

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

Minutes dated October 4, 2021

Meeting was called to order by Council President Johnson at 7:00pm 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, Christopher Johnson, Gina Letellier (remote), Dino Mercadante, Robert Rossi, Rosemary Sandlin, Gerald Smith, Anthony Suffriti and Mario Tedeschi. 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

William Clark, 26 Highland Road, spoke about supply chains, bus stops and fecal issues within the Westfield River.

Item D. Minutes

1. Regular Council Meeting – September 7, 2021

Motion to approve made by Councilor Mercadante and seconded by Councilors Smith and Cavallo. Voice vote unanimous.

2 Regular Council Meeting – September 20, 2021

Motion to approve made by Councilor Cavallo and seconded by Councilor Sandlin. Voice vote unanimous.

Item E. Declaration of Council President

None.

Item F. Presentation of Resolutions

1. TR-2021-57 - A Resolution accepting a grant in the amount of Two Hundred and Fifty Four Thousand Three Hundred and Sixty Three Dollars and Sixty Four Cents (\$254,363.64) from the Federal Emergency Management Agency (FEMA) to the Town of Agawam Fire Department (Sponsored by Mayor Sapelli) (Referred to Finance Committee)

Motion to approve made by Council Vice President Calabrese and seconded by Councilor Suffriti. As Chair of the Finance Committee, Councilor Mercadante provided a report stating that Mayor Sapelli explained that this was a significant grant which will be paid in Fiscal Year 2023. Chief Sirois also went into greater detail of this grant and that the local match was approximately \$25,000. This is to be used for self-contained breathing apparatus. This equipment has a 10=15 year life span and the current equipment is 12 years old. Motion to send a positive recommendation to the Full Council made by Councilor Cavallo and seconded by Councilor Tedeschi. The vote was 5 Yes, 0 No.

Councilor Bitzas said that he would support any money that goes to the Fire Department for safety. Councilor Tedeschi noted that they would be replacing the old equipment with the new equipment from this grant and that they would either donate or sell the old equipment.

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

- 2. TR-2021-58 - A Resolution urging the Massachusetts Trial Court, Governor, and State Legislature to immediately address health and safety concerns at the Roderick I. Ireland Courthouse (Sponsored by Councilors Sandlin, Cavallo, Rossi, Smith and Letellier) (Referred to Community Relations Committee)**

Motion to approve made by Councilor Smith and seconded by Council Vice President Calabrese and Councilor Cavallo. As Chair of the Community Relations Committee, Councilor Bitzas provided the report stating that there was a good deal of discussion on this item noting how unfair this is and it has been happening for years. Motion to send a positive recommendation to the Full Council made by Councilor Suffriti and seconded by Councilor Smith. The vote was 5 Yes, 0 No. Councilor Sandlin noted that this Resolution speaks for itself. This issue has been around for twenty-five years. It is time to put pressure on our Governor and the Trial Courts. We need to do the right thing. Councilor Mercadante agreed but we also need to send a strong message to our state reps. Councilor Bitzas also agreed and strongly supports this Resolution noting it makes sense to build a new building and is the right time. This court house is one of the busiest court houses in the state. Councilor Rossi signed on as a co-sponsor because this is very, very necessary. This problem started over twenty years ago and nothing has been done nor has it been taken seriously. Councilor Sandlin said she spoke with Senator Velis and he is on board however has not received the same support from Representative Boldyga. She would like a letter send to him and get him to do work for Agawam. He needs to do his job. Councilor Suffriti said it is ironic that the cases at the courthouse are sometimes about tenants' complaints about mold and the actual courthouse has mold issues. Councilor Letellier stated that she cannot stress enough how important it is to tear down the courthouse and rebuild it. The building is truly sick and once you see black fuzzy stuff, there is more mold coming and noted that in some categories, the volume of court cases in Springfield is the highest in the state. Council President Johnson agreed that this was long overdue. Housing and Juvenile Court are in the old court house which has similar issues. Councilor Mercadante agreed and said a new complex is needed. Councilor Cavallo complained that Western Mass is left with the scraps of money all the time and Representative Boldyga should start working for us here in Agawam and get things done!

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

- 3. TR-2021-59 - A Resolution approving a redistricting plan for the Town of Agawam (Sponsored by Mayor Sapelli) (Referred to Community Relations Committee)**

Motion to approve made by Councilor Sandlin and seconded by Councilor Cavallo. As Chair of the Community Relations Committee, Councilor Bitzas stated that there was relatively little change to the eight precincts – only a few streets will have to change where they vote. Motion to send a positive recommendation to the Full Council made by Council Vice President Calabrese and seconded by Councilor Rossi. The vote was 5 Yes, 0 No.

Councilor Bitzas said this is required to be performed every ten years with results from the census and is based upon population. The City Council is required to approve this plan prior to October 31st.

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

Item G. Elections

None.

Item H. Public Hearings

- 1. TOR-2021-4 (PH-2021-6) - An Ordinance to amend Site Plan Review requirements pursuant to Chapter 180 of the Code of the Town of Agawam (Sponsored by the Planning Board) (Two Readings Required) – Public Hearing set for November 15, 2021 (Referred to Legislative Committee)**

This item remains on the table until the Public Hearing on November 15th which would give the Planning Board ample time to hold their Public Hearing and get their findings to us.

Item I. Old Business

- 1. 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) (Tabled 9/20/21)**

Motion to approve was moved and seconded all around the house. As Chair of the Administrative Committee, Councilor Rossi said there were some questions asked of Mr. Baki who was present at the sub-committee meeting. In the end, the committee agreed to send a positive recommendation to the Full Council using the date of commencement as the date of this meeting. Motion to send a positive recommendation to the Full Council made by Councilor Mercadante and seconded by Councilor Smith. The vote was 4 Yes, 0 No, 1 Absent (Councilor Letellier)

Council President Johnson took that as a Motion to amend made by Councilor Mercadante and seconded by Councilor Sandlin. The vote was **11 YES, 0 NO** approving the amendment.

The vote on the Main Motion as amended was **11 YES, 0 NO** approving the item *as amended*.

- 2. TO-2021-14 - An Order granting or renewing a Class 2 Dealer's LICENSE to KLC Auto Sales, Inc., 1514 Main Street, Agawam, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Council Vice President Calabrese and seconded by Councilor Tedeschi. As Chair of the Administrative Committee, Councilor Rossi said this was a new business and the owner, Katie Shea, came in to introduce herself to the Council. All was in order with this application.

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

Item J. New Business

- 1. TR-2021-60 - A Resolution accepting a grant in the amount of \$3,054,708.00 pursuant to M.G. L. Chapter 44, §53A from the Massachusetts Department of Housing and Community Development to the Town of Agawam (Sponsored by Mayor Sapelli)**

Next Agenda.

- 2. TR-2021-61 - A Resolution accepting a grant in the amount of \$61,643.00 pursuant to M.G. L. Chapter 44, §53A from the Massachusetts Division of Ecological Restoration to the Town of Agawam (Sponsored by Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

- 3. TR-2021-62 - A Resolution accepting a grant from the Commonwealth of Massachusetts Executive Office of Public Safety and Security in the amount of Twenty One Thousand Two Hundred and Ten Dollars (\$21,210.00) for the Agawam Police Department (Sponsored by Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

- 4. TR-2021-63 - A Resolution to designate a bus stop on the eastbound side of Springfield Street across from Brookline Avenue (Sponsored by Councilors Sandlin, Bitzas, Calabrese, Letellier, Mercadante, Rossi, Smith and Suffriti)**

Referred to Community Relations Committee, next Agenda.

5. **TO-2021-15 - An Order granting or renewing a Class 2 Dealer's LICENSE to ACE Auto Body, 1363 Main Street, Agawam, MA (Clerk)**

Referred to Administrative Committee, next Agenda.

6. **TO-2021-16 - An Order granting or renewing a PERMIT for Weekly Amusement for 342, Inc., d/b/a Murphy's Pub, 664 Suffield Street, Agawam, MA (Clerk)**

Referred to Administrative Committee, next Agenda.

7. **TO-2021-17 - An Order granting or renewing a PERMIT for Weekly Amusement for The Buc, Inc., 84-86 Maple Street, Agawam, MA (Clerk)**

Referred to Administrative Committee, next Agenda.

8. **TO-2021-18 - An Order granting or renewing a LICENSE for Automatic Amusement Device(s) for The Buc, Inc., 84-86 Maple Street, Agawam, MA (Clerk)**

Referred to Administrative Committee, next Agenda.

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

Councilor Mercadante proudly announced the birth of his new granddaughter Amelia Noel. Congratulations all around. Councilor Smith congratulated the fall sports team for their successes. Boys football and girls soccer are all undefeated. Councilor Sandlin was very pleased that so many crosswalks were painted around town and signs put up. Please need to slow down especially now that school is back in session. Her special thanks to the Mayor and DPW. Councilor Suffriti requested for the next Community Relations Committee meeting that we NOT table the PVTA item and in fact move forward with the item and invite PVTA representatives to that meeting. Councilor Cavallo said lucky you to Councilor Sandlin because he is still waiting for the crosswalk improvements at Silver and Suffield Streets intersection. Councilor Tedeschi commended the great job on the Story Walk by Marlena DeJesus which was a tremendous success. He said it was quite fun and informed everyone that this weekend the Captain Leonard House was having their annual beer and wine tasting festival from 6-9. Councilor Rossi stated some concerns about the PVTA issue and stressed that we need to have a plan when they attend the meeting as our town needs more public transportation. On a separate note, Agawam has a right to determine their own fate and he is sick and tired of those down in Boston acting like they can tell us what we can and can't do. He was very disappointed to see that nothing was done with the Resolution the City Council passed on extending the term of the mayor from two to four years. Our Representative dragged his feet and didn't do his job. We need to have a Charter Review Committee to look at things - it is far past time to revise our Charter to alleviate some of these issues and would like this suggested to the Mayor. Councilor Bitzas agreed with Councilor Smith about the fall sports and congratulated everyone. Councilor Sandlin wanted to weigh in on the Home Rule Petition as well. AS someone who has worked down in Boston in the state legislature, she said passing a Home Rule Petition is a simple process and is always approved. She doesn't understand why this wasn't passed. It is very telling how our own State legislator is working and is very disheartened that we now have to wait until next year. Councilor Mercadante agreed that it is another case of Senator John Velis doing all the heavy lifting but our State Representative dropped the ball. This should have been a simple fix but he didn't step up for Agawam. Councilor Letellier congratulated Councilor Mercadante and family and also said Go Red Sox! She too supports a Charter Review Committee. Council President Johnson concurs with Councilors Rossi, Sandlin and Mercadante and in all his years, he has never seen a Home Rule Petition not pass - it indeed is a simple thing. Councilor Letellier requests a list from Wayfinders of how much they have spent or given to residents throughout the Covid pandemic. Councilor Johnson said Wayfinders is light years ahead of its counterparts throughout the state with helping residents.

Item M. Adjournment

Motion to adjourn moved and seconded all around. Meeting was adjourned at 7:43pm. *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

Approved

TR-2021-57

A RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF TWO HUNDRED AND FIFTY FOUR THOUSAND AND THREE HUNDRED AND SIXTY THREE DOLLARS AND SIXTY FOUR CENTS (\$254,363.64) FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) TO THE TOWN OF AGAWAM FIRE DEPARTMENT

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the US Department of Homeland Security through the Federal Emergency Management Agency (FEMA) has awarded a grant to the Town of Agawam Fire Department from FY2020 Assistance to Firefighters Grant Program; and
WHEREAS, the grant is in the amount of two hundred and fifty four thousand and three hundred and sixty three dollars and sixty four cents (\$254,363.64); and
WHEREAS, the grant monies will allow the Fire Department to purchase 37 self-contained breathing apparatus (SCBA) cylinders, and face pieces, (costing \$7,000 apiece) and 26 SCBA voice amplifiers (costing \$800 apiece); and
WHEREAS, pursuant to the condition of the grant, the Town of Agawam Fire Department is obligated to contribute 10% for the total cost of the equipment which is \$25,436.36; 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 of two hundred and fifty four thousand and three hundred and sixty three dollars and sixty four cents (\$254,363.64) from the US Department of Homeland Security through the Federal Emergency Management Agency (FEMA) for the purchase of 37 self-contained breathing apparatus (SCBA) cylinders, and face pieces and 26 SCBA voice amplifiers.

DATED THIS 4th DAY OF October, 2021.
PER ORDER OF THE AGAWAM CITY COUNCIL
Christopher C. Johnson, President

Org - Tn Clk
cc - Council
cc - Auditor
cc - Treasurer
cc - Fire Dept

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

TR-2021-58

A RESOLUTION URGING THE MASSACHUSETTS TRIAL COURT, GOVERNOR, AND STATE LEGISLATURE TO IMMEDIATELY ADDRESS HEALTH AND SAFETY CONCERNS AT THE RODERICK L IRELAND COURTHOUSE

(Sponsored by Councilors Rosemary Sandlin, Paul C. Cavallo, Gina M. Letellier, Robert E. Rossi and Gerald F. Smith)

WHEREAS, the Roderick L. Ireland Hampden County Hall of Justice in Hampden County has had health and safety concerns for over a decade; and
WHEREAS, these concerns stem from the visible presence of mold on books, carpets, seats, flags, and air vents in addition to two judges who shared the same chambers and both developed similar forms of ALS; and
WHEREAS, the Trial Court, Governor and Massachusetts Legislature have a duty to protect the people who are appointed, hired, and elected to serve; and
WHEREAS a former Trial Court Administrator admitted in 2013 that the Roderick L. Ireland Hampden County Hall of Justice was the, "most severe ailing courthouses in the state"; and
WHEREAS the Roderick L. Ireland Hampden County Hall of Justice is one of the busiest courthouses in the State and was earmarked to study these concerns in 2016 but never made the Trial Court's 2017 Master Plan list to address the safety concerns and hasn't been discussed since.

NOW, THEREFORE BE IT RESOLVED, that the Agawam City Council demands the Massachusetts Trial Court and State Legislature immediately address the health and safety concerns at the Roderick L. Ireland Hampden County Hall of Justice; and provided further that the Agawam City Council demands the razing and rebuilding of the Roderick L. Ireland Hampden County Hall of Justice to fully protect the staff, judges, trial court officers, and those seeking protection and working under the legal system and those being tried under the same; and provided further that this Resolution be forwarded to the Massachusetts Trial Court, Governor Charles Baker, and both branches of the state legislature.

DATED THIS 4th DAY OF October, 2021.
PER ORDER OF THE AGAWAM CITY COUNCIL
Christopher C. Johnson, President

Org - Tn Clk
cc - Council
cc - Law Dept.

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

Approved

TR-2021-59

A RESOLUTION APPROVING A REDISTRICTING PLAN FOR THE TOWN OF AGAWAM

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the population change in the 2020 Federal Census has resulted in the need for the Town to redraw the precinct district lines within the municipality; and
WHEREAS, the Federal Census states that the population for 2020 was 28,692; and
WHEREAS, the Town of Agawam will continue to have 8 precincts; and
WHEREAS, the Town Clerk and Assistant Town Engineer in cooperation with the Secretary of the Commonwealth of Massachusetts has prepared a redistricting map; and
WHEREAS, in accordance with Massachusetts General Chapter 54, Section 1, the City Council must approve the redistricting plan attached as exhibit "A"

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves to approve the Redistricting Plan of the City known as the Town Of Agawam as shown on the voting precinct map attached as exhibit "A"

Dated this 4th day of October, 2021.
PER ORDER OF THE AGAWAM CITY COUNCIL
Christopher C. Johnson, President

Org - Tn Clk
cc - Council
cc - Assessor
cc - Engineering
cc - Bldg Insp.
cc - Planning
cc - DPW

APPROVED AS TO FORM AND LEGALITY
Stephen J. Buoniconti, City Solicitor

TO-2021-13 and TO-2021-14 permits and licenses were also approved.