

REGULAR MEETING OF THE AGAWAM CITY COUNCIL

Minutes dated March 7, 2022

Meeting was called to order by Council President Johnson at 7:00pm at the Agawam Junior High School.

Item A. Roll Call

ROLL CALL – 11 PRESENT, 0 ABSENT

Roll Call was taken with the following Councilors present: George Bitzas, Cecilia Calabrese, Paul Cavallo (remote), Christopher Johnson, Gina Letellier (remote), Dino Mercadante, Anthony Russo, Robert Rossi, Rosemary Sandlin, Gerald Smith, and Anthony Suffriti. With eleven present, there was a quorum.

Item B. Moment of Silence and the Pledge of Allegiance.

There was a moment of silence and the Pledge of Allegiance.

Item C. Citizen's Speak Time

None.

Item D. Minutes

1. Regular Council Meeting – February 22, 2022

Motion to approve made by Councilor Mercadante and seconded by Councilors Smith and SANDLIN. The minutes were voice vote unanimously approved.

Item E. Declaration of Council President

None.

Item F. Presentation of Resolutions

1. TR-2022-17 - A Resolution expressing concern over recent skyrocketing prices of prescription medication and urging our United States Senators and Representatives along with our State Legislators and our Governor to act immediately to reduce the cost of prescription medications (Sponsored by Councilor Bitzas) (Referred to Community Relations Committee)

Motion to approve made by Councilor Sandlin and seconded by Councilor Suffriti. As Chair of the Community Relations Committee, Councilor Bitzas provided the report stating that there was a short discussion on the importance of reducing prescription costs. Motion to send a positive recommendation to the Full Council made by Councilor Russo and seconded by Councilor Smith. The vote was 5 Yes, 0 No.

Councilor Bitzas expressed his concerns about the rising cost of prescriptions medicine and in some cases, costs have risen as much as fifty percent. As Richie Neal has said "All politics are local" and we have 29,000 voices here in Agawam. Councilor Sandlin said she would be supporting this even though it may not help. We need to send a clear message to the federal government to not only reduce the costs of insulin but cancer drugs as well along with all prescription drug costs. She said we need to make our voices heard.

The vote was **11 YES, 0 NO** approving the item.

Item G. Elections

None.

Item H. Public Hearings

- 1. TOR-2022-1 (PH-2022-1) - An Ordinance to amend the Code of the Town of Agawam Zoning Ordinance regarding Drive-In and Drive-Through restaurants (Sponsored by Mayor Sapelli) (1 of 2 Readings) (Referred to Legislative Committee)**

Motion to remove the item from the table made by Councilor Sandlin and seconded by Councilors Suffriti and Cavallo. Voice vote approved and the item was off the table. Motion to approve made by Councilor Smith and seconded by Councilors Mercadante and Sandlin. Council President Johnson opened the Public Hearing at 7:07pm. There were no speakers in favor, in name only in favor, in opposition or in opposition name only. Council President Johnson declared the Public Hearing closed at 7:08pm. As Chair of the Legislative Committee, Councilor Suffriti provided the report stating that Solicitor Buoniconti provided the background of this item stating that the Mayor thinks this will provide greater flexibility and create more business opportunities. The current zoning requires a mandatory minimum of fifty parking spaces. This could cause for a misuse of business land and we need to revise this ordinance. There would still be a process with the ZBA if the business owner wanted to reduce the parking space requirement down to 25. Councilor Suffriti said it made sense to do this especially how society has changed with Covid and more people want to drive up to receive their purchases. Councilor Bitzas agreed and was glad to see this on the Agenda although he would like to see the minimum parking space reduced even further to ten. Councilor Mercadante agreed with the Solicitor noting it would be a great move. Sometimes politicians get involved in how to run businesses and come up with absurd rules and regulations. The Council is here to help businesses prosper. Councilor Suffriti asked if ADA parking spaces were based on square footage of the building or the total number of available spaces. Councilor Mercadante said it is based off of the square footage of the building. Councilor Suffriti wanted to make sure that if we reduce this number that it wouldn't adversely affect the number of ADA parking spaces. Councilor Sandlin is also on the Zoning Review Committee and she said they are looking to encourage businesses to apply even if they aren't traditionally qualified for drive through access. She supports this ordinance. Councilor Bitzas again questioned reducing the number to ten. Mayor Sapelli commented on why they were suggesting 25 with the Solicitor noting they can go before the ZBA to reduce it even further if necessary. Motion to send a positive recommendation to the Full Council made by Councilor Sandlin and seconded by Councilor Bitzas. The vote was 4 Yes, 0 No, 1 Absent (Councilor Letellier)

Councilor Mercadante opened the discussion believing this change was a way to use the land in a better way and would be supporting the item. Councilor Bitzas also supported this but suggested it be lowered to ten spaces however this was a good start. During COVID, the state allowed for outdoor dining and drive through access to restaurants and we need to help our businesses. The Mayor is working on this. Councilor Sandlin stated that along with Councilor Rossi both as members of the Zoning Review Committee, they looked at this very carefully and said it was well thought out and business friendly. She too would be supporting it. Councilor Cavallo liked this ordinance noting that the Planning Board would be overseeing things and approve any changes. He said it was a good plan. Councilor Rossi agreed and said we have to come up with new ways of dealing with a new way of life and drive through access became very popular during the pandemic. He said he was totally in favor of this item.

The vote was **11 YES, 0 NO** approving the first reading.

Item I. Old Business

- 1. TOR-2022-3 - An Ordinance to amend Chapter 49 of the Code of the Town of Agawam (Sponsored by Mayor Sapelli) (2 of 2 Readings) (Referred to Legislative Committee)**

Motion to approve the second and final reading made by Councilor Mercadante and seconded by Councilors Smith and Sandlin.

The vote was **10 YES, 1 NO** (Council Vice President Calabrese) approving the second and final reading.

2. TOR-2022-4 - An Ordinance to amend Chapter 103 of the Code of the Town of Agawam (Sponsored by Mayor Sapelli) (1 of 2 Readings) (Referred to Legislative Committee)

Motion to approve the first of two readings made by Councilor Sandlin and seconded by Councilors Rossi and Cavallo. As Chair of the Legislative Committee, Councilor Suffriti provided the report stating that the Solicitor explained the requirement of inspection costs to business and commercial solar only. The fee for reinspection of these solar projects is too low and costs the town money to perform. There were some questions about solar revenue and costs etc. Councilor Rossi reminded everyone that this was simply asking to increase the fees to cover inspections. The Solicitor did note that all funds received go into the General Fund as well as briefly explaining how the process worked along with the costs related to building and connection solar to the grid. Motion to send a positive recommendation to the Full Council was made by Councilor Bitzas and seconded by Councilor Sandlin. The vote was 4 Yes, 0 No, 1 Absent (Councilor Letellier). Councilor Mercadante said just to be clear this puts us in line with most of the communities in the area for fees and it is just for commercial and industrial.

The vote was **11 YES, 0 NO** approving the first reading.

3. TOR-2022-5 - An Ordinance regarding the grinding of tree stumps after the cutting and removal of trees on treebelts (Sponsored by Councilor Bitzas) (1 of 2 Readings) (Referred to Legislative Committee)

Motion to approve the first reading made by Councilor Bitzas. There was no second however Council President stepped from the Chair to second the item. As Chair of the Legislative Committee, Councilor Suffriti provided the report stating that there was a very deep discussion about this item. Councilor Bitzas explained why he was bringing this ordinance to the City Council. He believes the town should complete the process once a tree has been removed from a tree belt. Councilor Sandlin expressed concern that this may cause an overload of public demand to take trees down. Councilor Russo explained that the cost might be too much for the town arborist budget. Councilor Bitzas said it was for the safety of the people and we need to complete the job. Councilor Mercadante said the town is more than fair for hazardous trees. For the amount of trees that are taken down, we could manage to grind the stump and clean up the debris after the fact. There is cost to it for sure but there are a minimal amount of stumps that need to be dealt with. The town owns a stump grinder so it won't cost much. With the amount of the town's budget, he said we at least could do this for our taxpayers. Councilor Sandlin asked the Solicitor about this being an ordinance and if it is passed, then we are bound to do this for everyone in town. Councilor Suffriti also asked if there was currently any related ordinance in town. There is not an ordinance currently and if we create this ordinance, Councilor Suffriti asked if it wouldn't open up the town for liabilities when we don't take one down in a timely manner and it falls and does damage. He believes it should not be an ordinance. Continue doing what we are doing and complete the process but don't create the ordinance. Councilor Rossi reminded everyone this was just town property/tree belts. The Solicitor said there are a lot of claims involving trees. We have a contractor take down the trees and it costs a good deal of money. There is a state statute regarding dealing with public shade trees. There is a process we must follow. We have an arborist now who receives a stipend. He has been phenomenal inspecting trees and determines which trees are unhealthy and must come down. This mirrors what is stated in the statute. All of that is discretionary as far as municipalities are concerned. Agawam chooses to remove the trees. In 2018, we purchased a stump grinder which at this point breaks down regularly. The Superintendent of DPW has pledged to stay on top of things as much as possible and use that stump grinder whenever possible. If you put it in an ordinance, you are putting a shotgun blast to our Code because now it is mandated by you, the City Council, to require us to do this immediately upon removal of any tree. Now it creates a tremendous liability if it was not done yet and someone trips over a tree stump or whatever it is, the Solicitor would have no defense because it is inside our Code. It would be better to have a policy but he advised us to be very cautious once you start touching the Code. Councilor Bitzas was very disappointed that the Solicitor was speaking against this and said a tree stump has been there for almost three years which surely would create some sort of liability for the town. The Solicitor said no because it is not a requirement. Councilor Mercadante said it might be smarter to go the policy route. Councilor Bitzas got very passionate about the people who pay taxes. Councilor Rossi reminded Councilor Bitzas that he needs to understand the position of the Solicitor because he would have to represent the town if there was an issue and if you restrict him in doing that, it makes it more difficult in representing the town in the best manner possible. Councilor Rossi said if we had a policy that said we take down any tree on town property and grind the stump otherwise the property owner has to deal with it themselves. He believes we should not create an ordinance forcing this. Councilor Bitzas said we have so many ordinances and why are we afraid of liability and this is common sense. To not grind stumps for three years is ridiculous. Councilor Sandlin understands where Councilor

Bitzas is coming from and agrees these stumps Councilor Bitzas is referring to should be ground however we shouldn't create an ordinance to require this. This would cost more money for other taxpayers in general. We raise the budget to allow for more tree removal and grinding. Councilor Mercadante said we should take it on a case by case basis. The Solicitor said the new DPW Superintendent has pledged to get these stumps. Councilor Rossi asked when a constituent calls the DPW to have the stump removed that the DPW employee not tell this person that "it is not our job and you'll have to do it yourself" – that would help this situation as well. Councilor Bitzas agreed. The Solicitor will have people regularly call and ask about removing the tree. It is a real process where we send the Tree Warden out to make a determination on the condition of the tree and location of tree. If it is diseased then there is a process where I draft a letter about removing the tree and grinding. There is a lot to do regarding stump grinding. Councilor Mercadante suggested people with the stump call the DPW and they create a work order to get done. Let the town handle it on a case by case basis. This is a new DPW Superintendent now. Motion to send a positive recommendation made by Councilor Bitzas – there was no second. Motion to send a negative recommendation to the Full Council made by Councilor Sandlin and seconded by Councilor Russo. The vote was 3 Yes, 1 No (Councilor Bitzas), 1 Absent (Councilor Letellier)

Councilor Bitzas began with thanking Council President for the second to allow for debate on the floor but also extremely sad that this was the first time in all his years on the City Council that no one had the courage to make a motion to approve so this could be discussed. He reminded everyone that our jobs as City Councilors is to work for the people. These tree stumps have been sitting there for over three years. He was disappointed to hear about this. These residents called the town several times with no response. Councilor Bitzas said the tree belts are the town's responsibility and we are responsible to complete the job once a tree has been removed – they are eyesores and are potentially dangerous to residents. The extra cost to the town is small and it is the right thing to do he said noting that the DPW has a stump grinder and these stumps should be taken care of today. He said our taxpayers deserve this and this ordinance makes the town responsible even if the Solicitor says it creates too much liability for the town. Councilor Mercadante said with all due respect to Councilor Bitzas whose passion is appreciated, but clearly the DPW is doing a great job and they will get to these things in due course. The new Superintendent of DPW has been great and will work to plug away at these things but we must follow a process and first put in a work order. He also said make no mistake, nothing is free and this will cost money. Councilor Sandlin also thinks the constituents should have a voice however she stated having Councilor Bitzas create an ordinance is not the way to go. We have a town arborist and a new DPW Superintendent who will work on these things. Councilor Rossi agreed in point with Councilor Bitzas however he too, disagreed with creating an ordinance. There are new procedures and a new DPW Superintendent who will make sure the process of a work order will be followed – and that was the reason Councilor Rossi did not second Councilor Bitzas' motion and certainly not because he was afraid. Councilor Smith said he too was not afraid to second the motion, he just didn't agree with Councilor Bitzas proposing this ordinance. Councilor Bitzas respectfully disagreed with Councilors Sandlin and Rossi in that if no ordinance is created then how can a work order be completed? Creating this ordinance is the key and makes the town responsible to finish the job. Can't we afford \$5000-\$6000 for our people? It needs to be fair for every resident. Council Vice President Calabrese noted that there is a process in place in which a homeowner can petition the town and agreed with the Solicitor that this Ordinance creates more liability for the town because it becomes mandated. Our arborist seems very responsible and at the very least, with this discussion, you have raised awareness to this issue. Councilor Bitzas again thanked Council President Johnson for seconding his Motion. If he had not, it would have cut the debate and silenced him and therefore silenced the people. Councilor Sandlin moved the question. Council President Johnson first stepped from the Chair to speak. He said in all good conscience he could not vote to create an ordinance which would indeed create more liability for the town. He said Councilor Bitzas' intent was clearly to help our residents.

The vote was **1 YES** (Councilor Bitzas), **10 NO** defeating the item.

Item J. New Business

- 1. TR-2022-18 - A Resolution confirming the reappointment of Frank Mazzei, 476 Springfield Street, Feeding Hills, MA to the Agawam Veterans Council to a term expiring April 1, 2025 (Sponsored by Mayor Sapelli)**

Next Agenda.

2. TR-2022-19 – An Emergency Preamble for TR-2022-20 to appropriate \$28,800 for a professional design study of 1070 Suffield Street (Sponsored by Mayor Sapelli)

Motion to approve made by Council Vice President Calabrese and seconded by Councilors Smith, Sandlin and Suffriti.

The vote was **11 YES, 0 NO** approving the Emergency Preamble.

3. TR-2022-20 - A Resolution appropriating funds from the General, Unreserved, Undesignated Fund Balance (Free Cash) to the Police Station Study Account (#16610-53807) for design study costs of 1070 Suffield Street (Sponsored by Mayor Sapelli)

Motion to approve made by Councilor Mercadante and seconded by Councilors Suffriti and Cavallo. Council President Johnson asked for a Motion to go into Committee as a Whole. Motion made by Councilor Sandlin and seconded by Council Vice President Calabrese. Voice vote approved.

Mayor Sapelli spoke first and thanked the City Council for this opportunity. He gave the history of the Agawam Police Station which was the former Pierce Elementary School and was converted 35 years ago. There is a need for a new Town Hall, a new High School and a new Public Safety complex. We have all these very expensive needs but money IS an object. We have to prioritize these needs and in his humble opinion, the Police Station is at the top of this list. The high cost of building a new public safety complex puts us out of the market however this property is available to purchase. This item in front of you this evening was to approve the funds to have a feasibility study done to see IF that property could work for a new police station. We initially thought about a town hall there but quickly realized that would not work. The cost is very reasonable when you consider the costly main utilities are all done already and 1/5 of the building is brand new and the roof, boilers, etc. are all in great working order. The Solicitor continued with additional information after thanking the Mayor and City Council. He noted the town has done a significant amount of due diligence. They have been engaged in discussions with land owners in town to purchase land for a complex and with the high cost of land parcels, this property on Suffield Street became more attractive. It is a Class A office space on five acres. The roof is only five years old and looks very well kept and the owners are anxious to move. If we take this chance on a feasibility study, we can make a final decision on whether or not to purchase this property. It is listed at \$2.55 million and with negotiations they accepted the Mayor's offer of \$2.15 million along with most of the furniture. Building Maintenance Director Brian Pagella noted that the cost of office furniture has skyrocketed during the pandemic and it would be over a million dollars to purchase the furniture alone. He explained the current deterioration of the police station and that it wouldn't be smart to continue putting money into it as it would maybe last about ten more years once rehabbed.. The Solicitor explained that the proposed closing date would be as early as May 1st which is why they asked for the emergency preamble. Understandably it would be easier to say no than yes. He suggested contacting Chief Gillis for a tour of the current station and see the condition of that building. They think the police station is in the poorest condition of all the town buildings. They agreed if the cost came back from the feasibility study to be too high then of course they wouldn't buy the building but they all agree it would be in the best interest of the Town of Agawam to do this and the best value as well. If this is approved this evening, the plan would be to officially close on June 1st with the study being done by May 1st allowing for an additional thirty days to do further due diligence without pressure. The Police Chief is in full support of this seeing how his people work under the current conditions at the station. The town also currently pays for gym memberships and with this building, there would be a gym as well as locker rooms for men and for women. If we were to renovate the existing building, it would be near impossible since they have to work in that building 24/7 and this is the best option for the town to consider.

Council President Johnson noted that the floor was open for questions only not discussion. Councilor Mercadante asked about public safety 780 CMR 34 and if the building was secured for natural disasters. He believed this building is certainly worth a look and hopes the feasibility study will address all things including ensuring that the building is sound for natural disasters. Mayor Sapelli said yes we would be doing that and if we moved forward then the current police station building would be up for sale. Council Vice President Calabrese asked if this location was a good location for response time. Mayor said for decades the police station was located almost in West Springfield. Each cruiser has a quadrant they are responsible for so when a call comes in they are already dispersed according to their location. Councilor Bitzas asked what the projected costs were and Mayor said they aren't exactly sure and that is why we need to do this study. The big ticket items are already there so he guesimates less than ten million. Councilor Bitzas supported the study. Mayor noted that if the price tag came back exorbitantly high then he'd be concerned as

well. He is cautious optimistic and again this all is contingent on cost and Council approval. Councilor Bitzas asked if we would be doing a study on the current police station as well however the Mayor highly recommended that they each call the Chief and take a tour to see the conditions for themselves. Councilor Rossi doesn't want to put the cart before the horse. He is anxious to see what this study will come up with noting that the building needs to be functional and secure. Councilor Smith reminded everyone that all we were voting on this evening was to approve the \$28,000 for the feasibility study and that was it. The other questions can be asked at a later date. Councilor Cavallo agreed with the Mayor, Solicitor and Police Chief that we have to do something. This seems like a great location and good deal so let's sit back and see what the study says. He also said the current building conditions are deplorable and supports this 100%. Councilor Sandlin supports this as well noting this is just to see if this property is feasible or not.

Motion to come out of Committee as a Whole moved and seconded around the house. Voice vote approved.

Councilor Russo took the tour of the current police station and now he is even more for the police station than he was before. The current location is deplorable. Our police works so hard for us and if the study comes back that this location is not a good find, then we need to make this our priority. Councilor Mercadante reiterates the needs he mentioned before. Councilor Letellier is in favor of the study and also wants to make sure this building would meet the needs. Councilor Suffriti is in favor of the study and spoke with Chief Gillis and Building Maintenance Director Brian Pagella who think the building is sound and functional and would be a great idea. In short, if it comes back that it would cost too much money then we don't follow through with the purchase. He would hate to see us putting millions into a bad building. Councilor Bitzas suggested that we need to hire a structural engineer to see how the current police station could be renovated. He wants to support the police 100% but the neighbors near Suffield Street property say there are lots of problems there. Regardless a new police station is needed. Councilor Russo said of course none of us want wasteful spending but there are two important things he believes to invest in – education and safety. This is what brings people to Agawam. The job of our police is made more difficult by not having an adequate structure and/or tools to perform their jobs. He also said the current police station is certainly not safe and we need to invest in our police department. Councilor Smith moves to vote on the \$28,000 only. Councilor Rossi provided a background of the original building which at the time it was renovated to be the police station was already extinct. Council President Johnson provided inside knowledge of the history as he was involved in the construction arbitration. Most of what was renovated was largely cosmetic although Tony Albro certainly did a great job. It is just not feasible to renovate that old building as it was never shored up properly and the foundation and structure is not sound. Council President Johnson applauded the Mayor for thinking outside of the box noting it is worthwhile to figure out if this makes sense.

The vote was **11 YES, 0 NO** approving the item.

4. TR-2022-21 - A Resolution declaring and designating a certain strip of land at 36 Main Street as surplus land and authorizing the Mayor to sell that certain strip of land (Sponsored by Mayor Sapelli)

Next Agenda. Council President Johnson stated he was not going to refer this to sub-committee because his intent was to go into Committee as a Whole and have the Administration make a presentation to the Full Council.

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

Councilor Mercadante wished everyone a Happy St. Patrick's Day as did Councilor Bitzas. Council Vice President Calabrese said we need to do something to show our support with respect to what's happening at the Courthouse in Springfield. That building should come down. She also wished everyone a Happy St. Patrick's Day. Councilor Smith congratulated the Girls Wrestling team and Boys Basketball for great seasons. Councilor Sandlin thanked the Agawam St. Patrick's Day Committee who has been working on the float and doing a tremendous job. Councilor Suffriti wished everyone a Happy St. Patrick's Day. Council President Johnson asked us to keep the people of Ukraine in our thoughts and prayers.

Item M. Adjournment

Motion to adjourn was moved and seconded all around. Meeting was adjourned at 8:20pm.

Please note that this meeting was live-streamed on Channel 15 as well as being able to view on the town's website
www.agawam.ma.us

TR-2022-17

approved

A RESOLUTION EXPRESSING CONCERN OVER RECENT SKYROCKETING PRICES OF PRESCRIPTION MEDICATION AND URGING OUR UNITED STATES SENATORS AND REPRESENTATIVES ALONG WITH OUR STATE LEGISLATORS AND OUR GOVERNOR TO ACT IMMEDIATELY TO REDUCE THE COST OF PRESCRIPTION MEDICATIONS

(Sponsored by Agawam City Councilor George Bitzas)

WHEREAS, there have been dramatic price increases in prescription drug medications in the last eight months; and

WHEREAS, in some cases, the cost of prescription drug medications has increased by up to fifty percent from the previous year; and

WHEREAS, the elderly and fixed income families cannot afford to pay these increases along with the dramatic increases in food and fuel costs over the last year; and

WHEREAS, drug manufacturers are continuing to increase prescription drug prices and it is out of control; and

WHEREAS, residents are frustrated, worried and angry about these increases with many having to choose between buying food or prescription medications; and

WHEREAS, the federal government should stand up to pharmaceutical companies and force them by legislation and/or negotiation to stop the increases and reduce their prices; and

WHEREAS, other countries pay a lot less than United States citizens pay for the same medications which are, in many cases, manufactured by American companies; and

NOW, THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves to express its displeasure and frustration over these higher costs of prescription medications and hereby resolves to ask United States Representative Richard Neal, United States Senators Elizabeth Warren and Ed Markey to stand up to the pharmaceutical companies and draft legislation to reduce prescription medicine prices; and the Agawam City Council further resolves to ask Governor Charles Baker, State Senator John Velis and State Representative Nicholas Boldyga to do whatever they can to support this Resolution and bring down the skyrocketing cost of prescription medications.

Dated this 7th day of March, 2022

PER ORDER OF THE AGAWAM CITY COUNCIL


Christopher C. Johnson, City Council President

APPROVED AS TO FORM AND LEGALITY


Stephen J. Buoniconti, City Solicitor

*Org: Clerk's office
cc: Council
cc: Auditor
cc: Law Dept
cc: Mayor
cc: Rep Boldyga
cc: Senator Velis*

TOR-2022-3

*First Reading 2/22/22
Second Reading 3/17/22
~ approved ~*

AN ORDINANCE TO AMEND CHAPTER 49 OF THE CODE OF THE TOWN OF AGAWAM

(Sponsored by Mayor William P. Sapelli)

WHEREAS, pursuant to sections 7 (A)(1) and (A)(2) of Chapter 49 of the Code of the Town of Agawam, the Personnel Officer (AKA Personnel Director) is a full time administrative position compensated at the Tier 3 salary schedule as specified in the collective bargaining agreement by and between the Town of Agawam and the Agawam Administrative Union; and

WHEREAS, Tier 3 salary schedule in the agreement has 8 steps with a salary of \$67,783.15 and up to \$83,367.47; and

WHEREAS, Tier 2 salary schedule in the agreement has 8 steps with a salary of \$81,340.02 and up to \$100,041.69; and

WHEREAS, the Personnel Officer also received a stipend for the administration of claims related to worker's compensation and OSHA; and

WHEREAS, the Personnel Officer retired and the Town plans to begin a search and posting for a new hire at the position without any stipend compensation; and

WHEREAS, the placement of the Personnel Officer into the Tier 2 salary schedule will offer the administration the flexibility to be competitive in the hiring process based on compensation for the position on other municipalities; and

WHEREAS, the position of Executive Assistant to the Mayor will remain at the Tier 3 salary schedule; and

WHEREAS, the Agawam City Council has the authority to amend the Code of the Town of Agawam.

NOW THEREFORE, THE AGAWAM CITY COUNCIL hereby resolves and ordains to amend the Code of the Town of Agawam Code in the following manner:

Chapter 49 §49-7(A)(1)

Insert an "asterisk" after Personnel Officer to denote a department head classification

Chapter 49 §49-7(A)(2)

After "Executive Assistant to the Mayor", insert "shall be compensated at the Tier 3 salary schedule as specified in the current collective bargaining agreement by and between the Town of Agawam and the Agawam Administrative Union"

TOR-2022-5

*defeated
Org Clerk
cc: Law
cc: Council*

AN ORDINANCE REGARDING THE GRINDING OF TREE STUMPS AFTER THE CUTTING AND REMOVAL OF TREES ON TREEBELTS

(Sponsored by City Councilor George Bitzas)

WHEREAS, the Department of Public Works is doing a great job in cutting and removing existing trees from tree belts throughout the town; and

WHEREAS, the Code of the Town of Agawam does not specify that the Town of Agawam grind stumps that remain after the removal of trees on town-owned tree belts or town property; and

WHEREAS, leaving the tree stumps on the tree belts in front of residential homes and throughout the town causes danger to our residents and children; and

WHEREAS, leaving the tree stumps on the tree belts creates an eyesore; and

WHEREAS, residents are prohibited from grinding a tree stump located on town property and the town alone has the authority to grind or remove a tree stump on town property; and

WHEREAS, in Massachusetts, the average cost of tree stump grinding is \$394; and

WHEREAS, currently the number of existing tree stumps remaining on tree belts is less than ten; and

WHEREAS, the cost to the Town of Agawam to provide this service is minimal and the Department of Public Works should have sufficient funds in their budget to cover this cost; and

WHEREAS, the Department of Public Works should purchase the necessary equipment to be used to eliminate extra costs; and

WHEREAS, the Town of Agawam should provide this service to keep the Town of Agawam beautiful.

NOW THEREFORE, the Agawam City Council hereby amends Chapter 155 ("Streets and Sidewalks") of the Code of the Town of Agawam by inserting the following:

Article V
§155-30 Public shade tree stump removal

The Department of Public Works shall be responsible for the grinding of or removal of a stump of a public shade tree that is cut down or removed pursuant to M.G.L. c. 87 Sections 1 through 4, inclusive. Subsequent to the grinding of the stump of a public shade tree, the debris shall be removed and replaced with loam graded to existing ground level surrounding the stump and grass seed spread over the disturbed area.

After "Personnel Officer shall be compensated at the Tier", delete 3 and insert 2.

DATED THIS 7th DAY OF March, 2022.

PER ORDER OF THE AGAWAM CITY COUNCIL


Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY


Stephen J. Buoniconti, City Solicitor

*Org: Clerk's office
cc: Council
cc: Auditor
cc: Treasurer
cc: Personnel
cc: Law Dept
cc: Mayor*

↖

approved

TR-2022-19

AN EMERGENCY PREAMBLE FOR TR-2022-20 TO APPROPRIATE \$28,800 FOR A PROFESSIONAL DESIGN STUDY OF 1070 SUFFIELD STREET

(Sponsored by Mayor William P. Sapelli and President Christopher C. Johnson)

WHEREAS, the administration has offered to purchase 1070 Suffield Street for \$2,150,000 for the purpose of relocating the Town's police station from the Springfield Street location; and

WHEREAS, the offer has been accepted on the condition that the sale close by June 1, 2022 with all contingencies resolved no later than May 1, 2022; and

WHEREAS, the Town has received a proposal from Caolo & Bieniek Associates, Inc. for \$28,800.00 to conduct a professional design study of the building to determine the estimated construction cost to renovate the building into a police station; and

WHEREAS, the study is expected to take approximately 4-6 weeks to complete which will not give the Town ample time to conduct the study, propose any new conditions of the sale to the owners and permit the City Council to take final action on an appropriation prior to the contingency date of May 1, 2022; and

WHEREAS, timing prompts an emergency preamble as the City Council would not be able address the matter in the normal course of proceedings until March 22, 2022 which would jeopardize the Town receiving sufficient information from the design study to make an informed decision whether to proceed with the purchase and sale agreement.

NOW THEREFORE, the Agawam City Council hereby declares pursuant to Section 2-9(b) of the Agawam Home Rule Charter that an emergency exists and hereby approves this Emergency Preamble for TR-2022-20 allowing the Agawam City Council to act on this agenda item at its March 7, 2022 Meeting.

DATED THIS 7th DAY OF March, 2022.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson
Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY
Stephen J. Buoniconti
Stephen J. Buoniconti, City Solicitor

*Org. Clerk's office
cc: Council
cc: Auditor
cc: Treasurer
cc: Police Dept.
cc: Law Dept.
cc: Mayor*

approved

TR-2022-20

A RESOLUTION APPROPRIATING FUNDS FROM THE GENERAL, UNRESERVED, UNDESIGNATED FUND BALANCE (FREE CASH) TO THE POLICE STATION STUDY ACCOUNT (16610-53807) FOR DESIGN STUDY COSTS OF 1070 SUFFIELD STREET

(Sponsored by Mayor William P. Sapelli)

WHEREAS, the Town of Agawam has entered into an agreement to purchase 1070 Suffield Street for \$2,150,000.00 for the purpose of establishing a new location for the Town of Agawam Police Station; and

WHEREAS, the Town has received a proposal from Caolo and Bieniek Associates, Inc. in the amount of \$28,800.00 to perform a profession design study of the existing building to determine the costs of renovations for a new police station; and

WHEREAS, the design study is necessary for the Mayor and City Council to know what the total costs (purchase and renovation) will be for the Town to convert the building into a police station; and

WHEREAS, appropriations from the General Fund to another account require the approval of the City Council; and

WHEREAS, it is in the best interest of the Town of Agawam to appropriate the said monies to conduct a design study prior to completing a purchase of 1070 Suffield Street.

NOW THEREFORE, BE IT RESOLVED that the Agawam City Council appropriates twenty eight thousand and eight hundred dollars and zero cents (\$28,800.00) from the General, Unreserved, Undesignated Fund (free cash) to the Police Station Study Account (16610-53807).

DATED THIS 7th DAY OF March, 2022.

PER ORDER OF THE AGAWAM CITY COUNCIL

Christopher C. Johnson
Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY
Stephen J. Buoniconti
Stephen J. Buoniconti, City Solicitor

APPROVED AS TO APPROPRIATION
Cheryl St. John
Cheryl St. John, Auditor

*Org. Clerk's office
cc: Council
cc: Auditor
cc: Treasurer
cc: Police Dept.
cc: Law Dept.
cc: Mayor*