

1. New Business Items

2. TR-2022-28

- A Resolution adopting the Fiscal Year 2023- 2027 Capital Improvement Program (Sponsored by Mayor Sapelli) - Suggest a Public Hearing Date of May 16, 2022

Documents:

[TR-2022-28 CIP.PDF](#)

3. TR-2022-29

- A Resolution accepting a grant in the amount of Two Thousand and Five Hundred Dollars and Zero Cents (\$2,500.00) from the Executive Office of Public Safety and Security Office of Grants and Research to the Town of Agawam Fire Department (Sponsored by Mayor Sapelli)

Documents:

[TR-2022-29 GRANT.PDF](#)

4. TOR-2022-8

- An Ordinance to amend Section 124 of Chapter 180 of the Code of the Town of Agawam (Sponsored by Mayor Sapelli) (Two Readings Required) - Refer to Planning Board and Set a Public Hearing date

Documents:

[TOR-2022-8 CH 180 SECT 124 MARIJUANA.PDF](#)

TR-2022-28

**A RESOLUTION ADOPTING THE  
FISCAL YEAR 2023 - 2027  
CAPITAL IMPROVEMENT PROGRAM  
(Sponsored by Mayor William P. Sapelli)**

---

- WHEREAS,** The Capital Improvement Program for Fiscal Year 2023 - 2027 was submitted to the City Council on April 14, 2022 in accordance with Article 5, Section 5-3 (a) of the Charter; and
- WHEREAS,** The Capital Improvement Program contains a prioritized plan of proposed capital improvements over the next five fiscal years in accordance with Article 5, Section 5-3 (b) of the Charter; and
- WHEREAS,** The Capital Improvement Program is designed to utilize town funds for capital improvements on the basis of community priorities in coordination with the availability of grants and/or other state, federal or private reimbursements; and
- WHEREAS,** In developing the Capital Improvement Program each year, the planning process includes consideration of the growth of the town, the improvement of efficient service delivery reducing the need for staff increases, maintenance of new and existing facilities, and consideration of existing commitments; and
- WHEREAS,** Each year the Capital Improvement Program is revised and updated in light of changing needs, requirements, and funding availability; and
- WHEREAS,** In accordance with Article 5, Section 5-3 (c) and (d), the Council shall conduct a public hearing and, on or before the twentieth day of the last month of the current fiscal year, shall by resolution adopt the Capital Improvement Program.

**NOW THEREFORE,** the Agawam City Council hereby resolves to adopt the Fiscal Year 2023 - 2027 Capital Improvement Program as submitted by the Mayor on April 14, 2022.

**DATED THIS** \_\_\_\_\_ **DAY OF** \_\_\_\_\_, 2022.

**PER ORDER OF THE AGAWAM CITY COUNCIL**

\_\_\_\_\_  
**Christopher C. Johnson, President**

**APPROVED AS TO FORM AND LEGALITY**

  
\_\_\_\_\_  
**Stephen Buoniconti, City Solicitor**

**A RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF TWO THOUSAND AND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$2,500.00) FROM THE EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY OFFICE OF GRANTS AND RESEARCH TO THE TOWN OF AGAWAM FIRE DEPARTMENT**

**(Sponsored by Mayor William P. Sapelli)**

---

**WHEREAS**, the Massachusetts Executive Office of Public Safety and Security's Office of Grants and Research (OGR) has awarded a grant to the Town of Agawam Fire Department; and

**WHEREAS**, the grant is in the amount of two thousand and five hundred dollars and zero cents (\$2,500.00); and

**WHEREAS**, the grant monies will allow the Fire Department to purchase an automated external defibrillator for the Fire Inspector's vehicle; and

**WHEREAS**, it is in the best interest of the Town of Agawam to accept said grant; and

**WHEREAS**, the Town desires to accept said grant.

**NOW THEREFORE BE IT RESOLVED**, that the Agawam City Council pursuant to M.G.L. c. 44 §53A accepts a grant up to the amount of two thousand and five hundred dollars and zero cents (\$2,500.00) from the Massachusetts Executive Office of Public Safety and Security's Office of Grants and Research.

DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

PER ORDER OF THE AGAWAM CITY COUNCIL

\_\_\_\_\_  
Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

  
\_\_\_\_\_  
Stephen J. Buoniconti, Solicitor

**TOR-2022-8**

**AN ORDINANCE TO AMEND SECTION 124 OF CHAPTER 180 OF THE CODE OF  
THE TOWN OF AGAWAM**

**(Sponsored by Mayor William P. Sapelli)**

---

**WHEREAS**, Sections 124 through 126 of Chapter 180 of the Code of the Town of Agawam regulates how a licensed medical marijuana facility and a licensed marijuana manufacturing facility may operate within Town; and

**WHEREAS**, Section 124(D) "Location" was amended by the City Council (**TOR-2021-3**) by amending the buffer zone distance and how it is measured; and

**WHEREAS**, Section 124(D)(2) prohibits a marijuana facility to be located on a parcel which abuts a residential use, regardless of how that parcel is zoned; and

**WHEREAS**, parcels remain ineligible for marijuana operations due to industrial zoned parcels being used for residential purposes; and

**WHEREAS**, the administration continues to receive inquiries on the potential of operating marijuana cultivation facilities on a regular basis; and

**WHEREAS**, State regulations permit municipalities to have broad authority in regulating the location of marijuana facilities; and

**WHEREAS**, it is in the best interest of the Town of Agawam to amend Section 124 of Chapter 180 of the Code of the Town of Agawam.

**NOW THEREFORE**, the Agawam City Council hereby amends Chapter 180 Section 124(D)(2) of the Code of the Town of Agawam by inserting the following language after "district.":

"This section shall not apply to industrial zoned parcels used for residential purposes."

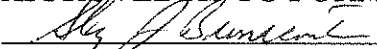
**DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.**

**PER ORDER OF THE AGAWAM CITY COUNCIL**

---

Christopher C. Johnson, President

**APPROVED AS TO FORM AND LEGALITY**

  
\_\_\_\_\_  
Stephen J. Buoniconti, Solicitor