

LEGISLATIVE SUB-COMMITTEE MINUTES

February 22, 2022

- Present:** Anthony Suffriti - Chair
Rosemary Sandlin – Vice Chair
George Bitzas
Anthony Russo
- Absent:** Gina Letellier
- Also Present:** Councilors Calabrese, Mercadante, and Smith, Mayor Sapelli and Solicitor Buoniconti
- Called to Order:** Meeting was called to order by Chairman Suffriti at 6:04pm at the Teachers’ Conference Room at the Agawam Junior High School

AGENDA

1. Approval of Minutes dated November 15, 2021

Motion to approve the minutes was moved by Councilor Bitzas and seconded by Councilor Sandlin.

The vote was 3 Yes, 0 No, 1 Absent (Councilor Letellier), 1 Abstention (Councilor Russo) approving the minutes.

2. 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)

Solicitor Buoniconti provided the background of this item stating that the Mayor thinks this will provided greater flexibility and create more business opportunities. The current zoning requires a mandatory minimum of fifty parking spaces. This could cause for a misuse of business land and we need to revise this ordinance. There would still be a process with the ZBA if the business owner wanted to reduce the parking space requirement down to 25. Councilor Suffriti said it made sense to do this especially how society has changed with Covid and more people want to drive up to received their purchases. Councilor Bitzas agreed and was glad to see this on the Agenda although he would like to see the minimum parking space reduced even further to ten. Councilor Mercadante agreed with the Solicitor noting it would be a great move. Sometimes politicians get involved in how to run businesses and come up with absurd rules and regulations. The Council is here to help businesses prosper. Councilor Suffriti asked if ADA parking spaces were based of square footage of the building or the total number of available spaces. Councilor Mercadante said it is based off of the square footage of the building. Councilor Suffriti wanted to make sure that if we reduce this number that it wouldn’t adversely affect the number of ADA parking spaces. Councilor Sandlin is also on the Zoning Review Committee and she said they are looking to encourage businesses to apply even if they aren’t traditionally qualified for drive through access. She supports this ordinance. Councilor Bitzas again questioned reducing the number to ten. Mayor Sapelli commented on why they were suggesting 25 with the Solicitor noting they can go before the ZBA to reduce it even further if necessary. Discussion continued.

Motion to send a positive recommendation to the Full Council made by Councilor Sandlin and seconded by Councilor Bitzas. The vote was 4 Yes, 0 No, 1 Absent (Councilor Letellier)

3. TOR-2022-3 - An Ordinance to amend Chapter 49 of the Code of the Town of Agawam (Sponsored by Mayor Sapelli)

Solicitor Buoniconti began confirming that the Council knew that the HR Director recently retired. They are waiting to post this position until this item is acted upon. The previous HR Director was paid at a Tier 3 status which was strictly within the Town Code. She historically was assigned stipends amounting to \$10,000. Please note that this is not a personnel matter that the Mayor has jurisdiction to change. This position is peculiar because it was not a Department Head position and it should be as this person works hand in hand with the Mayor. They are proposing to change it to a Tier 2 position and remove the stipends. The salary range would be \$81,000 - \$100,000. Mayor Sapelli stated he is not for stipends and wanted to remove them and place within the salary. It is more transparent. Councilor Russo asked if this item is approved, would the stipends

be gone and it just be a strict salary and Councilor Mercadante noted that according to what he read, the work load with respect to stipends would be rolled into someone else's job. Councilor Sandlin said this gives the Mayor more flexibility with the hiring and firing process because an incoming mayor cannot make many changes in personnel because of the way they are covered. Mayor Sapelli said no this position is not in the union and it will not be in the future. Councilor Mercadante had no problem with moving this to another tier however he does have a problem with the salary range of \$81,300 to \$100,041. Mayor Sapelli said we have two choices – Tier 2 and Tier 3. Tier 2 is not high enough for this position so the only option is to choose Tier 3. We cannot create another tier. This salary range is what the tier offers. Councilor Mercadante was alarmed with the amount of money and made a point of saying we have an excellent Mayor and this was not personal. He was concerned with the amount of money department heads were making and wondered if there was a way to make this position make less than what the Mayor makes with realizing one has to pay to attract quality personnel. We have to justify this to the taxpayer. Councilor Sandlin feels that this position is very important and needs to have a qualified person hired. The previous HR Director did not have those qualifications and should have received a lower salary however to attract the right person, it is important for the Mayor to have the flexibility to look at qualifications and attach a number to that. Mayor said that with this the maximum salary is \$100,000 and previously with the stipends, the salary was not far off from that amount. He said this position is one of the most important positions and is a massive job. He also said the town is locked into tiers so this seems to be the best option. Solicitor Buoniconti said unless we get a knock out candidate, the Mayor's intention is to start the new hire out at the lower grade of the tier. Councilor Bitzas asked if the responsibilities were being taken away from the HR Director then how much would be paid to whoever took over those responsibilities because if you take away from one then you are just giving it to another. Solicitor said the savings will come as we will be putting the Workers Comp out to bid and that work load might be absorbed by a new bid. Councilor Bitzas disagreed with paying more for a more qualified person and thinks the current salary of \$80000-\$85000 is fair enough and doesn't believe there will be a problem filling this position. Mayor respectfully disagreed reiterating that this is too important of a position to just settle on anyone. Councilor Russo first thought the salary seemed high and thought we could negotiate but now better understands the tier process. There was some discussion on surrounding town salaries for similar positions. He also asked what kind of education would be required for this position and the Solicitor stated they would include a Bachelor Degree requirement and five years of service in the industry. Councilor Russo agreed that those were important requirements. The Solicitor said we do not have a lot of latitude with his if it stays as is because this position is still tied to the Code which is also tied to the Administrative Union contract so the Mayor would have to follow the Administrative Union. Councilor Sandlin asked if it would be possible for the Mayor to offer this position to be a three year and not have it keep going up the ladder and yes it could. Councilor Sandlin also said it was important to leave latitude up to the sitting mayor to negotiate this position. Councilor Mercadante said we should be starting people on the lower end of the tier so they have room to grow. Mayor confirmed as all the recent Department Heads have left, we negotiated with them to start on a lower range. There was more discussion back and forth

Motion to send a positive recommendation to the Full Council made by Councilor Sandlin and seconded by Councilor Russo. The vote was 3 Yes, 1 No (Councilor Bitzas), 1 Absent (Councilor Letellier)

4. Any other business that may legally come before the Committee.

None.

5. Adjournment.

Motion to adjourn was moved by Councilor Sandlin and seconded by Councilor Tedeschi. The meeting was adjourned at 6:35pm.

Respectfully submitted,

Councilor Anthony Suffriti, Chair
Legislative Committee