

**REGULAR MEETING OF THE AGAWAM CITY COUNCIL**

**Minutes dated September 7, 2021**

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

**Item A. Roll Call**

**ROLL CALL – 10 PRESENT, 1 ABSENT**

Roll Call was taken with the following Councilors present: George Bitzas, Cecilia Calabrese, Paul Cavallo, Christopher Johnson, Dino Mercadante, Robert Rossi, Rosemary Sandlin, Gerald Smith, Anthony Suffriti and Mario Tedeschi. Councilor Letellier was absent. With ten 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**

Will Clark spoke about mail-in voting among other things.

**Item D. Minutes**

**1. Regular Council Meeting – August 2, 2021**

Motion to approve made by Councilor Smith and seconded by Councilor Cavallo. Voice vote approved.

**Item E. Declaration of Council President**

None.

**Item F. Presentation of Resolutions**

**1. TR-2021-51 - A Resolution authorizing the posting of the warrants for the 2021 Elections (Sponsored by the City Clerk)**

Motion to approve made by Council Vice President Calabrese and Councilor Cavallo and seconded by Councilors Sandlin and Mercadante.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Letellier) approving the item.

**2. TR-2021-52 - A Resolution accepting a grant in the amount of Five Thousand and Nine Hundred and Ninety Five Dollars and Zero Cents (\$5,995.00) from the Executive Office of Public Safety and Security Office of Grants and Research to the Town of Agawam Fire Department (Sponsored by Mayor William Sapelli)**

Motion to approve made by Councilors Sandlin, Smith and Mercadante and seconded by Councilor Suffriti. Council President Johnson stated that this grant was to purchase an inflatable oat to help with the rescue team.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Letellier) approving the item.

**Item G. Elections**

None.

**Item H. Public Hearings**

None.

**Item I. Old Business**

None.

**Item J. New Business**

- 1. TR-2021-53 - An Emergency Preamble for TR-2021-54 to opt out of early voting by mail for the Fall 2021 Municipal Fall Election pursuant to Section 55 of Chapter 255 of the Acts of 2020 (Sponsored by Mayor William Sapelli and Council President Christopher Johnson)**

Council President Johnson explained that as the information from the state has evolved, the next two items are requested to be withdrawn by the sponsors. Motion to withdraw and remove the item from the Agenda made by Councilor Sandlin and seconded by Councilor Smith.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Letellier) removing the item from the Agenda.

- 2. TR-2021-54 - A Resolution to opt out of early voting by mail for the Fall 2021 Municipal Fall Election pursuant to Section 55 of Chapter 255 of the Acts of 2020 (Sponsored by Mayor William Sapelli and Council President Christopher Johnson)**

Motion to withdraw made by Councilor Sandlin and seconded by Councilor Suffriti.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Letellier) removing the item from the Agenda.

- 3. TR-2021-55 - A Resolution to enter into a five year agreement for the continued operation of railroad crossing lights with the Town of West Springfield (Sponsored by Mayor William Sapelli)**

Referred to Administrative Committee, next Agenda.

- 4. TR-2021-56 - A Resolution confirming the appointment of Marc A. Leddy, 32 Ellington Street, Agawam, MA to the Agawam Veterans' Council to an unexpired term expiring April 1, 2023 (Mayor Sapelli)**

Next Agenda.

- 5. TO-2021-12 - An Order granting a Junk Dealer's PERMIT for Soul Shine Consignment Boutique LLC, 360 North Westfield Street, Unit 7, Feeding Hills, MA (Clerk)**

Referred to Administrative Committee, next Agenda.

- 6. TO-2021-13 - An Order granting or renewing a Junk Dealer's PERMIT for Baki's Fine Jewelry, 9 North Westfield Street, Feeding Hills (Clerk)**

Referred to Administrative Committee, next Agenda.

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

Councilor Bitzas informed everyone that on Saturday, September 11<sup>th</sup>, ceremonies will be at the 9/11 memorial in the front of the AFD on Main Street at 9:30am. He also stated that schools opened today and thanked all the teachers and everyone associated with the schools for their hard work and wished everyone a great school year. Councilor Tedeschi inquired about a specific light issue and asked for Council President Johnson to look into it. Council Vice President Calabrese also wished everyone a great school year and said she knows the teachers will make us proud as always. Councilor Suffriti welcomed everyone back to school but also expressed concern about the excessive flooding on Kellogg Street. Councilor Sandlin asked questions regarding the email they received from Susan Grossberg's regarding the spraying by Eversource at Robinson State Park. Councilor Smith expressed hope for a normal school year. Councilor Mercadante stated that a letter was sent out with a contact person regarding Eversource spraying near Robinson State Park. He also discussed looking at the electric vehicle charging stations. Councilor Sandlin and he are still in fact-finding mode. Council President Johnson mentioned the letter sent to the School Superintendent involving a proposed MassDOT project on Maple Street from O'Brien's corner down to Walnut Street. It is designed to make that strip of Maple Street more pedestrian, bicycle and vehicle friendly. We will send out a letter to MassDOT strongly supporting this project. Council President Johnson also welcomed back to school and agrees with Councilor Smith in that he hopes we have a normal school year.

**Item M. Adjournment**

Motion to adjourn moved and seconded all around. Meeting was adjourned at 7:19pm. \*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](http://www.agawam.ma.us)

Approved

TR-2021-52

**A RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF FIVE THOUSAND AND NINE HUNDRED AND NINETY FIVE DOLLARS AND ZERO CENTS (\$5,995.00) FROM THE EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY OFFICE OF GRANTS AND RESEARCH TO THE TOWN OF AGAWAM FIRE DEPARTMENT**

(Sponsored by Mayor William P. Sapelli)

**WHEREAS**, the Massachusetts Executive Office of Public Safety and Security's Office of Grants and Research (OGR) has awarded a grant to the Town of Agawam Fire Department; and

**WHEREAS**, the grant is in the amount of five thousand and five hundred and ninety five dollars and zero cents (\$5,995.00); and

**WHEREAS**, the grant monies will allow the Fire Department to purchase an inflatable water / ice rescue craft that will be utilized in partnership with the Western Massachusetts Technical Rescue Team; and

**WHEREAS**, it is in the best interest of the Town of Agawam to accept said grant; and

**WHEREAS**, the Town desires to accept said grant.

**NOW THEREFORE BE IT RESOLVED**, that the Agawam City Council pursuant to M.G.L. c. 44 §53A accepts a grant up to the amount of five thousand and five hundred and ninety five dollars and zero cents (\$5,995.00) from the Massachusetts Executive Office of Public Safety and Security's Office of Grants and Research.

DATED THIS 7<sup>th</sup> DAY OF September, 2021.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson  
Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti  
Stephen J. Buoniconti, Solicitor

Org - TN Clerk  
cc - Council  
cc - Law Dept.  
cc - Fire Dept.  
cc - Auditor  
cc - Treasurer

Approved

TR-2021-51

**A RESOLUTION AUTHORIZING THE POSTING OF THE WARRANTS FOR THE 2021 ELECTIONS**

**WHEREAS**, approval has been requested by the City Clerk for posting of the warrants for the Preliminary Election on October 5, 2021 and the General Election on November 2, 2021 by the Board of Registrars; and

**WHEREAS**, should a Preliminary Election be necessary for the offices of Mayor, City Council or School Committee said election will be October 5, 2021;

**WHEREAS**, the General Election will be held November 2, 2021;

**WHEREAS**, it is in the best interest of the Town of Agawam to post the Warrants for said election as required by Massachusetts General Law.

**NOW THEREFORE**, THE AGAWAM CITY COUNCIL hereby resolves and authorizes the posting of the Warrants for the 2021 Town Elections.

DATED THIS 7<sup>th</sup> OF September, 2021.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson  
Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti  
Stephen J. Buoniconti, Solicitor

Org - TN Clerk  
cc - Council  
cc - Law

Withdrawn  
9/7/21

TR-2021-54

**A RESOLUTION TO OPT OUT OF EARLY VOTING BY MAIL FOR THE FALL 2021 MUNICIPAL FALL ELECTION PURSUANT TO SECTION 55 OF CHAPTER 255 OF THE ACTS OF 2020**

(Sponsored by Mayor William P. Sapelli and President Christopher C. Johnson)

**WHEREAS**, Section 55(n) of Chapter 255 of the Acts of 2020 was signed into law this summer by Governor Baker which permits municipalities to "opt out" of early voting by mail for the fall 2021 municipal elections provided there is no special state election at the same time as the municipal election; and

**WHEREAS**, there is no special state election scheduled for the fall general election which will be held on November 2, 2021; and

**WHEREAS**, in order to "opt out", a public hearing and vote by the City Council must occur at least 45 days prior to the fall election; and

**WHEREAS**, "opting out" of the early voting by mail will save the Town of Agawam a substantial amount of money due to mailing costs that are not reimbursed by the state or federal government; and

**WHEREAS**, the process to vote, including absentee ballot voting, will remain the same as previous elections prior to 2020.

**NOW THEREFORE**, the Agawam City Council hereby resolves to "opt out" of early voting by mail for the November 2, 2021 municipal election pursuant to Section 55(n) of Chapter 255 of the Acts of 2020.

DATED THIS \_\_\_ DAY OF \_\_\_\_\_, 2021.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson  
Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti  
Stephen J. Buoniconti, City Solicitor

TR-2021-53

**AN EMERGENCY PREAMBLE FOR TR-2021-54 TO OPT OUT OF EARLY VOTING BY MAIL FOR THE FALL 2021 MUNICIPAL FALL ELECTION PURSUANT TO SECTION 55 OF CHAPTER 255 OF THE ACTS OF 2020**

(Sponsored by Mayor William P. Sapelli and President Christopher C. Johnson)

**WHEREAS**, Section 55 of Chapter 255 of the Acts of 2020 was signed into law this summer by Governor Baker which permits municipalities to "opt out" of early voting by mail for the fall 2021 municipal elections; and

**WHEREAS**, in order to "opt out", a public hearing and vote by the City Council must occur at least 45 days prior to the fall election; and

**WHEREAS**, the fall general election will be held on November 2, 2021; and

**WHEREAS**, the City Council's regularly scheduled meeting of September 20, 2021 will be too late to render a decision on the "opt out" provision due to the 45 day notice requirement; and

**WHEREAS**, timing prompts an emergency preamble as the City Council would not be able address the matter until September 20, 2021 under Council rules.

**NOW THEREFORE**, the Agawam City Council hereby declares pursuant to Section 2-9(b) of the Agawam Home Rule Charter that an emergency exists and hereby approves this Emergency Preamble for TR-2021-54 allowing the Agawam City Council to act on this agenda item at its September 7, 2021 Meeting.

DATED THIS \_\_\_ DAY OF \_\_\_\_\_, 2021.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson  
Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti  
Stephen J. Buoniconti, City Solicitor

Withdrawn  
9/7/21