

The Mayor's briefing of the Chicopee City Council will be held on February 21, 2023 at the City of Chicopee City Hall Auditorium located at 274 Front Street, 3<sup>rd</sup> Floor, Chicopee, Massachusetts at 6:30 p.m. and via Zoom. The items to be discussed include the Agenda items listed below and general City of Chicopee updates.

The City of Chicopee City Council meeting will be held on February 21, 2023 at the City of Chicopee City Hall Auditorium located at 274 Front Street, 3<sup>rd</sup> Floor, Chicopee, Massachusetts at 7:15 p.m. and via Zoom. The items to be discussed include the Agenda items listed below.

#### Public Input

- MO-1 Mayor's appropriation of Forty three thousand eight hundred thirty five and 00/100 dollars (\$43,835.00) to the following named account: Golf Special Account for Purchase of Equipment from the available funds in the Stabilization Fund for Capital Budgeting.
- MO-2 Mayor's appropriation of Seven thousand nine hundred eleven and 51/100 dollars (\$7,911.51) to the following named account: Golf Special Account for Golf Course Maintenance from available funds in the Stabilization Fund.
- MO-3 Mayor's appropriation of Forty one thousand two hundred seventy eight and 21/100 dollars (\$41,278.21) to the following named account: Human Resources Special Account for Indemnifications of Police & Fire from available funds in the Stabilization Fund.
- MO-4 Mayor's appropriation of Thirty five thousand and 00/100 dollars (\$35,000.00) to the following named account: D.P.W. Engineering Special Account for Purchase of Vehicles from available funds in the Stabilization Fund for Capital Budgeting.
- MO-5 Mayor's appropriation of Twenty seven thousand and 00/100 dollars (\$27,000.00) to the following named account: Fire Salary Account for Overtime from available funds in the Stabilization Fund.
- MO-6 Ordered that the City Council accept the donation in the amount of Five hundred and 00/100 dollars (\$500.00) from the Blue Room Café owner Gary Ziembra to the Chicopee Fire Department. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-7 Mayor's appropriation of One hundred thousand and 00/100 dollars (\$100,000.00) to the following named account: Law Expense Account for Special Services from available funds in the Stabilization Fund.
- MO-8 Mayor's appropriation of Thirty thousand and 00/100 dollars (\$30,000.00) to the following named account: Emergency Management Special Account for Grant Spending/Disaster Relief from available funds in the Stabilization Fund.
- MO-9 To the City Council:
- You are hereby notified that I have this day appointed Michael Patnaude, 136 Woodlawn Street, Chicopee, MA 01020 as a member of the Veterans Advisory Board until the first of February 2025. To which appointment I ask the confirmation of your honorable Council.
- \*New- Appointment
- MO-10 Be it Ordered that parcels of land identified on exhibit A attached to this order be declared surplus and transferred to the general corporate holdings of the City in accordance with M.G.L. C. 40 §15A and that the Mayor be authorized to sell those parcels to the abutters and execute any formalities required, including deeds, in accordance with M.G.L. C. 40 § 15 and the City Charter.

See attached order.

Encroachment/Surplus Parcel Information				Receiving, Abutting Parcel Information	
Parcel Number	Area (Square Feet)	Estimated Assessed Value of Transfer Parcel	Surplus or Encroachment	Parcel ID	Address
▪ 1	34	\$138.38	Surplus	0098-00031	31 Ames Avenue
▪ 2	121	\$1,024.87	Surplus w/ Encroachment	0098-00032	33-35 Ames Avenue
▪ 3	389	\$2,096.71	Encroachment	0098-00033	41 Ames Avenue
▪ 4	244	\$2,298.48	Surplus	0098-00034	49 Ames Avenue
▪ 5	303	\$3,087.57	Surplus	0098-00035	55-57 Ames Avenue
▪ 6	807	\$6,020.22	Encroachment	0098-00036	65 Ames Avenue
▪ 7	1145	\$8,770.70	Encroachment	0098-00037	69 Ames Avenue
▪ 8	34	\$115.60	Surplus	0099-00003	10 Riverview Terrace
▪ 9	173	\$1,221.38	Surplus	0099-00002	16 Riverview Terrace
▪ 10	287	\$1,874.11	Encroachment	0099-00001	20 Riverview Terrace
▪ 11	334	\$2,114.22	Surplus	0100-00001	26 Riverview Terrace
▪ 12	326	\$2,105.96	Encroachment	0100-00002	32 Riverview Terrace
▪ 13	1079	\$4,521.01	Encroachment	0100-00003	40 Riverview Terrace

- 11 A Human Resources Committee report: Mayoral appointment of Joshua Clark as a member of the Mobile Home Rent Control Board to serve in such office for the term expiring on the 1<sup>st</sup> of January 2025.
- 12 A Human Resources Committee report: Mayoral appointment of Lester Gagne as a member of the Mobile Home Rent Control Board to serve in such office for the term expiring on the 1<sup>st</sup> of January 2025.
- 13 A Human Resources Committee report: Mayor appointment of Daniel Mashia as a member of the Chicopee Electric Light Commission to serve in such office for the term expiring on the 1<sup>st</sup> of January 2026.
- 14 A Human Resources Committee report: Mayoral appointment of Julia Sudol as a member of the Zoning Board of Appeals to serve in such office for the term expiring on the 1<sup>st</sup> of January 2026.
- 15 An Ordinance Committee report: Chapter 7 Ordinance Revisions
- Insertion of the position of Intern into the following departments: Police, Fire, Human Resources, Mayor, Library, Health, Parks & Recreation
- Insertion of the position of Intern/Co-op into the following departments: Central Maintenance Garage, DPW Parks, DPW Highway, DPW Forestry, DPW Sewer, DPW Water, DPW Engineering, Police.
- 16 An Ordinance Committee report: Be it Ordained by the City Council to adopt the below listed policy regarding the display of flags in front of City Hall on the City Hall traffic island.
- Add Chapter 88
- §88-1 Display of Flags on City Hall Plaza

The purpose of this Ordinance is to establish guidelines for the display by the City of Chicopee of (1) flags of governments recognized by the Federal Government, and (2) other flags in front of City Hall on the City Hall traffic island. Nothing herein shall be construed to conflict with City of Chicopee Code, Ordinances Chapter 87.

§88-2 Policy.

It is the policy of the City of Chicopee that flags should be displayed in conformance with Federal and State policies, as stated in the Federal "Our Flag" publication of the Congress, House Document No. 96-144; Chapter 2, Section 6 of the Massachusetts General Laws and Chapter 2, Section 6A of the Massachusetts General Laws.

§88-3 Order of Precedence

Outdoor flags will be flown at City facilities in the following order of precedence: first, the United States flag; second, the Commonwealth of Massachusetts flag; and third, the City of Chicopee flag.

§88-4 Special occasions of Federal, State and local proclamation.

- a. Flags in front of City Hall shall be displayed in accordance with the above standards. However, the Mayor may order flags to be lowered to half-staff including, but not limited to flags of the United States of America and the Commonwealth of Massachusetts in honor of the death of a City employee killed in the line of duty, or in observance of a specific event or circumstance.
- b. Pursuant to proclamation of the Mayor, or resolution of the City Council, other flags may be flown by the City in place of the City of Chicopee flag.

§88-5 Other Flags.

The City's flagpoles are not intended to serve as a forum for free expression by the public. The following flags may be displayed by the City as an expression of the City's official sentiments:

- a. Flags of Government Recognized by the United States. Flags of government recognized by the United States may be displayed upon the proclamation of the Mayor or by resolution of the City Council.
- b. Flags displayed in Conjunction with Official Events or Ceremonies as Announced by Mayoral Proclamation or City Council Resolution. By proclamation of the Mayor or resolution of the City Council, other flags may be displayed as official City events or ceremonies.
- c. Ownership of Other Flags. The City shall acquire ownership of all flags that it flies in place of the City of Chicopee flag.

Section 2: This Ordinance shall take effect upon passage.

17

An Ordinance Committee report: Be it Ordained by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Delete Chapter 169-13 E

And insert in place thereof

Bulky waste, such as discarded furniture, mattresses, large electronics, tires, floor coverings, large appliances, and similar items can be picked up through the City's Curbside Bulk Pick-up Program. Disposal of construction/demolition debris, commercial bulk waste, hazardous waste and regular household trash are not eligible for pick-up and shall be the responsibility of the owner.

- 18 An Ordinance Committee report: Be it Ordained by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Chapter 200-4 Boom boxes and audio equipment.

Add to B the following  
as measured at the property line of where the unreasonable noise originates

To read:

B. Loud and unreasonable noise defined. For purposes of this section, an unreasonable loud noise is defined as a sound which is greater than 50 decibels in the hours between 11:00 p.m. and 7:00 a.m. and 70 decibels at other times as measured at the property line of where the unreasonable noise originates or any sound which is discernible at a distance of 100 feet, provided that such sound is not otherwise authorized by permit or license granted by the Commonwealth of Massachusetts or the City by permission of the Chief of Police.

- 19 An Ordinance Committee report: Be it Ordained by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Add: Chapter 169, Article VII

Enforcement and Violation

The Superintendent of Public Works, Chicopee Police Department, Chicopee Building Department, Chicopee Health Department, Chicopee Fire Department, or any of their designee(s) shall enforce the provisions of Chapter 169 and shall have the authority to issue citations for any said violation(s). Any person violating any of the provisions of this article, except where a different penalty is specially provided, shall be liable to a fine of \$50 for the first offense, \$100.00 for a second offense and \$500.00 for a third and/or subsequent offense within a twelve-month period.

- 20 An Ordinance Committee report: Be it Ordered that the following question shall be placed on the November 7, 2023 ballot for the City of Chicopee

Shall the City of Chicopee vote to accept the provisions of Section six C of Chapter forty of the General Laws, which authorize cities and towns to appropriate money for the removal of snow and ice from private ways therein open to public use?

- 21 An Ordinance Committee report: Be it Ordered that the Ordinance Committee review the current tag sale policy.
- 22 An Ordinance Committee report: A proposed Ordinance striking from Chapter 260, Parking Regulations, Beaudry Avenue, Heading east to Memorial Drive for a distance of 75 feet. Parking Prohibited at Anytime.
- 23 An Ordinance Committee report: A proposed Ordinance adding to Chapter 260, Parking Regulations, Beaudry Avenue, South side – for a distance of 165 feet westerly from Memorial Drive. Parking Prohibited at Anytime.
- 24 An Ordinance Committee report: A proposed ordinance adding to Chapter 260, Parking Regulations, Bourbeau Street, Odd side 25 feet to corner of Prospect Street, Parking Prohibited Here to Corner.
- 25 An Ordinance Committee report: A proposed ordinance adding to Chapter 260, Parking Regulations, Cherryvale Street, Dead End Side, At the intersection of New Ludlow Road, Isolated Stop Sign with Stop Bar.

26 Be it Ordered that Senator Oliveira be invited to public input to provide a legislative update.

Lafamme

27 Be it Ordered that the issue of an abandoned house on 113 James Street be referred to the Utilities Subcommittee to discuss with Eversource the status of the vacant house.

Pniak-Costello

28 Be it Ordered that the DPW perform an updated traffic study on Keddy Blvd and send to the Public Works Committee for a public hearing.

Pniak-Costello

29 Be it Ordered that a truck route study for the west side of James Street from Prospect Street to Syrek Street be performed by the DPW and referred to the Public Works Committee for a public hearing.

Pniak-Costello

30 Be it Ordained by the City Council that the Code of the City of Chicopee for the year 1991, as amended, be and is hereby further amended as follows:

Delete Chapter 275-66 A in its entirety

And insert in place thereof

275-66 A Burnett Road

A. No further business, commercial or industrial development shall occur on Burnett Road from the Ludlow/Chicopee line to the intersection of New Lombard Road and Burnett Road and any appurtenant street for a period of one year commencing on April 1, 2023, and terminating on April 1, 2024, except by special permit.

Dobosz

31 An application for a NEW Special Permit under Section 275-50 (c)(1&2) of the Municipal Zoning Ordinance for the purpose of Erecting a digital sign on the property on existing pole. Waivers requested: Front setback from 25' to +/- 2.5' Location of Property: 704 Memorial Drive. Name of Applicant: Chuck's Sign Company, 658 Fuller Road, Chicopee, MA 01020.

32 An application for a NEW Special Permit under Section 275-52 B (10), 50 C (2) of the Municipal Zoning Ordinance for the purpose of parking facilities within Residential A district. Replace existing accessory sign. Waivers requested: Front setback from 25' to 12'. Location of Property: 147 Grape Street, 0 Grape Street, Map & Parcel ID: 063-32, 063-31. Name of Applicant: Elms College, 291 Springfield Street, Chicopee, MA 01013. Contact: Katie Longley.

33 An application for a NEW Special Permit under Section 275-66 A of the Municipal Zoning Ordinance for the purpose of allowance of a business, commercial, or industrial development on Burnett Road. Location of Property: Burnett Road, Map & Parcel ID: Map 294, Lot 6 & Lot 7. Name of Applicant: Scannell Properties #705, LLC (c/o Leo Leighton), 294 Grove Lane, Suite 140, Wayzata, MN 55391.

34 An application for a NEW Zone Change from Industrial Garden Planned Unit Development Type 1 to Industrial for 2.58 +/- acres of property located at Burnett Road, Parcel ID# Map #294, Lot #6,

& #7 for the purpose of eliminating the existing split zone indicated on the referenced properties, such that the Zoning classification of same can be contiguous with the immediately adjacent properties to the west which are currently zoned industrial. The subject site contains approximately 7.1 +/- acres, of which approximately 4.5 +/- acres is zoned Industrial and approximately 2.6 +/- acres is zoned Industrial Garden Planned Unit Development Type 1. Petitioner Name & Address: Scannell Properties #705, LLC (c/o Leo Leighton), 294 Grove Lane, Suite 140, Wayzata, MN 55391.

35

An application for a NEW Taxi Driver License: Applicant: Zaheer A. Shaikh, 25 Lorraine Street, Chicopee, MA 01013.

ATTEST:

A handwritten signature in black ink, appearing to read 'Keith W. Rattell', written in a cursive style.

Keith W. Rattell, City Clerk