

## **REGULAR MEETING OF THE AGAWAM CITY COUNCIL**

**JUNE 16, 2008**

**President Letellier** – Welcome to the Agawam City Council Meeting of Monday, June 16, 2008.

### **Item 1. Citizen's Speak Time**

**President Letellier** – Just as a reminder when you come to the microphone, you'll have five minutes to speak. Barbara Bard, our Council Clerk, will keep the time and we ask that you list your name and your address when you first come to speak. Our first speaker is Joan Linnehan from the Senior Center.

**Joan Linnehan** – Good evening. Joan Linnehan, Director of the Senior Center, 68 Meadowbrook Manor. I'm using my Agawam address. I spend more time there than I do at my own home. I want to go on public record to thank everyone who has made the new center possible. It's come a long way. I especially want to thank Richard Theroux, the Chairman of the Committee and Councilor George Bitzas, the Vice-Chair of the Committee and all of those that were involved in making this come to fruition. I feel I'm living out somebody else's dream – that of Richard Mundo, the past director and many of our seniors that have gone before us. The building is about six months to completion and will be a wonderful addition to the community and provide many needed services for our seniors and for generations to come. And I'd like to thank you all for being part of that.

**President Letellier** – Thanks Joan. Next we have Louis Russo.

**Louis Russo** – Good evening. Louis Russo, Highland Street, Feeding Hills. As Vice-Chair of the Community Preservation Committee, I'm here to speak on behalf of CPA members regarding funding of the Phelps School Playscape. As most of you know, we have unanimously voted to recommend that this Council approve the full amount of funding for the Playscape. Included in the funding is not only the cost of completely refurbishing ... the vandalized structure but also the cost of insuring that construction not only meets but also exceeds state and federal handicap requirements. The cost also includes as safe a surface available as well security and safety lighting. Therefore it is our hope that you will accept our recommendation and approve the appropriation. Additionally, the CPA has been offered \$10,000.00 donation to be used towards the cost of the Playscape. Annette and Nick Liquori whom you know recently lost their son Franco asked me if they could make the donation in Franco's memory and memorialize the Playscape in Franco's name. I brought the request before our committee and the CPA members unanimously voted to accept the \$10,000.00 donation and support memorializing the Playscape in Franco's name especially since Franco attended Phelps School. I consulted with School Superintendent Mary Czajkowski who agreed with the memorialization. We also had a meeting that included the Liquori's, Superintendent Czajkowski, Mayor Susan Dawson, CPA Chair Henry Kozloski and myself. Mayor Dawson readily agreed with the proposal and tentative plans have been made to have a

proper town wide dedication some time in the fall after the Playscape is completed. Following I also spoke before the members of the School Committee who must approve the memorialization and they say it will be a unanimous agreement. So then the only action left to see this Playscape come to completion for the use and enjoyment of Agawam's children is for you to agree with the CPA's appropriation and approve our recommendation. Thank you.

**President Letellier** – Thank you Mr. Russo. That's our last speaker for the evening.

**Item 2. Roll Call**

**President Letellier** – Barbara, could you please call the roll?

**ROLL CALL** – 11 Present

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

**Item 3. Moment of Silence and the Pledge of Allegiance**

**President Letellier** – Could you all please rise for a moment of silence and the Pledge of Allegiance?

**Item 4. Minutes**

**(a) Regular Council Meeting – June 2, 2008**

**President Letellier** – Moved by Councilor Perry, seconded by Councilor Young. Any discussion? No? Seeing none, voice vote is sufficient. All those in favor please say Ay? Opposed? Abstentions?

**Councilor Simpson** – Abstain.

**President Letellier** – One abstention by Councilor Simpson otherwise passed.

**Item 5. Declaration from Council President**

**President Letellier** – I want to give those folks that have been calling us a little bit of an update with regard to the Six Flags parking issue. We had a meeting two weeks ago with the Mayor, the acting Police Chief, the Solicitor and various Council members and the police have been documenting every weekend the existence of parking where it is not allowed and the Town will be prosecuting those persons who are parking against the Town's Zoning Ordinance and so I hope that answers some of the questions. If not, you can obviously feel free if you need to call us.

**Item 6. Presentation of Petitions, Memorials & Remonstrances**

**(a) Resolutions**

1. **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) (Tabled 6/2/08) (Majority of those present and voting)**

**President Letellier** – I spoke to the Mayor today. That case has not been dismissed. It still exists. What does the Council wish to do? Motion to leave on the table by Councilor Rheault, seconded by Councilors Perry and Cavallo. Barbara, could you please call the roll? A yes vote is to leave the item on the table.

**ROLL CALL** – 7 Yes, 4 No. (Councilors Bitzas, Calabrese, Simpson and Young)

**President Letellier** – With a vote of seven yes, four no, the item remains on the table. I notice we're getting some feedback. Is that affecting the audience too much? Maybe Tony – I just want to make sure the people at home can hear us. Thank you.

2. **TR-2008-29 - A Resolution Approving Sewer Use Rates Fixed by the Department of Public Works) (Mayor) (Tabled 6/2/08) (Referred to the Public Safety Committee and the Finance Committee) (Majority of those present and voting)**

**President Letellier** – And I know we have a report on that? Do we have a motion first? Moved by Councilor Simpson, seconded by Councilor Perry. Councilor Perry, do you wish to give the Public Safety Report? Or who is going to give the report?

**Councilor Perry** – I'll yield to Councilor Young.

**President Letellier** – Okay, Councilor Young?

**Councilor Young** – Yes, thank you. We had a combined meeting of the Public Safety Committee as well as the Finance Committee and they're all on the same report here. Those present were the entire committee – Councilors Rossi, Perry, Mineo, Calabrese along with myself. Also the reporter Dave from the Union News was also there. Again, the short of it after discussion with the Director of Public Works, Jack Stone, the Committee voted 5-0 to send a positive recommendation to recommend passage of the new rates to cover our costs. Thank you.

**President Letellier** – Thank you. Any further discussion from any other councilor? Any discussion? Councilor Calabrese?

**Councilor Calabrese** – Yes. I just wanted to highlight one reason why I actually supported the increase in these rates. The last rate that we had had was approximately

five years ago and that was a rate increase that was only supposed to have been good for three years and that was able to be stretched out for another two years. So, this was a rate increase that I deemed necessary and appropriate and that is why I voted in favor of this. Thank you.

**President Letellier** – Thank you. Are there any further details perhaps that we can show the public as to the need for the increase? Councilor Perry or Councilor Young? Do you have any notes from your meeting? Councilor Calabrese is a heck of a note taker! Do you mind? Thank you.

**Councilor Calabrese** – I don't mind. An ... fund that was established but that really didn't affect the substance of this meeting. As I previously stated previous rate increase should have been good for three years. The last rate increase was done in 2002 and that was projected to last three years and it was stretched out over the next five years. Let's see. We also would have some money with regard to the bondings either from Waste Water Treatment for this fiscal year. Going to 2.30 would make us break even going to 2.40 would give us a bit of a cushion. So projected use of the future and forgive me I'm reading my own handwriting which can be a challenge. And that basically is really the some and substance of my notes at that particular meeting. Like I say just to point out that our last rate increase was 2002 and we actually were able to stretch that out for a longer period.

**President Letellier** – Thank you. Councilor Perry, and then Councilor Rossi.

**Councilor Perry** – Yes, thank you Madam President. Through the chair, you know we've held it for five years. One of the main factors in the increase is what we have to pay to Bondi's Island as a community for the amount of waste that's being generated and processed by them. So that's one of the main reasons. That, energy costs obviously, are affecting everything, that's a big factor. We have thirteen pumping stations that have to be maintained on a regular basis and there are upgrades there that have to be taken care of, the general cost of doing business. Any time there a break, road repair, road costs, things of that nature; those are the things that we discussed during our meeting. So everything everyone knows is rising in cost, the labor cost, the material costs, things of that nature, but just the general overall maintenance of the sewers in town is the main reason for the increase.

**President Letellier** – Thank you. I just think the public needed a little more information. Councilor Rossi?

**Councilor Rossi** – Yes, thank you. All that being said, as it was said earlier, the last raise that we had was in 2002 I believe it was and the increases are gonna go up from 2002 to present to \$0.40 which will make the water rate – that was previously \$2.00 will go to \$2.40. Right now the sewer rate is running at a deficit and this year here - \$2.33 – would be where we are right now and \$2.40 will take us into next year and right now we're some \$244,000.00 I believe in the whole right now and that money will be used to pick up the slack on that deficit which is gonna bring us back into 2009 or 2010 I believe,

we're gonna have to come back for more money, that's what we discussed. This in no way affects that sewer project up in South West section of Town to relieve anybody's mind about that. This is strictly to increase the cost of providing the sewer services that we have presently and it will be born solely by those users of that system. Anyone who does not have the systems, their rate will not be increased. I believe it's some 8900 people that will be affected through the increase. So that's one of the reasons aside from the fact that we're running at a deficit. The reason, if we didn't do it this way, an increase, and go into our Enterprise Fund, it would have to come out of our tax base and I believe it'd be much more fair if that money was spread out as a user fee, those using the service would actually be ones paying for it, and not the entire community as a whole. And so that was the reason for my vote and I believe everyone else there had pretty much the same consensus.

**President Letellier** – Thank you Councilor Rossi. Councilor Mineo?

**Councilor Mineo** – Yea. I just wanted to say that we did get a breakdown from Jack Stone. And if you look at some of the surrounding communities like Chicopee, they're paying \$376.00 compared to the \$259.00 that Agawam would be paying. East Longmeadow \$279.00, Holyoke \$419.00, Northampton \$461.00, Southwick \$446.00, Westfield \$262.00, I mean that's pretty low, our rates are low. I just wanted to point that out.

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

**Councilor Perry** – Yea. Just real quick to point out in Jack's presentation to us, based on the water usage of 12,000 cubic feet, a residential annual sewer bill will rise to \$259 from the current \$216 so it's about a \$40 - \$43 increase just to let the public know that's what they'll be looking at with this rate increase that we're proposing. So it's – per year, yes – so it's billed twice a year so it's like \$20 more per billing period for the average household. Thank you.

**President Letellier** – Thank you. Any other discussion? No? Barbara, could you please call the roll? A yes vote is to approve the sewer use rates. Six votes are needed.

**ROLL CALL** – 10 Yes, 0 No, 1 Abstain (Councilor Rheault)

**President Letellier** – With ten yes and one abstention, we've approved the new sewer rates.

3. **TR-2008-30 - A Resolution Authorizing the Declaration of Robinson Park Day (Councilor Rossi) (Majority of those present and voting)**

**President Letellier** – Do we have a motion? Moved by Councilors Rossi and Cavallo, seconded by Councilors Perry, Bitzas and Messick. Any discussion? Councilor Rossi?

**Councilor Rossi** – Yes, thank you. It is with great pleasure that I bring this Resolution

forward to the City Council and to the citizens of this community. I bring it, this Robinson State Park, I don't have to tell anybody who's lived in Agawam for any length of time but it's probably one of our greatest assets, nature assets in the community. I've been enjoying Robinson State Park since I was a young boy right up and through my adulthood and I've never quite honestly had a deeper appreciation for Robinson State Park than I did when I met the Friends of Robinson Park, some of which are sitting right over here in our audience tonight. With their presentations and their commitment to bring Robinson State Park to a greater understanding and to the community is just it's beyond belief, that dedication and commitment that they have. So I would like to present and I have to mention this in all fairness, Richard Morassi, I think we'll all remember Richie, a former councilor and Agawam member who's now at the Cape enjoying his retirement and still comes into town quite often was really the spear behind this thing. He's the one that keeps all of us going. We have a tendency sometimes to say yes, yes, yes, and Richie says when, when, when. So I would like to thank Richie for his efforts in bringing this forward. And just briefly I wanted to say that this Resolution:

*WHEREAS, it is commonly understood throughout the community that Robinson State Park is a significant asset and a great benefit to the quality of life of the community known as the Town of Agawam; and*

*WHEREAS, the Friends of Robinson State Park hold their annual community environmental event on the third Saturday in June to assist in the effort to preserve and protect said Park; and*

*WHEREAS, the Friends of Robinson State Park deserve said community's appreciation, support and encouragement for their efforts on behalf of said Park; and*

*WHEREAS, the time of the summer solstice and the beginning of summer is commonly recognized as an appropriate time to focus on the significance and beauty of said Park; and*

*NOW THEREFORE, be it resolved by the City Council of the City of Agawam that the third Saturday in June is hereby declared "Robinson State Park Day" in the City known as the Town of Agawam in order to assist in the preserving and protecting of said Park, said Resolution to run in perpetuity to underscore our concern over the welfare of said special and valuable Park.*

...And I would greatly appreciate this board of fellow Councilors and with that if it should gain support here, Representative Sandlin and Senator Buoniconti also stated that they would be on board to do their efforts at their levels. Thank you.

**President Letellier** – Thank you Councilor Rossi. Just a reminder that it is THIS Saturday that is Robinson State Park Day and I have the schedule to give to Barbara and if it's not already on the Town website, I'll make sure that we get the schedule on the Town website.

**Councilor Rossi** – Correct. The flyers that are going out right now I believe say Environmental Day for Robinson State Park because this Resolution is going through tonight so it was publicized as Environmental Day. But that is correct and I would appreciate that. Thank you.

**President Letellier** – No problem. Thank you. Any other discussion? No? Seeing none, Barbara, could you please call the roll?

**ROLL CALL** – 11 Yes, 0 No.

**President Letellier** – With eleven yes, we've unanimously approved Robinson State Park Day. Congratulations to the Friends of Robinson State Park. (APPLAUSE)

4. **TR-2008-31 - 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 Benjamin Phelps School. (CPA) (Referred to the Ad Hoc CPA Committee) (Majority of those present and voting)**

**President Letellier** – Do we have a motion? Moved by Councilor Simpson, seconded by Councilor Perry. Councilor Simpson, do we have a report from your committee? Thank you.

**Councilor Simpson** – Yes we do. The committee met this past Wednesday at 6:30 at the library. Present were committee members Councilor Bitzas, Councilor Mineo, Councilor Messick and myself as chair. We voted 4 Yes, 1 Absent to send a positive recommendation for the allocation of the funds for the Playscape at Phelps School. Also, I believe there were some questions brought up about the fact that there had been the vandalism and that there would be some type of restitution made back to the Town in regards to that and I believe everybody did have a memo in their packet from our City Solicitor saying that the juveniles have a court date at some point and once that happens if the judge deems that there should be any type of restitution, it would come back and I spoke to Chris Sparks regarding this and if we were to receive any type of monies from the court that would go back to pay our insurance company because they have already given money towards the replacement of this. So that would be what happened and we have no idea when and if that would happen, when the restitution would take place. I believe that's it so by a 4 Yes, 1 Absent, a positive recommendation for approval.

**President Letellier** – Thank you Councilor Simpson. Councilor Bitzas?

**Councilor Bitzas** – Yes, Madam President. I vote in favor of the amount but not the total amount and I was the only one that recommended to the committee and to bring forth to you tonight to reduce the amount because the Liquori family – we're very, very thankful for doing such a beautiful gesture to give this Town for the playground \$10,000.00. Those monies can offset the taxpayers' money so it's common sense, if the Liquori family gives this money and start now with a writing confirmation that they would give this money or if there's some delays until the School Committee and the Town accepts it, this amount of money, which is crazy for the Town not to accept the beautiful gift, the \$10,000.00, and I'm very happy to see that the CPA Committee already approved the \$10,000.00. So it doesn't make any sense for this money to have the total amount that was requested by CPA which is \$92,820.00 but to reduce it by the \$10,000.00 to \$82,820.00. And this money will go back to CPA that was designated to recreation. If we pass it and give them all the money, who would tell me a guarantee this

money cannot be used for that playground to do something extra? We are the body of control, the buck stops here and that way it's possible for the taxpayers to spend as little as possible for their money. And these Liquori conditions, \$10,000.00, should stay in the same account and not be appropriated for something that CAN be used legally if they decide to add something more. So again I would like to thank the Liquori family for donating the \$10,000.00 and I hope this Council will support the \$10,000.00 reduction. For that, I make a motion to allot \$82,820.00 toward Phelps' playgrounds.

**Councilor Calabrese** – Second.

**President Letellier** – Are you making a motion to amend the amount? Correct. Okay. So I have a motion made by Councilor Bitzas, seconded by Councilor Calabrese. Oh, I'm sorry what? And also seconded by Councilor Rheault. I do have a point of information that the Council may want to know before we vote on this. I spoke to the Mayor about this very item today. The key for the Town is to have this Playscape up and running by the time the school year starts and in order to that contracts have to be signed and things have to be put in place before the Liquori funds will actually be available. And so I spoke to the Mayor and the thought was pass the amount tonight, the money from the Liquori's will then go into a CPA or Park & Rec revolving fund to be used for the playgrounds but it's not possible to amend the amount tonight and have the Playscape ready for the school year.

**Councilor Bitzas** – Yes it is. Point of Information, through the Chair.

**President Letellier** – Certainly.

**Councilor Bitzas** – If we have a written confirmation by the Liquori family that they are going to give us \$10,000.00, it's legally and can be done.

**President Letellier** – We have a motion on the floor. Any other discussion? Yes. Councilor Mineo? Yes, who had the light Councilor Mineo or Councilor Simpson?

**Councilor Simpson** - He's got it then I'll have it after. We're sharing tonight.

**Councilor Mineo** – Yes. I have to say I respectfully disagree with Councilor Bitzas. If you noticed the other night, that there were time constraints for this project. What's happening here is the Liquori family which I thank for the ten thousand dollar donation is, all we want to do here is pass this tonight to get this project going okay. We need to pay for this project. Whenever the donation comes in, it comes in. It's gonna be put right back into the CPA fund. It's a wash! That's all it is. It is a wash. There's nothing wrong here. There's nothing illegal. There's nothing wrong. And the donation will come in and that's it. It's just a wash. And I would hope that everybody would support this.

**President Letellier** – Thank you. Councilor Simpson.

**Councilor Simpson** – Thank you. Yes Councilor Mineo pretty much said it all but basically and also speaking to the CPA members and also speaking to Chris Sparks who was not at our meeting due to a family emergency but I spoke to him on the phone prior to this, we need to get this passed and started. The goal is to have the Playscape ready for as Councilor Letellier said, ready for the start of school in September. At this point and also once again, I too, would like to say thank you to the family, the Liquori family, for their very generous donation, but we do not have the funds in hand yet so basically we need to appropriate this money tonight so that as of start of business tomorrow the contracts can be signed, everything can get, everything needs to be ordered. It takes six to seven weeks to get everything in and then you know start the process. As Councilor Mineo had said that when the very generous donation comes in to the Town, it will go back into the CPA funds. It will be used, the Liquori family wanted it specifically for something in the playscapes or recreation, and that's exactly what part of the CPA funds does, so it will go into that. It just happens to be very nice and coincidental that we're working on the Playscape at Phelps which is the one that will be dedicated towards their son. So, but tonight we need to appropriate the full amount in order to get the contracts signed and to get everything going so that Playscape will be up and running for the children when they get back to school in September. Any delay in that can cause us an issue and the donation whenever that is able to come in will definitely be put back. We asked two CPA members who were there, Mr. Kozloski and Mr. Russo, and they told us that it would go back in and be used for future recreation or a Playscape because there are hopes that more playscapes will be re-done as time goes on. So I urge this Council tonight to please vote for the appropriation of the entire amount. Thank you.

**President Letellier** – Thank you. Councilor Mineo and then Councilor Bitzas.

**Councilor Mineo** – One quick thing. One quick thing. I want to go on record as stating I don't need anything in writing, absolutely nothing, from the Liquori family, in writing.

**President Letellier** – Thank you. Councilor Bitzas?

**Councilor Bitzas** – Thank you. If there was a reason to delay that after September I'd vote for the whole amount. But this isn't a valid reason. The \$10,000.00 that's coming, it is a technicality that they had to have the letter. I talked to Mr. Sparks today and he said vote for the whole amount but then ...came out only he say we can ask for the order at Goodman's only if we have the written confirmation by the Liquori family, the truly they'll give the \$10,000.00 and for one moment I do not doubt that the Liquori family will give the money. If Mr. Sparks as he told me, needs a letter of confirmation, the \$10,000.00 that would be valid, they give it to use, there'd be no delay at all. \$10,000.00 of the taxpayer's money, it's a lot of money and I think you don't do any favors to taxpayers and I strongly urge the Council if you want to vote against the money but not for the reason that was stated, there'd be delays, no be no delays with a letter of confirmation, the questions can be voted, tomorrow we can order the Playscape. Thank you.

**President Letellier** – Any other discussion on the motion to amend? Councilor Perry?

**Councilor Perry** – Yes. Thank you Madam President. Through the chair to Councilor Simpson, would this project be before the Council right now if the Liquori family didn't recommend or volunteer to give \$10,000.00, would it be before us this evening?

**Councilor Simpson** – Through the chair, yes, it would be because this was planned, done, and like I had said, it just so happened that the family decided that they would like to make a donation and I said it was also coincidental that we're doing the Phelps one right now and he happened to go to school at Phelps, that that would be the eventual dedication spot but this was already in the works, it was already set and ready to go to be presented to us for quite a while now, you know, it's been in the works getting ready to go, especially since the vandalism happened at it. So yes this would be before us no matter if there was any donations or not.

**Councilor Perry** – So it's a bonus then and I thank the Liquori family. Thank you.

**President Letellier** – Any further discussion on the motion to amend? We have a motion to amend TR-2008-31 from the amount of \$92,820.00 to \$82,820.00. Barbara, could you please call the roll? Six votes are needed to amend the amount.

**Councilor Cavallo** – Can I have clarification on this one?

**President Letellier** – Yes. The request is to fund the amount of \$92,820.00 that's what was requested and approved by the Community Preservation Committee. Councilor Bitzas has made a motion and correct me if I'm wrong, Councilor Bitzas, to amend the amount downward by \$10,000.00 to \$82,820.00 in anticipation of the Liquori family's generous gift.

**Councilor Cavallo** – So a yes vote would be –

**President Letellier** – A yes vote would be to approve the amendment down to \$82,820.00.

**Councilor Bitzas** – and the clarify...

**President Letellier** – No. Councilor Bitzas. Thank you. Councilor Cavallo?

**Councilor Cavallo** – No.

**President Letellier** – Thank you.

**ROLL CALL** – 2 Yes (Councilors Bitzas and Calabrese), 9 No.

**President Letellier** – With two yes and nine no, you've defeated the motion to amend. Is there any discussion on the underlying request which is \$92,820.00? No? Seeing none, Barbara, could you call the roll? Again, six votes are needed, we are requesting

\$92,820.00 from the CPA fund.

**ROLL CALL** – 11 Yes.

**President Letellier** – With eleven yes, you've unanimously approved the CPA authorization.

**Councilor Cavallo** – Madam President? I'd like to make a comment kind of directly related to this in a way.

**President Letellier** – A comment? You can wait until the end of the meeting. The item's been voted on.

**Councilor Cavallo** – When the other CPA issues comes up too, I can piggyback on one of those, can I not?

**President Letellier** – You can if it's about the other CPA issues that are coming up.

5. **TR-2008-32 - A Resolution Confirming the Appointment of Joan Caney, 886 Main Street, Apt. #37, Agawam, MA, to the Agawam Housing Authority for an Unexpired Term Expiring the Second Monday in January, 2010. (Mayor) (Majority of those present and voting)**

**President Letellier** – Is Miss Caney here and does she wish to say anything if she is? No, I don't see anything. All right. Do we have a motion? Moved by Councilor Perry, seconded by Councilor Rheault. Any discussion? Six votes are needed, Barbara, could you please call the roll? If you would like Miss Caney to be appointed to the Housing Authority, please state Caney.

**ROLL CALL** – 11 Joan Caney.

**President Letellier** – With eleven for Joan Caney, we congratulate her. Barbara, could you inform her? Thank you.

6. **TR-2008-33 - A Resolution Authorizing the Posting of the Warrant for the State Primary Election of September 16, 2008 and the State and Presidential Election of November 4, 2008. (Mayor) (Majority of those present and voting)**

**President Letellier** – Do we have a motion? Moved by Councilor Rheault, seconded by Councilor Rossi. Do we have any discussion? Six votes are needed, Barbara, could you call the roll?

**ROLL CALL** – 11 Yes.

**President Letellier** – With eleven yes, you've approved the posting of the warrants.

7. **TR-2008-34 - A Resolution Appropriating from the Community Preservation Fund and Authorizing the Expenditure of Community Preservation Funds in the Amount of \$5,000 for the Preservation, Rehabilitation and Restoration of Historic Resources, Namely the School Street Barn as Provided for Under the Historic Resources Section of the Community Preservation Act. (CPA) (Referred to the Ad Hoc CPA Committee) (Majority of those present and voting)**

**President Letellier** – Do we have a motion? Moved by Councilors Simpson and Cavallo, seconded by Councilors Rossi and Perry. Councilor Simpson, do we have a report?

**Councilor Simpson** – Yes, thank you. At the same meeting this past Wednesday, this item of agenda was also discussed and by a vote a 3 Yes, 2 absent, we voted to send a positive recommendation to the Council for passage of the \$5,000.00 for the School Street Barn preservation. Thank you.

**President Letellier** – Thank you. Any discussion? I'm sorry. Councilor Cavallo and then Councilor Rheault.

**Councilor Cavallo** – Yes. I was unable to attend but I talked to David Cecchi on the phone a couple of times and I'm thoroughly impressed with the work he's been doing. We did all receive a letter from Bonnie Parsons, the principle planner and manager of the Historic Preservation programs and it's a very detailed letter and certainly indicates justification for keeping this barn intact and keeping the historic quality with it. David told me that somewhere along the line it could be a possibility of having a 200 seat auditorium so to speak not auditorium but a place where people could have small meetings, gatherings, workshops, etc. and still maintain the historic quality of the building. So I certainly endorse and approve this \$5,000.00 expenditure by the CPA group.

**President Letellier** – Thank you Councilor Cavallo. Next we have Councilor Rossi?

**Councilor Rossi** – Yes, thank you. That's all pretty much news to me. The last time I heard with the building it's gonna be nine month – a year thing. It's not even gonna have heat or anything in it. And the appropriations that are gonna be needed to restore that building are going to be in the neighborhood of \$450,000.00 and counting. Now, I'm fully in favor of having something cultural. I've talked to several members of the Cultural Council and I think we desperately need something in Agawam along those lines. I don't know if this is the building that we necessarily need or we can do something a little bit less expensive and maybe get something a little bit bigger and better. But we're pouring money into this place and I don't know that we have a clear direction on where we're gonna go. Now I don't know has anybody lost sight of the fact that the last time this building came before us with these little appropriations here that the last figure that we had here sometime ago was like \$450,000.00 and that didn't even include any kind of heat or anything like that. And I just think that we need to be getting some kind of clear direction of where we're headed with this building in the future before

we continue to pile money in it. It seems to me that every time this building comes up, it's like getting pecked to death by a duck. I don't see anything here with this building and I wish somebody would give me some clarification. It's not that I don't think we should restore the building and get this so it gets free from vandalism. I don't know how we're gonna stop the vandalism from occurring. I don't know if this \$5,000.00 is going to do that, I tend to doubt it but I don't even know what it's for, I know it's for because they've experienced some vandalism problems because it said so here but I don't even know what \$5,000.00 is going to do but my point of it is I don't think that anybody has a very clear direction on where we're going and how much it's gonna cost for this building and we're continually pouring money into this thing and I'd like to get that before I go further.

**President Letellier** – Thank you. Councilor Messick? And then Councilor Bitzas.

**Councilor Messick** – The School Street Barn is an icon. When you go into School Street, you see a barn and that says something about Agawam. So in my mind there's absolutely no way we can let that barn fall down and this \$5,000.00 is a very, very, very small step that absolutely needs to be taken so we preserve that barn. I have been inside the barn numerous times, there's a post in the basement that needs to be shored up and replaced, the siding on the barn is loose in places, kids can get in and they have gotten in, there has been vandalism, there has been an attempt to steal some antique items that are being stored there from the old farm house that was there. There needs to be protection from the weather, plexi-glass needs to be put on the windows and my take on the subject is that if we don't take these steps to preserve this barn, we won't have an option of having a year round Cultural Council area. We won't have the option of having a meeting place; we won't have any options because it will be falling down. I can't tell you when, all I can say is that these are fairly minimal steps that need to be taken to give us that option and I think it would be a terrible tragedy to see that thing sink from a hole in the roof like so many barns in the area. You drive around and you see them, they cave in from the middle. And we can stop it by, with \$5,000.00 I don't think we have been continually pouring money in. I think we have been trying to find ways to preserve it for the minimal amount of money we need to spend. As far as the \$450,000.00 that was talked about before, that plan obviously was not popular with anybody. That was talked about before I came on board. We had a meeting recently with Dave Cecchi with the barn historical study group and what we're looking at now is ways that other communities have preserved their barns, how they've gotten money to do that, what purposes they use the barns for, to come up with some options that maybe aren't as expensive. There certainly are other options out there and certainly a discussion needs to be taking place about what the future use of that barn is but right now it's absolutely necessary that we preserve that barn, that we do these things so that it is an option for us in the future. Thank you.

**President Letellier** – Councilor Bitzas, you had your light on?

**Councilor Bitzas** – Yes. I will support the \$5,000.00 but I will have a difficult time to support any more appropriations for the barn. \$450,000.00 to preserve a barn, it is not a

realistic number. I heard it would be close to a quarter of a million dollars and for what? What can you use it for that far away? And how much money more you have to spend for the barn? I think the barn is beautiful to have as esthetics, it's for the looks there, maintain, put nice landscape in the front, put some lighting there to maintain, to protect what is under, it just happened a few months ago, and that – keep it that way. We spent enough money. The taxpayers' pocketbooks will be empty soon. Now this is 1% of the CPA money and most of it goes down to the project and I fully support that but we spent enough money for the barn and I hope this is the last one to keep this barn standing up, maintained the way it should be maintained to look beautiful. If we can use something inside to use for the maintenance people, it's fine but otherwise, if we were to throw municipal dollars for something that others think it's an icon. I think it's a good looking barn, it's historic, but there are other more things important for this Town to do than to have this barn. For the money you can spend to renovate the barn, we can spend it to renovate any other building and make a better use for it. Thank you.

**President Letellier** – Thank you. Is it Councilor Simpson or Mineo? I'm sorry. You guys are sharing a microphone, whichever has the light on, go ahead.

**Councilor Mineo** – Actually it's me and it's through the chair to either Councilor Rossi or Councilor Bitzas. I certainly haven't been keeping track of the funding. How much funding have we put into the School Street Barn at this point? I mean I hear we've been...how much? Did you say \$25,000.00?

**President Letellier** – According to - just so I can say Joe for the record – according to Chris Sparks, Park & Rec Director and Deb Dachos, Community & Planning, they're telling us \$9,000.00 and it's all been CPA money - \$9,300.00. Thank you.

**Councilor Mineo** – To me that doesn't seem like a lot of money, \$9,300.00, at this point. I mean I don't know what type of plans are gonna come before this Council but again, \$9,300.00 isn't a lot and I hope everybody would support this tonight. Thank you.

**President Letellier** – Thank you. I'm sorry. Anybody else for the first time before we get to the second time? No? Councilor Cavallo and then Councilor Rossi.

**Councilor Cavallo** – Yea. I think the concern that Mr. Bitzas is raising and one that I am concerned with, I am for the \$5,000.00 appropriation but I think since I've been on the Council since January, we have appropriated a lot of money from the CPA and I don't know if the public knew what they were voting for when they voted quite a few years ago for the Community Preservation Act probably a lot of them didn't know, this is their money. This is our tax bill, okay? A significant part of the CPA money is OUR money; part of it comes from the state. There's a certain reimbursement or additional amount of money. I think what we're probably looking at and what we're looking at from the CPA is this: are you going to evaluate these projects down the road? In other words, we're doing a Playscape here, we're doing a park on School Street, we had suggestions for one on Meadowbrook Road and up off Clover Hill and all of these things are being done and they're all wonderful, don't get me wrong, but what about the evaluation, the assessment

after? Did we do the right thing? Did we put in the proper mechanisms to keep this the way we wanted to? One is on River Road, okay, and River Road is a heavily traveled street and of course during the summer we have Six Flags' traffic. That park is open to anybody, okay? Are we going to have the necessary security and protection after hours to make sure that this is maintained well? I mean this is a big undertaking folks, a very big undertaking and a very costly one, and I'm not in any way degrading it, okay? Please don't get me wrong, okay? But I think somewhere down the road, there has to be some follow up in evaluating these projects that we have approved here as a Council, okay, to make sure we're getting the best bang for our buck here and that we are providing for the needs of the community that this particular program has been authorized to do. I think that's a lot of the apprehension that a lot of the Council members, I feel when I talk to them, it's fine to do these things but it's like anything else, let's look at it. How'd we do? Was it the right thing to do? Did we make a mistake? And again, the CPA people do a wonderful job. Again, just an objective perspective on my part. Thank you.

**President Letellier** – ...Thank you. Councilor Rossi?

**Councilor Rossi** – Yea and I think that's what it is and just to reiterate it's not the \$9,300.00 or the additional \$5,000.00 that bothers me. It's just that we don't have a clear direction on that barn as to where we want to go. And all I'm suggesting is if that barn is something that's gonna fit the needs of the community of Agawam, I see nothing wrong with spending the money to do it. But I don't see anything here before us and I don't see anything coming in the near future here, so that's all I'm saying is and if you need the \$5,000.00 to get this thing back up where it needs to be because of vandalism or deterioration or whatever it is, that's okay with me but why don't we all get together and come up with something if we're gonna use this thing, just come up with a clear plan on how it's gonna be used if at all it can be used. I don't know whether it can be.

**President Letellier** – Thank you. Councilor Mineo? Then Councilor Messick.

Councilor Mineo – Could I just say one thing? Community Preservation Funds are used for projects for the Town and the CPA meets all the time. We have a sub-committee. I'm on the sub-committee. We do have meetings. I guess my suggestion would be to start attending the meetings and then we can all, and that's for everybody, then you'll know what projects are coming before us.

**President Letellier** – Councilor Messick?

**Councilor Messick** – Through the chair to Councilor Rossi, we do have a committee that's recently been formed that's studying the very problem of what to do with the barn. There has been a lot of discussion. People hear things – the \$450,000.00, a million, I mean people hear a lot of things but none of it is true at this point in time. The only thing we need money for right now is to make sure the barn doesn't fall down and then there's a committee that David Cecchi is the head of and we are starting to study exactly what needs to be done with the barn, exactly what the plans would be, what the cost would be,

we're gonna come up with three or four different options that can be discussed. Obviously the previous option was not an option. So that one is no longer on the table but what we need to do now is preserve it and I hope that we have enough votes to do that tonight. Thank you.

**President Letellier** – Thank you. Any other discussion? Councilor Bitzas?

**Councilor Bitzas** – Yes. We're getting off the subject lately. I think we're voting for \$5,000.00 which I support and other on the Council supports and we have people that are waiting, it'll be a long night, so I move the question.

**President Letellier** – Any further discussion? Second on moving the question. Voice vote on moving the question. Ay? Opposed? Abstentions? Barbara, could you call the roll on the motion which is to approve \$5,000.00 for the preservation, rehabilitation, restoration of the School Street Barn, six votes are needed?

**ROLL CALL** – 11 Yes.

8. **TR-2008-36 - A Resolution Amending the Agawam City Council Rules and Regulations to Change the Title of "Council Clerk" to "Administrative Assistant to the City Council" (Council) (Majority of those present and voting)**

**President Letellier** – Moved by Councilor Rheault, seconded by Councilor Messick.

**Councilor Rheault** – Yes. I'd like to speak.

**President Letellier** – I'm sorry, Councilor Rheault?

**Councilor Rheault** – With no disrespect to any of the other city employees, Barbara works for the City Council and when we first were seeking a replacement for our previous City Clerk, I thought we did a very good job of setting up a committee evaluating several resumes and we found Barbara. I had the opportunity and pleasure to train her for the first three days and at no time did I ever have to repeat one single thing for understanding. I think she's a bright gal and I don't mean to embarrass you Barbara but publicly I do want to acknowledge is very fortunate to have someone of your talent. You have a lot of vision, a great personality and I think that the title is well deserved.

**President Letellier** – Thank you. Councilor Calabrese?

**Councilor Calabrese** – Yes. I just further want to point out that Barbara is in charge of keeping track of eleven us up here which at times must be like herding cats but she's been doing a wonderful job and I think that the name change is more in line with the duties that she performs for us on a daily basis. And the Town of Agawam should be very proud to have an employee such as Barbara Bard. Thank you.

**President Letellier** – Councilor Rossi?

**Councilor Rossi** – I couldn't agree more. I think Barbara has moved the Clerk's position to a much higher level and I think to a much more fitting position as Administrative Assistant to the City Council. I don't think there's anybody up here who will disagree with the fact that she's just been remarkable, a self-started, motivated and we get all of our information on time and I just can't say enough to her administrative duties. And as Councilor Calabrese said, keeping track of eleven people, it's not the easiest thing in the world. I know some of aren't a day at the beach. So I couldn't be more happy for Barbara in her new title.

**President Letellier** – Any other discussion? I know as Council President I'm not supposed to be involved in the discussion but I just want to say that this is not out of disrespect to our prior City Council Clerk, but rather we have a new generation City Council Clerk whose skill level is right in keeping with what this century needs. She does an excellent job. She takes a lot of initiative. You know some people questioned could we really use a thirty hour position, yes! We can definitely use the whole thirty hours and I think there's some weeks where she probably could use a little more time. So I think the Committee, the whole Council, last Council, made an excellent choice. I know we're gonna pass this 11-0 but I wanted to get my two cents in. Thank you. Barbara, could you please call the roll?

**ROLL CALL** – 11 Yes, 0 No

**President Letellier** – With eleven yes, we've unanimously approved the change in the Rules & Regs.

9. **TR-2008-37 - A Resolution Authorizing the Reservation of Funds from the Community Preservation Fund (CPA) (Referred to the Ad Hoc CPA Committee) (Majority of those present and voting)**

**President Letellier** – Each of these next three Resolutions has to do with the State mandatory minimums that we have to put aside in each account. Councilor Simpson, do we have, I'm sorry, let's have a motion first and then we'll get a report. Moved by Councilor Simpson, seconded by Councilor Perry and Councilor Mineo. Councilor Simpson can we have a report?

**Councilor Simpson** – Yes, thank you. At the same meeting last Wednesday, these items of agenda -37, -38 and -39 were discussed and by a vote of 3 Yes, 2 Absent voted to send a positive recommendation for approval of all three agenda items.

**President Letellier** – Thank you. Any further discussion? No? Seeing none, Barbara, could you call the roll?

**ROLL CALL** – 11 Yes, 0 No.

**President Letellier** – With eleven yes, you've approved TR-2008-37.

10. **TR-2008-38 - A Resolution Authorizing the Appropriation of Funds from the Community Preservation Fund (CPA) (Referred to the Ad Hoc CPA Committee) (Majority of those present and voting)**

**President Letellier** – Do we have a motion? Moved by Councilor Perry, seconded by Councilor Messick. Any discussion? No? Seeing none, Barbara, could you please call the roll?

**ROLL CALL** – 11 Yes, 0 No.

**President Letellier** – Thank you.

11. **TR-2008-39 - A Resolution Authorizing the Appropriation of Funds from the Community Preservation Fund (CPA) (Referred to the Ad Hoc CPA Committee) (Majority of those present and voting)**

**President Letellier** – Do we have a motion? Moved by Councilor Simpson, seconded by Councilor Perry. Any discussion? No? Barbara, could you please call the roll?

**ROLL CALL** – 11 Yes, 0 No.

**President Letellier** – With eleven yes, you've passed all three CPA Resolutions.

**Item 7. Report of Council Committees**

(a) **Finance** – Councilor Young

**President Letellier** – Do you wish to give a report or do you want to wait until the budget or the Capital Improvement?

**Councilor Young** – I'll, this is really just the administration, the first and second quarter reporting so given the fact that, so what I will say I mean I have it in writing and Barbara may have even sent it out in the packets but I will and for the sake of time and all the folks here waiting for the big event on the budget, I will forego my time tonight and maybe Barbara could you put it for the next time and I can run through it real quick. Thank you.

**President Letellier** – We can move it to next agenda. That's fine.

(b) **Ad Hoc CPA** – Councilor Simpson

**President Letellier** – Councilor Simpson anything to add on the CPA Committee?

**Councilor Simpson** – Thank you yes we've met a few times during the quarter discussing CPA funds mainly the Playscape at School Street was one of our big items of discussion and just recently the items that were just covered this evening. It seems like it's a great committee working well and getting great information from the CPA members. Thank you.

**President Letellier** – Thank you.

**Item 8. Elections**

1. **TE-2008-4 - Election of a member of the Community Preservation Act Committee, also being a representative from the Housing Authority, to complete an Unexpired Term Expiring April 30, 2010. (Council) (Majority of those present and voting)**

**President Letellier** – The name of Joan Caney has been put into nomination by the Housing Authority and by the Mayor's office. Are there any other nominations? No? Seeing none, move to close nominations, moved by Councilors Calabrese and Bitzas, seconded by Councilor Perry. Barbara, could you call the roll? Again, if you wish to have Ms. Caney on the CPA, please signify Joan Caney.

**ROLL CALL** – 11 Joan Caney.

**President Letellier** – With eleven votes, you've approved Joan Caney for the CPA Committee. I'm going to call a five minutes recess. I realize all the department heads have been waiting but it's very warm and uncomfortable up here. In case any of the audience does need to ...we'll call a five minutes recess. Thank you.

**Item 9. Public Hearings**

1. **PH-2008-5 (TR-2008-27) - A Resolution Adopting the Fiscal Year 2009 – 2013 Capital Improvement Program (Mayor) (Referred to the Finance Committee) (Majority of those present and voting)**

**President Letellier** – As a reminder we'll have a presentation if the Mayor wishes to do so, if not then the members of the public have ten minutes to speak in favor and if anyone wishes to speak in opposition. There will be an opportunity for those who wish to register in name only, and those who wish to register in opposition. Then we will have a report from the Finance Committee and discussion from the Council. Does the Mayor wish to make a presentation on the Capital Improvement Program?

**Mayor Dawson** – I will not be making a presentation...

**President Letellier** – Thank you. Any one else? Any department heads wish to speak on the Capital Improvement Program? No? Let me call the public hearing to order first. Okay. Any one from the public wishing to speak in support of the Capital Improvement Budget? Any one from the public wishing to speak in opposition to the Capital Improvement Budget? Any one wishing to register in name only their support for the Capital Improvement Program Budget? Any one wishing to register their name in opposition to the Capital Improvement Budget? Seeing none, I call the public hearing closed. Do we have a report from the Finance Committee? Councilor Young?

**Councilor Young** - I do. The Finance Committee met on June 5<sup>th</sup>. Present were myself,

Councilors Rossi, Perry, Mineo and Calabrese. After much discussion the Committee 5-0 not to give a formal recommendation and we decided instead since each member of the Committee had various questions on some of the issues such as more funding on sidewalk improvement fund and lack of status on the progress, questions about the delay in the band room at the Middle School, timing of the sewer funding, and some questions on the ...some of the golf course equipment funding in there, each, the group decided that they would not give a positive or negative recommendation, instead they would ask their questions or give their oral comments separately this evening. Thank you.

**President Letellier** – Thank you. Do we have a motion on the underlying Resolution? Moved by Councilor Simpson, seconded by Councilor Perry. Any discussion on the Capital Improvement Budget Resolution? Councilor Bitzas?

**Councilor Bitzas** – Yes. I know that the sub-committee didn't make clear one way or the other but what I see personally – the only problem I have with this, I know, I know this is a wish list but I want to make sure that myself, I'm not ready to vote for that, I'm not in support of this Capital Improvement Budget for two reasons. First of all, I do not agree for Town Hall Public Safety Complex Phase I \$450,000.00 for a study of City Hall and Police Station. I also at this time the Town isn't ready to do anything. We have a beautiful Town Hall. We have a beautiful DPW complex down there. I am totally against the project for the City Hall. Also, the people who spoke three hundred people a few months ago about the sewers. They want them to be funded by federal and state money. I see here \$7,800,000.00 in here for sewers Phase I. At this moment and this time this year, I'm against it. I don't mind the items from the Capital Improvement Budget. So I will make a motion to decrease the Capital Improvement Budget by \$8,250,000.00 if we subtract the \$7,800,000.00 for sewers and \$450,000.00 for the Town Hall Public Safety Complex. So if you support the motion, somebody second it and we'll discuss it but this is my motion. I support the budget all we need is to reduce by \$8,250,000.00.

**President Letellier** – I'm sorry. Could you repeat that figure?

**Councilor Bitzas** - \$8,250,000.00.

**Councilor Calabrese** – I'll second that.

**President Letellier** – Okay. Seconded by Councilor Calabrese. Any discussion on the motion to amend? No discussion on the motion to amend? Barbara could you please call the roll on the motion to amend. There's been a motion made to decrease the Capital Improvement – I'm sorry. We're gonna need some more clarification because it's year by year by year by year. Why don't we have the overall discussion? You can rescind your motion, let's have some overall discussion and then if we need to, we can deal with cuz it would have to be made year by year not in lump sum. I'm sorry, the more I thought about it the less sense it made. Okay? So with Councilor Bitzas' has withdrawn his motion, is the second withdrawn? Yes, the second is withdrawn as well. Back to discussion on the Capital Improvement Program as before us. Councilor Rossi?

**Councilor Rossi** – Thank you. I will not be voting for the Capital Improvement Budget for several reasons. There are a lot of items in here that I don't think are necessary at this point. Second of all I don't appropriate any money without having any authorization or justification for, I need to know what that money is going to be used for and how it's going to be spent, etc. I don't doubt that there are projects in here that are worthwhile, I'm gonna take it on a case by case basis as they come. I'm a little disappointed that I see sidewalk rehabilitation at \$60,000.00. I think that's grossly inadequate for the sidewalks, the conditions that they are for this community. I think we should have our priorities a little bit different so I won't be supporting this in its entirety. I will take it on a case by case basis.

**President Letellier** – Thank you. **Councilor Calabrese?**

**Councilor Calabrese** – Yea. Likewise the questions that I have with this were the equipment, the capital expenditures for equipment up at the Golf Course. I was always under the impression that that was a self sustaining account and I am just curious as to why we're not using revenues from the golf course to do just that to self-sustaining equipment. Also I agree with Councilor Rossi that I would like to see more money actually put into the rehabilitation of the sidewalks in particular the sidewalks within the walking radii of our schools. I'm personally familiar with the sidewalks along North Westfield Street. They are atrocious! And I'd like to see something done with those. So I likewise will not be voting in favor of the Capital Improvement Plan tonight.

**President Letellier** – Thank you. Any further discussion? No? Did you want to renew your motion Councilor Bitzas or make it more clear?

**Councilor Bitzas** – Yes. I'll make it more clear. To make it very simple to subtract \$8,250,000.00 which is...

**President Letellier** – You have to do it year by year Councilor Bitzas because every year has its own appropriation schedule. So we have to decide which years and which amounts to decrease it by.

**Councilor Bitzas** – This one here 2009 Budget Schedule on Page 7

**President Letellier** – I'm sorry. Can you say it a little slower so I can follow you?

**Councilor Bitzas** – Page seven. So we can see the Funding Projects Town Hall Public Safety Complex Phase I \$450,000.00 for the first...

**President Letellier** – So for fiscal year 2009 Town Hall Public Safety Complex Phase I \$450,000.00 part of your motion is to eliminate that?

**Councilor Bitzas** - Correct.

**President Letellier** – Okay.

**Councilor Bitzas** - And the other one, the second line Feeding Hills South West Sewer Extension Phase the same year \$7,800,000.00. So total \$8,250,000.00.

**President Letellier** – That’s not the math I get.

**Councilor Mineo** - Point of Information. That project, I know what George is saying, but that project is \$7,800,000.00 for fiscal year ’09, I believe there’s another appropriation for \$7,800,000.00 for I believe fiscal year 2010.

**President Letellier** – That’s Phase II.

**Councilor Mineo** - Yup. And I believe there’s two more.

**President Letellier** – Yup each year is a different phase. ’11 is Phase III, just in ’09,’10 and ’11.

**Councilor Mineo** – Is George taking all of that out? That’s probably about \$30 close to \$32 million it’s not just the \$7.8 million.

**President Letellier** – Councilor Bitzas?

**Councilor Bitzas** – In which I can change the motion and take all these years total amount.

**President Letellier** – All what years?

**Councilor Bitzas** – All those years. Yes. Plus the \$450,000.00 in...

**President Letellier** – So your motion is to remove all the sewer phases from the Capital Improvement Budget as well as the Town Hall Public Safety Complex, is that your motion?

**Councilor Bitzas** - Correct.

**President Letellier** – Okay, do we have a second to that motion? I do not see a second to the motion. Any further discussion on the underlying Capital Improvement Budget Resolution? Councilor Simpson or Mineo, I can’t tell, sorry.

**Councilor Mineo** – Yes. I wasn’t going to support this but I changed my mind. The reason I wasn’t going to support it was because of the sewers because the permitting process is gonna be up in April but I said I thought to myself why not wait one more year? Maybe from now to April maybe \$31 million will drop from heaven and we can get this project going.

**President Letellier** – Thank you. Any other discussion on the Capital Improvement Budget as presented? Barbara could you call the roll? Six votes are needed. A yes vote is to approve it as printed, a no vote would be to deny it as printed.

**ROLL CALL** – 9 No, 2 Yes (Councilors Mineo and Simpson)

**President Letellier** – With a vote of two yes and nine no, the Capital Improvement Program has been defeated.

2. **PH-2008-6 (TR-2008-28) - A Resolution Adopting the Fiscal Year 2009 Annual Operating Budget for the Town of Agawam (Mayor) (Majority of those present and voting)**

**President Letellier** – Again I'll just indicate the order that we're gonna do things. First we'll call the public hearing to order. The public hearing is now open. We will have the Mayor and the Department Heads go first, then we'll have the opportunity for the public who wish to speak in favor, public who wishes to speak against, public who wishes to register in name only for, public who wishes to register in name only against. Then each of the City Council department budget sub-committees will give their reports and then we'll have discussion on the item. I know the Mayor is here and they have a power point. Mayor Dawson?

**Mayor Dawson** – Good evening Council. It is my pleasure to be here in front of you this evening and present to you a balanced annual operating budget as it has been presented. So let me present this to you pretty simply. For fiscal 2009 our budgeted revenues keep property taxes low, the tax levy is estimated to increase only 2% rather than the standard 2 ½ %. The tax levy is estimated \$42,620,883.00. Under new growth we have \$350,000.00. The negotiated salary increases have been fully funded in this budget. The town personnel services as shown here and increases reflect a two year raise. The salary increases are included in department budgets instead of Salary Reserves. The Town contracts have been funded at 3% for fiscal year 2008 and fiscal year 2009 and the teachers' fiscal year 2009 contract is funded at the 3 ½ % increase. Fiscal year 2009 highlights. Let me try this so I can bring this up a little closer. The School Committee Budget was increased by \$1,757,636.00 which is a 5.45% increase to last year's budget. The school capital improvements were to the tune of \$544,000.00 which is 172% increase. They have added five new school department positions, the extra-curricular and athletic programs continue to be without any user fees which of course as parents, that's a pretty important for us. We have retained all current town and school employees. We have retained all current town and school services and there is an additional \$72,000.00 which will be appropriated by you at your next meeting for text books from the Stabilization Fund. You now see the graph up here, this is reflected, I need to put my glasses on, pretty small! All right in education it's 49.25%, public safety 10%, I'm sorry, I'm echoing back I'm sorry. Public Safety 10.3%, Benefits and Insurance 13.4%, Self-sustaining department 9.19%, Public works 5.85%, General Government 4.23%, Principle and Interest 1.66%, Cultural and Recreational 1.91%, Human Services a little under a full percent at .98%, the Reserve Fund at .59%, and the Capital Improvement Budget at .64%. In education I really would like you to just look at the differences in

what we have; this is easier if you just look at in just in the difference. We've increased the budget between '08 and '09 by \$1,757,636.00 for the schools and on the capital \$344,000.00. We added five positions in the school department and the capital improvements include the Middle School classrooms, the High School autism classroom and Clark School parking lot repairs. Under public safety, we've increased this budget by 6.53% to the tune of \$254,324.00. We have ambulance service is continued in Feeding Hills. The replacement of one marked cruiser and one unmarked cruiser with the related equipment, we have the continuation of one officer/school resource officer which is offset by the School Department and a new pump for the fire department's brush truck. I'm sorry and at the bottom would be the Jaws of Life. My apologies. Under public works, we have an increase of 5.86% this is a difference of \$251,044.00. We've added two positions to the Highway & Grounds for the School Street Park. The highway equipment fund I included in the Capital Improvement Budget. Household Hazardous Waste Day funds included and the weekly trash pick up has continued. Culture & Recreation – this is an increase of 6.95% and the difference between last year and this year being \$96,470.00. The library meets all state certifications required in order to receive state aid. Our Parks & Rec services have been maintained. Professional management and supervision is included in the skate park, and all Council on Aging and Senior Services have been maintained. Under Human Services, we've increased this budget by 13.69% and the difference is \$91,445.00. We have the Veteran's Benefits account was increased thanks to all of you this year that was certainly needed for our vets, thank you for doing that. We added a full time school nurse has continued in all the schools, not added I apologize, we have a full time nurse in each of our schools and we have an additional part time nurse included in excuse me, to maintain coverage at all of our schools. General government increased by 4% for \$126,267.00 as a difference. Property & Liability Insurance account increased by 19.88% and the funding for the presidential election was included in the Clerk's office. Benefits & Insurance, these support an increase of 6.78% the difference was \$660,066.00. This was medical insurance increased by \$724,500.00 with coverage continued for retired and active employees and pension costs have decreased by \$72,260.00. The reserve funds – this is a difference, it certainly went down from last year, of \$350,000.00 of reserve funds funded at \$500,000.00 and negotiated salary increases included for the department budgets. Self-sustaining departments, there's an increase of 6.56%, it was \$438,943.00 more than last year. The highlights on this are waste water budget increased and those were negotiated salaries, waste water treatment, materials, and equipment increased. Water spending is up, water purchased costs up \$110,500.00 and the golf course budget increased and those were negotiated salaries and utility costs increased. Line items and capital improvements – street and sidewalk improvement programs continued \$180,000.00 was spent there. The Department of Public Works' equipment was \$202,030.00, the Jaws of Life was \$7,257.00, School Street Park the utility cart was \$8,000.00 and the school department improvements were \$540,000.00. And that's it and we would be happy to entertain any questions that you might have.

**President Letellier** – Thank you Mayor Dawson. Does the Council have any questions for the Mayor or any of the Department Heads? No? Okay. We'll now move on to the citizen's portion. Does anyone in the public wish to say anything in favor of the budget

as proposed? School Committee member Bonavita? Please state your name for the record. Each speaker will have ten minutes. Yes, thank you. Do you need the microphone back?

**School Committee member Bonavita** – Thank you. Anthony Bonavita, 683 Cooper Street, Agawam, I'm the Vice Chair of the School Committee and I'm here basically speaking on behalf of the school portion of the budget. I'm not here to analyze the town's portion of the budget. Obviously as you know we went through a process, the School Committee always does -

**President Letellier** – Put your light on.

**Clerk** – It is on. The light doesn't work.

**President Letellier** – Oh, I'm sorry.

**School Committee member Bonavita** – Obviously we went through a process where the Superintendent met with all the administration to look over our budget, pared that budget down by \$150,000.00 to \$200,000.00. We had several meetings with the School Committee and School Budget Finance Committee, our sub-committee, we then met with the Mayor, and we also had meetings with the City Council School Budget Sub-Committee. So I believe it's a very fiscally responsible budget. I appreciate all the collaboration between the school budget sub-committee, the Mayor's office; we went through a very healthy discussion on the budget which I think is positive for the town and I think our school budget is very sound. On a positive note in my travels around the state, I hear from people talking about Agawam for a lot of different reasons, some are because of some businesses we have in town but a lot of times and something that goes unnoticed, I hear from people talking about our educational system. I think we really should be proud of it. It meets very high standards. It's well known throughout the state. If you look at the EQE evaluation which evaluated our school system recently, we received extremely high marks for our educational system and that's all facets of our educational system. So I think we should be proud of that and I ask you to please support the school portion of the budget. Thank you.

**President Letellier** – Thank you School Committee member Bonavita. Any one else from the public wishing to address the Council on the Budget? Corinne Wingard? Please state your name and address.

**Corinne Wingard** – Corinne Wingard. 194 Elm Street. I like to say what I said before that I'm retired and I live on a fixed income. Our children are our future. I urge you to fully fund the school department budget.

**President Letellier** – Thank you. Any one else wishing to speak in favor of the budget? Anyone else wishing to speak in favor of the budget? Anyone wishing to speak in opposition to the budget? Anyone wishing to register their name as being in favor of the budget? Go ahead step up.

**Diane Juzba** – Hi. Diane Juzba, 189 South Westfield Street, Feeding Hills.

**President Letellier** – Thank you. Any one else wishing to register their name as being in favor of the budget? Anyone wishing to register their name in opposition to the budget? I call the public hearing closed. As I indicated we will begin with each of the different budget sub-committees and their reports. So we'll have Budget Sub-Committee #1, who will be giving that report? Councilor Young? Just for the public, let us know which departments you covered.

**Councilor Young** – Thank you. Budget Sub-Committee #1 is chaired by myself and the members are George Bitzas and Cecilia Calabrese who were all in attendance on May 27<sup>th</sup> and reviewed it. Also in attendance were the department heads, the Mayor, the Solicitor, City Clerk, City Treasurer, City Assessor, president of the Council on Aging and also Data Processing/IT as well. Sorry if I missed anyone. The departments that this sub-committee reviews are the City Council, our department budget, Mayor's budget, Auditor's budget, City Clerk's budget, Treasurer's/Collector's budget, Assessor, law department, elections and registrations, Registrar's, Council on Aging, Data Processing, we reviewed the line items and I also believe we reviewed it, a department set aside for the Town Hall budget, the Town Hall building facility as well. Again this was a quick meeting and again we appreciate the Mayor and the Department Heads and folks and everyone attending and giving their full attention and within short order again the vote was unanimously 3-0 by the sub-committee to approve to give a positive recommendation on those department things. Again, I will note again department salaries are negotiated separately by their collective bargaining group so that does not factor into any of our recommendation here. Thank you.

**President Letellier** – Thank you. Budget Sub-Committee #2, who's gonna present? Councilor Rossi?

**Councilor Rossi** – Thank you. My Budget #2 would be the public safety, police, fire, health, Community Planning, I can't remember, I don't have the list in front of me here but we met with all of the department heads and we make no formal recommendation to the Council as a sub-committee. My members were Councilor Rheault and Councilor Mineo and we instead would direct any questions that we have at the time of the budget process begins in our deliberations. There were some questions and concerns that were brought up however I think the questions and concerns that we had I don't think there's anything we can do in terms of cutting them and making recommendations. We made one recommendation and that is take the unmarked police cruiser be earmarked specifically for the detective division and that it would be a vehicle appropriate to that division and not some big, the cars that they have been getting you can see coming from 14 miles away. So we thought that would be a more appropriate appropriation but again we don't want to scratch that, except make a recommendation on behalf of the sub-committee. So that's about it. Again we make no formal recommendation to to the whole body as a committee.

**President Letellier** – Thank you. Budget Sub-Committee #3, Councilor Perry?

**Councilor Perry** – Yes. Thank you Madam President. My budget sub-committee - I as the chair, my members were Councilor Mineo, Councilor Messick. We met twice on our section of the budget. Our first meeting we held on May 21<sup>st</sup> at the library in the Peirce Room, present were Mayor Dawson, and all the department heads that we were covering along with Treasurer Laurel Placzek and Auditor Cheryl St. John, Councilor Messick was present and unfortunately Councilor Mineo was ill that evening and could not attend. The departments that we covered were Tab 17 which is the Library, Tab 18 which is Park & Rec, Tab 21 – DPW Administration, Tab 22 – Highway & Grounds, Tab 23 – Motor Vehicle Maintenance, Tab 24 – Engineering, Tab 25 – The Water Department, Tab 26 which is the Waste Water and Tab 27 – the Building Maintenance. In the course of that meeting there was a good exchange and questions answered from all the department heads and I wish to thank all of them for attending that evening and the participation is greatly appreciated. We did not vote that evening, I felt it incumbent that we as a committee meet again so we'd have time to digest the information that was given to us and the questions that were asked and the answers that we received. We met again on June 12<sup>th</sup> at 7:00pm again at the library, present were myself, as Chairman, Councilor Mineo and Councilor Messick, also present were Councilor Calabrese and Councilor Rossi. After much discussion amongst ourselves and our committee, we voted to recommend it to the full council the following departments: the library we voted to send a positive recommendation with a 3-0 vote; the Park & Rec. positive recommendation 3-0; DPW Administration 3-0 vote positive recommendation; Highway & Grounds again positive 3-0; Motor Vehicle Maintenance a positive with a 2-1 vote; Engineering 3-0; Water Department and Waste Water both 3-0; and Building Maintenance a positive recommendation with a 3-0 vote. And that concludes my report at this point in time and I'll answer any questions that any of the Councilors may have. Thank you.

**President Letellier** – Thank you Councilor Perry. Next we have our School Budget Sub-Committee, the School Budget as everybody knows is about 50% of the overall town budget and that's why for the past number of years we've had co-chairs who are equally responsible in dealing with this. The most recent memo was written by Co-Chair Cavallo so I'll have him give the most recent report from the School Budget Sub-Committee.

**Councilor Cavallo** – Thank you Madam President. We did meet as a group five people were present at the beginning of the meeting, Co-Chair Jill Simpson, myself, Robert Young, George Bitzas and Joe Mineo, about halfway through the meeting a couple of the members had to leave and our discussion was had. Other members present were by the way were four members of the School Committee, staff of the school department as well and basically the discussion revolved the budgetary cut that was made by the Mayor to the School Committee budget. That amount was \$181,000.00 plus so we decided after much discussion that maybe it would be in order that maybe we make a compromise with the Mayor and instead of deleting \$181,000.00 plus that we felt in that case would simply delete \$109,000.00 plus and save \$72,000.00 to buy the needed text books for the school system. They seemed to have justified their case as to why the text books were needed, they were over twelve years, they were torn and tattered and the committee felt that this

was not really the kind of educational tool that we wanted our children to be using. So with that having taken place with three members remaining, a motion was made by Mr. Bitzas to have a letter drafted to the Mayor and to include in that letter the compromise that she would kindly cut the \$108,000.00 and retain the \$72,000.00 for the text books. I later that night drafted the letter, we got it into the hands of the Mayor and the Council and the Mayor graciously we later found out that she did go along obviously and the supplemental budget that's coming up two weeks from now, she's going to give the \$72,000.00 for the textbooks that were cut. So all in all we found that to be a very favorable meeting, a very favorable outcome for us, it did work. The other meeting, the first meeting, Jill, I'll turn that to Co-Chair Simpson we met at the Jr. High School public library - Our first meeting with the School Committee.

**Councilor Simpson** – We met back in March and I think that's really a mute discussion because that budget at that time that we had gave tentative approval for tentative recommendation has now switched over and changed. I think everyone's aware of, as was just discussed what the changes were, the cuts and now what has been added back into the budget, hopefully added back into the budget when we approve that or go for approval of it at our next Council meeting. I'd like to add, just to say that this time around as always we have good cooperation between the Council and the School Committee, this time around we had a little bit more intense just being with the fact that there were some changes after the initial meeting that we had back in March so there was some good open dialogue and discussion between I know myself and School Committee members on how to approach this and with their different feelings on it and I welcome the fact that hopefully there'll be a positive approval at the next meeting that the text book items and the video equipment for the High School will be re-instated back in because out of the additional cuts of \$180,000.00 plus those were the three items that I felt directly had an impact upon the students right within the classroom. I mean naturally everything was done in the schools and the school budget impacts our children but this is directly hitting them right in the classroom with the textbooks and equipment that they need for a specific class up at the high school. So I appreciate the give and take that went back and forth and the many conversations and time involved in it and like I said hopefully there'll be the passage of that \$72,000.00 at our July meeting. Thank you.

**President Letellier** – Thank you. We've heard from all of our sub-committees, do we have a motion on the budget? Moved by Councilor Bitzas, seconded by Councilors Perry and Cavallo. Any discussion now within the Council? Councilor Bitzas?

**Councilor Bitzas** – Thank you Madam President. In contrast to the Capital Improvement Budget, I'm very strong in support of the budget as presented. I'm very happy that we reached compromise with the almost \$80,000.00, \$82,000.00, for the school books, text books and the technology equipment for the production and I hope that the majority of the Council will support the budget. I think it's a good budget in difficult times. Most of the increases, they were for the raises, there's nothing else to cut and nothing we can do. We cannot increase the budget; the only power of the Council is to cut. But I don't think there's any way we can cut it and if some other Councilors would have an increase, they have no choice because that's illegal. So I hope the full Council will support. I'm very

happy that my committee and the other sub-committees, they've sent positive recommendations. I'm a little bit, a question to Councilor Rossi to explain and tell us the reasons they didn't give recommendation and see the minus and plusses because the committee believed you not send us any recommendations. Is that correct Councilor Rossi?

**Councilor Rossi** – That's correct. We did not send any formal recommendation. It's up to you as a councilor to use your own judgment.

**Councilor Bitzas** – And you're not going to and you don't have to say a reason...

**President Letellier** – Councilor Bitzas, this is not a question and answer session among the Council.

**Councilor Bitzas** – I hope that committee also will support the full budget. I feel we are lucky we have very low taxes compared to other towns, we have great services and I will fully support the budget and I wish the other councilors at least the majority will support it. Thank you.

**President Letellier** – Thank you. Any other Councilors? Mineo/Simpson?

**Councilor Mineo** – I want to say that I will be supporting the entire budget. Thank you.

**President Letellier** – Thank you. Councilor Rossi?

**Councilor Rossi** – Thank you. Yes, there's a great deal of the budget I'm agreeable with but there are certain portions of the budget that I find a little troubling. First of all I'm going to address this \$72,000.00 that was slashed originally for these text books. Now I wasn't privy to all those conversations, I wasn't privy to all of the meetings that were held between the Council, but I heard that there was some money that was supposed to be cut in anticipation of funds and if that funding didn't come through you would have to present another budget. So I guess two budgets were presented now that's my understanding. In the second budget, the cuts were \$181,000.00 plus as Councilor Cavallo has said and included in that \$181,000.00 was \$72,000.00 for textbooks and for the video equipment for the high school. Now I don't know very much as I said I wasn't privy to all of the conversations but I would be willing to bet everything that I'd make in my lifetime that Mayor Dawson did not tell the Superintendent of Schools to cut \$72,000.00 out of the textbooks. I'm sure that she said come back with another budget that you feel is realistic and one you can live with. Now I think it was up to the Superintendent of Schools along with the School Committee to decide if in fact at that time our text books were needed and if they were needed that they should have gone back into their budget and found another area to cut this \$72,000.00 and restore the text books that was originally cut from them. Now we're faced with coming back and making an addendum here and adding the \$72,000.00 from our stabilization fund. I don't think that was proper. I don't think that was appropriate. I think the handling of this thing was all wrong. Letters were sent to the Mayor that amounted to nothing more than extortion in

my view. The Mayor was told and I was told by Councilor Bitzas, the one who did it, he said that there would be Councilors who would vote not in favor of this budget if the \$72,000.00 was not restored which is not true at least speaking for myself. I don't know of six councilors who came to me at least and expressed a view that they would not vote for this budget in anticipation of the \$72,000.00 not being restored. I find that very troubling and I think the School Committee should go back with the Superintendent of Schools and find some area in the school department budget to cut the \$72,000.00 to make up for the text books if in fact those text books are needed. That's just my opinion. The other portion that I find troubling is back in February of this year, this Council was presented with a Resolution to increase contractual obligations that was set up by the former mayor and submitted to this Council by the present mayor. In February, we did not get the documentation that this Council deserved to make an intelligent decision based on the votes that were taken, at least I didn't. I was not aware of the fact the step tiers and all these other increases were to be provided in that contract. We were told and even tonight we were told that there was a 3% increase in raises and that's not true, at least for department heads they got considerably more when you include these tier steps. I don't think that that was fair. I don't think that was appropriate. So those are the areas that I have trouble with the budget over here and I think some adjustments should be made.

**President Letellier** – Thank you, Councilor Calabrese had the next light.

**Councilor Calabrese** – Thank you. I think it's important that everyone at home realize that we're looking at anywhere from \$10,000.00 to close to \$40,000.00 in raises for some of these department heads. And these are salaries which will be factored into pensions which our children will be paying down the line. I want everyone to be aware of that. I think it's sad that this budget is top heavy in salaries but as City Councilors we lack the authority to negotiate these salaries. That authority is vested with the Mayor and if we approve this budget tonight we are effectively giving our stamp of approval on this budget and I just want all of the Councilors up here to be aware of that. Thank you.

**President Letellier** – Thank you. Any other councilor wishing to speak? Last call? Councilor Rheault?

**Councilor Rheault** – Yes. I echo most of the sentiments of Councilor Rossi. He and I have discussed quite a bit of what he stated and to me if those, on the \$72,000.00 that's been a thorn in my side. If in fact those books were so critical to the education of our children I think it was the responsibility on the school side, when the \$181,000.00 was presented to be cut, I think it was incumbent on them to go back and find a priority that was suitable for restoration of that funding. Taking it from the Stabilization Fund is like taking it out of your savings account and putting it in your check book. Stabilization Fund years ago was created for construction and emergency situations. I have some difficulty taking, to me that's the easiest way out – just take it out of your savings account and put it into your checking account and pay the bill. I'm not so sure that's the most prudent way to do it. The other thing is I've been around as you well know for a long time and I guess I just quite totally never understood the negotiating process on raises on

the department head side and I realize that they are a union and that the Council has some say, very little say, but when you look in the paper and you see a 3% negotiated raise for town employees you're also looking at if in fact these step raises are actual you're looking at another 3% on top of that. So if some one is making \$90,000.00 you're looking at a 6% raise not a 3% raise which is significant and the poor guy at the bottom is certainly not inheriting that same increase. The other thing is that I until this year believe it or not was not aware that the Council once they adopt that salary reserve transfer, they are in fact approving the contract for a three year period. Now I'm not so sure that as I analyze that if in fact on the first year say the raises were given and then we were approving that contract for a three year period, what happened if on the second or third year that you added four more steps or four more tiers, I don't see where the Council would be bound, we wouldn't have any input in that. So there's some things that I'm not too comfortable with and I think I need some further clarification on before I can support it. Thank you.

**President Letellier** – Councilor Cavallo?

**Councilor Cavallo** – Yea. I certainly again looked at the budget carefully and I looked at the notes that were sent to us by our City Solicitor Chris Johnson regarding the pay for the department heads and the tier structure and so forth and of course I came in in February this was approved and certainly I think of the way that we or I negotiated with other School Committee the raises and so forth and the benefits for School Department employees so I was taken askance and had to realize that on the town side it's a different format entirely that the Mayor because of the strong mayor form of charter that we have, has tremendous and does negotiate with all of the unions. I thought about this quite a bit then I said to myself you know where would I go with this? I think there isn't much we can do anymore. I respect Councilor Rheault's thoughts about that issue but really when you come down to it really it's a done deal based on the legalities and the information that we received and I think I'd just rather move ahead. I think I respect the reports from the other members of the Council, regarding surveying your budgets very carefully and taking their word for it that they're coming back with a good budget from you. One comment I'd like to make that Mr. Sparks apparently did take our intake, the committee's intake, Council rather, and that was to provide a couple maintenance workers for the new park and I saw that of course in the highlights and I also saw it in your budget and I commend for having done that cuz that was one of my biggest concerns and you've heard me speak tonight. I'm very concerned about the parks, that's not the only thing but I kind of look at that a little bit more closely. So I think at this particular point, having thought about it carefully, I will support the entire budget.

**President Letellier** – Thank you. Any other Councilor wishing to address the budget?  
Councilor Bitzas?

**Councilor Bitzas** – Yes. I hope the majority of the Council will support the budget as presented. It would be irresponsible in my opinion, if any councilor votes down a budget and shuts down a government for \$72,000.00, the disagreement on how we got to the budget. I think it happens, we have a budget shown to us, the salaries were negotiated

before this council, before the new mayor, we've voted for that increases ourselves, council, if we cut it as a protest because of the increased salaries, do you think any of you that the department heads are gonna cut their salaries? They will lay off an employee maybe a single mother maybe...and that's what will happen. So we have no choice. It's easy to say no to a budget to find some way, some reasons, but should they really be valid. I think we have a solid budget and I hope the majority of the Council will support it and let's move our town forward to the right directions. Thank you.

**President Letellier** – Thank you. Councilor Rheault?

**Councilor Rheault** – Yea. Just to clarify a point, the government will NOT shut down if this council rejects the budget. That's a scare tactic. General Law provides that the budget goes on by 1/12 per month basis.

**President Letellier** – Thank you. Any other discussion? Just as a point of information, we did ask the City Solicitor for clarification with regard to various collective bargaining units and it is very clear from the memo from the City Solicitor and from the Auditor and we already knew that the Mayor has the sole authority to enter into contracts, has the sole authority for collective bargaining and that once the Mayor and the Collective Bargaining Agent have signed those contracts, we must fund them. We have no choice, whether we agree or not, we don't have any authority in that regard. With regard to budget itself, we can make cuts, we cannot add, we cannot transfer. So with that in mind, any further discussion? I'm going to read the budget Resolution into the record.

*WHEREAS, Under the provisions of Chapter 44, Section 32 of the Massachusetts General Laws and Section 5-1 of Article 5 of the Agawam Home Rule Charter, the proposed FY2009 Annual Operating Budget was submitted on May 13, 2008; and*

*WHEREAS, Under the provisions of Section 5-2(a) of Article 5 of the Charter, a public hearing on the proposed annual operating budget and the capital improvement program was held on June 16, 2008, notice thereof having been published in one issue of the Agawam Advertiser/News, a newspaper published and of general circulation in the Town of Agawam more than fourteen (14) days before such hearing; and*

*WHEREAS, It is in the best interests of the Town of Agawam to adopt the attached Fiscal Year 2009 Annual Operating Budget; and*

*NOW THEREFORE, THE AGAWAM TOWN COUNCIL HEREBY RESOLVES AS FOLLOWS:*

1. *That pursuant to the provisions of Chapter 44 of the Massachusetts General Laws and Article 5 of the Agawam Home Rule Charter, the Annual Operating Budget for Fiscal Year 2009 which begins July 1, 2008, a copy of which is attached hereto and incorporated herein by reference, is hereby adopted, and the several sums therein set forth to be raised by the levy of a tax upon all taxable property within the corporate limits of the Town of Agawam, Massachusetts, all other funds and receipts are hereby appropriated for the several purposes therein stated.*

2. *The Fiscal Year 2009 Annual Operating Budget is adopted according to the departmental and line item categories contained therein. Said adoption allowing administrative transfer of funds from any line item within any category of any departmental or the line item budget to any other line item within the same category*

*of the same departmental or line item budget.*

3. *There is hereby appropriated in the Line Item - Contributory Retirement an appropriation to the credit of the Hampden County Retirement Board to satisfy the Town of Agawam's share of the Pension and Expense Credit Funds.*
4. *Consideration has been given for anticipated receipt of funds from the Commonwealth of Massachusetts for street reconstruction purposes as set forth in the Highway portion of the budget which is attached hereto.*
5. *In addition to any specific appropriation, revolving, gift and grant funds are hereby established under Massachusetts General Laws Chapter 40, S 3 and Chapter 44 S 53A, S 53D and S 53 E1/2 for the fiscal year beginning July 1, 2008, with the specific receipts credited to each fund, the purposes for which each fund may be spent and the maximum amount that may be spent from each fund for the fiscal year, as described in Exhibit A.*
6. *There is hereby appropriated all money from the Commonwealth of Massachusetts, the United States of America, as well as, from any grants or donations received for public purposes.*
7. *There is hereby appropriated all money received from the interest income on short term investments including the interest earned on funds in interest bearing bank accounts.*
8. *That the Assessor use not more than \$2,000,000 of "Certified Free Cash" to reduce the Fiscal 2009 Tax Rate.*
9. *The Agawam City Council hereby resolves, authorizes and appropriates \$276,914 from the Agawam Water Fund Balance, account 60100-31510, to Fund Balance Appropriations, account 60110-48500.*
10. *The Agawam City Council hereby resolves, authorizes and appropriates \$141,000 from the Agawam Municipal Golf Course Retained Earnings, account 65200-31510 to Fund Balance Appropriations, account 65210-48500.*
11. *The Fiscal Year 2009 Annual Operating Budget for the Town of Agawam is hereby adopted as follows:*

*GENERAL OPERATING BUDGET*

<i>Council</i>	<i>\$ 166,688</i>
<i>Mayor</i>	<i>\$ 293,505</i>
<i>Administration Building</i>	<i>\$ 460,222</i>
<i>Law Department</i>	<i>\$ 126,600</i>
<i>Auditor</i>	<i>\$ 139,085</i>
<i>Clerk/Elections</i>	<i>\$ 238,501</i>
<i>Assessor</i>	<i>\$ 246,263</i>
<i>Data Processing</i>	<i>\$ 215,437</i>
<i>Treasurer/Collector</i>	<i>\$ 318,682</i>
<i>Police Department</i>	<i>\$ 4,148,276</i>
<i>Fire Department</i>	<i>\$ 3,286,785</i>
<i>Inspection Services</i>	<i>\$ 262,987</i>
<i>Health Department</i>	<i>\$ 552,092</i>
<i>Community Development</i>	<i>\$ 138,366</i>
<i>Library</i>	<i>\$ 975,157</i>
<i>Parks &amp; Recreation</i>	<i>\$ 167,001</i>
<i>Council on Aging</i>	<i>\$ 341,937</i>
<i>DPW Administration</i>	<i>\$ 78,121</i>
<i>Highway &amp; Grounds</i>	<i>\$ 1,850,751</i>

<i>Motor Vehicle Maintenance</i>	\$ 632,586
<i>Engineering</i>	\$ 233,022
<i>Building Maintenance</i>	\$ 3,694,813
<i>Agawam Public Schools</i>	\$ 33,989,637
<i>Emergency Management</i>	\$ 33,550
<i>Line Items</i>	\$ 16,897,247

*TOTAL - GEN. OPERATING BUDGET* \$ 69,487,311

*SELF SUSTAINING DEPARTMENTS*

<i>Wastewater Department</i>	\$ 2,929,074
<i>Wastewater Capital Improvement Budget</i>	47,174
<i>TOTAL - WASTEWATER</i>	\$ 2,976,248

<i>Water Department</i>	\$ 3,185,368
<i>Water Capital Improvement Budget</i>	31,530
<i>TOTAL - WATER</i>	\$ 3,216,898
<i>Golf Course</i>	\$ 904,873
<i>Golf Course Equipment</i>	\$ 31,100
<i>TOTAL - GOLF</i>	\$ 935,973

*TOTAL - SELF SUSTAINING DEPTS* \$ 7,129,119

*CAPITAL IMPROVEMENT BUDGET* \$ 998,887

*TOTAL - ALL DEPARTMENTS* \$ 77,615,317

12. *There is hereby levied upon all taxable property within the corporate limits of the Town of Agawam, Massachusetts upon each dollar of assessed value thereof, taxes in an amount to be determined.*

13. *The following available funds are transferred/appropriated for use in the Fiscal Year 2009 Annual Operating Budget to help reduce the tax burden:*

<i>Ambulance Fees</i>	\$ 50,000
-----------------------	-----------

14. *Authorize the Western Hampden District Veteran's Service to exceed its assessment limitation by \$3,762.28 (Agawam's share) pursuant to Massachusetts General Laws, Chapter 59, Section 20B.*

**President Letellier** – Do we have any final discussion? Barbara, could you call the roll? A yes vote is to approve the budget as printed, six votes are needed.

**ROLL CALL** – 7 Yes, 4 No (Councilors Calabrese, Rheault, Rossi, and Young)

**President Letellier** – With a vote of seven yes, four no, you’ve approved the 2009 Fiscal Year Budget. We thank the department heads for coming and the Mayor for her presentation. Thank you. The Council still has some Old Business remaining but we’ll give the room a moment to clear out.

**Item 10. Old Business**

1. **TOR-2008-1 - Ordinance Amending Section 49-7 of the Code of the Town of Agawam to change the Title of “Council Clerk” to “Administrative**

**Assistant to the City Council” (Council) (1/3) (Majority of those present and voting)**

**President Letellier** – We’ve already changed it in the Rules in a prior vote this evening. Now we’re changing it in the Ordinances. Moved by Councilor Simpson, seconded by a whole bunch of people, Councilors Cavallo, Rossi, Rheault, Calabrese, Messick, etc. Any discussion? No? Seeing none, Barbara, could you call the roll?

**ROLL CALL** – 11 Yes, 0 No.

**President Letellier** – With eleven yes, you’ve passed the first of three readings of the Ordinance change.

2. **TO-2008-22 - Transfer - \$53,680.42 from Reserve Fund (16605-57300) to Court Judgments (11512-52194) (Mayor) (Majority of Full Council – 6 votes)**

**President Letellier** – Do we have a motion? Moved by Councilors Rossi and Simpson, seconded by Councilor Cavallo. Any discussion? Yes, Councilor Rossi?

**Councilor Rossi** – Thank you. I would like to say that this \$53,680.00 does not represent in total what we owe. And I would like to personally thank Mayor Cohen for getting us here because this \$53,000.00 added to the \$644,000.00 already sent to the DOR for approval goes up to something like \$688,000.00 which could have probably been settled for next to nothing. So to Mayor Cohen wherever you are here’s \$688,000.00 credited to you.

**President Letellier** – Any other discussion? Hard to follow that. Barbara, could you please call the roll? Six votes are needed.

**ROLL CALL** – 11 Yes, 0 No.

**President Letellier** – With eleven yes, we’ve approved the transfer. All of the remaining items are New Business.

**Item 11. New Business**

1. **TO-2008-23 - Order Granting or Renewing a LICENSE for Automatic Amusement Device(s) – Six Flags New England, 1623 Main Street, Agawam, MA. (Clerk) (Majority of those present and voting)**

**President Letellier** – That’s to go to the Licensing Committee. Next agenda.

2. **TR-2008-40 - A Resolution Authorizing an Appropriation of Seventy-Two Thousand (\$72,000.00) Dollars from the Stabilization Fund to the Fiscal Year 2009 Textbooks and Equipment Account. (Mayor) (Majority of those present and voting)**

**President Letellier** – Next agenda.

3. TO-2008-25 - Transfer of \$2,804.50 from Line Items Reserve Fund (16605-57300) to Council Professional Services (11112-52190) (Council) (Majority of full council or six votes)

**President Letellier** – Next agenda.

4. TO-2008-26 - Voucher List (\$540.00) (Majority of those present and voting)

**President Letellier** – Next agenda.

5. TO-2008-27 - Transfer - \$56,236.76 from Line Items – Salary Reserve (16605-57350) (Mayor) (Majority of those present and voting)

**President Letellier** – I'm going to have the Finance Committee look at that transfer.

6. TO-2008-28 - Transfer - \$59,756.40 from Line Items – Salary Reserve (16605-57350) (Mayor) (Majority of those present and voting)

**President Letellier** – Again, next agenda and have the Finance Committee look at that.

7. TO-2008-29 - Transfer - \$63,310.37 from Line Items - Reserve Fund (16605-57300) (Mayor) (Majority of those present and voting)

**President Letellier** – Next agenda. Finance Committee.

8. TO-2008-30 - Transfer - \$25,311.22 from Line Items – Salary Reserve (16605-57350) Mayor) (Majority of those present and voting)

**President Letellier** – Finance Committee. Next agenda.

**Councilor Young** – President Letellier?

**President Letellier** – Yes?

**Councilor Young** – Point of Information? Could I request for the Finance Committee copies of all of the Collective Bargaining Agreements that pertain to the TO-2008-27 through 31 that we will be reviewing?

**President Letellier** – Why don't you send a memo to the Clerk and I'll have her collect whatever you need?

**Clerk** – We just, I did talk to the Solicitor and he was going to put together a Memo with any changes or amendments that were made in those but I guess the actual agreement isn't available yet, for a while?

**Councilor Young** – Well, I would respectfully say since now that we've learned that when we vote on these we ratify these agreements I think it would be highly

inappropriate and certainly I would be unwilling to vote on anything that I couldn't see every word of and I so I don't know how we could possibly move forward without that given the severity of what we're agreeing to.

**Clerk** - Do you want to talk? (to Cheryl St. John, City Auditor) (off microphone)

**Councilor Young** - Well, I think we need to see those before we can agree on anything or approve those so...

**President Letellier** – And I would remind the Solicitor and the Auditor and the Mayor that these need to be approved by July 15<sup>th</sup> so if you want us to approve them on July 7<sup>th</sup> it would behoove you to get us the agreements.

**President Letellier** – – Madam President? Would that be just for the Finance Committee? I think all of us should have a copy. Each should have individual copies.

**President Letellier** – We should all have the copies. Yes, absolutely. Absolutely.

9. **TO-2008-31 - Transfer - \$25,625.95 from Line Items – Reserve Fund (16605-57300) and \$20,248.50 from Line Items – Salary Reserve (16605-57350) (Mayor) (Majority of those present and voting)**

**President Letellier** – Finance Committee. Next agenda.

10. **TO-2008-32 - Transfer - \$31,250.00 from Line Items – Reserve Fund (16605-57300) to Capital Improvements – School Street Park (16610-58930). (Mayor) (Majority of those present and voting)**

**President Letellier** – I'm gonna send that to the Finance Committee and also the Park & Rec Sub-Committee. Councilor Bitzas I believe that's your committee. Next agenda.

- 11 **TR-2008-41 - A Resolution Authorizing an Appropriation and Loan Order in the Amount of \$300,000.00 for the Repair, Reconstruction or Replacement of the Sanitary Sewer Force Main Crossing of the Westfield River in the Town of Agawam. (Mayor) (Majority of those present and voting)**

**President Letellier** – That's next agenda. I understand that there was a recent sewer leak. I'm sure we'll be getting more information about that as well.

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

**President Letellier** – We'll start with Councilor Perry. I believe you're first this meeting.

**Councilor Perry** – The only thing I have this evening is I failed to thank my Committee members on the budget, Joe and Jill, thank you very much for all your efforts. I appreciate it. Thank you.

**President Letellier** – Thank you. Councilor Messick?

**Councilor Messick** – One thing that wasn't really spoken about and I, being new to this whole process I wasn't sure whether it was appropriate to speak about it earlier, but I'm gonna say something now. One of the things that is in every department of this budget and especially in the ones that we were talking about – highways and DPW and Building Maintenance – is the cost of our fuel and our energy – heating, electricity, lighting. This is something that the Town, every department head and the Council and the Schools, everybody needs to get on board starting to look at reducing the costs for our energy use because I don't know about you guys but I have driven by so many of our public buildings and the lights are blazing because there are two guys in there cleaning. That's not what we need to be doing. Also, we need to be looking at the fuel use, the trips out and trips in, I'll be taking a really hard look at that because there was money put into this budget I know by some of the department heads that we spoke with and we're guessing as far as how much of a cushion we need for this and I suspect by the end, by the time we're sitting here next year, we're gonna find out that that wasn't enough money. So this is an initiative that actually I'm working on with some of the other groups in town and we're gonna be starting to take a look at that. And I'd like the Council to become involved and I'll let you know more details about it as the whole concept becomes more clear but I think that's something we should seriously be taking a look at as far as budgeting. Thank you. (APPLAUSE)

**President Letellier** – Thank you. Councilor Bitzas?

**Councilor Bitzas** – Nothing this evening.

**President Letellier** – Thank you. Councilor Young?

**Councilor Young** – Thank you. I guess similar to Councilor Perry, I'd like to thank my committee members but a special thanks to our City Auditor, Cheryl St. John, for all of her help and our Administrative Assistant, Barbara Bard, for all her great work in support of the Finance Committee and all the other committees and wouldn't get out all those memos and minutes without them and all the background information has been helpful. Also a special note of commendation to the Agawam Middle School Music Teacher, Mr. Scherpa, whether you know it or not, they've been working it seems like years on this band room here. You know we always sit around the equipment here so every time and sometimes several times a day, to have band practice here in the auditorium, Mr. Scherpa all by himself, moves the equipment in and then when they have a formal meeting like this or if one of our State Senators like they did recently in the Spring decides to come and do an event here, he's gotta move all the equipment out and then back in to teach. So you could imagine what kind of work effort that calls for and I'm sure that's not in his contract, you know, it wasn't built into any of his raises that he got. But also again, think about the time that takes away from preparing for your children's education or conducting classrooms so I'm sure that story goes on and on but I would like to thank

him. He's done an exceptional job with the kids here and I would like to thank him.  
Thank you.

**President Letellier** – Thank you. Councilor Simpson?

**Councilor Simpson** – Thank you. One brief thing I'd like to say congratulations to the graduation Class of 2008. The ceremony was wonderful. I'm a little prejudice because my son graduated but they did a great job. The class was really full of life and full of spirit during the graduation ceremony and it was a great thing to see. So congratulations to all of them and I wish them all the best of luck in their upcoming endeavors starting this summer or the fall. Thank you.

**President Letellier** – Thank you. Councilor Mineo?

**Councilor Mineo** – Nothing tonight.

**President Letellier** – Thank you. Councilor Cavallo?

**Councilor Cavallo** – Yea. I'd just like to say I attended the graduation ceremony as well and it was well done. That they did finish in a couple of hours which is great but it was nice and cool in there. The air conditioner was on and it was very, very comfortable. So again, congratulations to the graduates of the Class of 2008.

**President Letellier** – Thank you. Councilor Rossi?

**Councilor Rossi** – Yes, thank you. I would like to say thank you to Councilor Mineo and Councilor Rheault for their participation in helping us out and all the Councilors who attend these meetings because they are very long hours. It takes a lot out of your personal time, your family time, to go to these meetings and sit there and try to make some sound judgments on such things as important as the budget. The other thing I'd like to thank my colleagues for finding the wisdom and the value of this Resolution for supporting the Friends of Robinson State Park. I think that Robinson State Park is a godsend to the community and I just think that this would be a basis for bigger and better things and hopefully we can expand this into some real family participation where we can get some education not only for the preservation, protection but to educate our younger people as to what great natural resources we have done there. So again, I want to thank you people for supporting that endeavor and also just to touch on what Councilor Messick said earlier about the energy savings that we could have. Maybe we should start looking at the vehicle usage and leaving some of those vehicles in the Town yard. I know there's a lot of people that take these vehicles back and forth and a lot of our department heads and other employees who use these vehicles don't even live in Agawam anymore. And I don't know about other members on the Committee here but I see vehicles all of this region not just in the area but I mean I've seen them all over the place and it's kind of disturbing. And I thought that these people took them home for some reason but I see no emergency purposes for some of these department heads to even take them home so I

think maybe that's something we probably could look at and save hundreds of thousands of dollars a year especially at \$4.00 a gallon!

**President Letellier** – and counting!

**Councilor Rossi** – and counting!

**President Letellier** – Councilor Rheault?

**Councilor Rheault** – And let's stop counting! I would like to because of I think that learning process that we all learned regarding the ratification of contracts by virtue of transfers, I would think that and I don't want to impose any more work than you already have Cheryl, but I would think that as our Auditor that it would be incumbent or very nice of you to alert us when a contract is being funded if there are tiers being added or any knowledge that you may have to share with us which makes our job a little easier to either support or reject it because from my discussion with the attorney we can not ratify a contract and they have to go back to negotiations and the time to do it is at the time of the transfer. And the last thing I do want to do is, today is my wife's birthday and I want to wish her a Happy Birthday!

**Councilor Rossi** – Happy Birthday Joan!

**President Letellier** – I have nothing to add. A couple of points in terms of what's been said around the table. I have spoken to prior mayors about this car use and once again I was told that it was contractual and the Council has no say when it's in the contract when somebody gets to bring a car home so again, I will again look into that. And I will ask the MMA for further clarification in regard to does the Council have the option of ratifying Collective Bargaining Agreement or not? I thought that the Solicitor made it clear that once the Mayor signs it it's done but I will get some clarification from the MMA if I can before the July 7<sup>th</sup> meeting. Cheryl?

**Cheryl St. John, City Auditor** – It's my understanding...

**Councilor Rossi** – Do you want to use the microphone please Cheryl?

**President Letellier** – Yes, our Auditor is still here. Thank you Cheryl.

**City Auditor** – My interpretation of the law if you don't fund the initial first year of the contract, the first transfer to fund the first year that it has to go back to collective bargaining so you do have the final say.

**President Letellier** – Can you send something out to us with a copy of the statute that would support that?

**City Auditor** – Yes. I mentioned it in my memo that I gave to you.

**President Letellier** – Yea. But I'd like...

**City Auditor** – But I can. Okay.

**President Letellier** – Okay, thank you.

**City Auditor** – You're welcome.

**Councilor Cavallo** – Madam President? I know what you're saying it's contractual and all that but Bob just mentioned about this poor guy over here trying to run a band program and you know it's not in his contract that he has to move all this. I think sometimes we need to bite the bullet here, contractual or not, I mean we're looking at some costly ventures and I think they are getting a decent pay and does everybody have to bring a car – I mean I can see the Fire Chief and the Police Chief but you know after that I mean, we have emergency personnel but I mean where do you go after that? I mean should it be a sharing thing?

**President Letellier** – I will re-inquire. I haven't inquired of this mayor yet but I will re-inquire.

**Councilor Rossi** – Going after the contracts it's what I tried to say earlier in I agree that that portion of the negotiations and that's what I was trying to say to the Mayor earlier. I know the Cohen entered into those contract negotiations and we allowed him as a Council to enter into those agreements and that's okay. But when he sent that or it was Mayor Dawson who sent that to this Council for review, we should have had all the information necessary for us to understand that those raises included tier changes and that those things no longer were in our Ordinances as they once were as you all know that our department heads formed a bargaining union and they were authorized through the state because it was mutually agreed upon between the Town and the State that they could collectively bargain, once they did that they pulled it out of our Ordinances so they removed all of that stuff from our Code books so we don't have privy to any of that information and that's all I said earlier. Contract negotiate if you will but send to this Council so we can intelligently digest that information and let the decision that they're funded or send them back to contract negotiations. We did not have that opportunity to do that back in February and that's my point. And that's what disturbs me here.

**President Letellier** – So Cheryl you'll get us all the existing Collective Bargaining Agreements that you can find and also the pending ones as well?

**City Auditor** – Yes.

**President Letellier** – Thank you. Councilor Calabrese?

**Councilor Calabrese** – Most of you have returned evaluations and I want to thank you for that. If you do have an evaluation that you still need to complete and give them to me, feel free, you still have time to do that. So I just wanted to put that out there. And

also, Barbara, I had a call from a constituent that has a question for the department for the DPW and involves the end of the sewer line on Liberty Street. Every year this person has a sewer back up into their basement and it's right at the end where it goes from sewer to septic and I guess the question is is there a pump there or is there some sort of other piece of equipment that can be used at that particular location to prevent this from happening in the future because apparently it's a chronic problem and she wasn't quite sure where to turn so, I told her I'd pass it along and see if we could get a resolution.

**Councilor Mineo** – Do you want me to look into that?

**Councilor Calabrese** – That would be great Joe, yes, if you would, thank you.

**Councilor Mineo** – Where was it?

**Councilor Calabrese** – It's on Liberty Street, right before the end of Liberty Street, so I can give you more details about that. And that's all I have for tonight.

**Councilor Mineo** – Please.

**President Letellier** – I just want to thank everyone for working so hard on the budget sub-committees. Thanks Barbara for setting up the meetings and taking the initiative to save the days and the nights at some places. I think this was a good meeting and I think we've got a lot more work to be done and like Don said we're constantly learning, constantly learning. With that, do we have a motion to adjourn? Moved by Councilor Rossi and Calabrese, seconded, all in favor say Ay? Opposed? Thank you for a good evening.

**Adjournment**