

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

Minutes dated March 18, 2019

Meeting was called to order by Council President Johnson at 7:01pm in the Auditorium at the Agawam Junior High School, 1305 Springfield Street, Feeding Hills.

Item A. Roll Call

ROLL CALL – 10 PRESENT, 1 ABSENT

Roll Call was taken with the following councilors present: George Bitzas, Council Vice President Cecilia Calabrese, Paul Cavallo, Council President Christopher Johnson, Robert Magovern, Dino Mercadante, Joseph Mineo, Robert Rossi, Rosemary Sandlin and Anthony Suffriti. Councilor Gina Letellier was absent. With ten present, there was a quorum.

Item B. Moment of Silence and the Pledge of Allegiance.

Council President Johnson asked for a moment of silence and the Pledge of Allegiance.

Item C. Citizen's Speak Time

None

Item D. Minutes

1. Regular Council Meeting – March 4, 2019

Motion to approve the minutes was moved by Councilor Rossi and seconded by Councilor Cavallo. Voice vote approved.

Item E. Declaration from Council President

1. MEET OUR LOCAL BUSINESSES

- Ryan McLane, McLane & McLane, 975A Springfield St, Feeding Hills

Attorney McLane thanked the City Council for having him speak. He provided his background including that he is also the Chairman of the West of the River Chamber. Attorney McLane's mother Abby founded the practice fifteen years ago and prior to him becoming a lawyer, Ryan worked at the office for his mother. He believes Agawam is very conducive and there are many opportunities to get involved. He believes Agawam is a safe town. He mentioned his business is gaining revenue every year and is looking forward to the future plans in town with the new mayor and City Council. Being in the same profession, Council President Johnson mentioned when meeting with clients if there were comments regarding any areas that the town could improve on. Attorney McLane mentioned that it seems small businesses form but then fizzle out noting there seems to be a lack of a central area and/or small business involvement in town. He said it might be a good idea to have more organizational information for new businesses. Councilor Cavallo asked if he anticipated growth in his business in the near future. Attorney McLane said within six months to a year, the firm plans on hiring a divorce attorney. He also mentioned his mother will be retiring in the future and they would probably have to hire two attorneys to do all the work that she does. Councilor Cavallo also asked if they did trust work. Attorney McLane said he feels this is a growing area with retirement and Medicaid planning as well as irrevocable trusts and estate planning. Councilor Sandlin asked if the WRC had any business planning informational seminars. Robin Wozniak approached and stated that they partner with SCORE who recently had a five workshop series on Google marketing. She said she would suggest to them to add business planning to their upcoming series.

Item F. Presentation of Resolutions

- 1. TR-2019-18 - A Resolution to appropriate Nineteen Thousand, Six Hundred and Five Dollars (\$19,605.00) from Water Enterprise Fund Retained Earnings to pay the Water Fund Share of the rooftop HVAC system at the Department of Public Works Building (Mayor Sapelli) (Referred to Finance Committee)**

Motion to approve made by Council Vice President Calabrese and seconded by Councilor Cavallo. As Acting Chair of the Finance Committee, Council Vice President Calabrese provided the report stating that there was discussion on the item. Councilor Mercadante asked how many bids were received on this project. Mayor Sapelli said three bids were received and we went with the lowest bid. The committee made a Motion to send a positive recommendation to the Full Council which was moved by Councilor Mercadante and seconded by Councilor Cavallo. The vote was 4 Yes, 0 No, 1 Absent (Councilor Letellier).

There was no further discussion on the floor.

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

- 2. TR-2019-19 - A Resolution to appropriate Nineteen Thousand, Six Hundred and Five Dollars (\$19,605.00) from Wastewater Enterprise Fund Retained Earnings to pay the Wastewater Enterprise Fund share of the rooftop HVAC system at the Department of Public Works Building (Mayor Sapelli) (Referred to Finance Committee)**

Motion to approve made by Council Vice President Calabrese and seconded by Councilor Cavallo. As Acting Chair of the Finance Committee, Council Vice President Calabrese provided the report stating that there was discussion on the item. Councilor Mercadante asked how many bids were received on this project. Mayor Sapelli said three bids were received and we went with the lowest bid. The committee made a Motion to send a positive recommendation to the Full Council which was moved by Councilor Mercadante and seconded by Councilor Cavallo. The vote was 4 Yes, 0 No, 1 Absent (Councilor Letellier).

There was no further discussion on the floor.

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

- 3. TR-2019-20 - A Resolution to appropriate Twenty Six Thousand, One Hundred and Forty Dollars (\$26,140.00) from Free Cash for unforeseen building improvement needs for replacement of the DPW air conditioner (Mayor Sapelli) (Referred to Finance Committee)**

Motion to approve made by Councilor Mercadante and seconded by Councilor Sandlin. As Acting Chair of the Finance Committee, Council Vice President Calabrese provided the report stating that there was discussion on the item. Councilor Mercadante asked how many bids were received on this project. Mayor Sapelli said three bids were received and we went with the lowest bid. The committee made a Motion to send a positive recommendation to the Full Council which was moved by Councilor Mercadante and seconded by Councilor Cavallo. The vote was 4 Yes, 0 No, 1 Absent (Councilor Letellier).

There was no further discussion on the floor.

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

Item G. Report of Council Committees

None.

Item H. Elections

None.

Item I. Public Hearings

None.

Item J. Old Business

- 1. TOR-2019-2 - An Ordinance to amend Chapter 49 of the Code of the Town of Agawam by creating a Cable Access TV Manager (1 of 2 Readings) (Mayor Sapelli) (Tabled 2/19/19) (Referred to Legislative Committee)**

Motion to approve the second and final reading as amended was made by Councilor Sandlin and seconded by Councilor Rossi. There was no additional discussion.

The vote was **10 YES, 0 NO, 1 ABSENT** (Councilor Letellier) approving the second and final reading *as amended*.

- 2. TO-2019-19 - An Order granting a modification on current PERMIT for Weekly Amusement for The Main Street Still, Inc. d/b/a The Still currently located at 858 Suffield Street, Agawam, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Mercadante and seconded by Councilors Cavallo and Rossi. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this application as it was merely a modification of the already approved permit. They are just making an address change. The committee made a Motion to send a positive recommendation to the Full Council which was made by Councilor Suffriti and seconded by Councilor Cavallo. The vote was 5 Yes, 0 No

There was no additional discussion on the floor.

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

- 3. TO-2019-20 - An Order granting a modification on current LICENSE for Automatic Amusement Device for The Main Street Still, Inc. d/b/a The Still currently located at 858 Suffield Street, Agawam, MA (Clerk) (Referred to Administrative Committee)**

Motion to approve made by Councilor Mercadante and seconded by Councilors Cavallo and Rossi. As Chair of the Administrative Committee, Councilor Rossi provided the report stating that all was in order with this application as it was merely a modification of the already approved permit. They are just making an address change. The committee made a Motion to send a positive recommendation to the Full Council which was made by Councilor Suffriti and seconded by Councilor Cavallo. The vote was 5 Yes, 0 No

There was no additional discussion on the floor.

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

Item K. New Business

- 1. TR-2019-21 - A Resolution confirming the appointment of William Clark, 26 High Meadow Road, Feeding Hills, MA to the Energy Commission to a term expiring on April 1, 2022 (Mayor Sapelli)**

Next Agenda.

2. **TR-2019-22 - A Resolution to appropriate and authorize the borrowing of \$1,279,000.00 to pay for the costs of covering the existing streetlights throughout the town to LED lights (Mayor Sapelli)**

Referred to Finance Committee, next Agenda.

3. **TOR-2019-3 - An Ordinance to amend Section 49-7(A)(2) of the Code of the Town of Agawam to increase the salary of the Mayor (Councilor Christopher Johnson) (Two Readings Required)**

Referred to Legislative Committee, next Agenda.

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

Councilor Mineo said he had such a great time marching at his final St. Patrick's Day parade with Councilors Calabrese, Suffriti and Bitzas. There was so much community spirit. Councilor Suffriti also expressed what a good day it was at the parade. He thanked Mayor Sapelli for leading Agawam in the parade and also commented on the infectious crowd spirit. Councilor Suffriti also thanked Attorney McLane for speaking at the meeting as well as thanking the Mayor for keeping the Council updated on the Morgan Sullivan Bridge Project timelines. Council Vice President Calabrese joined in the parade and congratulated the Agawam float builders for winning first place in the religious division. It was an incredible float! She also provided upcoming dates – April 5th MMA Legislative Breakfast in Forest Park area as well as April 27th for the regional meeting which will be held this year at MGM. Councilor Cavallo said this Thursday is the joint School Budget Committee meeting albeit very short notice from them. He thanked Councilor Suffriti for attending the last meeting as well. This meeting will be one of the last to make comments on the school budget prior to the School Committee's public hearing. Councilor Bitzas also said he had a great time at the parade and congratulated the St. Patrick's Day Committee on their work and on the float. The town participation was terrific this year. Councilor Bitzas also congratulated former City Councilor Richard Theroux on being nominated by his students as a Hometown Hero by the Red Cross for work in Springfield. Councilor Sandlin added congratulations to Mike Moran and Dom Pisano for being nominated as well for two of the residents who helped saving lives in a car accident in town. Councilor Mercadante reiterated what Councilor Cavallo stated about the importance of reviewing and attending the School Budget Committee meetings as it makes up so much of our operating budget. The Council needs to do its due diligence on the School Budget. Councilor Magovern also thanked the St. Patrick's Day Committee for their countless hours building the float. Well done. Council President Johnson thanked and praised the Fire Department and EMTs for their work especially during his recent need to utilize their services.

Item M. Adjournment.

The Motion to adjourn was moved and seconded around the house. Meeting was adjourned at 7:29pm.

approved

TR-2019-19

A RESOLUTION TO APPROPRIATE NINETEEN THOUSAND, SIX HUNDRED AND FIVE DOLLARS (\$19,605.00) FROM WASTEWATER ENTERPRISE FUND RETAINED EARNINGS TO PAY THE WASTEWATER ENTERPRISE FUND SHARE OF THE ROOFTOP HVAC SYSTEM AT THE DEPARTMENT OF PUBLIC WORKS BUILDING

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Town of Agawam Wastewater Enterprise Fund Retained Earnings as of June 30, 2018 has been certified in the amount of six hundred five thousand, one hundred fifty six dollars (\$605,156.00); and

WHEREAS, the Building Maintenance Department has encountered a shortfall in the projected costs to replace rooftop HVAC system at the Department of Public Works Building in the amount of \$65,350.00; and

WHEREAS, the Water Enterprise Fund's share of this cost is nineteen thousand, six hundred and five dollars (\$19,605.00).

NOW THEREFORE, BE IT RESOLVED BY THE AGAWAM CITY COUNCIL, that nineteen thousand, six hundred and five dollars (\$19,605.00) shall be appropriated from Wastewater Enterprise Fund Retained Earnings to Wastewater Building Improvements 22549-58250.

Dated this 18th day of March, 2019

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti, City Solicitor

Org - TNCIK
cc - Council
cc - DPW
cc - Auditor
cc - Treasurer
cc - Bldg Maint

approved

TR-2019-18

A RESOLUTION TO APPROPRIATE NINETEEN THOUSAND, SIX HUNDRED AND FIVE DOLLARS (\$19,605.00) FROM WATER ENTERPRISE FUND RETAINED EARNINGS TO PAY THE WATER FUND SHARE OF THE ROOFTOP HVAC SYSTEM AT THE DEPARTMENT OF PUBLIC WORKS BUILDING

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Town of Agawam Water Enterprise Fund Retained Earnings as of June 30, 2018 has been certified in the amount of four million, one hundred ninety three thousand, three hundred fifty two dollars (\$4,193,352.00); and

WHEREAS, the Building Maintenance Department has encountered a shortfall in the projected costs to replace rooftop HVAC system at the Department of Public Works Building in the amount of \$65,350.00; and

WHEREAS, the Water Enterprise Fund's share of this cost is nineteen thousand, six hundred and five dollars (\$19,605.00).

NOW THEREFORE, BE IT RESOLVED BY THE AGAWAM CITY COUNCIL, that nineteen thousand, six hundred and five dollars (\$19,605.00) shall be appropriated from Water Enterprise Fund Retained Earnings to Water Department Building Improvements 60144-58250.

Dated this 18th day of March, 2019.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti, City Solicitor

Org - TNCIK
cc - Council
cc - DPW
cc - Auditor
cc - Treasurer
cc - Bldg Maint

First Reading 4/4
AS Amended
Second Reading 3/14
approval

TOR-2019-2

AN ORDINANCE TO AMEND CHAPTER 49 OF THE CODE OF THE TOWN OF AGAWAM BY CREATING A CABLE ACCESS TV MANAGER

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Cable Commission at a November 5, 2018 meeting voted 4-3 in favor of recommending that a full time director be hired by the Town of Agawam; and

WHEREAS, the Town of Agawam currently does not have a Director or any person in a full time or part time position solely dedicated to directing the activities and operations of Cable Access TV; and

WHEREAS, the Cable Commission surveyed other communities in the Hampden County region and discovered that almost all other communities of a similar, and even a smaller size, than the Town of Agawam, have some personnel dedicated to cable content; and

WHEREAS, the Data Processing/IT Department will supervise the Cable Access TV Manager position and the position will be within that department's structure; and

WHEREAS, it is in the best interest of the Town at this time to hire a full time individual to serve as a Cable Access TV Manager to meet the needs of the Town; and

WHEREAS, the Agawam City Council has the authority amend the Code of the Town of Agawam.

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves and ordains to amend Chapter 49 §49-7(A)(2) of the Code of the Town of Agawam Code by inserting the following:

The Cable Access Television Manager shall be compensated at the Tier 5 salary schedule as specified in the current collective bargaining agreement by and between the Town of Agawam and the Agawam Administrative Union.

DATED THIS 18th DAY OF March, 2019.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti, City Solicitor

Org - TNCIK
cc - Council
cc - IT dept / cable
cc - Personnel
cc - Auditor
cc - Treasurer

approved

TR-2019-20

A RESOLUTION TO APPROPRIATE TWENTY SIX THOUSAND AND ONE HUNDRED AND FORTY DOLLARS (\$26,140.00) FROM FREE CASH FOR UNFORESEEN BUILDING IMPROVEMENT NEEDS FOR REPLACEMENT OF THE DPW AIR CONDITIONER

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Town of Agawam "Free Cash" as of June 30, 2018 has been certified in the amount of fourteen million, one hundred forty-nine thousand, one hundred, seventy-seven dollars (\$14,149,177.00); and

WHEREAS, the Building Maintenance Department has encountered a shortfall in the projected costs to replace rooftop HVAC system at the Department of Public Works Building in the amount of \$65,350.00; and

WHEREAS, the amount bid for the replace rooftop HVAC system at the Department of Public Works Building was in excess of the original estimate and appropriation accounting for the shortfall; and

WHEREAS, Free Cash's share of this cost is twenty six thousand and one hundred and forty dollars (\$26,140.00).

NOW THEREFORE, BE IT RESOLVED BY THE AGAWAM CITY COUNCIL, that twenty six thousand and one hundred and forty dollars (\$26,140.00) shall be appropriated from Free Cash to fund Building Improvements, account ORG 11922, object 58250.

Dated this 18th day of March, 2019

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

Stephen J. Buoniconti, City Solicitor

Org - TNCIK
cc - Council
cc - DPW
cc - Auditor
cc - Treasurer
cc - Bldg Maint.