

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

DATED APRIL 22, 2008

President Letellier – Welcome Back. This is the Regular City Council Meeting for Tuesday, April 22, 2008.

Item 1. Citizen's Speak Time

President Letellier – We have one citizen wishing to speak to the Council Jeanneen Cothorn. Am I pronouncing it correctly? Cothorn, sorry. Are you able to get to the microphone? If not, we'll bring it to you. We'll bring it to you. You can go over there? Okay. You'll have five minutes to speak just say your name and address for the record. Thank you.

Jeanneen Cothorn – My name is Jeanneen Cothorn. My address is 55 Amherst Ave, Feeding Hills, Mass. Okay? I would like to talk to you about the plans for the future playground at School Street. I am an Agawam resident and I'm also Chairperson of the Agawam Commission on Disabilities. But I'm not addressing you as that, I'm addressing you as a disabled Agawam parent who happens to have a very active six year old child who loves to play outdoors. In order for my son to be able to play at a playground with me and my wife, it needs to be a universally accessible playground. Last week my wife and I had the pleasure of viewing the School Street playground/park area. We both impressed at the planning and the work that had already been accomplished. As a disabled, wheelchair-dependent person I have found that one of the most frustrating and uninviting parts of many so-called 'accessible' playgrounds is the surface surrounding the play areas. Due to my physical experiences in a chair, I've taken it upon myself to do research on different ADA allowable surfaces for playgrounds. I've studied their durability and their reliability. I would like to share some of this with you. One, the cheapest option for a surface is wood chips. They are allowable under the ADA but they must be at least two inches thick at all times meaning if it rains, someone must go back out the next day and make them two inches thick again. They're inexpensive and they're easily replaceable. No big deal to replace them. The cons of wood chips – they have to be replaced constantly. They have to have a lot of maintenance. They're very absorbent to blood, vomit, chemicals, they're absorbent enough that on rainy periods, they absorb mildew and mold which can do severe allergic problems for children. They are not a soft landing area. When you come down a slide or pop off a swing, it is not a soft place to land. They cause splinters. They are difficult and almost impossible for independent wheelchair maneuverability. They prevent play for those with mobility issues. They are not a steady flat surface for others with disabilities – people on crutches, senior citizens, and the like. They provide a shiftable surface that is conducive for falls and injuries and they also provide places for broken glass or other dangerous materials that could cause a medical emergency. The second option is rubber mulch. It's relatively inexpensive, it's easily replaceable also must be replaced yearly, has to have constant upkeep, retains water, breeding area for mold, mildew, blood. Also can't get a wheelchair through it. Prevents independent play, doesn't provide a safe surface that's steady and also provides places that glass and other items can be lodged in. The third option is pour in place rubber surfacing. The cons I'm gonna start with, it's very expensive but the pros – it would last the lifetime of your playground. It

requires low to almost no upkeep, it's been proven safe, and is easily cleaned up from contaminants such as blood or chemicals –

Clerk – Excuse me, one minute.

Jeanneen Cothorn – There's space between the top and the bottom of the surface for water drainage, provides soft landings and encourages independent play for those with mobility issues by placing them on a level playing area. In closing I just want to say as a parent in a wheelchair, I treasure the opportunity to be able to play with my wife and my son on a universal playground. I would strongly advise pour on place rubber surfacing because it guarantees a safe surface for play and I would also like to just point out when an inclusive playground is built it should be just that – inclusive. It should be able to be used by everyone, those who are able bodies and those who may not be, children with disabilities, parents with disabilities, grandparents who may be unsteady, need walking assistance and right now we're coming back from the military with a lot of our veterans who have children and who have been injured. And last, making an inclusive playground doesn't interfere with able bodied children or anyone else but it does help facilitate independence, pride, self-esteem in those who might otherwise not have a chance to play with children that are different from themselves. Universal playgrounds allow and encourage a chance for individuals to experience the diversity of life and promote the opportunity for long lasting bonds – bonds that hopefully will last as long as the lifespan of your playground. Thank you.

President Letellier – Thank you very much.

Item 2. Roll Call

President Letellier – Barbara could you please call the roll?

ROLL CALL – 8 Present, 3 Absent (Councilors Bitzas, Messick and Young)

President Letellier – With eight present, we have a quorum. Councilor Bitzas has to work, Councilor Messick is ill and Councilor Young is on vacation with his family.

Item 3. Moment of Silence and the Pledge of Allegiance

President Letellier – I would ask that you please remember School Committee Member John Burns in the Moment of Silence. Thank you.

Item 4. Minutes

(a) Regular Council Meeting – April 7, 2008

President Letellier – Moved by Councilor Simpson, seconded by Councilor Mineo. Any discussion on the Minutes? No? Okay, seeing none, a voice vote will suffice. All those in favor of approving the Regular Council Minutes from April 7, 2008, please signify by saying Ay. Opposed? Abstentions? Item is passed.

Item 5. Declaration from Council President

President Letellier – I do have a few. I want to remind the public that there's a Special Meeting on April 28th which is next Monday at 7:00 for an election to replace John Burns in the School Committee. If there are any interested citizens who wish to be considered, please get your information to a member of the Council or a member of the School Committee or you can deliver it to the Council office and they'll make sure it gets to both the Council and the School Committee. We had placed an ad in the paper seeking members for the Community Preservation Act Committee; currently the only openings are those members on the Conservation Committee and the Planning Board. We did receive an applicant that was not on either of those boards and we'll keep his name for our future reference. A couple of other reminders – the prom is this weekend so we hope everyone has a safe and fun time. And tomorrow is the Mayor's birthday apparently so Happy Birthday Mayor Dawson. Let's see what else. And the Little League Parade is this weekend so good luck to the Little League. I think that's probably enough for declarations.

Item 6. Presentation of Petitions, Memorials & Remonstrances

(a) Resolutions

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

President Letellier – Motion moved by Councilor Simpson, seconded by Councilor Perry. Councilor Calabrese would you like to give a report?

Councilor Calabrese – I just want to report that, thank you, ...with regard to this. This is, there was also conversations that Rules Committee with regard to ...that one section of Rule 14 renaming the Traffic & Street Safety Committee to the Public Safety Committee and that's basically it. Thank you.

President Letellier – Thank you. Any discussion from the Council? No? Seeing none, Barbara, could you call the roll? A yes vote is to amend Council Rule 14 to change the name of the Traffic & Street Safety Committee to the Committee on Public Safety.

ROLL CALL – 8 Yes, 3 Absent (Councilors Bitzas, Messick and Young)

President Letellier – With eight yes, you've amended City Council Rule 14.

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

President Letellier – I do not see Mr. Tedeschi in the audience. Do we have a motion? Moved

by Councilor Simpson, seconded by Councilor Cavallo. Any discussion? No? Seeing none, Barbara, could you call the roll? A yes vote is to confirm Mario Tedeschi.

ROLL CALL – 8 Yes, 3 Absent (Councilors Bitzas, Messick and Young)

President Letellier – With eight yes, three absent, we've approved Mr. Tedeschi's appointment. Council, Barbara, could you please send him a letter?

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

President Letellier – Mr. Sanchez did call me and he cannot attend but he does wish to be reappointed. Do we have a motion? Moved by Councilor Simpson, seconded by Councilors Mineo, Cavallo and Rossi. Do we have any discussion?

Councilor Cavallo– Yes, I'd just like to say one thing. While on the School Committee, I attended the Memorial Day observances and Chris does a great job. He is a leader, he's a very articulate guy and he is very, very dedicated to the veterans and we can't have a better person for this job.

President Letellier – Thank you and I would second that. Any further discussion? No? Seeing none, Barbara, could you call the roll? A yes vote is to confirm the appointment of Chris Sanchez to the Veterans' Council.

ROLL CALL – 8 Yes, 3 Absent (Councilors Bitzas, Messick and Young)

President Letellier – With eight yes and three absent, we have approved the Resolution.

4. TR-2008-16 - A Resolution for Refunding Bonds in the Event Interest Rates Change to a Level that Would Reduce the City's Interest Cost on Existing Debt. (Mayor) (1/2) (Two-thirds majority vote of full council or 8 votes) (Referred to the Finance Committee)

President Letellier – This is the first of two readings pursuant to an opinion from Bond Counsel. That was referred to the Finance Committee. Do we have a motion? Moved by Councilor Simpson, seconded by Councilor Rossi. Can we have a report from the Finance Committee? Who chaired that that evening? Councilor Rossi?

Councilor Rossi – I did. Yes. Councilor Young asked me if I would chair and we had a meeting. Councilor Perry I believe was there, Joe Mineo, Don, I don't know if Don was there or not –

Councilor Rheault – in spirit!

Councilor Rossi – But anyway, Laurel Placzek came basically she just pretty much gave us her presentation. And what this is just very simply put, it gives her the opportunity if it becomes necessary and it may not become necessary for her to restructure the bonding. When interest rates are lowered and it may become on call, she has the ability if we give her that authority to take and what remains, what bonds are on call to rebond them at a lower rate. That's all we're really doing here so it may not be necessary but all this is is to give her the authority to do it if and when it becomes necessary and like I said or it may be not at all. We have in the past given her permission to do this and the interest structure at that time didn't present itself so she didn't go ahead and renew the bonds. But what she would do is she would call the bonding present, reissue the bonds at a lower rate. That's all she would be doing. Okay so the Finance Committee sends a positive recommendation to the Council to give her the authority should it become necessary.

President Letellier – Thank you Councilor Rossi. Any discussion from the rest of the Council? No? Eight votes are needed so everyone here tonight would need to pass this to pass the first reading. Barbara, could you please call the roll? A yes vote is to approve the Resolution to allow the town to change bond interest rates.

ROLL CALL – 8 Yes, 3 Absent (Councilors Bitzas, Messick and Young)

President Letellier – With eight yes, three absent we've approved the first reading.

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

President Letellier – I don't believe this was referred to the Finance Committee. I think that's a typographical error. Do we have a motion? Moved by Councilor Simpson, seconded by Councilor Cavallo. I don't see Mr. Ronghi here. Do we have any discussion? No? Seeing none, Barbara could you please call the roll? A yes vote is to approve, confirm the appointment of Vincenzo Ronghi to the Housing Authority.

ROLL CALL – 8 Yes, 3 Absent (Councilors Bitzas, Messick and Young)

President Letellier – With eight yes and three absent, we've approved Mr. Ronghi's appointment. Barbara, could you also notify him? Thank you.

6. TR-2008-18 - A Resolution Appropriating from the Community Preservation Fund and Authorizing the Expenditure of Community Preservation Funds for the Preservation of Land for Recreational Use for Property Owned by the Town of Agawam which is Located at Granger Elementary School (CPA) (Majority of those present and voting) (Referred to the Ad Hoc CPA Committee)

President Letellier – Do we have a motion? Moved by Councilor Simpson, seconded by Councilor Cavallo. Do we have a report? Thank you.

Councilor Simpson – Yes. We did the Community Preservation Sub-Committee met last week, all members were present at the committee. And after we read through all the information, we had a little discussion and voted yes to send a positive recommendation for passage of this item.

President Letellier – Thank you. Any other discussion from the Council? No? Seeing none, Barbara, could you call the roll? Let see, there are eight of us this evening so five votes are needed to pass Resolution 2008-18.

ROLL CALL – 8 Yes, 3 Absent (Councilors Bitzas, Messick and Young)

President Letellier – With eight yes, you've approved the Resolution.

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

President Letellier – Do we have a motion? Moved by Councilor Simpson, seconded by Councilor Cavallo. Councilor Simpson, do you have a report?

Councilor Simpson – Yes we do.

President Letellier – Thank you.

Councilor Simpson – Thank you. Also last week at the same meeting, we discussed this item of agenda. We had a fairly lengthy meeting on it. The presentation packet that was given to us was really detailed and gave us a lot of information but we did have a few questions and members of the Community Preservation Committee were also there, Chris Sparks from Park & Rec was there and two representatives from the Americans for Disabilities were also there to help and answer any questions. Basically what it comes down to is that normally involved in this \$180,000.00 for a Playscape it also does include bleachers for two fields, that's two sets of bleachers, twelve trash barrels for over thirty acres of land and a dumpster pad with the fencing to enclose that dumpster is also included. So it is not just for the Playscape. After some questions and thoughtful discussion, we determined that this is something that we're building this wonderful park and a Playscape definitely is a needed addition to the park. It is going to be a Playscape that really will fulfill the needs of everybody. Not only as the speaker at Citizen's Speak Time spoke about being in compliance for Americans with Disabilities but also it's going to make it easier for everybody. As a preschool teacher, I live in playgrounds everyday taking the children out and number one, we'll start with the wood chips. The wood chips yes, they're cheap but there's tons of maintenance, issues with sanitary needs, also splinters, it is not as soft, they wear away and then the children are coming down on empty spots where the wood chips have worn away. Children tend to pick the wood chips up and throw them. It's just part of being a kid, nothing wrong with it but it happens. Chips in the eye, etc., and throwing it and moving them all over. Same thing with the rubber chips you don't have the splinter issue or anything but

the same thing, they move around, they get pushed away, areas become thin, children also can throw those all around the place and are hard to keep clean and sanitary. It does sound expensive for the poured station that we're going after but for longevity it would probably be good fifteen – twenty years down the road. The representative from the company did say if there was an issue such as vandalism which we know does happen, an area can be cut out and taken away and put in. If someone came and sliced it or did something like that, it can easily be taken out, moved and put into a new part of that pad put in. For cleanliness and sanitation when you're dealing with children, you're dealing with children getting sick, blood, bloody noses, toilet accidents and things like that, it happens. This way it can be easily cleaned up. I had asked is it going to take very special cleaning agents to take care of it. They said no really easy things that would be stored on property and that someone would be able to take care of and clean up from that point because it does happen on playgrounds. Also, ...wheelchair accessibility, talk about mothers with strollers, they're there with their older child, they've got the baby in the stroller trying to push the stroller around, they can get closer to their children playing. It was also mentioned grandparents maybe having a little issue with walking, this is a nice even surface, they can play with their grandchildren, get closer. Or even a young mom who just maybe turned her ankle or something like that so it's really encompassing for everybody, that we're really acting, this I have to say we've been very proactive in building this, really thinking it out and thinking of the future and down the line that it is. I know some people look at the cost and go my gosh that is – look at it in the long run it is the great way to go and like I said, speaking from personal experiences dealing with children on the playground everyday during the school year, this is a great way to go. You know, we've come a long way, I had said this at the meeting, from the times of the metal slides when you'd slide down and they were hot and you fell into the dirt. So we've come a long way. So I think this is going to be a great addition. I think they took a lot of time in thinking this out in how to make this a really great spot that everyone can use and can access. And after our discussions, it was voted on 5 yes 0 no to send a positive recommendation for passage. And that concludes my report. Thank you.

President Letellier – Thank you. Councilor Cavallo?

Councilor Cavallo – Yes. I was also part of that committee and present and I want to make a couple points here. First of all, I was impressed with the presentation by the ADA representatives at the meeting. And I think the key to the entire proposal is just that the issue is safety for everyone. Not just the disabled people but for able bodied people as well. That's an important point to consider with this large expenditure for the ... Also another point I wanted to make is that I ask Chris Sparks at the meeting about any kind of ...that the park may be staffed during the summer with people who will be canvassing the grounds to make sure that everything is going the way it should be going. And the last point I wanted to make it was also mentioned that there would be ...included in the Mayor's budget to hopefully keep the grounds up and also other parks. One of the points that as you're probably aware of with the proposals for these parks is that do we have enough maintenance workers to maintain these facilities and I think that's a really key issue. I hope that when the budget comes before us that we do see these two maintenance workers in the budget. And the last part I think of the public out there, please remember that this money that is being spent, this large amount of money, is primarily landed by the taxpayer of the Town of Agawam. We do get of course a percentage back from the state but a good percentage up to most of it comes from you the taxpayer when you pay your tax bill

every single quarter. This percentage if you look at your tax bill, it goes to CPA. So ...by the representatives and citizens of our community and you should take an active role in this endeavor as well. So I highly endorse the proposal here this evening.

President Letellier – Thank you Councilor Cavallo. Any further discussion? Councilor Calabrese?

Councilor Calabrese – Yes. I really am in favor of this. I feel that this poured in place rubber surface are wonderful to walk on. They really are and I think that this is something that we should all be very proud of and a most appropriate use of our tax dollars to not only be ADA complied but ADA friendly. So yes I am supporting this. Thank you.

President Letellier – Thank you. Any other discussion? No? Seeing none, Barbara, could you call the roll? And a yes vote is to approve and authorize expenditure of CPA funds for land at the School Street Park.

ROLL CALL – 8 Yes, 3 Absent (Councilors Bitzas, Messick and Young)

President Letellier – With eight yes and three absent, we've approved the passage of the Resolution and we thank the speaker for coming earlier.

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

President Letellier – Do we have a motion? Moved by Councilor Simpson, seconded by Councilor Cavallo. Any discussion? Councilor Perry?

Councilor Perry – Well, first of all I think that if we were to vote on this this evening, I would support it fully. I think you know we, as the ZBA basically works for us, we appoint them, they're a body of us. They basically interpret the laws and issue special permits and that nature. I will after allowing other councilors to discuss on this, make a motion to table pending the move the Six Flags is not going to be building this and that possibly that the case may just be dismissed because there's nothing there that, that the law suit can pertain to so I will wait at this point to see if there's any discussion before making my tabling motion.

President Letellier – Thank you. Councilor Calabrese?

Councilor Calabrese – Oh yea. I would join him on the motion to table because it seems that the issue is going to become moot.

President Letellier – Thank you. Councilor Cavallo?

Councilor Cavallo – Yea. I tend to disagree with you. I sense that if the ever encounter a situation like this in the future, we don't know what's in the future, and we know the ZBA is part

of us, I feel that they should have some kind of a legal fund set up for them so that they don't have to come here and plead with us, we're not talking a lot of money here but quite frankly they're a hard working board okay? They're a very important board, probably one of the most important in town government and I don't see any problem in establishing or asking the Mayor to solve some kind of funding for them, one for legal issues. That's my personal opinion.

President Letellier – Thank you. Councilor Rossi?

Councilor Rossi – Yea. I agree. I attended ZBA and they do a wonderful job and they do deserve our support and our backing in here but there are a couple of issues that I have and I think that I support Dennis' motion to table to try to resolve some of those issues. And first and foremost, with the litigation as you all are aware that our insurance carrier will be handling the billing for the legal work. So we're really not affected by that. Now there may be some expenses that would be incurred at maybe a lot smaller or lesser level. And the other thing is I've got a question on is how are we going to authorize the high end attorneys and how would we fund that? Where would that money come from? I think it has to be supported from the Mayor's office and I don't know how she stands on this and I don't see anything here that says she supports it or if she doesn't. So I think that we need to find out some of those questions. I think at this point over here and I agree that I think we're putting the cart before the horse here and we should get a little bit more information and find out just exactly where we are and where we're going here.

President Letellier – Thank you. Any further discussion? Councilor Perry?

Councilor Perry – Yes, thank you Madam President, through the Chair to Councilor Cavallo. I'm not saying I'm not supporting or would never support this, I would wholehearted. I agree one hundred percent. We need to back our Board. The ZBA does a great job. I think they stuck to their guns in regards to the whole issue with Six Flags. They did what was right and what they're assigned to do. They did an excellent job there. I think this Council should maybe look forward to maybe putting some funding aside for legal issues possibly in the future for the ZBA. This particular item that's on our agenda is strictly for that case with Six Flags, okay? So that's why I'm asking to table it. I think we can as a Council put into our budget funding set aside for the ZBA if they need it. They could always come to us like they have. In regards to the Mayor and the funding, where it would come from, obviously the Mayor would have the right to say no to this but the Council has a right to override that. She could veto it and we could override that I believe with 2/3 vote and the funding could come from our own legal fund. You know, I think we need to designate where it should be coming from in the future in regards to that. So you know we do have some options. I move, if there is no more discussion, to make a motion to table and these are issues we need to look into. Thank you.

President Letellier – I'm sorry. Moved by Councilor Perry, seconded by Councilor Calabrese and Councilor Rossi. Barbara, could you call the roll on the motion to table?

ROLL CALL – 8 Yes, 3 Absent (Councilors Bitzas, Messick and Young)

President Letellier – With eight yes, three absent, we've tabled the item.

Item 7. Report of Council Committees

None

Item 8. Elections

None

Item 9. Public Hearings

None

Item 10. Old Business

1. TO-2008-15A - Transfer - \$27,045.03 from Reserve Fund (16605-57300) to Department of Public Works – Highway & Grounds Division – Equipment Rentals (14202-52070) and TO-2008-15B – Transfer - \$36,954.97 from Ice Control Materials (14203-52210) to Department of Public Works – Highway & Grounds Division – Equipment Rentals (14202-52070) (Mayor) (Majority of full council or six votes) (Referred to the Finance Committee)

President Letellier – Do we have a motion? Moved by Councilor Rossi, seconded by Councilor Perry. Councilor Rossi, did you ...this meeting as well?

Councilor Rossi – I did. And again, the same Councilors were present at the meeting. And it was brought out by Councilor Perry actually that when looking through the budgets that we did have some money that could be moved around and we all agreed that it certainly makes more sense to use the money that's, that has been set back for this expenditure. So what we did here is they originally asked for \$64,000.00 to be transferred for those expenditures so what we did is we're transferring \$27,045.03 from the General Reserve Fund and we're transferring on a separate item, we're transferring the \$36,954.97 from that Ice Control Fund making up the \$64,000.00. We're not taking the whole \$64,000.00 out of the General Reserve Fund at this time. But, what's gonna happen later on and I just want to warn you so you know you're gonna be headed off when this happens that there has been some overtime expenditures on the Ice & Control for snowplowing, snow removal and those kinds of things but the law does allow us to make those expenditures absent of any funding. So we're gonna have to appropriate that money later on. So just when you see that don't get over alarmed. But what we did here is as I said very simply we just took what money was left over from one account so we could take less money from our Reserve Account. And that's all we did. And I want to commend Dennis for bringing that out as we reviewed the budget.

President Letellier – Thank you Councilor Rossi. Any other discussion from the Council? No? Since we have two items of agenda with two different department, I think we'll have two votes. So, Barbara, the first vote will be TO-2008-15A - Transfer of \$27,045.03, six votes are needed. Could you please call the roll?

ROLL CALL – 8 Yes, 3 Absent (Councilors Bitzas, Messick and Young)

President Letellier – With eight yes, three absent, we've approved the twenty-seven thousand dollar transfer. Next we have TO-2008-15B – a transfer of \$36,954.97, same thing, six votes needed. Barbara could you call the roll?

ROLL CALL – 8 Yes, 3 Absent (Councilors Bitzas, Messick and Young)

President Letellier – With eight yes, three absent, we've passed both transfers.

2. PH-2008-3 - Petition Requesting to Change to Zoning Code of all Future Residential Building Lots to be no less than one (1) acre, consisting of 43,560 square feet, with a 150 foot Frontage per Residential Building Lot. (Public Petition) (Referred to the Planning Board with their public hearing date of May 1, 2008 and Council suggested public hearing date of May 19, 2008.)

President Letellier – That's the second May meeting.

Item 11. New Business

1. TE-2008-3 - Election of two (2) members of the Community Preservation Act Committee, one being a Representative from the Conservation Commission and the other a Representative from the Planning Board, for a three-year term with an Expiration Date of April 30, 2011. (Council) (Majority of those entitled to vote)

President Letellier – Next agenda.

2. TR-2008-21 - A Resolution Confirming the Appointment of Joseph F. Fitzpatrick, 142 Glendale Road, Agawam, MA. to the Agawam Housing Authority to Complete an Unexpired Term Expiring the Second Monday in January, 2011. (Mayor) (Majority of those present and voting)

President Letellier – Next agenda.

3. TR-2008-22 - A Resolution Establishing a No Parking Zone on Westview Lane and Burlington Drive. (Mayor) (Majority of those present and voting)

President Letellier – We're gonna refer that to the Public Safety Committee and that's next agenda.

4. TO-2008-16 - Order Granting or Renewing a LICENSE for Junk Dealer – Baki's Fine Jewelry, 360 North Westfield Street #7, Feeding Hills, MA. (Clerk) (Majority of those present and voting)

President Letellier – We'll refer that to the License Committee, next agenda.

5. TO-2008-17 - Order Granting or Renewing a LICENSE for Automatic Amusement Device(s) – Headquarters, 485A Springfield Street, Feeding Hills, MA (Clerk) (Majority of those present and voting)

President Letellier – We'll refer that to the License Committee, next agenda.

6. TO-2008-18 - Order Granting or Renewing a LICENSE for Automatic Amusement Device(s) – Friendly's #1, 19 Springfield Street, Agawam, MA (Clerk) (Majority of those present and voting)

President Letellier – Again, we'll refer that to the License Committee, next agenda.

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

President Letellier – We'll start with Councilor Simpson.

Councilor Simpson – Thank you one just one quick thing to our Council President. Do you have any idea when we're beginning the budget?

President Letellier – I did speak to the Mayor and I asked her to get it to us as soon as possible. I asked her if some of the budget chairs could meet and participate in the drafting of the budget. I'm told we'll be getting it soon but I don't have a definitive date. I could ask again.

Councilor Simpson – Thank you.

President Letellier – You're welcome. Councilor Mineo?

Councilor Mineo – Nothing tonight.

President Letellier – Councilor Cavallo?

Councilor Cavallo – I was just wondering on that Special next week. I know there's no Citizen's Speak Time, the last item says any other matter that should come before the group, is that part of the Special Meeting? Or does, I'm not sure about that?

President Letellier – I think I, we just put it on because we have it at the bottom of all of our meetings.

Councilor Cavallo – Okay, I thought maybe the only item of agenda was just to pick a new School Committee member and that we wouldn't go into other issues regarding the Council.

President Letellier – It would be up to the individual member if they wanted to say something at the end of the meeting.

Councilor Cavallo - Okay. I was just curious about that, okay.

President Letellier – Thank you. Councilor Rossi?

Councilor Rossi – Yes. Just briefly. Last time during the last Council meeting I asked for a status on that Steven & Barry's property down there as to when they were gonna open and how our tax status. But I never got a response from that and I'm really disappointed on that. But going by this, I do see that there's a Grand Opening so maybe at least there's some kind of movement which is encouraging but I'm real disappointed I hadn't received any information on how we stand and maybe we could get that, maybe in one of the newspapers, I don't know. Another item I'd like to mention is I would a letter drafted if you will Madam President to the Health Department and I am filing an official complaint on my behalf if no one else wants to jump on board here on the piece of property that's located on Suffield Street across from McDonald's property that is adjacent to the new car wash and the ...property. That place is an absolute disgrace. There are animals in there feeding off of some kind of waste material or foods or whatever is in there. There's trash thrown in there and no one seems to be doing anything about it, nobody seems to care about anything about it. It's highly visible from the street. I starting to get flooded with calls from people who walk be there especially from the Castle Hills people and Councilor Cavallo as well. Something really needs to be done and I want to file an official complaint to the Health Department to ensure that they take some action to get that property owner to clean that thing up. It is terrible that that exists. That should never exist in this community or anywhere. It's terrible that anyone would allow that on their property. ...if you take a look from that new car wash or by the CVS and who know anything else? I mean I can't understand why people aren't taking care of their properties. But again I request a special letter be sent, a formal protest, and Health Department take action on cleaning up that property.

President Letellier – Do you happen to know the address?

Councilor Rossi – I don't though I can get it if...

President Letellier – We'd have to have the address to put it in the letter and if any other Councilor wishes to join in, let me know and...

Councilor Rossi – I did go to the DPW this afternoon and I did look at it and I had a conversation with Councilor Cavallo on this because I thought that perhaps it belonged to Castle Hill property because when the Council mailed that 83 Zone change that there was like a pie wedge shaped that wasn't used for the initial building for Castle Hill and now I don't know if that was just left there because it was unbuildable or what the situation was. But I know again I don't know who owns that, I don't know if it goes back to the original owners of the property who developed it or who it belongs to. I really don't know. I don't even know if there is an address there. But all I saw was this on the map. I'll try to do my best. I'll try to give the information to the Council Clerk tomorrow.

President Letellier – Okay. Thank you.

Councilor Cavallo - Yea. I'll check with our Board too. I'll check on the Board to see exactly who does own that property. We may have records of it.

President Letellier – Okay. Thank you. Councilor Rheault?

President Letellier – Nothing tonight. Thank you. Councilor Perry?

Councilor Perry – Nothing this evening, thank you.

President Letellier – Thank you. Councilor Calabrese?

Councilor Calabrese – As you all are aware about the death of John Burns and I just want to send my heartfelt condolences to his family. He really was a wonderful man and he'll be missed greatly. Thank you.

President Letellier – Thank you. I'm sure everyone from the Council sends their condolences to Martha and to John's children. And we do our best to try to take a new member on the School Committee but it won't be replacing John. Thank you. Do we have a motion to adjourn?
Moved by the Council, seconded by the Council. All in favor? Ay. Opposed? Thank you.

Adjournment.