



City Council AGENDA

Tuesday, September 8, 2026 - 6:00 PM

Regular Meeting
Agawam Senior Center
954 Main Street
Agawam, MA 01001

- A. Approval of Minutes
 - 1) Minutes dated August 3, 2026.
- B. Agenda Items
 - 1) **TR-2026-52** - A Resolution amending the Rules and Regulations of the Agawam City Council (Sponsored by Councilor Borgatti)
 - 2) **TOR-2026-5** - An Ordinance banning cryptocurrency automated teller machines within the Town of Agawam (Sponsored by Mayor Johnson)
 - 3) **TOR-2026-6** - An Ordinance to amend Section 169-33 of the Code of the Town of Agawam regarding penalties for violating E-Bike Ordinance (Sponsored by Mayor Johnson and Councilor Mercadante)
- C. Any other business that may legally come before the Committee
- D. Adjournment

LEGISLATIVE SUB-COMMITTEE MINUTES

August 3, 2026

Present: Thomas Hendrickson - Chair
Rosemary Sandlin – Vice Chair
George Bitzas
Cecilia Calabrese
Christine Rickmon

Also Present: Councilors Borgatti, McNair, Mercadante, Rossi, Russo, Suffriti, and Mayor Johnson

Called to Order: Meeting was called to order by Chair Hendrickson at 6:30pm in the Agawam Senior Center Seminar Hall

AGENDA

1. Approval of minutes dated July 13, 2026

Motion to approve the minutes made by Councilor Sandlin and seconded by Councilor Rickmon

The vote was 5Yes, 0 No approving the minutes.

2. TOR-2026-4 - An Ordinance enacting a temporary moratorium on data centers in the Town of Agawam (Sponsored by Mayor Johnson and Council President Russo)

After a brief presentation and discussion, the Committee sent a positive recommendation with a Motion made by Councilor Calabrese and seconded by Councilor Bitzas. The vote was 5 Yes, 0 No.

3. Any other business that may legally come before the Committee.

None.

4. Adjournment.

Motion to adjourn was moved by Councilor Sandlin and seconded by Councilor Rickmon. The meeting was adjourned at 6:42pm.

Respectfully submitted,

Councilor Thomas Hendrickson, Chair
Legislative Committee

**A RESOLUTION AMENDING THE RULES AND
REGULATIONS OF THE AGAWAM CITY COUNCIL REGARDING
REMOTE AND PHYSICAL PARTICIPATION**

(Sponsored by Councilor Edward Borgatti)

WHEREAS, the Agawam City Council desires to amend its Rules and Regulations in Chapter A184; and

WHEREAS, the Town Charter Section 2-7(c) states that “The Town Council shall from time to time establish rules for its proceedings.”; and

WHEREAS, the Commonwealth of Massachusetts has prepared regulations which govern remote participation at duly called public meetings; and

WHEREAS, it is in the best interests of the City known as the Town of Agawam that the Agawam City Council adopt guidelines for remote participation of the membership when necessary; and

WHEREAS, while state law permits remote participation, such authorization is permissive and does not require its use by municipalities; and

WHEREAS, the proposed Rules and Regulations are attached to this Resolution;

NOW THEREFORE, BE IT RESOLVED that the Agawam City Council hereby adopts 940 CMR 29.10, subject to the additional procedural requirements of this new rule and final authorization by the Mayor, and amends its Rules and Regulations by striking §A184-8 and inserting in place thereof the following new §A184-8:

“§A184-8. Rule 8: Quorum.

A majority of the members of the City Council being physically present shall constitute a quorum and be necessary for the transaction of business. If, at the time any meeting is called to order, a quorum is not present and if, after a recess of not more than 30 minutes, a quorum is still not present, the President shall declare the meeting adjourned to a later time and those in attendance shall be named.

Any member seeking to participate remotely shall follow the provisions of Rule 36 for doing so.”

BE IT FURTHER RESOLVED that the Agawam City Council hereby amends its Rules and Regulations by adding the follow new rule:

“§A184-36. Rule 36: Remote Participation

- A. The City Council adopts the provisions of 940 CMR 29.10, subject to the additional procedural requirements of this rule and final authorization by the Mayor.
- B. The City Council strongly encourages its members to physically attend all City Council meetings whenever possible. However, it is recognized that in some cases a member may not be able to be physically present. Therefore, the City Council may permit remote participation by members, subject to the procedural requirements of this Rule, at future City Council meetings and City Council Sub-Committee meetings if physical attendance is unreasonably difficult. At all times, a quorum as defined by Rule 8 must be physically present.
- C. Agawam Procedures for Remote Participation:
 - a. Any member seeking to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the President or, in the President’s absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.
 - b. Remote participation may be permitted only in cases of:
 - i. Medical emergency or serious illness;
 - ii. Family emergency;
 - iii. Military service; or
 - iv. Geographic or extraordinary hardship, as determined by the Council President
 - c. At the start of the meeting, the President shall announce the name of any member who will be participating remotely. This information shall also be recorded in the meeting minutes.
 - d. If a member must physically leave after the start of a meeting,
 - i. The member shall make a point of order and notify the President or, in the President’s absence, the person chairing the meeting that they are leaving the meeting.
 - ii. If the Member’s absence would result in the loss of a quorum being physically present, then prior to the excusal of the member the President may move for a recess to allow reasonable period of time for a quorum to reconvene. If after a recess of not more than 30 minutes, a quorum is still not present, the President shall declare the meeting adjourned to a later time and those members in attendance shall be named. This information shall also be recorded in the meeting minutes.
 - e. All votes taken during any meeting in which a member participates remotely shall be by roll call vote.
 - f. Members shall be physically present to participate in an executive session.
 - g. When feasible, the President or, in the President’s absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, § 22.”

Dated this _____ day of _____, 2026.

PER ORDER OF THE AGAWAM CITY COUNCIL

Anthony J. Russo, President

APPROVED AS TO FORM AND LEGALITY



Christopher S. Cappucci, City Solicitor

TOR-2026-5

**AN ORDINANCE BANNING CRYPTOCURRENCY
AUTOMATED TELLER MACHINES WITHIN THE TOWN OF AGAWAM**

(Sponsored by Christopher C. Johnson, Mayor)

WHEREAS, the proliferation of cryptocurrency automated teller machines (“ATMs”) has made cryptocurrency more accessible than ever before; and

WHEREAS, the Agawam Police Department has received reports of scammers utilizing cryptocurrency to engage in nefarious financial crimes against Agawam residents; and

WHEREAS, the senior citizens of Agawam are particularly vulnerable to such scams as the techniques of scammers become ever more sophisticated and targeted; and

WHEREAS, the lack of an effective federal and state oversight and regulatory framework for cryptocurrencies, including but not limited to Bitcoin and other blockchain-based tokens, has made it difficult for law enforcement to investigate such nefarious financial crimes; and

WHEREAS, it is in the best interest of the City of Agawam to protect its residents by establishing safeguards around the accessibility of cryptocurrency;

NOW THEREFORE, the Agawam City Council hereby amends the Code of the City of Agawam by adding the following new Chapter 122 entitled: Prohibition of Cryptocurrency Automated Teller Machines (ATMs):

Chapter 122. Prohibition of Cryptocurrency Automated Teller Machines (ATMs)

§ 122-1 Purpose and intent.

The Town finds that unregulated cryptocurrency automated teller machines (ATMs) pose risks to consumers, including financial fraud, money laundering and lack of recourse for users. Cryptocurrency ATMs convert currency into virtual currency instantaneously and irreversibly, which exposes the most vulnerable of our residents to unnecessary risk. The Town further finds that the current absence of sufficient federal and state consumer protections and regulatory oversight for such devices necessitates a municipal prohibition to safeguard residents and preserve public safety. The purpose of this Chapter is to prohibit the use of cryptocurrency automated teller machines (ATMs) within the Town in an effort to protect our residents.

§ 122-2 Definitions.

- (a) **Cryptocurrency:** A digital currency, virtual currency or any other digital asset with a digital representation of value that uses cryptography for security and operates independently of a central bank including but not limited to Bitcoin, Bitcoin Cash, Coinhub, Dash, Litecoin,

Ripple, ZCash, Ethereum and similar blockchain-based tokens. Cryptocurrency is a digital representation of value used as a medium of exchange, a unit of account, or a store of value, but does not have legal tender status as recognized by the United States Government.

- (b) Cryptocurrency Automated Teller Machine (Cryptocurrency ATM): Any self-service kiosk, machine or device installed in a publicly accessible location that enables users to buy, sell, exchange or transfer cryptocurrency through the machine using cash, a debit card, a credit card or other means of payment.

§ 122-3 Prohibition of cryptocurrency automated teller machines.

No person, business, or entity shall install, operate, maintain or allow the installation or operation of a Cryptocurrency ATM within the geographic boundaries of the Town of Agawam. All Cryptocurrency ATMs existing in the Town as of the effective date of this Chapter must be removed within sixty (60) days after the effective date.

§ 122-4 Enforcement and penalties.

- (a) This Chapter shall be enforced by the Police Department or the Inspection Services Department.
- (b) Any person, business or entity found to be in violation of this Chapter shall be subject to a fine of three hundred (\$300.00) dollars per day, per device. Such fines may be imposed and collected by the enforcing officers pursuant to the non-criminal disposition process set forth in Massachusetts General Laws Chapter 40, § 21D.
- (c) Each day during which a violation continues shall constitute a separate offense.

§ 122-5 Severability.

If any provision of this Chapter is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

Dated this ____ day of _____, 2026.

PER ORDER OF THE AGAWAM CITY COUNCIL

Anthony J. Russo, President

APPROVED AS TO FORM AND LEGALITY



Christopher S. Cappucci, Solicitor



Town of Agawam

Christopher C. Johnson, Mayor
36 Main Street
Agawam, MA 01001
Telephone: 413-786-4520

Memorandum

To: Agawam City Council
From: Christopher C. Johnson, Mayor
Re: TOR-2026-5 (Cryptocurrency ATM Ban)
Date: July 30, 2026

The Police Department has asked that the Town ban cryptocurrency automated teller machines (Cryptocurrency ATMs). The Police Department has received several reports of citizens being defrauded of significant sums of money with the Cryptocurrency ATMs being the vehicle by which the perpetrators of the fraud obtain the money without any trace. Frankly, it is difficult to imagine a legitimate purpose for these machines as any legitimate cryptocurrency investor would not be purchasing cryptocurrency through one.

At the present time, there is no state or federal regulation of these machines, and several communities (e.g. Westfield and Haverhill) have stepped up to ban them in their cities. Below are some quotes from recent articles about Cryptocurrency ATM scams for your information:

“Cryptocurrency ATM scams are rapidly escalating, with the FTC reporting a 1,000% increase in losses between 2020 and 2023, and \$388 million lost in 2025 alone. Scammers exploit these ATMs for their anonymity and instant transfers, often impersonating officials to coerce victims, particularly those over 60, into depositing cash.” Forbes June 22, 2026

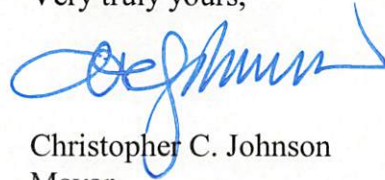
“Cryptocurrency-related fraud is surging in the United States, with losses reaching an estimated \$9.3 billion in 2024 — a 66% increase over the previous year. Older adults are especially vulnerable, with those 60 or older losing \$2.8 billion to cryptocurrency scams. Most U.S. adults — especially older adults — can’t differentiate a cryptocurrency ATM from a traditional bank ATM. This is concerning as scammers are increasingly using crypto ATMs in their fraudulent schemes — taking advantage of their speed, ease of use, and lack of traceability to move funds quickly and anonymously.” AARP October 17, 2025

“Most of us use ATMs pretty often to withdraw cash. But Bitcoin ATMs (or BTMs) are a different beast. Increasingly located in convenience or grocery stores, gas stations, and other places, they’re a way to buy or send cryptocurrency. Only scammers are now using BTMs to steal your money.” Federal Trade Commission Consumer Advice September 3, 2024

“Cryptocurrency ATMs, also known as crypto kiosks, are popping up in convenience stores, gas stations, and other everyday locations across Massachusetts. They look familiar, often resembling traditional bank ATMs. But behind that familiar appearance is a growing threat that is costing residents, especially older adults, their life savings. That is why AARP Massachusetts is calling for a statewide ban on cryptocurrency ATMs. ... These machines have become a favored tool for scammers. Criminals routinely pressure victims to withdraw cash and deposit it into crypto kiosks, where the money is quickly converted into cryptocurrency and sent away. Once the transaction is complete, the funds are almost always unrecoverable. Unlike traditional banking systems, crypto kiosks operate without meaningful consumer protections, leaving victims with little or no recourse.” AARP Massachusetts April 4, 2026

Please do not hesitate to contact me with any questions.

Very truly yours,



Christopher C. Johnson
Mayor

TOR-2026-6

**AN ORDINANCE TO AMEND SECTION 169-33 OF THE
CODE OF THE TOWN OF AGAWAM REGARDING PENALTIES
FOR VIOLATING E-BIKE ORDINANCE**

(Sponsored by Christopher C. Johnson, Mayor and Dino R. Mercadante, City Councilor)

WHEREAS, electric bicycles, more commonly known as e-bikes, are growing in popularity in Agawam; and

WHEREAS, Agawam recently passed an ordinance to regulate electric bicycles to insure e-bike operators along with other bicyclists, pedestrians and motorists are safe on the public ways in the Town of Agawam; and

WHEREAS, the Agawam Police Department has requested that the penalty provisions of the ordinance be amended to increase fines for repeat offenders and to contain the impoundment provisions provided in Massachusetts General Laws Chapter 85, §11B; and

WHEREAS, it is in the best interest of the Town of Agawam to amend the penalty provisions of the e-bike ordinance; and

NOW THEREFORE, the Agawam City Council hereby amends Section 169-33 of Chapter 169 of the Code of the City of Agawam entitled "Vehicles and Traffic" by deleting the existing §169-33 and inserting the following in its place:

§169-33 Penalties

The Police Department is hereby authorized to enforce the provisions of this Chapter pursuant to Massachusetts General Laws, Chapter 40, §21D. The parent or guardian of any person under age eighteen shall not authorize or knowingly permit any such person to violate any of the provisions of this Chapter.

Violations of any provision of this Chapter shall be punishable by a non-criminal penalty of:

- A. fifty (\$50.00) dollars for the first offense;
- B. one hundred (\$100.00) dollars for the second offense; and
- C. three hundred (\$300.00) dollars for third and subsequent offenses.

An Electric bicycle operated by any person in violation of this Chapter may be impounded by the Police Department for a period not to exceed fifteen (15) days pursuant to Massachusetts General Laws, Chapter 85, §11B. Any towing fees, impound fees and/or other costs associated with such impoundment shall be the sole responsibility of the owner of the Electric bicycle.

Dated this ____ day of _____, 2026.

PER ORDER OF THE AGAWAM CITY COUNCIL

Anthony J. Russo, President

APPROVED AS TO FORM AND LEGALITY



Christopher S. Cappucci, Solicitor



Town of Agawam

Christopher C. Johnson, Mayor
36 Main Street
Agawam, MA 01001
Telephone: 413-786-4520

Memorandum

To: Agawam City Council
From: Christopher C. Johnson, Mayor
Re: TOR-2026-6 (E-bike penalties)
Date: July 30, 2026

The Police Department has asked that the Town increase the penalties for violating the recently enacted e-bike ordinance. There continues to be an increase in the volume of motorized bicycles, scooters and electric motorcycles on the roads in Agawam. The Police Department, in conjunction with the School Department, has attempted to inform the parents and children of Agawam regarding the safe operation of these vehicles.

Despite their efforts, the incidence of unsafe operation, especially by children, continues on the roadways in town. The revised penalty provisions provides for stepped fines in an effort to curb bad behavior by repeat offenders. It also includes reference to state law (M.G.L. Chapter 85, §11B) which allows for temporary impoundment of bicycles and e-bikes. It is hoped that, especially for repeat juvenile offenders, the temporary impoundment of these vehicles and the costs associated therewith, will drive home the importance for parental involvement and supervision.

Please do not hesitate to contact me with any questions.

Very truly yours,



Christopher C. Johnson
Mayor