

1. New Business Items

2. TR-2022-51

- A Resolution confirming the reappointment of Howard Stafford, 92 Juniper Ridge Drive, Feeding Hills, MA to the Agawam Liquor License Commission to a term expiring the first Monday in June 2027 (Sponsored by Mayor Sapelli)

Documents:

[TR-2022-51.PDF](#)

3. TR-2022-53

- A Resolution to redraft a petition to the General Court to amend Chapter 80 of the Acts of 2002 relative to Special Police Officers in the Town of Agawam (Sponsored by Mayor Sapelli)

Documents:

[TR-2022-53.PDF](#)

4. TR-2022-54

- A Resolution to appropriate and authorize borrowing in the amount of Five Hundred Forty Thousand Dollars (\$540,000.00) for the costs of lead service line inventory planning (Sponsored by Mayor Sapelli)

Documents:

[TR-2022-54.PDF](#)

5. TR-2022-55

- A Resolution authorizing the appropriation of Thirty Three Thousand Seven Hundred and Eighty Six Dollars and Twenty Nine Cents (\$33,786.29) from the Energy Management Project Stabilization Fund for costs related to lighting upgrades at the Public Library and Senior Center (Sponsored by Mayor Sapelli)

Documents:

[TR-2022-55.PDF](#)

6. TR-2022-56

- A Resolution to Authorize the Chief of Police to assign Police Officers to polling places (Sponsored by Mayor Sapelli)

Documents:

[TR-2022-56.PDF](#)

7. TR-2022-57

- A Resolution regarding early voting hours for the 2022 Fall State Election (Sponsored

by Mayor Sapelli)

Documents:

[TR-2022-57.PDF](#)

8. TR-2022-58

- A Resolution to appropriate and transfer Eighty One Thousand Eighty Seven Dollars and Forty Eight Cents (\$81,087.48) for the Agreement of the Agawam Clerical Association with the Town of Agawam (Sponsored by Mayor Sapelli)

Documents:

[TR-2022-58.PDF](#)

TR-2022-51

A RESOLUTION CONFIRMING THE REAPPOINTMENT OF  
HOWARD STAFFORD, 92 JUNIPER RIDGE DRIVE, FEEDING HILLS, MA 01030  
TO THE AGAWAM LIQUOR LICENSE COMMISSION  
TO A TERM EXPIRING  
THE FIRST MONDAY IN JUNE 2027

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WHEREAS, the term of Howard Stafford on the Agawam Liquor License Commission has expired; and

WHEREAS, the Mayor has reappointed Howard Stafford, 92 Juniper Ridge Drive, Feeding Hills, MA 01030 to the Agawam Liquor License Commission to a term expiring the first Monday in June 2027; and

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves to confirm the reappointment of Howard Stafford, 92 Juniper Ridge, Feeding Hills, MA 01030 to the Agawam Liquor License Commission to a term expiring the first Monday of June 2027.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

PER ORDER OF THE AGAWAM CITY COUNCIL

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Christopher C. Johnson, President, Agawam City Council

APPROVED AS TO FORM AND LEGALITY

  
\_\_\_\_\_  
Stephen J. Buoniconti, City Solicitor

**Mayor William Sapelli**

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**From:** howzer <howzer@comcast.net>  
**Sent:** Friday, July 8, 2022 1:15 PM  
**To:** Mayor William Sapelli  
**Subject:** LIQUOR LICENSE COMMISSION

7/08/22

Dear Mayor Sapelli.

I am interested in continuing as a member of the Liquor License Commission.  
Thank you.

Howard Safford

Approved  
WPSJ  
7/11/22

**TR-2022-53**

**A RESOLUTION TO REDRAFT A PETITION TO THE GENERAL COURT TO  
AMEND CHAPTER 80 OF THE ACTS OF 2002 RELATIVE TO SPECIAL  
POLICE OFFICERS IN THE TOWN OF AGAWAM**

**(Sponsored by Mayor William P. Sapelli)**

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**WHEREAS**, the City Council adopted and the Mayor approved **TR-2020-73**, a home rule petition to amend Chapter 80 of the Acts 2002 (Agawam special police officers); and

**WHEREAS**, **TR-2021-67** amended **TR-2020-73** with material changes to the scope of the home rule legislation; and

**WHEREAS**, subsequent to the adoption of **TR-2021-67** and filing with the state legislature, representatives of the special police raised concerns about the latest draft language; and

**WHEREAS**, the Town renewed negotiations with the special police representatives and reached agreement as drafted in the attached Exhibit A; and

**WHEREAS**, the latest draft Exhibit A will allow special police officers to be eligible for worker's compensation benefits and Chapter 111F benefits; and

**WHEREAS**, prior to filing with the City Council, the language was submitted to Senator Velis' and Representative Boldyga's offices with a request to forward to the Massachusetts House and Senate Counsel and the Public Employee Retirement Administration Commission (PERAC) for review; and

**WHEREAS**, PERAC and Senate Counsel have reviewed Exhibit A and have no recommended changes; and

**WHEREAS**, the House Chairwoman of the Committee of Third Reading has been provided Exhibit A and the Town is awaiting her comments; and

**WHEREAS**, while the plan was to have all Counsels and PERAC review the language prior to filing the resolution in a third iteration, a delay into the fall may jeopardize passage of the bill because the must be passed by the State Legislature and signed by the Governor prior to the end of the calendar year; and

**WHEREAS**, it remains in the best interests of the Town of Agawam to petition the General Court to amend Chapter 80 of the Acts 2002.

**NOW THEREFORE**, the Agawam City Council resolves to petition the General Court to enact special municipal legislation by amending Chapter 80 of the Acts 2002 as described in attached Exhibit A.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**PER ORDER OF THE AGAWAM CITY COUNCIL**

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Christopher C. Johnson, President

**APPROVED AS TO FORM AND LEGALITY**



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Stephen J. Buoniconti, City Solicitor

## EXHIBIT A

Bill S.1369

192nd (Current)

SECTION 1. Section 1 of chapter 80 of the acts of 2002 is hereby amended by adding the following 3 sentences:- No special police officer shall be appointed or continue to be employed as a special police officer after attaining the age of 70. A special police officer appointed under this act, upon initial appointment and every year after attaining the age of 65, shall pass an annual medical examination conducted by a physician or other certified professional chosen by the city to determine that the special police officer is capable of performing the essential duties of a special police officer, the costs of which shall be borne by the special police officer. Proof of payment shall be a pre-requisite of appointment.

SECTION 2. Section 2 of said chapter 80 is hereby amended by adding the following 2 sentences:- Special police officers shall be subject to rules and regulations, policies and procedures and requirements as set by the chief of police, including, but not limited to, restrictions on the type of detail assignments, requirements regarding medical examinations to determine continuing capability to perform the duties of a special police officer, requirements for training, requirements for firearms licensing and qualifications and requirements regarding uniforms and equipment. The cost of all training, equipment and uniforms shall be borne by the special police officer.

SECTION 3. The second sentence of section 3 of said chapter 80 is hereby amended by inserting after the word "city" the following word:- clerk.

SECTION 4. Section 4 of said chapter 80 is hereby amended by inserting after the word "retired" the following words:- for superannuation.

SECTION 5. Section 5 of said chapter 80 is hereby amended by inserting after the word "Laws" the following words:- or section 99A of chapter 41 of the General Laws. Sections 96B, 100 and 111F of chapter 41 of the General Laws shall apply to special police officers. The amount payable under section 111F of chapter 41 shall be calculated by averaging the amount earned over the prior 156 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as a special police officer less than 156 weeks before the incapacity. Benefits under section 111F shall terminate in accordance with section 111F or when a special police officer reaches the age of 70, whichever occurs sooner. Special police officers appointed pursuant to this act shall not be subject to section 85H ½ of chapter 32 of the General Laws nor eligible for benefits pursuant to that section.

Bill S.25891369

192nd (Current)

SECTION 1. Section 1 of chapter 80 of the acts of 2002 is hereby amended by adding the following 3 sentences:- No special police officer shall be appointed or continue to be employed as a special police officer after attaining the age of 70. A special police officer appointed under this act, upon initial appointment and every year after attaining the age of 65, shall pass an annual medical examination conducted by a physician or other certified professional chosen by the city to determine that the special police officer is capable of performing the essential duties of a special police officer, the costs of which shall be borne by the special police officer. Proof of payment shall be a pre-requisite of appointment.

SECTION 2. Section 2 of said chapter 80 is hereby amended by adding the following 2 sentences:- Special police officers shall be subject to rules and regulations, policies and procedures and requirements as set by the chief of police, including, but not limited to, restrictions on the type of detail assignments, requirements regarding medical examinations to determine continuing capability to perform the duties of a special police officer, requirements for training, requirements for firearms licensing and qualifications and requirements regarding uniforms and equipment. The cost of all training, equipment and uniforms shall be borne by the special police officer.

SECTION 3. The second sentence of section 3 of said chapter 80 is hereby amended by inserting after the word "city" the following word:- clerk.

SECTION 4. Section 4 of said chapter 80 is hereby amended by inserting after the word "retired" the following words:- for superannuation.

SECTION 5. Section 5 of said chapter 80 is hereby amended by inserting after the word "Laws" the following words:- ~~or section 96B, 99A of chapter 41 of the General Laws, Sections 96B, 100 and 111F of chapter 41 of the General Laws shall apply to special police officers, or chapter 150F of the General Laws.~~ The amount payable under section 111F of chapter 41 shall be calculated by averaging the amount earned over the prior 156 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as a special police officer less than 156 weeks before the incapacity. Benefits under section 111F shall terminate in accordance with section 111F or when a special police officer reaches the age of 70, whichever occurs sooner. Special police officers appointed pursuant to this act shall not be subject to ~~sections 85H or 85H ½ of chapter 32 of the General Laws nor eligible for benefits pursuant to those that sections.~~



TR-2022-54

**RESOLUTION TO APPROPRIATE AND AUTHORIZE BORROWING IN THE AMOUNT OF FIVE HUNDRED FORTY THOUSAND DOLLARS (\$540,000) FOR THE COSTS OF LEAD SERVICE LINE INVENTORY PLANNING**

**(Sponsored by Mayor William P. Sapelli)**

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**WHEREAS**, the Town seeks to conduct Lead Service Line (LSL) Inventory Planning measures to facilitate the City's ongoing LSL inventory and LSL replacement by development of a full electronic service line inventory database, inspection form development, and in-home inspections or verifications of potential LSLs; and

**WHEREAS**, such planning is necessary in order to be in compliance with future Lead and Copper Rule Revision inventory requirements, to develop a tool to capture service line information during water meter change outs and to perform system wide inspections to verify material composition of services within the City's inventory; and

**WHEREAS**, such project will cost Five Hundred Forty Thousand Dollars (\$540,000); and

**WHEREAS**, the Department of Environment Protection has a grant program that awards 100% reimbursement to eligible municipalities on a first come first serve basis; and

**WHEREAS**, timing of the application is crucial because the DEP has a limited pool of money for the grant awards; and

**WHEREAS**, it is in the best interest for the Town of Agawam to apply for the DEP grant.

**NOW THEREFORE THE AGAWAM CITY COUNCIL HEREBY RESOLVES TO AUTHORIZE THE FOLLOWING:**

Five Hundred Forty Thousand Dollars (\$540,000) is appropriated for funding the cost of Lead Service Line (LSL) Inventory Planning, including all costs incidental or related thereto, and further, that to meet this appropriation the Treasurer with the approval of the Mayor is authorized to borrow Five Hundred Forty Thousand Dollars (\$540,000) and issue bonds or notes therefor under G.L. c.44 §7(7) or any other enabling legislation and/or Chapter 29C of the General Laws; that the Treasurer with the approval of the Mayor is authorized to borrow all or a portion of such amount from the Massachusetts Clean Water Trust established pursuant to Chapter 29C and in connection therewith to enter into a loan agreement and/or a security agreement with the Trust and otherwise to contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the project or for the financing thereof; and that the Mayor is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the project; that the

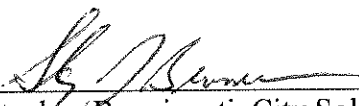
Mayor is authorized to contract for and expend any grants or aid available for the project, provided that the amount of the authorized borrowing shall be reduced by the amount of such aid received prior to the issuance of bonds or notes under this resolution; and the Mayor is authorized to take any other action necessary to carry out the project.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2022

PER ORDER OF THE AGAWAM CITY COUNCIL

\_\_\_\_\_  
Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY

  
\_\_\_\_\_  
Stephen Buoniconti, City Solicitor

**TR-2022-55**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF THIRTY THREE THOUSAND AND SEVEN HUNDRED AND EIGHTY SIX DOLLARS AND TWENTY NINE CENTS (\$33,786.29) FROM THE ENERGY MANAGEMENT PROJECT STABILIZATION FUND FOR COSTS RELATED TO LIGHTING UPGRADES AT THE PUBLIC LIBRARY AND SENIOR CENTER**

**(Sponsored by Mayor William P. Sapelli)**

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**WHEREAS**, the City Council appropriated funding for the improvements and upgrades at the Agawam Library; and

**WHEREAS**, as renovations took place at the library, the Town was advised that additional lighting and placement was needed and that the lights should be LED to conserve energy costs; and

**WHEREAS**, the projected costs to retrofit all lighting to LED at the Library is an additional \$21,536.29; and

**WHEREAS**, the Senior Center is also in the first phase of retrofitting the building to LED lighting and the cost to replace the remaining fixtures is \$12,250.00; and

**WHEREAS**, the energy management stabilization fund has an approximate balance of one hundred and thirty two thousand and nine hundred and forty dollars and thirty nine cents (132,940.39); and

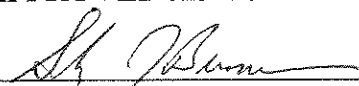
**NOW THEREFORE**, the Agawam City Council hereby appropriates thirty three thousand and seven hundred and eighty six dollars and twenty nine cents (\$33,786.29) from the Energy Management Stabilization Fund 705 for the replacement and upgrade to LED light fixtures at the Agawam Public Library and Senior Center.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**PER ORDER OF THE AGAWAM CITY COUNCIL**

\_\_\_\_\_  
Christopher C. Johnson, President

**APPROVED AS TO FORM AND LEGALITY**

  
\_\_\_\_\_  
Stephen L. Buoniconti, City Solicitor

**A RESOLUTION TO AUTHORIZE THE CHIEF OF POLICE TO ASSIGN  
POLICE OFFICERS TO POLLING PLACES**

**(Sponsored by Mayor William P. Sapelli)**

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**WHEREAS**, Agawam has historically assigned police officers to polling places during Municipal and State Elections; and

**WHEREAS**, the practice of assigning officers to polling locations should continue; and

**WHEREAS**, police officers preserve order and to protect the election officers and supervisors from any interference with their duties and to aid in enforcing the laws relating to elections at polling locations; and

**WHEREAS**, pursuant to the Acts and Resolves of Massachusetts of 2022 Chapter 92, Section 72, "The VOTES Act," the State Legislature added a requirement that the City Council must vote to assign police officers to polling places.

**NOW THEREFORE**, THE AGAWAM CITY COUNCIL hereby resolves to authorize the Agawam Chief of Police to assign police officers to polling places for municipal and state elections within the Town of Agawam to preserve order and to enforce Massachusetts election laws.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**PER ORDER OF THE AGAWAM CITY COUNCIL**

\_\_\_\_\_  
Christopher C. Johnson, President

**APPROVED AS TO FORM AND LEGALITY**

  
\_\_\_\_\_  
Stephen J. Buoniconti, City Solicitor

**A RESOLUTION REGARDING EARLY VOTING HOURS FOR THE 2022 FALL  
STATE ELECTION**

**(Sponsored by Mayor William P. Sapelli)**

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**WHEREAS**, the Massachusetts VOTES Act was signed into law by Governor Baker on June 22, 2022 which impacted the early voting process across the Commonwealth for the 2022 state general election; and

**WHEREAS**, the VOTES Act permits the Agawam City Council (a municipality of between 5,000 to 40,000 registered voters) to reduce the voting hours of the fifteen through the eleventh day preceding the biennial state election by up to fifty (50) percent; and

**WHEREAS**, the Town Clerk's Office will be open for six hours on both Saturdays preceding the election and eight hours a day from October 21 to November 4, 2022; and

**WHEREAS**, the Town Clerk has proposed reducing the number of polling hours between the 15<sup>th</sup> through the 11<sup>th</sup> day preceding the 2022 fall state election in order to save the Town money and assist in the management of office duties, while still providing very flexible access for the voters; and

**WHEREAS**, polling hours would be from 9:00 am to 1:00 pm from October 24<sup>th</sup> to October 28<sup>th</sup>, 2022.

**NOW THEREFORE**, THE AGAWAM CITY COUNCIL hereby resolves, pursuant to the Massachusetts VOTES Act of 2022, to authorize the Agawam Town Clerk to reduce the number of polling hours by fifty (50) percent from the fifteen day through the eleventh day preceding the 2022 biennial state election.


Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**PER ORDER OF THE AGAWAM CITY COUNCIL**

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Christopher C. Johnson, President

**APPROVED AS TO FORM AND LEGALITY**

  
\_\_\_\_\_  
Stephen J. Buoniconti, City Solicitor

**TR-2022-58**

**A RESOLUTION TO APPROPRIATE AND TRANSFER EIGHTY ONE THOUSAND AND EIGHTY SEVEN DOLLARS AND FORTY EIGHT CENTS (\$81,087.48), FOR THE AGREEMENT OF THE AGAWAM CLERICAL ASSOCIATION WITH THE TOWN OF AGAWAM**

**(Sponsored by Mayor William P. Sapelli)**

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**WHEREAS**, the Town of Agawam has negotiated a Collective Bargaining Agreement with the Agawam Clerical Association; and

**WHEREAS**, the Settlement Agreement has been ratified by the Union; and

**WHEREAS**, the Town and Union have executed the Settlement Agreements; and

**WHEREAS**, the settlement agreement is a three year agreement for the period of July 1, 2022 to June 30, 2025 that provide for a yearly 2% increase in salaries in years 1 and 2 and a 3% increase in year 3 as outlined in the contracts; and

**WHEREAS**, pursuant to G. L. c. 150E, § 7, the Agawam City Council is required to appropriate the necessary funds; and

**WHEREAS**, funding for the agreements shall come from a transfer from the salary reserve account (16605-57350) and golf salary reserve account (65261-57350) and transferred to multiple individual line items; and

**WHEREAS**, it is in the best interest of the Town of Agawam to appropriate the necessary funding.

**NOW THEREFORE, BE IT RESOLVED BY THE AGAWAM CITY COUNCIL** that eighty thousand and two hundred and eighty dollars and ninety nine cents (\$80,280.99) shall be appropriated from the salary reserve account (16605-57350) and eight hundred and six dollars and forty nine cents (\$806.49) from the golf salary reserve account and transferred to various accounts to fund the first year of the agreement with the Agawam Clerical Association.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**PER ORDER OF THE AGAWAM CITY COUNCIL**

\_\_\_\_\_  
Christopher C. Johnson, President

**APPROVED AS TO FORM AND LEGALITY**

  
\_\_\_\_\_  
Stephen J. Buoniconti, City Solicitor

**CERTIFICATION OF AVAILABILITY OF FUNDS**

  
\_\_\_\_\_

Cheryl St. John, Auditor

Monday, August 8, 2022

Tuesday, September 6, 2022

**From:**

Salary Reserve	16605	57350	80,280.99
Golf Salary Reserve	65261	57350	806.49
Sewer Salary Reserve	22541	57350	
Water Salary Reserve	60141	57350	

**To:**

<u>Contract</u>	<u>Org Code</u>	<u>Obj Code</u>	
Nurses	15101	51010	
Building Maintenance	11921	51010	
Police Supervisors	12101	51010	
Police Supervisors	12101	51120	
Police Patrol	12101	51010	
Police Patrol	12101	51120	
Clerical	11211	51010	2,195.87
Clerical	11341	51010	1,846.97
Clerical	11371	51010	1,969.91
Clerical	11381	51010	7,260.80
Clerical	11611	51010	2,170.79
Clerical	11801	51010	2,150.91
Clerical	11921	51010	3,609.73
Clerical	12101	51010	18,715.43
Clerical	12201	51010	2,774.64
Clerical	12501	51010	2,081.76
Clerical	14001	51010	1,759.40
Clerical	15101	51010	1,045.59
Clerical	15411	51010	7,857.37
Clerical	16101	51010	22,067.19
Clerical	16201	51010	2,774.64
Clerical	65261	51010	\$ 806.49

**81,087.48**