

First Reading 4/18/23
Second Reading 5/1/23
Approved

TOR-2023-4

AN ORDINANCE TO AMEND SECTION 94 OF CHAPTER 180 OF THE CODE OF THE TOWN OF AGAWAM REGARDING THE WIRELESS TELECOMMUNICATIONS OVERLAY DISTRICT

(Sponsored by Mayor William P. Sapelli)

WHEREAS, Chapter 180 of the Code of the Town of Agawam is the municipal zoning ordinance; and

WHEREAS, Section 94 of Chapter 180 provides for a wireless telecommunication overlay district within the geographic boundaries of the Town of Agawam; and

WHEREAS, subsection B of Section 94 if the parcels contained within the overlay district; and

WHEREAS, the Town of Agawam owns 1000 Suffield Street, a 39.75 acre parcel that currently houses the operations of the Department of Public Works, Inspection Services other municipal departments and the Western Mass. Office of the Massachusetts Emergency Management Agency (MEMA); and

WHEREAS, the Town has received regular complaints over the years from citizens of faulty cellphone coverage in the central to southerly sections of Suffield Street, especially with Verizon customers; and

WHEREAS, the Town owns 1070 Suffield Street and is in the process of reconstructing the building for the location of a new municipal police station which will require enhanced support for the police telecommunication system; and

WHEREAS, a request for proposals (RFP) to enter into a lease agreement for the construction of a monopole tower was posted due to the misunderstanding that 1000 Suffield Street was already in the overlay district (based on the MEMA cell tower located to the front side of 1000 Suffield Street); and

WHEREAS, Cellco Partnership, doing business as Verizon Wireless, submitted a suitable proposal within the scope of the RFP; and

WHEREAS, the RFP can only be executed with 1000 Suffield Street being included in the overlay district and the City Council's authorization of a lease agreement; and

WHEREAS, the RFP includes the Town having the right of use for the top of the monopole, but the telecommunication issues for the police department continue to evolve and change over time and the inclusion of 1070 Suffield Street in the Overlay District will promote the needs of public safety; and

Original - Clerks
CC - Council
CC - Auditing
CC - Inspection Services
CC - Law
CC - Mayor
CC - DPLD
CC - Emergency Management
CC - Planning
CC - I.T.

WHEREAS, it is in the best interest of the Town of Agawam to amend §180-94 (Wireless Telecommunications Overlay District) and include 1000 Suffield Street and 1070 Suffield Street in the Overlay District.

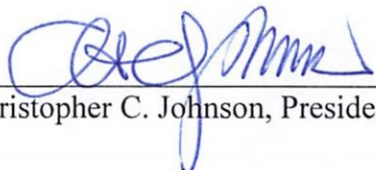
NOW THEREFORE, the Agawam City Council hereby resolves, ordains, amends and enacts the following insertions to subsection B of Section 94 of Chapter 180 of the Code of the Town of Agawam:

§180-94 Wireless Telecommunications Overlay District (WTOD)

Property Name	Assessor's Map, Block and Lot
Insert -Agawam Municipal Complex Annex 1000 Suffield Street	I7 1 2
Insert -Agawam Police Station 1070 Suffield Street	I6 1 9

Dated this 1st day of May, 2023.

PER ORDER OF THE AGAWAM CITY COUNCIL



Christopher C. Johnson, President

APPROVED AS TO FORM AND LEGALITY



Stephen J. Buoniconti, City Solicitor

MAYORAL ACTION

Received this 2nd day of May 2023 from Council Clerk.

Signed by Council President this 1st day of May 2023 .

APPROVAL OF LEGISLATION

By the powers vested in me pursuant to Article 3, Section 3-6 of the Agawam Charter, as amended, I hereby approve the passage of the above legislation on this 2nd day of May 2023 .



William P. Sapelli, Mayor

DISAPPROVAL OF LEGISLATION

By the powers vested in me pursuant to Article 3, Section 3-6 of the Agawam Charter, as amended, I hereby veto the passage of the above legislation on this _____ day of _____, 2023 for the following reason(s):

William P. Sapelli, Mayor

RETURN OF LEGISLATION TO COUNCIL CLERK

Returned to Council Clerk this 2nd day of May 2023 .