

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

Minutes dated January 18, 2022

Meeting was called to order by Council President Johnson at 7:01pm at the Agawam Junior High School.

Item A. Roll Call

ROLL CALL – 11 PRESENT, 0 ABSENT

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

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

Mayor Sapelli spoke about the recent feasibility study workshop and wanted the viewing audience to know they can go on the town website to watch the workshop where a lot of information was provided. The video tour of the High School is also on there and he thought that that was very eye-opening giving a better impression of the current conditions and space needs. Mayor Sapelli noted that the item being acted upon was just for the schematic design only. This would bring us to the next level with the MSBA who will tell us what our needs and remedies will be whether it be renovation, addition or rebuilding. If the Council votes no on this study, the entire process ends here. He thanked everyone for their diligence and willingness to consider this and encouraged everyone to vote in favor.

Item D. Minutes

1. Regular Council Meeting – December 20, 2021

Motion to approve made by Councilor Mercadante and seconded by Councilors Sandlin and Smith. The minutes were voice vote unanimously approved with Council President Johnson noting the abstention of Councilor Russo.

2. Organizational Meeting – January 3, 2022

Motion to approve made by Councilor Mercadante and seconded by Councilors Sandlin, Smith and Cavallo. The minutes were voice vote unanimously approved.

Item E. Declaration of Council President

None.

Item F. Presentation of Resolutions

1. TR-2021-68 - A Resolution to appropriate funds for a feasibility study for Agawam High School pursuant to Massachusetts General Laws Chapter 70B and the Massachusetts School Building Authority (Sponsored by Mayor Sapelli) (Referred to Community Relations Committee) (Tabled 12/6/21)

Motion to remove the item from the table made by Councilor Sandlin and seconded by Councilor Russo. Voice vote approved. Motion to approve made by Councilor Mercadante and seconded by Councilors Smith, Letellier and Sandlin. As Chair of the Community Relations Committee, Councilor Bitzas provided the report stating that there was

discussion about the recent workshop and where Council questions were answered. Some councilors went on a tour of the High School on Saturday. All councilors spoke in favor in the need to spend the \$1.25 million for the feasibility study. The final cost of the study will be \$500,000 for the town as the rest will be paid by the state. The need to do something about the High School situation was noted as well as for some of our other schools. The Committee made a Motion to send a positive recommendation to the Full Council which was made by Councilor Rossi and seconded by Councilor Suffriti. The vote was 4 Yes, 0 No, 1 Absent (Councilor Calabrese) Councilor Mercadante said it was important to reiterate that this item would be 60% reimbursed.

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

- 2. TR-2022-1 - A Resolution confirming the appointment of Michael DiLullo, 948 Shoemaker Lane, Agawam, MA to the Agawam Planning Board to an unexpired term expiring January 1, 2024 (Sponsored by Mayor Sapelli)**

Motion to approve made by Councilor Smith and seconded by Councilors Sandlin and Cavallo.

The vote was **11 YES, 0 NO** approving the item. Council President Johnson thanked Mr. DiLullo for his willingness to serve.

- 3. TR-2022-2 - A Resolution confirming the reappointment of Corinne Wingard, 194 Elm Street, Agawam, MA to the Agawam Housing Committee to a term expiring October 1, 2024 (Sponsored by Mayor Sapelli)**

Motion to approve made by Councilor Smith and seconded by Councilors Smith and Letellier. Councilor Smith said when he was elected to the City Council, he took a pledge to always vote in the best interest of the Town of Agawam however when this item first came before us, he let his personal feelings interfere with his vote. He was going to vote for what was best for Agawam and supported this reappointment. Councilor Rossi was extremely troubled by this unethical and inappropriate Agenda item. He doesn't speak to the applicant but only to the integrity of it being reintroduced with it first being introduced as TR-2021-64 and defeated on November 18, 2021 by a 7-4 vote. The minutes were transcribed, approved and accepted as true and accurate and without objection. However, he is confused that with the reintroduction of this item, we are completely disregarding that previous vote as if it never existed. Councilor Rossi stated his vote is his vote and won't allow it to be suspect to outside influences. He made several requests to have this item withdrawn but to no avail. He is opposed to this item noting that coloring outside the lines is never a good thing and gives a negative vote. Councilor Bitzas agreed with Councilor Rossi also stating he was surprised at it being reintroduced wondering why we would have the same item as we did two months ago. The decision of the City Council should be respected. He said he would not bend to political pressure and change how he originally voted. Councilor Bitzas said he would vote present just as he originally did when it was on the Council Agenda for the first time. Councilor Letellier stated that Corinne Wingard is one of the most informed people and it is the right decision for her to continue to be on the Housing Committee.

The vote was **6 YES** (Councilors Johnson, Letellier, Russo, Sandlin, Smith and Suffriti), **0 NO, 0 ABSENT, 5 PRESENT** (Councilors Bitzas, Calabrese, Cavallo, Mercadante and Rossi) approving the reappointment.

Item G. Elections

- 1. TE-2022-3 - Election of a regular member of the Zoning Board of Appeals**

Council President Johnson opened the floor for nominations however the name of Gary Geiger was the only person expressing interest. Councilor Cavallo placed the name of Gary Geiger into nomination and Anthony Russo seconded this. Move to close nominations made by Councilor Sandlin and seconded by Council Vice President Calabrese.

The vote was **11** for **GARY GEIGER**. Council President Johnson congratulated Mr. Geiger and thanked him for wishing to continue serving the town.

Item H. Public Hearings

None.

Item I. Old Business

- 1. TO-2021-58 - An Order granting or renewing a Class 2 Dealer's LICENSE to Balfour Motors, 1801 Main Street, Agawam, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Sandlin and seconded by Councilor Suffriti. As Chair of the Administrative Committee, Councilor Rossi stated that there were no issues or concerns with this application and the Committee voted to send a positive recommendation to the Full Council by a vote of 4 Yes, 0 No, 1 Absent (Councilor Letellier)

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

- 2. TO-2021-59 - An Order granting or renewing a PERMIT for Weekly Amusement for N. Liquori, Inc. d/b/a The Back Room, 827 Springfield Street, Feeding Hills, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Mercadante and seconded by Councilors Rossi and Calabrese. As Chair of the Administrative Committee, Councilor Rossi stated that there were no issues or concerns with this application and the Committee voted to send a positive recommendation to the Full Council by a vote of 4 Yes, 0 No, 1 Absent (Councilor Letellier)

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

- 3. TO-2021-60 - An Order granting or renewing a Class 1 Dealer's LICENSE to G&T Beaver, Inc. d/b/a Beaver Camper Service, 721 Springfield Street, Feeding Hills, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Smith and seconded by Councilor Sandlin. As Chair of the Administrative Committee, Councilor Rossi stated that there were no issues or concerns with this application and the Committee voted to send a positive recommendation to the Full Council by a vote of 4 Yes, 0 No, 1 Absent (Councilor Letellier)

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

- 4. TO-2021-61 - An Order granting or renewing a Class 2 Dealer's LICENSE to Paul J. LaPointe d/b/a The Car Connection, 820 Springfield Street, Feeding Hills, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Smith and seconded by Councilor Suffriti. As Chair of the Administrative Committee, Councilor Rossi stated that there were no issues or concerns with this application and the Committee voted to send a positive recommendation to the Full Council by a vote of 4 Yes, 0 No, 1 Absent (Councilor Letellier)

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

- 5. TO-2021-62 - A Budgetary Transfer of \$215,888.55 from Building Maintenance Street Lighting (#16602-52120) to Building Improvements (#11922-58250) (Sponsored by Mayor Sapelli) (Referred to Finance Committee)**

Motion to approve made by Council Vice President Calabrese and seconded by Councilors Cavallo and Sandlin. As Chair of the Finance Committee, Councilor Mercadante provided the report stating that the Morgan Sullivan Decorative Lights (TR-2021-22) were appreciated by \$250,000 and the bid was less leaving a balance when combined with what was left over from retrofitting street lights to LED – this leaves us with a \$215,888.55 balance. By transferring this amount, we can do the routine maintenance on town and school buildings, air duct cleaning and

inspections, the façade and gutters on APD, Granger School gazebo, maintenance, garage roof replacement, high school gym floor repairs and Little League concession stand repairs. The Committee sent a positive recommendation to the Full Council by a vote of 4 Yes, 0 No, 1 Absent (Councilor Calabrese)

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

6. TO-2022-1 - An Order granting or renewing a PERMIT for Weekly Amusement for Afterburner, Inc. d/b/a Hangar Pub, MA (Clerk) (Referred to Administrative Committee)

Motion to approve made by Councilor Smith and seconded by Councilors Sandlin and Suffriti. As Chair of the Administrative Committee, Councilor Rossi stated that there were no issues or concerns with this application and the Committee voted to send a positive recommendation to the Full Council by a vote of 4 Yes, 0 No, 1 Absent (Councilor Letellier)

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

7. TO-2022-2 - An Order granting or renewing a LICENSE for Automatic Amusement Device(s) for Afterburner, Inc. d/b/a Hangar Pub, MA (Clerk) (Referred to Administrative Committee)

Motion to approve made by Councilor Smith and seconded by Councilors Sandlin and Suffriti. As Chair of the Administrative Committee, Councilor Rossi stated that there were no issues or concerns with this application and the Committee voted to send a positive recommendation to the Full Council by a vote of 4 Yes, 0 No, 1 Absent (Councilor Letellier)

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

8. TO-2022-3 - An Order granting a PERMIT for Weekly Amusement for Alano Club of Springfield, Inc., 36 King Street, Agawam, MA (Clerk) (Referred to Administrative Committee)

Motion to approve made by Councilor Sandlin and seconded by Councilor Suffriti. As Chair of the Administrative Committee, Councilor Rossi stated that there were no issues or concerns with this application and the Committee voted to send a positive recommendation to the Full Council by a vote of 4 Yes, 0 No, 1 Absent (Councilor Letellier)

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

9. TO-2022-4 - An Order granting or renewing a Class 2 Dealer's LICENSE to Bear Auto Sales, 517 Springfield Street, Feeding Hills, MA (Clerk) (Referred to Administrative Committee)

Motion to approve made by Councilor Smith and seconded by Councilors Suffriti and Cavallo. As Chair of the Administrative Committee, Councilor Rossi stated that there were no issues or concerns with this application and the Committee voted to send a positive recommendation to the Full Council by a vote of 4 Yes, 0 No, 1 Absent (Councilor Letellier)

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

Item J. New Business

1. TOR-2022-1 - An Ordinance to amend the Code of the Town of Agawam Zoning Ordinance regarding Drive-In and Drive-Through restaurants (Sponsored by Mayor Sapelli) (Two Readings Required) – Refer to Planning Board and Set a Public Hearing Date

Council President Johnson officially referred this item to the Planning Board and set our Public Hearing date for March 7th. He also referred it to the Legislative Committee.

2. **TOR-2022-2 - An Ordinance amending Chapter 33 of the Code of the Town of Agawam by establishing a Tax Title Revolving Account (Sponsored by Mayor Sapelli) (Two Readings Required)**

Referred to Finance Committee and goes hand in hand with TR-2022-10, next Agenda.

3. **TR-2022-3 - A Resolution renouncing nuclear weapons proliferation and urging the United States to pull “back from the brink” and prevent nuclear war (Sponsored by Councilor Calabrese)**

Referred to Community Relations Committee, next Agenda.

4. **TR-2022-4 - A Resolution confirming the reappointment of Mary Lee Bertrand, BSN, 926 North West Street, Feeding Hills, MA to the Board of Health for a term expiring the first Monday in February, 2025 (Sponsored by Mayor Sapelli)**

Next Agenda.

5. **TR-2022-5 - A Resolution accepting a grant (\$9,062.04) from the Commonwealth of Massachusetts State 911 Department for the Agawam Police Department (Sponsored by Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

6. **TR-2022-6 - A Resolution accepting a 911 Support and Incentive Grant (\$116,290.00) from the Commonwealth of Massachusetts State 911 Department for the Agawam Police Department (Sponsored by Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

7. **TR-2022-7 - A Resolution confirming the reappointment of Gladys L. Fernandez-Largay, MD, 187 Edgewater Road, Agawam, MA to the Board of Health for a term expiring the first Monday in February, 2025 (Sponsored by Mayor Sapelli)**

Next Agenda.

8. **TR-2022-8 - A Resolution accepting a donation in the amount of Forty Two Dollars and Forty Four Cents (\$42.22) from the Bonavita Committee (Sponsored by Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

9. **TR-2022-9 - A Resolution to appropriate and authorize borrowing in the amount of Three Million and Three Hundred Thousand Dollars (\$3,300,000.00) in order to refund existing bonds pursuant to M.G.L. Chapter 44, §21A (Sponsored by Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

10. **TR-2022-10 - A Resolution to accept M.G.L Chapter 60, §15B to establish a Tax Title Collection Revolving Fund (Sponsored by Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

11. **TO-2022-5 - An Order granting or renewing a Class 2 Dealer’s LICENSE to 57 Auto, LLC, 371 South Westfield Street, Feeding Hills, MA (Clerk)**

Referred to Administrative Committee, next Agenda.

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

Councilor Suffriti wished “our leader Barbara” a very happy birthday. Regarding the new microphones, he made the observation that when several councilors wish to speak only a few are allowed so it blocks out others. When it comes to your time to speak, it won’t allow your microphone to work. Councilors Rossi, Cavallo, Letellier, Calabrese, Bitzas, Russo and Mercadante all wished Barbara a happy birthday. Councilor Bitzas was very pleased with the new microphones saying it was easier to hear everyone. Council President Johnson also wished Barbara a happy birthday noting she was finally “legal” lol. He also wished a happy birthday next week to Councilors Cavallo and Bitzas. He asked for anyone interested in being on the School Building Committee to please let Barbara know asap. There is only one slot available. Council Vice President Calabrese said please include any particular expertise you may have as well.

Item M. Adjournment

Motion to adjourn was moved and seconded all around. Meeting was adjourned at 7:37pm.

Please note that this meeting was live-streamed on Channel 15 as well as being able to view on the town’s website
www.agawam.ma.us

approved

TR-2021-68

A RESOLUTION TO APPROPRIATE FUNDS FOR A FEASIBILITY STUDY FOR AGAWAM HIGH SCHOOL PURSUANT TO G.L. C. 70B AND THE MASSACHUSETTS SCHOOL BUILDING AUTHORITY

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Massachusetts School Building Authority (MSBA) has conducted a preliminary review of the Town of Agawam's inquiry for the construction of a new High School for the Agawam School District; and

WHEREAS, pursuant to MSBA guidelines, the next step in the process is for the town of Agawam to authorize and appropriate funds to conduct a feasibility study (the "Study") to consider all alternatives, including renovation/reconstruction and new construction, with respect to the high school; and

WHEREAS, a School Building Committee will be organized by the mayor to oversee the expenditures related to the study; and

WHEREAS, the Agawam High School is located at 760 Cooper Street and was originally constructed in 1955, with additions constructed in 1961, 1980, and 1997.

WHEREAS, the High School is a sprawling one floor design that is not energy efficient and also poses challenges from a public safety perspective; and

WHEREAS, The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA but further recognizes that the Town may be eligible to close to sixty percent (60%) reimbursement of eligible project costs; and

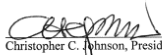
WHEREAS, the amount of available funding or borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the Town and the MSBA.

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves to authorize that the sum of one million and two hundred and fifty thousand and zero dollars (\$1,250,000.00) be and hereby is appropriated to pay the costs of the feasibility study to consider alternatives for Agawam High School located at 760 Cooper Street, Agawam, MA 01001 including the payment of all costs incidental or related thereto (the "Study") and for which the Town of Agawam is eligible for a grant from the Massachusetts School Building Authority ("MSBA"), said amount to be expended under the direction of the Agawam School Building Committee; and to meet this appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum

under M.G.L. Chapter 44, or any other enabling authority; that the Town acknowledges that the MSBA grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provide further that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Feasibility Study Agreement that may be executed between the Town and the MSBA. Any premium received upon the sale of any bonds or notes approved by this resolution, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this resolution in accordance with M.G.L. c.44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Dated this 18th day of January, 2022

PER ORDER OF THE AGAWAM CITY COUNCIL


Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY


Stephen J. Buoniconti, City Solicitor

Orig. Clerk's Office
cc: Council
cc: Law Dept
cc: School Dept
cc: Building
cc: Maint
cc: Proc
cc: Auditor
cc: Treasurer

AM 65872428.2

approved

TR-2022-1

A RESOLUTION CONFIRMING THE APPOINTMENT OF MICHAEL DILULLO, 948 SHOEMAKER LANE, AGAWAM, MA 01001 TO THE PLANNING BOARD TO AN UNEXPIRED TERM EXPIRING JANUARY 1, 2024

WHEREAS, a vacancy currently exists on the Planning Board; and

WHEREAS, the Mayor has appointed, Michael DiLullo, 948 Shoemaker Lane, Agawam, MA 01001 to the Planning Board to a term expiring on January 1, 2024; and

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves to confirm the appointment of Michael DiLullo, 948 Shoemaker Lane, Agawam, MA 01001 to the Planning Board to an unexpired term expiring on January 1, 2024.

DATED THIS 18th DAY OF January, 2022.

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

Orig. Clerk's Office
cc: Council
cc: Planning
cc: Planning Board
cc: Law
cc: Mayor

approved

TR-2022-2

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF CORINNE WINGARD, 194 ELM STREET, AGAWAM, MA TO THE AGAWAM HOUSING COMMITTEE TO A TERM EXPIRING OCTOBER 1, 2024

WHEREAS, the appointment of Corinne Wingard, 194 Elm Street, Agawam, MA on the Agawam Housing Committee has expired; and

WHEREAS, the Mayor has reappointed Corinne Wingard, 194 Elm Street, Agawam, MA to the Agawam Housing Committee to a term expiring on October 1, 2024; and


NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves to confirm the reappointment of Corinne Wingard, 194 Elm Street, Agawam, MA to the Agawam Housing Committee to a term expiring October 1, 2024

DATED THIS 18th DAY OF January, 2022.

PER ORDER OF THE AGAWAM CITY COUNCIL


Christopher C. Johnson, President, Agawam City Council

APPROVED AS TO FORM AND LEGALITY


Stephen Buoniconti, City Solicitor

Orig. Clerk's Office
cc: Council
cc: Planning
cc: Law
cc: Mayor

Approved
TO-2021-62

BUDGETARY TRANSFER FORM

Department: Line Items
Amount: \$ 215,888.55 Date: 12/16/21
From: Street Lighting c/o 16609-52120
Title of Account Account Number
To: Building Improvements 11922 58250
Title of Account Account Number

Reason for Transfer:
To fund improvements and repairs to school and town buildings.
William Sapelli
Department Head

I hereby certify that funds are available to make the above-stated transfer.
Date: 12/16/21 Cheryl St. John
Cheryl St. John, Auditor

I hereby approve placement of the above-stated transfer on the Council agenda.
Date: 12/16/21 William Sapelli
William Sapelli, Mayor

Approved as to form and legality.
Date: 12/16/21 Stephen Bioniconi
Stephen Bioniconi, Solicitor

PER ORDER OF THE AGAWAM CITY COUNCIL - APPROVED ON Jan 18, 2022
Date: 1/18/22 Christopher Johnson
Christopher Johnson, President

APPROVAL OF LEGISLATION: Pursuant to Section 3-6 of the Agawam Home Rule Charter, I hereby approve the Council passage of the above-stated transfer.
Date: 1/19/22 William Sapelli
William Sapelli, Mayor

DISAPPROVAL OF LEGISLATION: Pursuant to Section 3-6 of the Agawam Home Rule Charter, I hereby disapprove the Council passage of the above-stated transfer.
Date: _____
William Sapelli, Mayor

OTG - TO Clerk, Council, Auditor, Treasurer, Building Maintenance & Mayor's Office

Licenses/Permits TO-2021-58 through and including TO-2021-61 and TO-2022-1 through and including TO-2022-4 were also approved.