

The briefing for the City Council Meeting to be held on Tuesday, August 7, 2018 will be held at 6:30 pm in the Council Chambers.

Agenda for the City Council Meeting on Tuesday August 7, 2018 at 7:15 pm in the Council Chambers is as follows:

Public Input

- C-1 A communication from Willard and Nicole Mckinsty withdrawing the application for a Zone Change.
- MO-1 Mayors appropriation of One hundred thousand four hundred and 00/100 dollars (\$100,400.00) to the following named account: D.P. W. Administration Special Account for Design and Bidding of a Sanitation/Recycling Vehicle Storage Garage from available funds in the Stabilization Fund for Capital Budgeting.
- MO-2 Mayors appropriation of Ninety seven thousand two hundred fifty and 00/100 dollars (\$97,250.00) to the following named account: D.P.W. Highway Special Account for Crack Sealing Program from available funds in the Stabilization Fund.
- MO-3 Mayors appropriation of Seventy five thousand and 00/100 dollars (\$75,000.00) to the following named account: School Special Revenue Account for Chicopee TV Public Access from available funds in the Receipts Reserved for Appropriation Peg Access Related to Expenditures Account.
- MO-4 Mayors appropriation of Forty three thousand seventeen and 20/100 dollars (\$43,017.20) to the following named account: Flood Control Salary Account for Senior Flood Control Operator from available funds in the Stabilization Fund.
- MO-5 Mayors appropriation of Thirty nine thousand nine hundred ninety four and 94/100 dollars (\$39,994.94) to the following named account: Human Resources Special Account for Indemnifications of Police & Fire from available funds in the Stabilization Fund.
- MO-6 Mayors appropriation of Ten thousand and 00/100 dollars (\$10,000.00) to the following named account: Assessors Salary Account for Temporary Staff from available funds in the Stabilization Fund.
- MO-7 Mayors appropriation of Four hundred seventy eight and 66/100 dollars (\$478.66) to the following named account: Human Resources Expense Account for Travel from available funds in the Stabilization Fund.
- MO-8 Mayors appropriation of One hundred sixteen and 25/100 dollars (\$116.25) to the following named account: Building Expense Account for Travel from available funds in the Stabilization Fund.
- MO-9 Ordered that the City Council accept the additional funding of the FY'18 Sustained Traffic Enforcement Program (STEP) Grant to the Chicopee Police Department in the amount of Six thousand nine hundred eighteen and 59/100 dollars (\$6,918.59). Said Grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-10 Ordered that the City Council accept the additional funding of the FY'18 Traffic Enforcement Grant to the Chicopee Police Department in the amount of Three thousand and 00/100 dollars (\$3,000.00). Said grant is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-11 Ordered that the City Council accept the donation of Two thousand and 00/100 dollars (\$2,000.00) from the Polish National Credit Union to the Chicopee Parks Department. Said donation will be used

for the outdoor movie night to be held at Szot Park on August 17, 2018 and is accepted in accordance with M.G.L. Chapter 44 Section 53A.

- MO-12 Ordered that the City Council accept the donation of Two thousand and 00/100 dollars (\$2,000.00) from the Lifepoint Baptist Church to the Chicopee Parks Department. Said donation will be used for the outdoor movie night to be held at Szot Park on August 3, 2018 and is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-13 Ordered that the City Council accept the attached list of donations to the Chicopee Parks Department with a value of Nine hundred seventy five and 00/100 dollars (\$975.00). Said donations will be used for the "Opee Summer Adventures" annual BBQ to be held on August 3, 2018 and are accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-14 Ordered that the City Council accepts the donation of Fifty and 00/100 dollars (\$50.00) from Robert Pajak to the Chicopee Fire Department. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.
- MO-15 Be it Ordered that the City Council, acting according to its powers granted to it by the City Charter and specifically Section 15A of Chapter 40 of the Massachusetts General Laws, hereby authorizes the transfer of various parcels of land in the Chicopee Falls area of the City, as further identified in Exhibit A, to the care, custody and control of the flood control department for dike maintenance purposes.
- MO-16 Be it Ordered by the City Council, acting according to its powers granted to it by the City Charter and specifically Chapter 79 of the Massachusetts General Laws, that the City hereby take permanent utility easements near Oak and West Main Streets by eminent domain.
- MO-17 Be it Ordained that the City of Chicopee hereby adopts, approves and authorizes the following sewer betterment ordinance according to the City Charter, the authorizations and requirements of Chapters 80 and 83 of the Massachusetts General Laws and any other law of the Commonwealth of Massachusetts.
- MO-18 Be it Ordered that the City of Chicopee elects to engage in the process to change health insurance benefits under M.G.L. c. 32B §§ 21 through 23. Acceptance of these sections allows the Mayor greater flexibility when negotiating City health care benefit plans.
- MO-19 To the City Council:
- You are hereby notified that I have this day appointed, Jeanette Montanez, 1340 Memorial Drive 7B, Chicopee, Massachusetts as a member of the Housing Authority to serve in such office for the term expiring on the 1st of February, 2022. To which appointment I ask the confirmation of your honorable council.
- *Re-Appointment
**Corrected Term Dates
- MO-20 To the City Council:
- You are hereby notified that I have this day appointed, Chester Szetela, 845 Sheridan Street, Chicopee, Massachusetts as a member of the Housing Authority to serve in such office for the term expiring on the 1st of February, 2023. To which appointment I ask the confirmation of your honorable council.
- *Re-Appointment
**Corrected Term Dates

MO-21 To the City Council:

You are hereby notified that I have this day appointed, Brian Hickey, 121 Donlyn Drive, Chicopee, Massachusetts as a member of the Housing Authority to serve in such office for the term expiring on the 1st of February, 2024. To which appointment I ask the confirmation of your honorable council.

*Re-Appointment

**Corrected Term Dates

MO-22 To the City Council:

You are hereby notified that I have this day appointed, Bruce Socha, 149 Labelle Circle, Chicopee, Massachusetts as a member of the Housing Authority to serve in such office for the term expiring on the 1st of February, 2025. To which appointment I ask the confirmation of your honorable council.

*Re-Appointment

**Corrected Term Dates

MO-23 To the City Council:

You are hereby notified that I have this day appointed, Lynn Houle, 218 Newbury Street, Chicopee, Massachusetts as a member of the Council on Aging to serve in such office for the term expiring on the 1st of June, 2021. To which appointment I ask the confirmation of your honorable council.

*New Appointment

24 A favorable License Committee report for an application for a Class II License for Matt's Auto Mall, LLC located at 1840 Memorial Drive. Applicant Matthew Jenson, 229 Miller Street, D6, Ludlow, MA.

25 A favorable License Committee report for an alteration of a Class II license to increase the number of cars available for sale and to display cars for sale at the front of the property at Broadway Auto Shop, Inc., 376 Broadway. Applicant: Kassem Kabbout, 232 Lafayette Street, Chicopee, MA.

26 A favorable Ordinance Committee report, be it ordered the City Council for the City of Chicopee does hereby petition the GENERAL COURT OF MASSACHUSETTS for passage of legislation as follows:

- (1) Repeal ST. 1892, c. 384, *An Act to authorize the City of Chicopee to introduce a public water supply.*
- (2) Repeal ST. 1877, c. 103, *An Act to incorporate the Chicopee Water Company.*
- (3) Amend the City's charter, ST. 1897, c. 239, to strike out Section 45 and to remove the reference in section 38 to the "board of water commissioners".
- (4) Authorize the City to establish a water department and a sewer department under the Department of Public Works, and to establish a combined water and sewer commission through local ordinance.

BE IT FURTHER ORDERED that the City Council for the City of Chicopee does hereby petition the GENERAL COURT OF MASSACHUSETTS that this petition be considered a general vote, which gives the General Court the ability to make substantive changes to the language of the proposed legislation within the general scope of the public objectives.

The purpose of this ORDER is to allow the City of Chicopee, by way of local ordinance, to create a new water department and sewer department to be under the general direction of the City and to

allow the City of Chicopee Water Department and Sewer Department to become a division of the City of Chicopee Department of Public Works. Further, this order shall authorize the City of Chicopee to create a combines Water and Sewer Commission by local ordinance whose role and responsibility shall be defined by said local ordinance.

27 A favorable Utilities Committee report, be it ordered the City Council for the City of Chicopee does hereby petition the GENERAL COURT OF MASSACHUSETTS for passage of legislation as follows:

- (1) Repeal ST. 1892, c. 384, *An Act to authorize the City of Chicopee to introduce a public water supply*.
- (2) Repeal ST. 1877, c. 103, *An Act to incorporate the Chicopee Water Company*.
- (3) Amend the City's charter, ST. 1897, c. 239, to strike out Section 45 and to remove the reference in section 38 to the "board of water commissioners".
- (4) Authorize the City to establish a water department and a sewer department under the Department of Public Works, and to establish a combined water and sewer commission through local ordinance.

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28 A favorable Zoning Committee report, an application for a Special Permit under section 275-63 F (5) for the purpose of increasing the area allowed for outside storage of manufacturing product from 2% (1,000 SF) of building area (50,000 SF) to 5% of building area (2,500 SF) located at 1000 Sheridan Street. Applicant: Jain America Holdings, Inc., 1819 Walcutt Road, Suite 1, Columbus, OH.

29 A favorable Zoning Committee report, an application for a Special Permit under section 275-62 (B) (25) for the purpose of operating a tasting room on the premises of a brewery located at 95 N. Chicopee Street. Applicant: Patrick Randall, DBA Leadfoot Brewery, LLC, 4 John Lane, South Hadley, MA.

30 A favorable Zoning Committee report, an application for a Special Permit under section 275-50 for the purpose of replacing existing sign structures with new 4'x8' sign with LED message center located at 431 Granby Road. Applicant: Sign Services, Peter Surreira, 135 Higher Brook Drive, Ludlow, MA.

31 A favorable Zoning Committee report, an application for a Special Permit under section 275-30 (B) for the purpose of parking a box-AKA trailer box, PODS or containers in the corner of parking lot for storage of trash barrels, damaged chairs or equipment, lawn mowers, and snow blowers and empty bottles and cans located at 371 Chicopee Street. Applicant: Mario DoCarmo-Chief's Lounge, 371 Chicopee Street, Chicopee, MA.

32 Ordered that the City Council accept the request to withdraw the Zone Change application submitted by Willard and Nicole McKinstry for property located at 753 Montgomery Street.

Brooks

- 33 Be it Ordained by the City Council that Code of the City of Chicopee for the Year 1991, as amended, be and is hereby further amended as follows:
- Chapter 260-28 Parking of Commercial Vehicles
- Delete from Chapter 260-28 A & B (excluding recreational vehicles)
- Courchesne
- 34 Be it Ordained that the Chicopee City Council does hereby amend Chapter 275-50 (B) (3) (a) and hereby inserts at the end of said section the following:
- Further, notwithstanding anything on the contrary, the Chicopee Police Department, Chicopee Fire Department and Chicopee Emergency Management personal shall be exempt from this section.
- Vieau, Laflamme, Tillotson
- 35 Ordered that the polling location for Ward 5B be moved from AHEPA Hall, 193 St. James Avenue, to First Bible Church, 50 Broadway.
- Krampits
- 36 Ordered that Al Lafleur, Inc., d/b/a East Main Street Auto, 467 East Main Street, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Al Lafleur, Inc., d/b/a East Main Street Auto including compliance with restrictions imposed upon any licenses held by Al Lafleur, Inc., d/b/a East Main Street Auto. The Council may modify, suspend, fine or revoke any license held by Al Lafleur, Inc., d/b/a East Main Street Auto.
- 37 A proposed Ordinance adding to Chapter 260, Handicap Parking, 21 Elmer Drive, Handicap Parking.
- Vieau
- 38 A proposed Ordinance adding to Chapter 260, Handicap Parking, 49 Elm Street, Handicap Parking.
- Balakier
- 39 An application for a NEW Special Permit under Section 275-58C5 of the Municipal Zoning Ordinance for the purpose of constructing 3 story building consisting of 952 sqft on each floor. Business 1st floor & dwellings on other 2 floors. Location: Grattan Street & Dallaire Avenue. Applicant: Authier, Inc., 1421 Granby Road, Chicopee, MA.
- 40 An application for a NEW Special Permit under Section 275-72 of the Municipal Zoning Ordinance for the purpose of establishment of an adult-use marijuana establishment in accordance with the provisions of MGL Chapter 94G, "Regulation of the Use and Distribution of Marijuana not Medically Prescribed". Location: 1247 East Main Street. Applicant: DKRV Commercial Properties LLC, 1247 East Main Street, Chicopee, MA.
- 41 An application for a NEW Special Permit under Section 275-22C and 40G of the Municipal Zoning Ordinance for the purpose of 1) extending a pre-existing nonconforming residential use in connection with the conversion of three (3) currently vacant formerly commercial units on the ground floor of a fifteen (15) unit multi-family residence into residential units; and 2) reducing the number of required parking spaces. Location: 63-65-71 West Street. Applicant: Cabotville Common Limited Partnership, 300 High Street, Holyoke, MA.
- 42 An application for a NEW Zone Change from Business A to Business B for 0.33 acres of property located at 524 Chicopee Street for the purpose of small business construction outfit to enable

outdoor storage of masonry and construction materials, a fenced in dumpster for bagged construction materials and appropriate parking for small construction vehicles & equipment.
Applicant: Jordan Healy, 218 East Street, Easthampton, MA.

- 43 An application for a NEW Zone Change from Residential A to Residential C for 3.27 acres of property located at 4322 Dale Street for the purpose of constructing a multi-family development.
Applicant: MA Homebuyers, LLC, 322 Dale Street, Chicopee, MA.
- 44 A RENEWAL of a Transient Vendor License to sell various items at Downtown Chicopee: Center, Exchange, Springfield, & Front Streets for the Chicopee Downtown GetDown. Event to take place August 24, 12pm-11pm and August 25, 9am-11pm. Applied for by: Lee Pouliot, 274 Front Street, Chicopee, MA.
- 45 An application for a NEW Class II License applied for by: Car Master Inc., 176 Granby Road, Vladimir I. Zubik, 12 Angeline Street, West Springfield, MA.
- 46 An application for a NEW Auto Repair License applied for by: Car Master Inc., 176 Granby Road, Vladimir I. Zubik, 12 Angeline Street, West Springfield, MA.
- 47 An Election Call for the State Primary Election to be held on September 4, 2018.
- 48 A petition from Columbia Gas of Massachusetts, hereby requests that it be granted a location and permission to replace and maintain 650' of 2" MP plastic gas main on Spring St, with such laterals and service connections as it may now or subsequently find necessary.

Said installation will be installed in accordance with the plans enclosed.

ATTEST:



KEITH W RATTELL
CITY CLERK