

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

DECEMBER 1, 2008

President Letellier – Welcome to the Agawam City Council meeting of December 1, 2008.

Item 1. Citizens' Speak Time

President Letellier – And we have two speakers this evening. The first is Richard Theroux. Richard?

Richard Theroux – Thank you Council President Letellier, Council members, ladies and gentlemen. My name is Richard Theroux. I am Chairman of the Senior Center Building Committee and I'm before you for the last report on the Senior Center. Fourteen months ago, I came before you along with the administration to ask this Council to approve the bonding for that center and as we are all aware, this beautiful building located on Main Street is 95% complete. I wish to thank publicly the committee that I had to work with starting with the Vice Chairman of the committee, Councilor George Bitzas, the late Pauline Paquette, the late Kathy Cote and Jane Schmidt and certainly two main members of the Friends of the Seniors, Don Cerall and Emil Cote. These people have been invaluable to not only me but to the administration in moving this project along. As I stated, we are 95% complete and the Council had an invitation last week to view the building unfortunately scheduling back and forth, different councilors couldn't make it, so I'm going to make this offer here this evening that I or Councilor Bitzas would be glad to take any individual councilors through the building at your convenience. Just get a hold of either one of us, preferable me during the day if that's workable for you and the reason I say that is because the building has not been turned over to the community at this point and there are conditions and safety conditions that have to be met so you have to go through with one of the committee members and if you would like just call me or call Councilor Bitzas who's offered that also and we'd be glad to just take you through the building before it's going to be opened. Speaking of the opening we are hoping that this center is going to be open the first of January. We are, at the present time, working room by room with the Friends of the Seniors committee and doing the furnishings for each particular room. As you are aware, the Friends of the Seniors have raised over \$200,000.00 for furnishings for this center. That will not come out of the bond. We are confident we will hit below that mark and certainly have the furnishings that are suitable for this wonderful structure. Now I will say this that in my closing remarks from the times that I've come before you, each time, each section was a challenge. We met that challenge. This building will be on time and on budget. It was not without problems however, I think we overcame them. In a short period of time the administration, Mayor Dawson and Attorney Johnson, will be before this council with the agreement with the Agawam Housing Authority and I know the Council's aware of the issues there. The Housing Authority were tough negotiators on what they needed for their residents as well as the administration negotiating what we needed for the Senior Center. We've come to what all thinks is a pleasing spot, a compromise and I think we're gonna work out the

issues that we have there. Again, nothing is without a little compromise and a little friction, but I'm confident that that is going to be before you within the next few weeks and we will move forward. Again, it's a project that was done at a different time, certainly a better economic time. So, in closing I certainly want to address that. This Council is certainly more aware of the budget considerations that will be coming before you and that came before you fourteen months ago. This is a very expensive project but it is also a project at this point in time that I believe that even in these economic times, this project will improve the fabric of our community especially for the seniors that are gonna use it and the seniors that are coming. And also I believe that this building will be used for many issues that the town has, meetings and other programs. We're hoping to have the bulk of it for the seniors but will give the building more usage. But in the throw of economics, the area that we're dealing with is a senior population that has found, certainly as we are all aware, their personal finances to be stretched. They will be allowed to use that senior center on a day to day basis, a place to go and meet new friends and reacquaint with old ones. The dining facilities itself are absolutely overwhelming with the seating capacity of 250. This also will allow and a very major point is the expanded kitchen facilities that will allow our seniors program for Meals on Wheels to be expanded. The one hot meal that a senior might be getting for the entire day will be delivered out of that center and expanded. So even though we all understand the expense of this building and no one more than me, every Tuesday meeting with the committee and meeting with the construction crew, seeing these dollars being spent, but I believe and I did fourteen months ago, that this is money well spent for our community, well spent for our seniors. They certainly have stepped up to the plate with the fundraisers and other items that they have done to raise that \$200,000.00 to furnish this building and I believe that when we open it, you will be very proud, not only of your vote but of your commitment to have this new Senior Center be part of our community. And in closing, I again, thank you for that commitment fourteen months ago. We will be opening again in January and if you find the time and the interest to do a tour before that opening, please contact me or Councilor Bitzas and we will make the time to show you a building that you all have been part of and I thank you for that and I thank you for your support and I thank you for your attention this evening.

President Letellier – Thank you Richard. Next we have Michael Grandfield.

Michael Grandfield – Michael Grandfield, 27 Dorwin Drive, West Springfield. Good evening. I'm sure you'd all be disappointed if a member from the Chamber of Commerce wasn't here arguing to lower the taxes on all our businesses so that's why I'm here tonight. The Agawam Chamber of Commerce as you know has been advocating for a reduction in the amount of property taxes that has been shifted onto the business community. As you all know many communities have a single tax rate many years ago Agawam elected to have a split tax rate whereby the residents pay one rate and the business owners pay another. As recently as 2004, the percentage that was shifted onto business was under 140%. The next year that amount jumped to over 160% and now this evening we understand that the shift is proposed to go to the maximum allowed by current law of 175%. While many may choose to concentrate on the tax rate itself, this shifting of the tax burden onto the business community is real and results in businesses

paying more and more of the subsidy to the other tax payers. Using last years figures, the business community paid a \$6.7million premium in Agawam due to this shift. While we are not asking tonight that everyone be taxed at the same rate, that decision was made many years ago, we are asking that some of this heavy burden be lifted from the business community and that the shift be lessened from its current 174% to help Agawam continue to be a desirable community for existing and potential new businesses. On a separate matter, we would like to thank the Town Council for their hard work in dealing with the complexities with one of our local businesses namely Six Flags in its supporting the streamlining of the approval process for the some of their new rides. We thank you and look forward to working and improving the support, communication and cooperation between the Chamber of Commerce and the Town Council. We really do thank you for all your hard work. Thank you.

President Letellier – Thank you Michael.

Item 2. Roll Call

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

ROLL CALL – 10 Present, 1 Absent (Councilor Rheault)

President Letellier – Yes, thank you. Councilor Rheault will not be here, I believe due to illness. He shouldn't call you, he should call me. He should call the Council President and not Councilor Cavallo, but that's okay.

Item 3. Moment of Silence and the Pledge of Allegiance

President Letellier – Could you please rise?

Item 4. Minutes

(a) Regular Council Meeting – November 17, 2008

President Letellier – Sorry, I just wanted to say that I meant that completely in jest, about him calling me and not you. I meant it in jest, I don't want anyone to take offense and before it becomes a fire storm, I meant it completely in jest, I apologize. Next we have the minutes of November 17, 2008, moved by Councilor Simpson, seconded by Councilor Perry. Any discussion? No? All those in favor please signify by saying Ay. Opposed? Okay, we have passed them unanimously.

Item 5. Declaration from Council President

None

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 11/17/08) (Majority of those present and voting)**

President Letellier – The item is on the table, do we have a motion to remove it from the table? Moved by Councilor Calabrese, seconded by Councilors Bitzas, Cavallo and Rossi. Any discussion? Oh, I'm sorry. Forgive me, my brain's still not here yet. Could we please have a vote on the motion to move from the table? Barbara, could you call the roll?

ROLL CALL – 9 Yes, 1 No (Councilor Perry), 1 Absent (Councilor Rheault)

President Letellier – With a vote of nine yes, one no, you've taken the item from the table. Is there any discussion? Councilor Bitzas?

Councilor Bitzas – Yes. We have had this for six months now we've tabled and I respectfully ask the Council to either take off the table or just vote against it until if they need it in the future so they can come back to us and ask for the money and we can act. Thank you.

President Letellier – Thank you Councilor Bitzas. Councilor Cavallo?

Councilor Cavallo – Yea. I concur. I feel that it's been on the table long enough. I was voting in favor of keeping it on the table but if something occurs where some kind of legal assistance is needed on behalf of the ZBA, okay, we would certainly support them since they do work for us.

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

Councilor Perry – Yes, thank you Madam President. Has any information been forwarded to the Council President, any manner in regards to this item?

President Letellier – The last I spoke to the Mayor and I asked her a couple of weeks ago, or less than a month ago, the plaintiffs still had the suit on file even though Six Flags, the issue is no longer there because the Dark Knight obviously never went up. So for some reason this lawsuit is still pending but I would agree that this can get brought back up if the plaintiffs were to go forward. I don't think is the...for the issue at all, but as far as I know the lawsuit is still pending.

Councilor Perry – Thank you.

President Letellier – Thank you. Barbara, could you call the roll? A yes vote is to ask the Mayor to appropriate funds, a no vote is to not ask the Mayor to appropriate funds at this time. Thank you.

ROLL CALL – 2 Yes (Councilors Mineo and Perry), 8 No, 1 Absent (Councilor Rheault)

President Letellier – With a vote of two yes, eight no, one absent, the item has been defeated.

Item 7. Report of Council Committees

1. Council Sub-Committee

(a) Rules & Regulations – Councilor Calabrese

Councilor Calabrese – Thank you. The Rules and Regulations Committee last met in the third quarter of this year and at that time we had discussed updated the rules and streamlining a newer form putting some of our Rules and Regulations into uniform text and that is going to be done, I got a little behind having to sit in the President’s chair for Madam President but...tough shoes to fill. I will be bringing all those updated rules and regulations. Thank you.

(b) Utilities & Street Acceptance – Councilor Mineo

Councilor Mineo – We did have two meetings scheduled and only one meeting came off. At the last City Council meeting on November 17th I did not open up the meeting due to the Western Mass Electric representative did not show up for the meeting and there was some residents there that had some questions about a pole relocation over on North Westfield Street. That meeting has been rescheduled to December 15th and all the abutters were contacted again for that meeting. Come to find out that is not a pole relocation. They are actually going to be putting in a new pole. We did have another meeting tonight where my committee met and a lot of the councilors showed up here, Councilor Bitzas, Councilors Rossi, Cavallo, Simpson, Councilor Calabrese and my committee members Jill Messick and Bob Young. Western Mass Electric came in and did a presentation on a new infrastructure project that will be going on here in Agawam or actually it will be going from Ludlow to the Connecticut line and WMECO will keep us abreast of the project and it’s gonna be, it will be a better thing for Agawam to strengthen the grids. Thank you.

(c) Licenses – Councilor Rossi

Councilor Rossi – Yes, thank you. The Licensing Committee have been meeting, Councilor Cavallo, Councilor Simpson, we have been meeting periodically throughout the year for the issuance and renewals of assorted licenses, automobile licenses, dealer licenses, and the like and everything has gone very smoothly. This Council has passed

all the renewals and the applications and I'm happy to say that everything is going well on the licensing end.

President Letellier – What a pleasant change of place, huh?

(d) **Public Safety** – Councilor Perry

Councilor Perry – Yes, thank you Madam President, I agree it's been calmer in the licensing than before, definitely. Our Public Safety Committee met once this last quarter on November 20th at the Agawam Library. Myself as chairman, my committee members, Robert Rossi, Councilor Rossi and Donald Rheault were present as was Councilor Mineo. I had asked that the Police Chief show which he did, we had the Deputy Fire Chief there, we had Lt. Gilles from the Police Department, Traffic Division and Jack Stone. We had two items of agenda that evening, one was the discussion of Shoemaker Lane, the curve which was brought to our attention by a gentleman at Citizen's Speak Time and also the second item of agenda was the posted speed limits on Silver Street which was brought to our attention by Councilor Mineo. We had a good discussion on, there was also probably about fifteen people from the public at our meeting, and we had a very good discussion. I was very pleased with the turn out from the administration with the police and fire and our DPW. They brought some real good input to that meeting. The history with Shoemaker Lane and Silver Street – they were redone back in the late or mid-80's and they were widened and repaved and we had a lot of sewer lines and things put in. A lot of the money to do that was funded by the state so for the town to go in to and say let's change the speed limits on those streets, we can't just do that. We would have to have engineering studies done, traffic studies done and state approval to do that. So we had a lot of discussion on how to try and make that curve safer on Shoemaker Lane. Some of the ideas that we came up with and I'm not sure if anybody's been done there since our meeting but they have the automatic speed limit sign there showing the speed limit of the cars approaching the curve. These were all suggestions from the police department. They are also doing a study for us over a thirty day period which will report back to our committee in regards to the average speed that people are traveling on that road. They have radar traps there now. DPW is going to improve the signage there. They are also gonna put, I believe they call it, Chevron signs up on the curves, they're kind of angled and reflect that the curve is there. So overall it was a very good meeting in regards to Shoemaker Lane so we still have more work and we'll be meeting in about a month on that. In regards to the posted speed limits on Silver Street, there is none. Again, it was the engineering from the state when we redid that road, estimated or put the speed limit on that street so for us to change that we would have to go through a lot. But back in 2001, a resolution did come to this Council to post the speed limits recommended by the state. At that time the Council elected not to go through with that resolution but our committee talked with Jack Stone, the police, cuz our hands are tied, they're not posted, no posted speed limits so its' very difficult for them to issue a traffic speeding ticket and it could be beaten in court very easily because there is no posted speed limits so there will be a resolution coming through our committee in the near future to try and have the speed limits posted on that street. So overall I thought it was a very good meeting and I want to

say thank you to the police and fire, DPW and my committee members. It was a very productive meeting. Thank you.

President Letellier – If I may with my memory, was that the resolution which it was defeated because the change in speed limit, there were so many frequent changes along the one street that it would have been impossible for a driver to really follow it? You had to go down ten miles an hour every couple of feet, every couple hundred feet?

Councilor Perry – Well, yea, and it's changed a little bit since then and Bobbie can correct me if I'm wrong. You're correct, from Suffield Street up about a quarter mile it's like 25mph because of the intersection then from there going up past Malone's and up the hill, it goes to 30mph and then when you get above and around past Garden Street, the rest of it going down which is really all industrial it changes to 40mph. But the thing is right now with having nothing there, it's very difficult for the police, you're really tying their hands in regards to being able to do anything there so Jack is re-writing that resolution. We'll have another meeting on it probably right after the first of the year and then we'll move forward with it.

President Letellier – All right. Thank you. I just wanted the public to know why we didn't pass it or want it. That was my memory was that it seemed like it was too confusing because there were three speed limits within a very short period of area. Okay. Thank you.

(e) **Ordinances** – Councilor Rheault

President Letellier – Is someone on the committee going to give the report? Okay, thank you, Councilor Cavallo.

Councilor Cavallo – Thank you Madam President. Mr. Rheault asked me to give the report tonight and basically in the quarter there were four meetings and all of them were joint meetings with the Jill Messick's the chairman of the Zoning Review Committee and they were very productive meetings. We discussed the following and many of these were voted on by the Council. The first was TOR-2008-2 regarding the height ordinance of rides at Six Flags and also the next one was the enforcement and penalties for violations of zoning ordinances and the third of course was TOR-2008-4, the sign ordinance. We discussed those on October 1, 2008 and then on October 20th there was another meeting and here we dealt primarily with the sign ordinance. Then on November 10th the third meeting was held between both committees and the sign ordinance was another one that was brought up again and by a vote of 2-0 by the Ordinance Committee and 2-0 from the Zoning Committee, we sent a positive recommendation to the Full Council for approval as amended and approved at a previous City Council meeting regarding the sign ordinance. Then at that last meeting on November 10th, there was discussion of TOR-2008-5, the trench permits and again by a vote of 2-0 on Ordinance Committee and 2-0 from the Zoning Committee, again, the vote was to send a positive recommendation to the Full Council for approval. Tonight, we met again a joint meeting to discuss the noise ordinance and this came about as a result of a complaint by a neighbor in that area that

there is excessive noise given off by the rides at Six Flags and we examined the ordinance and it's Section 121-1, Section E, and the noise ordinance specifically states that amusement parks are exempt from provisions of the noise ordinance. After some discussion between both committees, we felt there was really no need to go ahead and establish or write an ordinance. We felt that if that was to be done it would simply present more problems. It'd be very difficult to enforce as well. So the committee decided and again unanimous vote of 3-0 by the Ordinance Committee and 3-0 from the Zoning Review Committee, that we would, the noise ordinance would remain as it is, as it exists now in the code and that concludes my report.

(f) **Zoning Review** – Councilor Messick

President Letellier – Ditto or?

Councilor Messick – I will concur with the report of Councilor Cavallo as far as the meetings that were held jointly with the Ordinance Sub-Committee which we normally do but I did have one committee meeting all by myself without the Ordinance Committee and that was the meeting on October 27th attended by Councilors Rossi and Bitzas and myself in discussion of TO-2008-43 which was the Grace Baptist Church Zone change so that they could pursue disposing of that property and we voted 3-0 to send a positive recommendation to the Council. Thank you.

(g) **Finance** – Councilor Young

Councilor Young – Yes, thank you. In the fourth quarter we, the Finance Committee, met three times in October and once recently on November 19th. Oh, I'm sorry, once in October on three different matters. October 6th we met on items TO-2008-39 which was a transfer of \$5137.68 to the Council temporary salaries account, also TO-2008-41 which was a transfer of \$2000.63 to the Assessor's salary account and finally on that date we discussed TO-2008-42 which was a transfer of \$1807.26 to the Mayor's salaries account which are all negotiated salaries, one within the budget, two outside the budget and all three matters were given a positive recommendation from the Committee and then went to the Council for full approval which they passed. On November 19th, we met and reviewed TR-2008-52 which we'll be discussing and holding a hearing on tonight which was the adoption of the residential tax factor for 2009 which I will give a committee report later on on the matter. I would like to, that concluded our business in the fourth quarter thus far however, I think we'll have several other matters before us before the year is over. I would like to thank my committee members, Councilors Rossi, Mineo, Perry and Calabrese and also special thanks to our City Auditor, Cheryl St. John, our Treasurer Laurel Placzek and our Assessor, Kevin Baldini. They attended several of the meetings in the fourth quarter thus far and maybe more to come and again without their hard efforts we wouldn't be able to make the business happen. Also, special thanks to our Council Clerk, Barbara Bard, for all her efforts in coordinating the meetings and minutes and that's the Finance Committee report so thank you.

(h) **Industrial Relations** – Councilor Perry

Councilor Perry – Yes, thank you Madam President. We did have one meeting this past quarter. We met at the library on Wednesday, November 12th. The item of discussion was Easthampton Savings Bank and the possible location on Main Street. I met with Debbie Dachos and three members from Easthampton Savings Bank on that day. They have purchased the property on 770 and 768 Main Street to locate a new branch there. We're in the preliminary planning stages at this point in time and one of the things that they're looking at is there's a small portion of land and this is where the old Agawam Public market is, there's a small portion of land that the Town of Agawam actually owns. We actually inherited that property from Hampden County when it was disbanded from the state and we're looking at the possibility of them possibly purchasing that. I'm working with the City Solicitor right at this point in time and we'll be having, my committee will be having another meeting, hopefully next week in regards to this and at that point, I'll have more information in what we may bring forth to the Council for possibly the sale of that property so that's my report. Thank you.

(i) **Ad Hoc Sewers** – Councilor Rossi

Councilor Rossi – The Sewer Committee met a couple of times over the fall as you all are aware then we came back with a revised plan and that plan was presented to the Council and it was approved and as it stands right now the sewer, the bonding and everything has been authorized and everything is going as planned. I do intend to call some meetings after the first of the year with the committee to make sure that we stay on target and things progress with the first phase and we are hoping that that first phase will take place at the first ground breaking in the springtime but I will report to the Council after the first of the year with a further update as to what's going on and I will keep the Council posted as well as the community as we get closer to ground breaking. Thank you.

(j) **Ad Hoc Recreation** – Councilor Bitzas

Councilor Bitzas – Yes, we did not have a meeting this quarter. Hopefully when spring comes, we will have more meetings about the new park down on School Street. Thank you.

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

Councilor Simpson – Thank you. Nothing was referred to our committee during this time frame.

2. Report from City Auditor

Cheryl St. John – Good evening. During the past quarter the Accounting Department has successfully completed all the financial reporting for the Town of Agawam for the fiscal year 2008 which ended on June 30th. Our department processed bills up through

July 15th for the fiscal year 2008 and from July 15th through the end of November we have been extremely busy. We have prepared all the financial reports which included the annual report, the Department of Revenue annual checklist, the supporting schedules, the Schedule A, Schedule 1, the Schedule 19 and the Community Preservation CP1 and CP2. The Town of Agawam's annual report is a thirty page report which includes a balance sheet, a budget analysis, a debt schedule, accounts receivable reconciliation, and other miscellaneous schedules. A copy of this report was distributed to the auditors, the Department of Revenue, the Mayor and the Council. During the summer the Department of Revenue came in and trained us on their new Gateway software. We are now required to submit all of our reports to the DOR electronically through the Gateway system which is on the internet. On September 15th, I prepared and submitted the Community Preservation CP1 report to the DOR with the Assessor. This form is required in order for the Town to receive the Community Preservation State revenue match. I also prepared the Community Preservation CP2 report and submitted it to the DOR on September 24, 2008. This report summarizes the 2008 fiscal year activity in the Community Preservation Fund. In September, I worked with Renee Jury in the School Department to prepare the end of year school report due to the Department of Education on September 30th. I assisted her in preparing the Schedule 1, the 2008 actual figures and the Schedule 19, the 2009 estimated figures to make sure the Town complies with the net school spending requirements. In fiscal year 2008, the Town of Agawam's required net school spending amount was \$35,631,965.00. In fiscal 2008, we spent \$42,597,629.00. This included the school appropriation plus the school's share of amounts the town spent on administration, nursing, maintenance, employee benefits, active and retiree health, dental and life insurance, all out of the town budget. Agawam exceeded net school spending in the fiscal year 2008 by \$6,965,664.00. The fiscal year end checklist along with the cash reconciliation form, Treasurer's quarterly cash report, Schedule of outstanding receivables, statement of indebtedness, detailed analysis of undesignated fund balance, and the balance sheet were submitted to the DOR through their new Gateway system on October 2, 2008. From this information, the DOR certified the Town's free cash on October 6th in the amount of \$5,823,815.00. They certified the retained earnings for the Water Enterprise Fund in the amount of \$2,109,972.00 and the Golf Enterprise Fund in the amount of \$104,798.00. October 6th through October 10th the Town's independent auditing firm, Powers & Sullivan, performed their field work for the town's audit. I provided them with the necessary financial reports to perform their field work. They will issue a report on the examination of the basic financial statements within the next few months and that will be forwarded to each of you. During the month of October, I prepared the 66-page Schedule A which was submitted to the DOR on October 27th. This report summarizes the fiscal year activity for funds. If this report is not submitted timely, the state will not issue the town's quarterly payments. The previous auditor paid our independent auditors, Powers & Sullivan, \$3,500.00 every year to complete this Schedule A. I have saved the town \$14,000.00 preparing this report myself since I was hired. Currently, I am working with the Assessor to complete the tax rate recapitulation forms that are submitted to the DOR to finalize the new tax rate for the new fiscal year. As of today, all of the accounts payable are up to date and paid as soon as we receive them. We process accounts payable warrants daily and in the fiscal 2009 from July 1st through today, the principle clerk in the Accounting Department has processed over seven

thousand invoices. In the payroll area, we have had a very busy quarter too. With temporary summer help for public works, the golf department and the election workers, we have been busy setting up these new employees in the payroll. In addition, when contracts are settled we have to calculate the retroactive pay. During the time of the year we are contractually obligated to pay additional pays such as longevity, firearms, and holiday pay which also creates additional work for the payroll girl and Laurel. There were five holidays over the summer and the fall which gave my administrative assistant less time to process payroll but my staff worked as a team and were able to meet these deadlines in order for the employees to have their direct deposits on time and Laurel too. This past quarter was extremely busy in our department and we have successfully closed the fiscal year and prepared and submitted all the financial reports prior to their deadlines. If any Councilors would like to see any of these reports or if you have any questions, please feel free to stop in my office and I'd be happy to meet with you. Thank you.

President Letellier – Thank you Cheryl. I think that's an excellent addition to our agenda to have the quarterly reports. Thank you.

Item 8. Elections

None

Item 9. Public Hearings

1. **TR-2008-52 - A Resolution Adopting a Residential Factor of .811267 Pursuant to Massachusetts General Laws, Chapter 40, Section 56. (Mayor) (Referred to Finance Committee) (Majority of those present and voting)**

President Letellier – Do we have a motion? Moved by Councilor Perry, seconded by Councilor Rossi and Councilor Bitzas. Do we have a report by the Finance Committee? Councilor Young?

Councilor Young – Just a point of order, aren't we supposed to have a public hearing and then do the reports and discussions afterwards? I wouldn't want to taint the, or prohibit anyone from speaking because of our report but –

President Letellier – You are correct. You are correct. My error. I'm still getting back into the swing of things. I apologize to everyone. I'm sorry. All right. So I call the public hearing to order. All those in favor will speak first, then all those who wish to speak against will speak second, third we will have those who wish to speak in favor in name only, last is those who wish to speak in opposition in name only. Who is presenting on behalf of the town? Are you presenting Laurel? Kevin? Okay, come on up. Please state your name and address for the record and you have ten minutes to speak. Of course we'll be happy to extend if you need it.

Kevin Baldini – Kevin Baldini, City Assessor. I met with the sub-committee, Laurel and I met with the sub-committee on December 19th and presented the information regarding

the tax rate and I don't know if the Council wants me to go through the presentation again or just ask questions of me or what would be the best?

President Letellier – Perhaps you could summarize for the public how the town came to this factor. I don't see that the Mayor is here so perhaps you can let us know how she came to that figure.

Kevin Baldini – Okay. Most of the information is on the last two pages of the booklet that I prepared for the Council and what is does on the second to last page just gives sort of a track history of from fiscal year 2000 to the current where the residential and commercial average values and average tax bills have gone. Last year the average tax bill was \$2690.00 for the residential tax payer and that would go up to \$2811.00 which is an increase of \$121.00 at the maximum shift of 175%. At that shift the commercial values which actually dropped slightly during this update that we had, our tri-annual update, would go down \$53.00 at the maximum shift. I guess there's a chart, I also prepared a chart that I sent out this week which shows the comparison between some of the surrounding communities and the commercial and industrial split communities such as Chicopee, Holyoke, Springfield, West Springfield and Westfield and the chart shows that even with the increase that we have this year, we're still the lowest commercially and residentially in the area with the competing communities. I've had, Chicopee had their rate set and so I was able to get the information for 2009 from Chicopee and Westfield and Chicopee's rates actually went up \$0.84 on the residential rate and up \$2.11 on the commercial rate and Westfield's went up \$.040 on the commercial rate and I know I wrote it down somewhere, \$0.40 on the residential rate and a \$1.11 on the commercial rate whereas Agawam is going up \$0.33 on the residential rate from \$11.74 to \$12.07 and \$0.40 on the commercial rate from \$25.64 to \$26.04 at this shift. So comparatively to other communities it's still the lowest residentially and commercial rate of the surrounding communities.

President Letellier – Thank you. Any questions for the Assessor? Councilor Bitzas?

Councilor Bitzas – Yes. Mr. Baldini, can you explain to the Council and also for the people that are watching us tonight, this seems like the people they pay more taxes even though it went down a little bit, can you explain about the valuation of the houses? Did they drop now? They should be down, the rate, or how the state, I know it's a couple years ago, the valuation, can you explain the valuation, the state law, so the people can understand a little bit better and us too?

Kevin Baldini – Sure. The values actually, residential values for fiscal 2009, are based on the 2007 market. There's based on 2007 sales and the average value in 2008, last year fiscal 2008, was \$229,500.00 and it's actually going up slightly to \$232,000.00, an increase of about 1 ½% and that's based on 2007 sales. The 2008 market, I did a little study before tonight's meeting and I don't have hard figures obviously but it is slightly, declining slightly and the commercial/industrial values like I said did go down a little bit and that's why that shift, even though we're shifting to the maximum level of 175% or that's the recommendation, the commercial/industrial values still, since their values

declined, even though the shift was 175%, their average tax bill still went down \$50.00 where the residential values because they went up slightly, their average tax bill went up \$120.00. I don't know if you want me to get into Proposition 2 ½ and how that works. I don't know if that was part of your question, I'm not sure.

Councilor Bitzas – If you would like to elaborate, yes, and then I have another question.

Kevin Baldini – Sure. Proposition 2 ½, I think a lot of people misunderstand, it doesn't mean an individual or a business is taxed, individual tax can't go up more than 2 ½%, what it is is an increase in the tax levy from one year to the next. If our tax levy is for instance \$1 million one year, last year, you multiply that by 2 ½% to come up with \$1,025,000.00 and then you have say \$25,000.00 in growth so it's \$1,050,000.00 – that's what next year the town can levy in taxes. How that's distributed between individual tax payers has nothing to do with the 2 ½ % so that's how it works. We're constrained, every city and town is constrained to go up only 2 ½% each year in their levy.

Councilor Bitzas – Okay and the next question, I asked the last time, is there any way by law to bring the taxes lower than what was presented to us?

Kevin Baldini – The residential rate?

Councilor Bitzas – Yes.

Kevin Baldini – No. We're at, the 175% is the max.

Councilor Bitzas – So this is the lowest we can go for it?

Kevin Baldini – Right.

Councilor Bitzas – Thank you.

President Letellier – Thank you Councilor Bitzas. Any other questions for Mr. Baldini? No? Thank you very, very much. Anyone else wishing to speak in favor? Please state your name and address.

Marc Katsoulis – My name is Marc Katsoulis, 18 Maple Meadows Lane, Agawam. I want to wish everyone a Happy Holiday and belated congratulations to the President on her recent birth. I didn't get a chance to give you a call or anything. I apologize. I'm hear tonight and I hope it's gonna be a little refreshing, every year at this time as the previous speaker already mentioned, we have a tradition, I'm hear to speak on the tax rate and the tradition is always the Chamber of Commerce, the business interest, this year we even had two full page ads in the paper representing the business community. I don't know if I'm being a little bit refreshing or boring but I thought I'd come in tonight as a resident and I'm like everybody else. I'm retail friendly but I also think we have to look out for the retail end of it and I can't compete with the Assessor who did such an excellent job, and took a little wind out of my sales which I knew he would but the two

things I want to stress and for me this will be refreshing cuz I'll be very brief, number one how hard the Mayor and your Finance Committee and the Assessor worked on this and number two very important, Agawam's comparison with other communities. This community has a lot to be proud of and none of us want taxes if there ever was a trying time in this country, it's now. And everywhere you go you hear Agawam is the lowest and I hope after your Finance Committee makes their report, you'll listen to the Assessor and you will also listen to the Mayor and I hope this Council will vote the present recommendation and represent the residential end of things for the people of Agawam. Thank you.

President Letellier – Thank you Mr. Katsoulis. Any one else who wishes to speak in favor of the proposed tax factor? No? Seeing none, anyone who wishes to speak in opposition to the proposed tax factor? Seeing none, anyone who wishes to register in name only as being in favor of the proposed tax factor? Sure, come on up if you'd to. Please state your name and address for the record.

Treasurer/Collector – Laurel Placzek, Treasurer/Collector. As a Collector I'd like to keep the residential rate a little lower.

President Letellier – Thank you. Anyone else wishing to register in name only as being in favor of the proposed tax factor? Anyone wishing to register in name in opposition to the proposed tax factor? Seeing no further speakers, I close the public hearing. And now may I have the Finance Committee report? I'm sorry. I'm doing okay guys, I'm getting back in the swing of things.

Councilor Young – Okay. Thank you. The Finance Committee met on November 19th at 7:00pm. In attendance were the entire Finance Committee, Councilors Rossi, Young, Mineo and Perry and Calabrese, didn't want to read my own name, sorry. Also in attendance were again our City Assessor, Kevin Baldini, City Treasurer/Collector Laurel Placzek, City Auditor Cheryl St. John, also in attendance were Councilors Messick and Bitzas as well as one resident, Billy Chester. Again, after reviewing the information we just heard from the Assessor and the other folks again the percent, again and just to remind the community and the board and the audience our job, basically our job and by law what the town and the Council have to do is come up with a tax rate that will meet the financial budget that was voted on back in July so again not everyone here voted for that budget but again our job here is simply to come up with a tax rate that will meet and fund that budget that we approved six months ago. Again, our hands are tied, they can't, we have a table that's provided by the state that only gives us so many choices which really in my eleven times doing this, we have little choice, very little choice for us to make here other than the shift. Again, so based on that and the budget that was approved again the increase of the rates that were proposed, residential – a 2.8% increase and the commercial increase of 1.6%, with all the information that we just discussed the Finance Committee voted 5-0 to send a positive recommendation to the Full Council for approving the proposed tax factors. Thank you.

President Letellier – Thank you Councilor Young. Any other discussion from the Council? Councilor Bitzas?

Councilor Bitzas – Yes, I did attend with the Finance Committee and I had two questions for the Assessor and the Treasurer and I supported it that time and I continue to support it this time the tax rates and as I can see down here in the nice graph, we are the lowest in the area. We pay \$12.07 tax rate in residential and the commercial rates \$26.04 compared to four other cities and towns. Do I like to see those taxes down? Absolutely! And I ask the city officials if there's any way they can drop those rates down and they said no, they cannot do it so I actually we have no choice than to support it because this is the lowest we can go either way for the commercial and the residential. I wish there was a way to bring this down, the taxes, to help myself and all the residents but we cannot do it. So with that, I hope the Full Council supports it. Thank you.

President Letellier – Thank you. I'm not sure who was next we'll just do Councilor Rossi and then Councilor Cavallo.

Councilor Rossi – Are we still in the public hearing or?

President Letellier – No I closed the public hearing.

Councilor Rossi – Oh, you did? I'm sorry. I'm sorry. Let me just respond a little bit on that. I agree that we do have the lowest tax factor in the area but we certainly have the lowest tax bills in the area and there's a little bit of a difference there. And yes, you're absolutely right as the Chairman of the Finance Committee said, we really didn't have any choice, we have to establish a factor because we have to get the tax bills out based on the budget that we passed over here. But the way to get the tax bills down is just not to have so much of a budget. I don't know any other way to put that. I wish I could say something a little differently but the only way to do that is by having a smaller budget. I wasn't in favor of the budget and didn't vote for the budget but I guess I have to vote for the tax factor because I think that's the only way we can do it. But I don't want anybody to be misled here. Just because Agawam has the lowest tax rate around doesn't mean we have the lowest tax bills because we don't. There are people who have a much higher tax rate in this area who pay less taxes than we do in Agawam. So let's be perfectly honest about it. The only way to get it down is through the budget process and I think Councilor Perry said it quite aptly at budget time be very, very careful because in December or November, we're gonna be looking at the tax factor and everybody is gonna be screaming about their tax bills. Now this \$121.00 represents an average figure of this entire community which means some will probably pay a little bit less but some will be paying extremely more because it is an average. So as I said at the sub-committee meeting I voted for this but I want an asterisk placed next to my vote and my approval for it. Thank you.

President Letellier – Thank you. Councilor Cavallo.

Councilor Cavallo – Question to Laurel, can I ask Laurel a question?

President Letellier – No. We would have to go into Committee as a Whole for you to do that, which is not a problem.

Councilor Cavallo – The only question I have is when will all this take effect on which bill, which cycle? The increase? Okay,...the Assessor, it was stated by Assessor Baldini that based on 2007 real estate assessments, of course since that time we've all taken big dips and people are finding that out when they sell their homes that they're not getting in some cases what they paid for them and yet, these taxes still have to be paid, that's an unfortunate tragedy of this whole thing in a bad economy like this but again, the bills have to be paid and I am taking to heart some of the points that Councilor Perry has made in the past and also Councilor Rossi made this evening that next time around, I'm a new councilor, next time around I will look very carefully at that budget as I try to make some moves as I did in the School Budget during the summer that there is gonna be a time where we're gonna have to say no and there are many cities and towns who have said no and have reduced their budget and they said no in the school portion of the budget and I think it behooves all of us here to really scrutinize next time around because I know I will. As Councilor Bitzas said it's too bad there wasn't a way we could lower the taxes but we can't so I think we still have to provide services but at the same time let's be economically wise here and I take the wisdom from both of my colleagues here. Thank you.

President Letellier – Thank you Councilor Cavallo. Councilor Calabrese?

Councilor Calabrese – Just when Councilor Rossi said with regard to budgeting I think it's no secret I don't think I've voted in favor of a budget for the last three years and just for this reason alone. We are up against furthest tax shift that we can have now going forward. We can't shift this any further. This is the maximum amount of shift and I do listen to what Councilor Perry says every year he reminds us remember people this is what we're gonna be setting the tax rate on in December and here we are setting the tax rate. In previous years the shift has not been to this extreme, the last time we did the shift it was at 1.74% and now we're up at 1.75% and I do want everyone to keep this in mind at budget time. Thank you.

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

Councilor Messick – The Mayor has asked for budget cuts from all the department heads and this is because we are in a financial crisis. What I would like to see is us make those cuts and then try and continue working forward with those cuts in place. If it's possible to make those cuts in a crisis, we should be able to make cuts and continue to work and provide the services on an ongoing basis so seeing how severely we're impacted right now, I would really like to continue with a smaller budget because again Councilor Perry, very wise, we're making this shift. And I looked at the shift pretty carefully and I didn't just for the maximum shift, I went looking from an actual cents point of view, it's \$.33 for residential, \$.40 for a business. It's pretty much the closest you can get without raising residential more than business so that's why I'm in favor of this. But again I'm

hoping that we can make these cuts. We can find out they don't hurt that much and we can continue on with a smaller budget because I don't think we can continue doing this infinitely. Thank you.

President Letellier – Thank you. Any further discussion? Just that the public knows, the two tax rates will be as follows – for residents it's \$12.07 per \$1000 of evaluation – and for commercial it's \$26.04 per \$1000 of evaluation. And I see no further discussion. Barbara, could you please call the roll? A yes vote is to approve the tax factor of .811267.

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

President Letellier – With a vote of ten yes and one absent, we've approved the tax shift and I thank Assessor Baldini and Treasurer/Collector Placzek for coming and Cheryl St. John, our Auditor, for being here for questions as well.

Item 10. Old Business

1. **TOR-2008-5 - An Ordinance Creating Article IV of Chapter 155 of the Code of the Town of Agawam Establishing a Permitting Authority and a Permit Fee for Trench Permits in the Town of Agawam Pursuant to M.G.L. Chapter 82A. (Mayor) (2/3) (Referred to Ordinance Committee) (Majority of those present and voting)**

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

Councilor Cavallo – Yes, the committee agreed in a unanimous vote, okay, that we send you a positive recommendation and approve this.

President Letellier – Thank you. Any further? Councilor Messick?

Councilor Messick – I can add a little bit of information about what the trench permitting is about. It has to do with actually digging trenches. Trenches are defined as holes in the ground which are longer than they are wide essentially. In 1999, a three year old died after being buried in a trench in a Bridgewater backyard. At that point in time there were not safety plans in place for holding up the walls of trenches. This is something that the DPW has been required to do for a while. The state government has been requiring people to do for a while and this is kind of a final step in that, in that there were actually requiring us to have a permitting authority. So, the Superintendent of Public Works currently regulates the excavations and will be having them designated as the issuing authority as well. And the trench permit will be \$25.00. Thank you.

President Letellier – Thank you Councilor Messick. No? Seeing none, Barbara, could you call the roll? This is the second of three readings.

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

President Letellier – With ten yes and one absent, you’ve approved the second reading. We have multiple motions to move the third reading. I heard Councilor Calabrese cuz she’s sitting right here, seconded by Councilor Messick. All those in favor of moving the third reading? We need two votes, one is to move the third reading and then actually have the third reading. So, Barbara, could you call the roll on moving the third reading?

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

President Letellier – With ten yes and one absent, you’ve voted to move the third reading and now we will have the third reading. Barbara, could you please call the roll for the third reading?

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

President Letellier – With ten yes and one absent, you have approved the third reading.

2. **TO-2008-63 - Order Granting or Renewing a LICENSE for Amusement Device(s) – The Quest, Inc., 1251 River Road, Agawam, MA. (Clerk)**
(Majority of those present and voting)

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

Councilor Rossi – We do and first of all, let me apologize to the Licensing Committee that it kind of got by me, there was only three of these requests and their relatively similar ones. This one here in question, The Quest, is for 1251 River Road and really it’s just golf video game, two pool tables and a fuse ball table. I didn’t call a meeting but I will defer to every member of my committee who has a problem with it but I find no reason not to renew the license and I would recommend a positive action from the Council.

President Letellier – Thank you. Anyone else from the License Committee or from the rest of the Council have any question or discussion?

Councilor Cavallo – No I concur with Councilor Rossi. I looked them over and they’re fine.

President Letellier – Thank you. Barbara, could you call the roll? A yes vote would be to approve the license for The Quest, Inc.

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

President Letellier – With ten yes and one absent, you have approved the Automatic Amusement Device Licenses.

3. **TO-2008-64 - CLASS II LICENSE for renewal – Sarat Ford Sales, Inc., 243-249 Springfield Street, Agawam, MA. (Clerk) (Majority of those present and voting)**

President Letellier – We have two different items, one for each side of the street. Do we have a motion? Moved by Councilors Simpson and Rossi, seconded by Councilor Cavallo. Any discussion or the report from the Licensing Committee?

Councilor Rossi – Yes, again, my apologies to the committee and the same thing, Sarat Ford their two addresses listed as you stated 243-249 Springfield Street and the other one was 250 Springfield Street, the other Sarat Ford building, both are Class II Dealer's renewals. I find no reason not to send forward a positive recommendation to the Full Council for approval.

President Letellier – Thank you. Any further discussion? No? We have to vote on each item separately, they're different agenda numbers. Barbara, could you please call the roll?

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

President Letellier – With ten yes, you've approved the first license.

4. **TO-2008-65 - CLASS II LICENSE for renewal – Sarat Ford Sales, Inc., 250 Springfield Street, Agawam, MA. (Clerk) (Majority of those present and voting)**

President Letellier – Do I have a motion? Moved by Councilors Perry, I'm sorry, Rossi and Simpson, seconded by Councilor Cavallo. Any discussion? No? Barbara could you please call the roll?

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

President Letellier – With ten yes and one absent, you have approved the second Class II license for Sarat Ford.

Item 11. New Business

1. **TR-2008-53 - A Resolution Confirming the Appointment of Priscilla Peterson, 51 Monroe Street, Agawam, MA. 01001 to the Agawam Veterans Council as an Honorary Lifetime Member (Mayor) (Majority of those present and voting)**

President Letellier – Next agenda.

2. **TR-2008-54 - A Resolution Authorizing an Appropriation and Loan Order in the Amount of \$400,000.00 for the Repair, Reconstruction or Replacement of the Sanitary Sewer Force Main Crossing of the Westfield River in the Town of Agawam. (Mayor) (2/3 Majority Vote of the Full Council or 8 votes)**

President Letellier – That’s in addition to what we have already appropriated so we’re going to refer that to the Finance Committee, next agenda.

3. **TR-2008-55 - A Resolution Adopting the Town of Agawam Local Natural Hazards Mitigation Plan. (Mayor) (Majority of those present and voting)**

President Letellier – Next agenda.

4. **TO-2008-66 - Transfer - \$45,000.00 from Reserve Fund (16605-57300) to Veterans’ Benefits (16604-57100) (Mayor) (Majority of Full Council or 6 votes)**

President Letellier – Barbara, could you Richie Girard to come to the meeting? Thank you. Next agenda. That’s referred to the Finance Committee as well.

5. **TO-2008-67 - Transfer -\$12,803.63 from Council on Aging – Regular Temporary Salaries (15411-51020) to Building Maintenance – Regular Permanent Salaries (11921-51010) (Mayor) (2/3 Majority Vote of the Full Council or 8 votes)**

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

6. **TO-2008-68 - Order Granting or Renewing a LICENSE for a Weekly Amusement Device(s) – Springfield Turnverein, Inc., 176 Garden Street, Feeding Hills, MA. (Clerk) (Majority of those present and voting)**

President Letellier – That’ll go to the License Committee, next agenda.

7. **TO-2008-69 - Order Granting or Renewing a LICENSE for an Automatic Amusement Device(s) – FSF, Inc. d/b/a Riverboat Bar & Grill, 11 South End Bridge Circle, Agawam, MA. (Clerk) (Majority of those present and voting)**

President Letellier – Next agenda, Licensing Committee.

8. **TO-2008-70 - - Order Granting or Renewing a LICENSE for an Automatic Amusement Device(s) – West Springfield Fish & Game Club, Inc., P.O. Box 25, 329 Garden Street, Feeding Hills, MA. (Clerk) (Majority of those present and voting)**

President Letellier – That’ll go to the License Committee, next agenda.

9. **TO-2008-71 - CLASS II LICENSE for renewal – Auto Kraft, 119 Walnut Street, Agawam, MA. (Clerk) (Majority of those present and voting)**

President Letellier – That'll go to the License Committee for our next agenda.

10. **TO-2008-72 - CLASS II LICENSE for renewal – Chris Auto South, Inc., 207 Main Street, Agawam, MA. (Clerk) (Majority of those present and voting)**

President Letellier – Again for the Licensing Committee, next agenda.

11. **TO-2008-73 - CLASS II LICENSE for renewal – Elias Auto, 1123 Suffield Street, Agawam, MA. (Clerk) (Majority of those present and voting)**

President Letellier – For the Licensing Committee, next agenda.

12. **TO-2008-74 - CLASS II LICENSE for renewal – RNK Auto Sales, 28 Moylan Lane, Agawam, MA. (Clerk) (Majority of those present and voting)**

President Letellier – Next agenda and that's go to the Licensing Committee.

13. **TOR-2008-6 - An Ordinance Amending Section 180-8B of the Code of the Town of Agawam Governing the Height of Fences within the Setback Area of Corner Lots (Councilor Simpson) (Majority of those present and voting)**

President Letellier – That'll get referred to Zoning & Ordinance and next agenda.

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

President Letellier – Did I start with Councilor Simpson last time? I believe I did. Let's start with Councilor Perry this time.

Councilor Perry – Nothing this evening, Madam President, thank you.

President Letellier – Thank you. Councilor Messick?

Councilor Messick – This is actually in regards to the transfer, the request for further funds for the... This is getting referred to the Finance Committee but I was actually gonna request more information because I'm particularly concerned about just the difference between the construction total \$206,000.00 and \$572,000.00. I would like to see more information than what has been provided to us currently, of itemized details and so hopefully Councilor Young will either request that or not mind if I do? Okay.

Councilor Young – Sounds like you just did.

Councilor Messick – I was actually just gonna make a suggestion but we can work on that together maybe okay, thank you, other than that I have nothing.

President Letellier – Thank you. Councilor Bitzas?

Councilor Bitzas – Yes, Mr. Theroux spoke earlier about the Senior Center for a tour. I just want to clarify something. If it's easier for the council to have Barbara coordinate a tour, have either two, or three or four go together, it'd be a lot easier, in the morning or afternoon, evening. Evening is a little bit more difficult because you have to have someone come and open it for us but I would appreciate it if Barbara or you contact Barbara to have two or three groups or four groups whatever. Mondays and Wednesdays are my days off. I can have the whole day for you, evening too. So you'll be in for a surprise. Thank you.

President Letellier – Thank you Councilor Bitzas. Councilor Young?

Councilor Young – Yea. Just a couple of questions I guess. The Zoning Board of Appeals, the openings and the public hearing and the elections, I don't see them under New Business?

President Letellier – They'll be under Elections for the next agenda.

Councilor Young – Okay, great.

President Letellier – And we have I believe five applicants this time around.

Councilor Young – Awesome. I guess a request for some updates on a couple of the items I don't know who the right one to direct this to is, there's been talk of moving to the Senior Center for the meetings, moving of our Auditor out of the town hall to elsewhere, I don't know what's going on with those but I would like an official update.

President Letellier – Moving the Auditor, that's definitely on hold. Definitely on hold.

Councilor Young – Per agreement with the Mayor or just our opinion?

President Letellier – Per agreement with the Mayor and the town is waiting to hear from the State Architectural Access Board to find out if they really have to use that particular office or if adjustments can be made with other offices where the ramp is.

Councilor Young – Okay. Also maybe someone has an update or maybe we could ask if more people have this question, any updates as to what the status of the construction of the band room and the gymnasium here at the Middle School is? I think they've been under repair or construction for several years.

...I think three?...

Councilor Young – I think I was promised an answer several meetings ago from the Mayor and I haven't heard word on that. So maybe –

President Letellier – Why don't you work with the Council Clerk to get a memo out from the Finance Committee?

Councilor Young – Okay, so then it may be related to the move of the whole meeting platform but I don't think so. And then maybe Council President or someone could invite, I see that based on the subject that random councilors get invited to those meetings on topics and maybe that's because they contacted Council President?

President Letellier – Yea, I noticed that. No, Council President wasn't invited either.

...multiple conversations...

Councilor Young - ...so maybe you could enlighten us. Thank you.

President Letellier – I would enlighten you but I have idea of the rhyme nor reason as to why certain people are invited and not the Council President nor Council Vice President, but I'm certain that it will be addressed. Thank you. Councilor Simpson?

Councilor Simpson – Nothing tonight, thank you.

President Letellier – Thank you. Councilor Mineo?

Councilor Mineo – The Tennis Road issue which you're talking about I just wanted to let everybody know I did decline to go to that meeting. I think the people spoke loud and clear three years ago ... I was invited to that meeting and this is another reason why I did not attend that meeting – why the Mayor invited me, School Committee person Anthony Bonavita, Councilor Messick, and Corinne Wingard, I mean I like Corinne and I know she's on a lot of boards but I mean there is an entire Council here. We should have all been invited! And that comment in the article is about people sitting at the table. Why were we not invited back in March and April to the table? This has been going on for seven months and I don't have a clue about this. I don't know if anybody, ...the meetings were happening for the last seven months and nobody had an idea and this thing just gets slung at us. I just don't know where this is going and that's one of the reasons I declined. I don't want be, I just didn't feel that the timing of this meeting was proper. I mean if it's an issue that's this important I think the Mayor should have addressed the entire council and not pick out certain people and that's another reason I declined. I think it's important that we all know the same information and no one or two people from the council but it's back.

President Letellier – Thank you. Councilor Cavallo?

Councilor Cavallo – When I read the article in the paper on Sunday. In fact my wife read it first and she said “Aren't you still on the City Council?” That was her comment when she read the article. I say in jest but you know at least I thought our President, at least OUR President, and the Mayor should realize that anything that does transpire has to come before us! We're the legislative body and I wasn't too happy about it either. I

didn't take it personally at first then later on the last couple of days, I spoke with some people and I have taken it personally. The other item I want to mention here this evening is as Councilor Mineo pointed out that many us three or four years ago, this particular proposal was voted down...by the residents of the Town of Agawam and unless they feel that because there's a new mayor that there might be a chance for her or whatever to ...in this particular project. We still know that you have the state to deal with if you're looking for some kind of access or egress to this property and the people spoke, they don't want it. There are some concerns...takes precedence, what about Steve & Barry's, they'll be gone and we're back to the old Food Mart problem and shouldn't we be putting our efforts and trying to get someone else to occupy that building? I mean in case the other six or seven...I mean our attention should be thrust in that direction. I guess we can't do much about it but get that building occupied again so I'm really torn here and I feel, all due respect Madam President, I thought at least YOU should have been invited and I think you should take that as a personal front.

President Letellier – Thank you. Councilor Rossi?

Councilor Rossi – I don't think I want to even touch that. Apparently we don't have the right kind of glasses, I don't know. I thought there was supposed to be transparency. Transparency was supposed to be one of the big issues here with this election, but maybe you need special glasses I don't know. But now what I would like to say, I would like to, Barbara, if you would, set up a Licensing Committee meeting prior to the next scheduled council meeting, I would be very much appreciative of that. I will on vacation so I won't have an opportunity to schedule it so I want to make sure it's done now. Thank you.

President Letellier – Thank you. Vice President Calabrese.

Vice President Calabrese – Yes, Barbara, could you do a follow up memo to the Zoning Board of Appeals asking if they have a response to the memo which I sent to them last month and if you need a refresher to what that was? I know they resolved that one issue but there was another question of a broader scope that I had included in that memo. And also with regard to our prospective move, this is in response to the email memo that I had sent around just before Thanksgiving at the request of Richard Theroux and Tony Albro and we're not going anywhere. The consensus, after speaking with Tony and with Richard, the facilities at the new Senior Center would not be able to handle the capacity of some of the larger crowds that we do have here from time to time and one of the other rooms in that building from what I understand has a yoga mat type of a flooring which would be damaged by the use of chairs. So we're gonna be here...video and audio equipment...just to give you an update on that particular item and that's all I have this evening. Thank you.

President Letellier – Thank you. And at our last Executive Session I want you to know that I had drawn up a memo to the Mayor about the items we addressed and between Barbara's computer, Councilor Rossi's computer, CeCe's computer, nobody could open any of my attachments. No matter how many times I sent them, no matter how many formats. So I can send it like it is and you can trust my wisdom or I can try again to

resend it to everybody but I think it's getting time that it probably just should go out. So, Barbara, I'll refax that to you, why don't you send that out. I'm gonna meet with the Mayor in the next week or two and because there's been a lapse of time between our meetings, if anyone has any items that you wish for me to bring to the Mayor's attention or me to discuss with the Mayor, you can email me or let Barbara know and I'll try to set up a formal agenda to the Mayor so we can have a productive meeting. So if you could do that by the end of the week and maybe I can meet with the Mayor next week. Okay? Thank you everybody for a good meeting. Do we have a motion to adjourn? All those in favor please signify by saying Ay? All opposed? Thank you.

Adjournment.