

REGULAR COUNCIL MEETING OF THE AGAWAM CITY COUNCIL

APRIL 7, 2008

President Letellier – Welcome to the Regular Agawam City Council Meeting for Monday, April 7, 2008.

Item 1. Citizen's Speak Time

President Letellier – Our first item of agenda is Citizen's Speak Time. Our only speaker this evening is Billy Chester. Mr. Chester? A reminder that you have five minutes, please state your name and address for the record.

Billy Chester – Yes, thank you and good evening. Billy Chester, 320 Barry Street, Feeding Hills. As you know Mr. Stone and Mr. Sparks have put in the budget for the hiring of two people and equipment to mow the parks here in the Town of Agawam. I questioned both Mr. Sparks and Mr. Stone if they had put the mowing out for bids to see if it would be less expensive to out source the mowing by a private contractor and they said they had not. It would seem more feasible to outsource the mowing for the parks for only a period of maybe four months during the summertime instead of hiring two people paying them an annual salary of between \$28,000.00 and \$30,000.00 plus benefits. By outsourcing the mowing, this would free up two present employees now who do the mowing which Mr. Stone could utilize elsewhere. Any maintenance that has to be done by the park other than mowing could be done by the town personnel. Before the budget is approved, I would request that the bids be obtained to see what the cost would be by outsourcing the mowing of the town parks and maybe there could be a savings to the town taxpayers on an annual basis. And that's it. Thank you.

President Letellier – Thank you Mr. Chester.

Item 2. Roll Call

President Letellier – Our next item of agenda is roll call. Betty, would you please call the roll?

ROLL CALL – 11 Present

President Letellier – With eleven present, we have a full quorum.

Item 3. Moment of Silence and the Pledge of Allegiance

Item 4. Minutes

(a) Regular Council Meeting – March 17, 2008

President Letellier – Moved by Councilor Simpson, seconded by Councilor Rheault.

Any discussions, questions or amendments?

Councilor Cavallo - I'd like to abstain please.

President Letellier – Thank you. Anything else? Okay, voice vote will suffice. All in favor please signify by saying Ay. Opposed? And one abstention. So ten yes, one abstention. Thank you.

(b) Special Council Meeting – March 24, 2008

President Letellier – Moved by Councilor Simpson, seconded by Councilor Rheault. Any discussion? No? Voice vote is sufficient. All those in favor please signify by saying ay. Opposed? Abstentions? We have an eleven vote on the Special Council Meeting minutes.

Item 5. Declaration from Council President

President Letellier – I have one item this evening. I have created the Ad Hoc City Council Personnel Committee. We have to make sure that we have appropriate job descriptions for our Clerk and our Auditor. We need to prepare the paper work for annual reviews and get annual reviews done and any other business that would come before them. Because we had had a similar committee last year to find the Council Clerk, I've kept Councilors Calabrese and Rossi on that and I'd asked Councilor Rheault to take my place on that committee and he's agreed to do so. So the committee will be Councilor Calabrese, Rossi and Rheault. And I believe we also have something from the Vice President this evening.

Vice President Calabrese – Yes, thank you. Several weeks ago you all will remember our disagreement regarding a procedural matter of the Council during which I was presiding at that meeting. Ultimately I believe the correct outcome resulted and a thriving member of the Agawam business community was able to move forward on an admirable expansion project which will only serve to beautify the town in that area and improve the overall property values. Unfortunately, things were expressed of a personal nature which resulted in hurt feelings between Councilor Rheault and me. And this is not a secret. I think everyone up here realizes that. After much soul searching, I've come to realize that I took Mr. Rheault's actions on that night on a personal level. My public service is a very personal matter to me and he did not mean that as a personal attack which I understand. Mr. Rheault should have been afforded the respect his many years of public service have earned and here and now I'm going to publicly apologize for any disrespect that Mr. Rheault may have felt by my comments. As the town's legislative body, we must all work together as a cohesive unit for the long-welfare for the Town of Agawam. And I call on all of us as City Councilors to take the time to talk to each other, openly and frankly. We're in budget season which means long hours pouring the details of our financial well being as a community. So let's all work together. Let's not have any in-fighting and let's all do our job. Don, I'm promising you, I for one, will show you the professional decency you rightly deserve. And I want to thank you for meeting with

me this morning. Thank you all.

Councilor Rheault – Thank you Councilor.

6. Presentation of Petitions, Memorials & Remonstrances

(a) Resolutions

- 1. TR-2008-9 - A Resolution Authorizing the Mayor to Execute Any and All Documents Pertaining to the Exercise of the City's First Refusal Option Under Massachusetts General Laws Chapter 61A with regard to the Property Owned by Dorathy C. Lango, Donald Lango, and Amelia Lango which is Located at 141 Rowley Street, Agawam, Hampden County, Massachusetts Consisting of Approximately Nine (9) Acres. (Mayor) (Majority vote of those present and voting) (Referred to Finance Committee)**

President Letellier – Do we have a motion? Moved by Councilor Simpson, seconded by Councilor Rossi. Do we have a report from the Finance Committee? I believe Councilor Rossi chaired that this evening.

Councilor Rossi – Yes. Thank you. As part of the Finance Sub-Committee, I was asked by Councilor Young who could not make the meeting to chair it and we did have a meeting and after discussion, it is the unanimous agreement of the Finance Committee to send a recommendation to the Full Body, NOT to exercise our options under 61A.

President Letellier – Thank you. Do we have any further discussion from the Council? In order to reject the Town's option under 61A and let the sale go through, the vote would be a NO. Seeing no discussion, Betty could you please call the roll?

ROLL CALL – 11 No.

President Letellier – With a vote of eleven no, we've rejected it and the sale can go forward. And if I may just return to Declarations of Council President, first forgive me, I want to thank Betty for covering for Barbara tonight. Barbara's husband is home recuperating from surgery and we wish Todd well. Thanks, Betty.

- 2. TR-2008-10 - A Resolution Accepting a Gift in the Amount of Seven Thousand (\$7,000.00) Dollars from the Agawam Disability Commission Pursuant to Massachusetts General Laws Chapter 44, Section 53A for the Acquisition and Construction of a Playscape at the School Street Park. (Mayor) (Majority vote of those present and voting) (Referred to Ad Hoc – Recreation Committee)**

President Letellier – Do we have a motion? Moved by Councilor Simpson, seconded by Councilors Cavallo and Rossi. Do we have the Committee report? Councilor Bitzas?

Councilor Bitzas – Yes, Madam President. The Recreation Committee with members present of myself as chair, Councilor Rossi and Councilor Simpson met this evening. At the meeting also was present Councilor Mineo, Councilor Perry and Councilor Calabrese. The item of the agenda was TR-2008-10. The committee voted 3-0 to send a positive recommendation to the Full Council. Thank you.

President Letellier – Thank you Councilor Bitzas. Any other discussion from any other Councilors? No? Seeing none, Betty, could you please call the roll? A yes vote is to accept the gift.

ROLL CALL – 11 Yes.

President Letellier – With a vote of eleven yes, we have unanimously accepted the gift and we thank the Commission on Disability.

3. **TR-2008-11 - A Resolution Confirming the Appointment of Mark Paleologopoulos, 100 Paul Revere Drive, Feeding Hills, MA to the Agawam Planning Board to Complete an Unexpired Term Expiring January 1, 2010. (Mayor) (Majority vote of those present and voting)**

President Letellier – Moved by Councilor Perry, seconded by Councilor Bitzas. I believe Mr. Paleologopolous is here. Sir, did you want to address the Board? Could we have a motion to go into Committee as a Whole? Moved by Councilor Bitzas, seconded by Councilor Perry. All those in favor of going into Committee as a Whole, please signify by saying Ay. Opposed? Abstentions? Thank you. Welcome Mr. Paleologopolous.

Mark Paleologopoulos – Hi. My name is Mark Paleologopoulos and I'm not gonna fault you for getting it wrong so. I live in 100 Paul Revere Drive in Feeding Hills. My wife and I currently have three sons in the school system. I'm a life long resident of Agawam except for a couple years when I lived in the big city across the river when I was young. The past ten years I've volunteered my time to the Agawam Little League and coaching basketball in Park & Rec. Last fall I decided with the excitement of the election and everything I decided I wanted to try a different way to contribute my time and effort to the future of Agawam. I'd like to thank the Mayor for the appointment and I'd appreciate your approval for this position. Thank you.

President Letellier – Thank you. Any questions for the speaker? No? Thank you Mr. Paleologopolous. Is that better? Thank you. Do we have a motion to come out of Committee as a Whole? Moved by Councilor Rossi, seconded by Councilor Cavallo. All those in favor of coming out of Committee as a Whole signify by saying Ay. Opposed? Abstentions? Thank you. Any discussion on the appointment? Councilor Bitzas?

Councilor Bitzas – Yes. I'd like to thank Mark Paleologopolous for his, to volunteer his time, it's a hard job and I was very impressed with his resume and I fully support his candidacy and I wish him good luck and I hope the full Council supports it. Thank you.

President Letellier – Thank you Councilor Bitzas. Any other Councilors wishing to discuss...Councilor Perry?

Councilor Perry – Yes, thank you Madam President. I too fully support this. I've known Mark for a long time. He's a lifelong resident of Agawam and I'm sure he'll be very dedicated as part of our Planning Board. He'll work very hard knowing him and I hope everyone else supports him this evening.

President Letellier – Thank you Councilor Perry. Any other discussion? Councilor Young?

Councilor Young – Yes. I'd just like to say I've known Mark as well and worked with him several years ago at MassMutual and highly recommend your vote in favor. Thank you.

President Letellier – Thank you Councilor Young. Any other discussion? No? Seeing none, Betty, could you call the roll? Please indicate the last name of the, I believe there's only one applicant but nonetheless, please indicate his last name. Thank you.

ROLL CALL – 11 Paleologopoulos.

President Letellier – Thank you. Welcome Mark. You'll have to go to the Town Hall and sign some forms and you'll get a letter from the council. Thank you very much.

4. **TR-2008-12 - A Resolution Accepting A Distribution of Funds from the Settlement of the Compact Disc Antitrust Litigation Pursuant to Massachusetts General Laws Chapter 44, Section 53A to be Utilized by the Agawam Public Library for the Express Purpose of Furthering Music Related Programs at the Agawam Public Library. (Mayor)**
(Majority vote of those present and voting)

President Letellier – Do we have a motion? Moved by Councilor Simpson, seconded by Councilor Cavallo. We do have Judy Clini, the librarian here, if anyone has any questions for her. Does anyone wish to ask any questions of Mrs. Clini? No? Any discussion from the Council? None, okay, seeing none, could you please call the roll? A Yes vote is to approve the distribution of funds in the amount of \$300.00.

ROLL CALL – 11 Yes.

President Letellier – With eleven yes, we have approved the distribution and we thank Judy for coming and for her information.

Item 7. Report of Council Committee

None

Item 8. Elections

None

Item 9. Public Hearings

None

Item 10. Old Business

1. **TO-2008-13 - Voucher List (\$85.81) (Majority vote of those present and voting)**

President Letellier – That has gone around, everyone has signed it. We still need a vote. Moved by Councilor Rheault, seconded by Councilor Messick. Betty, could you please call the roll? A yes vote is to approve the voucher.

ROLL CALL – 11 Yes

President Letellier – With eleven yes, you've approved the first voucher in the amount of \$85.81.

2. **TO-2008-14 - Voucher List (\$990.00) (Majority vote of those present and voting)**

President Letellier – Do we have a motion? Moved by Councilor Rheault, seconded by Councilor Messick. Any discussion? It's all been signed. Betty, could you please call the roll?

ROLL CALL – 11 Yes

President Letellier – With eleven yes, you've approved the second voucher.

Item 11. New Business

1. **TR-2008-13 - A Resolution to Amend Agawam City Council Rule 14 Standing Committees (Councilor Calabrese) (Majority of those present and voting)**

President Letellier – Next agenda.

2. **TR-2008-14 - A Resolution Confirming the Appointment of Mario Tedeschi, 150 Juniper Ridge Drive, Feeding Hills, MA. 01030, to the Agawam Municipal Golf Commission for a Term Expiring December 31, 2010. (Mayor) (Majority of those present and voting)**

President Letellier – Next agenda.

3. **TR-2008-15 - A Resolution Confirming the Reappointment of Christopher N. Sanchez, 36 Hemlock Ridge, Feeding Hills, MA. 01030, to the Agawam Veterans Council to a Term Expiring April 1, 2010. (Mayor) (Majority of those present and voting)**

President Letellier – Next agenda.

4. **TR-2008-16 - A Resolution for Refunding Bonds in the Event Interest Rates Change to a Level that Would Reduce the City's Interest Cost on Existing Debt. (Mayor) (Majority of those present and voting)**

President Letellier – We're gonna refer that to the Finance Committee, next agenda.

5. **TO-2008-15 - Transfer - \$64,000.00 from Reserve Fund (16605-57300) to Department of Public Works – Highway & Grounds Division – Equipment Rentals (14202-52070) (Mayor) (Majority of full council or six votes)**

President Letellier – Refer that to the Finance Committee, next agenda.

6. **PH-2008-3 - Petition Requesting to Change to Zoning Code of all Future Residential Building Lots to be no less than one (1) acre, consisting of 43,560 square feet, with a 150 foot Frontage per Residential Building Lot. (Clerk)**

President Letellier – That was placed on the Agenda by a public petition. That will be referred to the Planning Board for a public hearing and then we will have our public hearing. I am suggesting our first May meeting to give the Planning Board time to have their public hearing. Any objection to that? Okay that will be placed on our agenda for the first May meeting.

7. **TR-2008-17 - A Resolution Confirming the Appointment of Vincenzo E. Ronghi, 55 Avalon Place, Feeding Hills, MA to the Agawam Housing Authority to Complete an Unexpired Term Expiring the Second Monday in January, 2009. (Mayor) (Majority of those present and voting)**

President Letellier – Next Agenda.

8. **TR-2008-18 - A Resolution Appropriating From the Community Preservation Fund and Authorizing the Expenditure of Community Preservation Funds for the Preservation of Land for Recreational Use**

for Property Owned by the Town of Agawam which is Located at Granger Elementary School (CPA) (Majority of those present and voting)

President Letellier – I'm gonna refer that to our own internal CPA Committee, next Agenda.

9. **TR-2008-19 - A Resolution Appropriating From the Community Preservation Fund and Authorizing the Expenditure of Community Preservation Funds for the Preservation of Land for Recreational Use for Property Owned by the Town of Agawam which is Located at School Street Park. (CPA) (Majority of those present and voting)**

President Letellier – Again, I'm gonna refer that to the CPA Committee, next Agenda.

10. **TR-2008-20 - A Resolution Requesting the Mayor to Appropriate Funds for the Board of Appeals to Employ Outside Counsel for the Appeal of the Special Permit Granted to Six Flags New England. (Council) (Majority of those present and voting)**

President Letellier – That was placed on the Agenda by the Council at the request of the Board of Appeals, next agenda.

Item 12. Any other matter that may legally come before the City Council.

President Letellier – I believe Councilor Perry's side starts this time?

Councilor Perry – Nothing this evening.

President Letellier – Okay, thank you. Councilor Messick?

Councilor Messick – Hi. I do have something. The Westfield River Watershed Association is looking for volunteers in Agawam on April 19th, that's a Saturday at 9:00. They're meeting in the parking lot of the Food Mart and what they're going to be doing is putting the decals on the storm drains. I don't know if anybody's noticed but there are blue and green decals that have been put on a lot of the storm drains. The ones that drain straight into a wet land, a stream or a river. And what these decals do is caution people about waste, about washing cars and letting detergents and things go into there and cautioning people just to not, not let that happen. And so what they're gonna be doing is placing these decals around in, in North Agawam. Also, the High School Leo Club on the same day is doing the same thing and I spoke with Bill Rose who's with the Westfield River Watershed Association and from what I understand they're going to be combining their efforts. So if you happen to know Tammy Watson at the, Phelps School they're going to be meeting on the green at Phelp's School. So if you're interested in volunteering, I feel it will actually be quite a bit a fun, you can either call Bill Rose at 786-0195 or Tammy Watson at 530-4973 or just show up at the Food Mart/Ames parking

lot on April 19th. Thank you.

President Letellier – Councilor Bitzas?

Councilor Bitzas – Nothing this evening.

President Letellier – Thank you. Councilor Young?

Councilor Young – I have nothing this evening, thank you.

President Letellier – Thank you. Councilor Simpson?

Councilor Simpson – Nothing tonight.

President Letellier – Thank you. Councilor Mineo?

Councilor Mineo – Nothing tonight.

President Letellier – Thank you. Councilor Cavallo?

Councilor Cavallo – I just have two things. I did attend a meeting this past week regarding the Board of Appeals hearing and I just wanted to let you know it was a kind of combative session. But you have to have your hats off to the Board of Appeals' members. They have done wonderful work and I did compliment them. They do work under the auspicious of our Council and they work very hard. And it was a quite interesting meeting because the personnel from Six Flags had just returned from Boston regarding the two issues regarding safety and some other issues regarding the park – the construction of the ride and I later found out today after another phone call that supposedly they are going to be presenting tomorrow to Nick Urbinati, the revised plans that are in, and concur with what the state has told them they should do. So it might be a possibility that and of course Nick is the authorizing person, that they might be issuing a permit to continue. But I just wanted to say you know I was there and I had to, I said to myself you know, it was like a David and Goliath type meeting. You have the Board of Appeals that are kind of like between a rock and a hard place. They're getting it from both ends, being pressured to move along with this particular problem, bring it to resolution, and at the same time, they want to go by the rules and do it the right way. I felt kind of bad for them and I did tell them that I felt they were doing a good job and to keep up the good work and that's all I have to say. That's one point I wanted to make and also in one of the brochures that we received in the mail from Barbara, there's a Bill that's being fought out regarding CPA funding. I don't know if any of you saw this. It says due to the large number of communities that have adopted CPA, one hundred and twenty-seven recently, the state is not expected to be able to maintain its 100% matching level so Senator Stone from Newton is filing a Bill that will maintain a state matching rate of at least 75% okay for the CPA. And of course, they mention here that there are another nine communities that are gonna become part of it. And locally, Brimfield, Granville, South Hadley are the ones that are closest to us. That's all I have to say.

Thank you.

President Letellier – Thank you Councilor Cavallo. Councilor Rossi?

Councilor Rossi – Yes, thank you, just briefly. I would like to get an update from the Mayor's office if that's possible. If she could send a report to this Council on the old Food Mart property, this Steve & Barry's. I go by there almost every day and I take a look at that progress and I don't see it progressing all that rapidly. And the question I would like to ask is that the permit that this Council gave to that Mr. Sanders I believe his name was so that he could get that building prepared for Steve & Barry's and with the understanding that that was supposed to take affect, they were supposed to jump into that property the day after Thanksgiving, then it went to just before Christmas and now here we are, we're into April, going into the middle of April and we don't have anything in sight yet. I'm happy to see however that they finally blocked that entrance on the top of Springfield Street hill which was an absolute nightmare that any unsuspecting person could have walked into that or drove into those water ruts that they had down there and could have had devastating affects. So I see that they're fixing that so I'm happy but the questions I would like to ask is when, what's the time table of when that Steve & Barry is supposed to go into that property and has this tax deferment actually taken affect and if it has then what's the status on that? I'm not quite sure as to whether this deferment was to take place after these people moved in or what. Could we get a report on that please?

President Letellier – Do you want to see that Barbara, have her do a memo or do you want me to do it?

Councilor Rossi – Either way as long as we can get a response for the next Council meeting to put in our packet and give us an update on the status of how that is and answer those questions.

President Letellier – Okay, thank you. Councilor Rheault?

Councilor Rheault – Nothing this evening.

President Letellier – Thank you. Councilor Calabrese?

Councilor Calabrese – Yea, just two quick things. Congratulations to the Agawam Robotics Team for doing so well in Boston last week. They're going to be going down to Atlanta for the National Tournament and they are officially in the big leagues now and that's something we should be very proud of because people on this council had a charter hand in setting that up and I'm very proud. And also I want to wish best wishes for a speedy recovery to John Burns. I can't wait to see him back up on his feet and up and around again. Have a good evening, thank you.

President Letellier – Thank you. I have nothing. I would ask for a motion to adjourn. Moved by Councilor Rossi, seconded by Councilor Simpson. All those in favor, please signify by saying Ay? Opposed? Thank you, we're adjourned. *Adjournment.*