

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

Minutes dated March 21, 2022

Meeting was called to order by Council President Johnson at 7:00pm at the Agawam Junior High School.

Item A. Roll Call

ROLL CALL – 7 PRESENT, 4 ABSENT

Roll Call was taken with the following Councilors present: Cecilia Calabrese, Christopher Johnson, Dino Mercadante, Anthony Russo, Robert Rossi, Gerald Smith, and Anthony Suffriti. Councilors Bitzas, Cavallo, Letellier, and Sandlin were absent. With seven 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

None.

Item D. Minutes

1. Regular Council Meeting – March 7, 2022

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

Item E. Declaration of Council President

None.

Item F. Presentation of Resolutions

1. TR-2022-18 - A Resolution confirming the reappointment of Frank Mazzei, 476 Springfield Street, Feeding Hills, MA to the Agawam Veterans Council to a term expiring April 1, 2025 (Sponsored by Mayor Sapelli)

Motion to approve made by Councilor Smith and seconded by Councilors Suffriti and Mercadante.

The vote was **7 YES, 0 NO, 4 ABSENT** (Councilors Bitzas, Cavallo, Letellier, and Sandlin) approving the item. Council President Johnson thanked Mr. Mazzei for his continued service.

2. TR-2022-21 - A Resolution declaring and designating a certain strip of land at 36 Main Street as surplus land and authorizing the Mayor to sell that certain strip of land (Sponsored by Mayor Sapelli)

Motion to approve made by Councilor Smith and seconded by Councilors Rossi, Suffriti and Mercadante. Council President Johnson asked for a Motion to go in to Committee as a Whole to listen to a presentation from Mayor Sapelli and Solicitor Buoniconti. Motion made by Councilor Rossi and seconded by Councilor Suffriti. Now in Committee as a Whole, Council President Johnson welcomed Mayor Sapelli.

Mayor Sapelli thanked Council President and the City Council for the opportunity to speak. He appreciated them helping to keep moving Agawam forward. This strip of land is to the right of the Town Hall. The vacant property on

the corner of Main and Suffield Streets belongs to the Colvest Group and was the old Getty Station and Agawam Motel where the back end gets narrower. The developer is looking to square off that property and is planning on placing three different businesses on that property if this all works out. Mayor was concerned with how this would help the town. The developer also owns the property between the Town Hall and the Doering School. This would be nice for future expansion whether for the Town Hall or the school. His concerns were for enough parking for taxpayers and employees at the Town Hall and the bus pass-through route through the parking lot to the Doering School. There should be no problem with these issues if this happens. There are also easements to be concerned with that they have looked at as well. Mayor stated that they feel after everything is considered that it is the best option to put this before the City Council as surplus land. He then asked Solicitor Buoniconti to go into further detail. Solicitor Buoniconti thanked the Mayor and the City Council. He explained what this Resolution was attempting to accomplish noting it was simply giving authority to the Mayor to look at various options and in no way compels the Town to sell. He explained the unique shape of this parcel in the rear of the Town Hall parking lot and that if this happened, the Town would be getting something more valuable in return. The assessed value of that parcel is \$23,000 and since the Mayor is a shrewd negotiator, he would not give anything up that did not meet or exceed our needs. Because the parcel is assessed under \$35,000, it does not have to go through the RFP process allowing the Mayor to negotiate with anyone. The parcel itself provided the developer better use for future projects. We have worked with the Engineering Department to review any easements associated with this parcel including MassDOT and Push Pole easements. By approving this, the Solicitor said the City Council is trusting the Mayor to do the right thing and they think it is a great deal if it works out the way they want it to. He assured the City Council that if something falls apart, then the Mayor would not access this right. Council President Johnson opened the floor to questions. Councilor Mercadante asked about any drainage issues and land to acquire. The Solicitor emphasized that this was not a land swap and any transactions would occur simultaneously. Councilor Mercadante also asked if there were any wetlands in any of the related land to which the answer was no. He also asked if the developer did acquire this parcel, would it have to go through the zoning process to become commercial and the Solicitor confirmed it would indeed have to apply for a zone change. Councilor Smith agreed and trusted the communication from the Mayor. He asked if the developer had specific plans for that parcel. Mayor thought the developer may have a potential Starbucks type business as well as a fast food type business. The other would probably be some sort of a professional building however those were not cast in stone. Councilor Russo asked about the size of the related parcels. Mayor stated that the parcel between the school and the Town Hall was 1 ½ - 2 acres and the small parcel in the back of the Town Hall was about ½ - ¾ acre. Councilor Rossi said the intent of this is admirable and hopes it works out as years ago, the City Council entertained and eventually rejected the proposed purchase of the property near the school and thought this sounded like a win for the town. Mayor responded to Councilor Mercadante stating that he would never put the town in any jeopardy and if things go as planned, he believes the City Council will be very pleased. Council President Johnson wanted confirmation from the Solicitor on the required number of votes for this resolution. They agreed on six votes or the majority of the City Council. Motion to come out of Committee as a Whole was moved and seconded. Voice vote approved.

The vote was **7 YES, 0 NO, 4 ABSENT** (Councilors Bitzas, Cavallo, Letellier, and Sandlin) approving the item.

Item G. Elections

None.

Item H. Public Hearings

None.

Item I. Old 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) (2 of 2 Readings) (Referred to Legislative Committee)**

Since there wasn't the required number of votes needed to vote on this second reading, Council President Johnson asked for a Motion to Table which was made by Councilor Suffriti and seconded by Councilor Mercadante. Voice vote approved tabling the item.

- 2. TOR-2022-4 - An Ordinance to amend Chapter 103 of the Code of the Town of Agawam (Sponsored by Mayor Sapelli) (2 of 2 Readings) (Referred to Legislative Committee)**

Since there wasn't the required number of votes needed to vote on this second reading, Council President Johnson asked for a Motion to Table which was made by Councilor Rossi and seconded by Councilors Suffriti and Calabrese. Voice vote approved tabling the item.

Item J. New Business

- 1. TR-2022-22 - A Resolution in support of a comprehensive feasibility study to replace the Roderick L. Ireland Courthouse (Sponsored by Councilor Calabrese)**

Next Agenda.

- 2. TR-2022-23 - A Resolution to appropriate Seventy Seven Thousand Dollars and Zero Cents (\$77,000.00) from the Agawam Golf Course Retained Earnings Account to fund the Agawam Municipal Golf Course Operations Accounts (Sponsored by Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

- 3. TR-2022-24 - A Resolution to appropriate and authorize borrowing in the amount of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) to pay costs for the Westfield River Intercept Sewer Relocation Project and the Reed Street Embankment Project (Sponsored by Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

- 4. TOR-2022-6 - An Ordinance to amend Section 7C of Chapter 49 of the Code of the Town of Agawam (Two Readings Required) (Sponsored by Mayor Sapelli)**

Referred to Legislative Committee, next Agenda.

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

Councilor Suffriti said everyone looked great at the parade on Sunday. Councilor Smith thanked the Mayor and Solicitor for their hard work in providing all of the information we needed to make an informed decision. Council Vice President Calabrese congratulated the St. Patrick's Day Committee saying she enjoyed her first walk especially congratulating them on their first placed float winning "Best Irish Theme". Councilor Russo congratulated all who worked on the parade float and also wished a 40th Happy Anniversary to Councilor Mercadante and his wife. Council President Johnson asked everyone to keep the people of Ukraine in their hearts and prayers as well as the Feeding Hills family who lost their teenage daughter in their house fire.

Item M. Adjournment

Motion to adjourn was moved and seconded all around. Meeting was adjourned at 7:28pm.

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-2022-18

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF FRANK MAZZEI, 476 SPRINGFIELD STREET, FEEDING HILLS, MA 01030 TO THE AGAWAM VETERANS COUNCIL TO A TERM EXPIRING APRIL 1, 2025

WHEREAS, the appointment of Frank Mazzei on the Agawam Veterans Council will expire on April 1, 2022; and

WHEREAS, the Mayor has reappointed Frank Mazzei, 476 Springfield Street, Feeding Hills, MA 01030 to the Agawam Veterans Council to a term expiring April 1, 2025; and

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves to confirm the reappointment of Frank Mazzei, 476 Springfield Street, Feeding Hills, MA 01030 to the Agawam Veterans Council to a term expiring April 1, 2025.

DATED THIS 21st DAY OF March, 2022

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President, Agawam City Council

APPROVED AS TO FORM AND LEGALITY

Stephen L. Buoniconti, City Solicitor

orig: Town Clerk
cc: Council
cc: Veterans office
cc: Auditor
cc: Law
cc: Mayor

Approved

TR-2022-21

A RESOLUTION DECLARING AND DESIGNATING A CERTAIN STRIP OF LAND AT 36 MAIN STREET AS SURPLUS LAND AND AUTHORIZING THE MAYOR TO SELL THAT CERTAIN STRIP OF LAND

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Town of Agawam owns the parcel located at 36 Main Street; and
WHEREAS, 36 Main Street is the location of the Agawam Town Hall; and
WHEREAS, the rear section of the parcel is a paved parking lot used for Town Hall operations and occasionally by the Roberta Doering School staff and parents; and
WHEREAS, much of the parking lot remains unused throughout the year; and
WHEREAS, a certain strip of land along the western and southern sections of 36 Main Street could be removed from the main parcel and still leave adequate parking for Town Hall and Doering School patrons and employees; and
WHEREAS, the Town's intention is to pursue an acquisition of land in the nearby vicinity that would better assist the Town in Town Hall and School Department activities; and
WHEREAS, the Town of Agawam will receive real estate taxes if the strip of land is acquired for private development; and
WHEREAS, the Agawam Assessor has determined that if the strip of land is removed from 36 Main Street, the valuation of the parcel would decrease by \$23,200 which approximates the value of the strip of land as that amount; and
WHEREAS, the strip of land in question which is owned by the Town of Agawam is surplus land and may be disposed of pursuant to the laws of the Commonwealth and specifically Chapter 30B; and
WHEREAS, it is in the best interests of the Town of Agawam to declare the strip of real land in question surplus and to authorize the Mayor to sell the land pursuant to the laws of the Commonwealth.

NOW THEREFORE, the Agawam City Council hereby resolves that:

- 1. The Town of Agawam hereby declares that the following described strip of land which consists approximately of 20,208 square feet of area, more or less, as surplus land. The strip of land is legally described in attached Exhibit A.

- 2. The Mayor is authorized to sell said strip of land pursuant to the laws of the Commonwealth and do all other things necessary to conduct said sale.
3. The Town of Agawam shall retain any easements over said strip of land for all public works and public utilities purposes.

DATED THIS 21st DAY OF March, 2022.

PER ORDER OF THE AGAWAM CITY COUNCIL
Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY
Stephen L. Buoniconti, Solicitor

orig: Town Clerk
cc: Council
cc: Law
cc: Planning
cc: Mayor
cc: Auditor
cc: Treasurer