

1. TR-2022-65

- A Resolution to dedicate certain sections of town parcels known as Tuckahoe for park and recreational purposes pursuant to Massachusetts General Laws Chapter 45, Section 3 (Sponsored by Mayor Sapelli)

Documents:

[TR-2022-65.PDF](#)

2. TR-2022-66

- A Resolution to appropriate and authorize borrowing in the amount of Three Million One Hundred and Eighty Thousand and Five Hundred Dollars (\$3,180,500.00) to pay for public access improvements, walking trail developments, and dam renovations on the town parcel known as Tuckahoe (Sponsored by Mayor Sapelli)

Documents:

[TR-2022-66.PDF](#)

3. TR-2022-67

- A Resolution adopting a Residential Factor of 0.0000 pursuant to Massachusetts General Laws, Chapter 40, Section 56 (Sponsored by Mayor Sapelli) - Suggest a Public Hearing Date of December 5, 2022

Documents:

[TR-2022-67.PDF](#)

TR-2022-65

**A RESOLUTION TO DEDICATE CERTAIN SECTIONS OF TOWN PARCELS
KNOWN AS TUCKAHOE FOR PARK AND RECREATION PURPOSES PURSUANT
TO MASSACHUSETTS GENERAL LAWS CHAPTER 45 SECTION 3**

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Town of Agawam owns two parcels that total approximately 292 acres located at 0 Pine Street and 0 South West Street also known as “Tuckahoe” (due to the previous turf farm operation that operated on the parcel); and

WHEREAS, the parcels are identified as C7 2 4 and D5 1 1 under the Town of Agawam’s Assessor’s Office and GIS map; and

WHEREAS, the Town applied for and was awarded a \$400,000 grant from the Executive Office of Energy and Environmental through the Parkland Acquisitions and Renovations for Communities (PARC) grant program (310 CMR 5.00); and

WHEREAS, a prerequisite to receiving the grant is for the Town to dedicate the land for park and recreation purposes pursuant to Massachusetts General Laws Chapter 45 Section 3; and

WHEREAS, the Town has had discussions with the Massachusetts Division of Conservation Resources who has no objection to the town carving out the section of land from GL 45 Section 3 which the Town has leased long term for a solar energy system; and

WHEREAS, Tuckahoe is a community-wide asset and the preservation and improvements to the property is a Town priority; and

WHEREAS, the Town of Agawam’s administrative structure (Mayor and City Council overseeing the Department of Public Works’ maintenance and improvements to parks and the Parks and Recreation Department’s policies with use of parks throughout Town) will not be altered; and

WHEREAS, acceptance of G.L. c. 45 Section 3 will preserve the parcels for park and recreational purposes while maintaining the lease agreement on a solar energy system on parcel C7 2 4.


NOW THEREFORE, the Agawam City Council hereby resolves pursuant to Massachusetts General Laws Chapter 4 Section 4 to accept Massachusetts General Laws Chapter 45 Section 3 and dedicate the parcels C7 2 4 and D5 1 1, excluding a certain section of land as described in attached Exhibit A-1 and A-2, for park and recreation 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, City Solicitor

EXHIBIT A-1

LEGAL DESCRIPTION OF LEASED SITE

Land in the Town of Agawam, Commonwealth of Massachusetts, being a portion of the land owned by Landlord pursuant to that certain Order of Taking dated June 7, 1993, recorded with the Hampden County Registry of Deeds in Book 8444, Page 320, described as follows:

Beginning at a point near a concrete bound found off S.1°11'54"W. 0.25' on the northwesterly corner herein described Lease Area on the easterly line of South West Street, said point being also the southwesterly corner of land of the Commonwealth of Massachusetts;

THENCE running S.80° 29' 03"E. along the southerly line of land of said Commonwealth of Massachusetts a distance of 343.04 feet to a point;

THENCE running N.9° 27' 44"E. along the easterly line of land of said Commonwealth of Massachusetts, a total distance of 486.09 feet to a point at the southwest corner of Pheasant Hill Village Association;

THENCE running N.85° 28' 48"E. a distance of 187.95 feet to a concrete bound;

THENCE running N.87° 48' 44"E. a distance of 510.49 feet to a point;

THENCE running N.86° 18' 55"E. a distance of 360.40 feet to a point near a concrete bound off N.8°39'10"W. 0.29', the last three courses herein described being measured along the southerly line of said Pheasant Hill Village Association;

THENCE running S.5° 43' 17"E. along land of said Pheasant Hill Village Association and the westerly line of land of John D. Dellarusso, Kristen S. Castonguay and Sharon A. Roulier, a total distance of 412.42 feet to a concrete bound;

THENCE running S.89° 52' 40"E. along land now or formerly of Sharon A. Roulier, a distance of 110.08 feet to a point;

THENCE running S.2° 36' 13"E. within land of The Town of Agawam, a distance of 250.00 feet to a point;

THENCE running S.12° 18' 10"W. within last named land, a distance of 900.00 feet to a point;

THENCE running S.61° 27' 22"W. within last named land, a distance of 215.00 feet to a point;

THENCE running N.87° 55' 35"W. within last named land, a distance of 690.00 feet to a point near a concrete bound found off S.52°34'14"W. 0.40' at the northeasterly corner of land of William O. Spear, Jr.;

THENCE running N.89° 36' 53"W. along last named land, a distance of 337.00 feet to a point;

THENCE running N.87° 16' 53"W. along last named land, a distance of 286.43 feet to a point;

THENCE running N.78° 01' 52"W. along last named land and land of Russell G. Leavitt, a total distance of 274.88 feet to a point near a concrete bound found off S.55°32'12"E. 1.49' at the southeasterly corner of land now or formerly of Paul D. & Lorraine M. Duvall;

THENCE running N.24° 37' 08"E. along land of said Duvall, and land now or formerly of Anthony L. Recchia, a total distance of 273.33 feet to a concrete bound;

THENCE running N.61° 48' 18"W. along the northerly line of land of said Recchia, a distance of 62.21 feet to a concrete bound on the easterly line of South West Street;

THENCE running N.36° 14' 55"W. along the easterly line of South West Street, a distance of 126.46 feet to a point;

THENCE running N.26° 59' 55"W. along the easterly line of South West Street, a distance of 170.00 feet to a point;

THENCE running N.21° 59' 56"E. along the easterly line of South West Street, a distance of 234.74 feet to a point of curvature on the southwesterly corner of Tuckahoe Drive;

THENCE running along the southerly line of said drive on a curve to the right with a radius of 25.00 feet a delta angle of 85°30'04" a curve length of 37.31 feet to a point; a curve length of 37.31 feet to a point;

THENCE running S.82°30'01"E. still along the southerly line of said drive 376.89 feet to a B. still along the southerly line of said drive 376.89 feet to a point on the southeasterly corner of said drive;

THENCE running N.11°59'55"E. along the easterly line of said drive 60.18 feet to a point; B. along the easterly line of said drive 60.18 feet to a point;

THENCE running N.82°30'01"W. along the northerly line of said drive 372.96 feet to a point of W. along the northerly line of said drive 372.96 feet to a point of curvature;

THENCE running along a curve to the right on the northerly line of said drive with a radius of 25.00 feet a delta angle of 94°29'56" a curve length of 41.23 feet to a point again on a curve length of 41.23 feet to a point again on the easterly side of South West Street;

THENCE running N.11°59'55"E. along the easterly line of said road 199.86 feet to point of B. along the easterly line of said road 199.86 feet to point of beginning.

Containing 2,402,094 S.F. or 55.144 acres, more or less.

EXHIBIT A-2

SITE PLAN

[Begins on the next page.]

RESOLUTION TO APPROPRIATE AND AUTHORIZE BORROWING IN THE AMOUNT OF THREE MILLION AND ONE HUNDRED AND EIGHTY THOUSAND AND FIVE HUNDRED DOLLARS (\$3,180,500.00) TO PAY FOR PUBLIC ACCESS IMPROVEMENTS, WALKING TRAIL DEVELOPMENTS, AND DAM RENOVATIONS ON THE TOWN PARCEL KNOWN AS TUCKAHOE

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Town of Agawam owns 292 acres comprised of two parcels located at 0 Pine Street and 0 South West Street known as “Tuckahoe” (due to the previous turf farm operation that operated on the parcel); and

WHEREAS, the parcels known as “Tuckahoe” are a community-wide asset and the preservation and improvements to the property is a Town priority; and

WHEREAS, the parcels known as “Tuckahoe” are dedicated to park and recreation purposes under M.G.L. Chapter 45, Section 3; and

WHEREAS, the main focus of the administration has been to provide access to the parcel which has no developed access point; and

WHEREAS, the town engaged the services of an engineering firm to design a plan for public access and recreation on the parcel which recommended the construction of a roadway into the parcel, development of walking trails, renovation of a dam at the southern section of a pond to preserve the pond, and the potential for a kayak/canoe launch at the pond; and

WHEREAS, the total cost of the project is approximately \$6,130,500; and

WHEREAS, the City Council recently approved the Community Preservation Act Committee’s recommendation to appropriate \$2,000,000 in CPA funds to the project; and

WHEREAS, in addition the Town plans to use the following grants and account balances to reduce the overall cost of the project; \$500,000 from Tennessee Gas for dam repairs, a \$50,000 Massachusetts Trails Grant; and

WHEREAS, the Executive Office of Energy and Environmental Affairs recently awarded the Town of Agawam a \$400,000 reimbursable grant is through the Parkland Acquisitions and Renovations for Communities (PARC) grant program (310 CMR 5.00); and

WHEREAS, the Town is required to authorize the appropriation for the total cost of the project in order to be eligible for a \$400,000 Parkland Acquisitions and Renovations for Communities (PARC) Grant; and

WHEREAS, this resolution is being sponsored in part to comply with the Commonwealth of Massachusetts PARC grant requirements; and

WHEREAS, it is in the best interest of the Town of Agawam to perform such work as described above.

NOW THEREFORE THE AGAWAM CITY COUNCIL HEREBY RESOLVES TO AUTHORIZE THE FOLLOWING:

Three Million One Hundred and Eighty Thousand and Five Hundred Dollars (\$3,180,500) is appropriated for the road and trail construction, renovation of a dam located at the southern section of the pond and construction of a kayak/canoe launch, all located at 0 Pine Street and 0 South West Street (also known as the Tuckahoe property) and further, that to meet this appropriation, the Treasurer, with the approval of the Mayor, is authorized to borrow Three Million One Hundred and Eighty Thousand and Five Hundred Dollars (\$3,180,500) to pay costs of this project, including the payment of all costs incidental and related thereto, under M.G.L. c. 44, §7 or any other enabling legislation; and further, that any premium received by the Town upon the sale of any bonds or notes approved by this resolution, less any such premium applied to the payment of the cost of issuance of such bonds or notes, may be applied to the payment of costs approved by this resolution in accordance with Chapter 44 Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount and, provided further that the Mayor is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs, and provided further that this resolution shall take effect upon passage

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, City Solicitor

TR-2022-67

**A RESOLUTION ADOPTING A RESIDENTIAL FACTOR OF 0.00 PURSUANT TO
MASSACHUSETTS GENERAL LAWS, CHAPTER 40, SECTION 56**

(Sponsored by: Mayor William P. Sapelli)

WHEREAS, beginning in Fiscal Year 1989 the Agawam City Council began adopting residential factors of less than one (1) pursuant to Massachusetts General Laws, Chapter 40, Section 56; and

WHEREAS, it is in the best interest of the residential taxpayers of Agawam to adopt a residential factor of less than one (1); and

WHEREAS, it is in the best interests of the Town of Agawam to adopt a residential factor of 0.00;

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves after conducting a public hearing to adopt a residential factor of 0.00 pursuant to Massachusetts General Laws, Chapter 40, Section 56; and

DATED THIS _____ OF _____, 2022.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY



Stephen J. Buoniconti, Solicitor