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CITY COUNCIL
CHICOPEE MA

Minutes from the City Council Meeting on Tuesday January 19, 2021 at 7:00 pm in the City Council Chambers are as follows:

Brooks, Shane D.	Ward 2 Councilor	Present
Laflamme, Frank N.	At-Large Councilor	Present
Roy, Gerard (Jerry) A.	At-Large Councilor	Present
Tillotson, James K.	At-Large Councilor	Present
Zygarowski, Robert J.	At-Large Councilor	Present
McAuliffe, Joel D.	Ward 1 Councilor	Present
Galecki, Lucjan J.	Ward 3 Councilor	Present
Balakier, George A.	Ward 4 Councilor	Present
Krampits, Fred T.	Ward 5 Councilor	Present
Dobosz, Derek	Ward 6 Councilor	Present
Courchesne, William C.	Ward 7 Councilor	Present
Labrie, Gary R.	Ward 8 Councilor	Present
Walczak, Stan	Ward 9 Councilor	Present

--Motion made by Councilor Zygarowski to accept the minutes of 1/5/2021. Motion passed.

Public Input-Debbie Guardino, 220 Wildermere Street, understand the Mayor, Council and elected officials haven't had raises in many years but giving yourselves raises at this time is not a good idea. Businesses could use money. Doesn't seem to be the right time. Opposed at this time, maybe when things get better. Daniel Leatherwood, 58 Elmer Drive, would appreciate a no vote on raises, feel there are places where the money could be better spent. In a pandemic, the residents, many are scared. Personally feel the Health Dept., Schools, Fire, EMT's, money could be better spent.

MO-1 Ordered that the City Council accept the donation of Five hundred eighty and 00/100 dollars (\$580.00) from the Blue Room Café to the Chicopee Fire Department. Said donation is accepted in accordance with M.G.L Chapter 44 Section 53A.

--Motion made by Councilor McAuliffe to receive and pass. Councilor McAuliffe stated donation from Gary Ziemba and the Blue Room, thank him for the generous donation. Motion passed through all stages by a unanimous roll call vote. Councilor Labrie out of chair.

MO-2 Ordered that the City Council accept the donation of Fifty and 00/100 dollars (\$50.00) from Robert and Barbara Pajak to the Chicopee Fire Department. Said donation is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Roy to receive, pass and the donation accepted. Councilor Roy stated community minded residents, thank them for the generous donation. Councilor Walczak stated when John Pajak was in the military he was responsible for bringing one of the tanks to Szot Park. Councilor Tillotson stated available to all citizens. Call the Fire Department, they provide and install. Good way to get the word out there. Motion passed through all stages by a unanimous roll call vote. Councilor Labrie out of chair.

MO-3 Ordered that the City Council accept the donation of Five hundred eighty and 00/100 dollars (\$580.00) from the Blue Room Café to the Chicopee Police Department. Said donation is accepted in accordance with M.G.L Chapter 44 Section 53A.

--Motion made by Councilor Krampits to receive and the donation accepted. Councilor Krampits stated same as the first order, just for the Police Department. Motion passed through all stages by a unanimous roll call vote.

MO-4 Mayor's appropriation of Twenty one thousand three hundred seven and 19/100 dollars (\$21,307.19) to the following named account: Human Resources Special Account for Indemnifications of Police and Fire from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Galecki to receive and pass. Councilor Galecki stated to pay medical bills. Motion passed through all stages by a unanimous roll call vote.

MO-5 Mayor's appropriation of Twenty nine thousand four hundred forty and 00/100 dollars (\$29,440.00) to the following named account: Planning Special Account for Rivermills Fill Program from available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Walczak to receive and pass. Councilor Walczak stated to continue backfilling at the Uniroyal property. Need to move ahead to finish the project. Motion passed through all stages by a unanimous roll call vote.

MO-6 To the City Council:

You are hereby notified that I have this day appointed, Daniel Garvey, 64 South Brook Road, East Longmeadow, Massachusetts as Associate City Solicitor and City Council Legal Counsel to serve in such office for the term expiring on the 1st of January, 2022.

*Re-Appointment

--Motion made by Councilor Labrie to receive and the reappointment occur this evening. Councilor Labrie stated no-brainer for the Council. He is always there, can't see anyone else in this position. Councilor Laflamme stated all rely on this attorney for many things. He always answers. Nights, weekends, thank you for continuing to work with us. Councilor Balakier stated haven't been on the Council very long, he is a beacon of light out there. Councilor Tillotson stated glad he's willing to put up with us for another year. Lucky to have him. Councilor Zygarowski stated support, know him personally, no matter when you call he answers, an asset. Councilor Roy echoed the accolades. He may change his number. Councilor Laflamme stated very hard to get an attorney that works nights. He works meetings at night with each sub-committee. Councilor Brooks stated he has helped make his first year of Presidency a smooth one. Appreciate wife and kids sharing you with us. Motion passed through all stages by a unanimous roll call vote.

MO-7 Chapter 7 Ordinance Revisions

--Motion made by Councilor Tillotson to receive, 1st reading and refer to the Ordinance Committee. Councilor Tillotson stated some are automatic, increase due to minimum wage. Ordinance needs to be changed. Some are more controversial. Will deal with in committee. Councilor McAuliffe stated take a second to speak to urge colleagues to vote no and not send to committee. Residents are out of work and struggling to get by. Does not sit right with me and constituents. About leadership in this time. We should be talking about teachers and DPW workers, vote no. Councilor Tillotson stated never a good time to give wage increases.

Send to committee all agree the Mayor is underpaid. School Committee will decide school wages. Don't have to pass it. Can look at it in committee. Can modify. Can be made effective next year, the idea that we can't look at this is absurd. Takes more confidence to look at it than to just say no. To not allow it to go to committee is shortsighted. Everyone is invited to Ordinance and Finance. Ordinance and the money have to match. Human Resources put a lot of time and effort looking into this. No one ever wants to give raises. Third lowest in western mass. Should look out of common courtesy. Councilor Labrie stated when you look at page 16 salaries are extremely low compared to local communities, never a good time to give raises. Need to speak about this. Saying no is telling these people they aren't even worth looking at for a raise. Councilor Courchesne stated closest to us is Pittsfield. Holyoke & Fitchburg to see how poorly the Mayor is paid. People have a hard time separating the person from the position. Councilor Roy stated don't have a knee jerk reaction. Send to committee. Councilor Walczak stated conversation is warranted. Mayor is like the CEO of a big corporation, at some point these people need a raise. Three hundred fifty city employees make more than the Mayor. Do it incrementally, find a solution to get these people paid. Councilor Courchesne stated twenty-seven communities of lesser means and lesser budgets and only two make less than our community. Qualified people aren't going for the smaller wage. Councilor Dobosz stated agree with a lot of what has been said. Can be debated and modified in committee. Good for debate. Some people are questioning how come the school committee isn't on here. Goes with the position, not the person. Ethics violation for a mid-term raise. Not giving a pile of money to these people now. \$85,000 is a very low wage for a Mayor in general. Cost about \$20,000-\$30,000 to run for Mayor, have to love the city. Important to send to committee, ethics violation to approve mid-cycle. Councilor Balakier stated concur with Councilor Tillotson many of these officials haven't had a raise in over 10 years, get it to committee. Councilor Krampits stated agree with the comments-remember in 2008 giving the raises. When you let this amount of time pass this becomes more difficult, looking forward to a robust discussion. Councilor Tillotson stated HR study wants a COLA. In the study School Committee was given a raise in the study. School Committee needs to fund this and bring it forward. Looking at February 9th for Ordinance Committee. Finance will have to come after, new order would have to be filed if many changes. Will have to get an opinion from the attorney. Councilor Walczak stated as Mayor said about furloughs that was made by the School Superintendent. In Springfield the Mayor didn't get a raise for many years, then he got a \$40,000 raise. Councilor Zygarowski stated agree with Councilor Tillotson, been on the Council for 18 years. Pretty bad to raise the Mayor's rate. Can't just say no tonight, long overdue. The Mayor works 7 days a week. Can there be a joint meeting of ordinance and finance. Councilor Tillotson stated need to figure out what to do with the Ordinance first. Councilor Brooks stated let Ordinance meet first, then Finance. Councilor Zygarowski stated need to plan for the future, some employees got raises during this time. Motion to refer passed by a roll call vote of 11 yes, 1 no, 1 abstained. Councilor McAuliffe voting no, Councilor Laflamme abstaining.

MO-8

Mayor's appropriation of Sixty five thousand one hundred forty three and 91/100 dollars (\$65,143.91) to the following named elected official salary accounts:

Mayor	\$18,287.41
Treasurer	8,402.30
Collector	9,637.98
City Clerk	6,178.21
Assessors (3)	9,637.99
President of the Council	1,000.02

City Councilor

12,000.00
Total: \$65,143.91

From available funds in the Undesignated Fund Balance "Free Cash" Account.

--Motion made by Councilor Balakier to receive and refer to the Finance and Ordinance Committees. Councilor Balakier stated concerning elected officials, ordinance revisions. Need to take the pandemic into consideration. Possibility of waiting to implement. Councilor Dobosz stated why does this have to be referred? Counselor Garvey stated this needs to go to Finance. Councilor Tillotson stated there is no violation. It's being sent to committee. Could be changed dramatically. Giving the opportunity to discuss. Don't know what we'll find. Don't believe council will go along with these amounts. Councilor Dobosz stated not saying for or against, it is an ethics violation to raise mid-cycle. Councilor McAuliffe stated he received some of the same ethics guidance. Added in the instance to fund based on the Mayor's. Motion made by Councilor McAuliffe to table. Motion to table defeated by a roll call of 3 yes, 1 abstain, and 9 no. Councilors Laflamme, McAuliffe and Courchesne voting yes, Councilor Dobosz abstained. Motion to refer passed by a roll call vote of 10 yes, 3 abstained. Councilors Laflamme, McAuliffe and Dobosz abstained.

MO-9 Ordered that the City Council accept the donations in the amount of Twelve thousand nine hundred ten and 80/100 dollars (\$12,910.80) to the Chicopee Council on Aging. Said donations were received for senior meals during the month of December and are accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Zygarowski to receive, pass and the donation accepted with a second by Councilor Laflamme. Councilor Zygarowski stated self-explanatory. Motion passed through all stages by a unanimous roll call vote.

MO-10 Ordered that the City Council accept the 2020 MASS DOT shared winter streets and spaces grant to the Chicopee Planning Department in the amount of Seventy six thousand six hundred forty two and 50/100 dollars (\$76,642.50). Said grant is for the creation of a protected bicycle and walking loop through Chicopee Center and it is accepted in accordance with M.G.L. Chapter 44 Section 53A.

--Motion made by Councilor Courchesne to receive, pass and the grant accepted with a second by Councilor Laflamme. Councilor Courchense stated a grant from MASS DOT will finance a walking space in Chicopee center. Will hopefully bring people downtown. Motion passed through all stages by a unanimous roll call vote.

11 Be it Ordered that the City Council pursue adopting a home rule petition to include in the current City Charter a recall provision.

--Motion made by Councilor Laflamme to receive and refer to the Ordinance Committee. Councilor Laflamme stated about looking at a home rule petition. Councilor Brooks stated understand there is looking at a charter commission. Will allow to look at a singular instance/issue. Will be fairly prescriptive, faster than having a Charter Commission, singular issue. Need to act now. Councilor Tillotson stated like to go to Law Department. Sensitive issue, probably not the same night as salaries. Councilor Courchesne appreciates the way this was worded and explained. Sooner than later. Councilor McAuliffe stated would like to express trepidation of handling this in a quick manner. Something should be done.

Councilor Brooks stated not suggesting a quick fix, can use schools, other avenues to hold meetings. Motion to refer passed by a unanimous roll call vote.

- 12 Be it Ordered that nominations for the City of Chicopee Library Board of Trustees be opened.

Be it Further Ordered that Karen Kamienski be considered for said position and final appointment be voted upon. The term to expire in 2023.

--Motion made by Councilor Tillotson to reappoint Karen Kamienski. Motion made by Councilor Laflamme to open nominations. Motion passed. Motion made by Councilor McAuliffe to close nominations. Motion passed. Councilor Tillotson stated forgot to bring her in a timely manner. She should have been renewed a couple months ago. Working well together. Motion passed by a unanimous roll call vote.

- 13 An Order requesting the City Council refer to the Community Development Subcommittee consideration to approve participation in the Massachusetts Commercial Property Assessed Clean Energy Program, (PACE), in accordance with the provisions of Massachusetts General Laws Chapter 23M as amended and authorize the Mayor to enter into a PACE Massachusetts Municipal Assessment and Assignment Agreement with Mass Development.

--Motion made by Councilor Laflamme to receive and refer to the Community Development Committee. Councilor Laflamme stated several months ago received a call from a small business. Reached out to the Mayor & his Chief of Staff. Looked into this. Some businesses that may be able to use this program, need to help business. Should get out there and fight for them. Motion passed, referred.

- 14 Be it Ordered that a commission shall be established to review the Charter of the City of Chicopee. This commission shall be convened at ten-year intervals in years ending in one.

--Motion made by Councilor McAuliffe to receive, 1st reading and refer to the Ordinance Committee. Councilor McAuliffe stated doesn't really need to go to Ordinance. My belief the charter needs updating. Can count how many times this has been changed. Been going by this governing document for a long time. Can sit down and study the charter and make recommendations. Advisory commission, issue report to the Council & the City Clerk. They can recommend changes after studying the charter. Councilor Tillotson stated would make changes right off the bat, at large should have a vote too. Way of circumventing to real way to do this. Why slight the four at large? Willing to look at this in committee. Councilor Courchesne stated is glad this is finally being brought forward, is needed. Councilor Zygarowski stated been around more than anyone, have we had a charter commission? Councilor McAuliffe stated he didn't realize Councilor Tillotson was a supreme court justice, like to deal with the facts, not something he's dreamed about. Believe there is value in a committee, Northampton and Longmeadow have done it this way. Councilor Galecki asked how much would this cost the city? Councilor Brooks stated can't pinpoint a price. Councilor Galecki stated wants to know if it's going to cost the city a lot of money. Councilor Tillotson stated Holyoke, had a charter commission and have changed their charter. Vote and put it on the ballot. People first, people last. Motion passed, referred.

- 15 Be it Ordered that the City Engineer meet at Bush Avenue to discuss the unsafe parking issue.

--Motion made by Councilor Courchesne to receive and sent to the City Engineer for implementation. Councilor Courchesne stated long overdue, can't get emergency vehicles down the street. Motion passed.

- 16 Be it Ordered that the City Auditor Sharyn Riley and Human Resources Director Rich Merchant come before the Finance Sub-Committee to discuss issues with unemployment benefits.

Motion made by Councilor Dobosz to receive and refer to the Finance Committee. Councilor Dobosz stated concerned with growing unemployment in the city. Want to know what the rules are. Some employees were collecting unemployment for things such as poor performance and poor attendance Not saying we have to do anything, looking to save the city. Looking forward to discussing in committee. Councilor Courchesne stated don't have to pay benefits to seasonal employees, like to invite Rep. Wagner. Councilor Brooks stated send correspondence. Councilor Laflamme stated talked to Councilor Dobosz there are certain ways of hiring so we don't have to pay. Motion passed, referred.

- 17 Be it Ordered that the Fire Chief come before the Finance Subcommittee to discuss the Fire Department Budget.

--Motion made by councilor Dobosz to withdraw. Councilor Dobosz stated passed an increase in overtime. Was able to meet with the Chief, some people are out on medical leave. Some trouble with state test. Appreciate the Chief's time. Wanted to know financially if this was long term, didn't have time to withdraw before the agenda. Motion passed, withdrawn.

- 18 Be it Ordered that the Utilities Subcommittee meet to discuss potential price gouging by Charter.

--Motion made by Councilor Dobosz to amend to read to discuss. Motion made by Councilor Dobosz to refer to the Utilities Committee. Councilor Dobosz stated want to know why the bill is going up. Got a number for the government relations person. Utilities can meet to discuss things. Make an ask for Charter. See what issues others have for Charter. Happy to work with constituents. Councilor McAuliffe stated thank Councilor Dobosz for his leadership in this. Back to back Mayors are not answering the Council, very disappointed. Continue to push for a performance review hearing. Councilor Tillotson stated can sympathize but we have no control. Councilor Balakier asked if there is any way to set this up? Do we have a day? Councilor McAuliffe addressed comments from Councilor Tillotson-suggest he switch to Crossroads Fiber. Motion passed, referred.

- 19 Be it Ordered that the City Engineer send a letter to the Owner/Property manager of the Home Depot parking lot to correct the violations of the plot plan as it pertains to the entrance from Memorial Drive.

--Motion made by Councilor Courchesne to receive and sent to City Engineer for implementation. Councilor Courchesne stated trying to clean up multi-year projects, found lanes, nothing on the plans. Councilor Tillotson stated glad to see this come forward, hopefully the lines of demarcation can be clear. Councilor Courchesne stated just for the entrance, MASS DOT may have to become involved. Motion passed.

20 Request that the Mayor take action to fill the vacant Compliance Officer position as budgeted in the City Clerk's budget.

--Motion made by Councilor Courchesne to receive and sent to the Mayor for consideration. Councilor Courchesne stated found out semantics, code enforcement is different from compliance officer. Compliance officer doesn't come to problem properties, could eliminate if we had someone who could ticket. Time to get this position filled. Councilor Dobosz stated looking for code enforcer, Mayor's looking to have this in the Police Department. Please have someone assigned to this position. We still have problem properties, messy, some vacant, some by out of town owners. Councilor Tillotson stated there is a compliance officer in the Clerk's Office if we're not getting the max amount out of there maybe it needs to change. Councilor Courchesne asked should he withdraw and refile? Clerk Rattell stated maybe the title should be changed. Motion to withdraw passed.

21 A proposed ordinance adding to Chapter 260: Parking Regulations, Charbonneau Terrace, for a distance of 25 feet on both sides to the intersection of Chicopee Street, Parking Prohibited Here to Corner.

--Motion made by Councilor Courchesne to receive, first reading and refer to the Ordinance Committee. Councilor Courchesne stated other thing the Police Sergeant in the area wanted filed. Coming off Chicopee Street. Motion passed, referred.

22 A proposed ordinance adding to Chapter 260: Parking Regulations, Tenney Street, from driveway of 11 Tenney Street to the corner of Newell Street, Parking Prohibited Here to Corner.

--Motion made by Councilor McAuliffe to receive, first reading and refer to the Ordinance Committee. Councilor McAuliffe stated take up in committee. Motion passed, referred.

23 An application for a NEW Zone Change from Commercial A to Residential A for 5227 sqft of property located at 3 Hartford Street, Chicopee, 01020 for the purpose of me to move in, closing date was December 30th, 20. I need something, paperwork, is too cold to move to a place without utilities. Applicant: Jose Rosa, 181 Elm Street, Holyoke, MA 01040.

--Motion made by Councilor Balakier to receive and refer to the Zoning Committee and the Planning Department. Councilor Balakier stated will take up in committee. Motion passed, referred.

24 Class 2 License Renewal for 2021

Gary's Auto Sales

125-131 Broadway

--Motion made by Councilor Walczak to receive and granted with existing restrictions. Councilor Walczak stated annual request. Motion passed.

25 Auto Repair License Renewal for 2021

Gary's Auto Sales

125-131 Broadway

--Motion made by Councilor Walczak to receive and granted with existing restrictions. Councilor Walczak stated annual request. Motion passed.

ATTEST:

A handwritten signature in black ink, appearing to read "Keith W. Rattell".

Keith W. Rattell
City Clerk