

1. New Business

2. TR-2023-18

- A Resolution confirming the reappointment of Teresa M. Kozloski, 102 Meadow Street, Agawam to the Historical Commission to a term expiring January 1, 2026 (Sponsored by Mayor Sapelli)

Documents:

[TR-2023-18.PDF](#)

3. TR-2023-19

TR-2023-19 - A Resolution to appropriate Eighty Six Thousand Dollars and Zero Cents (\$86, 000.00) from the Agawam Golf Course Retained Earnings Account to fund the Agawam Municipal Golf Course Operations Accounts (Sponsored by Mayor Sapelli)

Documents:

[TR-2023-19.PDF](#)

4. TR-2023-20

TR-2023-20 - A Resolution accepting a Donation in the amount of Two Thousand Dollars and Zero Cents (\$2,000.00) from the Town of Agawam Police Special Division to the Whiting Street/Thomas Pyne Funds (Sponsored by Mayor Sapelli)

Documents:

[TR-2023-20.PDF](#)

5. TR-2023-21

TR-2023-21 - A Resolution accepting a Gift in the amount of Four Thousand Three Hundred Twenty Seven Dollars and Thirty Three Cents (\$4,327.33) from the Estate of Richard Fearn to the Town of Agawam Fire Department for Firefighting Equipment (Sponsored by Mayor Sapelli)

Documents:

[TR-2023-21.PDF](#)

6. TR-2023-22

TR-2023-22 - A Resolution to authorize Community Choice Energy Aggregation (Sponsored by Councilors Hendrickson, Russo and Sandlin)

Documents:

[TR-2023-22.PDF](#)

7. TR-2023-23

TR-2023-23 - A Resolution authorizing the Mayor to enter into a Lease Agreement between the Town of Agawam and Cellco Partnership d/b/a Verizon Wireless regarding a monopole tower at 1000 Suffield Street, Agawam (Sponsored by Mayor Sapelli)

Documents:

[TR-2023-23.PDF](#)

8. TR-2023-24

TR-2023-24 - A Resolution confirming the appointment of Bryan Riley, 206 Corey Street, Agawam to the Agawam Housing Authority to a term expiring the second Monday in January, 2028 (Sponsored by Mayor Sapelli)

Documents:

[TR-2023-24.PDF](#)

9. TOR-2023-4

TOR-2023-4 - An Ordinance to amend Section 94 of Chapter 180 of the Code of the Town of Agawam regarding the Wireless Telecommunications Overlay District (Sponsored by Mayor Sapelli) - Two Readings Required - Suggest a Public Hearing Date and Refer to the Planning Board

Documents:

[TOR-2023-4.PDF](#)

10. TO-2023-8

TO-2023-8 - An Order granting or renewing a PERMIT for Weekly Amusement for Six Flags New England, 1623 Main Street, Agawam (Clerk)

Documents:

[TO-2023-8 ORDER.PDF](#)

11. TO-2023-9

TO-2023-9 - An Order granting or renewing a LICENSE for Automatic Amusement Devices for Six Flags New England, 1623 Main Street, Agawam (Clerk)

Documents:

[TO-2023-9 ORDER.PDF](#)

TR-2023-18

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF
TERESA M. KOZLOSKI, 102 MEADOW STREET, AGAWAM, MA
TO THE HISTORICAL COMMISSION
TO A TERM EXPIRING
JANUARY 1, 2026

WHEREAS, the appointment of Teresa Kozloski, 102 Meadow Street, Agawam MA to the Historical Commission has expired; and

WHEREAS, the Mayor has reappointed Teresa M. Kozloski, 102 Meadow Street, Agawam, MA to the Historical Commission to a term expiring on January 1, 2026; and


NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves to confirm the reappointment of Teresa M. Kozloski, 102 Meadow Street, Agawam, MA to the Historical Commission to a term expiring on January 1, 2026.

DATED THIS _____ DAY OF _____, 2023

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President, Agawam City Council

APPROVED AS TO FORM AND LEGALITY



Stephen J. Buoniconti, City Solicitor

A RESOLUTION TO APPROPRIATE EIGHTY SIX THOUSAND DOLLARS AND ZERO CENTS (\$86,000.00) FROM THE AGAWAM GOLF COURSE RETAINED EARNINGS ACCOUNT TO FUND THE AGAWAM MUNICIPAL GOLF COURSE OPERATIONS ACCOUNTS

(Sponsored by Mayor William P. Sapelli)

WHEREAS, several golf course accounts need additional monies to prepare the municipal golf course this spring for the beginning of the 2023 golf season; and

WHEREAS, pursuant to Massachusetts General Law Chapter 150E, Section 7, the Agawam City Council must appropriate necessary funds; and

WHEREAS, the necessary funds for the Agawam Municipal Golf Department can be appropriated from the Agawam Municipal Golf Retained Earnings account; and

WHEREAS, the certified amount in the Municipal Golf Retained Earnings Account (\$390,183.00) is available to meet budget appropriations; and

WHEREAS, it is in the best interest of the Town of Agawam to appropriate the necessary funding.

NOW THEREFORE, BE IT RESOLVED by the Agawam City Council that eighty six thousand dollars and zero cents (\$86,000) be appropriated from the Agawam Golf Course Retained Earnings Account as follows:

65261	51020	Temporary Salaries	\$25,000.00
65263	52220	Food & Service Supplies	\$30,000.00
65263	54200	Pro Shop Supplies	\$15,000.00
65263	52130	Fuel/Oil	\$10,000.00
65262	52190	Professional Services	\$6,000.00

DATED THIS ____ day of _____, 2023.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY



Stephen J. Buoniconti, City Solicitor

APPROVED AS TO APPROPRIATION



Cheryl St. John, Auditor

TR-2023-20

A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF TWO THOUSAND DOLLARS AND ZERO CENTS (\$2,000.00) FROM THE TOWN OF AGAWAM POLICE SPECIAL DIVISION TO THE WHITING STREET/THOMAS PYNE FUNDS.

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Whiting Street Fund and Thomas Pyne Fund are two funds that were first established in 1875 and 1894 to provide relief and comfort to the “worthy poor” residents of the Town of Agawam; and

WHEREAS, both funds are still operational with a balance and are administered by the Town of Agawam by a three (3) person Board of Commissioners; and

WHEREAS, the Board of Commissioners are appointed by the mayor and approved by the City Council to consider and vote on applications that meets the terms of eligibility; and

WHEREAS, the Town of Agawam Police Special Division has made a generous donation in the amount of two thousand dollars (\$2,000.00) to the Whiting Street/Thomas Pyne Funds; and

WHEREAS, the Town of Agawam desires to accept said donation.

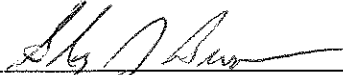
NOW THEREFORE, the Agawam City Council resolves, pursuant to G. L. c.44, §53A, to accept the donation from the Town of Agawam Police Special Division in the amount of two thousand dollars and zero cents (\$2,000.00) to the Whiting Street/Thomas Pyne Funds.

Dated this _____ day of _____, 2023.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY



Stephen J. Buoniconti, City Solicitor

TR-2023-21

A RESOLUTION ACCEPTING A GIFT IN THE AMOUNT OF FOUR THOUSAND AND THREE HUNDRED AND TWENTY SEVEN DOLLARS AND THIRTY THREE CENTS (\$4,327.33) FROM THE ESTATE OF RICHARD FEARN TO THE TOWN OF AGAWAM FIRE DEPARTMENT FOR FIRE-FIGHTING EQUIPMENT

(Sponsored by Mayor William P. Sapelli)

WHEREAS, Richard Fearn was a longtime Town of Agawam firefighter who passed away in March, 2022; and

WHEREAS, Mr. Fearn left a widow, Betty Fearn, who continues to reside in the Town of Agawam and other family members in the area;

WHEREAS, an insurance company contacted the Town several months ago and informed the personnel department that Mr. Fearn listed the Town of Agawam as the beneficiary of a life insurance policy; and

WHEREAS, after discussions with Mrs. Fearn, the Town of Agawam communicated to the insurance company that the policy appeared to have been filled out in error; and

WHEREAS, the insurance company informed the Town that the policy could not be amended post death of the policyholder and that either the Town would need to accept the proceeds or the policy would lapse; and

WHEREAS, the Mayor's Office has been in discussions with Mrs. Fearn and the Fire Chief as to directing the proceeds to the Fire Department to purchase equipment in Mr. Fearn's honor; and

WHEREAS, the Town of Agawam desires to accept said gift.

NOW THEREFORE, the Agawam City Council resolves, pursuant to G. L. c.44, §53A, to accept the gift in the amount of four thousand and three hundred and twenty seven dollars and thirty three cents (\$4,327.33) from former Agawam Firefighter Richard Fearn to the Agawam Fire Department for the purchase of firefighting equipment.

Dated this _____ day of _____, 2023.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY



Stephen J. Buoniconti, City Solicitor

TR-2023-22

**A RESOLUTION TO AUTHORIZE COMMUNITY CHOICE ENERGY
AGGREGATION**

**(Sponsored by Councilors Thomas D. Hendrickson, Anthony J. Russo and
Rosemary Sandlin)**

WHEREAS, the Commonwealth of Massachusetts enacted Chapter 164 of the Acts of 1997 and established a competitive marketplace through deregulation and restructuring of the electric utility industry, including Section 134 the enabling legislation for municipal aggregation; and

WHEREAS, Community Choice Energy Aggregation is a Massachusetts process that allows municipalities to assume the responsibility of contracting the supply source of electricity that flows to ratepayers in their municipality, and

WHEREAS, that local control allows the municipality to prioritize longer-term energy agreements to stabilize the supply side of electricity rates for ratepayers in the community and to negotiate the amount of renewable energy sources that are being supported through the contract, and

WHEREAS, over 170 cities and towns in Massachusetts have Community Choice Energy Aggregation plans in place, and

WHEREAS, under a Community Choice Energy Program the energy is still distributed and billed solely through the municipality's energy utility company, and residents and businesses have the option to opt-out of the CCA rate at any time, and

WHEREAS, as residents and businesses navigate a continually more volatile energy market, Community Choice Energy Aggregation is a tool that should be available to the Town of Agawam, and

WHEREAS, the residents and businesses of Agawam have substantial economic, environmental and social interests at stake.


NOW THEREFORE, the Agawam City Council hereby resolves to authorize the Mayor to initiate a plan to establish Municipal Energy Aggregation pursuant Massachusetts General Laws c.164 § 134.

DATED THIS ____ DAY OF _____, 2023.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY



Stephen J. Buoniconti, City Solicitor

TR-2023-23

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT BETWEEN THE TOWN OF AGAWAM AND CELLCO PARTNERSHIP, D/B/A VERIZON WIRELESS REGARDING A MONOPOLE TOWER AT 1000 SUFFIELD STREET, AGAWAM, MASSACHUSETTS

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Town of Agawam owns 1000 Suffield Street, Agawam, Massachusetts, commonly known as the “Agawam Municipal Annex”; and

WHEREAS, 1000 Suffield Street is a listed parcel within the Wireless Telecommunications Overlay District pursuant to Chapter 180 Section 94(B) of the Code of the Town of Agawam; and

WHEREAS, the Town requested proposals for a lease option of a certain portion of 1000 Suffield Street for the development and construction of a monopole tower; and

WHEREAS, Cellco Partnership, doing business as Verizon Wireless, submitted a suitable proposal within the scope of the RFP; and

WHEREAS, the proposed Cellco Partnership lease would include approximately 2500 square feet of land located in the undeveloped rear left area for the construction of a monopole tower and additional equipment; and

WHEREAS, the Town and Cellco Partnership have reached an agreement in principle on the terms of the lease which are the same as the agreement for the monopole lease at the Agawam Municipal Golf Course; and

WHEREAS, terms of the lease include a ten (10) year initial term with the right to extend the lease for three (3) additional five (5) year terms; and

WHEREAS, the yearly rental rate will be \$21,600 subject to an annual 3% increase; and

WHEREAS, the Town will also be provided space at the top of the tower for municipal public safety departments’ infrastructure which will enhance the communication network; and

WHEREAS, City Council approval is required to permit the Town to enter into a lease agreement with Cellco Partnership for use of said property; and

WHEREAS, it is in the best interest of the Town of Agawam to enter into a lease agreement with Cellco Partnership.


NOW, THEREFORE, BE IT RESOLVED BY THE AGAWAM CITY COUNCIL
that the Mayor is authorized to enter into a lease with Cellco Partnership, doing business as
Verizon Wireless, for said development and construction of a monopole tower at 1000 Suffield
Street, Agawam, Massachusetts.

Dated this _____ day of _____, 2023.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY



Stephen J. Buoniconti, City Solicitor

TR-2023-24

**A RESOLUTION CONFIRMING THE APPOINTMENT OF
BRYAN RILEY, 206 COREY STREET, AGAWAM, MA
TO THE AGAWAM HOUSING AUTHORITY TO A TERM EXPIRING
THE SECOND MONDAY IN JANUARY 2028**

WHEREAS, an opening exists on the Agawam Housing Authority; and

WHEREAS, the Mayor has appointed Bryan Riley, 206 Corey Street, Agawam, MA to the Agawam Housing Authority to a term expiring on the second Monday in January 2028; and

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves to confirm the appointment of Bryan Riley, 206 Corey Street, Agawam, MA to the Agawam Housing Authority for a term effective March 2023 expiring on the second Monday in January 2028.

DATED THIS _____ DAY OF _____, 2023.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President, Agawam City Council

APPROVED AS TO FORM AND LEGALITY



Stephen J. Buoniconti, City Solicitor

TOR-2023-4

**AN ORDINANCE TO AMEND SECTION 94 OF CHAPTER 180 OF THE CODE OF
THE TOWN OF AGAWAM REGARDING THE WIRELESS
TELECOMMUNICATIONS OVERLAY DISTRICT**

(Sponsored by Mayor William P. Sapelli)

WHEREAS, Chapter 180 of the Code of the Town of Agawam is the municipal zoning ordinance; and

WHEREAS, Section 94 of Chapter 180 provides for a wireless telecommunication overlay district within the geographic boundaries of the Town of Agawam; and

WHEREAS, subsection B of Section 94 if the parcels contained within the overlay district; and

WHEREAS, the Town of Agawam owns 1000 Suffield Street, a 39.75 acre parcel that currently houses the operations of the Department of Public Works, Inspection Services other municipal departments and the Western Mass. Office of the Massachusetts Emergency Management Agency (MEMA); and

WHEREAS, the Town has received regular complaints over the years from citizens of faulty cellphone coverage in the central to southerly sections of Suffield Street, especially with Verizon customers; and

WHEREAS, the Town owns 1070 Suffield Street and is in the process of reconstructing the building for the location of a new municipal police station which will require enhanced support for the police telecommunication system; and

WHEREAS, a request for proposals (RFP) to enter into a lease agreement for the construction of a monopole tower was posted due to the misunderstanding that 1000 Suffield Street was already in the overlay district (based on the MEMA cell tower located to the front side of 1000 Suffield Street); and

WHEREAS, Cellco Partnership, doing business as Verizon Wireless, submitted a suitable proposal within the scope of the RFP; and

WHEREAS, the RFP can only be executed with 1000 Suffield Street being included in the overlay district and the City Council's authorization of a lease agreement; and

WHEREAS, the RFP includes the Town having the right of use for the top of the monopole, but the telecommunication issues for the police department continue to evolve and change over time and the inclusion of 1070 Suffield Street in the Overlay District will promote the needs of public safety; and

WHEREAS, it is in the best interest of the Town of Agawam to amend §180-94 (Wireless Telecommunications Overlay District) and include 1000 Suffield Street and 1070 Suffield Street in the Overlay District.

NOW THEREFORE, the Agawam City Council hereby resolves, ordains, amends and enacts the following insertions to subsection B of Section 94 of Chapter 180 of the Code of the Town of Agawam:

§180-94 Wireless Telecommunications Overlay District (WTOD)

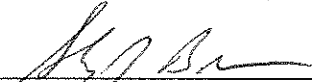
Property Name	Assessor's Map, Block and Lot
Insert -Agawam Municipal Complex Annex 1000 Suffield Street	17 1 2
Insert -Agawam Police Station 1070 Suffield Street	16 1 9

Dated this ____ day of _____, 2023.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY



Stephen J. Buoniconti, City Solicitor

TO-2023-8

**ORDER GRANTING OR RENEWING A PERMIT FOR WEEKLY AMUSEMENT
FOR SIX FLAGS NEW ENGLAND LOCATED AT
1623 MAIN STREET, AGAWAM, MA. 01001**

Pursuant to Massachusetts General Laws, Chapter 140, Section 177A and Section 75-1 of the Code of the Town of Agawam, the Agawam City Council hereby grants or renews a PERMIT for Weekly Amusement to the following applicant commencing on January 1, 2023 and expiring on December 31, 2023:

Name of Licensee: Six Flags New England
Business Address: 1623 Main Street, Agawam, MA 01001
Business Type: Amusement Park

Purpose(s) for which permit is approved:

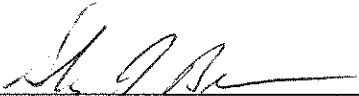
Live music, entertainment, music on speakers, juke boxes

Dated this _____ day of _____, 2023

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, Council President

APPROVED AS TO FORM AND LEGALITY



Stephen Buoniconti, City Solicitor

TO-2023-9

**ORDER GRANTING OR RENEWING A LICENSE FOR
AN AUTOMATIC AMUSEMENT DEVICE(S) FOR
SIX FLAGS NEW ENGLAND LOCATED AT
1623 MAIN STREET, AGAWAM, MA 01001**

Pursuant to Massachusetts General Laws, Chapter 140, Section 177A and Section 75-1 of the Code of the Town of Agawam, the Agawam City Council hereby grants or renews a LICENSE for the listed Automatic Amusement Device(s) to the following applicant subject to inspection of the listed Automatic Amusement Device(s) by the Agawam Police Department for the period commencing on January 1, 2023 and expiring on December 31, 2023:

Name of Licensee: Six Flags New England
Business Address: 1623 Main Street, Agawam, MA 01001
Business Type: Amusement Park

Device(s) for which license is approved:

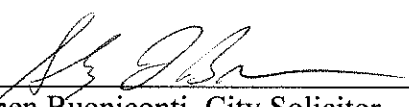
See attached lists

Dated this _____ day of _____, 2023

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, Council President

APPROVED AS TO FORM AND LEGALITY



Stephen Buoniconti, City Solicitor