met a few times on this issue to discuss the no parking on Kanawha, Ruskin, Sunnyslope, Woodcliff, Riverview, Veranda and Mark Drive. I hope I have them all. I may have missed one. I would like to make a motion to amend the current resolution to reflect seasonal times from April 1st to November 1st.

President Rheault – Motion to amend moved by Councilor Cichetti and seconded by Councilor Walsh.

Councilor Letellier – I am looking at it now. Where would you put that wording?

(several councilors speaking)

Councilor Letellier – I think if you put it just before the colon in the Now Therefore clause where it says “parking is hereby prohibited” and add “from April 1st to November 1st each year”. I think that would work.

(Councilor Mineo arrived at 7:10pm)

President Rheault – There is a motion on the floor to amend the current resolution to add the words “from April 1st to November 1st each year”. If you are in favor of the motion – any discussion on this amendment? If not, Barbara, please call the roll.

ROLL CALL – 11 YES, 0 NO

President Rheault – Eleven yes. Now we will take a vote on the resolution as amended and attached. Moved by Councilor Bitzas, seconded by Councilor Rossi. Any discussion? If not, Barbara, would you please call the roll?

ROLL CALL – 11 YES, 0 NO

President Rheault – Eleven yes, you’ve approved the main motion as amended and attached.

3. **TR-2011-29 - A Resolution Reappointing Henry A. Kozloski, 102 Meadow Street, Agawam, MA. to the Community Preservation Act Committee to a Term Expiring April 30, 2014 (Referred to Ad Hoc CPA Committee) (Council)**

President Rheault – Moved by Councilor Simpson, seconded by Councilor Bitzas. Any

report from the Ad Hoc CPA committee? Jill?

Councilor Simpson – There was no need to hold a meeting on this. Henry has been doing a great job. If any of my committee members have any comments, please feel free.

President Rheault – Barbara, for the record, will you please call the roll?

ROLL CALL – 11 KOZLOSKI, 0 NO

President Rheault – Eleven for Henry Kozloski. Congratulations Henry!

4. **TR-2011-30 - A Resolution Reappointing Violet Baldwin, 1245 Main Street, Agawam, MA. to the Community Preservation Act Committee to a Term Expiring April 30, 2014 (Referred to Ad Hoc CPA Committee) (Council)**

President Rheault – Moved by Councilor Perry, seconded by Councilor Letellier. Councilor Simpson?

Councilor Simpson – Again, no need to have a meeting, she is doing a fine job. If anyone else has any objection, please speak.

President Rheault – Barbara, again for the record, please call the roll.

ROLL CALL – 11 BALDWIN, 0 NO

President Rheault – Eleven for Violet Baldwin or I should say Vi. Congratulations Vi!

5. **TR-2011-33 - A Resolution to Authorize OPM and Designer Fees to MSBA for the Junior High School Roof Repair Project (Referred to Finance Committee) (Mayor)**

President Rheault – Moved by Councilor Simpson, seconded by Councilor Bitzas. This was referred to the Finance Committee. Did you hold a meeting Councilor Walsh?

Councilor Walsh – No. We did not hold a meeting as the feeling was that the project had been previously approved.

Councilor Bitzas – And the money is in there already.

President Rheault – Will the Clerk please call the roll?

ROLL CALL – 11 YES, 0 NO

President Rheault – Eleven yes, you have approved the resolution.

Item 7. Report of Council Committees

None.

Item 8. Elections

1. **TE-2011-5** - Election of a Member of the Community Preservation Act Committee to a Term Expiring April 30, 2014 (Council)

President Rheault – What’s the Council’s pleasure?

Councilor Letellier - I nominate Louis Russo.

Councilor Mineo – I second that.

President Rheault – The name of Louis Russo has been placed in nomination.

Councilor Bitzas – Move to close nominations.

President Rheault – Move to close nominations by Councilor Bitzas and seconded. For the record, will the Clerk please call the roll?

ROLL CALL – 11 RUSSO, 0 NO

President Rheault – Eleven for Louis Russo. Congratulations Louis.

Item 9. Public Hearings

1. **PH-2011-2 - (TR-2011-26) A Resolution Adopting the Fiscal Year 2012-2016 Capital Improvement Program (Referred to Capital Improvement and Finance Committees) (Mayor)**

President Rheault – Councilor Letellier, I know met on this. Do you have a report?

Councilor Letellier – Yes. The Capital Improvement Budget Committee had a meeting. Cheryl, our Auditor is here, do you want to speak? No? Maybe you could just answer any questions.

Cheryl St. John – I’ll just answer any questions anyone might have.

President Rheault – I guess I will open the public hearing now. Public Hearing is now declared open. Does anybody wish to speak on behalf of the Capital Improvement Budget? Anyone wish to speak against? Anyone in favor in name only? Anyone in name only against? I now declare the public hearing closed. Now Councilor Letellier?

Councilor Letellier – We met without the Finance Committee because it would have been a quorum. At the meeting, present were Councilors Mineo, Simpson, Bitzas and myself as Chair. Also present were Mayor Cohen, Cheryl St. John and the Treasurer, Laurel Placzek. Most of these items are carry overs – the sewers, Jr. High roof, etc. and

it really is just a wish list for anything the town wants to do. However, the Council has to vote on any of the borrowing. Our committee voted 5-0 to approve the Capital Improvement Budget.

President Rheault – Thank you. Yes, it really is just a projection of what the next five years will look like. Moved by Councilor Bitzas and seconded by Councilor Mineo to approve. Any further discussion? If you are in favor of the Capital Improvement Budget, please vote yes. Barbara?

ROLL CALL – 11 YES, 0 NO

President Rheault – Eleven yes, you have approved the Capital Improvement Budget. Thanks to our Auditor for her expertise along with the committee members.

2. *PH-2011-3 - (TR-2011-31) A Resolution Adopting the Fiscal Year 2012 Operating (Public Hearing Date set for June 20, 2011) (Mayor)*

President Rheault – Reminder that this public hearing has been set for June 20th.

Item 10. Old Business

1. **TO-2011-12 - An Order Granting or Renewing a LICENSE for a Junk Dealer – T’s Jewelers, Zinovy Tokman, 559 Springfield Street, Feeding Hills, MA. (Clerk)**

President Rheault – Moved by Councilor Simpson, seconded by Councilor Walsh. A committee report, Councilor Rossi?

Councilor Rossi – Yes. The License Committee voted unanimously to send a positive recommendation to the Full Council.

President Rheault – Thank you. Barbara, could you please call the roll?

ROLL CALL – 11 YES, 0 NO

President Rheault – Eleven yes, you have approved the granting of the license.

Item 11. New Business

1. **TOR-2011-3 - An Ordinance Adopting the Outdoor Dining Amendment to the Code of the Town of Agawam (2 readings required) (Councilor Bitzas)**

President Rheault – Tonight we have to vote for the City Council to be the Petition and send this to the Planning Board. Moved by Councilor Bitzas and seconded by Councilor Perry.

Councilor Bitzas – The reason we have to do that is because it's a zoning amendment and ordinance all together.

President Rheault – Everyone in favor? Opposed? Okay and I'll refer that to the Zoning and Ordinance Committees.

2. **TOR-2011-4 - (ZC-2011-1) An Ordinance to Amend the Code of the Town of Agawam Article XIV, Chapter 180 §94 Entitled "Personal Wireless Services, Facilities and Towers" (Set Public Hearing Date – Suggest July 5, 2011) (City Council)**

President Rheault – Next Agenda. We need to set the public hearing date. It's suggesting July 5th. How is that?

Councilor Letellier – Is anyone on vacation?

Councilor Magovern – It's just a public hearing so we can table it if no one is here.

President Rheault – You won't know what to do with yourself Magovern. That will also be referred to the Zoning and Ordinance Committees.

3. **TO-2011-14 - An Order Granting or Renewing a LICENSE for an Automatic Amusement Device(s) – Headquarters Bar & Grille, 485B Springfield Street, Agawam, MA. (Clerk)**

President Rheault – Next Agenda and I'll send that to the License Committee.

4. **TO-2011-15 - An Order Granting or Renewing a LICENSE for a Junk Dealer – Ronald Joseph Hamel d/b/a Letalien Jewelers, 383 Walnut Street Ext., Agawam, MA. (Clerk)**

President Rheault – Next Agenda and that goes to the License Committee as well.

5. **TO-2011-16 - An Order Granting or Renewing a LICENSE for a Junk Dealer – John Rosati d/b/a John's Trucking of Agawam, Inc., 415 Silver Street, Agawam, MA. (Clerk)**

President Rheault – Next Agenda and that'll also go to the License Committee.

6. **TR-2011-34 - A Resolution Approving a Redistricting Plan for the Town of Agawam (Mayor)**

President Rheault – Next Agenda and I'll refer that to the Zoning Review Committee.

7. **TR-2011-35 - A Resolution to Revoke Massachusetts General Laws Chapter 44B, Sections 3 through and including 7 of the Community Preservation Act (Councilors Walsh and Cichetti)**

President Rheault – Next Agenda and this goes to the Ordinance Committee.

8. **TR-2011-36 - A Resolution Authorizing the Reservation and Appropriation of Funds from the Community Preservation Fund (Council)**

President Rheault – Next Agenda and we have an Ad Hoc for this – Ad Hoc CPA Committee.

9. **TR-2011-37 - A Resolution Authorizing the Community Preservation Committee to Spend \$555.00 for the Purchase of Six Cemetery Signs for the Six Historical Cemeteries of the Town of Agawam as Provided for Under the Restoration of Historic Resources Section of the Community Preservation Act (Councilor Bitzas)**

President Rheault – Next Agenda and also to the Ad Hoc CPA.

10. **TR-2011-38 - A Resolution Authorizing the Community Preservation Committee to Spend \$7,612.00 for the Purchase and Installation of a Laser Fiche Software Upgrade to Further Update the Town Clerk's Historical Records under the Historic Preservation Section of the Community Preservation Act (Councilor Bitzas)**

President Rheault – Next Agenda and that'll also go to the Ad Hoc CPA.

Item 12. Any other matter that may legally come before the City Council.

President Rheault – Let's see. I'll start over here. Councilor Magovern?

Councilor Magovern – First I'm glad everyone here safely survived the tornado. Did anyone have any damage? My daughter lives in Westfield and she lost every tree in her yard. You heard about the damage to Munger Hill area. Well that damage can be repaired. I'm just glad everyone's safe. God bless.

Councilor Simpson – I had some damage. I lost a tree in my yard. It hit our house.

President Rheault – Councilor Messick?

Councilor Messick – Nothing tonight.

President Rheault – Councilor Bitzas?

Councilor Bitzas – About my outdoor dining ordinance. I did it last year but then it was too late to put through. If you have any questions, comments, recommendations, if you don't like something, this is still a draft so let me know. We will be meeting on this if you'd like to come or send your information to the Chair.

President Rheault – Thank you. Councilor Letellier?

Councilor Letellier – Today is “D-day” and I want to say thank you to our veterans some of whom are sitting here. So thank you.

President Rheault – Councilor Simpson?

Councilor Simpson – There is information for a website for helping victims of the tornado. It is a lot to write so I will give that information to Barbara tomorrow.

President Rheault – Thank you. Councilor Walsh?

Councilor Walsh – Nothing tonight. Thank you.

President Rheault – Councilor Rossi?

Councilor Rossi – Nothing.

President Rheault – Councilor Perry?

Councilor Perry – Nothing tonight. Thank you.

President Rheault – Councilor Mineo?

Councilor Mineo – Nothing tonight.

President Rheault – Councilor Cichetti?

Councilor Cichetti – Nothing tonight.

President Rheault – Thank you for putting up with this inconvenience tonight. We did okay. Motion to adjourn. Moved by the Council, seconded by the Council. Unanimous. Thank you and good evening.

Adjournment.