

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

Minutes dated January 11, 2021

Meeting was called to order by Council President Johnson at 7:01pm in the Auditorium at the Agawam Junior High School. Per Governor Baker's order suspending certain provisions of the Open Meeting Law, M.G.L. Chapter 30A, Section 20, the public is not allowed to physically access this meeting. Members of the public will be able to access the meeting on Cable Access Channel 15 as well as watch live streamed on the town's website.

Item A. Roll Call

ROLL CALL – 10 PRESENT, 1 ABSENT

Roll Call was taken with the following councilors present: George Bitzas, Cecilia Calabrese (remote), Paul Cavallo, Christopher Johnson, Gina Letellier (remote), Dino Mercadante, Robert Rossi, Rosemary Sandlin (remote), Gerald Smith, Anthony Suffriti and Mario Tedeschi (remote). With eleven present, there was a quorum.

Council President Johnson noted that some members were joining via Zoom and some were present. He welcomed back Councilor Letellier who would be able to join with Zoom and either use hand signals or cue cards to vote or if she is well enough she may be able to speak. We also are without a live Administrative Assistant, although she is here via Zoom so for the ease of hearing, he would be calling the Roll Calls this evening.

Item B. Moment of Silence and the Pledge of Allegiance.

There was a moment of silence and the Pledge of Allegiance.

Item C. Citizen's Speak Time

Council President Johnson read the following email from Will Clark into record:

[called in on the phone line during the public hearing for the Manufacturing Marijuana vote, texted with the Council Administration Assistant in charge of the meeting about the phone system during the meeting, but was unsuccessful in getting the phone picked up to add some data and info for City Council to discuss while weighing their voting decision. Agawam voters voted to ban Recreational Marijuana, and the City Council then Banned Recreational Marijuana. Chris Johnson would not let Bitzas speak about Recreational/Retail Marijuana being banned during City Council meeting; Chris Johnson claimed the voters voted to Ban Retail Sales to the public. Which is untrue, the vote was for Recreational Establishments to be banned, which is any recreational establishment, which the council then banned. The TOR to unban Manufacturing of Recreational Marijuana is needed b/c of the Council banning recreational marijuana. Bitzas should be able to discuss anything pertaining to the banning of any type of Recreational Marijuana business in the Town of Agawam. Chris Johnson said Bitzas could not talk about the ban b/c it has nothing to with the Public Hearing. Which is odd... b/c it is exactly what the public hearing is about. Unbanning Recreational Marijuana Manufacturing b/c the voters voted to ban Recreational Marijuana establishments, not just retail. Council then did the same. Johnson shutting down Bitzas was not proper. City Council then voted to Unban Manufacturing Marijuana not just for Herbierto Flores of Dehabilitating Medical, but for the entire Town. If anyone else wants to open a Recreational Marijuana Manufacturing Facility in Town, they can. Council needs to let other would be manufacturers know this is now an option. not just pushed this through as One Monopoly only, no others need to apply. Town Planner and Pioneer Valley Planning Commission could work together to have a meeting of potential Manufacturing locations in Agawam and invite potential manufacturing of recreational marijuana businesses to attend. Why is the Council only unbanning Manufacturing? There is a whole chain of other Recreational Marijuana business outside of Manufacturing and Retail Sales. Other Agawam businesses could open Cultivation, Laboratory, and Transportation, Testing businesses that could create jobs and increase the Tax Base. Why is The Council and the mayor only curing favor for Herbierto Flores? Medical Marijuana Sales are increasing in MA. Flores has a cultivation place approved in Whatley, but only for Medical. Why not allowed Agawam farmers an option to cultivate? Agawam's industrial park has spaces open that could test, research, and manufacturer; why not unban and help the industrial park?

William Clark
Feeding Hills

Item D. Minutes

1. Regular Council Meeting – December 21, 2020

Motion to table. Voice vote approved.

Item E. Declaration of Council President

At the request of Planning and Community Development Director Marc Strange, Council President Johnson read the following into record:

“In cooperation with the Pioneer Valley Planning Commission, the Agawam Age Friendly Committee respectfully requests your help. Please take the Agawam Livable Community Survey to help us identify the challenges and opportunities for older residents of Agawam to lead full and healthy lives. All survey respondents will be entered into a drawing for a Stop & Shop Gift Card. The survey results will be used in the development of a Community Assessment and Action Plan for making Agawam an Age and Dementia Friendly Community. The survey can be accessed on the town’s website or Facebook page. You can also call the Agawam Senior Center at 413-821-0605 for information.”

Item F. Presentation of Resolutions

1. TR-2020-84 - A Resolution authorizing the appropriation of \$3,036.00 from the Energy Management Project Stabilization Fund for costs related to the electric motor vehicle charging stations (Mayor Sapelli)

Motion to approve made by Councilor Mercadante and seconded by Councilor Cavallo. Council President Johnson noted that this item was for the appropriation for costs related to electric motor vehicle charging stations. Councilor Smith commented that by 2030 there are 18.7 million electric vehicles on the road as compared to the one million on the road now and by 2050 ninety percent of all vehicles on the road may be electric and it would be to the town’s advantage to possibly look into getting more. Council President Johnson said the town is in great position and have more charging stations than most communities our size.

The vote was **11 YES, 0 NO** approving the item.

Item G. Elections

1. TE-2021-1 -Election of City Council President

Council President Johnson stated for all the elections and for the sake of simplicity, please just vote yes for the name in nomination. Council Vice President Calabrese place the name of Christopher Johnson into nomination and Councilor Mercadante seconded it. Councilor Bitzas moved to close nominations and this was seconded by Councilor Suffriti.

The vote was **11 YES, 0 NO** for **Christopher Johnson** for Council President. Council President Johnson thanked everyone for their continued confidence in his leadership. Washington could take a lesson on the communication that we have here in Agawam. We never left mad due to opposing positions. He thanked them for being a great Council to lead and has a spirit of compromise. This is the way good government *should* work.

2. TE-2021-2 - Election of City Council Vice President

Councilor Cavallo pleased the name of Cecilia Calabrese into nomination and Councilor Suffriti seconded it. Councilor Mercadante moved to close nominations and Councilor Suffriti seconded it.

The vote was **11 YES, 0 NO** for **Cecilia Calabrese** for Council Vice President. Council Vice President Calabrese (via Zoom) thanked everyone for their continued confidence as part of the leadership team. We really are a team here in Agawam. We have had an extraordinary year being faced with issues that were never expected. She is so proud to be a part of the team not just with the City Council but all of our elected officials. Council President Johnson stated he could not ask for a better Vice President and considers Councilor Calabrese to be an invaluable part of the team – so many could take a lesson from what we are doing here in Agawam.

3. TE-2021-3 - Election of City Auditor

Councilor Sandlin placed the name of Cheryl St. John into nomination and Council Vice President Calabrese seconded it. Councilor Bitzas moved to close nominations and Councilor Suffriti seconded it. Councilor Bitzas said she has done a great job for many years.

The vote was 11 YES, 0 NO for Cheryl St. John for City Auditor. Cheryl (via Zoom) thanked the Council for their confidence and said if they have any questions to please do not hesitate to contact her.

4. TE-2021-4 - Election of City Council Administrative Assistant

Councilor Cavallo placed the name of Barbara Bard into nominations and Councilors Mercadante, Smith and Suffriti seconded it. Councilor Suffriti moved to close nominations and Councilor Rossi seconded it.

The vote was **11 YES, 0 NO** for **Barbara Bard** for City Council Administrative Assistant. Council President Johnson said this “with all the love and affection there is”, that Barbara truly is the Council Mom and he means that with the highest possible praise. She keeps the Council on track and takes care of us when we are down. As Council President Johnson often says to his staff in his law office, he’s not really “the boss” – he gets told where he’s supposed to be, when he is supposed to be there and what he is supposed to do. Barbara does that for all eleven of us. Barbara (via Zoom) thanked everyone and mentioned she loved working with each and every one of the Council. She said they always make her feel so very special and needed. It has always been a pleasure to work for the Council and she thanked everyone from the bottom of her heart.

Item H. Public Hearings

1. TOR-2020-9 (PH-2021-8) - An Ordinance to amend Chapter 180 of the Code of the Town of Agawam regarding Fences (Two Readings Required) - Public Hearing Date set for February 1, 2021 (Referred to Legislative Committee)

Council President Johnson said this item is tabled until February 1, 2021 for the scheduled Public Hearing. The Planning Board’s Public Hearing will be on January 21st.

Item I. Old Business

1. TOR-2020-8 - An Ordinance to amend Section 49-7(A)(2) of the Code of the Town of Agawam by increasing the annual salary of the Mayor (Mayor Sapelli) (2 of 2 Readings) as amended

Motion to approve the second and final reading as amended made by Councilor Sandlin and seconded by Council Vice President Calabrese. Councilor Rossi stated that he had given this issue great thought since the first reading to the point where it consumed him. It is always difficult to discuss raises and/or money issues especially during these difficult times and our job as legislators is to lessen the burden. During the first reading’s deliberations, he did not hear one bad word about the Mayor however he did hear a lot of well-deserved praise with a record that speaks for

itself. Through Mayor Sapelli's foresight and along with this City Council's efforts, we were able to accomplish many positive things resulting in dividends far into the future. He noted that the Council was not here to discuss the Mayor's fitness as mayor but were here to discuss the kind of wisdom, knowledge and energy that is required to do the job of mayor. Councilor Rossi believed that it was clearly a mistake to not raise the salary of the Mayor and it is not too late to correct that mistake. It would be difficult to play catch up but Councilor Rossi believed a fair compromise should be reached as the mere pittance he is offered today is an embarrassment to the Office of the Mayor as well as to the City Council for suggesting it. He quoted 'if it is in excellence we strive, then it is excellence we achieve' and one cannot put a price tag on that. Councilor Rossi concluded asking his fellow councilors to embrace believing in ourselves and our community as well as the future and suggested to Councilor Mercadante to heed a quote he saw on social media – 'The bitterness of poor quality remains long after the sweetness of a low price is forgotten'. Therefore, Councilor Rossi respectfully made the Motion to raise the salary from the amended \$95,000 to \$100,000. This was seconded by Councilor Cavallo. Councilor Smith said if one wants to make oneself available to the public, just go to Stop & Shop. He was approached by numerous people who asked why the Council didn't vote for the \$130,000, these people were upset because they believe he deserved the full amount and we need to attract good people to this office. Councilor Cavallo noted that the Mayor is a tireless worker and works harder than he did as Superintendent. Mayor Sapelli sets a good example for the mayors that follow him. Councilor Cavallo enthusiastically and thoroughly agrees with this amendment as like Councilor Smith stated, people are embarrassed and he also noted there are several employees in the Town Hall making more money than the Mayor. Councilor Bitzas said he would not go against the wishes of the Council but he said this item is not for Mayor Sapelli. This is for the JOB of the Mayor. He didn't feel it was right to give that big of a raise in one shot for any employee. A \$10,000 raise for one year is more than enough. In two years, we could give another \$10,000 and then another \$10,000 the next year after that to catch up but with these difficult times we are all experiencing and so many people out of work, it is difficult for him to agree to more than the \$10,000. Of course, Mayor Sapelli is worth it however the office of the Mayor is not a career – it is public service. Councilor Mercadante agreed with Councilor Rossi about his quote but said we shouldn't take that out of context. He respects everyone on the Council, is fond of everyone and loos to a lot of councilors for counsel but as Council President Johnson said, we move forward and no one leaves mad or upset. However he stated he could not wrap his head around the pain and anguish that is going on around this country and with all due respect, he too is on the front line and also hears from a lot of people. To him, this is not about Mayor William Sapelli as he is doing a great job and it is unfortunate that this has come before us in such an unfortunate time. With unemployment increasing and the pandemic it is such bad timing for this item and to hand out raises. Councilor Mercadante also said with all due respect to everyone here, leaders lead by example. In 2017, we attracted William Sapelli with the salary at that time. This is not about Mayor Sapelli, if it was he deserves even more that we can give him. Councilor Tedeschi echoed Councilor Rossi's sentiments. It is not a slap to Mayor Sapelli; it is a slap in the face to the Office of the Mayor. He tried to make a Motion to do step raises starting at \$100,000 but what Councilor Rossi proposed is a good first step. If the Council is so worried about the funds, then we could always amend our salaries down to \$6,000 and put the extra funds toward the Mayor's salary as that office is more important than our salaries which technically should be more for the privilege of serving the town. Council President Johnson made a Point of Information that just like last meeting we extending the mayor's term and whatever salary is in place would be for the same timing of that term.

Amendment #1

Motion to amend salary to \$110,000 made by Councilor Rossi and seconded by Councilor Cavallo.

The vote was **8 YES** (Councilors Calabrese, Cavallo, Johnson, Letellier, Rossi, Smith, Suffriti and Tedeschi), **3 NO** (Councilors Bitzas, Mercadante and Sandlin), **0 ABSENT** approving the amendment.

The vote on the Main Motion *as amended* was **8 YES** (Councilors Calabrese, Cavallo, Johnson, Letellier, Rossi, Smith, Suffriti and Tedeschi), **3 NO** (Councilors Bitzas, Mercadante and Sandlin), **0 ABSENT** approving the second and final reading.

2. **TO-2020-58 - An Order granting or renewing a Class 2 Dealer's LICENSE to Elias Auto, 1123 Suffield Street, Agawam, MA (Clerk) (Referred to and tabled on 12/21/20 by Administrative Committee)**

This item remained on the table.

Item J. New Business

1. **TO-2020-69 - An Order granting or renewing a Junk Dealer's PERMIT for Baki's Fine Jewelry, 9 North Westfield Street, Feeding Hills, MA (Clerk)**

Referred to Administrative Committee, next Agenda.

2. **TR-2021-1 - A Resolution confirming the reappointment of Maria Izzo, 124 Brookfield Lane, Agawam, MA to the Whiting Street and Thomas Pyne Fund for a term expiring December 31, 2023 (Mayor Sapelli)**

Next Agenda.

3. **TR-2021-2 - A Resolution confirming the reappointment of David Cecchi, 29 Albert Street, Agawam, MA to the Historical Commission to a term expiring January 1, 2024 (Mayor Sapelli)**

Next Agenda.

4. **TR-2021-3 - A Resolution confirming the reappointment of David Wheeler, 322 Meadow Street, Agawam, MA to the Agawam Municipal Golf Commission for a term expiring on December 31, 2023 (Mayor Sapelli)**

Next Agenda.

5. **TR-2021-4 - A Resolution confirming the reappointment of Charlotte M. Fields, 63 Central Street, Agawam, MA to the Historical Commission to a term expiring January 1, 2024 (Mayor Sapelli)**

Next Agenda.

6. **TR-2021-5 - A Resolution confirming the reappointment of Shelley Pass, 108 Bridge Street, Agawam, MA to the Historical Commission to a term expiring January 1, 2024 (Mayor Sapelli)**

Next Agenda.

7. **TOR-2021-1 - An Ordinance to amend Chapter 103 of the Code of the Town of Agawam for electric vehicle charging station fees (Two Readings Required) (Mayor Sapelli)**

Referred to Legislative Committee, next Agenda.

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

Council President Johnson stated that since we were partially live and partially Zoom, he would call on councilors alphabetically. Councilor Bitzas was upset to discover teachers were in Phase 2 of the State Vaccination Plan and to contact the Mayor and/or State Legislators above the importance of moving teacher to Phase 1 of this plan. He noted we have to have teachers healthy and protected in order to get our children back into the schools. Councilor Bitzas also mentioned that the Lions' Club distributed 55 desks to students. As a City Councilor, he congratulated the Lions' Club President and all of the volunteers who made the desks which he said were beautiful. He stressed if you know anyone in need to please contact the Lions' Club and also thanked the Westfield Home Depot for the supplies.

Councilor Bitzas also congratulated Michael Theroux on being name interim Health Director. He has spent three years working the Health Department. Michael Theroux is an AHS graduate and has worked his way up the ranks in town and is very qualified for this position with all the degrees and certifications. After hearing the Mayor speak, Councilor Bitzas believed and hoped there was a distinct possibility he could become the next Health Agent. Councilor Cavallo exclaimed how thrilled he was to see Councilor Letellier back with us and hoped she continued to get better. He gave a shout out to Lisa Bruno for sending a thank you note on waiving the Liquor License annual fee. She is a true class act and hard worker! Councilor Letellier thanked everyone for their patience as she recovers. She thanked Paul for welcoming her back and also thanked Barbara for all her constant support, cards and love. She wished everyone a Happy and Healthy New Year. Council President Johnson reiterated what Councilor Cavallo said – it is absolutely fantastic to have Councilor Letellier here on Zoom and great to see her again. Councilor Rossi wished Councilor Letellier well and also said how glad he was to see you in person. He can't wait until she is able to join the Council on stage in person. Councilor Sandlin thanked the Lions' Club for their contribution of desks to students/families in need. She challenged everyone to send in a donation. Councilor Sandlin also urged residents to complete the questionnaire as it could mean money for the town and asked for support of the AHS Hockey Team who is selling gators. Councilor Smith sent condolences to Agawam losing another fine man – Lou Massoia – who will be definitely missed. Councilor Mercadante wished everyone well, stay safe and for all you college football fans – ROLL TIDE! Councilor Suffriti congratulated Council President and Vice President and also Mr. Theroux for getting the position of Health Agent. He thinks he will do a fantastic job. He reminded everyone to use common sense and stay safe. Councilor Tedeschi thanked everyone who supported the Rotary virtual calendar fundraiser. It was quite a success for Rotary. He also wished everyone a Happy New Year. Council President Johnson wished everyone a happy and health New Year and sent special thanks to the Mayor for keeping us informed as a City Council. We work so well together and again thanked him on behalf of the Council for his continued support and faith in our leadership, as well as thanking all the volunteers that broadcast our meetings.

Item M. Adjournment

Motion to adjourn moved and seconded all around. Meeting was adjourned at 7:51pm.

***Please note that this meeting will be live-streamed on Channel 15 as well as on the town's website*
(www.agawam.ma.us)**

Approved

TR-2020-84

A RESOLUTION AUTHORIZING THE APPROPRIATION OF \$3,036.00 FROM THE ENERGY MANAGEMENT PROJECT STABILIZATION FUND FOR COSTS RELATED TO THE ELECTRIC MOTOR VEHICLE CHARGING STATIONS

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the City Council of the Town of Agawam adopted the fourth paragraph of Massachusetts General Laws, Chapter 40, Section 5B which provides for the dedication of certain monies to the energy management stabilization fund effective July 1, 2018 (TOR 2018-11); and

WHEREAS, the energy management stabilization fund has an approximate balance of one hundred and thirty four thousand and six hundred and sixteen dollars and twenty five cents (\$134,616.25); and

WHEREAS, the Town of Agawam has received a quote from Voltrek, LLC for the cost of network subscription fees in the amount of \$2686.00 for all of the charging stations and also a quote for \$350.00 to repair a part on one of the charging stations; and

WHEREAS, the total cost is \$3,036.00; and

WHEREAS, the appropriation of monies from the energy management stabilization fund for the costs to maintain and repair the electric vehicle charging stations in Town is consistent with the purpose of the stabilization fund; and

WHEREAS, it is in the best interest of the Town of Agawam to appropriate monies to maintain and repair the electric motor vehicle charging stations.

NOW THEREFORE, the Agawam City Council hereby appropriates three thousand and thirty six dollars and zero cents (\$3,036.00) from the Energy Management Stabilization Fund 705 for the maintenance and repair of electric motor vehicle charging stations within the Town of Agawam.

Dated this 11th day of JANUARY, 2020.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti, City Solicitor

Orig: TN Clerk
cc: Council
cc: Law Dept.
cc: Planning
cc: Auditor

First Reading 12/24/19
Second Reading 1/11/20
Approved

TOR-2020-8

AN ORDINANCE TO AMEND SECTION 49-7 (A)(2) OF THE CODE OF THE TOWN OF AGAWAM BY INCREASING THE ANNUAL SALARY OF THE MAYOR

(Sponsored by Mayor William P. Sapelli)

WHEREAS, according to the Code of the Town of Agawam, the last time the salary for the position of Mayor was adjusted was in January of 2008; and

WHEREAS, in 2020, the position of Mayor was not amongst the top 100 highest paid employees of the Town of Agawam, including School Department employees; and

WHEREAS, all employees of the Town of Agawam, including School Department employees have seen significant increases in their salaries since January of 2008; and

WHEREAS, most area communities with the mayoral form of government have increased the salary for the position of Mayor since January of 2008; and

WHEREAS, full time Town administrators in the region who perform the function of overseeing the day to day operations of a municipality receive an annual salary far in excess of the Agawam Mayor's salary; and

WHEREAS, in order to attract qualified individuals to run for the position of Mayor, Agawam needs to offer a salary commensurate with the duties and responsibilities of the position.

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves, ordains and enacts the following amendment to Section 49-7(A)(2) of the Code of the Town of Agawam:

§ 49-7(A)(2) Amend the last sentence to read: "The Mayor shall receive an annual salary of ~~\$130,000.00~~ (effective with the commencement of the term beginning January, 2022). \$110,000.00"

Dated this 11th day of JANUARY, 2020.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti, City Solicitor

Orig: TN Clerk
cc: Council
cc: Law Dept.
cc: Auditor
cc: Treasurer
cc: Personnel